

Agenda -Notice of Meeting

Polk City | City Council

November 14, 2022 | 6:00 pm

City Hall Council Chambers

Public Meeting participation in person or via phone

Call in # 515-726-3598 Participant Code 535355

Public members can also provide comments* directly to support@polkcityia.gov

**any comments received before the time of the meeting will be made a part of the public hearing*

Broadcast live and playback will be available at <https://www.youtube.com/c/polkcityiagovchannel>

Steve Karsjen | Mayor

Ron Anderson | Pro Tem

City Council Members: Jeff Walters | Dave Dvorak | Mandy Vogel | Rob Sarchet

1. Call to Order

2. Roll Call

3. Approval of Agenda

4. Public Hearings:

- a. Public Hearing on Proposed Polk City Area II Urban Renewal Area
 - i. Resolution 2022-124 to Approve Urban Renewal Plan Amendment for the Polk City Area II Urban Renewal Area
- b. Public Hearing on Proposed Development Agreement with the Polk City Chamber of Commerce
 - i. Resolution 2022-125 approving Development Agreement with the Polk City Chamber of Commerce, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement
- c. FY 22.23 Budget Amendment
 - i. Resolution 2022-126 approving FY 22.23 Budget Amendment No. 1

5. Presentation: Bravo Greater Des Moines

- 6. Public Comments:** *This is the time and place for comments for any item other than those that are a Public Hearing. If you wish to speak, please contact the City Clerk by 6pm on the date of the meeting by email at jcoffin@polkcityia.gov include your name and address for the record. The Mayor will recognize you for five minutes of comment.*

7. Consent Items

- a. City Council Meeting Minutes for October 24, 2022
- b. Receive and file Parks Commission Meeting Minutes for November 7, 2022
- c. Receive and file Library Board Meeting Minutes for October 3, 2022
- d. Receive and file October 2022 Library Director Report
- e. Receive and file P&Z Commission Special Meeting Minutes for November 10, 2022
- f. Claims listing November 14, 2022
- g. FY 21/22 Annual Finance Report (AFR)
- h. FY 21/22 Annual Urban Renewal Report (AURR)
- i. Resolution 2022-127 approving Pay App No. 8 for the North 3rd Street and Vista Lake Avenue Intersection Improvements Project in the amount of \$176,283.66

- j. Receive and file the October 2022 Police Department Report
- k. Resolution 2022-128 Designating Grinnell State Bank as a Depository for Public Funds
- l. Resolution 2022-129 adopting PA-53 Credit Card Policy
- m. Resolution 2022-139 amending PA-39 Open Records Request
- n. Resolution 2022-140 approving year end fund transfer – Debt Service
- o. Receive and file the October 2022 Water Department Report
- p. Receive and file October 2022 Parks and Recreation Department Report
- q. Receive and file Parks & Recreation Program Cost Recovery Report for Q3 for 2022
- r. Acknowledge revision of the Police Department Standard Operation Procedures (SOP)
- s. Acknowledge revision of the Fire Department Policies and Procedures
- t. Set pay for Firefighter/Paramedic new hire, Tad Watson at a rate of \$22 per hour
- u. Set pay for Fire Department Internship new hire, Grant Chaney at a rate of \$16 per hour
- v. Street Closings for Light Up Polk City event December 4, 2022 from 4-10 pm
 - i. 2nd Street from Van Dorn through Broadway
 - ii. Broadway from 1st Street through 2nd Street
- w. Resolution 2022-143 setting Public Hearing on Amending the 2016 Polk City Comprehensive Plan by Updating the Future Land Use Map
- x. Resolution 2022-144 setting the Public Hearing on the Rezoning request for Leonard Senior Living from R-1 to PUD

8. Business Items

- a. Resolution 2022-141 approving Offer to Purchase Real Estate and Acceptance
- b. Resolution 2022-142 updating Automatic Aid Agreement with Ankeny Fire Department
- c. Second Reading of Ordinance 2022-2400 amending Chapter 75, Polk city Municipal Code, Regarding the use of All-Terrain Vehicles and Off-Road Utility Vehicles within the City
- d. Third Reading of Ordinance 2022-2300 rezoning Holly Woods from R-2 and R-2A to R-1, Single Family Residential
- e. Snyder & Associates Engineering Services September 2022 Invoice in the amount of \$23,638.50

9. Reports & Particulars

Mayor, Council, City Manager, Staff, Boards, and/or Commissions

10. Adjournment

--next meeting date November 28, 2022



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Public Hearing & Resolution on proposed amendment to the Polk City Area II Urban Renewal Area

BACKGROUND: On Monday evening, the City Council will hold a Public Hearing on a proposed amendment to the City's Urban Renewal Plan. The plan amendment includes 1) Polk City Chamber & Economic Development Corporation Development Agreement and 2) Admin Support Program. The city amended the Urban Renewal Plan 2 years ago for 3-year periods, and my recommendation is to amend the plan for 5 year periods for both of these activities. Both programs will occur fiscal years 2024-2028.

1. In the last few years, the city has entered into a development agreement with GoPolkCity for the City's contribution to the organization. The development agreement allows for the City to reimburse the general fund with TIF funds for activities conducted in the urban renewal area. The proposed development agreement is a 5-year agreement; however, annual appropriations will need to be approved annually. The total amount of the development agreement will be \$375,000-or \$75,000 for each year.
2. We have also started an admin support program, which allows us to reimburse the City's general fund for urban renewal activity expenses. Some of these activities include bond counsel fees, financial advisor fees, and staff salaries. The proposed program would not exceed \$250,000-or \$50,000 for each year.

ALTERNATIVES: Do not approve

FINANCIAL CONSIDERATIONS: Financial considerations are \$625,000. The Chamber development agreement funds (up to \$375,000) will need to be annually appropriated each year by the City Council.

RECOMMENDATION: It is my recommendation that the Council approve the amendment to the City's Urban Renewal Plan.

HEARING ON AND APPROVAL OF 2022
AMENDMENT TO THE POLK CITY
AREA II URBAN RENEWAL AREA

511493-9

Polk City, Iowa

November 14, 2022

The City Council of the City of Polk City, Iowa, met on November 14, 2022, at 6:00 p.m., at the City Hall Council Chambers, in the City, for the purpose of conducting a public hearing on a proposed urban renewal plan amendment.

The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: _____

Absent: _____.

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on the urban renewal plan amendment had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the City Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member _____ moved the adoption of a resolution entitled "Resolution to Approve Urban Renewal Plan Amendment for the Polk City Area II Urban Renewal Area," seconded by Council Member _____. After due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO2022-124

Resolution to Approve Urban Renewal Plan Amendment for the Polk City Area II
Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, this City Council of the City of Polk City, Iowa (the “City”), by prior resolution established the Polk City Area II Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which (1) updates the description of the City’s Polk City Chamber of Commerce Support Program previously approved in the October, 2020 Amendment to the Plan and (2) updates the description of the City’s Urban Renewal Administration and Professional Support Program previously approved in the October, 2020 Amendment to the Plan; and

WHEREAS, notice of a public hearing by the City Council on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on November 14, 2022; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Polk County and the North Polk Community School District; the consultation meeting was held on the 26 day of October 2022; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Polk City, Iowa, as follows:

Section 1. The Amendment, attached hereto and made a part hereof, is hereby in all respects approved.

Section 2. It is hereby determined by this City Council as follows:

A. The programs, projects and initiatives proposed under the Amendment conform to the general plan for the development of the City;

B. The programs, projects and initiatives proposed under the Amendment are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

C. It is not intended that families will be displaced as a result of the City's undertaking under the Amendment. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 3. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved November 14, 2022.

Mayor

Attest:

City Clerk

(Attach copy of the urban renewal plan amendment to this resolution.)

••••

Upon motion and vote, the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
POLK COUNTY
CITY OF POLK CITY

SS:

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Polk City, and that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with approving the urban renewal plan amendment for the Polk City Area II Urban Renewal Area in the City of Polk City, Iowa.

WITNESS MY HAND this ____ day of _____, 2022.

City Clerk

November 10, 2022

VIA EMAIL

Chelsea Huisman
City Manager/City Hall
Polk City, Iowa

Re: 2022 Amendment to the Polk City Area II Urban Renewal Area
Our File No. 511493-9

Dear Chelsea:

Attached please find proceedings covering the City Council's action in holding a public hearing on and adopting a resolution to approve the 2022 urban renewal plan amendment.

We will appreciate receiving executed copies of these proceedings as soon as they are available. Please contact John Danos, Erin Regan, Severie Orngard or me if you have any questions.

Kind regards,

Amy Bjork

Attachments

cc: Jenny Coffin

CITY OF POLK CITY, IOWA
URBAN RENEWAL PLAN AMENDMENT
POLK CITY AREA II URBAN RENEWAL AREA

November, 2022

The Urban Renewal Plan (the “Plan”) for the Polk City Area II Urban Renewal Area (the “Urban Renewal Area”) of the City of Polk City, Iowa (the “City”) is being amended for the purposes of (1) updating the description of the City’s Urban Renewal Administration and Professional Support Program and (2) updating the description of the City’s Polk City Chamber of Commerce Support Program.

1) Update Description of the Urban Renewal Administration and Professional Support Program. It is now necessary to update the description of the Urban Renewal Administration and Professional Support Program, previously approved in the October 12, 2020 Amendment to the Plan, as follows:

Name of Program: 2024-2028 Urban Renewal Administration and Professional Support Program

Date of Council Approval of Program: October 12, 2020, and updated on November 14, 2022

Description of Program: The City will provide administrative and professional support to its urban renewal projects and initiatives in the City’s 2024 through 2028 fiscal years (the “Admin Support Program”). The Admin Support Program will include planning, staffing, grant writing and administration, document support, record management, accounting, legal services and such other services as are necessary to carry out and effectuate the urban renewal initiatives and objectives of the City.

Description of Use of TIF for the Program: The City will fund its support contributions under the Admin Support Program from the proceeds of internal advances (the “Advances”) of cash on hand. The City will repay the Advances from incremental property tax revenues to be derived from the Urban Renewal Area. The amount of the Advances will be determined from year to year. The total amount of incremental property tax revenues to be applied to the City’s Admin Support Program for the City’s fiscal years 2024 through 2028 shall not exceed \$250,000.

2) Update Description of the Polk City Chamber of Commerce Support Program. It is now necessary to update the description of the Polk City Chamber of Commerce Support Program, previously approved in the October 12, 2020 Amendment to the Plan, as follows:

Name of Project: 2024-2028 Polk City Chamber of Commerce Support Program

Date of Council Approval of Project: October 12, 2020, and updated on November 14, 2022

Declaration of Support Program as an Urban Renewal Project: The City Council acknowledges the importance of the Polk City Chamber of Commerce (the “Chamber”) in the ongoing promotion of economic development in the Urban Renewal Area. The City intends to enter into an economic development support agreement with the Chamber, which will provide a mechanism for the City to make annual support payments to the Chamber for a period of five fiscal years. Under said agreement, the Chamber will commit to continuing its efforts to carry out economic development support programs, promotional events, initiatives and activities within the Urban Renewal Area.

Description of Use of TIF for the Support Program: It is anticipated that the City will pay for the Polk City Chamber of Commerce Support Program with a combination of borrowed funds, proceeds of internal advances of City funds on-hand and/or through an economic development agreement with negotiated annual appropriation payments. In all cases, the City’s obligations will be repaid with incremental property tax revenues derived from the Urban Renewal Area. The amount of incremental property tax revenues to be expended by the City in connection with the Polk City Chamber of Commerce Support Program will not exceed \$375,000.

3) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$30,838,010</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed maximum indebtedness to be incurred in connection with this November, 2022 Amendment*:	<u>\$ 625,000</u>

*It is anticipated that some or all of the debt incurred under this Amendment will be made subject to annual appropriation by the City Council.



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Public Hearing & Resolution to approve a Development Agreement with the Polk City Chamber of Commerce, including annual appropriation Tax Increment payments

BACKGROUND: On Monday evening, the City Council will hold a Public Hearing on a proposed development agreement with the Polk City Chamber of Commerce (GoPolkCity). The proposed development agreement will be for FY2024-2028, with a total do not exceed amount of \$375,000, which equals \$75,000 per year.

The city had previously entered into a 3-year agreement with GoPolkCity in October 2020. This will allow for a 5-year agreement, utilizing tax increment financing to help fund the Chamber. Annual appropriations will need to be approved annually.

ALTERNATIVES: Do not approve

FINANCIAL CONSIDERATIONS: The financial considerations are up to \$375,000 over 5 years. The City Council will still have to annually appropriate the expenditure every year, with the first annual appropriation to follow at a future Council meeting.

RECOMMENDATION: It is my recommendation that the Council approve the development agreement. Utilizing tax increment financing for the City's contribution to GoPolkCity, provides some flexibility in the city's general fund.

HOLD HEARING ON AND APPROVE
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(Polk City Chamber of Commerce)

511493-9

Polk City, Iowa

November 14, 2022

A meeting of the City Council of the City of Polk City, Iowa, was held at 6:00 p.m., on November 14, 2022, at the City Hall Council Chambers, Polk City, Iowa, pursuant to the rules of the Council.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on a Development Agreement between the City and the Polk City Chamber of Commerce had been published according to law and as directed by the City Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections or comments, the Mayor announced that the hearing was closed.

Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 2022-125

Resolution Approving Development Agreement with the Polk City Chamber of Commerce, Authorizing Annual Appropriation Tax Increment Payment and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

WHEREAS, the City of Polk City, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Polk City Area II Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the “Urban Renewal Tax Revenue Fund”), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, a certain development agreement (the “Agreement”) between the City and the Polk City Chamber of Commerce (the “Chamber”) has been prepared in connection with certain economic development initiatives being undertaken by the Chamber in the Urban Renewal Area (the “Project”); and

WHEREAS, under the Agreement, the City would provide annual appropriation tax increment payments to the Chamber in a total amount not exceeding \$375,000; and

WHEREAS, this City Council, pursuant to Section 403.9 of the Code of Iowa, has published notice, has held a public hearing on the Agreement on November 14, 2022, and has otherwise complied with statutory requirements for the approval of the Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a City may provide grants, loans, tax incentives, guarantees and other financial assistance to or for the benefit of private persons; and

WHEREAS, Chapter 15A requires that before public funds are used for grants, loans, tax incentives or other financial assistance, a City Council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

WHEREAS, Chapter 15A requires that in determining whether funds should be spent, a City Council must consider any or all of a series of factors;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Polk City, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the City Council hereby finds that:

(a) The Project will add diversity and generate new opportunities for the Polk City and Iowa economies;

(b) The Project will generate public gains and benefits, particularly in the creation and retention of jobs and income, which are warranted in comparison to the amount of the proposed property tax incentives.

Section 2. The City Council further finds that a public purpose will reasonably be accomplished by entering into the Agreement and providing the incremental property tax payments to the Polk City Chamber of Commerce.

Section 3. The Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City, in substantially the form and content in which the Agreement has been presented to this City Council, and such officers are also authorized to make such changes, modifications, additions or deletions as they, with the advice of bond counsel, may believe to be necessary, and to take such actions as may be necessary to carry out the provisions of the Agreement.

Section 4. All payments by the City under the Agreement shall be subject to annual appropriation by the City Council, in the manner set out in the Agreement. As provided and required by Chapter 403 of the Code of Iowa, the City's obligations under the Agreement shall be payable solely from the income and proceeds of the Urban Renewal Tax Revenue Fund attributable to incremental property tax revenue derived from the Urban Renewal Area.

Section 5. The City hereby pledges to the payment of the Agreement the Urban Renewal Tax Revenue Fund and the taxes referred to in Subsection 2 of Section 403.19 of the Code of Iowa to be paid into such Fund, provided, however, that no payment will be made under the Agreement unless and until monies from the Urban Renewal Tax Revenue Fund are appropriated for such purpose by the City Council.

Section 6. After the certification of indebtedness to the County Auditor of Polk County, Iowa and the continuing pledging of the Urban Renewal Tax Revenue Fund and the portion of taxes to be paid into such Fund and, pursuant to the direction of Section 403.19 of the Code of Iowa, the County Auditor shall allocate the taxes in accordance therewith and in accordance with the tax allocation ordinance referred to in the preamble hereof.

Section 7. All resolutions or parts thereof in conflict herewith are hereby repealed.
Passed and approved November 14, 2022.

Mayor

Attest:

City Clerk

•••••

On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
POLK COUNTY
CITY OF POLK CITY

SS:

I, the undersigned, Clerk of the City of Polk City, Iowa hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to holding a public hearing and adopting a resolution to approve a Development Agreement with the Polk City Chamber of Commerce.

WITNESS MY HAND this _____ day of _____, 2022.

City Clerk

November 9, 2022

VIA EMAIL

Chelsea Huisman
City Manager/City Hall
Polk City, IA

Re: Polk City Chamber of Commerce Development Agreement
File No. 511493-9

Dear Chelsea:

Attached please find the proceedings covering the City Council's public hearing on the proposed Development Agreement with the Polk City Chamber of Commerce, followed by a resolution approving the Agreement and pledging certain incremental property tax revenues to the payment of the Agreement.

We would appreciate receiving one fully executed copy of these proceedings and of the executed Development Agreement as soon as they are available.

Please call John Danos, Erin Regan, Severie Orngard or me with questions.

Kind regards,

Amy Bjork

Attachments

cc: Jenny Coffin

ECONOMIC DEVELOPMENT SUPPORT AGREEMENT

This Economic Development Support Agreement (the “Agreement”) is entered into between the City of Polk City, Iowa (the “City”) and the Polk City Chamber of Commerce, GoPolkCity (the “Chamber”) as of the ____ day of _____, 2022 (the “Commencement Date”).

WHEREAS, the City has established the Polk City Area II Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, the Chamber provides economic development programs, initiatives and economic development support in the Urban Renewal Area; and

WHEREAS, the Chamber has requested that the City provide financial assistance in order to assist in funding the ongoing activities of the Chamber; and

WHEREAS, the City is willing to provide such financial assistance in the form of economic development tax increment payments (the “Payments,” and, individually, each a “Payment”) in an aggregate amount not to exceed \$375,000 to the Chamber provided that the Chamber agrees to undertake certain obligations as hereinafter set forth; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide loans, grants, guarantees, tax incentives and other financial assistance to or for the benefit of private persons; and

WHEREAS, this Economic Development Support Agreement has been prepared to facilitate the funding of the Payments and to set forth the understanding between the City and the Chamber;

NOW THEREFORE, the parties hereto agree as follows:

A. Chamber’s Covenants

1. Economic Development Support. The Chamber agrees to apply the proceeds from the Payments to the carrying out of economic development support programs, promotional events, initiatives and activities within the Urban Renewal Area. The Chamber agrees to use best efforts to promote economic development in the Urban Renewal Area.

2. Annual Report. The Chamber agrees to submit an annual report (the “Annual Report”) to the City Council by December 15 in each of the years during the Term (as hereinafter defined) of this Agreement, commencing December 1, 2023, detailing the programs, initiatives and activities undertaken by the Chamber for the promotion of economic development in the Urban Renewal Area in the twelve (12) months immediately preceding the submission of such Annual Report. The Chamber further agrees that each Annual Report shall also include a detailed accounting of the investment, expenditure or other use of the Payments (as hereinafter defined) provided by the City to the Chamber hereunder and any other financial incentives provided to the

Chamber by the City (including financial incentives provided to the Chamber prior to the Commencement Date of this Agreement), including the timing, purpose and amount of such expenditures. The Chamber agrees to provide such supporting documentation as may reasonably be requested by the City as an accompaniment to the Annual Report.

3. Remedy. The Chamber hereby acknowledges that failure to comply with the requirements of this Section A, will result in the City having the right to withhold the Payments under Section B of this Agreement at its sole discretion, until such time as the Chamber has demonstrated, to the satisfaction of the City, that it has cured such non-compliance.

B. City's Obligations

1. Payments. The City agrees to consider the funding of five (5) annual Payments to the Chamber during the Term (as hereinafter defined) of the Agreement. Each Payment shall be made on or before January 1 in each fiscal year during the commencing on January 1, 2024 and continuing to, and including, January 1, 2028. The amount of the Payment to be made in each year shall be subject to the annual appropriation process of the City Council, as hereinafter set forth. The aggregate amount of the Payments to be paid under this Agreement shall not exceed \$375,000.

The commitment to fund the Payments shall not constitute general obligations of the City, but shall be funded solely and only from Incremental Property Tax Revenues to be received by the City from the Polk County Treasurer attributable to the incremental taxable valuation of the property situated in the Urban Renewal Area.

For purposes of this Agreement, Incremental Property Tax Revenues are calculated by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with respect to taxation of the property situated in the Urban Renewal Area; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the property situated in the Urban Renewal Area, as shown on the property tax rolls of Polk County above and beyond the base valuation of such property; and (4) deducting any property tax credits which shall be available with respect to the property situated in the Urban Renewal Area.

2. Annual Appropriation. Each Payment shall be subject to annual appropriation by the City Council. Prior to December 1st of each year during the Term of this Agreement, commencing in calendar year 2022, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payment scheduled to be made in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to an amount to be supplied to the City Council annually by City staff. In no event shall the Appropriated Amount exceed \$75,000.

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payment scheduled to become due in the following fiscal year, and the Chamber will have no rights whatsoever to compel

the City to make such Payment, to seek damages relative thereto or to compel the funding of such Payment in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payment shall not render this Agreement null and void, and the City Council shall make the next succeeding consideration of an Appropriated Amount, provided however that no Payment shall be made after January 1, 2028.

3. **Payment Amounts.** Each Payment shall be in an amount equal to the corresponding Appropriated Amount (for example, for a Payment due on January 1, 2024, the amount would be determined by the Appropriated Amount determined for certification by December 1, 2022).

4. **Certification of Payment Obligation.** In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.2 above, then the City Clerk will certify by December 1 of each such year to the Polk County Auditor an amount equal to the most recently obligated Appropriated Amount.

C. **Administrative Provisions**

1. **Assignment.** This Agreement may not be amended or assigned by either party without the express permission of the other party.

2. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and shall continue until the date on which the final Payment is remitted by the City to the Chamber as set forth in Section B above.

3. **Successors and Assigns.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Chamber have caused this Agreement to be signed in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF POLK CITY, IOWA

By: _____
Mayor

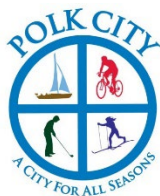
Attest:

By: _____
City Clerk

POLK CITY CHAMBER OF COMMERCE

By: _____
Name

Its: _____
Title



City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Public hearing and Resolution to approve FY23 budget amendment #1

BACKGROUND: On Monday, the City Council will hold a public hearing for a budget amendment for the Fiscal Year 23 (July 1, 2022-June 30, 2023). The proposed amendment includes amending for \$200,750 in revenue, and \$1,189,358 in expenditures. The City plans to utilize some fund balance cash to offset the additional expenses proposed in the amendment. Explanation for each adjustment is as follows:

Revenue:

1. Amend for police donations from the Polk City Community Foundation in the amount of \$23,500
2. Amend for park donations in the amount of \$10,000 from the Polk City Friends of the Parks
3. Amend for park refunds in the amount of \$17,250 for revenue from insurance for wind damage at the Sports Complex
4. Amend for proceeds from sale/insurance in the amount of \$50,000. \$15,000 is revenue from the sale of the Fire Department enclosed trailer, \$35,000 from insurance for police vehicle.
5. Amend for transfers into the Capital Fund water fund for \$100,000. I am estimating approximately \$100,000 in engineering fees for the Water Tower project, which will be paid for with water revenue. I will re-evaluate this expense in the spring of 2023, which is we will more than likely prepare a 2nd budget amendment.

Expenses:

1. Amend for police training costs in the amount of \$18,400. This is the total amount to send 2 police officers to the police academy.
2. Amend for fire overtime/shift pay in the amount of \$25,000.
3. Amend for Fire insurance in the amount of -\$25,000, which offsets the increased amount to the fire overtime budget.
4. Amend library programs in the amount of \$5,000 (\$2,500 adult & \$2,500 children) for a grant the library received for additional programming.
5. Amend for Parks Sports Complex expenses in the amount of \$17,250 due to the wind damage at this park. The City received \$17,250 from insurance for this expense.
6. Amend Leonard Park expenses in the amount of \$10,000, for the new shade structure. This expense will be offset with a donation from the Friends of the Parks donation.

7. Amend for contributions/payments to other agencies in the amount of \$51,000. The city received incorrect hotel/motel tax money in FY22, and we had to return the money to the State of Iowa, which counts as an expenditure.
8. Amend for capital projects-lost lakes park in the amount of \$106,000. This expense was included in the FY22 budget, however, not completed before June 30th.
9. Amend for capital projects Bridge Road water main loop in the amount of \$75,000. Again, this expense was included in the FY22 budget, however, not completed prior to June 30, 2022.
10. Amend for Water Tower project in the amount of \$100,000. I am estimating the cost of engineering for this fiscal year. Construction for the water tower will not begin until next fiscal year. This expense will be paid for with water revenue.
11. Amend for police capital equipment in the amount of \$83,500. This includes a \$48,500 donation from the Polk City Community Foundation (\$25,000 received in FY22, \$23,500 received in FY23) for a new vehicle lease. The remaining \$35,000 expense is an estimated cost for a used K-9 vehicle, which will be funded through insurance revenue.
12. Amend for Fire Capital equipment in the amount of \$180,500. The city plans to purchase a new engine, and we have researched that if we place a down payment on the engine, the cost will be reduced. The city had set aside \$175,000 for the fire engine last fiscal year for the future purchase. The remaining \$5,500 is a trailer to replace the enclosed trailer recently sold.
13. Amend for Transfers out in the amount of \$100,000 from the water fund to the capital fund for the water tower project.
14. Amend for miscellaneous contract work in the amount of \$332,708. This expense is a true non-budgeted for item to extend sanitary sewer to Highway 415 for future commercial development. The City Council will be discussing a potential development agreement with Antler Ridge to extend the sanitary sewer.
15. Amend for the Storm Water Best managed practices program in the amount of \$10,000. This program was recently approved by the City Council to reimburse residents with storm water money for storm quality programs completed on private property.

ALTERNATIVES: Do not approve

FINANCIAL CONSIDERATIONS: The financial considerations for this amendment are additional expenditures in the amount of \$988,608. The largest, and only true unplanned for expense is for the economic development agreement with Antler Ridge to extend the sanitary sewer with a do not exceed amount of \$332,708. As of June 30, 2022, the City had an ending balance in the sanitary sewer fund of \$1,408,979, therefore we do have the flexibility for this project. Most of the other expenditures only need amended because of events, which are being offset with additional revenue, or revenue received in the prior fiscal year.

RECOMMENDATION: It is my recommendation that the Council approve the budget amendment.

CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION - FY 2023 - AMENDMENT # 1

To the Auditor of POLK County, Iowa:

The City Council of POLK CITY in said County/Counties met on 11/14/2022 06:00 PM, at the place and hour set in the notice, a copy of which accompanies this certificate and is certified as to publication. Upon taking up the proposed amendment, it was considered and taxpayers were heard for and against the amendment.

The Council, after hearing all taxpayers wishing to be heard and considering the statements made by them, gave final consideration to the proposed amendment(s) to the budget and modifications proposed at the hearing, if any. Thereupon, the following resolution was introduced.

RESOLUTION No. 2022-126

A RESOLUTION AMENDING THE CURRENT BUDGET FOR FISCAL YEAR ENDING JUNE 2023

(AS LAST CERTIFIED OR AMENDED ON 03/14/2022)

Be it Resolved by the Council of City of POLK CITY

Section 1. Following notice published/posted 11/04/2022 and the public hearing held 11/14/2022 06:00 PM the current budget (as previously amended) is amended as set out herein and in the detail by fund type and activity that supports this resolution which was considered at the hearing:

REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	3,432,536	0	3,432,536
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	3,432,536	0	3,432,536
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	584,409	0	584,409
Other City Taxes	6	1,033,078	0	1,033,078
Licenses & Permits	7	479,499	0	479,499
Use of Money & Property	8	166,550	0	166,550
Intergovernmental	9	1,191,000	0	1,191,000
Charges for Service	10	4,471,400	0	4,471,400
Special Assessments	11	0	0	0
Miscellaneous	12	101,117	50,750	151,867
Other Financing Sources	13	2,775,750	50,000	2,825,750
Transfers In	14	1,662,278	100,000	1,762,278
Total Revenues & Other Sources	15	15,897,617	200,750	16,098,367
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	2,719,276	18,400	2,737,676
Public Works	17	615,518	0	615,518
Health and Social Services	18	2,000	0	2,000
Culture and Recreation	19	810,755	32,250	843,005
Community and Economic Development	20	416,009	0	416,009
General Government	21	550,185	51,000	601,185
Debt Service	22	932,930	0	932,930
Capital Projects	23	4,426,750	645,000	5,071,750
Total Government Activities Expenditures	24	10,473,423	746,650	11,220,073
Business Type/Enterprise	25	3,609,793	342,708	3,952,501
Total Gov Activities & Business Expenditures	26	14,083,216	1,089,358	15,172,574
Transfers Out	27	1,662,278	100,000	1,762,278
Total Expenditures/Transfers Out	28	15,745,494	1,189,358	16,934,852
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	152,123	-988,608	-836,485
Beginning Fund Balance July 1, 2022	30	8,989,974	0	8,989,974
Ending Fund Balance June 30, 2023	31	9,142,097	-988,608	8,153,489

Explanation of Changes: Amendment to account for revenue increases because of park donation, transfers and insurance proceeds. Also amending for expenses associated with public safety, culture & rec, Hotel Motel overpayment, capital projects, transfer out and stormwater program.

11/14/2022

City Clerk/Administrator Signature of Certification

Adopted On

Mayor Signature of Certification

MEETING MINUTES
The City of Polk City
City Council Meeting
6:00 p.m. October 24, 2022
City Hall – Council Chambers

Polk City, City Council held a meeting in the City Hall Council Chambers with public participation in person and via phone at 6:00 p.m., October 24, 2022. The agenda was posted at the City Hall office as required by law.

These tentative minutes reflect all action taken at the meeting.

1. **Call to Order** | Mayor Karsjen called the meeting to order at 6:00 p.m.
2. **Roll Call** | Walters, Dvorak, Anderson, Vogel, Sarchet | In attendance
3. **MOTION:** A motion was made by Sarchet and seconded by Dvorak to approve the agenda
MOTION CARRIED UNANIMOUSLY
4. **Public Comments** | None
5. **Consent Items** |
 - a. City Council Meeting Minutes for October 10, 2022
 - b. City Council Work Session Meeting Minutes for October 10, 2022
 - c. Receive and file P&Z Commission Meeting Minutes for October 17, 2022
 - d. Claims listing October 24, 2022
 - e. September 2022 Finance Report
 - f. Resolution 2022-119 approving 28E Agreement for Tobacco Enforcement
 - g. Receive and file the September 2022 Fire Department Report
 - h. Set pay for Firefighter/EMT new hire, Tyler Pedersen at a rate of \$17.50 per hour
 - i. Set pay for Firefighter/EMT new hire, Tyler Ahrens at a rate of \$17.50 per hour
 - j. Set pay for Dottie Parsons promotion to EMS Captain with a pay rate of \$24.00 per hour
 - k. Set pay for David Llewellyn promotion to EMS Lieutenant with a pay rate of \$18.50 per hour
 - l. Set pay for Mike Doyon Firefighter/Paramedic successful completion of six month review period to a pay rate of \$20.95 per hour
 - m. Resolution 2022-120 setting Public Hearing for FY 22.23 Budget Amendment
 - n. Resolution 2022-121 setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with the Polk City Chamber of Commerce, Including Annual Appropriation Tax Increment Payments
 - o. Resolution 2022-122 approving Public Sanitary Sewer Easement across the Johnson Property**MOTION:** A motion was made by Walters and seconded by Vogel to approve the consent agenda items
MOTION CARRIED UNANIMOUSLY
6. **Business Items**
 - a. **MOTION:** A motion was made by Walters and seconded by Dvorak to approve Resolution 2022-123 approving Construction Drawings for Antler Ridge Phase 1 Sanitary Sewer
MOTION CARRIED UNANIMOUSLY
 - b. **MOTION:** A motion was made by Sarchet and seconded by Vogel to approve purchase of replacement Fire Engine with a down payment of \$175,000 for delivery in FY 25
MOTION CARRIED UNANIMOUSLY
 - c. **MOTION:** A motion was made by Walters and seconded by Dvorak to approve First Reading of Ordinance 2022-2400 amending Chapter 75, Polk City Municipal Code, Regarding use of All-Terrain Vehicles and Off-Road Utility Vehicles within the City
MOTION CARRIED UNANIMOUSLY
 - d. **MOTION:** A motion was made by Anderson and seconded by Sarchet to approve Second Reading of Ordinance 2022-2300 rezoning Holly Woods from R-2 and R-2A to R-1, Single Family Residential
MOTION CARRIED UNANIMOUSLY

7. **Reports & Particulars** | Mayor, Council, City Manager, Staff, Boards, and/or Commissions

- City Manager Huisman provided an update on MetroNet complaints received from the public and informed Council all complaints have been forwarded directly to MetroNet and the City has formally notified MetroNet to take care of all issues. Council Member Sarchet asked for confirmation that the City can not prevent them from working in the Public Utility Easements because of the Statewide Franchise they have, and Staff confirmed that is true. Council Member Dvorak said he is disappointed MetroNet is not working harder with the residents and Sarchet said the timing following Mi-Fiber's installation is not helping the situation. Council Member Anderson thanked Huisman for the follow up so an explanation can be provided to residents.
- Council Member Sarchet congratulated the Fire Department on promotions and new hires. Council Member Dvorak thanked Chief Hogrefe for her efforts finding availability and for the department running well. Council Member Anderson concurred Chief Hogrefe is doing a good job and thanked her for a smooth transition and said the FD crew's work is appreciated.
- Mayor Karsjen visited Polk City Florida and received a Key to their City. He said they are roughly ½ the size of our City and thanked Mayor Joe for hosting him.

8. **Adjournment**

MOTION: A motion was made by Anderson and seconded by Vogel to adjourn at 6:17 p.m.

MOTION CARRIED UNANIMOUSLY

Next Meeting Date –November 14, 2022

Attest

Jenny Coffin, City Clerk

Steve Karsjen, Mayor

MEETING MINUTES
The City of Polk City
Parks Commission
6:00 p.m.
Monday, November 7, 2022
City Hall

The Polk City Parks Commission held a meeting at 6:00 pm, on November 7, 2022. The agenda was posted at the City Hall office as required by law. **These tentative minutes reflect all action taken at the meeting.**

1. **Call to Order** /*The meeting was called to order at 6:00 p.m.*
2. **Roll Call** | Reed, Otis, Haaland, Savage | In attendance
Converse, Delaney, Jablonski | Absent.
3. **MOTION:** A motion was made by Reed and seconded by Savage to approve the October 3, 2022 meeting minutes.
MOTION CARRIED UNANIMOUSLY
4. **Presentation by Kiwanis Club of Polk City** – Parks and Recreation Director Thraen introduced members of the Polk City Kiwanis Club. Al Burrows, Krista Bowersox, Phyllis Wiseman, Bob Wiseman, and Jeanie Butler presented a check for \$3000 to the parks and recreation department for improvements to the Kiwanis Park volleyball court. Thraen and the commission thanked the group for their continued support of Polk City Parks. Burrows and Bowersox also invited the commission and community members to participate in their inaugural home-lighting contest this holiday season. The contest will coincide with Light Up Polk City. Prizes will be awarded for best decorated and runner-up and will be voted on by the public.
5. **Audience Items** | None
6. **Introduce Van Dorn Pocket Park Project** – Director Thraen introduced plans for a “pocket park” concept project on Van Dorn St. between La Familia Mexican Restaurant and Giggles Salon. This area, owned by Polk City, currently serves as additional seating for Fenders Brewing and secure bike parking. Improvements to the site would include stormwater management, paved walking path, benches, picnic tables, planters, and permanent bike parking. The hope for this space is to be an extension of the town square and provide additional outdoor seating. Project has an estimated cost of \$33,000. Staff has successfully applied for and received a Rural Enrichment Grant from the Iowa Economic Development Authority in the amount of \$20,000 for the project. Estimated timeline for completion is Summer 2023.
7. **Summarize Q3 2022 Program Cost Recovery Report** – Director Thraen summarized Q3 2022 cost recovery report for programs. Overall, cost recovery is in line with Polk City’s philosophy based on Green-Play LLC. Q3 saw 250 total program participants. Youth program registration increased by 40% from Q3 2021. Senior programming is starting to gain traction as well.
8. **Update on Sports Complex Fee Review** – Director Thraen provided an update on the October meeting request to compare Polk City’s field usage fees with surrounding communities. Data is still being collected and will be presented at the December meeting.
9. **Reports & Particulars** | Council Liaison, City Manager, Staff, and Commission
 - Parks and Recreation Director Thraen invited the commission to attend Light Up Polk City. This annual event will take place on Friday, December 2nd from 6-8pm in the town square.
 - Director Thraen also extended congratulations to 2022 intern Allison Scheel for her new position with the University of Missouri Campus Recreation Department as a Recreation Facility Operations Specialist.
 - Council Liaison Vogel updated the commission about possible sports complex lease expansion. The land between the existing sports complex and the Kwik-Star property has been looked at to possible add parking and trail connections. Analysis of additional gravel parking may be cost prohibitive. The trail connection from Neal Smith Trail to the W. Bridge Road trail remains a priority.

10. **MOTION:** A motion was made by Reed and seconded by Haaland to adjourn at 6:22 pm.

MOTION CARRIED UNANIMOUSLY

Next Meeting Date – December 5, 2022

Attest: _____
Jason Thraen, Parks & Recreation Director

AGENDA FOR POLK CITY LIBRARY BOARD MEETING

Polk City Community Library

1500 W. Broadway, Polk City, IA

Monday, November 7, 2022 at 6:30 pm

I. Call to order

II. Approval of the agenda

III. Consent Items

1. Approve the October 2022 Board Minutes
2. Approve September 2022 financial statements
 - a. September 2022 History
 - b. September 2022 Budget
 - c. September 2022 Revenue & Expenses
3. Cancel December Library Board Meeting

IV. Communication from the Public

V. Director's Report

1. October 2022 Stats

VI. Liaison report

VII. Board Education: Corey Hoodjer

VIII. Agenda Items

1. Review Library Ordinance
2. Review Library Board of Trustees By-Laws
3. Review Library's Mission Statement
4. Approve Passport Acceptance Policy
5. Set the date for January 2023 Library Board of Trustees meeting

IX. Adjourn

Next Meeting TBD

Mission Statement: The Polk City Community Library provides a place where all can meet, learn, and grow.

POLK CITY LIBRARY BOARD MEETING NOTES

Polk City Community Library
1500 W. Broadway, Polk City, IA
Monday, October 3, 2022 at 6:00 pm

I. Call to order – President Mart called meeting to order at 6:00pm.

II. Approval of the agenda

MOTION: A motion was made by Rod Bergren and seconded by Sara Olson to approve Meeting Agenda.

MOTION PASSED unanimously.

<u>Board Members Present:</u>	Rod Bergren, Angie Conley, Lisa Mart, Sara Olson
<u>Board Members Absent:</u>	Corey Hoodjer
<u>Library Director Present:</u>	Jamie Noack
<u>City Council Liaison Present:</u>	Rob Sargent
<u>Guests Present:</u>	None

III. Consent Items

MOTION: A motion was made by Angie Conley and seconded by Rod Bergren to approve Consent Items.

MOTION PASSED unanimously.

1. Approve the [September 2022 Board Minutes](#)
2. Approve the [September 2022 Special Board Meeting Minutes](#)
3. Approve August 2022 financial statements
 1. [August 2022 History](#)
 2. [August 2022 Budget](#)
 3. [August 2022 Revenue & Expenses](#)

IV. Communication from the Public - None

V. Director's Report

September circulation is down compared to August this year but higher than September 2021.

Patrons saved \$54,000 using the library in September.

Allyson Reister started her position as Youth Librarian last Wednesday and training is going well.

Fall programming is going well, including story time and geri-fitness.

Director Noack went to a conference in Chattanooga that was very beneficial. She would like to take more staff next year. She will be at the ILL conference next week and doing a talk on passports.

Fall Fest was last weekend and went well. PCCL had a booth.

MyLibro app has a launch date set. Staff will have a couple weeks to play around with the app before it launches.

Electronic access doors should be done in the coming weeks.

Might have trunk for trunk or treat night. This will be discussed at an upcoming staff meeting.

Creative Bug has been discontinued. It was not used often enough to justify continuing the program.

Resource will be added to online offerings regarding Iowa laws.
 Director Noack plans to attend a hands-on workshop in Waterloo on Nov 4, topic of building or renovating libraries in a post-Covid world.

1. [September 2022 Stats](#)

LIBRARY -SEPTEMBER 2022 STATS SNAPSHOT	September 2021	September 2022	August 2022
Total Visitors	1,658	1,839	2,406
People Checking Out	358	392	453
Polk City Cardholders	314	348	402
Polk City Checkouts	2,804	3,167	4,156
Open Access Cardholders	23	19	24
Open Access Checkouts	234	149	308
Rural Cardholders	21	25	27
Rural Checkouts	262	284	298
Bridges E-book/Audiobook Checkouts	764	893	914
Outgoing ILL Books	23	27	30
Total Checkouts (incl. Bridges & Outgoing ILL)	4,088	4,520	5,706
Auto Renewals	694	666	793
Total Checkouts (adjusted for auto-renewal)	3,394	3,854	4,913
Incoming ILL Books	27	25	30
Reserves Placed	404	343	306
Materials Added	131	140	158
Materials Withdrawn	396	40	112
New Cards Issued	25	32	25
Computer Users	12	31	36
WiFi Users (on site)	227	354	399
Reference Questions	1	20	20
AWE Station Usage	unavailable	209	183
AWE Games Played	unavailable	277	230
Adult Programs	35	30	18
Adult Program Attendance	218	231	159
Youth Programs	13	10	2

Youth Program Attendance	236	226	11
Tutoring	0	0	3
No. of Meeting Room Uses by Outside Groups	1	3	0
Patron Savings (physical materials only)	\$41,775	\$47,156	\$59,091
Passports	26	26	48
Blank Park Zoo Adventure Pass (\$44)	5		16
Science Center of Iowa Adventure Pass (\$44)	4		7
Botanical Gardens Adventure Pass (\$34)	1		3
Des Moines Children's Museum (\$36)	1		2
Reiman Gardens (\$34)	0		5
TOTAL ADVENTURE PASS SAVINGS	\$466		\$1,356
Summer Reading Signups (0-11) as of 7/31			
Summer Reading Signups (12-18) as of 7/31			
Adult Reading Participation as of 7/31			
Facebook Page Views (Sept 1-30)	152	97	163
Facebook Post Reach (Sept 1-30)	8,727	1,105	2,447
New Facebook Page Followers(Sept 1-30)	10	not reported	not reported
New Facebook Page Likes (Sept 1-30)	9	10	18
Website Views	1,107	2,272	2,492

VI. Liaison report – Rob Sargent advised on current projects the City is working on and around Polk City.

VII. Board Education: strategic planning review; 90 minutes

VIII. Agenda Items

1. Review [Patron Behavior Policy](#); reviewed; no changes at this time. There are some concerns regarding recent happenings at the Library. If this needs to be addressed before the 2-year reviewal it will come back for review.
2. Approve closing of library on October 25 from 11:45-1:30 so staff can attend city luncheon.
MOTION: A motion was made by Angie Conley and seconded by Sara Olson to approve closure of the library on October 25 from 11:45-1:30 so staff can attend the city luncheon.
MOTION PASSED unanimously.

IX. Adjourn – President Mart adjourned meeting at 6:21pm.

MOTION: A motion was made by Rod Bergren and seconded by Sara Olson to approve Meeting Adjournment.

MOTION PASSED unanimously.

Next Meeting Monday, November 7, 2022 at 6:30 P.M.

Mission Statement: The Polk City Community Library provides a place where all can meet, learn, and grow.

Library Director's Report October 2022

Library Statistics:

- October Circulation and library usage
 - October 2022 circulation decreased by 213 checkouts compared to September 2022 and increased by 492 compared to October 2021.
 - 1,917 individuals visited the library in October. This is an increase of 78 compared to September 2022. It is an increase of 522 visitors compared to October 2021.
 - Library Patrons saved \$40,195 in October by borrowing materials from the library versus purchasing them (does not include digital ebook/audiobook downloads or hotspot loans).
 - 49 passport applications were processed
 - 6 Notary appointments
 - 7 Adventure passes were used saving patrons \$290.
- The Polk City Fire Department assisted with story times during Fire Prevention Week. The kids really enjoyed getting to see the fire trucks.
- Director Noack presented to a dozen libraries interested in becoming passport acceptance facilities at the Iowa Library Association conference, but was unable to attend other sessions due to a family emergency.
- The Polk County Library Association met on October 25 to discuss the fact that our 3-year funding contract with Polk County expires at the end of FY23. The Association determined that it was in our best interest to extend the current contract one year and renegotiate the contract next year in hopes the economy has stabilized.
- The library participated in the Go Polk City's Trunk or Treat event at West Elementary on October 30.
- Our September and October teen programs were both canceled due to no registration.
- The Youth Services Librarian attended the Performer's Showcase for summer reading 2023 programs.
- Youth Services has brought back the Messy Munchkins program once a month and added a Music & Movement program once a month.
- Youth Services began doing monthly outreach story times at Tender Years, Halley's Academy and Lakes Early Learning Center this month.
- The State Survey/Annual Report was submitted to the State Library of Iowa on October 25.
- Director Noack attended a workshop on planning library construction/renovation projects post-COVID in Waterloo on November 4.
- Library staff will re-certify as passport acceptance agents in November. Allyson Reister will begin initial training in December.
- The electronic access and re-keying of the library will happen as soon as SEI has all of the parts in stock. This has been delayed due to supply chain issues. A temporary rekeying happened on October 29 for security reasons.
- The myLibro app development is a couple of weeks behind schedule.
- The city leaders and department heads will participate in annual goal setting on Wednesday, November 16 from 5:00-8:00.
- A tour of the newly renovated Bondurant Library is scheduled for the afternoon of Monday, January 16.
- The Friends of the Library will host a Santa's Workshop at the library on Saturday, December 10 from 10:00-1:00.
- The Friends of the Library have joined forces with the Polk City Community Foundation and several other organizations in hosting the Foundation's Gala on January 14, 2023.
- The Friends of the Library will host a Stuff-a-Pup storytime on Saturday, February 11, 2023 at the Methodist Church.

LIBRARY -OCTOBER 2022 STATS SNAPSHOT	October 2021	October 2022	September 2022
Total Visitors	1,395	1,917	1,839
People Checking Out	338	386	392
Polk City Cardholders	292	339	348
Polk City Checkouts	2,575	2,989	3,167
Open Access Cardholders	22	22	19
Open Access Checkouts	142	194	149
Rural Cardholders	24	25	25
Rural Checkouts	296	231	284
Bridges E-book/Audiobook Checkouts	779	867	893
Outgoing ILL Books	23	26	27
Total Checkouts (incl. Bridges & Outgoing ILL)	3,815	4,307	4,520
Auto Renewals	595	719	666
Total Checkouts (adjusted for auto-renewal)	3,220	3,588	3,854
Incoming ILL Books	14	16	25
Reserves Placed	393	448	343
Materials Added	90	158	140
Materials Withdrawn	1	9	40
New Cards Issued	21	11	32
Computer Users	17	23	31
WiFi Users (on site)	281	391	354
Reference Questions	25	20	20
AWE Station Usage	80	82	209
AWE Games Played	209	208	277
Adult Programs	28	35	30
Adult Program Attendance	195	270	231
Youth Programs	18	15	10
Youth Program Attendance	192	381	226
Tutoring	0	4	0
No. of Meeting Room Uses by Outside Groups	2	3	3
Patron Savings (physical materials only)	\$35,108	\$40,195	\$47,156
Passports	23	49	26
Blank Park Zoo Adventure Pass (\$44)	2	4	5
Science Center of Iowa Adventure Pass (\$44)	1	1	3
Botanical Gardens Adventure Pass (\$34)	1	0	2
Des Moines Children's Museum (\$36)	1	1	0
Reiman Gardens (\$34)	NA	1	1
TOTAL ADVENTURE PASS SAVINGS	\$202	\$290	\$454
Summer Reading Signups (0-11) as of 7/31			
Summer Reading Signups (12-18) as of 7/31			
Adult Reading Participation as of 7/31			
Facebook Page Views (Oct 1-31)	303	113	97
Facebook Post Reach (Oct 1-31)	7,525	1,159	1,105
New Facebook Page Followers(Oct 1-31)	9	not reported	not reported
New Facebook Page Likes (Oct 1-31)	7	13	10
Website Views	1,067	2,312	2,272

POLK CITY COMMUNITY LIBRARY SUMMARY OF FISCAL YEAR 2022



\$547,760

Amount library patrons saved by borrowing physical library materials rather than purchasing them.*

*does not include digital circulation



53,937

Total number of items circulated by the library from July 2021-June 2022

- 43,982 physical items
- 9,755 digital items
- 200 Adventure Passes

13,934 items were circulated during Summer Reading (28% of annual)



23,232

Visitors to the library for materials, programming and services



3,588

Wi-fi Users

352

Computer Users



554

Number of library programs

- 336 Adult Programs
- 207 Youth Programs
- 11 General Interest Programs



6,590

Attendees at library programs

- 2,279 Adult Program Attendees
- 3,080 Youth Program Attendees
- 1,231 General Interest Program Attendees



572

Participants in the 2022 Summer Reading Program

- 158 Adults
- 416 Youth



185,427

Number of minutes read by youth ages 6-18 during the 2022 Summer Reading Program

9,541

Number of books read by adults & youth ages birth-5 during the 2022 Summer Reading Program

- 8,695 Youth
- 846 Adults

Passport Acceptance Policy

The Polk City Community Library is a designated U.S. Department of State Passport Acceptance Facility. Passport services are available during library hours, up to 60 minutes before closing time. Appointments are required for passport services. If an applicant is more than 10 minutes late for their appointment, the appointment will be considered canceled. In addition to any fees owed the U.S. Department of State, patrons using this service must pay the Library \$35.00 per passport application. If the Library provides the applicant's passport photo, there will be an additional \$15 fee per applicant.

Applicants must complete the following checklist. Missing information will result in a delay in your passport processing time. The Library does not guarantee the U.S. Department of State will approve passport applications.

- Complete DS-11 passport application. This form should be completed in black ink and have no white-out or scribbling. Do not sign the application until meeting with our passport services staff. Copies of this form are available at the Library or can be downloaded from travel.state.gov.
- Appear in person. All ages. No exceptions for children. A separate appointment is required for each applicant.
- Present valid Iowa State Driver License or valid government ID. The U.S. Department of State may not accept temporary paper licenses.
- Present proof of U.S. citizenship. Accepted forms are: original birth certificate, U.S. Passport or original naturalization certificate. (If you do not have an original birth certificate, you must contact the Vital Records Office for the county in which you were born to obtain a certified copy. The Library is not able to contact the Vital Records Office on anyone's behalf.)
- Pay the required fees to the U.S. Department of State (check or money order only). Families may write one check or money order to the U.S. Department of State for their passport application fees if they are applying in person at the same time. For all other applicants, separate checks must be made for each application.
- Pay the required \$35.00 fee to the Polk City Community Library. Cash, check, Visa/Mastercard, Venmo.
- If the Library provides the applicant's passport photo, there will be an additional \$15 fee per applicant.

For further details or other information, visit the Department of State passport website at travel.state.gov.

Adopted November 7, 2022

Board President

MEETING MINUTES
The City of Polk City
Planning and Zoning Commission – Special Meeting
6:00 p.m., Thursday, November 10, 2022

Polk City, Planning and Zoning Commission (P&Z) held a meeting at 6:00 p.m., on November 10, 2022, in City Hall Council Chambers.

The agenda was posted at the City Hall office as required by law.

These tentative minutes reflect all action taken at the meeting.

1. **Call to Order** | Sires called the meeting to order at 6:00 p.m.
2. **Roll Call** | Hankins, Bowersox, Triplett, Sires, Ohlfest, Pringnitz, Vogel| In attendance
3. **Approval of Agenda**
MOTION: A motion was made by Ohlfest and seconded by Triplett to approve the agenda.
MOTION CARRIED UNANIMOUSLY

4. **Leonard Senior Living**

The following residents made comments to the Commission regarding the project:

Dana Crable, 428 Hillcrest

Robert Schultz, 404 Hillcrest

Gary Mahannah, 313 Maple Dr.

Anthony Capaldo, 417 Hillcrest

Bryan Schnurr, CEO/Partner for MavenCrux Development reviewed the changes proposed to the project details as shown on the Master Plan, including parking, staffing, traffic, lighting, deliveries, dumpsters, alarms, the trail and increased setback buffers and landscaping. Schnurr discussed the various reasons why he believes this is the right location for a residential project of this nature and his desire to be a good neighbor by increasing setbacks and buffers above and beyond the requirements of a project of this type.

Ross Nichols, CEO/Partner for MavenCrux Development discussed additional details regarding this residential project and the impact it could have on the community.

Kathleen Connor, City Engineering Representative reviewed her updated memo regarding parking and this project. She confirmed that the Fire Chief provided input and approval for the fire road's turning radius and the bollards proposed to use on the trail. Kathleen reviewed the research done on parking, providing comparisons from other metro communities and recommends 101 proposed stalls for this project based on that research. She also discussed the developer's willingness to provide parking at the nearby Leonard Park to alleviate neighborhood congestion for use of the park and nearby trail.

Chelsea Huisman, City Manager said the City is excited about this project looking at the growth, taxable valuation and creation of 70-80 new jobs, which would be a tremendous contribution for the community the size of Polk City. She discussed the importance of the Park parking proposal as it shows creativity and having a dual purpose without a sea of concrete for parking.

Commission Members discussed the project. Commission Member Bowersox said this project is in her neighborhood, and she lived near the nursing home most of her life, where family members worked and lived. She said the underground path for the trail under Parker Blvd makes this location a great place to offer access to the new residents of this development. Commission Member Hankins said his only concerns are to get written confirmation of the verbal promises regarding parking and use restricted to senior living only. Schnurr agreed to the stipulation for restricting use. Nichols suggested restricted covenants to outline parking enforcement. Commission Member Sires said this project would be a positive economic impact for the City and he appreciates the developer coming back and working with the City. He said he appreciates comments from the neighbors living next to this location and the Commission needs to look at all of the variables and what is best for all citizens that Polk City serves. Commission Member Ohlfest said he was originally reluctant to change the comp plan but this is an unique opportunity that he is in favor of. He said the comparisons on parking requirements in other communities has helped him understand what should be required for this type of project in Polk City and he is excited for the Leonard Park enhancements to reduce load on side streets. He said after looking at the architecture proposed he thinks it will look residential and the setbacks increased will help buffer the existing neighbors. He said this will be a great asset to the community.

MOTION: A motion was made by Hankins and seconded by Ohlfest to recommend Council approve amending the Comp Plan Future Land Use Map
MOTION CARRIED UNANIMOUSLY

MOTION: A motion was made by Hankins and seconded by Triplett to recommend Council approve the request to rezone the property to PUD as presented, subject to Staff and Engineering comments dated 11/7/2022 and restricting the use of the property to senior living and associated services and asking the developer to establish restrictive covenants.
MOTION CARRIED UNANIMOUSLY

5. Adjournment

MOTION: A motion was made by Triplett and seconded by Ohlfest to adjourn at 6:56 p.m.
MOTION CARRIED UNANIMOUSLY

Next Meeting Date – Monday, November 21, 2022

Attest:

Jenny Coffin - City Clerk

CLAIMS REPORT		
CITY OF POLK CITY	DATED	11/14/2022
VENDOR	REFERENCE	AMOUNT
ACCUJET LLC	TV WORK ON SEWER	\$ 1,400.96
ALLIANCE CONSTRUCTION	GRIMES STREET REPAIR	\$ 1,875.00
AMAZON BUSINESS	IPAD FOR PASSPORTS	\$ 1,246.45
AMERICAN HOME SERVICES	CITY FURNISH CHECKS	\$ 1,735.00
AMES FORD	UNIT #215 REPAIRS (RECALL)	\$ 52.10
AMILIA TECHNOLOGIES USA	SMARTREC ANNUAL SUBSCRIPTION	\$ 2,850.00
ANKENY SANITATION	ROLL OFF - CITY PROPERTY CLEAN UP	\$ 399.50
ARDICK EQUIPMENT CO.	SIGNS	\$ 126.00
ARNOLD MOTOR SUPPLY	VEHICLE PARTS & SUPPLIES	\$ 1,229.45
Automatic Systems Co	CONTROL PANEL REPAIRS	\$ 3,119.00
AXON ENTERPRISE INC	BATTERY PACK	\$ 174.46
BAKER & TAYLOR	LIBRARY BOOKS	\$ 1,256.65
Bound Tree Medical	MEDICAL SUPPLIES	\$ 54.16
BRICK LAW FIRM	CITY ATTORNEY FEES	\$ 7,842.50
BROWNELL'S INC	RIFLE MAGAZINES	\$ 49.47
BURT DIRTWORKS	HYDRANT REPLACEMENT -HILLCREST	\$ 9,779.86
BUSINESS PUBLICATIONS CORP	PUBLICATIONS	\$ 329.08
CAPITAL SANITARY SUPPLY	GARGAGE BAGS /SUPPLIES	\$ 306.24
CAROL THORNBURG	GCMOA MEETING MILEAGE	\$ 13.75
CENTURY LINK	PHONE SERVICE	\$ 286.10
CHR TIRE AND AUTO	NEW TIRES FOR UNIT #213	\$ 1,214.95
CHRISTIAN BROTHERS AUTOMOTIVE	#24 SERVICE	\$ 230.50
CITY LAUNDERING	FIRST AID REFILLS	\$ 173.85
CITY OF DES MOINES	WRA HOOK-UP	\$ 30,922.05
CITY OF POLK CITY	UB ASSISTANCE NOVEMBER 2022	\$ 330.09
CONFLUENCE, INC.	GRADING PLAN/REGIONAL PARK	\$ 2,550.00
CORE AND MAIN	HYDRANT REPLACE (HILLCREST)	\$ 17,546.40
Crystal Clear Water Co	PURCHASED WATER	\$ 121.15
Des Moines Lock Service	DUPLICATE KEYS	\$ 130.00
Des Moines Water Works	PURCHASED WATER	\$ 47,975.54
DORSEY & WHITNEY LLP	GO LEGAL SERVICES/SERIES 2022	\$ 14,500.00
ELECTRONIC ENGINEERING CO.	BLAZER RADIO INSTALL	\$ 528.58
ETECH SOLUTIONS LLC	PRO-IT NOVEMBER 2022	\$ 4,830.50
FEH DESIGN	CITY HALL PROJECT	\$ 161,485.10
Ferguson Waterworks	PIT METER	\$ 323.65
Fire Service Training Bureau	FFI TEST - MCKAY/NOGGLE	\$ 200.00
First Bank Card	City Credit Cards	\$ 13,404.48
GENERAL FIRE & SAFETY	FIRE EXTINGUISHER SERVICE	\$ 164.00
GET SOME GUNS LLC	CUFF CASE - WHIPPLE	\$ 46.79
GRAINGER INC.	GASKET PUNCH	\$ 136.81
GREATAMERICA FINANCIAL	SHARED COPIER LEASE	\$ 495.40
GWORCS	ANNUAL LICENSE/SUBSCRIPTION FEE	\$ 16,829.00
HACH COMPANY	REPAIR SPECTROPHOTOMETER	\$ 1,792.12

Henriksen Contracting	ROAD SAWING	\$ 392.00
HOME DEPOT	PUBLIC WORKS SUPPLIES	\$ 180.97
I-80 CONCRETE	HYDRANT REPAIR - HILLCREST	\$ 942.00
I.M.W.C.A.	WORKERS COMP INSURANCE	\$ 6,702.00
PESTICIDE BUREAU- IDALS	RENEWAL FEES	\$ 30.00
INTERSTATE ALL BATTERY CENTER	UNIT #217	\$ 137.60
IOWA LEAD & ASBESTOS SAFETY	CITY PROPERTY TESTING	\$ 700.00
IOWA ONE CALL	UNDERGROUND LOCATIONS	\$ 523.60
JAMIE NOACK	PROGRAM SUPPLIES REIMBURSEMENT	\$ 26.47
JENNY COFFIN	GCMOA MEETING MILEAGE/LUNCH	\$ 61.54
JEREMY SIEPKER	POLICE CHIEF CONFERENCE	\$ 236.89
KANSAS CITY LIFE INS. CO	CITY LIFE INSURANCE	\$ 1,222.44
KARL CHEVROLET	#20 RIFLE RACK INSTALL	\$ 581.91
KEYSTONE LABORATORIES INC.	WATER TESTING	\$ 129.00
KIMBALL MIDWEST	SUPPLIES	\$ 500.82
LIFEMED SAFETY INC	SERVICE LUCAS'	\$ 209.88
LINDE GAS & EQUIPMENT INC	OXYGEN	\$ 153.90
MCCLURE ENGINEERING COMPANY	ENGINEERING REPORT	\$ 12,068.00
MEDIX OCCUPATN HEALTH -ORCA PC	PHYSICAL - TJ AHRENS	\$ 694.50
MENARD'S	PUBLIC WORKS SUPPLIES	\$ 489.92
MERCYONE NORTH PHARMACY	RX SUPPLIES	\$ 123.00
METRO WASTE AUTHORITY	CONTRACT MANAGEMENT-OCT 2022	\$ 63,129.88
MICROMARKETING, LLC	BOOK ON CD	\$ 34.00
MIDAMERICAN ENERGY	ELECTRIC CHARGES	\$ 655.09
Midwest Auto. Fire Sprinkler	SPRINKLER INSPECTION	\$ 229.00
MIDWEST CRITICAL POWER	GENERATOR MAINTENANCE	\$ 2,577.45
MPH Industries	RADAR GUN REPAIRS	\$ 78.70
MUNICIPAL SUPPLY CO.	WATER PLANT VALVE REPLACEMENT	\$ 1,969.93
NELSON AUTOMOTIVE	HEADLAMP UNIT #23	\$ 46.65
NOTARY ROTARY	NOTARY STAMP RENEWAL	\$ 29.95
OVERDRIVE INC	AUDIOBOOK	\$ 763.90
PCC AMBULANCE BILLING	AMBULANCE BILLING FEE	\$ 2,284.53
POLK CITY ARBOR LEAGUE	POLK CITY PARKS TREE PLANTINGS	\$ 2,900.00
PORTABLE PRO, INC.	PORTABLE SERVICE	\$ 450.00
PREMIER PLUMBING, INC.	FIRESTATION REMODEL	\$ 1,255.57
RACOM	EDACS	\$ 862.92
RELIANT FIRE APPARATUS	R458 OIL LEAK REPAIR	\$ 4,020.89
RENEWABLE ENERGY GROUP	WINTER FUEL STOCK	\$ 2,424.05
RUAN, INCORPORATED	VEHICLE LEASES-T10901/T11189	\$ 3,053.76
Safe Building Comp. & Tech	BUILDING INSPECTIONS	\$ 17,772.01
Safety Kleen Systems Inc	PARTS WASHER MAINTENANCE	\$ 158.41
SBS SERVICES GROUP LLC	JANITORIAL - OCTOBER 2022	\$ 1,224.67
Schneider Graphics	#26 GRAPHICS	\$ 800.73
SECRETARY OF STATE	NOTARY APPLICATION	\$ 30.00
Smith's Sewer Service	SEWER DISCONNECT	\$ 220.00
STAPLE'S	CITY OFFICE SUPPLIES	\$ 277.56
STOREY KENWORTHY	UB ENVELOPES	\$ 765.67

Strauss Security Solutions	CHANGE OF ALL CITY LOCKS	\$ 792.00
TERRACON CONSULTANTS INC	GEOTECHNICAL SERVICES - #2	\$ 2,607.50
TIMECLOCK PLUS LLC	SCHEDULING SOFTWARE SUBSCRIPTION	\$ 1,200.00
TOTAL QUALITY INC.	SPRINKLER SHUT DOWN-SQUARE/LIBRARY	\$ 264.00
ULINE	LOCKER FOR CREW	\$ 705.28
UNITED HEALTHCARE	HEALTH INSURANCE	\$ 1,137.93
UPHDM OCCUPATIONAL MEDICINE	DRUG TESTS - 2	\$ 185.75
VENDNOVATION	MEDICATION VENDING MACHINE	\$ 1,200.00
VERIZON WIRELESS	PHONE AND DATA PLAN	\$ 17.04
Walsh Door & Hardware Co	SECURITY CAMERA ADJUSTMENT	\$ 447.00
WELLMARK BLUE CROSS BLUE SHEILD	CITY HEALTH INSURANCE	\$ 32,476.24
WRIGHT EXPRESS FLEET SERVICES	POLICE/FIRE/PUBLIC WORKS FUEL	\$ 4,823.47
Accounts Payable Total		\$ 530,034.66
GENERAL		\$ 113,699.32
ROAD USE		\$ 9,734.96
L.M.I		\$ 330.09
CAPITAL IMPROVEMENTS		\$ 181,494.67
CAPITAL WATER PROJECT		\$ 12,068.00
CAPITAL EQUIPMENT/VEHICLE		\$ 3,053.76
WATER		\$ 96,166.43
SEWER		\$ 50,684.55
SOLID WASTE/RECYCLING		\$ 62,802.88
TOTAL FUNDS		\$ 530,034.66

STATE OF IOWA 2022 FINANCIAL REPORT FISCAL YEAR ENDED JUNE 30, 2022 CITY OF POLK CITY, IOWA DUE: December 1, 2022	16207701000000 CITY OF POLK CITY PO Box 426 POLK CITY IA 50226-0426 POPULATION: 5543
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NOTE - The information supplied in this report will be shared by the Iowa State Auditor's Office, the U.S. Census Bureau, various public interest groups, and State and federal agencies.

ALL FUNDS				
	Governmental (a)	Proprietary (b)	Total Actual (c)	Budget (d)
Revenues and Other Financing Sources				
Taxes Levied on Property	3,042,446		3,042,446	2,992,568
Less: Uncollected Property Taxes-Levy Year	0		0	0
Net Current Property Taxes	3,042,446		3,042,446	2,992,568
Delinquent Property Taxes	0		0	0
TIF Revenues	760,076		760,076	698,450
Other City Taxes	1,229,117	0	1,229,117	1,036,780
Licenses and Permits	442,837	0	442,837	362,450
Use of Money and Property	180,050	0	180,050	217,700
Intergovernmental	8,043,096	55,000	8,098,096	797,476
Charges for Fees and Service	687,567	3,913,101	4,600,668	4,155,100
Special Assessments	806	0	806	0
Miscellaneous	92,916	0	92,916	16,638
Other Financing Sources	1,761,554	0	1,761,554	3,309,479
Transfers In	785,493	0	785,493	1,648,299
Total Revenues and Other Sources	16,240,465	3,968,101	20,208,566	15,234,940
Expenditures and Other Financing Uses				
Public Safety	2,321,837		2,321,837	2,521,889
Public Works	683,498		683,498	755,867
Health and Social Services	2,002		2,002	4,000
Culture and Recreation	711,553		711,553	790,975
Community and Economic Development	795,609		795,609	884,232
General Government	565,782		565,782	626,316
Debt Service	1,555,446		1,555,446	1,665,502
Capital Projects	1,463,703		1,463,703	3,155,216
Total Governmental Activities Expenditures	8,099,430	0	8,099,430	10,403,997
BUSINESS TYPE ACTIVITIES		3,153,557	3,153,557	3,254,288
Total All Expenditures	8,099,430	3,153,557	11,252,987	13,658,285
Other Financing Uses	620,700	164,793	785,493	
Transfers Out	620,700	164,793	785,493	1,648,299
Total All Expenditures/and Other Financing Uses	8,720,130	3,318,350	12,038,480	15,306,584
Excess Revenues and Other Sources Over (Under) Expenditures/and Other Financing Uses	7,520,335	649,751	8,170,086	-71,644
Beginning Fund Balance July 1, 2021	6,355,465	2,474,900	8,830,365	9,111,372
Ending Fund Balance June 30, 2022	13,875,800	3,124,651	17,000,451	9,039,728

NOTE - These balances do not include the following, which were not budgeted and are not available for city operations:

Non-budgeted Internal Service Funds	Pension Trust Funds
Private Purpose Trust Funds	Agency Funds

Indebtedness at June 30, 2022	Amount	Indebtedness at June 30, 2022	Amount
General Obligation Debt	11,257,552	Other Long-Term Debt	0
Revenue Debt	0	Short-Term Debt	11,257,552
TIF Revenue Debt	0		
		General Obligation Debt Limit	27,455,092

CERTIFICATION

The forgoing report is correct to the best of my knowledge and belief

	Publication 11/11/2022
Signature of Preparer	
Printed name of Preparer Jenny Coffin	Phone Number 515-984-6233
	Date Signed
Signature of Mayor or other City official (Name and Title)	

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REVENUE P2
CITY OF POLK CITY
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30, 2022
NON-GAAP/CASH BASIS

Item Description	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental through (f) (g)	Sum of (a) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)
Section A - Taxes										
Taxes levied on property	1 2,500,952			541,494				3,042,446		3,042,446
Less: Uncollected Property Taxes - Levy Year	3							0	0	0
Net Current Property Taxes	4 2,500,952	0		541,494		0		3,042,446		3,042,446
Delinquent Property Taxes	5							0		0
Total Property Tax	6 2,500,952	0		541,494		0		3,042,446		3,042,446
TIF Revenues	7		760,076					760,076		760,076
Other City Taxes										
Utility Tax Replacement Excise Taxes	8							0		0
Utility Franchise Tax (Chapter 364-2, Code of Iowa)	9 49,927							49,927		49,927
Parimutuel Wager Tax	10							0		0
Gaming Wager Tax	11							0		0
Mobile Home Tax	12							0		0
Hotel / Motel Tax	13 55,336							55,336		55,336
Other Local Option Taxes	14	1,123,854						1,123,854		1,123,854
Total Other City Taxes	15 105,263	1,123,854		0		0		1,229,117	0	1,229,117
Section B - Licenses and Permits	16 442,837							442,837		442,837
Section C - Use of Money and Property	17									
Interest	18 86,890							86,890		86,890
Rents and Royalties	19 93,160							93,160		93,160
Other Miscellaneous Use of Money and Property	20							0		0
	21							0		0
Total Use of Money and Property	22 180,050	0	0	0		0		180,050	0	180,050
Section D - Intergovernmental	24									
Federal Grants and Reimbursements	26									
Federal Grants	27 10,674				370,892			381,566		381,566
Community Development Block Grants	28							0		0
Housing and Urban Development	29							0		0
Public Assistance Grants	30							0		0
Payment in Lieu of Taxes	31				18,000			18,000		18,000
	32							0		0
Total Federal Grants and Reimbursements	33 10,674	0	0	0	388,892	0		399,566	0	399,566

REVENUE P3
CITY OF POLK CITY
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30, 2022
NON-GAAP/CASH BASIS

Item Description	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (f) through (g))	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Section D - Intergovernmental - Continued										41
State Shared Revenues										43
Road Use Taxes		713,246					713,246		713,246	44
Other state grants and reimbursements										48
State grants	20,168				6,876,882		6,897,050	55,000	6,952,050	49
Iowa Department of Transportation							0		0	50
Iowa Department of Natural Resources							0		0	51
Iowa Economic Development Authority							0		0	52
CEBA grants							0		0	53
Commercial & Industrial Replacement Claim	-253						-253		-253	54
							0		0	55
							0		0	56
							0		0	57
							0		0	58
							0		0	59
Total State	19,915	713,246	0	0	6,876,882	0	7,610,043	55,000	7,665,043	60
Local Grants and Reimbursements										
County Contributions	18,908						18,908		18,908	63
Library Service							0		0	64
Township Contributions	14,579						14,579		14,579	65
Fire/EMT Service							0		0	66
							0		0	67
							0		0	68
							0		0	69
Total Local Grants and Reimbursements	33,487	0	0	0	0	0	33,487	0	33,487	70
Total Intergovernmental (Sum of lines 33, 60, and 70)	64,076	713,246	0	0	7,265,774	0	8,043,096	55,000	8,098,096	71
Section E -Charges for Fees and Service										72
Water							0	1,621,303	1,621,303	73
Sewer							0	1,837,373	1,837,373	74
Electric							0		0	75
Gas							0		0	76
Parking							0		0	77
Airport							0		0	78
Landfill/garbage							0	295,771	295,771	79
Hospital							0	0	0	80

REVENUE P4
CITY OF
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30,
NON-GAAP/CASH BASIS

Item Description	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)
Section E - Charges for Fees and Service - Continued	81								81
Transit	82						0		0 82
Cable TV	83						0		0 83
Internet	84						0		0 84
Telephone	85						0		0 85
Housing Authority	86						0		0 86
Storm Water	87						0	158,654	158,654 87
Other:	88								88
Nursing Home	89						0		0 89
Police Service Fees	90	2,471					2,471		2,471 90
Prisoner Care	91						0		0 91
Fire Service Charges	92						0		0 92
Ambulance Charges	93	197,216					197,216		197,216 93
Sidewalk Street Repair Charges	94						0		0 94
Housing and Urban Renewal Charges	95	189,810					189,810		189,810 95
River Port and Terminal Fees	96						0		0 96
Public Scales	97						0		0 97
Cemetery Charges	98						0		0 98
Library Charges	99	22,662					22,662		22,662 99
Park, Recreation, and Cultural Charges	100	22,737					22,737		22,737 100
Animal Control Charges	101	330					330		330 101
	102	47,701			204,640		252,341		252,341 102
	103						0		0 103
Total Charges for Service	104	482,927	0	0	204,640	0	687,567	3,913,101	4,600,668 104
Section F - Special Assessments	106	806					806		806 106
Section G - Miscellaneous	107								107
Contributions	108	72,628	250				72,878		72,878 108
Deposits and Sales/Fuel Tax Refunds	109				18		18		18 109
Sale of Property and Merchandise	110				4,756		4,756		4,756 110
Fines	111	15,264					15,264		15,264 111
Internal Service Charges	112						0		0 112
	113						0		0 113
	114						0		0 114
	115						0		0 115
	116						0		0 116
	117						0		0 117
	118						0		0 118
	119						0		0 119
Total Miscellaneous	120	87,892	250	0	4,774	0	92,916	0	92,916 120

REVENUE P5
CITY OF
REVENUE AND OTHER FINANCING SOURCES FOR YEAR ENDED JUNE 30,
NON-GAAP/CASH BASIS

Item Description	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of (g) and (h)) (i)	
Total All Revenues (Sum of lines 6, 7, 15,16,22, 71, 104, 106, and 120)	121 3,864,803	1,837,350	760,076	541,494	7,475,188	0	14,478,911	3,968,101	18,447,012	121
Section H - Other Financing Sources	123									123
Proceeds of capital asset sales	124						0		0	124
Proceeds of long-term debt (Excluding TIF internal borrowing)	125			976,061			976,061		976,061	125
Proceeds of anticipatory warrants or other short-term debt	126						0		0	126
Regular transfers in and interfund loans	127				535,275		535,275		535,275	127
Internal TIF loans and transfers in	128 200,000		50,218				250,218		250,218	128
	129						0		0	129
	130						0		0	130
Total Other Financing Sources	131 200,000	0	50,218	976,061	535,275	0	1,761,554	0	1,761,554	131
Total Revenues Except for Beginning Balances (Sum of lines 121 and 131)	132 4,064,803	1,837,350	810,294	1,517,555	8,010,463	0	16,240,465	3,968,101	20,208,566	132
Beginning Fund Balance July 1, 2021	134 3,863,226	254,581	1,709,849	24,195	503,614		6,355,465	2,474,900	8,830,365	134
Total Revenues and Other Financing Sources (Sum of lines 132 and 134)	136 7,928,029	2,091,931	2,520,143	1,541,750	8,514,077	0	22,595,930	6,443,001	29,038,931	136

EXPENDITURES P6
CITY OF POLK CITY
EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, 2022
NON-GAAP/CASH BASIS

Item Description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f), (g))	Proprietary (h)	Grand Total (Sum of col. (g) (i))	Line
Section A - Public Safety	1										1
Police Department/Crime Prevention	2	1,114,200						1,114,200		1,114,200	2
Jail	3							0		0	3
Emergency Management	4	9,594						9,594		9,594	4
Flood control	5							0		0	5
Fire Department	6	664,927						664,927		664,927	6
Ambulance	7							0		0	7
Building Inspections	8	530,078						530,078		530,078	8
Miscellaneous Protective Services	9							0		0	9
Animal Control	10	3,038						3,038		3,038	10
Other Public Safety	11							0		0	11
	12							0		0	12
	13							0		0	13
Total Public Safety	14	2,321,837	0		0		0	2,321,837		2,321,837	14
Section B - Public Works	15										15
Roads, Bridges, Sidewalks	16	97,160	528,128					625,288		625,288	16
Parking Meter and Off-Street	17							0		0	17
Street Lighting	18	58,210						58,210		58,210	18
Traffic Control Safety	19							0		0	19
Snow Removal	20							0		0	20
Highway Engineering	21							0		0	21
Street Cleaning	22							0		0	22
Airport (if not an enterprise)	23							0		0	23
Garbage (if not an enterprise)	24							0		0	24
Other Public Works	25							0		0	25
	26							0		0	26
	27							0		0	27
Total Public Works	28	155,370	528,128		0		0	683,498		683,498	28
Section C - Health and Social Services	29										29
Welfare Assistance	30							0		0	30
City Hospital	31							0		0	31
Payments to Private Hospitals	32							0		0	32
Health Regulation and Inspections	33							0		0	33
Water, Air, and Mosquito Control	34	2,002						2,002		2,002	34
Community Mental Health	35							0		0	35
Other Health and Social Services	36							0		0	36
	37							0		0	37
	38							0		0	38
Total Health and Social Services	39	2,002	0		0		0	2,002		2,002	39
Section D - Culture and Recreation	40										40
Library Services	41	376,913						376,913		376,913	41
Museum, Band, Theater	42							0		0	42
Parks	43	321,729						321,729		321,729	43
Recreation	44							0		0	44
Cemetery	45							0		0	45
Community Center, Zoo, Marina, and Auditorium	46	12,911						12,911		12,911	46
Other Culture and Recreation	47							0		0	47
	48							0		0	48
	49							0		0	49
Total Culture and Recreation	50	711,553	0		0		0	711,553		711,553	50

EXPENDITURES P7

CITY OF

EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, -- Continued

NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (a) through (f) (g)	Proprietary (h)	Grand Total (Sum of col. (g) (i))	Line
Section E - Community and Economic Development	51										51
Community beautification	52							0		0	52
Economic development	53							0		0	53
Housing and urban renewal	54							0		0	54
Planning and zoning	55							0		0	55
Other community and economic development	56			795,609				795,609		795,609	56
TIF Rebates	57							0		0	57
	58							0		0	58
Total Community and Economic Development	59	0	0	795,609	0	0	0	795,609		795,609	59
Section F - General Government	60										60
Mayor, Council and City Manager	61	121,721						121,721		121,721	61
Clerk, Treasurer, Financial Administration	62	197,122						197,122		197,122	62
Elections	63	706						706		706	63
Legal Services and City Attorney	64	56,907						56,907		56,907	64
City Hall and General Buildings	65	56,592						56,592		56,592	65
Tort Liability	66							0		0	66
Other General Government	67	132,734						132,734		132,734	67
	68							0		0	68
	69							0		0	69
Total General Government	70	565,782	0	0	0	0	0	565,782		565,782	70
Section G - Debt Service	71							0		0	71
	72				1,555,446			1,555,446		1,555,446	72
	73							0		0	73
Total Debt Service	74	0	0	0	1,555,446	0	0	1,555,446		1,555,446	74
Section H - Regular Capital Projects - Specify	75										75
	76					1,463,703		1,463,703		1,463,703	76
	77							0		0	77
Subtotal Regular Capital Projects	78	0	0	0	0	1,463,703	0	1,463,703		1,463,703	78
TIF Capital Projects - Specify	79										79
	80							0		0	80
	81							0		0	81
Subtotal TIF Capital Projects	82	0	0	0	0	0	0	0		0	82
Total Capital Projects	83	0	0	0	0	1,463,703	0	1,463,703		1,463,703	83
Total Governmental Activities Expenditures (Sum of lines 14, 28, 39, 50, 59, 70, 74, 83)	84	3,756,544	528,128	795,609	1,555,446	1,463,703	0	8,099,430		8,099,430	84
	85										85

TIF Rebates are expended out of the TIF Special Revenue Fund within the Community and Economic Development program's activity "Other"

EXPENDITURES P8

CITY OF

EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, -- Continued

NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g) (i))	Line
Section I - Business Type Activities	87										87
Water - Current Operation	88								1,204,222	1,204,222	88
Capital Outlay	89									0	89
Debt Service	90									0	90
Sewer and Sewage Disposal - Current Operation	91								1,524,673	1,524,673	91
Capital Outlay	92									0	92
Debt Service	93									0	93
Electric - Current Operation	94									0	94
Capital Outlay	95									0	95
Debt Service	96									0	96
Gas Utility - Current Operation	97									0	97
Capital Outlay	98									0	98
Debt Service	99									0	99
Parking - Current Operation	100									0	100
Capital Outlay	101									0	101
Debt Service	102									0	102
Airport - Current Operation	103									0	103
Capital Outlay	104									0	104
Debt Service	105									0	105
Landfill/Garbage - Current operation	106								288,405	288,405	106
Capital Outlay	107									0	107
Debt Service	108									0	108
Hospital - Current Operation	109									0	109
Capital Outlay	110									0	110
Debt Service	111									0	111
Transit - Current Operation	112									0	112
Capital Outlay	113									0	113
Debt Service	114									0	114
Cable TV, Telephone, Internet - Current Operation	115									0	115
Capital Outlay	116									0	116
Housing Authority - Current Operation	117									0	117
Capital Outlay	118									0	118
Debt Service	119									0	119
Storm Water - Current Operation	120								136,257	136,257	120
Capital Outlay	121									0	121
Debt Service	122									0	122
Other Business Type - Current Operation	123									0	123
Capital Outlay	124									0	124
Debt Service	125									0	125
Internal Service Funds - Specify	126										126
	127									0	127
	128									0	128
Total Business Type Activities	129								3,153,557	3,153,557	129

EXPENDITURES P9
CITY OF POLK CITY
EXPENDITURES AND OTHER FINANCING USES FOR FISCAL YEAR ENDED JUNE 30, 2022 -- Continued
NON-GAAP/CASH BASIS

Item description	Line	General (a)	Special Revenue (b)	TIF Special Revenue (c)	Debt Service (d)	Capital Projects (e)	Permanent (f)	Total Governmental (Sum of cols. (a) through (f)) (g)	Proprietary (h)	Grand Total (Sum of col. (g) (f))	Line
Subtotal Expenditures (Sum of lines 84 and 129)	130	3,756,544	528,128	795,609	1,555,446	1,463,703	0	8,099,430	3,153,557	11,252,987	130
Section J - Other Financing Uses Including Transfers Out	131										131
Regular transfers out	132	264,918	105,564					370,482	164,793	535,275	132
Internal TIF loans/repayments and transfers out	133			250,218				250,218		250,218	133
	134							0		0	134
Total Other Financing Uses	135	264,918	105,564	250,218	0	0	0	620,700	164,793	785,493	135
Total Expenditures and Other Financing Uses (Sum of lines 130 and 135)	136	4,021,462	633,692	1,045,827	1,555,446	1,463,703	0	8,720,130	3,318,350	12,038,480	136
Ending fund balance June 30, :	137										137
Governmental:	138										138
	139										139
Nonspendable	140									0	140
Restricted	141		1,458,239	1,474,316	-13,696			2,918,859		2,918,859	141
Committed	142					7,050,374		7,050,374		7,050,374	142
Assigned	143							0		0	143
Unassigned	144	3,906,567						3,906,567		3,906,567	144
Total Governmental	145	3,906,567	1,458,239	1,474,316	-13,696	7,050,374	0	13,875,800		13,875,800	145
Proprietary	146								3,124,651	3,124,651	146
Total Ending Fund Balance June 30,	147	3,906,567	1,458,239	1,474,316	-13,696	7,050,374	0	13,875,800	3,124,651	17,000,451	147
Total Requirements (Sum of lines 136 and 147)	148	7,928,029	2,091,931	2,520,143	1,541,750	8,514,077	0	22,595,930	6,443,001	29,038,931	148

OTHER P10

Part III Intergovernmental Expenditures Please report below expenditures made to the State or to other local governments on a reimbursement or cost sharing basis. Include these expenditures in part II. Enter amount.

Purpose	Amount paid to other local governments	Purpose	Amount paid to State
Correction		Highways	
Health		All other	
Highways			
Transit Subsidies			
Libraries			
Police protection			
Sewerage			
Sanitation			
All other	850,393		

Part IV

Wages & Salaries Report here the total salaries and wages paid to all employees of your government before deductions of social security, retirement, etc. Include also salaries and wages paid to employees of any utility owned and operated by your government, as well as salaries and wages of municipal employees charged to construction projects.

YOU ARE REQUIRED TO ENTER SALARY DOLLARS IN THE Amount areas FOR SALARIES AND WAGES PAID		Amount
Total Salaries and Wages Paid		2,055,597

Part V Debt Outstanding, Issued, and Retired

Transit subsidies

A. Long-Term Debt

Debt During the Fiscal Year		Debt Outstanding JUNE 30, 2022							
Purpose	Line	Debt Outstanding JULY 1, 2021	Issued	Retired	General Obligation	TIF Revenue	Revenue	Other	Interest Paid This Year
Water Utility	1.								
Sewer Utility	2.								
Electric Utility	3.								
Gas Utility	4.								
Transit-Bus	5.								
Industrial Revenue	6.								
Mortgage Revenue	7.								
TIF Revenue	8.								
Other Purposes / Miscellaneous	9.								
GO	10.	5,245,000	7,430,000	1,846,226	11,257,552				193,184
Parking	11.								
Airport	12.								
Stormwater	13.								
Section 108	14.								
Total Long-Term		5,245,000	7,430,000	1,846,226	11,257,552	0	0	0	193,184

B. Short-Term Debt Amount

Outstanding as of July 1, 2021	5,245,000
Outstanding as of JUNE 30, 2022	11,257,552

DEBT LIMITATION FOR GENERAL OBLIGATIONS

Part VI Actual valuation -- January 1, 2020

Part VII CASH AND INVESTMENT ASSETS AS OF JUNE 30, 2022

Type of asset	Amount			
	Bond and interest funds (a)	Bond construction funds (b)	Pension/retirement funds (c)	All other Funds (d)
Cash and investments - Include cash on hand, CD's, time, checking and savings deposits, Federal securities, Federal agency securities, State and local government securities, and all other securities. Exclude value of real property.				17,000,451
Total (e)				17,000,451

If you budget on a NON-GAAP CASH BASIS, the amount in the Total above SHOULD EQUAL the above summed amounts on the sheet All Funds P1: Ending fund balance, column C PLUS the amounts in the shaded Note area.

Annual Urban Renewal Report, Fiscal Year 2021 - 2022

Levy Authority Summary

Local Government Name: POLK CITY
 Local Government Number: 77G723

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL	77077	1
POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL	77089	6
POLK CITY DEER HAVEN URBAN RENEWAL	77096	2

TIF Debt Outstanding: 2,581,682

TIF Sp. Rev. Fund Cash Balance as of 07-01-2021:	1,709,846	1,446,758	Amount of 07-01-2021 Cash Balance Restricted for LMI
---------------------------------------------------------	------------------	------------------	-------------------------------------------------------------

TIF Revenue:	675,892
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
Total Revenue:	675,892

Rebate Expenditures:	385,161
Non-Rebate Expenditures:	526,263
Returned to County Treasurer:	0
Total Expenditures:	911,424

TIF Sp. Rev. Fund Cash Balance as of 06-30-2022:	1,474,314	1,170,715	Amount of 06-30-2022 Cash Balance Restricted for LMI
---------------------------------------------------------	------------------	------------------	-------------------------------------------------------------

Year-End Outstanding TIF Obligations, Net of TIF Special Revenue Fund Balance: 195,944

Urban Renewal Area Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL
 UR Area Number: 77077

UR Area Creation Date: 07/1991

UR Area Purpose: Economic Development

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
POLK CITY/N-POLK SCH/MAD CEM/KOESTER CONST 10 TIF INCR	770795	770796	1,365,328

Urban Renewal Area Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	1,550,000	0	0	0	1,550,000	0	1,550,000
Taxable	0	0	1,395,000	0	0	0	1,395,000	0	1,395,000
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2021: 0 **Amount of 07-01-2021 Cash Balance Restricted for LMI** 0

TIF Revenue:	40,452
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
Total Revenue:	40,452

Rebate Expenditures:	39,019
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
Total Expenditures:	39,019

TIF Sp. Rev. Fund Cash Balance as of 06-30-2022: 1,433 **Amount of 06-30-2022 Cash Balance Restricted for LMI** 0

Projects For POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL

Polk City Dental, LLC

Description:	Developer Agreement
Classification:	Commercial-Medical
Physically Complete:	Yes
Payments Complete:	No

Debts/Obligations For POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL

Polk City Dental, LLC Rebate

Debt/Obligation Type:	Rebates
Principal:	341,861
Interest:	0
Total:	341,861
Annual Appropriation?:	Yes
Date Incurred:	05/10/2010
FY of Last Payment:	2033

Rebates For POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL

Polk City Dental, LLC

TIF Expenditure Amount:	39,019
Rebate Paid To:	Polk City Dental, LLC
Tied To Debt:	Polk City Dental, LLC Rebate
Tied To Project:	Polk City Dental, LLC
Projected Final FY of Rebate:	2033

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY KOESTER CONSTRUCTION URBAN RENEWAL (77077)
 TIF Taxing District Name: POLK CITY/N-POLK SCH/MAD CEM/KOESTER CONST 10 TIF INCR
 TIF Taxing District Inc. Number: 770796
 TIF Taxing District Base Year: 2010
 FY TIF Revenue First Received: 2013
 Subject to a Statutory end date? Yes
 Fiscal year this TIF Taxing District statutorily ends: 2033

	UR Designation
Slum	No
Blighted	No
Economic Development	06/1991

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	1,550,000	0	0	0	1,550,000	0	1,550,000
Taxable	0	0	1,395,000	0	0	0	1,395,000	0	1,395,000
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	121,300	1,395,000	1,365,328	29,672	905

FY 2022 TIF Revenue Received: 40,452

Urban Renewal Area Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL
 UR Area Number: 77089

UR Area Creation Date:

UR Area Purpose:

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
POLK CITY/N-POLK SCH/MAD CEM/12 URBAN RENEW AREA II TIF INCR	770867	770868	16,046,574
POLK CITY AG/N-POLK SCH/MAD CEM/12 URBAN RENEW AREA II TIF INCR	770869	770870	0
POLK CITY/ANKENY SCH/12 URBAN RENEW AREA II TIF INCR	770871	770872	505,128
POLK CITY AG/ANKENY SCH/12 URBAN RENEW AREA II TIF INCR	770873	770874	0
POLK CITY/N-POLK SCH/MAD CEM/20 OCT ADD UR AREA II TIF INCR	770963	770964	1,901
POLK CITY AG/N-POLK SCH/MAD CEM/20 OCT ADD UR AREA II TIF INCR	770965	770966	0

Urban Renewal Area Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	29,160	178,912,500	16,272,720	0	0	-85,192	195,129,188	0	195,129,188
Taxable	24,503	100,923,487	14,645,448	0	0	-85,192	115,508,246	0	115,508,246
Homestead Credits									425

TIF Sp. Rev. Fund Cash Balance as of 07-01-2021: **1,709,846** **1,446,758** **Amount of 07-01-2021 Cash Balance Restricted for LMI**

TIF Revenue:	508,006
TIF Sp. Revenue Fund Interest:	0
Property Tax Replacement Claims	0
Asset Sales & Loan Repayments:	0
Total Revenue:	508,006

Rebate Expenditures:	267,332
Non-Rebate Expenditures:	526,263
Returned to County Treasurer:	0
Total Expenditures:	793,595

TIF Sp. Rev. Fund Cash Balance as of 06-30-2022: **1,424,257** **1,122,091** **Amount of 06-30-2022 Cash Balance Restricted for LMI**

Projects For POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL

FAREWAY

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	Yes

FAREWAY

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

POLK CITY COMMERCIAL, LLC

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

TWELVE OAKS, LLC

Description:	DEVELOPER AGREEMENT
Classification:	Roads, Bridges & Utilities
Physically Complete:	No
Payments Complete:	No

TWELVE OAKS, LLC LMI

Description:	LMI
Classification:	Low and Moderate Income Housing
Physically Complete:	No
Payments Complete:	No

3100 LLC

Description:	DEVELOPER AGREEMENT
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	Yes

3100 LLC LMI

Description:	LMI
Classification:	Low and Moderate Income Housing
Physically Complete:	Yes
Payments Complete:	Yes

BRIDGEPOINTE - Queensland

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - retail
Physically Complete:	Yes
Payments Complete:	No

FRIHALAGE

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - office properties
Physically Complete:	Yes
Payments Complete:	No

LUANA

Description:	DEVELOPER AGREEMENT
Classification:	Commercial - office properties
Physically Complete:	Yes
Payments Complete:	No

LMI Assistance

Description:	LMI Assistance
Classification:	Low and Moderate Income Housing
Physically Complete:	Yes
Payments Complete:	No

KIMBERLEY - Crossroads

Description:	DEVELOPER AGREEMENT
Classification:	Mixed use property (ie: a significant portion is residential and significant portion is commercial)
Physically Complete:	No
Payments Complete:	No

Chamber - Go Polk City

Description:	Economic Development Agreement
Classification:	Administrative expenses
Physically Complete:	No
Payments Complete:	No

City Admin Services

Description:	Administrative expenses
Classification:	Administrative expenses
Physically Complete:	No
Payments Complete:	No

Debts/Obligations For POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL

FAREWAY STORES, LLC REBATE

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	02/06/2013
FY of Last Payment:	2016

FAREWAY STORES, LLC REBATE

Debt/Obligation Type:	Rebates
Principal:	177,219
Interest:	0
Total:	177,219
Annual Appropriation?:	Yes
Date Incurred:	02/06/2013
FY of Last Payment:	2034

POLK CITY COMMERCIAL REBATE

Debt/Obligation Type:	Rebates
Principal:	81,111
Interest:	0
Total:	81,111
Annual Appropriation?:	Yes
Date Incurred:	04/22/2013
FY of Last Payment:	2034

TWELVE OAKS, LLC REBATE

Debt/Obligation Type:	Rebates
Principal:	408,544
Interest:	0
Total:	408,544
Annual Appropriation?:	Yes
Date Incurred:	04/22/2013
FY of Last Payment:	2034

3100 LLC

Debt/Obligation Type:	Rebates
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	09/24/2013
FY of Last Payment:	2020

BRIDGEPOINTE - Queensland

Debt/Obligation Type:	Rebates
Principal:	108,365

Interest:	0
Total:	108,365
Annual Appropriation?:	Yes
Date Incurred:	05/29/2015
FY of Last Payment:	2035

TWELVE OAKS LMI

	Outstanding LMI Housing
Debt/Obligation Type:	Obligations
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	04/22/2013
FY of Last Payment:	2034

3100 LLC LMI

	Outstanding LMI Housing
Debt/Obligation Type:	Obligations
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	Yes
Date Incurred:	09/24/2013
FY of Last Payment:	2020

FRIHALAGE

Debt/Obligation Type:	Rebates
Principal:	55,324
Interest:	0
Total:	55,324
Annual Appropriation?:	Yes
Date Incurred:	07/24/2017
FY of Last Payment:	2028

LUANA

Debt/Obligation Type:	Rebates
Principal:	73,240
Interest:	0
Total:	73,240
Annual Appropriation?:	Yes
Date Incurred:	12/10/2018
FY of Last Payment:	2029

LMI Assistance

Debt/Obligation Type:	Internal Loans
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	07/01/2022
FY of Last Payment:	2022

KIMBERLEY - Crossroads

Debt/Obligation Type:	Rebates
-----------------------	---------

Principal:	49,371
Interest:	0
Total:	49,371
Annual Appropriation?:	Yes
Date Incurred:	04/13/2020
FY of Last Payment:	2022

Chamber - Go Polk City

Debt/Obligation Type:	Internal Loans
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	07/01/2022
FY of Last Payment:	2022

City Admin Services

Debt/Obligation Type:	Internal Loans
Principal:	0
Interest:	0
Total:	0
Annual Appropriation?:	No
Date Incurred:	07/01/2022
FY of Last Payment:	2022

Non-Rebates For POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL

TIF Expenditure Amount:	406,263
Tied To Debt:	LMI Assistance
Tied To Project:	LMI Assistance

TIF Expenditure Amount:	70,000
Tied To Debt:	Chamber - Go Polk City
Tied To Project:	Chamber - Go Polk City

TIF Expenditure Amount:	50,000
Tied To Debt:	City Admin Services
Tied To Project:	City Admin Services

Rebates For POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL

FAREWAY

TIF Expenditure Amount:	31,798
Rebate Paid To:	FAREWAY
Tied To Debt:	FAREWAY STORES, LLC REBATE
Tied To Project:	FAREWAY
Projected Final FY of Rebate:	2030

TWELVE OAKS

TIF Expenditure Amount:	16,855
Rebate Paid To:	TWELVE OAKS
Tied To Debt:	TWELVE OAKS, LLC REBATE
Tied To Project:	TWELVE OAKS, LLC
Projected Final FY of Rebate:	2034

POLK CITY COMMERCIAL

TIF Expenditure Amount:	14,784
Rebate Paid To:	POLK CITY COMMERCIAL
Tied To Debt:	POLK CITY COMMERCIAL REBATE
Tied To Project:	POLK CITY COMMERCIAL, LLC
Projected Final FY of Rebate:	2034

BRIDGEPOINTE - Queensland

TIF Expenditure Amount:	53,219
Rebate Paid To:	BRIDGEPOINTE - Queensland
Tied To Debt:	BRIDGEPOINTE - Queensland
Tied To Project:	BRIDGEPOINTE - Queensland
Projected Final FY of Rebate:	2035

FRIHALAGE

TIF Expenditure Amount:	28,065
Rebate Paid To:	FRIHALAGE
Tied To Debt:	FRIHALAGE
Tied To Project:	FRIHALAGE
Projected Final FY of Rebate:	2028

LUANA

TIF Expenditure Amount:	73,240
Rebate Paid To:	LUANA
Tied To Debt:	LUANA
Tied To Project:	LUANA
Projected Final FY of Rebate:	2029

Kimberely - Crossroads

TIF Expenditure Amount:	49,371
Rebate Paid To:	Kimberely - Crossroads

Tied To Debt:	KIMBERLEY - Crossroads
Tied To Project:	KIMBERLEY - Crossroads
Projected Final FY of Rebate:	2022

Income Housing For POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL

Amount of FY 2022 expenditures that provide or aid in the provision of public improvements related to housing and residential development:	410,443
<hr/>	
Lots for low and moderate income housing:	0
Construction of low and moderate income housing:	388,000
Grants, credits or other direct assistance to low and moderate income families:	8,656
Payments to a low and moderate income housing fund established by the municipality, including matching funds for any state or federal moneys used for such purposes:	0
Other low and moderate income housing assistance:	13,787

TIF Taxing District Data Collection

Local Government Name:	POLK CITY (77G723)
Urban Renewal Area:	POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
TIF Taxing District Name:	POLK CITY/N-POLK SCH/MAD CEM/12 URBAN RENEW AREA II TIF INCR
TIF Taxing District Inc. Number:	770868
TIF Taxing District Base Year:	1990
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	174,956,800	11,427,520	0	0	-83,340	186,300,980	0	186,300,980
Taxable	0	98,692,103	10,284,768	0	0	-83,340	108,893,531	0	108,893,531
Homestead Credits									417

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	1,185,587	108,893,531	16,046,574	92,846,957	2,830,908

FY 2022 TIF Revenue Received: 492,485

TIF Taxing District Data Collection

Local Government Name:	POLK CITY (77G723)
Urban Renewal Area:	POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
TIF Taxing District Name:	POLK CITY AG/N-POLK SCH/MAD CEM/12 URBAN RENEW AREA II TIF INCR
TIF Taxing District Inc. Number:	770870
TIF Taxing District Base Year:	1990
FY TIF Revenue First Received:	
Subject to a Statutory end date?	No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	29,160	0	0	0	0	0	29,160	0	29,160
Taxable	24,503	0	0	0	0	0	24,503	0	24,503
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	29,160	0	0	0	0

FY 2022 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
 TIF Taxing District Name: POLK CITY/ANKENY SCH/12 URBAN RENEW AREA II TIF INCR
 TIF Taxing District Inc. Number: 770872
 TIF Taxing District Base Year: 1990
 FY TIF Revenue First Received:
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	3,300,600	1,740,000	0	0	0	5,040,600	0	5,040,600
Taxable	0	1,861,846	1,566,000	0	0	0	3,427,846	0	3,427,846
Homestead Credits									4

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	11,740	3,427,846	505,128	2,922,718	89,808

FY 2022 TIF Revenue Received: 15,521

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
 TIF Taxing District Name: POLK CITY AG/ANKENY SCH/12 URBAN RENEW AREA II TIF INCR
 TIF Taxing District Inc. Number: 770874
 TIF Taxing District Base Year: 1990
 FY TIF Revenue First Received:
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	0	0	0	0	0

FY 2022 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
 TIF Taxing District Name: POLK CITY/N-POLK SCH/MAD CEM/20 OCT ADD UR AREA II TIF INCR
 TIF Taxing District Inc. Number: 770964

TIF Taxing District Base Year:	2019	UR Designation	
FY TIF Revenue First Received:		Slum	No
Subject to a Statutory end date?	No	Blighted	No
		Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	655,100	3,105,200	0	0	-1,852	3,758,448	0	3,758,448
Taxable	0	369,538	2,794,680	0	0	-1,852	3,162,366	0	3,162,366
Homestead Credits									4

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	3,747,400	12,900	1,901	10,999	335

FY 2022 TIF Revenue Received: 0

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY URBAN RENEWAL AREA II URBAN RENEWAL (77089)
 TIF Taxing District Name: POLK CITY AG/N-POLK SCH/MAD CEM/20 OCT ADD UR AREA II TIF INCR
 TIF Taxing District Inc. Number: 770966

TIF Taxing District Base Year:	2019	UR Designation	
FY TIF Revenue First Received:		Slum	No
Subject to a Statutory end date?	No	Blighted	No
		Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	0	0	0	0	0

FY 2022 TIF Revenue Received: 0

Urban Renewal Area Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY DEER HAVEN URBAN RENEWAL
 UR Area Number: 77096

UR Area Creation Date:

UR Area Purpose:

Tax Districts within this Urban Renewal Area

	Base No.	Increment No.	Increment Value Used
POLK CITY/N-POLK SCH/MAD CEM/16 DEER HAVEN TIF INCR	770235	770236	4,249,200
POLK CITY AG/N-POLK SCH/MAD CEM/16 DEER HAVEN TIF INCR	770237	770238	0

Urban Renewal Area Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	3,260	13,498,600	0	0	0	-1,852	13,500,008	0	13,500,008
Taxable	2,740	7,614,485	0	0	0	-1,852	7,615,373	0	7,615,373
Homestead Credits									29

TIF Sp. Rev. Fund Cash Balance as of 07-01-2021: **0** **0** **Amount of 07-01-2021 Cash Balance Restricted for LMI**

TIF Revenue: 127,434
 TIF Sp. Revenue Fund Interest: 0
 Property Tax Replacement Claims 0
 Asset Sales & Loan Repayments: 0
Total Revenue: 127,434

Rebate Expenditures: 78,810
 Non-Rebate Expenditures: 0
 Returned to County Treasurer: 0
Total Expenditures: 78,810

TIF Sp. Rev. Fund Cash Balance as of 06-30-2022: **48,624** **48,624** **Amount of 06-30-2022 Cash Balance Restricted for LMI**

Projects For POLK CITY DEER HAVEN URBAN RENEWAL

DEER HAVEN

Description:	DEVELOPER AGREEMENT
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	No

Debts/Obligations For POLK CITY DEER HAVEN URBAN RENEWAL

DEER HAVEN

Debt/Obligation Type:	Rebates
Principal:	1,286,647
Interest:	0
Total:	1,286,647
Annual Appropriation?:	Yes
Date Incurred:	08/14/2017
FY of Last Payment:	2032

Rebates For POLK CITY DEER HAVEN URBAN RENEWAL

DEER HAVEN

TIF Expenditure Amount:	78,810
Rebate Paid To:	DEER HAVEN
Tied To Debt:	DEER HAVEN
Tied To Project:	DEER HAVEN
Projected Final FY of Rebate:	2032

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY DEER HAVEN URBAN RENEWAL (77096)
 TIF Taxing District Name: POLK CITY/N-POLK SCH/MAD CEM/16 DEER HAVEN TIF INCR
 TIF Taxing District Inc. Number: 770236
 TIF Taxing District Base Year: 2019
 FY TIF Revenue First Received:
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	13,498,600	0	0	0	-1,852	13,496,748	0	13,496,748
Taxable	0	7,614,485	0	0	0	-1,852	7,612,633	0	7,612,633
Homestead Credits									29

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	9,249,400	4,249,200	4,249,200	0	0

FY 2022 TIF Revenue Received: 127,434

TIF Taxing District Data Collection

Local Government Name: POLK CITY (77G723)
 Urban Renewal Area: POLK CITY DEER HAVEN URBAN RENEWAL (77096)
 TIF Taxing District Name: POLK CITY AG/N-POLK SCH/MAD CEM/16 DEER HAVEN TIF INCR
 TIF Taxing District Inc. Number: 770238
 TIF Taxing District Base Year: 2019
 FY TIF Revenue First Received:
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2020 for FY 2022

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	3,260	0	0	0	0	0	3,260	0	3,260
Taxable	2,740	0	0	0	0	0	2,740	0	2,740
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2022	3,260	0	0	0	0

FY 2022 TIF Revenue Received: 0



November 8, 2022

Honorable Mayor and City Council
City of Polk City
112 S. 3rd Street
Polk City, Iowa

RE: PARTIAL PAYMENT APPLICATION NO. 8
NORTH 3RD STREET AND VISTA LAKE AVENUE
INTERSECTION IMPROVEMENTS PROJECT

Dear Honorable Mayor and City Council:

Please find the attached Partial Payment Application No. 8 for the North 3rd Street and Vista Lake Avenue Intersection Improvements Project. This payment application includes work completed by the Contractor through October 31, 2022.

Work completed during this pay period includes construction of the east leg of the intersection, construction of the trail and sidewalks on the east side of the intersection, repair of the damaged maintenance curb in the center island of the intersection, and installation of permanent signage and pavement markings. We anticipate the Contractor will complete the remaining hardscape and paving items in the month of November.

We recommend approval of partial payment application No. 8, in the amount of \$176,283.66, to the Contractor, Absolute Concrete, for work completed through October 31, 2022. Approximately 87.5% of the total contract work has been completed and 114 of the 129 working days for the project have been charged, representing 88.4% of the contract period.

Please contact me should you have any questions on this payment application. We will be in attendance at the November 14, 2022 City Council meeting to answer any questions regarding these items.

Sincerely,
SNYDER & ASSOCIATES, INC.

Travis D. Thornburgh, P.E.

Enclosure

cc: Mike Schulte, City of Polk City
Chelsea Huisman, City of Polk City
Kathleen Connor, Snyder & Associates
Laura C. Lamberty, P.E., Snyder & Associates

RESOLUTION NO 2022-127

A RESOLUTION APPROVING THE APPLICATION FOR PARTIAL PAYMENT APPLICATION NO. 7 FOR THE NORTH 3RD STREET AND VISTA LAKE AVENUE INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, the City of Polk City, City Council, approved Resolution 2021-124 ordering construction for the North 3rd Street and Vista Lake Avenue Intersection Improvements Project on November 22, 2021; and

WHEREAS, the City Council approved Resolution 2022-02 on January 10, 2022 awarding the construction contract to Absolute Concrete Construction, Inc of Slater, Iowa; and

WHEREAS, on January 24, 2022 the City Council approved Resolution 2022-12 approving the contract in the amount of \$1,534,961 with additive bid alternates totaling \$51,345 for a total contract of \$1,586,306; and

WHEREAS, on April 11, 2022 the City Council approved Resolution 2022-39 approving Change Order No. 1 in the amount of \$40,145; and

WHEREAS, on April 11, 2022 the City Council approved Resolution 2022-40 approving Partial Pay App No. 1 in the amount of \$36,440.57; and

WHEREAS, on May 9, 2022 the City Council approved Resolution 2022-63 approving Partial Pay App No. 2 in the amount of \$164,734.07; and

WHEREAS, on June 13, 2022 the City Council approved Resolution 2022-70 approving Partial Pay App No. 3 in the amount of \$110,380.98; and

WHEREAS, on July 11, 2022 the City Council approved Resolution 2022-86 approving Partial Pay App No. 4 in the amount of \$79,332.60; and

WHEREAS, on August 8, 2022 the City Council approved Resolution 2022-93 approving Partial Pay App No. 5 in the amount of \$98,045.93; and

WHEREAS, on September 12, 2022 the City Council approved Resolution 2022-109 approving Partial Pay App No. 6 in the amount of \$420,570.23; and

WHEREAS, on October 10, 2022 the City Council approved Resolution 2022-118 approving Partial Pay App No. 7 in the amount of \$232,324.55; and

WHEREAS, Absolute Concrete Construction, Inc and the City Engineer have submitted the Application for Partial Payment Application No. 8 giving a detailed estimate of work completed with an application for payment in the amount of \$176,286.66.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Polk City, Iowa hereby approves the Application for Partial Payment Application No. 8 for the North 3rd Street and Vista Lake Avenue Intersection Improvements Project, and the City Clerk/Treasurer is hereby authorized to issue a check to Absolute Concrete Construction, Inc in the amount of \$176,283.66.

PASSED AND APPROVED the 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

APPLICATION FOR PARTIAL PAYMENT NO. 8

PROJECT: N. 3rd Street and Vista Lake Avenue Intersection
Improvements Project

S&A PROJECT NO.: 121.0455.01

OWNER: City of Polk City
CONTRACTOR: Absolute Concrete Construction, Inc.
ADDRESS: 1000 West 6th Avenue
Slater, Iowa 50244
DATE: 11/7/2022

PAYMENT PERIOD: 10/1/2022
to 10/31/2022

1. CONTRACT SUMMARY:

Original Contract Amount: \$ 1,586,306.00
Net Change by Change Order: \$ 40,145.00
Contract Amount to Date: \$ 1,626,451.00

CONTRACT PERIOD: TOTAL WORKING DAYS

Original Contract Date: January 10, 2022

Original Contract Time: 120
(Milestone #1: Project Completion)

2. WORK SUMMARY:

Total Work Performed to Date: \$ 1,387,486.94
Retainage: 5.00% \$69,374.35
Total Earned Less Retainage: \$ 1,318,112.59
Less Previous Applications for Payment: \$ 1,141,828.93
AMOUNT DUE THIS APPLICATION: \$ 176,283.66

Added by Change Order: 9

Contract Time to Date: 129

Time Used to Date: 114

Contract Time Remaining: 15

Milestone #2: April 22, 2023
Landscape Completion

3. CONTRACTOR'S CERTIFICATION:

Milestone #3: Plant 180 Calendar Days
Watering and Maintenance Period:

The undersigned CONTRACTOR certifies that:

(1) all previous progress payments received from OWNER on account of Work done under the contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment; and

(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by the application for Payment are free and clear of all liens, claims, security interests, and encumbrances

Absolute Concrete Construction, Inc.

CONTRACTOR

By Eli Hartog DATE: 11-8-22

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

Snyder & Associates, Inc.

ENGINEER

By Travis D. Monaghan DATE: 11/08/2022

5. OWNER'S APPROVAL

City of Polk City

OWNER

By _____ DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
2.01.	Clearing and Grubbing	1	LS	\$ 9,000.00	\$ 9,000.00	1		\$ 9,000.00
2.02.	Topsoil, On-Site, 6" Depth	1,515	CY	21.75	32,951.25	1,118		24,316.50
2.03.	Topsoil, Compost-Amended, Contractor Provided	503	CY	17.50	8,802.50	503		8,802.50
2.04.	Excavation, Class 10, Roadway and Borrow	1,830	CY	3.80	6,954.00	1,830		6,954.00
2.05.	Excavation, Class 10, Contractor Provided	2,440	CY	30.00	73,200.00	2,440		73,200.00
2.06.	Below Grade Excavation (Core Out)	1,000	CY	40.30	40,300.00	250		10,075.00
2.07.	Subgrade Preparation, 12" Depth	4,826	SY	2.50	12,065.00	4,826		12,065.00
2.08.	Subgrade Treatment, Geogrid, Triangular	1,500	SY	4.50	6,750.00	1,500		6,750.00
2.09.	Subbase, Modified, 8" Depth	3,530	SY	13.50	47,655.00	3,530		47,655.00
2.10.	Subbase, Special Backfill, 8" Depth	1,296	SY	13.50	17,496.00	1,296		17,496.00
2.11.	Removal of Structure, 15" Pipe Apron	2	EA	350.00	700.00	2		700.00
2.12.	Removal of Known Pipe Culvert, RCP, 15"	102	LF	19.00	1,938.00	102		1,938.00
2.13.	Removal of Known Pipe Culvert, RCP, 24"	24	LF	28.00	672.00	24		672.00
2.14.	Compaction Testing	1	LS	5,000.00	5,000.00	1.00		5,000.00
2.15.	Granular Shoulder, 8" Depth	104	TON	39.50	4,108.00	52		2,054.00
2.16.	Temporary Granular Surfacing	150	TON	37.00	5,550.00	150.00		5,550.00
3.01.	Trench Compaction	1	LS	3,000.00	3,000.00	1.00		3,000.00
4.01.	Storm Sewer, Trenched, RCP, 15" Dia.	463	LF	74.75	34,609.25	463		34,609.25
4.02.	Removal of Storm Sewer, PVC Subdrain, 6" Dia.	76	LF	12.50	950.00	76		950.00
4.03.	Removal of Storm Sewer, CMP, 15"	312	LF	16.00	4,992.00	312		4,992.00
4.04.	Removal of Storm Sewer, RCP, 15"	67	LF	18.00	1,206.00	67		1,206.00
4.05.	Storm Sewer, Abandonment, Fill and Plug	23	LF	96.25	2,213.75	23		2,213.75
4.06.	Temporary Pipe Culvert, Trenched, CMP, 15" Dia.	312	LF	66.75	20,826.00	312		20,826.00
4.07.	Pipe Apron, Guard, & Footing, RCP 15"	1	EA	3,150.00	3,150.00	1		3,150.00
4.08.	Subdrain, Corrugated PVC, 6" Dia.	801	LF	21.00	16,821.00	833		17,493.00
4.09.	Subdrain Cleanouts, Type A-1	3	EA	950.00	2,850.00	3		2,850.00
4.10.	Subdrain Outlets and Connections	11	EA	555.00	6,105.00	11		6,105.00
4.11.	Subdrain Outlets and Connections, 6" Dia. DR-305 Type A	2	EA	635.00	1,270.00	2		1,270.00
4.12.	SW-211, Connect Existing Pipe to Structure	1	EA	2,325.00	2,325.00	1		2,325.00
5.01.	Water Main, Trenched, PVC C900, 8"	264	LF	54.00	14,256.00	264		14,256.00
5.02.	Water Main, Trenched, PVC C900, 12"	342	LF	84.00	28,728.00	356		29,904.00
5.03.	Fitting, 22.5 Degree Bend, 8"	2	EA	707.00	1,414.00	2		1,414.00
5.04.	Fitting, 45 Degree Bend, 8"	3	EA	775.00	2,325.00	3		2,325.00
5.05.	Fitting, 45 Degree Bend, 12"	4	EA	1,150.00	4,600.00	7		8,050.00
5.06.	Fitting, 90 Degree Bend, 8"	1	EA	750.00	750.00			-
5.07.	Fitting, Cross, 12" x 8"	1	EA	1,705.00	1,705.00	1		1,705.00
5.08.	Water Service Stub, 3/4" Copper, With Corporation, Curb Stop and Box	1	EA	1,945.00	1,945.00	1		1,945.00
5.09.	Water Service, 3/4", to Median w/ Meter and Backflow Prevention Device	1	LS	8,225.00	8,225.00	1.00		8,225.00
5.10.	Valve, Gate, 8"	3	EA	2,195.00	6,585.00	2		4,390.00
5.11.	Valve, Gate, 12"	1	EA	3,510.00	3,510.00	1		3,510.00
5.12.	Valve, Gate, Hot Tap, 12"	2	EA	8,900.00	17,800.00	1		8,900.00
5.13.	Fire Hydrant Assembly	2	EA	6,350.00	12,700.00	2		12,700.00
5.14.	Flushing Device, Blowoff	1	EA	2,780.00	2,780.00	1		2,780.00
5.15.	Fire Hydrant Assembly Removal	1	EA	600.00	600.00	1		600.00
5.16.	Removal of Water Main	490	LF	24.50	12,005.00	490		12,005.00

5.17.	Connection to Existing Water Main, Cut-In	2	EA	2,675.00	5,350.00	2	5,350.00
6.01.	Manhole, SW-401, 48" Diameter	4	EA	4,255.00	17,020.00	4	17,020.00
6.02.	Intake, SW-507S	2	EA	4,650.00	9,300.00	2	9,300.00
6.03.	Intake, SW-507L	4	EA	4,650.00	18,600.00	4	18,600.00
6.04.	Manhole Adjustment, Minor	1	EA	475.00	475.00	1	475.00
6.05.	Manhole Adjustment, Major	2	EA	2,516.00	5,032.00	2	5,032.00
6.06.	Remove Intake	1	EA	715.00	715.00	1	715.00
7.01.	Pavement, PCC, 8" Depth	3,400	SY	90.00	306,000.00	3,528.7	317,583.00
7.02.	Median Curb, PCC, 6" Height, 12" Width, Dowelled	124	LF	60.00	7,440.00		-
7.03.	Curb and Gutter, 2.5' Width, 6" Standard Curb, Dowelled	282	LF	50.00	14,100.00		-
7.04.	Curb and Gutter, 2.0' Width, 6" Standard Curb	111	LF	60.00	6,660.00	117	7,020.00
7.05.	PCC Median, Truck Apron, 8" Depth, Colored and Stamped	406	SY	200.00	81,200.00	406	81,200.00
7.06.	Raised PCC Median Pavement, 6" Depth	214	SY	80.00	17,120.00	258	20,640.00
7.07.	PCC Median Paving, 8" Depth, Dowelled	44	SY	150.00	6,600.00		-
7.08.	PCC Pavement Samples and Testing	1	LS	5,000.00	5,000.00	1.00	5,000.00
7.09.	HMA Base Widening, 8" Depth	193	SY	74.50	14,378.50	236.88	17,647.56
7.10.	HMA Overlay, Levelling Course, 1/2" PG 58-28S	45	TON	143.00	6,435.00	20	2,860.00
7.11.	Removal of Sidewalk	145	SY	11.00	1,595.00	145	1,595.00
7.12.	Sidewalk, PCC, 4" Depth	112	SY	60.00	6,720.00	112	6,720.00
7.13.	Shared Use Path, PCC, 5" Depth	332	SY	55.00	18,260.00	312	17,160.00
7.14.	Sidewalk, PCC, 6" Depth	96	SY	70.00	6,720.00	106.5	7,455.00
7.15.	Detectable Warning	162	SF	50.00	8,100.00	160	8,000.00
7.16.	Pavement Removal	4,800	SY	11.00	52,800.00	4,800	52,800.00
7.17.	Milling, Variable Depth	160	SY	20.00	3,200.00	160	3,200.00
7.18.	Temporary Roadway Pavement	1,950	SY	33.75	65,812.50	1,937.7	65,397.38
7.19.	Temporary Pavement Patch	84	SY	130.00	10,920.00		-
8.01.	Temporary Traffic Signal	1	LS	8,500.00	8,500.00	1.00	8,500.00
8.02.	Painted Pavement Markings, Solvent/Waterborne	16.5	STA	90.00	1,485.00	16.5	1,485.00
8.03.	Painted Pavement Markings, Durable	27.5	STA	300.00	8,250.00	20	6,000.00
8.04.	Grooves Cut for Pavement Markings	27.5	STA	150.00	4,125.00	20	3,000.00
8.05.	Pavement Markings Removed	4.5	STA	250.00	1,125.00	5	1,250.00
8.06.	Temporary Traffic Control	1	LS	9,400.00	9,400.00	0.88	8,272.00
8.07.	Street Lighting System	1	LS	79,494.00	79,494.00		-
8.08.	Street Signs	1	LS	10,200.00	10,200.00	0.75	7,650.00
8.09.	Flaggers	20	CDAY	650.00	13,000.00	4	2,600.00
8.10.	Portable Dynamic Message Sign (PDMS)	45	CDAY	75.00	3,375.00	46	3,450.00
8.11.	Rectangular Rapid Flashing Beacons (North Pedestrian Crossing)	1	LS	19,095.00	19,095.00		-
9.01.	Conventional Seeding, Fertilizing, Mulching, Type 1	1.5	AC	6,000.00	9,000.00		-
9.02.	Conventional Seeding, Fertilizing, Mulching, Type 4	1.5	AC	3,000.00	4,500.00		-
9.03.	Large Shrub, #5 Container, With Warranty	17	EA	85.00	1,445.00		-
9.04.	Native Forb, Plugs 5" D x 2.25" W, With Warranty	1,400	LS	12.00	16,800.00		-
9.05.	Native Grass Seeding and Mulching	1	LS	1,200.00	1,200.00		-
9.06.	Plant Maintenance and Watering	1	LS	2,500.00	2,500.00		-
9.07.	Median Electrical Service	1	LS	7,025.00	7,025.00		-
9.08.	PCC Maintenance Curb, 12" Colored	73	LF	85.00	6,205.00	125	10,625.00
9.09.	Stormwater Pollution Prevention Plan (SWPPP) Preparation	1	LS	1,250.00	1,250.00	1.00	1,250.00
9.10.	Stormwater Pollution Prevention Plan (SWPPP) Management	1	LS	5,500.00	5,500.00	0.88	4,840.00
9.11.	Filter Sock, 9" Diameter	1,600	LF	1.75	2,800.00	1,251	2,189.25
9.12.	Filter Sock, Removal	1,600	LF	0.25	400.00		-

9.13.	Temporary RECP, Type 2C	120	SY	4.50	540.00			-
9.14.	Remove Existing Rip Rap	1	LS	1,450.75	1,450.75	1		1,450.75
9.15.	Rip Rap, Class D Revetment	62	TON	75.00	4,650.00	50.1		3,757.50
9.16.	Stabilized Construction Entrance	445	SY	11.50	5,117.50			-
9.17.	Silt Fence or Silt Fence Ditch Check	3,200	LF	1.75	5,600.00	338		591.50
9.18.	Silt Fence or Silt Fence, Removal of Sediment	3,200	LF	0.05	160.00			-
9.19.	Silt Fence or Silt Fence, Removal of Device	3,200	LF	0.05	160.00			-
9.20.	Inlet Protection Device, Open Throat	6	EA	150.00	900.00	4		600.00
9.21.	Inlet Protection Device, Maintenance	12	EA	50.00	600.00			-
9.22.	Chain Link Fence, Black Vinyl Chain Link, 42"	94	LF	57.00	5,358.00			-
11.01.	Mobilization	1	LS	100,000.00	100,000.00	1		100,000.00
11.02.	Concrete Washout	1	LS	2,000.00	2,000.00	1		2,000.00
11.03.	Remove Existing Monument Sign (Parcel 2)	1	LS	1,195.00	1,195.00	1		1,195.00
11.04.	Remove Existing Monument Sign (Parcel 4)	1	LS	1,615.00	1,615.00	1		1,615.00
ADDITIVE BID ALTERNATES:								
A.	Rectangular Rapid Flashing Beacons (East Pedestrian Crossing)	1	LS	19,095.00	19,095.00			-
B.	Median Pavement: Add Stamped Texture and Integral Color	258	SY	125.00	32,250.00	258		32,250.00
STORED MATERIALS SUMMARY:								
SM.01	Rectangular Rapid Flashing Beacons Materials			26,074.00	-	1		26,074.00
					TOTAL ORIGINAL CONTRACT = \$ 1,586,306.00		\$ 1,347,341.94	
CHANGE ORDER SUMMARY:								
1.1.	Pothole Existing Utilities	1	LS	2,389.00	2,389.00	1		2,389.00
1.2.	Connection to Existing Manhole	1	EA	6,556.00	6,556.00	1		6,556.00
1.3.	Sanitary Sewer, PVC, 8" Dia.	200	LF	138.00	27,600.00	200		27,600.00
1.4.	Trench Box	1	LS	3,600.00	3,600.00	1		3,600.00
					-			-
					-			-
					-			-
					TOTAL CHANGE ORDERS = \$ 40,145.00		\$ 40,145.00	
					TOTAL CONTRACT			
					& CHANGE ORDERS \$1,626,451.00		\$ 1,387,486.94	



Polk City Police Department

309 W Van Dorn St. P.O.Box 381

Polk City, Iowa 50226

Phone: 515-984-6565 Fax 515-984-6819 email: police@polkcityia.gov

Service Integrity Respect Quality

To: Honorable Mayor and Council Members

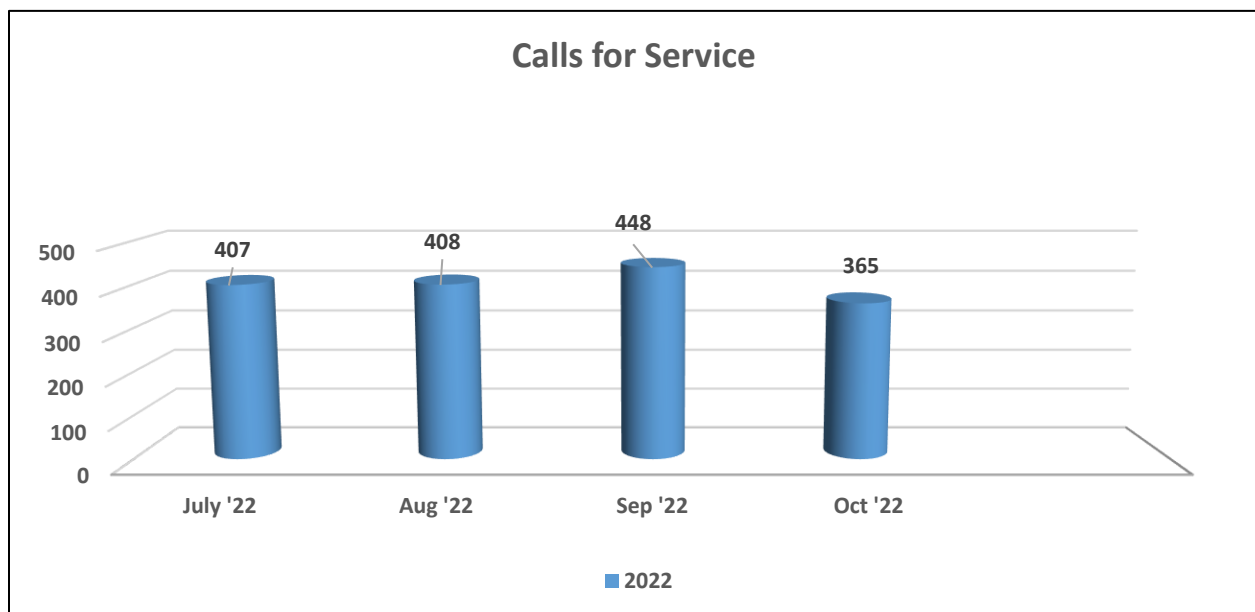
From: Lieutenant Aswegan

Date: November 4th, 2022

Re: October 2022 Monthly Report

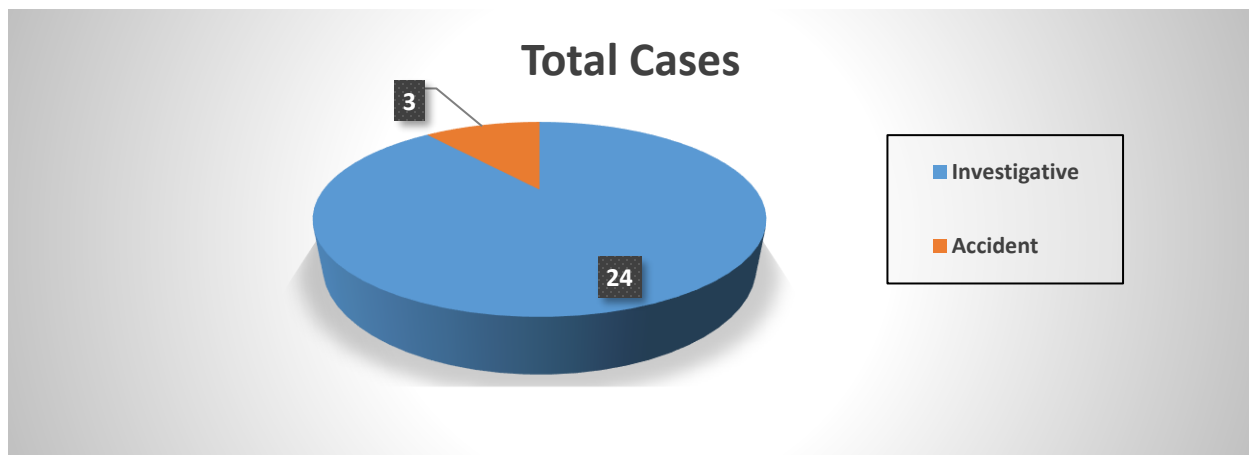
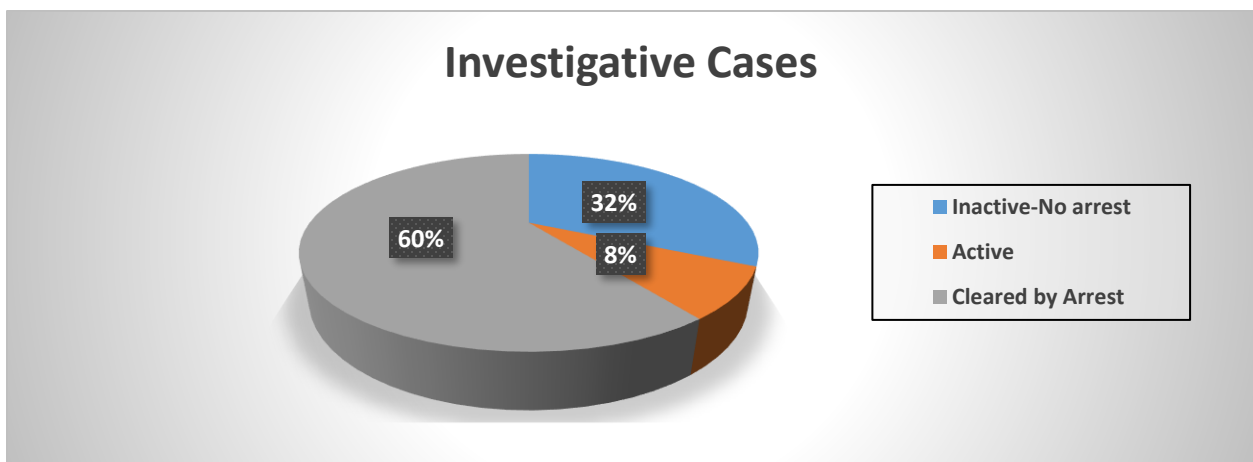
Calls for Service

The total calls for service for the month of October were **365**. This includes response to citizen complaints/reports, assists, self-initiated activities such as traffic stops, building checks, suspicious persons, and case follow up. Among these calls for service Polk City Officers conducted **101** traffic stops.



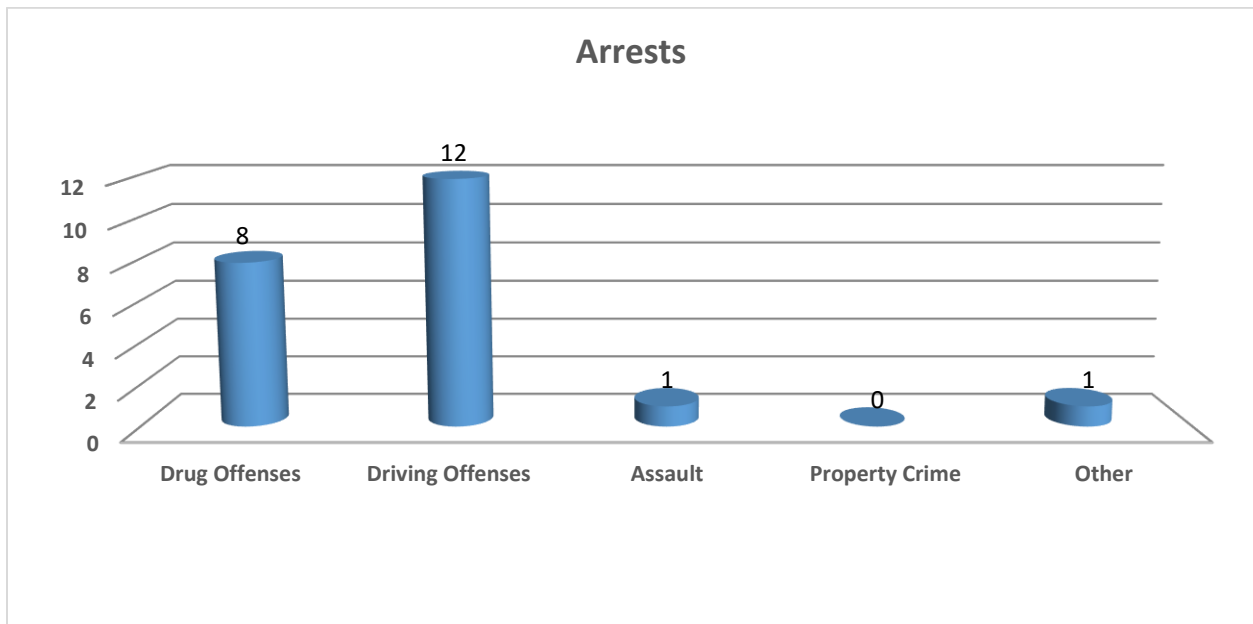
Cases Made

The Police Department had **27** total cases during the month of October. **24** of the cases were investigative incident reports and **3** were traffic collision investigations. There are **2** active investigations this month. There was a **60%** rate of cases cleared by arrest, for investigative cases in October.



Arrests Made

The Police Department made **22** arrests and issued **19** citations and **84** warnings. The arrests consisted of **8** arrests for drug offenses, **12** arrests for driving offenses, 1 arrest for Assault, and **1** arrest for miscellaneous offenses.



Notable Incidents

22-201

After a weeklong investigation, criminal charges were filed on October 3rd against a 32-year-old Polk City woman and a 32-year-old Polk City man. In August, Polk City Officers executed a search warrant resulting in the seizure of about 7.5 ounces of methamphetamine and 3 ounces of marijuana. Further investigation revealed the suspects were involved in the distribution and use of the drugs. Both suspects were charged with Possession of Methamphetamine w/ Intent to Deliver, Possession of Marijuana w/ Intent to Deliver and 2 counts of Failure to Affix Drug Tax Stamp. Arrests warrants for one of the two suspects remain active. The other suspect was booked into the Polk County jail on the charges.

22-0283

On October 29th at about 9:45 pm a Polk City Officer observed a man retrieve a can of beer from a newly purchased case of beer, stumble and then get into the driver's seat of his car and drive away. The officer stopped the vehicle and, through an investigation, found the driver to be intoxicated. The driver was charged with Operating While Intoxicated and booked into the Polk County jail.

22-0284

On October 30th at about 2:00 am, a Polk City Officer found a man sleeping in the driver's seat of a vehicle parked in a gas station parking lot. The officer eventually had to shake the vehicle back and forth to alert the man and check his welfare. An investigation revealed the man was intoxicated and he had driven to the gas station while intoxicated. The man was arrested for Operating While Intoxicated-2nd Offense and booked into the Polk County Jail.

Code Enforcement

Fifteen code enforcement violations were handled by the Polk City Police Department in October. All of the violations addressed in October were for junk and junk vehicles.

Officer Training

Chief Siepker attended the 2022 International Association of Chiefs of Police Annual Conference held in Dallas, Texas.

Lieutenant Aswegan continues to attend Northwestern's School of Police Staff and Command and is scheduled to graduate in January.

Officer Wilson attended Basic Field Training Officer's Course October 5th through the 7th. Officer Wilson is one of two Field Training Officers (FTO) on the department and will be instructing new officers on patrol officer related tasks during our Field Training and Evaluation Program.

Officer Wilson attended Evidence Custodian training instructed by the International Association of Property and Evidence. Officer Wilson manages the department's evidence room.

Training Hours: 99.5

Aicher	19.5
Wilson	43.5
Delaney	3.5
Sherman	5.5
Siepker	24
Aswegan	3.5

K9 Program

The Polk City K9 Team Officer Aicher and Eudoris conducted 18 hours of training together during October. During this training, the team worked on building searches, tracking and article search during their training session at Canine Tactical in Chariton. The team also conducted on-going basic obedience training throughout the month.



Community Outreach

Polk City Officers interacted with community members at the annual Fall Fest on October 3rd. Officers handed out crime prevention materials, answered questions from citizens and helped some of the attending youth try on some police protective equipment.





City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Designating Grinnell State Bank as a Depository for Public Funds

BACKGROUND: The City Council will review and consider approval of a resolution to authorize Grinnell State Bank as a depository for the City's money on Monday evening. The city currently has its checking account with Grinnell Bank, which is our largest account. The City Council previously approved a depository resolution several years ago, with a do not exceed amount of \$3,000,000. We have been exceeding that number, and we recommend it be increased to \$25,000,000. Updating the City's depository resolution is at the request of the City's auditing firm.

ALTERNATIVES: Do not approve the resolution

FINANCIAL CONSIDERATIONS: There are no financial considerations for this policy. This is a resolution approved by the City Council, authorizing public funds be kept at Grinnell State Bank.

RECOMMENDATION: It is my recommendation that the Council approve the depository for public funds resolution.

RESOLUTION 2022-128

A RESOLUTION DESIGNATING GRINNELL STATE BANK AS A DEPOSITORY FOR THE DEPOSIT OF PUBLIC FUNDS OF THE CITY OF POLK CITY, IOWA.

WHEREAS, the City of Polk City, Iowa utilizes the services of Grinnell State Bank (depository) for the deposit of public funds belonging to the City of Polk City, Iowa, or coming into its possession, pursuant to a duly executed Agreement to Receive and Repay Deposits of Public Funds. The maximum amount which may be thus deposited without further approval of this Council and the Treasurer of State is \$25,000,000; and

BE IT RESOLVED that the following officers are hereby authorized and directed to execute said Agreement, to execute and deliver signature authorization cards to Depository concurrently therewith, and to execute all drafts, checks and other documents and correspondence regarding any accounts of the City of Polk City, Iowa, at depository:

City Manager, City Clerk, Deputy City Clerk, Accounting Specialist

BE IT FURTHER RESOLVED that the officers described above are hereby authorized and directed to take such action and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to: Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto.

BE IT FURTHER RESOLVED that the Clerk forward a certified copy of this resolution to the Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the Clerk further certify to depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

PASSED AND APPROVED by the City Council of the City of Polk City, Iowa on November 14, 2022.

Steve Karsjen, Mayor

Attest:

Jenny Coffin, City Clerk



City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager
Subject: Polk City Credit Card Policy

BACKGROUND: For the City Council's consideration on Monday is a proposed City Credit Card policy. We did not previously have a credit card policy, and the approval of the policy is recommended by the City's auditing firm. The policy directly references the City purchasing policy, which outlines who may spend money on behalf of the city and up to what amount. The credit card policy outlines all the rules and requirements for those city officials that are allowed a city credit card and the documentation required to be submitted for documentation purposes.

ALTERNATIVES: Do not approve the policy

FINANCIAL CONSIDERATIONS: There are no financial considerations for this policy; the policy does not outline purchasing, but instead authorizes the requirements of the use of city credit cards.

RECOMMENDATION: It is my recommendation that the Council approve the City Credit Card policy.

RESOLUTION NO. 2022-129

**A RESOLUTION ADOPTING POLICY PA-53
CREDIT CARD POLICY**

WHEREAS, the City of Polk City recognizes the need for adopting a policy that establishes how the City will handle City credit cards; and

WHEREAS, the policy will be a guideline on how city Officials may handle credit cards.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa to adopt Policy PA-53 effective November 14, 2022.

PASSED AND APPROVED, this the 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

P&A – 53
CITY OF POLK CITY

City Credit Card Policy

Goals, Policies, Criteria and Procedure Goals: The purpose of this policy is to provide guidance on how City Officials may use city credit cards for purchases of goods and/or services that are not available through other procurement means or from other vendors.

Policy

Usage of the City's credit card is allowed at the discretion of the City Manager to current employees who are granted City purchasing authority. Delegation of City purchasing authority governs the use of the credit card as a tool for purchasing materials consistent with the City's Purchasing Policy limitations; use of this card is restricted to the purchasing of those goods or services that cannot be procured through normal procedures. All goods and services purchased by the City should be acquired through credit extended by the City's vendors to the City whenever possible and paid by approved invoice within the agreed credit terms of the vendor. The use of the credit card does not justify the payment of any sales taxes for which the city is exempt. As in all other purchases, the merchant shall be given a copy of the state tax exemption letter issued to the City and accordingly, state sales tax should not be charged. This is also applicable to all telephone and internet orders.

The card user agrees to comply with all applicable City policies and procedures and this agreement.

Purchases made under this credit card policy and agreement shall comply with the City Council Purchasing Policy.

Compliance with Policy, Violations, and Consequences

Card user violations of this agreement or of any policy regarding the purchase of goods or services will be investigated and may result in any or all of the following actions, but not limited to written warning, revocation of credit card privileges, cancellation of delegation of purchasing authority, disciplinary action, termination and /or criminal prosecution. Human error and extraordinary circumstances may be taken into consideration when investigating any violation of this agreement.

The City Manager or designees have the authority to investigate and to determine whether a violation of purchasing or credit card policy has occurred and to determine action deemed most appropriate pursuant to applicable law and/or City Policy.



Violations of credit card usage include but are not limited to:

- Purchase of items for personal use
- Purchase of gasoline for personal vehicles; City employees traveling for work-related purposes in a personal vehicle should submit mileage reimbursement
- Purchase of items in violation of the City's travel policy
- Use of the credit card for cash advances
- Exceeding the credit card account credit line limit
- Use of the credit card for purchase of more than the spending allocations outlined in the City's Purchasing Policy
- Failure to return the credit card when card user is reassigned, terminated or upon request
- Failure to turn in packing slips, receipts or other documentation to the Accounts Payable office within seven (7) business days of the purchase
- Sharing the credit card or card account number with unauthorized users

Ownership and Cancellation of the Credit Card

The credit card remains the property of the issuing company. It may not be transferred to, assigned to, or used by anyone other than an authorized user of the city. Users of the credit card are accountable for the activity on the card. The issuer or the city may suspend or cancel user privileges at any time for any reason. If the user is in possession of a card, the user will surrender the credit card upon request to the City or to any authorized agent of the issuer.

Receipts

It is the responsibility of each credit card user to obtain transaction receipts from the merchant each time the credit card is used, including telephone and internet charges. These are to immediately be forwarded to Accounts Payable for review and ensure eligibility for payment. Failure to provide the required documentation for payment processing may subject the user to loss of credit card privileges and may cause the amount charged to be classified as a personal purchase by the card user. The City shall keep statement data and proof of reconciliation, including receipts and packings slips, on file for a period consistent with the record retention requirements of the law.

Failure to provide receipts and allow for timely payment of the credit card purchase will also subject the purchasing department to finance charges on the charge.

Disputed Items



It is each user's responsibility to follow-up on any erroneous charges, returns or adjustments to ensure proper credit is given on subsequent statements.

Safeguarding an Issued Credit Card

An issued credit card or card account number should always be treated with utmost care and should be kept in a secure location and protected from misuse by unauthorized users. When using the credit card for internet purchases, users should ensure that the site utilizes industry recognized encryption transmission tools.

Lost or Stolen Credit Cards

If a credit card is lost or stolen, contact the Accounts Payable immediately, who will contact the issuer and take the appropriate steps to protect the account from unauthorized purchases.

Authorization

City employees must receive approval from the City Manager and/or designee to have permission to use the City's credit cards.

The credit card may be used only by City authorized users who have authority to buy goods and services on behalf of the City of Polk City. Each user is responsible for ensuring safeguard of the credit card information.

The City Manager and designees help ensure the proper use of credit cards by overseeing the City implementation and use of the card and/or account number.

Responsibility of Credit Card Users

Authorized employees must use the card responsibility and in accordance with this policy.

City Manager's Responsibility

The City Manager and/or designee is responsible for:

- Implementation of this policy
- Timely reconciliation of credit card accounts
- Appropriate record keeping
- Knowing the credit card limitations and restrictions
- Developing and implementing internal procedures that govern use of credit cards
- Sharing new program information with authorized users
- Answering questions about use of cards



- Monitoring card usage to ensure that City policies, and internal policies and procedures are being followed
- Assigning credit card privileges to authorized users
- Communicating with the City Manager when card cancellations are necessary and terminating of accounts and individual authority to use cards





City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Amendment to Open Records Request Policy

BACKGROUND: The City has an open records policy, which outlines how we process requests for public records. On July 1, 2022 the State Legislature passed Senate File 2322 (SF2322) which requires the custodian of public records to attempt to provide a record at no cost other than for copying so long as the records take less than 30 minutes to produce. Our previous policy allowed for no charge up to 15 minutes. Therefore, the only change in the City's policy is to increase from 15 minutes to 30 minutes, to reflect the new State Law, SF 2322.

ALTERNATIVES: Do not approve the policy amendment

FINANCIAL CONSIDERATIONS: The financial considerations for the policy are the increased amount of work that the City can no longer charge for. However, in my experience most records requests that we receive take less than 5-10 minutes, therefore, the increased amount of "free time" will be minimal.

RECOMMENDATION: It is my recommendation that the Council approve the amendment to the City's Open Records Request Policy.

RESOLUTION NO. 2022-139

**A RESOLUTION AMENDING POLICY PA-39
OPEN RECORDS REQUEST POLICY**

WHEREAS, the City of Polk City adopted a policy dated July 27, 2020 that outlines the City procedures for Open Records Requests;

WHEREAS, the policy outlines how the City handles requests for open records, costs involved for retrieval, examination, and copying;

WHEREAS, the City no longer will charge for the first 30 minutes to produce records;
and

WHEREAS, the City no longer will charge \$1.00 per page, but will charge the actual cost of responding to a records request at the cost of the City's labor for records retrieval which amount currently is \$9.09 and will be adjusted on July 1 of each year hereafter, plus the actual cost of the USB drive or other resources used to comply with said request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Polk City, Iowa to amend Policy PA-39 effective the 14th day of November 2022.

PASSED AND APPROVED this the 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

P&A – 39
CITY OF POLK CITY

City Open Records Request Policy

Goals, Policies, Criteria and Procedure Goals: The City of Polk City strives to ensure that its activities are transparent to the public it represents. It is the City’s policy to comply with all requests within the constraints required under Iowa law. The City recognizes that the public has the right to examine and copy public records while the records are in the City’s possession in accordance with Iowa Code. However, the City also recognizes that certain records held by the City may not be public records or may be confidential public records that are not subject to disclosure.

Policy: The City requests that all open records requests are provided to the City in writing. Residents may make a request by 1) Emailing the appropriate contact person, 2) Mailing an open records request to the appropriate contact person, or 3) Visiting City Hall and filing a request in person. All requests should be as thorough and clear as possible. If the request is unclear, the City may request clarification from the requester. The City’s custodian for all records requests other than police-related requests is the City Clerk (City Manager in City Clerk’s absence):

City Clerk-Jenny Gibbons jgibbons@polkcityia.gov

City Manager-Chelsea Huisman chuisman@polkcityia.gov

The City’s custodian for all records requests for police-related information is the Police Chief:

Police Chief-Jeremy Siepker jsiepker@polkcityia.gov

Upon receipt of an open records request, the City will review the request to determine if the City has any of the records that have been requested. The City shall not be required to compile information or create reports related to requested public records. The City will follow the timeline requirements as set out in the Iowa Code for compliance with all open records requests to the best of its ability. If the City has to review the request with legal counsel or research whether the records are confidential public records, the City may seek a good-faith reasonable delay in complying with the open records request as allowed under Iowa law.

After determining whether the City has any of the records that have been requested, the City will provide the record requester with an estimate of the costs of the retrieval, examination and copying of the records requested. If an individual is interested in examination of open records,



they must exam records in the City Clerk's presence. Pursuant to Iowa law, the City shall charge all requestors the actual cost of the expenses of the retrieval, examination, and copying of the requested records. The City reserves the right to invoice for actual costs of open records requests, and an estimate may not provide true costs for the retrieval. Each Polk City resident will be allocated one monthly request at no charge, where the work involves 15 minutes or less. The charges for producing the records are as follows:

Records Retrieval:

- 0-30 minutes-No charge
- 15-minute intervals thereafter-\$9.09

Records Cost:

- Cost for flash drive with electronic records
- Cost of C.D. of City Code of Ordinances

The City accepts cash, check, or credit card as appropriate forms of payment. Payment must be received before the City will provide the records to the requester. Once payment for charges is received, the City will make the public records available for examination and/or copying. The examination and copying of the public records shall be done under the supervision of the lawful custodian of the records or the custodian's authorized designee.





City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager
Subject: FY22 Year-end Transfer-Debt Service

BACKGROUND: With the City's FY22 audit report being finalized, this one transfer request comes from the city's auditing firm as an item that needs to be corrected before the report is finalized.

Last fiscal year, the city borrowed general obligation bonds (GO Series 2021) for the round-about project. We borrowed the funds in July 2021, which were after the budget was approved. We did not budget for or amend our budget to pay the principal payment on those bonds, and instead we paid the principal payment out of capital projects. We need to reclassify the principal payment out of the debt service fund and transfer the revenue to pay the expense to the debt service fund. The City Council will need to approve the transfer of the funds from one fund to another.

ALTERNATIVES: Do not approve

FINANCIAL CONSIDERATIONS: No financial considerations. We are not spending money; we are simply moving money from one fund to another.

RECOMMENDATION: It is my recommendation that the City Council approve the year-end transfer to the debt service fund.

RESOLUTION NO. 2022-140

**A RESOLUTION APPROVING AN ADDITIONAL YEAR-END TRANSFER
FOR FY 21.22 FOR THE CITY OF POLK CITY**

WHEREAS, as reflected in the FY2021-2022 budget, the City does need to transfer money between funds and these transfers are to be completed at the end of the year; and

WHEREAS, the following transfer between funds need to be authorized for the budget year ending June 30, 2022:

<i>Amount</i>	<i>From Fund</i>	<i>To Fund</i>	<i>Purpose</i>
\$100,000	Capital Projects Fund 301-910-6910	Debt Services Fund 200-910-4830	Polk City Bond 2021 / Round-about project

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Polk City, Iowa that the City Clerk is hereby authorized to make the fund transfers listed above.

PASSED AND APPROVED the 14th day of November 2022.

Steve Karsjen, Mayor

Attest:

Jenny Coffin, City Clerk

Polk City Water Department

Monthly Report

Month October

Year 2022

Total Water Pumped 17827000 Gallons

Monthly Daily Avg 575064 Gallons

Testing Results

- **SDWA Bacteriological Coliform Analysis** absent University Hygienic Lab.
Fecal Coliform Analysis- Sample incubated 35c for 48 hrs then examine for gas production. Gas production verifies presence of fecal coliform organisms.
- **Fluoride Analysis** .6 University Hygienic Lab.
A fluoride concentration of approx. 1mg/l in drinking water effectively reduces dental caries without harmful effects on health. MCL for fluoride is 4.0 mg/l.
Fluoride at Plant- Monthly Average .73 mg/l Polk City Lab.
Fluoride in System- Monthly Average .78 mg/l Polk City Lab.
- **Chlorine Free At Plant- Monthly Average** .90 mg/l Polk City Lab.
Chlorine Total at plant- Monthly Average 2.99 mg/l Polk City Lab.
Chlorine Free in System- Monthly Average .46 mg/l Polk City Lab.
Chlorine Total in System- Monthly Average .95 mg/l Polk City Lab.
Chlorine requirement is the quantity of chlorine that must be added to H2O to achieve complete disinfection of pathogens and protozoa. Chlorine residuals will vary widely depending on organic loading. We also use chlorine to oxidize iron prior to filtration.
- **Iron Raw Water- Monthly Average** 6.17 mg/l Polk City Lab.
Iron Finish Water- Monthly Average .02 mg/l Polk City Lab.
Iron System Water- Monthly Average .02 mg/l Polk City Lab.
Iron occurs in rocks and minerals in the earth's crust. It's the 4th most abundant element respectively. Iron has no effect on human health; its main objection is aesthetics. Concentrations of Iron in finish H2O should be between 0.03-0.06mg/l.
- **Manganese Raw Water- Monthly Average** 0.254 mg/l Polk City Lab.
Manganese Finish Water- Monthly Average 0.137 mg/l Polk City Lab.
Manganese System Water- Monthly Average 0.061 mg/l Polk City Lab.
Manganese also occurs in rocks and the earth's crust. It is the 7th most abundant element. Manganese is extremely difficult to remove. Concentrations of Manganese in finish H2O should not exceed 0.05mg/l or black staining of plumbing fixtures may occur. No effect on human health.
- **pH Raw Water Monthly Average** 7.8 mg/l Polk City Lab.
pH Finish Water-Monthly Average 7.8 mg/l Polk City Lab.
pH System Water- Monthly Average 8.3 mg/l Polk City Lab.
pH scale ranges from 0-14 with 7 being considered neutral. Below 7 becomes corrosive to plumbing, above 7 tends to deposit minerals in plumbing. We add caustic soda to maintain proper pH, which should range between 7.5-7.9 in finish water.

Total Tests Performed- Polk City Lab _____

Total Hours to perform tests _____



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Jason Thraen, Parks & Recreation Director

Subject: **Parks & Recreation Department Updates for October 2022**

1. Staff, along with Go Polk City, hosted the 2nd annual Fall Fest. This family friendly event took place October 1 from 3-7pm and coincided with “Fenders Fest,” hosted by Fenders Brewing. According to *Placer*, event had an estimated attendance of 2400. This was an increase from 1400 in 2021.
2. Polk City Friends of the Parks hosted their inaugural “Biketoberfest” bike ride on October 1. 88 total riders registered for this fundraising event with proceeds going toward the Leonard Park shade structure and future bike accessories for Polk City parks and trails.
3. October programming included Youth Flag Football, Adult Bags League, Senior Social Hour, and a Senior Day Trip.
4. October 1 Movie in the Park, sponsored by Luana Savings Bank and Bilbrey Insurance Services, Inc., had 71 attendees.
5. Staff attended IPRA Fall Workshop October 4-5. Sessions attended included MidAmerican Rec-Plex, Strategic Deployment, Park Security, ADA Compliance in Parks, Triumph Park, Inclusive/Universal Playground Design, and Creative Community Development.
6. Staff presented at IPRA Fall Workshop October 5 as a panelist for an in-depth discussion on Pickleball.
7. Staff attended IPRA Recreation Interest Meeting October 27 at MidAmerican Rec-Plex.
8. Sports Complex baseball/softball fields had 40 reservations in October. 276 total field reservations in 2022.
9. Community Center had 0 private rentals in October. 9 total rentals in 2022.
10. Miller Park Shelter House had 4 private rentals in October. 33 total rentals in 2022.

Youth Programs Report: July, August, September 2022

Program	Participants	Expenses	Revenue	Cost Recovery
Tennis Lessons July 11-14	10	\$857.18	\$1,020.00	118.99%
Summer Fun Camp July 11-15	18	\$2,647.84	\$1,980.00	74.78%
Start Smart Soccer (AM)	8	\$390.59	\$400.00	102.41%
Start Smart Soccer (PM)	17	\$705.59	\$800.00	113.38%
All-Star Sports August 1-5	24	\$743.45	\$1,200.00	161.41%
Art in the Park August 1-5	14	\$822.81	\$840.00	102.09%
All-Star Sports August 8-12	14	\$607.71	\$700.00	115.19%
Art in the Park August 8-12	16	\$870.11	\$960.00	110.33%
Start Smart Football	11	\$382.73	\$440.00	114.96%
TOTALS	132	\$8,028.01	\$8,340.00	103.89%

Final Analysis: Q3 for 2022 represented great cost recovery for our youth programs. With a quarterly cost recovery of 103.89%, we exceeded our cost recovery goal of 70-100%. Our programs are consistently in line with the GreenPlay, LLC youth programs cost recovery model. This quarter is a great representation of different programs having different cost recovery goals. Programs with more individual benefit (tennis, art) should see greater cost recovery compared to programs with more community benefit.

Adult Programs Report: July, August, September 2022

Program	Participants	Expenses	Revenue	Cost Recovery
COED Softball	91	\$993.84	\$1,200.00	120.74%
Fall Bags League	24	\$344.45	\$420.00	121.93%
TOTALS	115	\$1,338.29	\$1,620.00	121.05%

Final Analysis: Quarterly cost recovery exceeded 100%, which is always the goal with adult programming. Based on the past 3 bags leagues, a small increase in registration was implemented. As programs continue to grow, I anticipate quarterly cost recoveries for adult programs to consistently exceed 100% in the future.

Senior Programs Report: July, August, September 2022

Program	Participants	Expenses	Revenue	Cost Recovery
Lunch at The Lucky Pig	3	\$87.56	\$24.00	27.41%
TOTALS	3	\$87.56	\$24.00	27.41%

Final Analysis: According to GreenPlay, LLC, senior programs are classified as a COMMUNITY/Individual benefit that is associated with a cost recovery goal of 10 to 40%+. With a quarterly cost recovery of 27.41%, we fall within the recommended range.



City of Polk City, Iowa

City Council Agenda Communication

Date: November 9, 2022
To: Mayor & City Council
From: Chief Jeremy Siepker

Subject: Police Department Standard Operating Procedures acknowledgement

BACKGROUND: The Police Department Standard Operating Procedures manual is a 10-chapter guide for departmental operations and standards. The Police Department has always had a Policy and Procedures manual in place and those documents undergo a full annual review by the Chief and updates are made throughout the year as needed based on changes within the department, trends in law enforcement and as required by case law and legislation.

Attached is the current version of the Police Department Standard Operating Procedures Manual. The annual review was completed November 2022.

ALTERNATIVES:

FINANCIAL CONSIDERATIONS: N/A

RECOMMENDATION: It is my recommendation that the Council acknowledge and file the Police Department Standard Operating Procedures manual.

Standard Operating Procedures

Polk City Police Department

CH 1

Introduction

CH 1.01 Preface

This manual establishes policies, rules, regulations and procedures governing the conduct of personnel employed by the Polk City Police Department. This document supersedes all previous issued policies and procedures. Every effort has been made to confine the rules and regulations herein to those phases of official behavior which effect Department operations and to avoid unwarranted and unnecessary intrusion upon the private lives of all Department personnel.

In the eyes of the public we, as police officers, are never off duty. In accepting positions as peace officers or civilian employees, we forfeit our anonymity as private citizens. Therefore, rules and regulations must be based upon Department welfare.

The provisions of this policy and procedures manual are to guide and direct the members of the Polk City Police Department towards the attainment of the Department's objectives. Upon receipt of this manual the duties of this office are prescribed and are required to be maintained for the greater welfare of the community.

Additions and deletions to this manual shall be made under the authority of the Chief of Police as needed to meet changing conditions or requirements of law.

This manual, all of its terms and conditions, and all policies, rules, regulations, and procedures stated herein do not constitute any form of contract, expressed or implied, with respect to employment or continued employment with the Polk City Police Department. In the event any of the terms and conditions of this manual are in conflict with an existing collective bargaining agreement between the City of Polk City, Iowa and a certified bargaining unit of the Polk City Police Department, the terms of the collective bargaining agreement shall supersede this manual.

CH 1.02 Introduction

The POLK CITY POLICE DEPARTMENT is a public safety department and a municipal service organization comprised of men and women who are professional police officers, sworn to uphold the law and dedicated to preserving the safety and well being of the community. Support personnel join the police officers in their efforts and concern for the citizens of Polk City.

PRINCIPLES

The Department's policies and procedures that govern conduct are not designed to restrict rights or privileges but to ensure the rights and safety of all employees and to provide working guidelines to maintain the Department's professionalism and pride.

In adhering to the provisions of this manual, in observing all laws and ordinances, and in general attitude and personal conduct, employees are expected to serve the community with integrity, enthusiasm, discretion, and loyalty. They shall also focus on the primary objectives of protection, service, enforcement, and education to the community. The citizens who are served by this agency will consider employees a member of this Department whether on duty or off duty. To meet their expectations, officers and civilian support personnel must present themselves to the public and to fellow Department members in a respectful and courteous manner.

ROLE OF THE POLICE OFFICER

A police officer is a professional law enforcement agent, sworn to an oath, and serves to fulfill the Polk City Police Department's Mission while providing specific police services as assigned. Law enforcement is a profession that protects the people and property of the community; educates, assists and guides the public; and enforces the laws and ordinances of the community equitably for all citizens. This profession requires personal honor and devotion to service for the well being of the people in the community. A police officer's ultimate goal is preservation of peace within the community through a concentrated effort to provide exceptional public service.

ORGANIZATIONAL CHARACTERISTICS

In order to achieve the Department's goals and objectives identified in the COMMUNITY POLICING STATEMENT and MISSION STATEMENT the Department will annually identify to all of its members the particular goals for the year. These goals will be generated by input from all members of the Department. Each employee shall also be accountable to all other employees, and to Department supervisors, for his/her individual organizational actions and performances as well as through the Department's HONOR CODE.

In order to achieve the departmental goals each employee must continually strive to exhibit organizationally expected behavior. This includes participation and input into developing the goals, and the commitment to and effort toward, fulfilling those goals. Goal setting and goal attainment by the Department rests upon the collective participation of all individual Department members. Achievement of the organizational goals and the health of the Department also depend upon a recognition and acceptance by management of the need for each employee's growth in developing themselves and their skills while encouraging them to fully participate in the development and achievement of the goals and objectives of this agency.

Decision-making should be at the lowest appropriate level and individuals must be willing to accept personal responsibility and organizational accountability for their decisions. Shared organizational success is born on interpersonal trust, healthy competition, team work, and open communication at all levels of this Department.

CH 1.03 Community Policing Statement

The Polk City Police Department believes there are four core values when providing safety to the public we serve. It is important to perform each of these independently as well as present them in a unified format. The officers of this agency will work with commitment and focus to establish the following concepts, while building lasting partnerships within the community.

The first area identified for specific concentration in our community policing model is the ***Service to our Community***. We are dedicated to enhancing public safety and reducing the fear and the incidence of crime. "To Protect and Serve" is more than a slogan – it is our way of life. The officers of the Polk City Police Department will work in partnership with the people in our community and do our best, within the law, to solve community problems that effect public safety. We value diversity in our community and serve all with equal dedication.

The second aspect vital to our community policing model is ***Integrity in All We Say and Do***. We are proud of our profession and will conduct ourselves in a manner that merits the respect of all people. We will demonstrate honest and ethical behavior in all our interactions. Our actions will match our words. We must have the courage to stand up for our beliefs and do what is right.

The third element of community policing we will embrace is ***Respect for People***. We can best serve the many and varied needs of our community by empowering our employees to fulfill their responsibilities with knowledge, authority, and appropriate discretion. We encourage our people to submit ideas, we listen to their suggestions, and we help them develop to their maximum potential. We believe in treating all people with respect and dignity. We show concern and empathy for the victims of crime and treat violators of the law with fairness and dignity. By demonstrating respect for others, we will earn respect for the Polk City Police Department.

The final core value of community policing that this agency subscribes to is ***Quality Through Continuous Improvement***. We will strive to achieve the highest level of quality in all aspects of our work. We can never be satisfied with the "status quo." We must aim for continuous improvement in serving the people in our community. We value innovation and support creativity. We realize that change is a way of life in a growing city like Polk City, and we dedicate ourselves to proactively seeking new and better ways to serve.

We live in a world where change comes quickly and technologies advance rapidly. Law enforcement in the 21st century will have new demands placed on it like never before. As we move forward, it will be vital to the success of this organization to have strong partnerships in place with its residential and business community members. We pledge to provide a well-rounded approach to policing the community we serve.

No law enforcement agency will ever eliminate crime, but with a concentrated, holistic approach we can work to displace it. These are our core values. Please partner with us in our efforts.

Jeremy Siepker, Chief of Police

CH 1.04 Polk City Police Mission Statement

The Polk City Police Department is dedicated to provide exceptional service to the Polk City Community in order to create a safe and desirable place to live, work and visit. We will enhance public safety by actively seeking and deterring criminal behavior and enforcing the law impartially.

CH 1.05 Polk City Police Code of Honor

I am an Officer of the Polk City Police Department; a soldier of the law. To me is entrusted the honor and integrity of the department. I and I alone am responsible for my decisions, words and actions. On my honor I shall never betray my badge, my integrity, my character or the public trust. I will have the courage to hold myself and others accountable for our actions and will conduct myself in a manner that upholds the core values of this agency.

CH 1.06 Law Enforcement Code of Ethics

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men/women to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and the relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...*Law Enforcement.*

CH 1.07 Definitions and Terminology

Area: A geographical area of variable size within the City to which one or more officers may specifically be assigned for patrol and community policing purposes. Also referred to as “beat” or “zone”.

Budget: The budget is a financial plan aimed at deriving maximum return for tax dollar expenditures. Budgets are planned to meet Department objectives. They are a continuous process. Officers are responsible for the monitoring of the needs of the Department and relating these needs to the Chief, who is responsible for the budget preparation. Justification for any budget request usually falls under one or more of three categories:

1. Maintenance or improvement of the department’s core values
2. Reduced spending
3. Safety of employees and/or the community

Chain of Command: The unbroken line of authority extending from the Chief of Police through subordinates at each level of command up to the full City Council and Mayor.

Chief: The Chief of Police.

City: The City of Polk City, Iowa.

Civilian Employee: A Department employee who is not a sworn peace officer nor expected to perform a sworn officer’s duties.

Command Staff: Lieutenant and the Chief of Police.

Council: The Polk City, Iowa, City Council.

Days Off: Those days that a given employee is excused from duty.

Department: The Polk City, Iowa, Police Department.

Detail: Members of the Department, sometimes from more than one unit, grouped together to accomplish a specified mission.

Directive: Verbal or written instruction given by a supervisor.

Employee: All persons of the Department, including both peace officers and civilian employees.

Follow-Up Investigation: Supplementary investigation following the preliminary investigation designed to record additional facts directed toward the clearance of the particular crime and recovery of property.

Forcible Felony: Is any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, and arson in the first degree, or burglary in the first degree. However, sexual abuse in the third degree committed between spouses, sexual abuse in violation of Section 709.4, (2)(c)(4), or sexual exploitation by a counselor or therapist in violation of section 709.15 are not a forcible felony.

Function: The broadest activity or task performed by the department. It includes the goals and objectives of the Department.

Incompetence: Incapable or unable to satisfactorily perform an assigned duty.

Insubordination: Failure or refusal of any member to obey a lawful order given by a superior officer or supervisor; ridiculing a superior officer or his/her orders, whether in or out of his/her presence; disrespectful, mutinous, insolent or abusive language toward a supervising officer.

Jail: The County Correctional Center or temporary holding facility of a law enforcement entity.

Lawful Order: Any written or oral direction issued by a supervisor to any subordinate or group of subordinates in the course of Department business which is not in violation of any law, ordinance or any departmental rule or regulation.

Leave of Absence: Unpaid: The period of time during which an employee is excused from active duty and receives no pay.

Paid: The period of time during which an employee is excused from active duty but remains in paid status.

Length of Service: The period of time during which a member is continuously employed by the Department including absences for service in the armed forces which is required by law to be recognized as active duty, and also sick leave and other duly authorized leaves of absence.

Manual: An official document authorized by the Chief for training, protocols, and/or SOPs of the Polk City, Iowa Police Department.

May/Should: Indicates a permissive or allowable solution.

Member(s): All employees of the Police Department including officers and civilian employees who are ultimately responsible to the Chief of Police.

Military Leave: The period of time during which an employee is excused from duty to serve in the armed forces of the United States as provided by law.

Neglect of Duty: Failure to give suitable attention to the performance of duty. Examples include but are not limited to: failure to take appropriate action on the occasion of a crime, disorder, or other act or condition deserving police attention; absence without leave; failure to report to duty at the time and place designated; unauthorized absence from the beat during a tour of duty; failure to perform duties prescribed in this manual; failure to conform to the Department operating procedures.

Off Duty: The state of a member during the period he/she is free from the performance of specified duties.

Officer(s): A sworn peace officer, duly appointed to the Polk City Police Department as a regularly salaried or hourly member and who has taken the oath of office as prescribed by law. Peace Officer and Police Officer carry the same responsibility by title.

On Duty: The state of a member during the period of a day when he/she is required to be actively engaged in the performance of duties. This includes both regularly scheduled work hours for the member and additional required work time, or call-in time.

Order: A specific requirement or prohibition, which is stated to prevent deviations from policy or procedure. Orders allow little deviation other than for stated exceptions. Deviating from or violating orders generally requires immediate and documented justification and explanation.

Organization: The structure of the Department comprised of the functional divisions and subdivisions.

Out of Service: Not available for service whether by radio, computer, or other modes of communication.

Patrol Car: Department automobile, having emergency lights, siren, and on-board radio/computer communications; may or may not be “marked” with police decals..

Policy: Policy consists of principles and values, which guide the performance of a Department activity. It is developed to guide the Department in achieving its objectives. Policy is based upon police ethics, department beliefs, department vision and mission statements, experience, and the mandate of law. Policy may advise specifically what to do in a particular situation. Because policy is objective, rather than situation-oriented, it is intentionally broad enough in scope and stated in general enough terms to cover most situations.

Preliminary Investigation: The initial investigation conducted by the Department upon the report of an incident or attempted crime, and which includes statements from all persons concerned, details, elements of the crime, description of evidence and other property involved and the action taken by the investigating officer.

Probationary Period: The first twelve (12) months of continuous employment of any member of the Department during which the member's performance is evaluated and during which time the member may be discharged in line with statutory requirements.

Procedure: The official method of dealing with any given situation prescribed by the Chief of Police or procedural guide.

Pursuit Driving: An active attempt by an officer in an authorized emergency vehicle to apprehend one or more occupants of a moving motor vehicle, when the driver of the other vehicle knowingly attempts, fails to stop, or avoids apprehension by increasing speed and/or taking other evasive action.

Reasonable Force: The level of force, and no more, which a reasonable police officer in like circumstances would judge to be necessary to accomplish a specific task, effect an arrest, or protect the safety of a peace officer or the general public.

Records: Department records are maintained in compliance with state law, as a public service, and as investigative and administrative aids. Specifically, "record" means a document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristics, made, produced, executed or received pursuant to law in connection with the transaction of official business of government.

Reports: A written communication, unless otherwise specified, related to police matters.

Rules and Regulations: Directions issued by the Chief of Police governing the conduct of members appointed to or employed by the Department.

Seniority: Seniority is established and determined by the date of employment within the Department. Where conflict occurs because of identical service or dates of appointment, the Chief of Police shall designate the senior officer or employee.

Shall/Will: Indicates a mandatory or required situation.

Shift: The regularly scheduled work hours for any given member of the Department.

Sick Leave: The period of time during which an officer is excused from active duty by reason of illness or injury.

SOPs: The Standard Operating Procedures of the Department.

Special Assignment: Work performed for the Department, the nature of which requires that the member be excused from the performance of regular duties or additional separate responsibilities are added.

Supervisor: Members of the Department assigned to positions requiring the exercise of immediate supervision over the activities of other members.

Tense: Words used in the present tense that includes the future.

Through Official Channels: Through the hands of command staff, supervisors, and superior officers in the chain of command.

Tour of Duty: The period of time or shift during which an individual member is on duty.

Unit: Any number of members of the Department regularly grouped together to accomplish a police purpose.

Work Week and Day: A work week begins on Monday and ends on Sunday. For records purposes the day shall begin at 12 o'clock midnight (0000 hours) and shall conclude twenty-four (24) hours later at 2359 hours.

CH 2

Administration

Title: Authority of the Polk City Police Dept.			Number: 2.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Annual Review: 1 Nov 2022	Page(s) 4

- I. PURPOSE:** To define the legally mandated authority vested in the Department's sworn personnel.
- II. POLICY:** The Polk City Police Department's legally mandated authority is established through the Code of Iowa and the City of Polk City Municipal Code. It is the policy of this Department to operate within the scope and limits of that authority.
- III. PROCEDURE:**
- A. State Code of Iowa 364.1** grants cities the right to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city and its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents except as expressly limited by the Constitution and if not inconsistent with the laws of the general assembly.
- B. City Ordinance Chapter 30** establishes a police department for the city consisting of a chief and subordinate ranks and such other police officers and staff that are necessary for the efficient operation of the department and as are authorized and provided for by the city council in budget appropriations.
- C. Authority of the Chief of Police**
1. It is the policy of the Polk City Police Department and of the City to centralize all police management authority in the Office of the Chief who will then delegate operational authority to the appropriate positions.
 2. Pursuant to the authority granted to the Chief of Police by the above laws, written documents are established and maintained for the operation of the Polk City Police Department. They are approved by the Chief and issued by the Chief; they consist of the following:
 - a. **The Polk City Police Department Policy Manual** defines the vision, mission, philosophy, and organization of the Department. It contains policies and procedures, rules and regulations, law enforcement code, and disciplinary code of conduct for each member of the Department. These

documents normally contain policy/purpose statement(s) followed by procedures.

- b. **Other Official Announcements** may be issued by the Office of the Chief of Police or command designees. These pertain to administrative issues, special situations, and personnel changes. These will be routed to supervisors and employees as appropriate and may be in an electronic format.

- (1.) *Executive Order* is a written directive affecting the general administration of the Department such as fiscal budget, purchasing, supply, procedures and statements of procedure regarding protocols, SOPs, pay, labor relations, travel, etc. Department Executive Orders may only be issued by the Chief of Police.

- (2.) *Special Orders* affect only a specific segment of the organization, or are used for temporary changes in the rules and procedures or to cover/clarify a specific circumstance. Special Orders may be issued only by the Chief of Police or the Lieutenant to the entire Department.

D. Organization of Written Authority. The documents of the Polk City Police Department (policy manual, training manual, SOPs and directives, etc.) will be organized in a manner making them readily available and easily understood. The language will be brief and to the point intending to be clear and concise. The documents will follow an orderly sequence and be dated and numbered for easy identification if necessary.

E. Exercise of Command/Supervision

1. Command/Supervision:

- a. The Chief will be at the head of the Police Department and will generally superintend and direct the police under the daily guidance of the City Manager.

- b. The Chief of Police will have the full power and authority to command the personnel and operations of the Department. The Chief may delegate a portion of this authority to subordinate commanders.

- c. "Command" is the authority and responsibility vested in a ranking officer by the Chief of Police for the twenty-four hour a day operation and direction of the Department. Command functions include direct supervision of all people assigned to one's command.

The chain of command in descending order is as follows:

- (1.) Chief of Police
- (2.) Lieutenant
- (3.) Patrol Officers

2. Acting Command:
 - a. In the absence of the Chief of Police the next officer in the chain of command, Lieutenant or the Chief's designee, will assume command of the Department until his/her return.
 - b. In the absence of a Lieutenant a Senior Police Officer will fill this role, followed by the next most capable officer within that shift, and assume command of the shift until his/her return. If there are two or more officers in that position within the chain, the Lieutenant will specify which has acting command. If no specifications are made, the senior officer will assume acting command. Officers in acting command status will have all of the authority given to that position.
3. Exercise of Command:

A ranking officer will exercise the authority of his/her position and command at all times and under all conditions, and will use such authority in the best interests of the Department. He/she will not unnecessarily countermand any orders of officers below his/her rank or needlessly interfere with the specific duties of such officers.

F. Delegation of Command/Supervision

1. Command/Supervision and Authority:
 - a. The Lieutenant, in the absence of the Chief, will be responsible for the effective operation of the Department and will be granted the commensurate authority to do so.
 - b. Each employee is responsible for the use of, or failure to use, authority delegated to him/her.
2. Responsibility for Authority:

The chain of command from the Chief down, and the line of authority from the peace officer up, will be preserved in all administrative actions in order to maintain principles of sound administration.

G. Communication of Authority

1. Orders from a commander/supervisor to a subordinate will be in a clear, understandable language, civil in tone, and issued in pursuit of Department business.
2. Employees shall obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.
3. An employee is not required to obey an order that is contrary to federal, state, or local law. Responsibility for refusal to obey an order rests with the employee who will be required to justify the refusal.

4. Any employee who receives an order that conflicts with any previous order or instruction will advise the person issuing the second order.
 - a. Responsibility for countermanding the original order rests with the employee issuing the second order.
 - b. Orders will be countermanded, or conflicting orders will be issued, only when reasonably necessary for the good of the Department.

H. Legally Mandated Authority of Peace Officers

1. Departmental officers shall be considered peace and/or law enforcement officers as defined in Iowa Code 801.4(11). A peace officer is considered certified once s/he has passed all of the requirements for certification as set forth by the Iowa Law Enforcement Academy.
2. While on duty and inside the city limits, or while outside of the city limits by authority of prior legal agreements, officers have the full authority granted to peace officers by the Iowa Code and the City of Polk City Municipal Code or its Agreements.
 - a. Officers, after consideration of the situation at hand, are expected to take steps necessary and consistent with their assignment in order to protect life and property, and to enforce ordinances of the City of Polk City, laws of the State of Iowa, and statutes of the of the United States of America.
 - b. While on duty and outside the city limits, an officer's authority is limited to actions directly related to his/her official duty as a peace officer for the City of Polk City unless otherwise indicated through prior legal agreements.
 - c. On-duty officers working outside of defined jurisdictional boundaries are granted power of arrest pursuant to Iowa Code 804.7. Any arrest made outside the city limits should take into account officer safety for backup, nature of the offense, and exigent circumstances. Where applicable, the arresting officer shall promptly notify the jurisdictional agency and PCPD supervisor as soon as possible of any arrest made in another jurisdiction.
3. An on-duty officer who takes or causes enforcement action, regardless of jurisdiction, shall detail the pertinent facts and circumstances in appropriate documentation as required by the jurisdictional agency and the Polk City Police Department.

- I. Concurrent Jurisdictions.** The Polk City Police Department shall have complete authority and jurisdiction while within the city limits. The City of Polk City does fall into the jurisdictional boundaries of the Polk County Sheriff's Office and Iowa State Patrol whose officers also have complete authority within the city limits of Polk City. Mutual aid compacts and appropriate 28E agreements shall also be honored within the jurisdiction of the City of Polk City as well as federal law enforcement credentials.

Title: Goals and Objectives			Number: 2.02
Date Issued: 1 October 2016	Updated w/Changes: 15 Nov 2020	Annual Review: 1 Nov 2022	Page(s) 1

- I. PURPOSE:** To outline the mechanism by which the Department sets short and long-term goals and objectives and monitors the progress toward them.
- II. POLICY:** It is the policy of the Polk City Police Department to utilize a system of setting goals and objectives and monitoring their progress in order to achieve the Department's mission.
- III. DEFINITIONS:**
- A. Goal** - A statement of general purpose or broad direction that is generally stated, timeless, and not concerned with a particular achievement within a specified period of time.
 - B. Objective** - An accomplishment that can be measured within a given time frame and under specifiable conditions; the attainment of which advances the organization toward a corresponding goal.
- IV. PROCEDURE:**
- A. Goal and Objective Setting.** Each year the Chief of Police, with input from commanders, shall evaluate the progress of the previous year's goals and objectives and revise the next year's plan accordingly.
 - 1. **Short Term Planning.** Goals and objectives will be set for the Department as a whole for the upcoming fiscal and/or calendar year.
 - 2. **Long Term Planning.** A 5-year plan shall be formulated that includes goals, objectives, and capital improvements and may include an analysis of anticipated personnel levels and workloads.
 - B. Dissemination.** A complete copy of the stated goals and objectives will be provided to the City Manager and all Department personnel.

Title: Administrative Reporting System			Number: 2.03
Date Issued: 1 October 2016	Updated: 1 Nov 2022	Annual Review: 1 Nov 2022	Page(s) 3

- I. PURPOSE:** The Department’s administrative reports are designed to provide information within the Department on an operational basis as well as provide a mechanism to report Department activities outside the structure of the criminal incident report.
- II. POLICY:** It is the policy of the Polk City Police Department to provide proper documentation and reporting of administrative and operational activities by use of various administrative reports.
- III. PROCEDURE:**
- A. Daily Reports**
1. Daily Observation Report (DOR)
 - a. Prepared by Field Trainers.
 - b. Used as a daily observation report of a probationary employee’s field training.
 - c. Maintained in probationary employee’s training book. Filed in personnel folder after field training is completed.
- B. Monthly Reports**
1. Monthly Activity Reports
 - a. Prepared by the Chief of Police or Lieutenant for a cumulative monthly summary of the Department’s activities.
 - b. Used to track major activities/incidents, statistical information, in-service training administered, or community outreach activities for the previous month.
 - c. Collated into a single monthly report by the Chief of Police with statistical data compiled by a supervisor.
 - d. Distributed by the Chief of Police, to commanders and subordinate police personnel if appropriate, the City Manager, Mayor and city council officials.
- C. Annual Reports**
1. Annual Department Activity Report and Executive Summary
 - a. Prepared by the Chief of Police and administrative personnel.
 - b. Used to provide statistical information regarding Department activity in areas including calls for service, crime trends, crime prevention, and investigations. This

- report also provides a comparison to previous year to date and demographic information of offenders.
- c. Distributed to police staff, Mayor, City Manager and City Council, and the public.
2. Inspection of Property and Evidence
 - a. Prepared by the Lieutenant.
 - b. Used to determine adherence to procedures in property and evidence control.
 - c. Used to check adherence to procedures by means of a random sampling of items.
 - d. Distributed to the Chief of Police.
 3. Annual Summary of Complaints & Grievances
 - a. Prepared by the Lieutenant.
 - b. Used to summarize incidents of complaints on personnel and detect any early warning signs or trends with officers.
 - c. Lists any bias-based policing issues and statistics.
 - d. Distributed to the Chief of Police.
 4. Annual Training Log
 - a. Prepared by the Chief of Police and/or Lieutenant.
 - b. Used to document training and professional development of personnel throughout the year.
 - c. Summarize any field training activities or alternatives / improvements made within the program.
 - d. Distributed to the Chief of Police.

E. Administrative Reviews & After Action Reports

Routinely members of the Polk City Police Department will be involved in activities that will be reviewed administratively and separately from any courtroom proceedings. In these matters the Chief of Police will direct supervisors and involved personnel to complete after action narrative reports. These summaries will be comprehensive in nature and include a thorough overview of the actions taken by officers - supportive documents, media, and investigative case files will often be included. Typically this process will be led by the Lieutenant and be utilized by the Police Chief to evaluate compliance with Police Department policy and standard operating procedures, used to guide and prioritize future in-service training and professional development, or to make a formal record of police action outside of information that may be included in a criminal prosecution. Examples of circumstances that will normally result in administrative review are:

1. Uses of force beyond open hands techniques
2. Direct participation in a motor vehicle pursuit
3. Metro STAR activities
4. Certain investigative operations
5. Other special situations as outlined in Chapter 9 of this manual
6. Unique, high profile, and/or multi-jurisdictional events and case

investigations

7. Line of duty deaths or serious injuries
8. Full scale evidence and property audits
9. Potential complaints/allegations against agency personnel outside of normal internal affairs processes
10. Other administrative review at the request of the Mayor, City Manager, or City Attorney

Title: Maintenance and Creation of Department Documents			Number: 2.04
Date Issued: 1 October 2016	Updated: 1 Nov 2022	Annual Review: 1 Nov 2022	Page(s) 2

I. PURPOSE: To establish guidelines for the orderly creation and/or maintenance of the Polk City Police Department Policy Manual and other Department Documents.

II. PROCEDURE:

A. Placement of Polk City Police Department Policy Manual

1. All originals of these Documents will be filed with the Chief of Police.
2. The Department will keep a complete paper copy of the Manual accessible to all employees in the roll call room.
3. A copy of the Manual will be made available to all employees in paperless format on our network drive. Employees may retain an electronic version if they choose and will be provided with a USB device upon request.

B. Process of Addition or Alteration

1. Every employee has the responsibility to notify their immediate supervisor, of any updates, discrepancies or revisions they notice while reading any Department Documents.
2. Any employee may suggest additions to Documents, or may suggest a new Document be created to deal with a specific operational need.
3. The needed change, or suggestion, must be sent through the chain of command with the original document, proposed changes, and an explanatory memo attached.
4. An original document shall not be altered until authorized by the Chief and will be done by the Chief's designee when appropriate.
5. Upon receipt of the suggestion by a supervisor, the Chief will decide whether to:
 - a. Deny the suggestion
 - b. Return it for more staff work
 - c. Amend the document and forward it for proofing and entry in the computer/record system
 - d. Authorize the document and forward it for proofing and entry into the system.

C. Updates to the Polk City Police Department Manual

1. The Chief of Police will distribute or make available electronically, copies of new or updated documents to the Lieutenant for the purpose of dissemination to each employee.
2. The Lieutenant shall ensure that each employee under their command has made a written acknowledgement that they have received and reviewed any changes.

3. The Lieutenant will update the copy of the PCPD Manual, periodically distribute updated versions to all employees, and provide updated paper copies to the roll call area.

D. Mandatory Review of Documents

1. All supervisors are responsible to review all orders that pertain to the operation of the Department on an on-going basis. Each document should be reviewed during any 2-year period.
2. Any updates, discrepancies or revisions will be made according to the guidelines presented in paragraph "B" of this Order.
3. Each position's job descriptions shall also be considered a Department Document and reviewed on an annual basis.

E. Departmental Forms

1. **Approval of forms.** No administrative, field or other report form shall be utilized unless the Chief of Police has approved the particular form for usage. Those forms which usage is mandated by another agency or level of government shall be considered approved.
2. **Development and Modification of Forms** shall follow the procedure as described for Department Documents in paragraph B above.
3. **Forms Supply.** Every officer shall be responsible for maintaining copies of all active forms and reporting the need to re-supply prior to running out.

Title: In-Service Training			Number: 2.05
Date Issued: 1 October 2016	Updated: 25 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: To establish operational and administrative guidelines for training requirements, including the duties and responsibilities of training personnel.

II. POLICY: Employee training sessions shall be governed by the State of Iowa and the Iowa Law Enforcement Academy through policy set forth by the Chief of Police and developed by the Training Coordinator who will normally be the Lieutenant.

III. PROCEDURE:

A. In-Service Training

1. Training Coordinator Responsibilities:
 - a. Monthly and routine in-service training
 - b. Recruit Academy certification and field training
 - c. Special and elective courses of instruction
 - d. Regional instruction course coordinator & scheduler
 - e. Coordinator for personalized training needs
 - f. Supervision of Range Master(s)
 - g. Training budget management and purchases
 - h. Career development/specialization training
 - i. Ensure certified instructor status is maintained by personnel in critical areas such as: use of force - firearms, ASP/Pr-24/impact weapons, OC Spray, Taser and less lethal munitions, defensive tactics and driver training courses.
 - j. Reserve officer certification

2. Firearms Instructor/Range Master Responsibilities:
 - a. Maintain range training files
 - b. Range maintenance
 - c. Inventory, service, and maintain all department owned weapons
 - d. Maintain firearms & ammunition inventory and records
 - e. Coordinate and supervise annual department shooting qualifications (day, night, tactical combat courses)
 - f. Coordinate use/rental of range facilities
 - g. With guidance from the Training Coordinator, compile as necessary, an administrative review and analysis of relevant use of force issues relating to the use of firearms, injury to individuals in Department custody caused by lethal and less than lethal weapons, or other critical issues related to

firearms/use of force training. Such reports are to be used for training and policy modifications and should also include relevant use of force trend summaries where applicable.

B. ILEA Training Requirements: The following are training/recertification requirements set by the Iowa Law Enforcement Academy:

1. Law Enforcement Related in-service: 12 hours/annually or 36 hours/3 years.
2. Mandatory Reporting: 2 hours/5 years
3. Bloodborne Pathogens: Annually
4. Hazard Communications: Annually
5. Hazardous Materials: 3 years
6. Mental Health: 1 hour/annually or 4 hours/4 years
7. CPR/AED/Airway Obstruction: Current Certification
8. NCIC Certification: 2 years
9. Firearms Qualifications: Annually
10. De-escalation & Bias prevention: Annually

C. Training Protocols on Use of Force and De-escalation: Officers will be trained in alternative methods and tactics for handling non-compliant subjects. In addition, sworn personnel will receive annual review/update training on the department's use of force policy 5.01, related legal updates and proficiency testing with all approved weapon systems. Only sworn personnel receiving this training will be authorized to carry or deploy these weapon systems, on or off duty.

Title: Special Operations Funds			Number: 2.06
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 4

- I. PURPOSE:** To establish guidelines for the expenditure of Special Operations Funds through the use of the line item within the Police Trust forfeiture account.
- II. POLICY:** It is the policy of the Polk City Police Department to make funds available for properly approved special operations.
- III. DEFINITION:** Special Operations Funds include all funds made available to Department personnel for covert operations, to investigate and/or purchase contraband, completion of tobacco and alcohol stings, and for payment of services to confidential sources.
- IV. PROCEDURE:**
- A. SPECIAL OPERATIONS FUNDS**
1. Permissible Uses of:
 - a. When authorized by the Chief of Police or his/her designee, personnel may expend necessary funds for the purchase of evidence, for the employment of persons (confidential source – CS) to obtain evidence, for information, and for investigative and/or miscellaneous expenses.
 - b. Other funding sources may set conditions for the expenditure and accounting of their particular funds. The supervising officer is responsible for meeting all such conditions.
 2. Responsibilities:
 - a. All employees handling funds will be responsible for insuring that all funds in their possession are properly expended, accurately and fully accounted for, and properly secured.
 - b. Supervisors will be responsible for complete and accurate reporting and documentation of all transactions by personnel under their command.
 - c. The Chief of Police will be responsible for storing funds securely and separately from evidentiary protocols unless funds are used as evidence in an on-going investigation, in which case evidence handling procedures will apply.
 - d. The Chief of Police and the City Clerk will be responsible for maintaining receipts for cash received and a ledger that identifies initial balance, credits, debits, and the balance on hand of Special Operations Funds.

3. Audits:
 - a. The Polk City Police Department will conduct an audit of Special Operations Funds on an annual basis.
 - b. All employees must cooperate fully with authorized auditors, and must make available all necessary ledgers, records, and accounting documents.
4. Transfer of Funds:
 - a. The Chief of Police will request funds as needed from the City Clerk.
 - b. The Chief of Police will insure that funds designated for special operations are transferred to the appropriate requesting supervisor upon receipt of a written request for a specific amount in conjunction with a summary of the need for the investigation and a corresponding case number.
 - c. All transfer of funds will be documented according to established procedures.
5. Reporting:
 - a. Expenditures for information or services using Confidential Sources (CS) require the following:
 - (1.) File (CS File for recipient)
 - (2.) Documentation – All expenditures will be documented by the Chief of Police or the Lieutenant.

Title: Fiscal Management			Number: 2.07
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

- I. PURPOSE:** To describe the management of the Department's fiscal activities.
- II. POLICY:** It is the policy of the Polk City Police Department that the Chief of Police has the overall authority and responsibility for the fiscal management of the Department.
- III. PROCEDURE:**
- A. Budget Officer.** The Chief of Police will serve as the Department's Budget Officer. The Budget Officer's duties include:
1. Prepares new Department budgets for each fiscal year by meeting the City's fiscal year deadlines.
 2. Monitors the money approved in each line item.
 3. Monitors each item budgeted.
 4. Approves the purchase requests on items not specifically approved in the budget in accordance with the City's Purchasing Policy.
 - a. Advises when there is enough money in the requested account to purchase non-budgeted requests.
 - b. When requesting for a non-budgeted item and there is not enough money available in the account, advises the City Manager of other possible accounts money could be moved from.
 5. The Budget Officer is to make sure Department purchase order forms and other purchase requests are filled out and signed by the City Manager and any subordinate supervisors where applicable.
 6. The Budget Officer is to monitor all budgeted purchases by following the City's Purchasing Policy.
 7. Monitor Forfeiture Funds accounts informing the City Manager of any deposits and expenditures. Complete fiscal year-end reporting as required by federal and/or state statutes for authorized expenditures.
- B. Lieutenant.** The Lieutenant will annually prepare written budget recommendations and submit them to the Chief of Police.
- C. Purchase Approvals**
1. Individual purchases (other than through forfeiture accounts) will be subject to the following approval amounts:
 - a. Purchases of inventories, supplies and services exceeding \$500.00 will require approval by the Chief of Police.

- b. Purchases exceeding \$5,000 will have the approval of the Chief of Police and the City Council.

D. Audit of fiscal activities. Annually, the City of Polk City contracts for an independent audit of the City's fiscal activities. The Chief of Police is the main point of contact for the Department. All employees and units/organizations associated with the Polk City Police Department shall cooperate fully with audits of the Department's finances and related activities.

Title: Secondary Employment			Number: 2.08
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 5

I. PURPOSE: The purpose of this policy is to set forth guidelines to govern secondary employment by members of the Polk City Police Department.

II. POLICY: The policy of this Department is to provide guidelines to police officers to inform them of the types of secondary employment which are appropriate and to establish procedures to maintain accountability for the welfare of the operation and the protection of the community. Furthermore, while peace officers are not on-duty twenty-four (24) hours a day, a police officer is subject to call-out during emergencies.

III. DEFINITIONS:

A. **Employment:** The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer or charity work.

B. **Extra-Duty Employment:** Any employment that is conditioned on the actual or potential use of law enforcement powers by police officers including but not limited to:

1. Traffic control and pedestrian safety
2. Crowd control for special events
3. Security and protection of life and property
4. A business entity which has a verbal or written agreement with the Department or Police Association to provide officers in uniform or plain clothes who will exercise their police authority.
5. Any other assignment which is approved by the Chief for the purposes of providing temporary or short-term police services and protection.

C. **Off-Duty Employment:** Any employment that will not require the use or potential use of law enforcement powers by the off-duty officer.

IV. TYPES OF SECONDARY EMPLOYMENT

The types of secondary employment in which a Polk City Police Officer may engage:

A. **Off-Duty Employment or Self-Employment**

Officers may engage in off-duty employment specifically approved by the Chief of Police, or designee, and meets the following criteria:

1. Employment of a non-police nature in which vested police powers are not a condition of employment. The work provides no real or implied law enforcement service to the employer and is not performed during normally assigned hours of duty.
2. Employment that presents no potential conflict of interest between duties as a police officer and duties for a secondary employer. The following employers are disallowed, but not limited to:
 - a. Process server, repossession agent, bill collector, towing of vehicles, or in any employment in which police authority might be used to collect money or merchandise for private purposes.
 - b. Personnel investigations for a private sector employer or any similar employment that requires the use of a police officer's authority to access law enforcement information, files, records or services as a condition of employment.
 - c. Any employment requiring the wearing of a police uniform in the performance of tasks other than that of a law enforcement nature.
3. Employment that does not constitute a threat to the status or dignity of the police profession or risks damage to the corporate image of the City. The following employers are disallowed, but not limited to:
 - a. Establishments which sell pornographic literature or videos, or that provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture, or transport of alcoholic beverages or other controlled substances as a principal business interest.
 - c. Any gambling establishment not exempted by law.
 - d. Establishments engaged in on-going criminal conduct.

B. Extra-Duty Employment

Polk City Police Officers may engage in extra-duty employment specifically approved by the Chief of Police, or designee, on a case-by-case basis. Extra-duty employment shall further be broken down into the following two categories:

1. *Special Extra-Duty Employment:* within or outside the City of Polk City but within the Des Moines metropolitan area and jurisdiction of the Polk County Attorney's Office, shall generally be approved providing it meets the parameters set forth by this regulation and it is on an isolated basis. Eligibility for these assignments may be regulated according Police Association guidelines. NOTE: Special circumstances may be allowed in which individual officers are requested to assist other outside jurisdictions as approved by the Chief of Police.
2. *Regular Extra-Duty Employment:* defined as regularly supplementing the work force of another law enforcement agency using official police powers, shall have the following additional restrictions placed on it:

- a. Officers will not be allowed to use any City of Polk City issued uniforms or equipment, including their firearm. Additionally, officers shall be sworn and commissioned by the respective agency employing them (part-time) to perform police duties.
- b. Officers will be limited to twenty (20) hours of Regular Extra-Duty Employment per week. Any deviation from these hour restrictions requires prior written approval from the Chief of Police.
- c. Any officer engaging in Regular Extra-Duty Employment for a shift greater than four (4) hours and prior to an assigned shift for the City of Polk City, shall have a rest period away from official police duty for an equal length as to what their extra-duty assignment was.
- d. Officers working part-time in this capacity may not engage in duties or under circumstances prescribed by the corporate authorities of that jurisdiction that are inconsistent with the rules and regulations of the Polk City Police Department or the City of Polk city.
- e. Any officer engaging in Regular Extra-Duty Employment shall draft a letter to the Chief of Police prior to final approval releasing the City of Polk City from all liabilities, financial, workman's comp or otherwise, that may be associated with the part-time employment of another jurisdiction.

V. LIMITATIONS

- A. Officers who are on medical or other leave due to sickness, temporary disability, light duty, modified duty, or an on-duty injury shall not be eligible to engage in secondary employment. Additionally, secondary employment will be denied if an employee has a record of illness which indicates the employee lacks the strength or stamina required to sustain both jobs.
- B. Prior to obtaining secondary employment, an officer shall comply with departmental procedures for seeking approval of such employment. Officers shall not be serving in a probationary status unless written consent is offered by the Chief, have pending discipline, or be on a Performance Improvement Plan at the time of an extra duty assignment.
- C. Work hours for all secondary employment must be scheduled in a manner that does not conflict or interfere with the officer's performance of duty for the City of Polk City.
- D. An officer engaged in secondary employment is subject to call-out in case of an emergency, and shall be expected to leave his/her secondary employment in such situations.
- E. Any secondary employment which might bring the Department into disrepute, or which might create an undue hardship within the operation of the Department, or impair the effectiveness of the agency employee shall not be authorized.

- F. Permission to engage in secondary employment may be revoked where it is determined pursuant to Department procedures that such outside employment is not in the best interests of the City of Polk City.
- G. The Chief of Police has the exclusive and final authority to accept or deny secondary employment on behalf of the Department and each employee.

VI. PROCEDURES

- A. All full-time Department members will submit written requests to the Chief of Police before accepting or engaging in any secondary employment. The request shall include:
 - 1. The name of the potential employer
 - 2. Contact information for the immediate supervisor
 - 3. The nature of the duties or occupation
 - 4. The hours to be worked and the frequency of the work
 - 5. Whether the employment responsibilities will include the exercise of police authority/judgment
- B. Department employees must realize that their primary focus is the professional delivery of police services to this community. Employees will not be allowed to let secondary employment interfere with this primary focus.
- C. Department employees must have a clear understanding with their secondary employer(s) that they are subject to call back by the Department at any time and may be forced to come in early or stay late on any assigned shift, which may affect their anticipated responsibilities with the secondary employer.
- D. While engaged in secondary employment, Department employees remain subject to all rules, regulations, and standard operating procedures of the Polk city Police Department and are subject to discipline according to internal regulation and/or state law.

VII. CIVIL LIABILITY

The City of Polk city and the Polk City Police Department will not accept liability for department members who are working for a business or individual and act beyond the scope of their legal authority. Police authority does not extend to the enforcement of rules and regulations for a business. This does not mean that a police officer cannot enforce the rules and regulations of a secondary employer. It does mean that enforcement of those rules and regulations is not protected by police authority. The police officer will bear personal responsibility if a civil claim is brought against the officer for enforcing the rules and regulations of a business.

VIII. SECONDARY EMPLOYMENT INJURIES

- A. When an employee is injured during secondary employment working in any capacity other than Special Extra-Duty Employment, and/or when the injury is not the result of an official police action on behalf of the City of Polk City, the employee is responsible for reporting the injury to and filing any necessary claims with the secondary employer.

Additionally, immediate verbal notice shall be given to the employee's supervisor at the Polk City Police Department, followed up with a full written account of the circumstances surrounding the injury, to be submitted to the Chief of Police within 72 hours.

- B. Such injuries will not be processed through the City of Polk City and will not be considered an injury in the line of duty eligible for modified assignment or disability compensation. Any resulting time off from Police Department duties will be charged against the employee's Paid Time Off (PTO), sick leave, and/or vacation banks. In the event that all accumulated time is utilized, the employee will be ineligible for the City's short or long-term disability coverage. Further, any additional leave of absence will not be compensated by the City and the employee will be subject to personnel rules of the City of Polk City.

Title: Discretion & Ethical Decision Making			Number: 2.09
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed 1 Nov 2022	Page(s) 3

- I. PURPOSE:** It is unrealistic to expect police officers to enforce all laws and ordinances in performance of their daily duties regardless of the circumstances encountered. Instead, officers must make legal discretionary choices in arrests and alternatives to arrests to effectively realize an equitable solution to the situation at hand.

Sworn members of this Department shall act in accordance with the law and Department rules and regulations. However, officers should not compromise “doing the right thing” for the sake of “doing things right”. Officers should also balance the need for action based upon which policing philosophy is being utilized (Community Oriented Policing vs. Problem Oriented Policing) in an attempt to resolve the issue. Moreover, when discretion is employed it must be reasonable, defensible, and accomplish a police purpose.

- II. POLICY:** It is the policy of the Polk City Police Department that the Chief of Police affords that amount of discretionary leniency in decision making processes as is acceptable under the guidelines set forth within and as appropriate to the position description to which personnel are assigned. Ethical decision making of personnel is mandatory in all matters relevant to the business of the City. The Chief of Police has final authority in decision making and may intercede where necessary.

III. PROCEDURE:

Guidelines for the Discretionary Decision Making Process:

A. Issues for Consideration When Faced with an Ethical / Discretionary Decision (IRAC):*

1. Identify the **ISSUE**: Clarify the circumstances and understand the role of law enforcement in this event. What is being communicated to you to act upon? What are you being asked to do? Listen carefully and ask clarifying questions.
2. What is the **RULE**: Does the decision violate any code, law, ordinance, policy or accepted guideline? Just because a decision might be legal, is it ethical?
3. How can you **APPLY** this Rule to the Issue: Is it balanced? Is the decision equitable to those involved, both in the long-term as well as the short-term? Does it promote a “win-win” outcome within the community, with co-workers, and the overall goals of the Department and the City?

4. Reach a logical **CONCLUSION** and act: Can the decision be explained? Can the decision be justified and explained to supervisors, community members, peers, friends, family, and the media if the decision should be made public? Will those that hear the explanation understand the decision?

B. Possible Warning Signs of a Breach of Ethics:

1. Do any mental warning signs go off when considering the possible choices?
2. Would your decision shock the conscience of another?
3. How were you trained?
4. Can you think of laws, policies, procedures or guidelines that you will be violating by accepting any of the possible options?
5. Will your decision be able to withstand the examination of supervisors, elected officials, the media, your family, and your peers? Would you take the same action if they were present to scrutinize your decision?
6. Should you stop and seek guidance from a supervisor or research the legal obligations you have in resolving this issue?

C. A Model for Ethical Analysis and Decision Making*:

Step 1 – Identify and clarify the issue(s).

Step 2 – Jurisdictional: Can I handle this event?

Step 3 – Do I have time to think?

Step 4 – If so, what is the policy of our agency reference this event?

Step 5 – If so, what is our past practice in this type of event?

Step 6 – If so, what are the ethical issues involved in this event?

Step 7 – If so, what are the consequences of my actions?

Step 8 – Make and implement your decision.

Step 9 – Document as necessary why you did what you did.

Step 10 – If you learned something new – share it with your peers.

D. Use of Discretion in Arrests

Officers may find instances when making an arrest is not the appropriate course of action to follow. In most cases, there are no black and white rules to follow in making the decision to arrest or not arrest. Good judgment is called for in making these decisions and Department guidelines shall be followed to encourage consistent application:

1. **Action.** Officers shall at all times take appropriate action to:
 - a. Protect life and property
 - b. Preserve the peace
 - c. Serve the public and the best interests of the City
 - d. Prevent crime, and
 - e. Detect and deter violators of the law.
2. **Impartiality.** Officers shall enforce all laws and ordinances fairly and impartially. Proper enforcement action must be taken whenever required, but provision is available for the use of officers' discretion to not make an arrest when it will best serve the immediate situation and general public.

3. **Judgment.** There are circumstances where although there are grounds for making a lawful arrest, better law enforcement practice allows that the offender not be arrested. When there is doubt as to which is the appropriate course of action, officers should remember that ultimately the decision to prosecute is that of the County Attorney's Office. Any decision not to make an arrest should be made weighing the following guidelines:
- a. *When the immediate arrest would cause a greater risk of harm to the general public than the offender remaining at large would.* For example:
 - 1. In a crowd situation when the arrest of an offender would lead to a riot or other serious disorder.
 - 2. When making a traffic stop would cause a greater safety risk to the motoring public than ignoring the observed violation.
 - b. *When departmental resources are not available to handle the situation.* For instance, when officers are particularly busy handling serious offenses and taking enforcement action on minor offenses would reduce that availability for the serious situations.
 - c. Officers should remember that even if there is no arrest or citation issued at the time of the offense, officers may issue a complaint for the individual to go to court at a later date or pursue arrest warrants after the fact if reasonable to do so.

*Source: Gordon Graham, Lexipol LLC

Title: Cell Phones & Electronics			Number: 2.10
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

- I. PURPOSE:** A cellular telephone and other electronics can be tremendous time saving devices when conducting operations or activities while in the field. When using any cellular telephone, laptop, tablet, or other electronic devices while on duty or engaged in any police related business, officers are required to conduct themselves in a professional manner.
- II. POLICY:** It is the policy of the Polk City Police Department to encourage personnel to utilize the most effective tools necessary to complete their assigned duties. This rule regulates the use of cellular telephones, laptops, tablets, and other electronic equipment, both personal and Department owned.
- III. PROCEDURE:**
General Guidelines for Use of Electronics:
- A.** Unless extenuating circumstances exist, employees should not utilize Department or personal electronics while operating city-owned vehicles upon the roadway unless the electronic device is equipped for hands-free use. Department employees should refrain from placing calls or text messaging while a vehicle is in motion. This agency considers it a best practice for employees to pull off the roadway to the nearest, safest, most practical location so as not to be distracted.
1. Department members may carry personally owned cellular phones. However, the presence of the telephone must not impair the officer's job performance. Department employees are further restricted from utilizing personal cellular telephones while on calls for service, special assignments, or in view of the public unless it is used in the course of official duty.
 2. Department cellular telephones will only be used for Department business and will not be used for personal calls, except in an emergency.
 3. Lengthy conversations should be avoided. If a long conversation is anticipated, employees should not use a cellular phone, but rather go into the station and notify dispatch accordingly.
 4. Employees are prohibited from utilizing personal laptops or tablets while at work unless prior approval for a specific purpose is given by a supervisor.
- B. Issuance of Equipment.** The Department issues or provides reimbursement for cellular telephones, pagers and other electronic devices

to its staff in specialized positions to ensure their accessibility and allow them to correspond and receive communications concerning incidents. Patrol vehicles are assigned the necessary equipment and mobile data computers that accomplish this objective for line officers.

1. The Chief of Police is responsible for final oversight of Department electronics including recordkeeping, budgeting, retrieval and dispensing.
2. Any Department member assigned a city owned telephone, pager, laptop, tablet or other electronic device is responsible for the use, care, and control of the equipment.

C. Lost, Damaged, or Defective Equipment

1. Any Department equipment that is stolen must be documented in a police report that contains the circumstances of the theft along with the make, model, and serial number of the equipment.
2. Lost equipment shall require a memo be submitted to the Chief by the individual last responsible.
3. Damaged equipment must be documented by the possessor of the equipment in a memo addressed to the Chief. The memorandum and the damaged equipment must then be turned into the Chief of Police or designee, who will replace the equipment, if possible.
4. Requests for new electronic equipment are made through the chain of command to the Chief of Police. Equipment will then be issued based upon availability.

D. Transfer to New Assignment. When a Department member is transferred from an assignment where s/he was issued Department equipment specific to that assignment, the affected Department member will turn the equipment into the Chief of Police or designee, who will conduct an inspection of the equipment to ensure that it is undamaged and operational before reissuing the equipment.

E. Reimbursement for Personal Use of Agency Equipment. In the event that Department equipment is used for personal reasons beyond basic incidentals, employees will reimburse the City.

1. While the policy of reimbursing personal calls, roaming fees, internet usage, etc. is on the honor system, employees are reminded that all agency equipment usage will be subject to periodic audit or internal review. Employees will be held responsible for necessary reimbursements and may be subject to discipline for inappropriate use.
2. Employees are cautioned that under certain circumstances even personal electronic billing records may be considered public records and could be obtained under Iowa law.

Title: Social Networking			Number: 2.11
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: The purpose of this rule is to outline guidelines for constraints upon behavior and public information sharing. This is necessary when measuring professional image as it applies to employee actions taken outside of duty assignments and when advertised publicly in the sharing of digital media, participation in virtual communities, and/or posting information to social networks.

II. POLICY: In general, on or off duty, employees of the Polk City Police Department will be held to a higher public standard and shall not participate in conduct that brings reproach upon themselves or co-workers or that will reflect unfavorably upon the Department. A police officer is entrusted with his/her responsibilities 24-hours a day and never truly relieved of duty; therefore, this restriction extends to off-duty social activities and includes postings of possible inappropriate material to blogs or social networking sites on the Internet.

As a rule, digital mediums of expression shall not be unnecessarily censored as to infringe upon an individual's First Amendment freedoms; however, expression made under color of authority or where correlation could be drawn to employment with the City shall be closely scrutinized and extend to written communications via email, text message, picture message, Twitter, Instagram, Flickr, Pinterest, Snapchat, Instagram or like applications; and to social network sites including but not limited to on-line dating sites, Facebook, Twitter, LinkedIn or similar venues which permit or encourage public displays of biographies, narrations, stories or photographs.

III. PROCEDURE:

Employees are permitted to maintain a personal web page or participate in social network(s) to the extent that their affiliation or publication of information does not discredit, disgrace, and/or harm the reputation of the Department or its employees.

A. Employees may make public their affiliation with law enforcement in general but not specific to the Department to the extent that photos or comments would be published, cause public embarrassment to the Department, or harm the corporate image of the City.

B. Any depiction of an employee in a Polk City uniform, badge, patch or vehicle in affiliation with the Department must have written approval by the Chief of Police prior to posting.

- C. Any blog posting or similar writings for public forum that affiliates the employee with the Polk city Police Department shall be written in a manner that does not discredit the City of Polk City in word or content.
- D. Employees are subject to periodic, unannounced inspection of social networking sites with or without cause. Failure to comply, or content found to be in violation of this policy, may result in referral to formal corrective action/discipline.

Title: Intra-Departmental Relations			Number: 2.12
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1Nov 2022	Page(s) 4

I. PURPOSE: The purpose of this regulation is to outline guidelines for relationships within the Department.

II. POLICY: It shall be the policy of the Polk City Police Department to make every attempt to work cohesively as a personnel grouping. It is understood that not every individual will agree in form or substance with every other individual employed by the City. It is expected that employees will fall back on this policy and individual professionalism for guidance in those times.

III. PROCEDURE:

A. Respect and Cooperation

1. Personnel shall conduct themselves in a manner that will foster harmony, cooperation, and mutual support and assistance among fellow employees.
2. Personnel will treat other employees with the respect due them; be courteous, civil, and respectful of supervisors, peers, and subordinates, on or off duty. When addressing a supervisor in the presence of the public, the supervisor's proper title will be utilized without abbreviation.
3. Personnel will never publicly criticize the work, manner, or performance of duty of any other employee.

B. Relations Among Personnel

1. Officers shall act together and protect one another in times of danger or in circumstances where danger appears imminent.
2. Employees shall not interfere with cases assigned to other officers, except with the consent of the assigned officer, Lieutenant, or Chief of Police. Employees shall not unnecessarily interfere with work or operation of the courts or any other law enforcement body.
3. Where there is a personal relationship between an investigating officer and the accused victim or suspect in a complaint or investigation, that officer will report the relationship to a supervisor or the Chief of Police. A determination will be made at that time as to whether or not the case will be reassigned.
4. No Department employee may interfere with citations, complaints, cases, or investigations being handled by other employees of the Department or any other agency, unless the Chief of Police so orders, or the interfering employee believes beyond a reasonable doubt that not acting would result in a manifest injustice. In all

instances, a written report of the action taken and basis for the action will be forwarded to the Chief of Police before the end of the employee's shift.

C. Social Relationships Between Employees

1. Personal relationships may develop between employees from time to time on several different levels. Although such consensual relationships are a matter of personal choice and privacy between the employees involved, any adverse effect that such relationships may have in the workplace will not be tolerated. Any such relationship will be considered to have an adverse effect in the workplace if:
 - a. Employees involved have a direct or indirect reporting relationship at work.
 - b. It unreasonably interferes with or materially and adversely affects either employee's work performance, objectivity, judgment, professionalism, business reputation or ability to conduct him/herself in an appropriate business manner.
 - c. It unreasonably interferes with or materially and adversely affects the work environment of other employees.
 - d. It results in harassment, sexual or otherwise.
2. No supervisory personnel shall have an intimate or dating relationship with any subordinate employee of the Polk City Police Department.
 - a. No supervisory personnel shall reside within the same dwelling as any subordinate without consent of the Chief of Police.
 - b. Fraternalization between supervisory and subordinate personnel of the Polk city Police Department must not diminish the Department's organizational structure.
3. All Department personnel having knowledge of a violation of this section shall report said violation to the Chief's Office as soon as practical. In some cases appropriate disciplinary action, up to and including discharge against one or both employees involved may be imposed.

D. Relationship with Superiors and Orders

It shall be the responsibility of each officer, through the chain of command, to inform Department supervisors of any matter coming to their attention which may affect the welfare or be of interest to the Department or its personnel.

1. Officers shall obey all lawful orders and directions given by supervisory staff, regardless of rank. Supervisory staff has authority that is not limited to their work assignments. A "lawful order" is any order in keeping with the performance of any duty prescribed by law, rule, or policy of the Department or for the preservation of order, efficiency, and discipline.
2. Officers shall adhere to reasonable instructions given by communications dispatchers, unless directed otherwise by a supervisor. Such obedience shall be willing and prompt and

without unnecessary questioning to maintain operational efficiency and command/control of a scene.

3. Should an officer receive any order that conflicts with a previous order or instruction issued, or rule or policy, the officer shall respectfully call attention to the conflict. If the supervisor giving the second order does not change it, that order shall stand and the responsibility shall be the supervisor's. Orders will be countermanded only when reasonably necessary for the good of the Department.

E. Unlawful Orders

Supervisors shall not knowingly and willfully issue any order, which violates any law or ordinance and/or Department policy or procedure.

1. Officers should not obey an order which is contrary to the laws of the United States, the State of Iowa, or the ordinances of the City of Polk City. Obedience to an unlawful or improper order is never a defense for an unlawful or improper action. However, refusing to obey an order is a responsibility, and officers will be required to justify their actions.
2. If an officer receives what is believed to be an unlawful or improper order, the officer should, at first opportunity, report in writing the full facts of the incident, together with his/her own action to the Chief of Police.

F. Conduct on Department Premises

Employees:

1. Shall not congregate in lobbies, corridors, offices, or other places in public view or where it may disrupt other employees' performance of their duties.
2. Shall avoid horseplay and loud or boisterous conversation in public view or hearing.
3. Shall keep assigned work areas and equipment (to include vehicles) neat, clean, and orderly.
4. Shall never alter, deface, or mark any printed or written notices relating to law enforcement or city business with malice. Derogatory notices directed toward employees, the Department, government, or the public is prohibited.
5. Shall not post, pass around, or use city equipment or supplies to copy or publish any pictures, cartoons, or satire that may reflect poorly on or offend any person.
6. Tobacco use is prohibited except in designated areas out of public view and in accordance with state laws. This includes any tobacco product. No tobacco products will be used in a city owned vehicle.

G. Harassment in the Workplace

All employees have the right to work in an environment free of all forms of harassment. This agency does not condone, and will not tolerate, any harassment. Therefore, the Department shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment, sexual or otherwise.

1. No employee shall, either explicitly or implicitly, ridicule, mock, deride, or belittle any person.
2. Employees shall not make offensive or derogatory comments based on race, color, sex, religion or national origin either directly or indirectly to another person. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action (to include termination) by this agency.
3. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.
4. Each supervisor has the responsibility to assist any employee of this agency, who comes to that supervisor with a complaint of harassment, in documenting and filing a report with the Chief of Police.
5. Each employee of this agency is responsible for assisting in the prevention of harassment through the following acts:
 - a. Refraining from participation in, encouragement of, or actions that could be perceived as harassment;
 - b. Reporting acts of harassment to a supervisor; and
 - c. Encouraging any employee, who confides that he or she is being harassed, to report these acts to a supervisor.
6. Failure to take action to stop known harassment shall be ground for discipline.

Title: Legal Claims Against the City			Number: 2.13
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: To outline the procedures for handling claims for damages against the City of Polk City.

II. PROCEDURE:

A. Statements of Liability. Unless specifically authorized, members of the Department are not to express opinions or statements which may adversely affect the legal liabilities of the City of Polk City. Examples of these types of statements are: “The City will pay for your damage...” or “Turn in a claim form and the city will pay for...”

B. Claim Forms

1. Claim forms are provided to allow persons believing the City of Polk City has a financial obligation to them to explain their position in writing.
2. Claim forms are available from the Chief of Police or the City Manager.
3. Claim forms are normally returned to the attention of the Police Chief for review.

C. Internal Review of Claims

1. Towed vehicles
 - a. If a vehicle has been towed and the Lieutenant believes that the tow was done in error, the Lieutenant may direct the towing service to directly bill the Police Department for the service. The cost of the tow will be paid from the operating budget of the Police Department.
 - b. If the towing service has been paid, the claimant will be given a claim form and directed to return the form to the Police Department.
 - (1.) A copy of the paid bill is to be attached to the claim.
 - (2.) The Lieutenant will sign the claim indicating the reason that the claim is authorized for payment.
 - (3.) The claim will then be reviewed by the Chief of Police.
 - (4.) If the Chief is satisfied that the claim is legitimate, s/he will sign and forward the claim to the City Manager for payment.
 - (5.) The City Manager will issue a check to the claimant.

2. Other claims against the City of Polk City rising from actions of members of the Police Department may be sent to the Chief of Police or Lieutenant for formal investigation.
3. All findings shall be reported to the Chief of Police for final decision making and/or consultation with the city's insurance carrier, City Attorney or City Manager to processing payment or rejecting the claim.
4. Where necessary internal review of the incident will occur through the Department's formal review process or be referred to a subcommittee within the City for purposes of identifying/improving SOPs and to identify training needs (Ex: Safety Committee review). In extenuating circumstances an outside consultant may be brought in to examine the claim, evaluate the allegations, or mitigate the potential of loss.

Title: Services Provided For On Duty Serious Injury or Death			Number: 2.14
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 4

I. PURPOSE: To outline the policy and procedure for notification, proper support and emotional care of the families of Polk City Police Department employees following serious injury or line of duty death.

II. POLICY: The Polk City Police Department shall provide support services and liaison assistance to the family of any employee who is seriously injured or dies in the line of duty. These services include timely notification of the injury or death, assisting the family at the hospital, supporting the family at a funeral and burial (if applicable), assisting the family with survivor benefits, supporting the family through criminal proceedings (if any), and maintaining long-term contact with the family in the event of death.

III. PROCEDURE:

A. Notification

1. In the event of a death or serious injury to a Department employee while on duty, the notification of the family will be in person by the Chief of Police or his/her designee, along with a Family Liaison Officer (a sworn officer known to the family) and, if possible, the Department chaplain. **This notification must take place before any names are released to the media. Names will not be released to the media until authorized by the Chief of Police.**
2. Notification will be made in person and never alone. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be available at the time of the notification.
3. Notification should never be delayed if the Chief of Police or a Family Liaison Officer is not available. The family should learn of a death or serious injury from the Department and not from the media or other sources.
4. If the notification is made in the home, the family will be transported to the hospital by a police vehicle. It is highly recommended that the family not drive themselves to the hospital. If a family insists on driving, an officer or member of the notification team will ride with the family. If there are small children present in the home, the notification team will help to arrange for child care needs. Prior to departing for the hospital, the Family Liaison Officer will alert the hospital staff that member(s) of the family are enroute.
5. If at all possible, the deceased or severely injured officer's parents should be afforded the courtesy of a personal notification. The

above procedures should be followed with the exception of the Chief making the actual notification. This may be delegated.

6. The Family Liaison Officer should assist the family at the hospital and during the funeral process as long as his/her presence is requested. The Family Liaison Officer should also provide any needed family services during any criminal or court proceedings arising from the on duty death.

B. Serious Injury While On Duty: If injured while on duty, the City of Polk City will prepare and submit all necessary insurance information for the injured employee. The notification procedure will remain the same for a seriously injured employee as outlined above.

C. Assistance and Support to the Family of the Deceased

1. The Polk City Police Department will support the family of the deceased employee who has died on duty. If the family requests, arrangements may include Honor Guard, Casket Detail, Rifle Team, Taps, Flag Presentation, and other appropriate requests by the family.
2. The Department shall maintain contact with the family of the deceased employee to stay informed of their needs. The Family Liaison Officer shall make any family requests directly to the Chief. Assistance, support, and referrals should be provided for the family as deemed appropriate.
3. A City of Polk City Personnel Officer will assist in preparing and submitting all necessary information in regards to obtaining all available death benefits.

D. Assistance to Affected Members of the Department

1. Members of the Police Department who were on the scene immediately after the officer was killed or seriously injured should be relieved as soon as possible.
2. Police Department members, EMS staff, and staff from the Polk City Fire Department who responded to this incident will be afforded an opportunity to attend a Critical Incident Stress Debriefing conducted by trained crisis interventionists. This debriefing should be set within 72 hours of the event. Attendance is not mandatory. Members of the Department who were not immediate responders to the incident, but feel an emotional need to attend the debriefing may do so.
3. The same debriefing process will be offered to family of Polk City Police Department members, the affected family, and other emergency responders to this incident from outside the city. This debriefing will be separate from the debriefing offered to the officers.

E. Assisting the Family at the Hospital

1. The first uninvolved officer or city official to arrive at the hospital is to assume the role of the Hospital Liaison. The Hospital Liaison is to assume the coordination of the activities of the affected

member's family, police officers, and media control until the Family Liaison Officer or supervisor arrives, and other duties as needed. These responsibilities may include, but may not be limited to the following:

- a. Arranging with hospital personnel to provide an appropriate waiting facility for the family and others requested by the immediate survivors.
 - b. Arranging a separate area for fellow police officers to assemble.
 - c. Establish a press staging area, and then release that responsibility upon the arrival of the Chief of Police or designated P.I.O.
 - d. Ensuring that the family is updated regarding the incident and the members condition when applicable.
 - e. Arranging for meals, beverages and other necessities for the family during their stay at the hospital.
 - f. Arranging transportation for the family back to their residence.
2. If it is possible for the family to visit the injured officer before his/her death or the taking of the officer to surgery, the family should be afforded that opportunity. This will be coordinated with the attending physician's approval. The Hospital Liaison should accompany the family into the room if requested.
 3. The family should be given as much information as possible about their member's injury or death, contingent on the need for not compromising the investigation.

F. Departmental Roles and Functions

1. Family Liaison Officer
 - a. This is a critical assignment as an attempt should be made to assign someone that has enjoyed a close relationship with the employee and his/her family.
 - b. This is not a decision making position. The Family Liaison Officer acts as a facilitator between the family and the Department.
 - c. The Family Liaison Officer ensures that the needs of the family come before the needs of the Department, and thus transmits the family's wishes during and after the time of the officer's death, his/her funeral, and apprising the family of any information concerning the death or injury and the continuing investigation.
 - d. Coordinates with the P.I.O. to ensure that the family is not overwhelmed by a media presence before, during and after the hospital visit(s) and funeral.
2. City of Polk City Personnel Officer
 - a. The Benefits Coordinator will usually be a Personnel Officer for the City.
 - b. The Benefits Coordinator, in conjunction with the City's Human Resources and Legal Departments, will gather information on benefits/funeral payments that are available

to the family.

- c. The Benefits Coordinator is responsible for assisting the survivors in the filing of the proper forms for claims and/or related paperwork.
- d. Meeting with the family a few days after the funeral to discuss the benefits that they are eligible to receive and the filing of the paperwork to complete those benefit requests.
- e. Meeting the family periodically to ensure that they are receiving the benefits.

Title: Crisis Intervention Plan			Number: 2.15
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

- I. PURPOSE:** To establish a procedure to provide the needed assistance to the emergency response employees of the Polk City Police Department as well as the citizens and visitors of Polk City, in the wake of a crime related, human or natural disaster.
- II. POLICY:** The Polk City Police Department will notify the appropriate critical incident management team to provide immediate crisis intervention to staff or involved community members who have experienced unusually strong emotional reactions to a traumatic event.
- III. PROCEDURE:**
- A.** In the event of a crime related, human or natural disaster that may have lasting affects on a single employee or a supervisor the Department will offer that willing employee assistance through a Critical Incident Stress Management team, Employee Assistance Program, or the psychologist/therapist of the employee’s choice.
 - B.** In the event that there is a crime related, human or natural disaster that may have lasting effects on the Polk City community or its visitors, the Polk City Police Department may contact the Iowa Crisis Response Team for crisis intervention assistance.
 - C.** Examples of crime related, human or natural disasters, would be, but not limited to multiple victim criminal acts, bombings, tornadoes, flash flooding, or terrorist attack.
 - D.** After action reports and summaries shall be completed by department members and referred to the appropriate city subcommittee for review.

Title: Light Duty Authorization			Number: 2.16
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

- I. PURPOSE:** To define procedures for light duty authorization.
- II. POLICY:** It is the policy of the Polk City Police Department to actively seek light duty assignments for employees temporarily restricted from performing their regular job duties while recovering from work-related illnesses or injuries. The Chief of Police may provide light duty assignments for those employees whose injuries are not job related at his/her discretion and based upon needs of the City.
- III. PROCEDURE:**
- A. On duty injury.** Employees who contract injuries and/or illnesses through the performance of job-related activities, upon completion of the following guidelines, will be assigned light duty positions:
1. The employee submits to the Chief of Police written authorization from the city physician, and if the employee is seeing their own physician written authorization from him/her, for light duty status. The authorization will state all medical restrictions pertaining to the employee.
 2. If necessary, a Department personnel order is issued to the City's workers compensation coordinator assigning the employee to light duty status for the duration of the medical order.
- B. Off duty injury** (includes pregnancy or other modified duty). The Chief of Police at his/her discretion may allow employees on sick leave from non-job related illness/injury or other medical restriction to return to work on light duty status upon completion of the following:
1. The employee submits to the Chief of Police the written authorization from his/her physician. The authorization will state all medical restrictions pertaining to the employee.
 2. If the city questions the validity of a medical certification, it may require the employee to obtain a second opinion at the City's expense. If the first and second opinions differ, the City may require the employee to obtain a certification from a third health care provider, at the employee's expense. Both the employer and the employee must agree to the provider of the third opinion. The third opinion is final and binding.
 3. The Chief may require a prognosis from the employee and/or attending physician on when the employee can be expected to return to full duty. The Chief may also require a written proposal from the employee on what duties he/she is capable of assisting the City with given the medical restrictions that have been outlined.

4. The Chief of Police shall weigh the restrictions and the benefits of allowing light duty and consult with the City Manager and City Attorney as necessary.
 5. If allowed and necessary, a Department personnel order is issued assigning the employee light duty status. If the request is disapproved, a letter will be given to the requesting employee advising of the denial.
- C. Return to Duty.** Employees requesting a return to full duty from light duty status will complete the following:
1. Provide written approval to the Chief of Police to return to full duty on a specific date from the physician(s) initially placing the employee on light duty.
 2. The employee may return to full duty upon the medical approval being accepted and recertifying on any pending training/certifications, if necessary.
 3. The Chief of Police may request a fitness for duty evaluation at the City's expense prior to authorizing a return to work if there is cause for such concern.
- D. Off-duty employment.** Officers who are assigned to light or modified duty status will not engage in extra-duty employment related to law enforcement. At the discretion of the Chief of Police the employee may engage in non-law enforcement related employment that would not aggravate the employee's injury or illness.

Title: Family Medical Leave Authorization			Number: 2.17
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

- I. PURPOSE:** To define procedures for FMLA leave authorization.
- II. POLICY:** It is the policy of the Polk City Police Department to actively support employee rights and responsibilities under the Family and Medical Leave Act for serious health conditions. The U.S. Department of Labor dictates guidelines and documentation of leave according to federal mandate. This Department will follow guidelines set forth by legislation to protect non-probationary employees working more than 1,250 hours the previous year by granting 12 weeks of unpaid, job-protected leave for eligible reasons. For qualifying military personnel and kin, this leave may be extended to 26 weeks.
- III. DEFINITIONS:**
- A. Eligible Reasons for Leave**
1. For incapacity due to pregnancy, prenatal medical care or child birth.
 2. To care for the employee’s child after birth, or placement for adoption or foster care.
 3. To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition.
 4. For a serious health condition that makes the employee unable to perform the employee’s job.
 5. Employees with a spouse, son, daughter, or parent on active military duty to address certain qualifying exigencies. Leave may be extended to 26 weeks to care for a covered service member who has a serious injury or illness incurred in the line of active duty.
- B. Serious Health Condition.** An illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.
- IV. PROCEDURE:**
- A. Use of Leave.** Employees do not need to use FMLA leave in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Department’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

B. Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City's normal paid leave policies.

C. Employees Responsibilities

1. Employees must provide 30 days advance notice of the need for FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Department's normal call in procedures.
2. Employees must provide sufficient information for the Department to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.
3. Employees must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified.
4. Employees may be required to provide a certification and periodic recertification supporting the need for leave.

D. Employer Responsibilities

1. The Department shall inform employees requesting leave whether they are eligible under FMLA. The notice will specify any additional information required as well as the employees' rights and responsibilities. If the employee is not eligible, the Department shall provide a reason for the ineligibility.
2. The Department shall inform employees if any leave will be designated as FMLA leave by the City and the amount of leave counted against the employee's leave entitlement.
3. The Department shall provide forms for certification or recertification of requested FMLA leave requests and subsequent designation of notice to approve or deny leave requests.

Title: Substance Abuse Testing Policy			Number: 2.18
Date Issued 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 5

I. PURPOSE: The Department is concerned that all employees are in a condition to perform their duties safely and efficiently in the best interests of the City and their fellow workers, the public and themselves. The presence of drugs/alcohol and their effect is inconsistent with this objective. It is the purpose of this policy to ensure that the workplace is free of the effects of alcohol or drug impairment and to aggressively promote freedom from abuse of these substances by all employees both on and off duty.

II. PROCEDURE:

A. Scope

All sworn and reserve personnel and civilian clerks are covered by this policy.

B. Pre-Employment Testing

1. All applicants for the position of peace officer will undergo drug and alcohol testing before being hired. Applicants will receive notice of the inclusion of a drug test during the pre-employment physical.
2. Any refusal to submit to such procurement or a positive finding will be cause for removal from consideration for a position with the Polk City Police Department.

C. Substance Abuse Specimen Procurement Process

1. Supervisory staff has the responsibility to see that an employee submits to a drug/alcohol test when a supervisor has cause to believe that the subject is impaired. "Cause" is a belief based on objective facts sufficient to lead a reasonable and prudent manager/supervisor to suspect that an employee is under the influence of drugs or alcohol so that the employee's ability to perform the functions of the job is impaired or so that the employee's ability to perform his or her job safely is reduced. Any of the following, alone or in combination, may constitute cause:
 - a. Slurred speech
 - b. Odor of alcohol/marijuana
 - c. Unsteady walking and/or movement
 - d. Possession of alcohol, drugs, drug paraphernalia
 - e. Information suggesting substance abuse obtained from a reliable person
 - f. Unusual behavior
 - g. Irregular or unusual operation of a city vehicle; an accident involving a city vehicle or city property; or an on the job

- injury suggestive of some kind of drug or alcohol impairment
 - h. Glazed eyes
 - i. A pattern of leave use suggestive of some type of drug or alcohol impairment
 - j. Belief that an employee may be abusing dosage units of a prescription drug lawfully prescribed to him/her
2. The supervisor requiring the substance abuse test must notify the subject of the test immediately. The supervisor must also notify the Chief of Police and any other supervisor with supervisory responsibility for the employee.
 3. Supervisory personnel, after notifying the subject of the test, must make arrangements with either Polk County Health or, after office hours, an approved medical facility of the Department's choice to arrange for blood procurement as soon as possible. Consultation with Company Nurse may be necessary.
 - a. The Chief of Police or Lieutenant must either accompany the employee of the test to the place of procurement or see that another sworn officer of supervisory rank accompanies the employee of the test to the procurement place.
 - b. The supervisor accompanying the subject of the test will wait until the procurement is completed and either take the employee home or see that the employee is taken home.
 - c. The supervisor will make a confidential written report of the cause and the actions taken and will see that the Chief of Police and the subject of the test get copies of that report within twenty-four (24) hours.
 - d. Pursuant to the requirement in Sec. 730.5(8), Iowa Code, the results of the test may be recorded in the employee's personnel records; however, if an employee whose test indicated the employee was under the influence of alcohol or a controlled substance or indicated the presence of a controlled substance has undergone substance abuse evaluation and, when treatment is indicated under the substance abuse evaluation, successfully completed treatment for substance abuse, the employee's personnel records shall be expunged of any reference to the test or its results when the employee leaves employment.

D. Negative Reading / Investigative Procedure

1. A negative reading from the analysis will be reported to the Chief of Police within 24 hours of the completion of the analysis.
 - a. Upon being advised of a negative reading, an Internal Affairs investigation will be initiated into the circumstances surrounding the supervisor's request for the test on the employee.
 - b. The investigation will follow established guidelines for internal investigations and every attempt will be made to complete it within ten (10) working days. Upon completion, it will be forwarded to the Chief of Police.

2. The Chief will review the I.A. investigation and decide if follow-up evaluation is required for the tested employee or if the matter can be dismissed. Every attempt will be made by the Chief to reach this decision within two (2) working days of the submission of the I.A. summary.
3. If so ordered by the Chief, the tested employee will be placed in contact with a Department approved psychologist, the Employee Assistance Program or any resource the Chief feels could assist the employee the next business day.
 - a. A number of options will be made available to the tested employee free of charge. If the employee chooses an alternative to these options, any cost associated will be the responsibility of the employee under the stipulations of the current health care plan.
4. If the tested employee decides not to follow appropriate treatment/aftercare proposed as a result of the evaluation, he/she will notify the Chief immediately. The Chief will then determine if further action is necessary and if a charge of insubordination shall be applied.

E. Positive Test Results

1. A positive finding for a drug *medically prescribed* by a doctor for the subject of the test which indicates excessive use or impairment will result in the following:
 - a. Entry into evaluation and appropriate treatment and aftercare, if necessary.
 - b. Use of accrued leave time for participation in the necessitated process.
 - c. A decision will be made by the Chief of Police concerning assignment within the Department.
 - d. If treatment is recommended, the employee is required to comply with the requirements and provisions of treatment and must successfully complete the treatment program including aftercare, if required as part of treatment.
2. A positive finding for an illegal drug or a drug *illegally possessed* will result in the following:
 - a. Entry into evaluation and appropriate treatment and aftercare, if necessary.
 - b. Use of accrued leave time for participation in the necessitated process.
 - c. A decision will be made by the Chief of Police concerning assignment within the Department and initiation of the discipline process.
 - d. If treatment is recommended, the employee is required to comply with the requirements and provisions of treatment and must successfully complete the treatment program including aftercare, if required as part of treatment.
3. A positive finding *for alcohol* (amount of alcohol in blood and cause factors) indicating impairment or consumption contrary to policy guidelines will result in the following:

- a. Entry into evaluation and appropriate treatment and aftercare, if necessary.
 - b. Use of accrued leave time for participation in the necessitated process.
 - c. A decision will be made by the Chief of Police concerning assignment within the Department and initiation of the discipline process.
 - d. If treatment is recommended, the employee is required to comply with the requirements and provisions of treatment and must successfully complete the treatment program including aftercare if required as part of treatment.
4. A **second positive finding** will be dealt with in the following manner:
- a. For a drug medically prescribed by a doctor for the subject of the test indicating abuse or impairment:
 - (1.) Discipline up to and including termination.
 - (2.) Entry into evaluation and appropriate treatment and aftercare, if necessary.
 - (3.) Use of accrued leave time for participation in the necessitated process.
 - (4.) A decision will be made by the Chief of Police concerning future assignment within the Department.
 - (5.) If treatment is recommended, the employee is required to comply with the requirements and provisions of treatment and must successfully complete the treatment program including aftercare, if required as part of treatment.
 - b. For an illegal drug or an illegally possessed drug:
 - (1.) Discipline up to and including termination.
 - c. For alcohol indicating impairment:
 - (1.) Discipline up to and including termination.
5. A **third positive finding** for any of the above will be cause for immediate termination.

F. Miscellaneous Responsibilities

- 1. No sworn officer or clerk will use, sell, give, obtain or possess alcohol or illegal drugs or prescription drugs not prescribed for the employee while being paid by the City, or while wearing a Polk City Police Department uniform shirt, hat, or gun belt even if covered by a piece of clothing.
- 2. Drugs prescribed by a certified doctor for a specific individual may be possessed and used as long as the drug does not impair the individual, or the individual's ability to perform the job safely is not reduced. The Department may elect to seek an independent medical opinion outside of the prescribing physician's if appropriate in determining fitness for duty.

3. Any documentation of use or possession of illegal drugs or drugs illegally possessed by a sworn officer or clerk, “off duty”, will result in departmental action as if the employee had tested positive for illegal drugs while on duty.
4. Refusal to submit immediately to an alcohol or drug procurement when requested by a supervisor shall constitute insubordination and will be grounds for discipline, up to and including termination.
5. All persons covered by this policy must be aware that violations of certain provisions of this policy may result in discipline up to and including termination or in not being hired.
6. Criminal charges filed in conjunction with substance abuse policy violations may result in discipline up to and including termination.

Title: Tobacco Product Use			Number: 2.19
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

- I. PURPOSE:** To outline the City of Polk City administrative policy on the use of tobacco products and additional Polk City Police Department policy.
- II. PROCEDURE:**
- A. Employees are prohibited from using tobacco products in any City vehicle.
 - B. Employees are prohibited from leaving their work areas to use tobacco products, except during regularly scheduled breaks and lunch periods.
 - C. The use of tobacco products in any Polk City Police facility by any person is prohibited.
 - D. Employees may use tobacco products outside of Polk City Police facilities in pre-approved designated areas and in accordance with state law.

Title: Awards and Departmental Recognitions			Number: 2.20
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: To establish a platform for intra-departmental awards/recognition which are received by Police Department employees for exemplary achievement in the delivery of police services.

II. PROCEDURE:

A. Award Types. The following types of Department recognition may be awarded to employees of the Polk City Police Department.

1. **Medal of Honor.** Awarded to a sworn member who intelligently and, in the line of police duty, distinguishes him/herself by the performance of an act of gallantry and valor at imminent personal hazard to life with knowledge of the risk, above and beyond the call of duty. Recommendation will be made for the presentation of this award to be made by the Mayor before the full city council.
2. **Medal of Valor.** Awarded to a sworn member for the successful performance of an act of extraordinary heroism while engaged in personal combat with an armed adversary at imminent personal risk to life in the performance of duty. Recommendation will be made for the presentation of this award to be made by the Mayor before the full city council.
3. **Purple Heart.** Awarded to a sworn member for an act of outstanding personal bravery, intelligently performed in the line of duty at imminent personal risk to his/her life, under circumstances displaying clear disregard of personal consequences that resulted in serious injury to the officer.
4. **Life Saving Bar.** Awarded to a sworn member for actions taken that can be immediately attributed to life saving care of another individual.
5. **Meritorious Service Bar.** Awarded to a sworn member for extraordinary achievement in delivery of police services during a specific incident while demonstrating devotion to duty, attention to detail, and exemplary service to the greater community.
6. **Outstanding Volunteer Service Bar.** Awarded to a sworn member of the Department for an intelligent act and materially contributing to a valuable police-related public service that encompasses one of the Department's core values. This service was initiated as a volunteer on behalf of the greater mission of the Polk City Police Department and went above and beyond an employee's normal performance in a like situation.

7. **Military Service Bar.** Awarded to a sworn employee that was honorably discharged from a branch of military service with active duty, Reserve or Guard status.
8. **Years of Service Bar.** Awarded to a sworn member upon completion per five (5) years of continuous service.
 - a. A member may not have had any type of suspension, demotion, resignation, or termination within that five (5) year period.
 - b. Additional awards in five (5) year increments may also be awarded after five (5) years has passed from issuance of the previous award, under the same prerequisites.
 1. Administration will monitor all sworn officers longevity in 5 year intervals.
 2. Subsequent to the above terms, one ribbon shall be issued signifying each five year term of service by the chosen star. Multiple five year terms shall be signified by a concurrent amount of five year increments on the service bar.
9. **Physical Fitness Bar.** Awarded to a sworn member for maintaining yearly fitness standards that are required at entry level to the Department. The recipient must pass the most recent entry level physical fitness test to be eligible to wear the Physical Fitness Bar. To remain eligible for this bar officers must attain the applicable fitness standard according to their current age grouping when the test is administered during that calendar year.
10. **Skills Recognition Bars.** To be eligible for these bars, members must have served in this position at some point within their career for a minimum of 18 months and left the position honorably.
 - a. Field Training Officer
 - b. Certified Instructor
 - c. Detective
 - d. SWAT operator
 - e. Negotiator
 - f. K-9 Handler
 - g. Emergency Medical Technician
 - h. Traffic Accident Investigator

Title: Recruitment, Selection & Promotion			Number: 2.21
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 4

- I. PURPOSE:** To establish procedures and clarify responsibilities for the Department's recruitment, selection, and promotional processes.
- II. POLICY:** In its recruitment, selection, and promotional processes, the Polk City Police Department will identify and employ the best candidates available. Emphasis on recruitment and selection of quality applicants in full compliance with the law will yield benefits in terms of a lower rate of personnel turnover, fewer disciplinary problems, higher morale, better community relations, and more efficient and effective services. Additionally, every promotional process conducted by this Department will be administered fairly and impartially, utilizing testing and evaluation mechanisms which evaluate past performance as well as future potential, through the use of job-related criteria.
- III. DEFINITIONS:**
- A. Applicant:** A person who applies for a position with the Polk City Police Department.
 - B. Background Investigator:** A person designated by the Chief of Police to conduct the background investigation of all potential employees of the Police Department. Personnel used to conduct background investigations will be trained in collecting required information.
 - C. Candidate:** A person who has been determined to have met the minimum requirements and is being processed for a position with the Department.
 - D. Interview Team:** A team of people appointed by the Chief of Police for the purpose of interviewing candidates in an oral board format for positions with the Police Department.
 - E. Promotion:** The process of selecting the supervisors and managers who will shape the future of the Department.

IV. PROCEDURE:

A. Recruitment

1. This Department will actively conduct and participate in its own recruitment processes.
2. The Lieutenant will be the primary liaison on recruitment issues and hiring systems management for full-time and part-time sworn positions. The Lieutenant will coordinate Reserve Officer recruitment and selection.
3. Individuals assigned to recruitment activities will have received training in and be knowledgeable in personnel matters, especially equal employment opportunity.

B. Equal Employment Opportunity

1. Recruitment steps will be directed towards the goal of approximating within the sworn ranks of the Department the demographic composition of the available workforce in Polk County.
2. Employment shall be based upon personal capabilities and qualifications without discrimination because of race, religion, color, sex, sexual orientation, gender identity, gender expression, national origin, ancestry, citizenship status, marital status, pregnancy, age, medical condition, handicap, disability, or any other protected characteristic as established by law.

C. Job Announcements and Publicity

1. This Department's job announcements and recruitment notices for all personnel will:
 - a. Provide a summary of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements.
 - b. Advertise this Department as an equal opportunity employer.
 - c. Advertise official application filing deadlines.
2. During the recruitment process the Police Department will maintain contact with applicants for all positions from initial application to final employment disposition.
 - a. All phases of the process will be expedited as much as possible to ensure the Department does not lose qualified candidates.
 - b. At the completion of each phase, those candidates who pass will be immediately contacted and have an appointment set for the next phase.
 - c. Applications for all positions will not generally be rejected for minor omissions or deficiencies that could otherwise be corrected prior to the testing or interview panel process unless a pattern of behavior is identified. If deception or intentional lies (overt or by omission) are detected at any point in the process, this will be grounds for immediate expulsion of the candidate from the process.

D. Selection

All elements for the selection process for sworn positions within this Department will use only those rating criteria or minimum qualifications that are job related.

1. The selection process for all personnel will be administered, scored, evaluated, and interpreted in a uniform manner.
2. The following items, at a minimum, will be included in the evaluation and selection of peace officer candidates:
 - a. Resume, cover letter, city application, personal history statement
 - b. Physical testing and POST testing, unless currently certified or eligible for reciprocity testing
 - c. High school diploma, secondary education transcripts, copy of birth certificate, military discharge records, copies of relevant certifications/trainings
 - d. Pre-screening interview and oral board interview
 - e. Thorough background investigation to include fingerprint card analysis by FBI and DCI
 - f. MMPI
 - g. Police Chief's interview
 - h. Conditional offer of employment
 - i. Pre-employment physical & medical history, drug screening

E. Maintenance and Disposition of Selection Materials

1. The Chief of Police or their designee shall maintain the original copies of all applications in its secure archives. When a process is complete, copies of all recruitment documents will be retained for three (3) years.
2. The medical professionals conducting tests will maintain reports of the medical, physical, and psychological examinations. A letter indicating that the test was administered and the results of that test will be placed in the candidate's background file.
3. Background files on successful candidates will become part of the employee's personnel file. Background reports on unsuccessful candidates will be maintained by the Chief of Police or their designee in secure archives for a period of three (3) years.

F. Promotional Processes

1. The Chief of Police or a designee will facilitate the promotional process.
2. When an opening occurs, the Chief of Police will determine whether the opening will be advertised within the Department only or outside the agency. Regardless, all promotional opportunities will be posted internally and a timeline will be given.
3. The Chief will inform qualified applicants on the specifics of the promotional process after the advertisement period has closed.
4. All promotional materials will be securely maintained in the Office of the Chief until the day of the process.

5. The following are the phases utilized during promotional processes for sworn positions:
 - a. Screening of applications to determine qualifications.
 - b. Evaluation of job-related criteria such as past performance, written communication skills, oral communication skills, decision making/problem solving, leadership ability, interpersonal skills, initiative, and job knowledge.
 - c. Panel Interview:
 - (1.) The panel will evaluate the candidate's performance in several exercises, which may include written essay questions, oral presentations, behavioral interviews, group exercises, etc. (abbreviated assessment centers).
 - (2.) The process will include uniform questions and rating scales and will assess a defined set of personal attributes. The process results will be recorded on a standardized form.
 - d. Chief's Interview
 - (1.) The Chief will interview the top three candidates utilizing a standardized list of questions.
 - (2.) The Chief will evaluate the candidate's responses to the questions utilizing job-related criteria.
 - (3.) The final determination as to who will be promoted rests with the Chief of Police.
 - e. All elements used to evaluate candidates for promotion are job-related and nondiscriminatory.
6. Eligibility lists for future promotion will be utilized within twenty-four (24) months of the completion of the process.
7. Any candidates not selected for promotion may reapply when there is a future promotional process, and their application will be given due consideration.
8. All records of selection and the promotional process will be maintained in the Chief's Office in his/her secure files or relevant personnel files.
9. The Chief of Police may promote an internal candidate without a promotional process if it is deemed that no other internal candidates are available with the prerequisite skills.

- b. Investigative/Miscellaneous Expenditures
 - (1.) Investigative/Miscellaneous expenditures will only be used to advance a criminal investigation and will not be used in place of regular budgeted expenditures or for expenditures normally provided by normal line item operating funds. Miscellaneous investigative expenses are defined as those expenses necessary to advance a criminal investigation. These expenses include, but are not limited to fees for admittance to an establishment, professional services, rentals, undercover investigative “props”, and emergency usage for travel when access to other funds are unavailable. Special Operations Funds used under exigent circumstances that would normally come from another source will be reimbursed from the appropriate source at the earliest possible convenience.
 - (2.) Investigative/Miscellaneous expenditures will not exceed \$50.00 unless prior approval is obtained from the Chief of Police or designee.
 - (3.) All expenditures, except those made in an undercover capacity must be receipted in order to qualify for reimbursement.
 - (4.) Documentation
 - (a.) Officer Receipt
 - (b.) Reference attached to the receipt to the details of the expenditure
 - (5.) Required Signatures
 - (a.) Officer expending funds
 - (b.) Supervisor Approving
 - (6.) Disposition of Receipt Form
 - (a.) Receipt to the case file
 - (b.) Copy to the CS file, if applicable
 - (c.) Copy to Chief
- 6. Retention of Funds
 - a. Officers may be issued up to \$500.00 in advanced operating funds to assist operational effectiveness.
 - b. Retention of advanced operating funds by any officer for more than seven (7) consecutive days is prohibited. The seven (7) day count is to include days off and holidays, in addition to “leave”.
- 7. Requirements
 - a. No payment may be made for information or services until a “Confidential Source” file has been established.
 - b. In all expenditures for evidence, the money shall be pre-recorded and serialized with photocopying.
 - c. Supervisory approval is required on expenditures.

8. Recovery of Funds
 - a. Funds are considered expended, and therefore subject to recovery, when a subject or defendant has possession of Special Operations Funds.
 - b. Seized funds that are not pre-recorded or not otherwise identifiable as Special Operations Funds are not considered recovered funds and normal evidentiary processing protocols shall be exercised.
 - c. Recovered funds will be considered evidence until the County Attorney's Office or the courts have determined the recorded funds will no longer be needed. Recovered funds may be returned to the Special Operations Fund after such a determination is made.

CH 3

Organization

Title: Organization by Position			Number: 3.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 4

I. PURPOSE: To describe the organizational structure of the Polk City Police Department as broken down by positions.

II. POLICY: It is the policy of the Polk City Police Department to be actively involved in the development and maintenance of class specifications within the limitations set by administrative policy, laws, and ordinances.

A. Chief of Police

1. **Appointment.** The Chief of Police is appointed by the Mayor and is supervised by the City Manager. He/she is directly responsible for the efficient performance and effective accomplishment of the shaping this agency’s vision, accomplishing the mission statement, goals and objectives of the Department, and leading all personnel.
2. **Authority.** Subject to pertinent laws, official documents, and the orders of the Mayor, City Council, and City Manager, the Chief of Police has authority over the entire Department and over all of its employees. The Chief is the final Department authority on all matters of policy, operation, and discipline but shall report information to the above or seek guidance as appropriate through the direction of the City Council.
3. **Responsibility.** The Chief of Police is responsible for the planning, directing, coordinating, controlling and staffing of all activities of the Department; for Department relations with the citizens of Polk City, the city government and other agencies; and for the successful accomplishment of the goals and objectives of the Department.
4. **Role.** The role of the Chief of Police is to form the Department into a cohesive organization while having concern for all of its members. The Chief generates an attitude of respect, dignity, and kindness for all members of the Department by setting the standards of personal quality in all Department activities, attitudes, and intentions; by maintaining fairness in promotions, transfers, disciplinary actions, and assignments; and by administering the overall vision and mission of the Department for the well being of the community and the members of the Department.
5. **Communication.** The Chief of Police, using his/her supervisors, assistants and delegates, will effectively communicate to all members of the Department the law enforcement needs of the community while conveying the goals and objectives to both the members of the Department and citizens. The Chief will rely upon an organized method of input from both the members of the Department and the community to achieve these goals and

objectives, and will prepare written reports, annual reports and use other methods of communication to inform members of the Department and the community of the accomplishments of the Department.

B. Lieutenant

1. **Authority.** The Lieutenant reports to the Chief of Police and derives all of his/her authority from the Chief as a commanding officer and as a sworn police officer. As a ranking officer over the patrol officers and administrative staff, the Lieutenant represents the overall Department authority to the Department and strives to maintain the orderly flow of authority throughout the Department. He/she strives to teach, guide, and assist those he/she commands with the proper use of authority and the chain of command. Therefore, he/she does not unnecessarily countermand any standing orders or needlessly interfere with the specific duties of such officers.
2. **Responsibility.** The Lieutenant is responsible for the planning, directing, coordinating, controlling, and staffing of all the activities assigned by the Chief of Police, special task, or assignment; for the Department's relationship with the community as well as the successful accomplishment of the vision, mission, goals and objectives of the Department.
3. **Role.** The role of the Lieutenant is to present leadership and direction, and set the moral tone for the Department. The Lieutenant, by his/her efforts, develops the Department into a cohesive unit that can effectively fulfill all goals and objectives. He/she reflects the attitude set by the Chief of Police and maintains respect, dignity, and kindness to all members of the Department. By his/her personal style of enthusiasm, effort, commitment, and energy, the Lieutenant assures a standard of quality in all policing activities. He/she provides guidance and direction to subordinates in their skills - expecting fairness and professionalism in all of their actions. He/she expresses concern for the well being of the employees under his/her command and creates a work atmosphere that generates high productivity while fulfilling the Department's purpose.
4. **Communication.** The Lieutenant will effectively communicate to all members of the Department. He/she will develop an organized system of input on ideas and information from those he/she commands as well as effectively communicating the ideas from the Chief of Police regarding the law enforcement needs of the community. He/she will regularly review the activities of his/her Department with those under his/her command and evaluate the pursuit of the Department's goals.

C. Sergeant

1. **Authority.** The Sergeant has all of the authority of a sworn police officer to uphold to the laws. The specific limits of his/her supervisory authority are defined by the Chief of Police. The Sergeant is directly responsible to the Lieutenant. The Sergeant must be able to assume the decision making responsibilities of a Lieutenant when called upon to do so.
2. **Responsibility.** The Sergeant must be able to successfully perform the duties to which he/she is assigned and has all the general job functions of a Peace Officer. This position has dual characteristics, to perform the specific job assignment and to act in a supervisory capacity over officers assigned to the shift when no Lieutenant is available.
3. **Role.** The Sergeant brings experience, professionalism, and an image of a successful role model to all of the officers who come in contact with him/her. Neither a fulltime administrative supervisor, nor only required to do Peace Officer assignments, the Sergeant is called upon to generate an attitude of responsibility, integrity, cooperation, and participation in all of the activities of the Department that lead to the achievement of the mission and the fulfillment of the goals and objectives.
4. **Communication.** The Sergeant must have excellent communication skills. He/she strives to clarify and helps to understand and coordinate the activities of his/her assignment through the use of active discussion concerning the role and responsibilities of Peace Officers and Lieutenant. The Sergeant is especially effective in seeing both points of view and communicates them effectively to all appropriate members of his/her shift.

D. Peace Officers

1. **Authority.** Subject to pertinent laws, a Peace Officer, has all of the authority to uphold the law and preserve the peace delegated to a sworn municipal police officer of the State of Iowa. The specific methods and limits of this authority are defined in the position description. The officer strives to use his/her police authority by producing activities consistent with the Community Policing Statement, Mission Statement, Honor Code, goals and objectives of the Department. The officer is directly responsible to the ranking officer next in the chain of command, typically an OIC, and/or to the Lieutenant. If neither is available, the senior ranking officer shall have final authority in decision making.
2. **Responsibility.** The Officer is responsible to enforce city, state, and federal statutes, laws, and ordinances. He/she preserves the peace; prevents, detects, and investigates crimes, incidents, and crashes; arrests violators; and provides aid and comfort to the citizens in emergency situations. The work performed is under the management of a Lieutenant. General job functions of the Peace Officer include traffic, investigations, patrol, law enforcement,

investigations, police-community relations, record keeping, and report writing.

3. **Role.** The role of the officer is to carry out the delivery of police services in the job to which he/she is assigned. The officer is a professional peace officer who brings a spirit of dignity, respect, and trust to all of his/her activities. He/she is especially skilled in relating to others and conveying a quiet efficiency as he/she carries out his/her assigned police duties.
4. **Communication.** The officer needs good communication skills as he/she interacts with the community, his/her co-workers, and supervisors. Good oral and written communication skills enable him/her to effectively carry out his/her responsibilities, to understand the goals and expectations of the Department, and to participate in the effort and activities that bring about the vision, mission, goals and objectives.

E. Civilian Employees. Positions not requiring sworn personnel are specified as civilian positions and staffed accordingly. General job titles are: administrative support clerks, matrons/patrons, and adult school crossing guards.

1. **Authority.** A Civilian Employee has the same authority as any citizen regarding laws violated in his/her presence. The civilian employee is directly responsible to the ranking Officer or civilian employee next in the chain of command in the Division to which assigned. The civilian employee supports the Department by producing activities consistent with the vision, mission statement, goals and objectives of the Department.
2. **Responsibility.** The civilian employee is responsible for supporting the goals of the Department. The work performed is under the management of command staff.
3. **Role.** The role of the civilian employee is to support the delivery of police and city services in the job to which he/she is assigned. The employee should bring a spirit of dignity, respect, and trust to all of his/her activities.
4. **Communication.** The civilian employee needs good communication skills as he/she interacts with the community, his/her co-workers, and supervisors. Good oral and written communication skills enable him/her to effectively carry out his/her responsibilities, to understand the goals and expectations of the Chief, and to participate in the effort and activities that bring about the Community Policing Statement, Mission Statement, goals and objectives of the Department.

Title: Patrol Division			Number: 3.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

- I. PURPOSE:** The Patrol Division will be responsible for uniformed and marked unit response to initial calls for service within the City of Polk City and surrounding jurisdictions based upon mutual aid agreements. This Division shall be the proactive enforcement arm of the Department that is tasked with delivery of services as modeled in the Community Policing Statement. It shall also be responsible for on-going criminal investigations, crash scene investigations, requests for information and outside referrals, and crime prevention and community outreach initiatives.

In-service training requirements and professional development training, field training, the Police Reserve Unit program, the Canine (K-9) Unit, the abandoned vehicle destruction process, and patrol-based stings shall be supervised and coordinated through the Lieutenant.

II. PROCEDURE:

Patrol Officer. Patrol officers are the mainstay of any department. They forge the reputation of an agency in the services they provide. Patrol Officers of this Department offer immediate response and coverage to the City 24/7 x 365. These officers represent to the community what the Polk City Police Department offers in assistance to their needs. A Patrol Officer does the following in a professional manner:

- A.** Provides for public safety by maintaining order, responding to emergencies, protecting people and property, enforcing motor vehicle and criminal laws, promoting good community relations, and reducing perceptions of fear.
- B.** Participates in investigating criminal law violations occurring within the city limits, obtaining evidence and compiling information regarding these crimes, preparing cases for filing of charges, testifying in court and related activities.
- C.** Works a uniformed shift in the performance of proactive patrols, traffic control, investigations, first aid at crashes and other medical scenes.
- D.** Patrols city streets, parks, commercial and residential areas to preserve the peace and enforce the law; prevent or detect and investigate misconduct involving misdemeanors, felonies and other law violations; and to otherwise serve and protect.
- E.** Respond to emergency radio calls taking appropriate law enforcement action; interrogate suspects, interview witnesses, and preserve evidence;

arrest violators; process prisoners; investigate and render assistance at scenes; summon ambulances and other law enforcement vehicles; take measurements and draw diagrams of scenes.

- F.** Conduct follow-up investigations of crimes committed; seek out and question victims, witnesses and suspects; develop leads and tips; search scenes of crimes for evidence.
- G.** Prepare a variety of reports and records; reports of supplemental investigation, field interrogation reports, TraCs reports, Department forms, vehicle impoundment release form, maintenance requests, and other documentation as required.
- H.** Assist the community with such matters as locked or stalled vehicles, community outreach, educational programming, crime prevention efforts, drug resistance, traffic safety, and exchange information with officers in other law enforcement agencies.
- I.** Use excellent customer service skills, establish and maintain effective working relationships with other employees, officials, and all members of the general public; maintain liaison relationships with community groups; may serve on various employee committees.

Title: Police Reserve Unit			Number: 3.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 10

I. PURPOSE: The purpose of this policy is to provide guidance to all employees of the Polk City Police Department as it pertains to the Police Reserve Unit.

II. POLICY: The Polk City Police Department elects to maintain a volunteer force of reserve officers to supplement the police force. Reserve Officers, upon completion of the mandatory training standards as dictated by the Code of Iowa and approved by the Iowa Law Enforcement Academy, may be utilized to assist police officers in the day to day delivery of law enforcement services to the citizens of Polk City. While in the actual performance of official duties, reserve officers shall be vested with the same rights, privileges, obligations and duties as any other peace officer while under the direction of a sworn officer. In addition, all reserve officers will comply with all departmental policies and procedures, reserve unit rules, regulations, and directives.

III. PROCEDURES

A. General

1. Members of the Reserve Unit will be sworn in upon the completion of initial mandatory training.
2. The uniform prescribed for reserve officers is as specified in the Uniforms section of this policy manual.
3. The Police Lieutenant will serve as liaison (Reserve Liaison Officer) between the Department and the reserve unit. Final oversight shall come from the Chief of Police.
4. The reserve unit will consist of no more than ten (10) officers.
5. Reserve officers are subordinate to all sworn police officers, regardless of rank and shall comply with lawful instructions and guidance from sworn officers.
6. Reserve officers are expected to be familiar with the standing orders, rules, policies, procedures and directives of the Polk City Police Department and comply with them in full.
7. Reserve officers only have police powers when on duty and shall not take any police action unless officially working for the Polk City Police Department.
8. Reserve officers shall be held to the same high ethical standards as regular officers regarding personal behavior on or off duty and in the performance of their duties.
9. Reserve officers serve at the pleasure of the Chief of Police with no right to membership or appeal of termination from the reserve unit.
10. Reserve officers shall serve a one (1) year probationary period following their appointment.

B. Recruitment, Selection and Staffing

1. Applications for the position of reserve police officer will be accepted on an as needed basis when it is made known that vacant positions exist.
2. The hiring process for reserve police officers will be as follows:
 - a. Resume and cover letter provided to the Chief of Police
 - b. After review, the Chief of Police, the Reserve Liaison Officer and a senior reserve officer will decide whether or not to proceed with the hiring process.
 - c. The Chief of Police or designee will provide the application and background investigation forms to the applicant. These forms must be returned before further consideration.
 - d. All required testing, interviews, and background investigations must be successfully completed.
 - e. Appointment to a probationary reserve officer status to begin certification training and evaluation.
3. Minimum Requirements – reserve officer applicants must meet the following standards:
 - a. High School Diploma, GED or equivalent.
 - b. Citizen of the United States of America and a resident of the State of Iowa.
 - c. At least twenty-one (21) years of age and not over sixty-five (65) years of age.
 - d. Possess a valid Iowa driver’s license and be able to operate a vehicle with no mechanical adjustments to standard equipment.
 - e. Not addicted to drugs or alcohol.
 - f. Be of good moral character and pass a thorough background investigation including DCI and FBI fingerprint search.
 - g. Not been convicted of a felony crime or a crime involving moral turpitude as defined by the Code of Iowa, Chapter 80.
 - h. Not been convicted of any indictable offense, in any state, or any offense involving domestic violence.
 - i. Be approved for appointment by the Iowa Law Enforcement Academy Council to be able to obtain Reserve Officer Weapons Certification prior to being permitted to carry weapons and after receiving the appropriate training.
 - j. Not be opposed to the use of legal force, including deadly force, in the performance of police duties.
 - k. If a military veteran, have an honorable discharge.
 - l. Pass the Polk City Police Department physical agility standards consisting of: sit and reach flexibility test, one minute sit-up test, one minute push-up test and one mile run.
 - m. Take the MMPI psychological test if deemed appropriate.

- n. Pass all Law Enforcement Academy required medical tests.
4. All reserve officers will serve a minimum one year probationary period. Following this one year period, the Chief of Police and Reserve Liaison Officer will review the probationary reserve officer's record and will either approve the officer for permanent status, extend the probation period, or terminate the officer.
5. The Chief of Police, in conjunction with the Reserve Liaison Officer, will conduct an annual review of the performance of the reserve unit and determine if changes are needed in the organizational structure or personnel assignments.

C. Training

1. New members selected for reserve officer status will be required to complete a basic training course as prescribed by the Iowa Law Enforcement Academy and the Polk City Police Department. This initial training will consist of the following:
 - a. Firearms Training
 - b. ASP Baton Training
 - c. Chemical Agent (OC) Training
 - d. Taser Training
 - e. Defensive Tactics
2. Reserve officer recruits will be required to successfully complete all required firearms training before being allowed to carry a firearm. Weapons shall only be allowed to be carried by reserves when serving in an on duty capacity. Reserve officers who wish to carry a weapon off duty shall be required to have a weapon's permit issued by the sheriff of their county of residence and will not have any vested authority as a reserve officer when off duty regardless of the issuance of a weapons permit.
3. Those recruits who are unable to qualify will be allowed to re-test one time at their own expense. If they are still unable to qualify, they will be terminated from the reserve unit.
4. Following successful completion of this training and receipt of their approval from the Iowa Law Enforcement Academy Council, reserve officers will be sworn and allowed to begin working as a reserve officer.
5. Reserve officers will also be required to complete the Reserve Officer Certification Course as prescribed by the Iowa Law Enforcement Academy. This training consists of eighty (80) hours of training and forty (40) hours of supervised time within the first twelve (12) months from the date of appointment.
6. The Reserve Officer Certification training will be taught only by Iowa Law Enforcement Academy approved instructors and will consist of the following courses:
 - a. Criminal Law – 4 Hours
 - b. Force Management – 4 Hours
 - c. Introduction to Crime Scene – 1 Hours
 - d. Haz-Mat Awareness – 4 Hours
 - e. Motor Vehicle Law – 2 Hours
 - f. Laws of Arrest – 2 Hours

- g. Crisis and Conflict – 2 Hours
 - h. Traffic Direction – 1 Hour
 - i. Vehicle Stops – 4 Hours
 - j. Recognizing Impairment – 2 Hours
 - k. Collision Scene Control – 2 Hours
 - l. Felony Calls – 2 Hours
 - m. Patrol Techniques – 2 Hours
 - n. Defensive Tactics – 6 Hours
 - o. Ethics – 2 Hours
 - p. Search and Seizure – 4 Hours
 - q. Blood Borne Pathogens – 1 Hour
 - r. Current Drug Trends/Investigation – 4 Hours
 - s. Weather Preparedness – 1 Hour
 - t. Mandatory Reporting – 2 Hours
 - u. Radio Communications – 2 Hours
 - v. Testifying in Court – 1 Hour
 - w. Cultural Diversity – 2 Hours
 - x. Police Community Relations – 2 Hours
 - y. Community Policing – 2 Hours
 - z. Discretion – 1 Hour
 - aa. Precision Driving – 6 Hours
 - bb. Interviews and Interrogation – 2 Hours
 - cc. Domestic Abuse – 4 Hours
 - dd. Report Writing – 2 Hours
 - ee. Juvenile Law – 2 Hours
 - ff. Civil Liability – 2 Hours
7. The Reserve Officer Certification training will consist of separate training modules. At the end of each module, officers will be tested according to the rules of the Law Enforcement Academy.
 8. After receiving state certification, reserve officers will then be required to complete at least twelve (12) hours of continuing training per year.
 9. Reserve officers must qualify with firearms annually.
 10. Reserve officers must re-certify in any other training area that requires periodic recertification.
 11. All reserve officers must successfully complete Reserve Officer Field Training (normally 40 hours) within three months after successfully obtaining ILEA Reserve Officer certification. This training shall consist of completing all training tasks and tactical role plays within the FTO training manual. Reserve Officers will not be graded on DORs during this portion of training; it shall be a cumulative pass/fail. Should the candidate need to be recycled through the training additional documentation shall be completed.
 12. Reserve Officers may, if they wish to become a Reserve Officer 1st Class, complete the Polk City Police Department Field Training Program in its entirety. This program requires a minimum of 224 additional supervised training hours and must include full documentation of completion of all field training tasks and complete scoring through the DOR system.

D. Reserve Officer Classifications

1. Reserve Officer 1st Class (eligible at 4 years of service unless accelerated by the Chief of Police due to prior experience)
 - a. Has met the requirements of all previous classes.
 - b. Served as a Reserve Officer 2nd Class for a minimum of one (1) year.
 - c. Completed the Polk City Police Department Field Training Program, an additional 224 hours of evaluated ride time.
 - d. Must be a state certified reserve officer.
 - e. May work independently and separately under the direct supervision of a sworn officer and at the discretion of the Chief of Police.
 - f. Appointment made by the Chief of Police considering numerous factors including, but not limited to: attendance, maturity, annual evaluations and recommendation from the Reserve Liaison Officer.
2. Reserve Officer 2nd Class (typically eligible at 3 years of service unless accelerated by the Chief of Police due to prior experience)
 - a. Has met the requirements of Reserve Officer 3rd, 4th and 5th Class.
 - b. Served as a Reserve Officer 3rd Class for a minimum of one (1) year.
 - c. Accumulated at least 224 hours of combined training and ride time with the Department.
 - d. May drive the patrol vehicle and run the shift with another Reserve Officer 2nd Class for full shifts, with and at the discretion of the supervisor or duty officer.
3. Reserve Officer 3rd Class – Non-probationary Reserve Officer
 - a. Has met the requirements of Reserve Officer 4th and 5th Class.
 - b. Completed probationary period.
 - c. Completed the Reserve Officer Field Training Program.
 - d. Attained certification from the Iowa Law Enforcement Academy as a Reserve Officer.
 - e. Accumulated at least 120 hours of combined training and ride time with the Department.
 - f. May drive the patrol vehicle for half of the shift with, and at the discretion of, the duty officer.
4. Reserve Officer 4th Class – Probationary Recruit in Training
 - a. Has met the requirements of a Reserve Officer 5th Class.
 - b. Has completed firearms certification.
 - c. Has completed ASP Baton certification.
 - d. Has completed Chemical Agent (OC) certification.
 - e. Has completed Taser certification.
 - f. Has completed Defensive Tactics training.
 - g. May ride as a second uniformed officer in the car and assist the duty officer as requested while in training.
5. Reserve Officer 5th Class – Applicant in Process
 - a. Passed background and appointed as a reserve officer.

- b. May ride in plain clothes with sworn officers but not actively engage in any law enforcement activities.
- c. Has no police powers.

E. Duty Assignments

1. An average of a minimum of eight (8) hours of duty time is required each month (measured quarterly) in addition to any mandatory training that may be applicable. Training and scheduled departmental meetings do not apply towards quarterly ride time requirements. Members failing to meet these requirements without valid reason will be faced with the following disciplinary action:
 - a. 1st Violation – Oral counseling with Reserve Liaison Officer.
 - b. 2nd Violation – Written counseling with Reserve Liaison Officer.
 - c. 3rd Violation – 60 day suspension from the Reserve Unit.
 - d. 4th Violation – Indefinite suspension from the Reserve Unit and possible termination.
 - e. Any reserve officer placed on suspension shall surrender all equipment and police identification during suspension periods and shall not have the same rights, privileges, obligations, and duties as any other reserve officer. Once reinstated by the Chief of Police, he/she shall return to his/her previous classification prior to suspension unless otherwise designated.
2. Reserve officers may be assigned to a variety of types of law enforcement duties. Such duties include, but are not limited to:
 - a. Accompanying and assisting a regular officer on patrol.
 - b. Performing traffic control at designated locations for parades and special events.
 - c. Assisting at special events in the parks, town center areas, sporting events, events that draw large crowds, in crowd and pedestrian control, special traffic enforcement projects, or providing information/services in times of disaster, etc.
 - d. Assist in performing stakeouts, undercover assignments, surveillance, security at crime scenes.
 - e. Available as resources in case of emergency or civil disturbances.
 - f. Assist investigators with follow-up case work.
 - g. Assist fulltime staff members with administrative projects.
 - h. Reserve Officers 3rd Class and above may assist in extra duty assignments if necessary once all fulltime officers have been offered the opportunity and turned it down. Initial approval for this opportunity is at the discretion of the Chief of Police.

F. Duty Procedures / Activity Reports

1. Reserve officers reporting for duty will report to the Police Department and notify the supervisor/duty officer of their arrival.

2. Reserve officers will not report for duty unless they are physically and mentally capable to perform any duty assignment and in compliance with the policies of this Department.
3. Reserve officers will personally account for their activities through a Daily Activity Report. All activities should be logged and detailed, then the original placed in the Reserve Liaison Officer's mailbox or designated location. A copy of this document may be made but cannot be released to the public without prior authorization pursuant to Department records regulations. The following information will be included on the Reserve Officer's Daily Activity Report:
 - a. Name
 - b. Date
 - c. Time In / Time Out
 - d. Unit / Supervising Officer(s) Assigned
 - e. Summary of Activities - itemized
4. Reserve officers will normally be notified at least forty-eight (48) hours prior to any event where their services are needed, except in emergency situations.
5. Reserve officers will be expected to fulfill assignment commitments unless an emergency arises, in which case the Department shall be notified as soon as possible.
6. Reserve officers will not work a time combination of normal fulltime employment followed by reserve duty in which the combined time exceeds their physical and mental capacity to properly perform their law enforcement responsibilities.

G. Responsibilities

1. Reserve officers who assist an officer at any incident or arrest must be aware that their testimony may be required in court and that they are subject to subpoena in any case.
2. In the eyes of the public, reserve officers are viewed as law enforcement officers and their conduct must at all times be professional so as not to damage the professional reputation of the Department or do harm to the corporate image of the City.
3. Just as regular law enforcement officers are held by the community to a higher standard of off duty conduct, so will reserve officers.
4. Confidentiality – No reserve officer shall give any report, provide any information, in any manner to any form of the media and/or person(s) inquiring, or send any electronic message to any media organization or its representatives, unless ordered to do so by the Chief of Police. Any violation of this standard shall result in termination from the unit.

H. Reserve Liaison Officer

1. The Police Lieutenant shall be appointed by the Chief of Police as the coordinator of the Reserve Unit to serve as a liaison between the Department and the reserve officers. The Reserve Liaison Officer is responsible for:
 - a. Coordinating reserve officer training sessions.

- b. Assigning reserve officer duties with approval of the Chief.
- c. Keeping records of reserve officer duty and training hours each quarter.
- d. Supervising reserve officers and the reserve unit and bringing any concerns that arise to the attention of the Chief of Police. Minor issues should be dealt with directly by the reserve liaison officer.
- e. Making annual written reports to the Chief of Police on the activities of the reserve officers, including records of training and ride time.
- f. The Reserve Liaison Officer shall be directly responsible to the Chief of Police.

I. Chain of Command

- 1. Chief of Police
- 2. Reserve Liaison Officer or Lieutenant
- 3. Fulltime Polk City Peace Officer
- 4. Reserve Captain
- 5. Reserve Officer 1st Class
- 6. Reserve Officer 2nd Class
- 7. Reserve Officer 3rd Class
- 8. Reserve Officer 4th Class
- 9. Reserve Officer 5th Class

J. Inactive Roster

- 1. Reserve officers may be placed involuntarily, or may request in writing to be placed, on inactive status for:
 - a. Reasons of health
 - b. Pursue education
 - c. Employment conflicts
 - d. Failure to satisfy service requirements
 - e. Any other reason approved by the Chief of Police
- 2. Reserve officers will be allowed to remain in an inactive status for a period of six (6) months. At the end of that time, the officer must return to active duty or resign. Inactive officers will be required to turn in all Department issued items. Any additional extensions in this leave time due to extenuating circumstances must be granted in writing by the Chief of Police.

K. Injury on Duty

- 1. Reserve officers are covered by the workers compensation system.
- 2. Reserve officers injured on duty will report the injury to a supervisor, if no supervisor is on duty then the report shall be made to the duty officer who will contact the Reserve Liaison Officer.
- 3. Reserve officers will be required to follow all policies of the City of Polk City and will be examined by a city doctor or emergency personnel if necessary.
- 4. Reserve officers will be required to complete any and all paperwork related to injuries in a timely manner.

L. Reserve Unit Board

1. The Reserve Unit Board shall initially be appointed by the Chief of Police and positions therein shall be voted upon by the general membership of the reserve unit every two years thereafter, unless a special election is necessary to fill a vacant position.
2. The Reserve Unit Board shall be comprised of the following:
 - a. Chief of Police
 - b. Reserve Liaison Officer
 - c. Reserve Captain (appointed by the Chief of Police)
 - d. Reserve Secretary/Treasurer
 - e. Reserve Officer Trustee
3. The reserve officer positions on the board shall be voted on by the general membership of the reserve unit at a meeting in June of every even numbered year. The members voted into office will take that office on July 1st of that year. Nominations for each position will be accepted prior to the June meeting.
4. The reserve unit shall vote, with a simple majority required, to fill the positions of Reserve Officer Trustee and Reserve Secretary/Treasurer; the Reserve Captain shall be an appointment from the Chief of Police. The following are the duties of these positions:
 - a. Reserve Captain
 - (1) Conduct quarterly reserve unit meetings.
 - (2) Assist full-time duty officers in coordinating reserve officer functions in special circumstances.
 - (3) Assist in the hiring process for potential reserve officers at the discretion of the Chief of Police.
 - b. Reserve Secretary
 - (1) Keeping records of the reserve meetings, including minutes of any actions taken by the unit.
 - (2) Prepare an agenda for each quarterly meeting and any special meetings called.
 - (3) Keeping the Chief of Police informed of items discussed at reserve meetings.
 - (4) Keeping record of the reserve unit funds, credits, debits, and balances.
5. Reserve Unit Meetings
 - a. Meetings of the reserve unit body may be held as frequently as each month, but at a minimum on a quarterly basis, as need dictates.
 - b. Meetings will include discussion of agenda items and will also include updates on various topics determined by the Chief, Reserve Liaison Officer and/or Reserve Unit.
 - c. Meetings will include a specified training topic for discussion/recertification.
6. Reserve Funds
 - a. Absent the Reserve Unit applying for non-profit status and creating an association, the reserve unit cannot have total control over funds as these funds must be controlled by the City of Polk City as dictated by Iowa Law.

- b. The Polk City Police Department has designated its “Police Reserve Fund” line item in the Police Trust account to be utilized as the reserve fund.
- c. The reserve unit, upon a majority vote, may elect to purchase items from this fund. Spending from these funds should model efforts in policing and community education or outreach. The Chief of Police has the authority to veto any purchases voted for approval.

Title: Tactical Operator – Metro STAR			Number: 3.04
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: To establish a part-time specialization within the Department that will be responsible for playing a role within the greater Des Moines metropolitan area as a specialized weapons and tactics operator in the larger law enforcement community. This individual will be assigned to one on-call entry team with Metro STAR and serve as the Department’s liaison with this organization.

II. PROCEDURE:

A. **The Metro STAR operator** will be responsible for specified law enforcement operations according to the joint priorities of this agency and in conjunction with those of the Metro STAR command staff. The following rules apply regardless of jurisdiction:

1. The PCPD representative to this unit will act according to agreed upon terms of the existing 28E.
2. This officer shall honor his/her commitment to the team, but understand that daily operational responsibilities within the Polk City Police Department shall take precedence.
3. The policy and procedures of the PCPD shall be abided by at all times.
4. Upon activation, notification shall be made to a supervisor, normally the Lieutenant.
5. An emergency response vehicle shall be supplied for activation and will only be utilized for official purposes.
6. Variations in scheduling, training, or on-call weeks shall be approved by supervision from the PCPD and Metro STAR.
7. Paid compensation for training, callouts, or special details may be denied due to budgetary overtime concerns. In those cases the appropriate amount of, flex time, or supplanting of scheduled days off may be necessary to achieve the objectives of the Department and abide by the guidelines for compensation within the collective bargaining agreement. If this is not possible, the operator may be denied participation in events where preapproval is possible.

B. **The Metro STAR operator** will normally be commanded and supervised by the Lieutenant with aid from a designated Team Leader of Metro STAR. If necessary, the Chief of Police shall have final authority in pre-authorization of special operations participation.

C. Eligibility for selection into the position shall be measured based upon the following areas:

1. Non-probationary status; no pending Performance Improvement Plans
2. Willingness to make a five year commitment to the position
3. Exceptional firearms skills
4. Passing physical fitness standards to include obstacle course
5. Above average standards based upon annual performance evaluation
6. Requisite experience and expertise based upon professional skill set
7. Other input as designed from a Metro STAR evaluation and selection committee.

Title: Part-time Employees			Number: 3.05
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: In the interests of safety and efficiency in operation, certain part-time positions are authorized to assist the Police Department, and thereby the community, in accomplishing the goals and objectives of the Polk City Police Department.

II. PROCEDURE:

A. **Matrons/patrons** are employed and controlled by the Polk City Police Department. The matron/patron was established to provide control and supervision of detainees processed at the Polk City Police Department in the temporary holding facility.

1. The Chief of Police appoints persons as matrons/patrons.
2. The Chief of Police or designee will supervise matron/patrons and be responsible for their training.
3. Matrons/patrons are not sworn members of the Police Department and are not subject to the rights and rules of the State Code of Iowa.
4. The city council will fix the compensation to be paid to the matrons/patrons.

B. **Part-time Peace Officers** are authorized to support the execution of the goals and objectives of the Polk City Police Department. Officers will be hired under the same parameters as fulltime officers, scrutinized based upon experience and value of contribution to the Department, and are subject to all regulations of this Manual. Usage of part-time officers will not supplant fulltime officer positions or be in conflict with collective bargaining agreements. At any given time this agency will not employ more than four part-time officers.

It will be the responsibility for all part-time staff to maintain continued training requirements set by the Iowa Law Enforcement Academy. The required training will be provided by the Polk City Police Department. If part-time officers are not able to attend provided training it will be their responsibility to obtain the necessary training and provide documentation to the patrol lieutenant.

The training requirements set by the Iowa Law Enforcement Academy include:

1. Law Enforcement Related In-service- 12 hours annually
2. Mandatory Reporting- 2 hours every 5 years
3. Bloodborne Pathogens- Annually
4. Hazard Communication- Annually
5. Hazardous Materials- Every 3 years
6. Mental Health- 1 hour Annually
7. CPR/AED all ages- Maintain Certification
8. NCIC Certification- Every 2 years
9. Firearms Qualification- Annually
10. De-escalation & Bias prevention: Annually

Title: Canine (K-9) Unit			Number: 3.06
Date Issued 24-Sept-2018	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 9

I. PURPOSE: To provide a set of guidelines for K-9 handlers pertaining to training, certifications, leave and duty time, and standard operating procedures.

II. POLICY: The canine team is available for patrol duty or on a 24-hour, call-out basis to protect officers or others from death or serious injury; assist in the arrest or prevent the escape of serious or violent offenders; locate lost or missing persons; track suspects, conduct building searches for offenders in hiding; locate hidden instruments or evidence of a crime; community outreach initiatives; or detect the presence of concealed narcotics or contraband. The canine team may respond to other assignments not listed herein when approved by command staff.

III. PROCEDURE:

A. Use of Force. Use of specially trained police canines for law enforcement constitutes a use of force. Use of force is governed by the Department's use of force policy.

1. **Suspect Resisting Arrest.** Canines may be used to subdue a suspect in accordance with the Use of Force Policy (5.01) when the suspect is aggressively offensive or greater.
2. **Fleeing Suspect.** Canines may be released by the handler to apprehend a suspect of a serious misdemeanor or higher, or suspects who are likely to do greater harm to others in the area unless immediately apprehended.
3. **Arrestees** shall not be transported in the same vehicle with a police canine unless alternative transportation is not available and immediate transport is essential for safety or security reasons.

B. Ownership. The City of Polk City will own the canine(s) used in the Polk City Police K-9 Unit. The K-9 Unit will be used for official purposes only. The K-9 officer assigned to the canine as its handler will be considered the primary caretaker of the animal. The K-9 Unit will not be registered with any society or organization beyond professional affiliation, nor used for breeding purposes.

C. Handler Selection & Responsibilities

1. Candidates for the police canine unit must have:
 - a. At least three years of cumulative uniform patrol experience with satisfactory work performance, disciplinary and medical leave records.
 - b. A willingness to remain with the unit for at least five years.
 - c. A willingness (together with other family members) to care for and house the canine at the officer's residence with a secure outdoor area for the canine.
 - d. A strong desire to work with canines and the willingness to care for and train the animal.
 - e. The ability to pass designated physical fitness and agility tests related to the task of canine handling.
 - f. Reside within fifteen minutes response time to the boundaries of the City under normal traffic considerations.
2. The Chief of Police shall be responsible for the selection of the canine handler in accordance with established departmental procedures.
3. The canine handler must complete the prescribed basic canine training course and successfully meet all course requirements. Successful completion of additional advanced training courses may be required. In any case, the handler will accurately document all training provided to the canine and log time invested in skill/proficiency maintenance and development.
4. The canine team is required to demonstrate acquired abilities to the Chief of Police and Lieutenant on a periodic basis as prescribed by the Chief of Police.
5. The canine handler is responsible for determining whether a situation justifies canine use and the appropriate tactical measures that should be taken. Where the on-scene supervisor disagrees with the handler's tactical assessment, the Lieutenant shall be notified. Where time does not permit such notification, the direction of the on-scene supervisor shall be followed.
6. The canine handler will be personally responsible for the daily care and feeding of his/her animal to include:
 - a. Maintenance and cleaning of the kennel and yard area where the canine is housed.
 - b. Provisions of food, water and general diet maintenance as prescribed by the veterinarian authorized by the Department.
 - c. Grooming on a daily basis or more often as required by weather, working conditions, or other factors.
 - d. Daily exercise (police canines are not permitted to run at-large).
 - e. General medical attention and maintenance of health care records.
7. The handler will ensure that the assigned patrol vehicle is properly maintained and secured when not being officially used. The patrol vehicle assigned cannot be utilized for personal business unless authorized by command staff and the handler is accompanied by his/her canine partner.
8. Handlers shall not permit anyone to pet or hug their canine without prior permission and immediate supervision. Should a civilian express a desire to do so, he/she should

be informed that police canines are working law enforcement dogs and that they can be dangerous if improperly approached.

D. Certifications. Any officer and canine assigned to the K-9 Unit will be certified in a recognized course of instruction before assuming their duties. Failure of a K-9 to certify and/or maintain annual certification shall result in the immediate removal of the animal from all duties associated with policing until such time as the animal and handler successfully re-certify or are replaced due to non-performance.

E. Bites by Canines. In the event of a person getting bitten by a police canine, whether or not in the line of duty:

1. The handler and/or supervisor or other officer will attend to the victim and provide proper medical attention once the scene is secure.
2. The handler will prepare a written report containing all pertinent facts concerning the incident including photographs.
3. The report will be forwarded to the Lieutenant and sent through the chain of command as a use of force review.
4. The Lieutenant will file an after-action report in the animal's action file.
5. Unless the animal bites without cause, quarantine will not be required.

F. Veterinary Service. A Department approved veterinarian will supply such veterinary services as needed. Periodic examinations will be arranged by the veterinary services for the handler and canine. All medical treatment will be administered through the veterinarian's orders. In an extreme emergency, the handler can utilize the nearest available veterinarian or emergency animal clinic. The handler will notify the Department's approved vet as to the illness of the canine and treatment given as soon as practicable. Follow-up treatment will be coordinated by the Department veterinarian.

G. Building Searches for Suspects in Hiding. A primary use of police canines is for locating suspects in buildings or related structures where search by officers would create an unnecessary risk. These searches shall be governed by the following:

1. The building perimeter shall be secured by patrol officers if possible.
2. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the building's layout.
3. When a canine building search is anticipated, a preliminary search by officers should not be conducted as this will interfere with the canine's ability to discriminate scents.
4. The on-scene supervisor shall also take the following steps in preparation for the canine search. If a supervisor is not available, the handler shall:
 - a. Evacuate all tenants, workers or others from the facility.
 - b. Request that all air-conditioning, heating or other air blowing systems be shut off so as not to interfere with the canine's scent capabilities.
5. Upon entrance to the building, all exits should be secured, and communications limited to those of a tactical nature.

6. The handler shall determine if the canine should be on a lead or unleashed during a building search. The handler shall take into account:
 - a. Nature of the call and known facts at the time of the call
 - b. Likelihood of finding someone who is lawfully present vs finding a severe crime suspect.
 - c. Risk of injury to innocent persons within the facility.
7. The canine should not be used to search facilities that contain substances potentially harmful to the animal unless over-riding risks to human life are present.
8. Under normal police operations, before commencing the search, the handler shall loudly announce and repeat the statement that there are police officers on the premises and that a trained police canine will be released if the individual(s) does not surrender. A reasonable amount of time shall be allowed for the suspect to respond.
9. When apprehending suspects in these or related circumstances, canines shall be commanded to disengage as soon as the suspect is subdued or readily complies with the handler's direction.

H. Crowd Control deployment at anticipated, pre-determined locations is to be authorized by the Chief of Police or designee. Deployment for dispersal of crowds at impromptu venues shall be evaluated according to handler training and experience. Handlers [and supervisors] shall evaluate circumstances based upon efforts to protect life or property during a riot or other major unauthorized gathering that cannot be controlled by other means. In these situations, the canine shall:

1. Be short leashed at all times unless no other means are available to protect an individual from serious injury.
2. Not initiate offensive action, unless to guard against imminent loss of life or potential serious injury.
3. Abide by use of force guidelines as set forth in the policy.

I. Drug Detection. Use of canines in a drug detection capacity is authorized on the following situations and under the following conditions:

1. The canine handler shall maintain records that document the use and the proficiency of individual canines in drug detection. This documentation shall be readily available for courtroom testimony and to supervisors for review, or to others who may need it when seeking arrest/search warrants.
2. Random exploratory sniffing of luggage, packages and other inanimate objects may be conducted in public facilities such as airports, train or bus stations upon authorization from the Lieutenant.
 - a. Exploratory sniffing in these facilities shall be confined to those areas open to the general public and, whenever possible, with advance knowledge and consent of the appropriate manager.
 - b. Exploratory sniffing shall be conducted without interference or annoyances to the public or interruption of facility operations.
 - c. Canine sniffs conducted in areas restricted to the public, such as baggage staging areas, are considered searches and may be conducted only with reasonable

- suspicion or probable cause to believe that specific items may contain illegal narcotics.
- d. Sniffs in other public or private places of commerce shall be according to standards of reasonable articulable suspicion or by invitation from the entity and in accordance with state law.
3. The use of drug detection canines in public schools is permitted only when:
 - a. The school's principal or designated authority requests or approves use of the canine.
 - b. There is reasonable suspicion to believe that illegal narcotics are being distributed and/or consumed on the premises such that the interests of the school are being unacceptably compromised.
 - c. The search is limited to objects in public areas and the exterior of the student lockers unless reasonable suspicion exists to gain admission to lockers and related areas where there is a reasonable expectation of privacy.
 4. Sniff of the exterior of residences, either individual dwellings or the common areas of multiple dwellings, are not permitted without a search warrant unless other probable cause exists, or consent is received from the owner or occupant of such dwelling.
 5. Drug sniffing canines may be used to sniff motor vehicles when:
 - a. A reasonable suspicion exists to believe the operator or passengers are in possession/control of illegal narcotics.
 - b. During a valid vehicle stop, the canine is used to sniff the exterior in an exploratory manner. Unless the canine alerts to the vehicle, the operator may not be detained longer than necessary to conclude the business associated with the initial stop.
 - c. Consent searches.

J. Tracking and Article Search. Police canines are available to track missing persons or suspects, or to locate evidence that the investigating officer has reason to believe has been abandoned or hidden in a specific open area. Such searches are subject to the following conditions and limitations:

1. When officers are pursuing suspects and contact with the suspect is lost, the officer, prior to summoning a canine team shall:
 - a. Stop and pinpoint the location where the suspect was last seen.
 - b. Shut off engines of vehicles in the area if possible; and
 - c. Avoid vehicle or foot movement in the area where the suspect or subjects were last seen.

2. Canines used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities.
3. Canine teams may be used to locate small children, the elderly, or those suffering from mental impairment if there is a reasonable suspicion of foul play or a belief that serious bodily harm or death may occur if the person is not located immediately. Where the use of a canine is deemed necessary, the risk of attack to the subject shall be explained to the parent, guardian, or next of kin and their approval obtained to use the dog.
4. Prior to tracking, on scene police personnel shall:
 - a. Secure the perimeter of the area to be searched.
 - b. Secure the integrity of the area to be searched by keeping all personnel out of the area.
 - c. Protect all items of clothing that will be used for scent from being handled.

K. Demonstrations. All requests for special demonstrations by the K-9 Unit will be screened by the Lieutenant and forwarded to the Chief of Police for final approval. If approved, the Lieutenant will adjust schedules to accommodate the assignment if necessary. The K-9 Unit will not be permitted to perform before any group or organization in or outside of the City of Polk City wherein the K-9 Unit is to be used for the sole purpose of stimulating a ticket selling campaign. The degree of the demonstration will be regulated by the Lieutenant with guidance from the handler.

L. Outside Requests for Use of K-9 Unit. A handler will provide the services of the police canine for official purposes according to guidelines set forth in this policy for any outside law enforcement agency within Polk County. If the K-9 unit is the only available emergency responder in the City, the handler shall notify the Lieutenant of the request. If response to such request is approved the handler shall then request dispatch to re-route all emergency calls to a neighboring agency until a Polk City officer becomes available

M. Off Duty K-9 Unit. When the need arises to call out the off-duty K-9 Unit, it will be the responsibility of the Lieutenant to weigh the merits of the need within the guidelines of this policy. If there is some doubt as to the need, the Chief of Police will be consulted. The off-duty K-9 Unit in a squad may respond to a needed situation from an outside jurisdiction if contacted directly by a neighboring agency or the communications center after first advising a command officer of his/her intentions and abide by the command decision.

N. Use of K-9 Unit for Pursuit Purposes. K-9 units will not be among the primary three police vehicles involved in a pursuit unless they are the initiating unit. In this instance, primary pursuit responsibilities will be relinquished to the first available support unit on scene. The K-9 Unit may then follow at a safe distance if requested as a resource. Deployment of a canine after conclusion of a pursuit will be done on leash and in partnership with the handler unless extenuating circumstances exist.

O. Vacations, Holidays, Sickness, Paid Time Off. When absent for a period of time and care for the canine is not available, a Department approved boarder will kennel the canine. During illness or incapacitation of the canine, the handler will report for regular duty minus the canine. When a canine is kenneled or absent from duty for whatever reason, a written report will be made to the Lieutenant stating the reasons and estimated time involved. The Lieutenant will notify command staff of the situation.

P. Refresher Training. The K-9 Unit must constantly apply itself to ensure adequate performance. In order to maintain the highest standard of efficiency and to continually develop the abilities learned in the initial training period, both handler and dog are required to complete skill specific in-service training averaging at least 16 hours per month. This training will be monitored under the close supervision of the Lieutenant. However, the main responsibility of maintaining the work ability and efficiency of the canine remains with the handler. The Lieutenant may do spot check certification requests as necessary. Failure to perform to standard in those instances will result in immediate remedial training and may be cause for removal of the canine from active duty until such time as the skill(s) is demonstrated to a satisfactory level.

Q. Use of Narcotics for Training Purposes

The Polk City Police Department will maintain a small amount of certified narcotics (typically one ounce) for K-9 training purposes. These narcotics will include marijuana, cocaine, methamphetamine, heroin, and ecstasy (MDMA).

1. These narcotics will be stored in a specifically designated safe to be secured in a locked area of the police building. Access to the safe will be limited to the Chief of Police and the K-9 handler.
2. The narcotics will only be handled for K-9 training or inventory purposes. The K-9 handler will be responsible for checking the narcotics out and back in.
3. The Lieutenant and the K-9 handler will conduct an inventory/audit of the narcotics and log(s) on a quarterly basis.
4. The K-9 handler will be responsible for the safe keeping of all PKPD training narcotics during training.
 - a. No other person/agency shall be allowed to use or borrow these narcotics.

- b. If any of the PCPD training narcotics are lost or discovered to be missing, the K-9 handler shall immediately provide a detailed written statement and alert the Lieutenant and the Chief of Police for further investigation. The Chief of Police, or his designee, will also submit the appropriate form to the Drug Enforcement Administration to document the missing drugs.
5. When training narcotics have been in use for eighteen (18) months, a new set of training narcotics will be requested from the DEA. When the new training narcotics are received, the old set will be rotated out by the K-9 handler with supervision from the Lieutenant as directed in the next subsection.
6. When the training narcotics have reached their end of life for use in training, the K-9 handler will:
 - a. Complete an incident report showing that the training narcotics were transferred to PKPD evidence.
 - b. The Lieutenant will oversee the logging and transfer of the training narcotics from the storage safe into evidence and verify the weights listed.
 - c. The narcotics will then be destroyed in accordance with Policy 7.01 Evidence and Property Handling Procedures.

R. Equipment

1. In addition to the equipment outfitted in all marked squad cars, the K-9 Unit vehicle will be equipped with safety measures for the canine and handler, training tools, long and short lead, water and bowl, and a canine first aid kit. The handler will be responsible for maintaining this equipment.

S. Retirement

1. The following criteria will be used when determining whether a canine shall be retired:
 - a. The canine has lost its innate interest in performing its duties.
 - b. The canine is not able to meet or maintain certification in one or more areas.
 - c. The canine has a medical problem that makes it incapable of performing its duties.
 - d. The canine handler leaves the Police Department and it is impractical for the canine to be reassigned.
 - e. The Department is no longer able to supply the funding and support necessary to sustain the canine program.
2. When one or more of the above criteria are experienced by the canine, its handler, or the Department, the animal shall be recommended for retirement. Once this is determined, a memorandum will be forwarded through the canine handler's chain of command to the Chief of Police for consideration and formal action.
3. Once retirement has been approved by the Chief of Police, the handler can request to assume ownership and financial responsibility for the dog. Adoption paperwork will then be completed and approved.

T. Handler Compensation

1. The Canine Handler shall be allotted thirty minutes (30) a day towards Canine Maintenance. This time will be provided to the Canine Handler in one of the following ways and is at the discretion of the Chief based on the schedule.
 - a. The Canine Handler will be scheduled a 73 hour work week and be given 7 hours of straight pay per 80 hour pay period for Canine Maintenance during 8 or 9 hour scheduled shift.
 - b. The Canine Handler will be allowed to leave his or her regularly scheduled patrol shift 1 hour prior to the end of a scheduled shift for a 12 hour scheduled shift.
 - c. The Canine Handler will arrive to work one hour after his or her regularly scheduled patrol shift begins for a 12 hour scheduled shift.

Title: Police Support Services			Number: 3.07
Date Issued: 19 February 2021	Updated: 19 February 2021	Reviewed: 1 Nov 2022	Page(s) 3

- I. PURPOSE:** The Support Services is responsible for on-going criminal investigations, serious crash scene investigations, custody and oversight of the evidence storage facility, records management, Municipal Code Enforcement and the maintenance and proper repair of all fleet vehicles. The Lieutenant shall be responsible for supervision and coordination of these activities.
- II. PROCEDURE:** Assignments to roles within Support Services will be of sworn personnel apart from records management.
- A. Detective.** It will be the policy for all Detectives to work compatibly with all officers on this Department and to cooperate with officers from outside agencies.
1. Detectives will be concerned with all criminal activity within the City of Polk City and metropolitan area, the detection and apprehension of criminal offenders, and the recovery of lost and stolen property.
 2. Detectives will conduct follow-up investigations into crimes initially handled by Patrol Officers or referrals from outside agencies, when relevant to the City of Polk City, and will be called upon to conduct initial investigations into major crimes and process crime scenes accordingly.
 3. Detectives will be responsible for the interview of all complainants, witnesses, and suspects without delay in all cases assigned to them.
 4. Detectives will exhaust all leads which can bring a case to a final disposition of the case will be declared inactive and approved by his/her commanding officer.
 5. A complete and accurate supplemental report of on-going investigative facts will be made as information develops, in addition to keeping supervisors apprised of the status of each assigned case. On-going case logs will be maintained.
 6. Detectives will familiarize themselves with the cameras and equipment available to them, maintain all vehicles and equipment assigned. Equipment not readily available or assigned to them needs to be requested through the Lieutenant.
 7. Detectives will be responsible for primary oversight of proper documentation, storage, and disposition of evidence seized and all chain of evidence processing throughout the custodial process.

8. In fatal and critical injury crash situations, the Detective will coordinate with the agencies Crash Investigator. The Chief of Police shall be notified of any crash involving fatal or critical injuries as soon as practical.
9. A Detective Special Assignment to another organization on a part-time or temporary basis, shall still be held accountable to the policies within this manual in addition to standard operating procedures of the organization assigned. If daily supervision of the investigator occurs by an outside agency, the Lieutenant will have final oversight and monitor the Detective's performance in conjunction with his/her field unit supervisor of the special assignment.
10. The Detective will supplement Patrol staffing when not assigned to criminal investigations and is responsible for the Municipal Code Enforcement for the City of Polk City.

B. Municipal Code Enforcement. It will be the policy for those assigned to Municipal Code Enforcement is to work closely with City Staff to provide inspection, investigation, abatement, and enforcement to ensure compliance with established codes, ordinances, and regulations affecting the public interest, safety, and welfare.

1. Work closely with other City departments to monitor and enforce a variety of applicable ordinances, codes, and regulations related to nuisance abatement, health and safety and other matters of public concern.
2. Conduct field investigations and respond to alleged code violations, including but not limited to
 - a. property maintenance
 - b. junk vehicles
 - c. signage
 - d. unapproved surface parking
 - e. duty to trim
 - f. solid waste control
 - g. dangerous buildings
 - h. animal protection and control
 - i. weeds and grass
 - j. dumping of snow
 - k. sidewalk regulations
3. The code enforcement officer will issue citations or warnings if necessary, based on City Ordinances, follow abatement procedures and issues official notices while working in conjunction with the City Attorney's office.
8. Perform follow-up activities in cooperation with other departments to ensure timely cleanup of properties and removal of junk vehicles.

- C. Evidence Custodian.** The Evidence Technician performs a variety of duties in the processing and maintenance of the chain of custody for evidence and property.
1. The Evidence Custodian will maintain the integrity of evidence and property by proper collection, processing, packaging, storage and categorizing. Once property is properly received by the Evidence Custodian it is his/her responsibility to process and maintain a chain of custody for all evidence, found property and safe keeping property for the Polk City Police Department.
 2. The Evidence Custodian is responsible for the safekeeping, protection from damage, and final disposition of said property.
 3. The Evidence Custodian will work with courts, officers, attorneys, and other law enforcement agencies to ensure timely disposition of evidence and property. Research case reports to find lawful owners of lost or stolen property and prepare correspondence notifying lawful owners of available items of evidence for release.
 4. The Evidence Custodian will maintain and administer the Evidence Storage software. Maintain evidence/property containers and packaging and coordinate with the Lieutenant for replacement and ordering of supplies.
 5. The Evidence Custodian will coordinate with the Lieutenant annual/random property room audits.

CH 4

Vehicles, Equipment & Uniforms

Title: Operation of Vehicles			Number: 4.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 5

I. PURPOSE: To define rules for the proper operation of Department motor vehicles.

II. POLICY: Department vehicles will be operated in accordance with state and local laws to assure maximum safety for both officers and citizens. Department vehicles and equipment shall be used in the manner for which they were designed and will be cared for in accordance with Department policy. All personnel should be conscious of the responsibilities and liabilities that are associated with the operation of police vehicles.

III. PROCEDURE:

Police vehicles responding to calls for service will be operated in either a routine, urgent, or emergency mode as defined:

- A.** *Routine* - Person(s) not in compliance with minor city ordinances; shoplifting incidents, criminal investigation reports, abandoned auto reports, barking dogs and other miscellaneous non-emergency service calls. Officers will respond in accordance with all traffic laws.
- B.** *Urgent* - Respond immediately, no emergency exists where life or property is in imminent danger. Emergency lights and siren are to be used at the officer's discretion. Example: property damage accident with lane blockage. Officers will respond with either lights or siren in accordance with Iowa Code 321.231.
- C.** *Emergency* - An emergency situation when there is an immediate threat to a person or property. Officers will respond with lights and/or siren in accordance with Iowa Code 321.231.

IV. AUTHORIZED EMERGENCY VEHICLES

The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected perpetrator of an indictable offense or in response to an incident dangerous to the public, may exercise the privileges set forth in this section.

- A.** The driver of any authorized emergency vehicle engaged in an official act may:
1. Park or stand an authorized emergency vehicle, irrespective of the provisions of this policy.
 2. Disregard laws or regulations governing direction of movement for the minimum distance necessary before an alternative route that conforms to the traffic laws and regulations is available.
 3. Proceed past a red stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 4. Exceed the maximum speed limits so long as the driver does not endanger life or property.
- B.** The exemptions granted to an authorized emergency vehicle under subsection B and for a police vehicle as provided in subsection C shall apply only when such vehicle is making use of an audible signaling device meeting the requirements of Iowa Code, section 321.433, or a visual signaling device approved by the State, except that use of an audible or visual signaling device shall not be required when exercising the exemption granted under subsection 4 of this Section when the vehicle is operated by a Peace Officer pursuing a suspected violator of the speed restrictions imposed by or pursuant to this policy, for the purpose of determining the speed of travel of such suspected violator.
- C.** The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of the driver's reckless disregard for the safety of others.
1. Emergency vehicles will not enter into oncoming traffic lanes unless both emergency lights and sirens are activated:
 - a. When responding to an emergency assignment, a peace officer will not operate a police vehicle at a speed or in a manner that inhibits his/her ability to control the vehicle. Officers will not proceed through intersections or traffic signals until the officer is sure that other traffic has yielded the right-of-way. The officer will adhere to the basic rules of traffic safety outlined in Iowa Code 321.320 and this policy, regardless of the nature of the assignment. Any officer who is involved in a crash will be required to justify his/her actions.
 - b. The use of emergency lights and siren is dictated by circumstances. In the following situations justification may be determined by the police officer:
 - (1.) Stopping a vehicle on the roadway
 - (2.) At the scene of a motor vehicle collision
 - (3.) At the scene of a traffic control assignment, if applicable
 - (4.) At the scene of any type of roadway obstruction

- (5.) At an area of danger to the public, which is located on the traveled portion of a roadway
 - c. When a call is received indicating an emergency exists, the primary duty of an officer is to get there as safely and as quickly as conditions permit.
 - (1.) Officers should not pull up behind another vehicle and immediately sound an audible warning device. The motorist may stop suddenly.
 - (2.) Officers should not pass on the right of a vehicle in traffic unless other means are more prohibitive or dangerous to the public or motorist. Passing on the right is not to be used as a primary method for overtaking vehicles.
 - (3.) Officers should fluctuate the sound of the siren so the location of emergency vehicles can more easily be determined by motorists.
 - (4.) Officers should always maintain adequate radio volume and remain cognizant that dispatch may wish to relay additional information to them while operating in an emergency mode.
 - (5.) Officers should always “drive defensively”.
2. On certain types of emergency responses the sirens and emergency lights may not be used if it would increase the chances of alerting the criminal of the squad’s approach. This practice should only be utilized in the immediate area of the suspected crime. Extreme caution and due regard shall be exercised when responding to a call without emergency lights and/or siren in operation. And in general, this response will not exceed 10 mph over the posted speed limit.
3. Upon approaching the immediate area of criminal activities, the officer may further reduce the chances of detection by turning off the headlights of the squad. This may only be done when it can be done safely without endangering persons or property.
4. Officers, even on emergency calls with emergency equipment activated, are not to go around lowered railroad gates unless they can visually determine that no train is present or a crossing can be made safely.
5. Before responding to an emergency call, officers should consider possible routes and then take the safest, fastest one.
6. Indiscriminate use of sirens in residential areas during the night hours is disturbing and may result in adverse public reactions. Such use of sirens should be kept to a minimum if practical for the given situation.
7. Private vehicles will be escorted in urgent or emergency mode only in an emergency.

V. OPERATION OF EMERGENCY VEHICLE(S)

- A.** Officers shall wear their safety belt when operating Department vehicles in accordance with state law.
- B.** Officers shall use caution when operating a patrol vehicle and working with computerized dispatching, accessing driver, registration, intelligence, or arrest records files and data, reporting software, etc. or emergency equipment so as not to become distracted while the vehicle is in motion.
- C.** When stopping another vehicle, officers should attempt to make the stop in the safest possible location, considering both the safety of the officer and occupants of the stopped vehicle. Officers should use their discretion in a minor motor vehicle collision to have the drivers move to a safe location outside of the traveled portion. This will enhance both the flow of traffic and safety.
- D.** Officers will be cognizant that no matter how important the call is, the officer will not help the situation if s/he should become involved in a crash and cannot reach the scene.
- E.** Police Department vehicles may be driven through freeway medians in cases where it can be done safely and without damaging vehicles or fixtures adjacent to the roadway. Should vehicle damage occur, it will be reported to a supervisor as soon as practical.
- F.** Emergency vehicles are only effective when the vehicle is readily identifiable as an emergency vehicle. Unmarked police cars, therefore, may not operate as emergency vehicles unless the siren is in operation and/or emergency lights are flashing. Use of a spotlight without the siren does not identify the car as an emergency vehicle. Unmarked cars that are not equipped with sirens or emergency lights may not be operated as emergency vehicles merely because they belong to the Police Department and are driven by police officers.
- G.** Operators of unmarked police vehicles should be aware of the potential for the average citizen to be apprehensive of stopping for unmarked police vehicles. Officers should be alert for reactions varying from increased distance to stop the vehicle to failure of a motorist to stop. Marked police vehicles may need to respond in order to stop a vehicle.
- H.** Officers shall be familiar with and comply with the sections of the Iowa statutes which apply to the operation of emergency vehicles in accordance with Iowa Codes 321.230 & 321.231.
- I.** No Department employee is permitted to drive a city vehicle once alcohol has been consumed. Exceptions to this rule shall only be granted with prior supervisory approval for purposes of effectiveness of an authorized

special operation, and in no case will the covert officer operate at greater than 0.04% BAC.

- J.** Take-home vehicles (and supplemental equipment associated with a vehicle) are to be used only for bona fide police business and for commuting to and from duty.
- K.** Officers shall not use their personal vehicles for official law enforcement functions pursuant to on duty activities.

VI. Automated Traffic Enforcement Systems

The Polk City Police Department must set standards for employees to follow when on-duty and operating police vehicles through automated enforcement zones throughout the state. We cannot expect the public to be held to a higher standard than we set for ourselves. When violations are observed or reported back to this agency by ATE systems, the following rules shall apply:

- A.** Employees must follow state and local traffic ordinances, as well as Department policy when operating city-owned vehicles. Employees may be subject to civil citation and a fine and/or internal discipline for violations.
- B.** Officers shall cooperate completely with any administrative review conducted as a result of an on duty violation of an ATE system.
- C.** On Duty Violations:
 - 1. Violations of this subsection will be reviewed by a supervisor in the employee's chain of command.
 - 2. Employees may be reprimanded and/or cited and assigned responsibility for fines for traffic violations resulting from poor judgment, policy violation, indiscretion, or failure to use necessary due caution or emergency equipment. Employees will have all appeal rights as set forth in that city's ordinance where the violation originated. The exercising of these appeal rights will be conducted on the employee's own time and at his/her expense.
 - 3. Employees who demonstrate a traffic violation occurred as a result of justifiable circumstances, will be exempted from further action and written notice of such justifiable action will be sent to the originating jurisdiction by the investigating supervisor.
- D.** Employees demonstrating a pattern of careless driving behaviors on or off duty will be subject to further administrative review.

Title: Pursuits			Number: 4.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 8

I. PURPOSE: To establish guidelines and responsibilities for vehicle pursuits requiring emergency operation of Polk City Police Department vehicles.

II. POLICY: Vehicle pursuits are one of the most dangerous duties a police officer must perform. When a decision to pursue is made, the safety of all concerned must be considered. The seriousness of the offense must be weighed against the hazards of the health and welfare of citizens who might be affected by the pursuit. During the pursuit, continuous balancing of the seriousness versus safety is mandatory.

The Department expects an officer, or his/her supervisor, to terminate a pursuit whenever the risks to the safety of the officers or citizens outweigh the danger to the community if the offender is not caught. No task is of such importance as to justify the reckless disregard of the safety of innocent persons. The principles of safety shall not become secondary.

The responsibility for the decision to overtake or pursue another vehicle rests on the individual officer. In arriving at that decision the officer must carefully consider all factors involved and the possible consequences. To diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when possible, be within close proximity to the vehicle before activating emergency lights and siren.

III. DEFINITIONS:

A. Vehicle Pursuit: An attempt by a police officer in an authorized emergency vehicle to apprehend one or more occupants of another moving vehicle when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing speed, maneuvering in an evasive manner, or by ignoring the police officer's attempt to stop the vehicle.

B. Authorized Emergency Vehicle: A vehicle of this Police Department equipped with either audible and/or visual emergency warning devices as required by the Code of Iowa for the purpose of being exempted from certain traffic regulations during emergencies or pursuits (Iowa Code sections 321.231, 321.423, 321.433).

C. Initial Pursuing Agency (IPA): The agency that initiates the pursuit.

- D. Jurisdictional Agency:** The law enforcement agency with specific legal authority granted by a political subdivision of the State of Iowa at a point along the path of the pursuit.
- E. Primary Pursuing Unit:** The police unit that initiates a pursuit or any unit that assumes control of the pursuit.
- F. Secondary Unit:** Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
- G. Pursuit Intervention Technique (P.I.T.):** P.I.T. is a controlled maneuver used by a law enforcement vehicle to physically force a fleeing vehicle from a course of travel by inducing an over-steer condition in the fleeing vehicle to safely end a pursuit with minimal risk of injury to the public, the officer, and the suspect.
- H. Roadblock:** As a pursuit tactic, means the establishment of a barrier across a part of the traveled portion of a roadway. This barrier may be moving, as in the case of vehicles placed in front of a fleeing vehicle, or stationary. Roadblocks are frequently established using police vehicles as blocking devices, but may consist of other devices such as “spike strips.”
- I. Supervisor:** An on duty supervisor or other ranking officer on duty.
- J. Terminate Pursuit:** A technique of pursuit management ordering the discontinuance of active pursuit by police vehicles. Involved officers will deactivate audible and visual emergency warning equipment (emergency lights and siren) and resume a safe speed.

IV. PROCEDURE:

A. Initiation of Pursuit

1. The decision to initiate a pursuit must be based on the pursuing officer’s conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
2. Any law enforcement officer in an authorized emergency vehicle may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when properly directed to do so. Pursuit may also be justified if the officer reasonably believes that the suspect, if allowed to flee, would present a danger to human life or cause serious injury.
3. In deciding whether to initiate pursuit, the officer shall take into consideration:
 - a. Time of day, road, weather, and environmental conditions
 - b. Population density and vehicular and pedestrian traffic

- c. The relative performance capabilities of the pursuit vehicle, the vehicle being pursued, and the officer's abilities
- d. Location of pursuit and associated speeds
- e. The seriousness of the offense and nature of charges
- f. The presence of other persons in the vehicle
- g. Radio coverage and interoperability between agencies
- h. The probability of successful apprehension

B. Primary Unit Responsibilities

1. The responsibility for the decision to initiate pursuit rests with the individual officer. The officer shall immediately, in all cases, notify the communications center when a pursuit is underway and provide the following information:
 - a. Police unit identification
 - b. Location, speed and direction of travel, with continuous updates
 - c. Vehicle description, including license number if known
 - d. The specific reason for the pursuit, including known laws violated
 - e. Number and description of occupants
 - f. Once the pursuit is anticipated to leave the city limits
 - g. When switching to another radio frequency
2. Failure to provide sufficient information will be cause for the supervisor to order termination of the pursuit.
3. The initiating/primary unit shall be in field command and bears operational responsibility for the pursuit unless relieved by a supervisor. The authority of this unit pertains to the immediate field operation and is always subordinate to the shift supervisor or command staff.
4. The primary unit may maintain pursuit as long as it is safe to do so for the public and the officers involved [unless it is a canine unit] and equipment, vehicle, and radio communications remain reliable,; until directed to terminate the pursuit by a supervisor; the suspect is stopped; or a reasonable distance has been covered which may indicate the futility of continued pursuit.
5. All vehicles actively engaged in a pursuit shall utilize emergency lights and sirens.
6. The decision to abandon pursuit may be the most intelligent course of action. A pursuing officer must constantly question whether the seriousness of the offense justifies continued pursuit. **In any case, a pursuit shall terminate under any of the following circumstances:**
 - a. If, in the opinion of the pursuing officer or supervisor, there is a clear and unreasonable danger to the officer or others created by the pursuit which outweighs the necessity for immediate apprehension.
 - b. The suspect's identity has been established so that later apprehension can be accomplished and there is no longer a need for immediate apprehension.

- c. The prevailing traffic, roadway and/or environmental conditions dictate the futility of continued pursuit.
 - d. The pursued vehicle's location is no longer known.
 - e. The pursuing officer knows or is reasonably certain that the offender is a juvenile, the offense is a misdemeanor or non-serious felony, and the safety factors involved are obviously greater than those with which a juvenile can cope.
 - f. The violation for which the pursuit was initiated is a simple misdemeanor traffic offense and no other information relative to the operator/passenger(s) or the vehicle's ownership status has come to light that would be cause for filing charges of an indictable offense.
- 7. When an officer is ordered to terminate a pursuit by a supervisor, s/he will comply as soon as it is safe to do so. All emergency equipment will be deactivated and the communications center will be notified of the location.
 - 8. Termination of a pursuit does not necessarily prohibit the following of a vehicle at a safe speed or remaining in an area to re-initiate contact if the opportunity and conditions permit.

C. Assisting Unit Responsibilities

- 1. Assistance will be coordinated by the communications center under the direction of a supervisor. The supervisor and primary unit will be advised of the identity and locations of units who can assist. When an officer proactively joins a pursuit as an assisting unit, s/he shall advise the communications center of their position and any necessary information pursuant to Section IV, B, 1 of this policy that has not been announced or needs updating.
- 2. An active pursuit will normally involve no more than three (3) units [the primary unit and one or two back-up units] within the jurisdiction of the IPA and no more than four (4) vehicles in a multi-agency pursuit. If more assistance is specifically requested the amount will be determined by: the nature of the offense; the number of suspects; whether the participating units are single or two officer cars; and other clear and articulated facts that would warrant the increased hazards.
- 3. Only a supervisor may authorize more than four units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate unless specifically authorized to do so.
- 4. An authorized assisting unit shall immediately notify the communications center of its identity upon joining the pursuit.
- 5. If the primary unit is a one man car, the assisting unit may assume radio communications responsibility allowing the primary to devote full attention to driving.
- 6. The assisting unit will maintain a safe distance behind the primary unit.
- 7. Assisting units shall avoid intersecting the path of an on-coming high speed vehicle.

8. If the primary unit becomes disabled, the assisting unit will become the primary unit and a new back-up unit should be authorized.
9. Officers not actively involved in the pursuit but performing a support function will remain alert to the direction and progress of the pursuit and may position themselves at strategic sites along the probable pursuit route or on parallel roadways for response to any exigencies that may develop; however, these units will not be operated in an emergency mode and obey all traffic laws unless positioning itself ahead of the pursuit to deploy pursuit termination devices, utilize pursuit termination techniques or other public safety measures at which time lights and siren will be activated.

D. Supervisor Responsibilities

Upon being notified of a pursuit, the supervisor or acting designee shall:

1. Monitor the radio channel where the pursuit is broadcast.
2. Quickly ascertain the basis for the pursuit and shall decide whether its continuation is appropriate. A supervisor shall verbally authorize or order the termination of a pursuit over the air if the supervisor believes the pursuit is not justified, or that the dangers associated with the pursuit outweigh the potential benefits of an apprehension.
3. Due to the responsibilities of supervisors, supervisors should assess the need for themselves to be actively engaged in the pursuit. If supervisors actively engage in a pursuit, they should relinquish that position as soon as possible to another marked unit.
4. Determine that no more than the necessary units are involved; that the proper radio frequency and procedures are being utilized; and affected allied agencies are being notified.
5. The supervisor will direct the pursuit, approve or order alternative tactics, and maintain control until the pursuit is terminated.
6. In the event force is deemed necessary to end a pursuit, the supervisor will, if possible, give approval prior to the use of force.
7. In the absence of adequate information from the primary or backup units, the supervisor will terminate the pursuit.
8. Where possible, the supervisor shall respond to the location where a vehicle has been stopped following a pursuit.
9. The supervisor shall ensure proper completion of required reports by officers involved in the pursuit and shall request an audio copy of radio traffic recorded during the pursuit through the communications center.
10. The supervisor will participate in the Department's administrative review process after the action is completed.

E. Pursuit Tactics - Limitations & Prohibitions

1. *Traffic Violations:* Pursuits for minor traffic violations are prohibited.
2. *Property Crimes:* Pursuits for property crimes will be based on the seriousness of the crime weighed against the danger to life posed by the offender and the danger posed by the pursuit itself.

3. *Motorcycles/Police Sport Utility Vehicles:* Due to their limited visibility, police motorcycles are prohibited from engaging in a pursuit. Police Sport Utility Vehicles (SUVs) may pursue fleeing vehicles at moderate speeds. High speed pursuit in excess of 70 mph is prohibited for SUVs due to their handling restrictions unless “pursuit rated” by the manufacturer.
4. *Pursuit Intervention Technique (P.I.T.):* Pursuit Intervention Technique is the use of a patrol unit as a use of force option. The objective of the PIT maneuver is to safely end a pursuit and, in doing so, minimize the risk of injury to the public, the officer, and the suspect. PIT can only be used by officers who have been trained and certified by the Department in its proper use. When performed in accordance with training standards, the PIT maneuver can be used safely.
5. *Offensive Tactics:* Deliberate physical contact other than PIT or deliberately forcing the offender into parked cars, ditches, or any other obstacle; boxing in or heading off, ramming, or driving along-side the pursued vehicle while in motion are generally prohibited. Such tactics can only be used when it is the last resort when the offender poses an imminent risk of death or serious injury. This action should not be used unless the use of deadly force would be authorized.
6. *Civilian Ride-Along/Prisoner Transportation:* No unit will engage in a pursuit when accompanied by a civilian rider or while transporting a prisoner.
7. *Unmarked Police Vehicles:* Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in pursuits. The unmarked car will withdraw from primary active pursuit when a marked unit becomes available to take over the pursuit.
8. *Caravanning:* There shall be no caravanning by field units not directly involved in the immediate active pursuit.
9. *Passing:* Passing another pursuing police vehicle in a pursuit is prohibited unless extenuating circumstances exist in which the reasonable officer would exercise similar judgment that necessitated the action.
10. *Spacing:* All units in a pursuit shall space themselves at a distance that will ensure proper braking and reaction time for any sudden or unexpected maneuvers.
11. *Controlled Access Highway:* Units shall not pursue offenders the wrong way on the Interstate or other controlled access highways, divided highways or ramps. In the event a pursued vehicle travels the wrong way on a divided roadway or a one way street, officers should not follow unless circumstances dictate otherwise. This does not prohibit pursuit on an adjacent roadway where the officer is driving with the flow of traffic.
12. *Traffic Control Devices:* Extreme caution must be used whenever pursuing units disregard traffic signs or signals.
13. *Emergency Equipment:* No officer will continue a pursuit if the emergency equipment on the unit ceases to function properly.

14. *Collisions:* No officer will continue a pursuit if his/her unit becomes involved in a traffic collision unless the collision is with the pursued vehicle and no other police unit is available to assume control.
15. *Roadblocks:* The use of roadblocks should normally be authorized by a supervisor. Generally, a roadblock will be employed only as a last resort. The use of a roadblock must be directly associated with the seriousness of the offense. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. The roadway shall not be completely blocked unless the use of deadly force would be authorized.
16. *Road Spikes:* Tire deflation road spikes (AKA: "stop sticks") may be deployed if the officer is properly trained in the use of this equipment. Additionally, they will only be deployed on vehicles with a minimum of four wheels; the spikes will only be used on concrete or blacktop surfaces; and spikes will not be used on curbs, near river banks or embankments where there is an increased risk of injury.
 - a. The deploying officer will inform pursuing units of the location of the road spikes over the police radio.
 - b. The deploying officer will also activate all overhead emergency lights to visually designate the area in which the road spikes are located.
 - c. When the pursued vehicle approaches and the spike system is in place, the officer will position him/herself in a safe location away from the point of contact between the pursued vehicle and the deployed spike system.
 - d. After the pursued vehicle has passed over the road spikes, the deploying officer will retract the spikes as soon as it is safe to do so.
17. *Firearms:* Decisions to discharge firearms at or from a moving vehicle shall be governed by this Department's use of force policy, and are prohibited if they present an unreasonable risk to others. They should be authorized, whenever possible, by a supervisor.
18. *Custody of Pursued Vehicle Occupants:* Once the pursued vehicle is stopped, officers shall utilize appropriate officer safety tactics and shall be aware of the necessity to utilize only reasonable and necessary force to take suspects into custody.

F. Inter-jurisdictional Pursuits

1. When it is likely that a pursuit initiated in the City of Polk City will continue into a neighboring jurisdiction, the pursuing officer or supervisor will have dispatch move radio communications to a common channel (or simulcast/rebroadcast radio traffic as appropriate) and advise the communications center to notify the affected law enforcement agency of the incoming pursuit as well as adequate information relating to the need to continue the pursuit and any aggravating factors. The notifying officer will also advise if assistance will be needed from the neighboring law enforcement agency.

2. If a pursuit continues beyond an agency's jurisdiction, the presumption is that the command and control will remain with the IPA. However, the IPA may request the jurisdictional agency to assume command and control. If that is accepted, once there are an adequate number of units from the jurisdictional agency present to safely assume the pursuit, the IPA becomes a supporting agency to the pursuit and safely continues until the pursuit is terminated and offenders are in custody. If the jurisdictional agency declines to assume command and control of the pursuit, it should provide reasonable support to the initial pursuing agency. The IPA will normally be responsible for all criminal charges unless the situation requires otherwise.
3. Officers shall not become involved in another law enforcement agency's pursuit unless specifically requested to do so by that agency. All operational procedures of this Department shall apply when assisting another law enforcement agency in pursuit.
4. When an officer of this Department is made aware of a pursuit involving another agency that may enter Polk City and assistance is not requested, that officer will proceed with safety to the nearest major intersection involved in the pursuit and provide traffic control designed to protect uninvolved motorists from becoming accident victims of the pursuit.

G. Reporting & Critique

1. At the conclusion of a pursuit, the primary unit officer(s) will complete an incident report and forward it to the Lieutenant.
2. The Lieutenant and a Driving Instructor will conduct an administrative review of the post pursuit report and review any videos. They will critique the pursuit and complete an after action review of the circumstances surrounding the incident as it relates to adherence to Department policy and procedure. This administrative review shall then be forwarded to the Police Chief for final assessment. If necessary, corrective action and/or remedial training may be taken if deficiencies or violations of policy or tactics are noted.

Title: Vehicle and Equipment Regulations			Number: 4.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 4

- I. PURPOSE:** To define procedures for the operation and maintenance of Department motor vehicles and equipment.
- II. POLICY:** Department vehicles will be operated in accordance with standards set forth by this agency. All personnel should be conscious of their responsibilities associated with the operation of police vehicles and the maintenance of associated equipment.
- III. PROCEDURE:**
- A.** Employees will immediately provide a written report for damage to police vehicles or equipment to their immediate supervisor or to the Chief of Police.
 - B.** Other than during emergent circumstances, upon leaving a Department vehicle unattended, the employee will secure it. If the vehicle is left unattended at any location other than a brief stop at the PCPD, the employee will remove the keys from the vehicle and lock the vehicle.
 - C.** Employees will drive only assigned vehicles, unless a supervisor permits a change. Mechanical, technical, or safety issues shall be an exception to this rule and not require supervisory approval as long as the observed deficiency is reported in a timely manner.
 - D.** Employees will be responsible for checking their assigned vehicle for damage, mechanical deficiencies and dangerous objects or contraband inside the vehicle before beginning their tour of duty and making reports of such incidents.
 - E.** Any needed mechanical or equipment repairs will be reported on the proper forms no later than the end of the current shift.
 - F.** All employees will keep the car interior clean and free of debris.
 - G.** No employee will deliberately or carelessly inflict damage to vehicles or related property.

- H.** No employee will use or allow to be used a Department vehicle for the purpose of pushing or towing a vehicle except for vehicles specifically outfitted for that purpose.
- I. Parking In Station Area**
1. All parking ordinances will be obeyed
 2. Vehicles will only be parked in designated areas
 3. Vehicles will be properly parked and locked with the keys left in their proper place at the end of a shift.
- J. Vehicle Servicing**
1. When vehicles are serviced at commercial service centers, the employee will remove firearms and other vital equipment from the vehicle.
 2. All service work will be pre-authorized by the Chief or designee.
- K. Ride-Alongs**
- No unauthorized person(s) shall be permitted to ride in Department vehicles.
1. Civilian employees are required to request and obtain permission from the Chief of Police or Lieutenant prior to riding in Department vehicles on a “ride-along” basis.
 2. Supervisors have the authority to give permission to allow civilians to ride on certain occasions. Generally, civilians will be allowed to ride four hours every six months. Those with a law enforcement career interest will be allowed eight hours per six month period. A brief background check shall be conducted on interested riders prior to authorization.
 - a. A Hold Harmless Agreement shall be signed by such civilian, or if a juvenile is the rider, by his/her parent or guardian.
 - b. Civilian riders are not allowed to carry and/or utilize a camera or recording equipment without a supervisor’s prior approval.
 - c. Education internship opportunities may be made available for fall, spring, and summer terms. Exceptions shall be granted to the ride-along regulations for these purposes.
 3. No employee (sworn or civilian) under suspension will be permitted to ride in a Department vehicle.
 4. A Department vehicle shall not be used as a family taxi, such as transporting family members, without permission from a supervisor.
 5. Each employee shall receive approval from a supervisor and EMS prior to transporting an injured or sick individual in a Department vehicle.
 6. Other persons may be transported in Department vehicles in extenuating circumstances, such as, motorist assists, witnesses, victims, etc.

L. Equipment

1. In-car computer systems, laptops, and tablets shall not be utilized in any manner contrary to authorized procedures; nor shall there be any attempt to gain access into files other than those that are authorized. CAD logs, chat messages, and internet queries are subject to administrative review.
2. No unauthorized software is to be used or downloaded in Department computers.
3. Shotguns:
 - a. All Department issued shotguns shall be carried with an empty chamber.
 - b. The Range Master will determine the authorized sequence of buckshot and/or slugs to be carried in the magazine.
 - c. The shotgun will be mounted and/or secured in the authorized carrying device for each Department vehicle.
 - d. All directions of the Range Master will be followed when handling the shotgun for deployment.
4. Push Bumpers, Use of:
 - a. Use of push bumpers, attached to a Department vehicle, shall be restricted to providing emergency assistance to vehicles that are disabled within the traveled portion of the roadway. Officers may assist by pushing the stranded vehicle to the nearest point that removes that vehicle to a point of safety.
 - b. To be assisted by this Department, a disabled vehicle must have a licensed operator behind the steering wheel with that vehicle being placed in the neutral position. Pushing will be restricted to a minimum amount of speed that is required to move the stranded vehicle to safety.
5. Caution must be exercised at all times when using the push bumper system. According to manufacturer specifications, air bags will not activate based upon a push bumper system being used if the system is operating at less than 10 MPH.

M. Department Vehicle Crashes

1. Line of duty crashes where damage occurs will be referred for internal review and tracked through the internal affairs records keeping process as an early warning mechanism. Final accident investigation classifications are as follows:
 - a. *No Unsafe Act/Unavoidable*: No unsafe action on the part of the employee, no preventative action by the employee was reasonably possible.
 - b. *No Unsafe Act/Preventive Action Possible*: No unsafe action on the part of the employee, some preventive action by the employee was reasonably possible, but not taken.
 - c. *Unsafe Act/Other Operator More Unsafe*: The employee committed an unsafe act, which contributed to the accident, but the other operator(s) committed an unsafe act which more directly contributed to the crash than the employee's action.

- d. *Unsafe Act/Other Operator less Unsafe:* The employee committed an unsafe action which more directly contributed to the crash than an unsafe act committed by the other operator.
 - e. *Unsafe Act/Direct Cause of Crash:* The employee committed an unsafe act which directly caused the crash.
 - f. *Categories of Crash:*
 - (1). **Minor Crash:** Any accident causing less than \$1500 in property damage with no personal injury.
 - (2). **Major Crash:** Damage in excess of \$1500 and/or personal injury.
2. Any officer involved in a major crash in the line of duty that is found to not be at fault, shall have his/her driving record expunged of the incident through normal Iowa DOT protocols.

N. Department Vehicle Crash Procedure

- 1. When a Department vehicle is involved in a crash and damage is sustained by any vehicle, an outside law enforcement agency will be contacted to handle the investigation, if readily available. If no outside agency is available to assist, a supervisor shall investigate.
- 2. The employee involved in the crash shall submit a written summary of the factors involving the crash to his/her division commander as well as photographs of the vehicle(s) involved.
- 3. The Lieutenant will investigate to determine the crash causes and findings which shall normally be documented in a line investigation.
- 4. When an employee is involved in a crash off-duty within the city limits, an outside agency will handle the investigation, if readily available. If no outside agency is available to assist, a supervisor shall investigate.

Title: Bicycle Operation and Regulations			Number: 4.04
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

- I. PURPOSE:** To establish the guidelines for the operation and regulation of bicycles used in the Polk City Police Department.
- II. POLICY:** The Department will make available “Police” bicycles to be used by qualified police personnel to assist with patrol, traffic, special events, and situations where quick, quiet, and versatile transportation could be utilized.
- III. PROCEEDURE:**
- A. Operation**
1. The operation and utilization of the bike will be on a “need” basis and not a permanent assignment.
 2. Patrol officers are encouraged to utilize a bicycle during the course of their shift when at least one other officer is working, available for calls, and aware of the effort.
 - a. Approved bicycle uniform shall be worn for patrol
 - b. Approved helmet shall be worn for patrol
 3. Bicycles may be utilized in covert operations.
 4. Specific operating standards will be established by the on duty shift supervisor based on previous training and instruction as well as the immediate needs of the Department.
- B. Bicycles and Equipment**
1. All bicycles will be an authorized “POLICE” model.
 2. Additional equipment for the bicycle will consist of:
 - a. lighting system
 - b. black rack and POLICE bag
 - c. 2 water bottle racks
 - d. 1 water bottle
 - e. heavy duty back frame kick stand
- C. Storage and Maintenance**
1. Bicycles are to be stored in a secure area.
 2. Bicycles are to be kept clean and in good working condition.

Title: Uniform and Appearance			Number: 4.05
Date Issued: 1 Oct. 2016	Updated: 24 August 2021	Reviewed: 1 Nov 2022	Page(s) 5

- I. PURPOSE:** To establish the guidelines for the uniforms and appearance of personnel in the Polk City Police Department.
- II. POLICY:** The Department will make available uniforms to be used by sworn police personnel according to regulations within.
- III. PROCEDURE:**
The uniform of the Department will consist of styles, materials, colors, and manufacturers that will be prescribed by the Chief of Police. Badges, decorations, hatbands, insignias, nameplates, medals, service bars and other items shall be specifically authorized by the Chief. Optional uniforms and assurance of uniformity will be the responsibility of the Chief of Police.
- A.** Any recognizable portion of the uniform will only be worn when acting in the official capacity of duty as set forth by administrative rules of the City of Polk City and this manual.
 - B.** Neither civilian attire, nor items not authorized will be worn with any recognizable portion of the formal uniform unless traveling to or from an assignment.
 - C.** The uniform will only be worn when traveling most directly to, from, and during Department assignments.
 - D.** Each fulltime uniformed officer shall maintain a minimum of four (4) complete uniforms in good serviceable condition with at least one uniform being Class A. Uniform trousers and shirts shall not be interchangeable between classes. One set of uniforms consists of one each of the following:
 - 1 – Pair Trousers
 - 1 – Long Sleeve Winter Shirt
 - 1 – Short Sleeve Summer Shirt
 1. Class A: Traditional dress polyester and/or wool blend (such as Flying Cross or Horace Small)
 2. Patrol Uniform: Black or dark navy BDU style pant with polo or BDU shirt (S/S, L/S)

*Reserve Officers shall be issued one set of Patrol Uniforms. Supplemental uniforms will be added as needed.

E. Headgear (Class A 8 point dress hat):

<u>Hat will be worn</u>	<u>Exceptions</u>
Funerals and formal ceremony	In the car; inside buildings
Where formal dress is appropriate	When detrimental to expediency
Crowd or parade duty (optional)	

3. Wearing of headgear other than during the above mentioned circumstances will be at the discretion of the individual officer.
4. Baseball caps may be worn with the Patrol Uniform or in conjunction with an outer vest carrier.

G. Neckties shall be worn with the long-sleeve formal Class A dress uniform and may be worn with the long sleeve Class A uniform.

H. The long sleeve uniforms shall be worn at the individual officer's discretion based on personal comfort with current weather conditions. Up to three "PCPD" embroidered turtlenecks shall be supplied by the Department for long sleeve use with Class A or Patrol Uniforms. Officer may also use other black undershirts in lieu of mock turtle necks.

I. Class A uniforms shall have police department patches sewn to both upper sleeves. Long-sleeve Class A may also have service stripes/ashes attached to the lower left sleeve as awarded to employees signifying each verifiable four (4) year grouping of tenured service in the law enforcement profession. Ribbons and medals associated with Policy 2.20 shall only be worn with the formal dress Class A uniform.

J. Patrol Uniforms may have a badge holder (utilize issued metal badge) or an embroidered badge on the left chest and "POLICE" embroidered on the right chest. A police department patch will be sewn on each shoulder. No collar brass, additional insignias or other patches shall be worn with the polo patrol uniform.

K. Outer bullet resistant vest carriers are authorized but must be preapproved and season/assignment appropriate. They may be worn with the Class A, or Patrol Uniform, but shall not be worn with the formal dress Class A uniform. The same parameters shall be set for jackets, pullovers, and parkas.

L. Bicycle patrol uniforms shall consist of the following:

- a. Patrol Uniform shirt as outlined in 4.05-III(J) and BDU style pants or shorts
- b. Black shorts with cargo pockets

- c. Solid black athletic shoes or as approved by the Chief
- d. Bicycle helmet
- e. Black bicycle gloves (optional)
- f. Black full length PDU style pant (optional)
- g. Officer's equipment shall consist of the following: (nylon items are optional and purchase is the officer's responsibility).
 - i. Duty belt (black nylon optional)
 - ii. Duty weapon and holster (black nylon optional)
 - iii. ASP and holder (black nylon optional)
 - iv. Portable radio and holder (black nylon optional)
 - v. Flashlight and holder (black nylon optional)
 - vi. Magazines and holder (black nylon optional)
 - vii. Handcuffs and carrier(s) (black nylon optional)

M. Uniformed officers assigned to the Patrol Division shall wear bullet resistant vests. Non-uniformed officers, command personnel not covering patrol duty, and administrative special assignments shall have the option of wearing their bullet resistant vest.

N. Safety Traffic Vests shall be worn when officers are on foot when duties place them within the right-of-way to handle emergency operations for extended periods of time according to ANSI regulation 107-2004.

a. Employees of the Polk City Police Department will wear the class 2 compliant safety vest over their outermost clothing anytime they are actively involved in activity that places them immediately adjacent to or directly within the right of way of any local, state or federal roadway and they are engaged traffic direction, pro-longed accident investigation, lane closures, roadway obstructions or environmental disasters.

b. Officers may also utilize an ANSI compliant coat or jacket when necessary.

O. All uniforms items will be kept clean and in good repair. The Chief or Lieutenant may direct an officer to replace a uniform due to wear and tear.

P. Uniform pockets will be kept buttoned when practical and will not be overfilled or bulging.

Q. T-shirts when worn and visible with the uniform shall be white, navy or black in color and will be in good condition; shirts will not be an open weave or fishnet design.

R. All shoes, metal insignia, leather and leather accessories will be kept clean and polished.

S. Slappers, saps, blackjacks, bludgeons, sandbags, loaded gloves, or any piece of equipment of similar nature will not be permitted, carried, or used.

T. Utility uniforms when authorized by the Chief of Police may be worn.

U. Male officer – Haircut

- a. The hair will be well groomed at all times except those of adverse conditions.
- b. The hair will be tapered or styled on the sides and back and will not present a ragged or unkempt appearance.
- c. The hair will not cover more than the upper half of the ear when the cap is worn, nor will it extend over the collar when standing erect.
- d. The hair in front will not extend over the eyebrows when no headgear is worn, nor be visible below the front of the headgear when worn.
- e. The bulk or depth of the hair will not interfere with the wearing of the headgear, but in no case will it be more than 1 ½” deep on the sides or 2” deep on the top of the head.
- f. Sideburns will be trimmed straight (not angled) at the bottom and a horizontal line across the bottom of the sideburns will not extend below the ear. The sideburns will not be more than 1 ½” wide at the widest point.
- g. Mustaches will be well kept and may extend below the mouth to encompass the chin in the formation of a neatly groomed goatee. Mustaches shall not extend over the upper-most lip and mustaches shall not be bushy in appearance.
- h. Beards may be worn by personnel in any assignment. Beards shall be kept neatly trimmed with straight lines and shall not be bushy in appearance. Beards shall not exceed ½ inch in length and shall be well groomed and maintained. The Chief of Police reserves the right to make the final decision as to the appropriateness of any beard worn by members of the department. Any member instructed to address issues related to a beard shall comply immediately.

V. Female officer – Haircut

- a. The hair will be well groomed and shall not present a ragged or unkempt appearance, except under adverse conditions.
- b. The hair will not extend below the tops of the eyebrows when no headgear is worn.
- c. The bulk of the hair will not be so extreme as to interfere with the wearing of the headgear.
- d. Long hair may be worn but must be worn above the collar; neatly kept ponytails and braids are acceptable. Pigtails are prohibited.

W. Non-uniformed Duty Attire

- a. When on duty, in a non-uniform capacity, officers will wear a business or business casual dress attire except when such attire would be detrimental to the accomplishment of the assignment.

Jeans are prohibited unless the Chief of Police approves special circumstances.

- b. Non-uniform personnel hairstyle is at the discretion of the Chief of Police, but in no case will the length be extreme unless necessary in the accomplishment of a specific assignment.
- c. Civilian personnel shall be allowed to wear business casual attire unless more formal dress is appropriate.

X. All required and necessary equipment will be provided by the Department

IV. Tattoos/Piercings/Intentional Scarring/Other Body Art

- A. Any tattoos, piercings, intentional scarring, or other forms of self-expression through body art visible above the uniform collar is prohibited. Two small studded piercings worn in each ear is permitted while on duty.
- B. Any body art visible on exposed arms and legs while in uniform is subject to approval on a case-by-case basis by the Chief of Police. As a general rule, if the artwork is not deemed to be in poor taste or unnecessarily detracts from the professional image of the City of Polk City Police Department, then it will be allowable. Examples of poor taste include, but are not limited to: morally objectionable, racially oriented, or sexually explicit.
- C. The reasonable concealment of prohibited body art through the use of flesh colored bandages or cosmetics may be acceptable on a case-by-case basis as approved by the Chief.
- D. The Police Chief reserves the right to dictate other circumstances where employees will be required to cover their tattoos, piercings, intentional scarring, or body art.

Title: Surveillance Equipment			Number: 4.06
Date Issued: 1 Oct. 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

I. PURPOSE: To establish procedures concerning the authorization, distribution, and use of surveillance and undercover equipment.

II. PROCEDURE:

A. Surveillance and Undercover Equipment

1. Supervisors or designees shall provide training in the safe, effective, and legal use of specialized surveillance and undercover equipment prior to its deployment.
2. This equipment includes:
 - a. Forfeited vehicles
 - b. Body bug
 - c. Audio recorders
 - d. Video and still cameras
 - e. Night vision equipment & spotting scopes
 - f. Forward Looking Infrared Devices (FLIR)

B. Authorization for Use. All officers are authorized to use surveillance and undercover equipment in order to enhance the effectiveness and safety of any legal police procedures. Special assignments and staffing considerations shall be coordinated through division commanders.

C. Storage. All surveillance and undercover equipment will be stored in the Police Department when not in use. No such equipment will be stored in vehicles assigned to officers/investigators unless being used during the current tour of duty.

D. Inspections

1. Supervisors or a designee will conduct semi-annual inspections and inventory of specialized surveillance and undercover equipment to ensure its operational status and effectiveness.
2. Any repairs or maintenance requirements will be logged and reported to the Lieutenant or Chief of Police.

Title: UTV Operations and Regulations			Number: 4.07
Date Issued: 10 October 2018	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

- I. PURPOSE:** To establish the guidelines for the operation and regulation of the Kawasaki Mule UTV used by the Polk City Police Department.
- II. POLICY:** The Department will utilize a Kaswasaki UTV. The UTV will be used when necessary in areas where conventional police cars are not effective. The UTV may also be used during special events and beach patrol.
- III. PROCEEDURE:**
- A. Operation**
1. The operation and utilization of the UTV will be on a “need” basis and not a permanent assignment.
 2. Patrol officers are encouraged to utilize the UTV during the course of their shift when at least one other officer is working, available for calls, and aware of the effort.
 - a. Seatbelts will also be utilized in the above situations.
 3. Officers will obey all traffic laws while operating the UTV on all roadways.

CH 5

Weapons & Use of Force

Title: Use of Force			Number: 5.01
Date Issued: 1 October 2016	Updated: 25 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 11

- I. **PURPOSE:** Every member of the Polk City Police Department is committed to upholding the Constitution and laws of the United States and the State of Iowa, and defending the civil rights and dignity of all individuals, while protecting human life and property and maintaining civil order. The community expects, and the Polk City Police Department requires, that officers use only the amount of force necessary to perform their duties and that such force be proportional to the threat or resistance of the subject under the circumstances.

An officer's commitment to public safety includes the welfare of members of the public, the officer and fellow officers, with an emphasis on respect, professionalism, and protection of human life, even when force is necessary. Officers who violate those values by using objectively unreasonable force degrade the confidence of the community, violate the rights of individuals upon whom unreasonable force is used, and may expose the Department and fellow officers to legal and physical hazards. Conversely, officers who fail to use timely and adequate force when it is necessary, fail in their duty to act as public guardians and may endanger themselves, the community, and fellow officers.

- II. **POLICY:** It is the policy of the Polk City Police Department to accomplish the police mission with the cooperation of the public, and as effectively as possible. The reliance upon the use of physical force will be justifiable. Personnel of the Polk City Police Department will use only the amount of force reasonably necessary to accomplish lawful objectives and use deadly force only in defense of human life or in defense of any person in imminent danger of serious physical injury.

III. **DEFINITIONS:**

- A. **Physical Force** means any physical coercion by an officer in performance of official duties, including the following types of force:

1. **De Minimis Force** - Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury, including:
 - a. Use of control holds or joint manipulation techniques in a manner that does not cause any pain, and are not reasonably likely to cause any pain.

- b. Using hands or equipment to stop, push back, separate, or escort a person without causing any pain, or in a manner that would reasonably cause any pain.
2. **Type I** – Force that causes transitory pain, the complaint of transitory pain, disorientation, or intentionally pointing a firearm or less-lethal device.
3. **Type II** – Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm, and/or the use of any of the following weapons or instruments: ECD, OC spray, impact weapon, bean bag shotgun, Pepperball, deployment of K-9 with injury or complaint of injury causing less than Type III injury, vehicle-related force tactics, hobble restraint.
4. **Type III** – Force that causes or is reasonably expected to cause, great bodily harm, substantial bodily harm, loss of consciousness, or death, and/or the use of neck and carotid holds, stop sticks for motorcycles, impact weapon strikes to the head.

B. Reasonable Force is that force, and no more, which a reasonable officer in like circumstances would judge to be necessary to prevent an injury or loss. It can 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 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.

A person may be wrong in the estimation of the danger or the force necessary to repel the danger as long as there is a reasonable basis for the belief of the person and the person acts reasonably in the response to that belief.

A person who is not engaged in illegal activity has no duty to retreat from any place where the person is lawfully present before using force as specified in this policy. (Iowa Code §704.1)

C. Deadly Force (Iowa Code §704.2) states: The term "deadly force" means any of the following:

1. Force used for the purpose of causing serious injury.
2. Force which the actor knows or reasonably should know will create a strong probability that serious injury will result.
3. The discharge of a firearm, other than a firearm loaded with less lethal munitions and discharged by a peace officer in the line of duty, 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.

4. The discharge of a firearm, other than a firearm loaded with less lethal munitions and discharged by a peace officer in the line of duty, at a vehicle in which a person is known to be.
5. "Deadly force" does not include a threat to cause serious injury or death, by the production, display or brandishing of a deadly weapon, as long as the actions of the person are limited to creating an expectation that the person may use deadly force to defend oneself, another, or as otherwise authorized by law.

As used in this section, "less lethal munitions" means projectiles which are designed to stun, temporarily incapacitate, or cause blunt trauma to a person without penetrating the person's body.

- D. Less-Lethal Force** is that force which is unlikely, when properly used, to result in serious physical injury or death. Less-lethal force shall include the use of the following: pepper spray (OC), Electronic Control Device (ECD), impact weapons (improvised or otherwise), specialty impact munitions (12ga. beanbag rounds), and any other bodily force such as the use of hands, feet, knees, or elbows. Less-lethal force options shall also normally include the use of stop sticks and canines.
- E. Serious Physical Injury**, for the purposes of this policy, means bodily injury that does any of the following:
 1. Creates a substantial risk of death
 2. Causes serious permanent disfigurement
 3. Causes protracted loss or impairment of the function of any bodily member or organ.
- F. Reasonable Belief:** Is determined by the totality of the circumstances known to officers at the time, weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event, and draws logical inferences. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. Reasonableness must embody allowance for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. The reasonableness inquiry is an objective one: the question is whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.
- G. Imminent Danger:** "Imminent" does not mean "immediate" or "instantaneous", but that an action is pending. Thus, a subject may pose an imminent danger of death or serious injury even if he/she is not at that very moment pointing a weapon at the officer.

- H. **Necessary:** The necessity to use deadly force is based on the existence of a reasonable belief that the person against whom such force is used poses an imminent danger of death or serious physical injury to the officer or other person(s). Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to affect a lawful purpose.
- I. **Proportional:** The level of force applied must reflect the totality of circumstances surrounding the situation, including the presence of imminent danger to officers or others. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be objectively reasonable and necessary to counter it.
- J. **De-escalation:** Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects when feasible and reduce or eliminate the necessity to use physical force. Techniques include actions used by officers, when safe and without compromising law-enforcement priorities, which seek to minimize the likelihood of the need to use force and increase the likelihood of gaining voluntary compliance from a subject.

IV. **PROCEDURE:**

A. **Use-of-Force Guidelines.** In addition to the mandates of the Code of Iowa, members of the Polk City Police Department shall adhere to the following principles:

1. When time, circumstances, and safety permit, officers will take steps to gain compliance and de-escalate conflict without using physical force. When safe under the totality of circumstances and time and circumstances permit, officers shall use advisements, warnings, verbal persuasion, and other tactics in order to reduce the need to use force. Officers should consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
 - a. Medical conditions
 - b. Mental impairment
 - c. Developmental disability
 - d. Physical limitation
 - e. Language barrier
 - f. Drug interaction
 - g. Behavioral crisis

Ultimately these potential contributing circumstances may not change the circumstances or decision making involved in using

force, nonetheless officer should seeking to constantly reassess the circumstances based upon their training and make modifications in their tactical approach as new information is garnered.

2. Termination of use of force: Sometimes the use of force is unavoidable, and an officer must exercise physical control of a violent, assaultive, or resisting individual to make an arrest, or to protect members of the public and officers from risk of harm. In doing so:
 - a. Officers should recognize that their conduct prior to the use of force, including the display of a weapon, may be a factor which can influence the level of force necessary in a given situation.
 - b. Officers should take reasonable care that their actions do not precipitate an unnecessary, unreasonable, or disproportionate use of force, by placing themselves or others in jeopardy, or by not following policy or training.
 - c. Officers should continually assess the situation and changing circumstances and modulate the use of force appropriately to ensure the level of force being used meets the objective reasonableness standard.
 - d. In situations where the subject either ceases to resist or the incident has been effectively brought under control, the use of physical force should be reduced accordingly.
 - e. Officers should consider, among other factors, when determining if the use of force should be terminated:
 - i. The immediacy and severity of the threat
 - ii. The conduct of the individual confronted
 - iii. The degree to which the individual has been effectively restrained.
 - iv. Whether the individual is resisting, attacking or attempting to flee
 - v. Whether the conduct of the individual no longer reasonably appears to pose a threat
3. Deadly Force: Deadly force can only be used when the officer has reasonable belief that the subject poses an imminent danger of death or serious injury to the officer or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use.
4. Fleeing Suspect: Deadly force may be used to prevent the escape of a fleeing suspect only when an objectively reasonable officer would conclude that it is necessary and the officer has probable cause to believe that:

- a. The suspect has committed a felony involving the infliction or threatened infliction of serious physical injury or death; and
 - b. The escape of the suspect would pose an imminent danger of death or serious physical injury to the officer or to another person unless the suspect is apprehended without delay; and
 - c. The officer has given a verbal warning to the suspect, if time, safety, and circumstances permit.
5. Shooting at a moving vehicle: Weapons may be fired at the driver or other occupant of a moving vehicle only when the officer(s) has probable cause to believe that the subject poses an imminent danger of death or serious injury to the officer or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use.
6. Verbal warnings: *If feasible*, and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force. Verbal warnings should be made before releasing a canine to subdue, restrain or control a person.
7. Officers are NOT authorized to discharge their firearms under the following circumstances:
- a. As warning shots
 - b. From a moving vehicle, unless an officer has reason to believe that their self or another is in imminent danger of death or serious injury and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use.
8. Lateral Vascular Neck Restraint, Choke Holds and Strangle: These and any other similar hold that restrict the ability to breath or the flow of blood to the brain are prohibited except when the officer reasonably believe there is an imminent threat of serious injury or death to themselves or to a third party if he or she does not do so, and that it is the most reasonable means of protecting himself or herself or a third party.

B. Use of Force Training: Officers will be trained in alternative methods and tactics for handling non-compliant subjects. In addition, sworn personnel will receive annual review/update training on the Department's use of force policy, related legal updates and proficiency testing with all approved weapon systems. Only sworn personnel receiving this training will be authorized to carry or deploy these weapon systems, on or off duty.

In addition, training shall be provided on a regular and periodic basis and designed to:

1. Provide techniques for the use of and reinforce the importance of de-escalation.
2. Simulate actual shooting situations and conditions; and
3. Enhance officers' discretion and judgement in using less-lethal and deadly force in accordance with this policy.

C. De-escalation: When safe under the totality of circumstances and time and circumstances permit, officers shall use de-escalation tactics in order to reduce the need for force. De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, which seek to minimize the likelihood of the need to use force during an incident. Efforts to mitigate the immediacy of a threat gives officers time to utilize extra resources and increases time available to call more officers or specialty units. Officers should continuously assess and modulate their use of force. As resistance decreases the use of force may decrease.

1. When safe and feasible under the totality of circumstances, officers shall attempt to slow down or stabilize the situation so that more time, options, and resources are available for incident resolution. The number of officers on scene may increase the available force options and may increase the ability to reduce the overall force used.
2. When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
 - a. Medical conditions
 - b. Mental impairment
 - c. Developmental disability
 - d. Physical limitation
 - e. Language barrier
 - f. Drug interaction
 - g. Behavioral crisis
3. An officer's awareness of these possibilities, when time and circumstances reasonably permit, shall then be balanced against the facts of the incident known at the time when deciding which tactical options are the most appropriate to bring the situation to a safe resolution. Tactical options to consider include, but are not limited to:
 - a. Placing barriers between an uncooperative subject and an officer
 - b. Containing a threat

- c. Moving from a position that exposes officers to a safer position
- d. Decreasing the exposure to potential threat by using distance, cover, concealment
- e. Communication from a safe position intended to gain the subject's compliance, using verbal persuasion, advisements, warnings
- f. Calling extra resources or officers to assist
- g. Utilizing less-lethal tools
- h. Any other tactics and approaches that attempt to achieve law enforcement objectives while gaining the compliance of the subject.

D. Duty to Intercede: All employees of the Polk City Police Department have a responsibility and obligation to protect the public and other employees.

- 1. It shall be the duty of every employee, regardless of rank and/or assignment, present at any scene where physical force is being applied to either stop, or make every possible attempt to stop, another employee when such force is clearly beyond that which is objectively reasonable under the circumstances or is no longer required.
- 2. Every employee has a responsibility to report any incident where any other employee is suspected of inappropriately using force or continuing to use force beyond what was reasonable to accomplish the task at hand. Employees also have a responsibility to report such incidents witnessed by the employee when they involve employees of other agencies.
- 3. Any employee failing to meet the directives of "Duty to Intervene" shall be held accountable in the same manner as the employee actually applying/continuing the unreasonable force.

E. Rendering Aid: Once the scene is safe and as soon as practical, and officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.

V. Use of Force Tactics, Techniques and Weapons

A. Utilization. Officers shall utilize those tactics, techniques and weapons that are approved for use by the Department. Officers shall be proficient and where applicable, possess proper Department approved training/certification for any use of force technique or weapon before it is employed in the line of duty. The exception to this requirement would be the use of improvised tactics and/or weapons of necessity in emergency situations to defend self or others.

- B. Weapons/Tactics Requiring Department Certification.** Officers shall not utilize the following weapons or tactics in the performance of their duties without first successfully completing a Department approved training program: handgun, shotgun, rifle, duty knife, ASP baton, straight baton, PR-24, Kubaton, pepper spray, Taser or ECD, 12ga. beanbag round, Stop Sticks, vehicle blocking techniques, hobble leg restraint or Lateral Vascular Neck Restraint (LVNR). Any officer failing to demonstrate proficiency with any weapon or tactic by the end of the qualification period shall not be returned to [regular] duty with that weapon/tactic until such time as proficiency is demonstrated and documented.

VI. REPORTING AND REVIEWING USE OF FORCE INCIDENTS

- A. Reportable Force** is an incident wherein officer(s) pursuant to their official capacity, on-duty or off-duty, use any of the following force options or restraints:

1. Physical force (e.g., pushing, striking, grappling, restraining, etc.).
2. Pepper spray (OC)
3. Taser or ECD
4. 12ga. bean bag round
5. Pepperball less-lethal launcher
6. Impact weapons/striking instruments
7. Handcuffs, Flex Cuffs, Hobble leg restraint
8. Canine
9. LVNR or neck/carotid holds
10. Deadly Force

- B. Officer Responsibilities.** Officers using reportable force shall:

1. Render first aid to the suspect as circumstances dictate.
2. Request EMS if signs of trauma or complications are observed or suspected or as required by policy as a precautionary measure.
3. Photographic Documentation: If there is visible injury, color photographs will be taken of a suspect any time physical force is used to control a suspect and of all persons injured in a use of force incident.
4. Each officer is responsible for explaining and articulating the specific facts, and reasonable inferences from those facts, which justify the officer's use of force. Officers shall prepare an incident report describing the circumstances which led to the use of force, the use of force itself, and any subsequent actions taken by the involved individual(s). Unless extraordinary circumstances exist, officers are not required to prepare an incident report when:
 - a. Discharging a weapon to destroy an animal that represents a risk to public safety or as a humanitarian measure where the animal is seriously injured. Officers shall enter the

immediate facts and circumstances of the call for service in the narrative block of the call log instead.

- b. Using handcuffs on an otherwise compliant subject(s) to which the circumstances of the event do not result in custodial arrest. Officers shall enter the immediate facts and circumstances of the call for service into the narrative block of the call log instead.

5. Notify a supervisor as soon as practicable.

C. Supervisor Responsibilities. The Polk City Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous standards and transparent oversight systems to ensure accountability to the community in order to maintain their trust. Efforts will include force prevention efforts, on-going training in deployment of effective tactics, and an objective review and analysis of all incidents of reportable force.

1. In the event of the serious injury or death of a person in PCPD custody, supervisors will ensure that proper notifications are made to the Chief of Police and the Polk County Attorney's Office, and other policies within this manual relative to the circumstances involved are exercised.
2. In addition, events leading to the bodily injury of a person in PCPD custody, shall have all final use of force/incident reports documenting the use of physical force, alternative force options (OC, ECD, striking instruments, 12ga. bean bag, Pepperball, etc.), LVNR, or canine forwarded to the on duty supervisor for review prior to the end of shift.
3. Approved case documents shall then be forwarded to the appropriate Division Commander for a formal use of force review and the Chief of Police shall be briefed on the findings.
4. Within five (5) business days of receiving a use of force report, the Chief of Police or designee shall submit a report to the online Federal Bureau of Investigation (FBI) Use-of-Force Data Collection database via the Law Enforcement Enterprise Portal (LEEP) if the use of force involved or resulted in:
 - a. The death of a person due to an officer's use of force;
 - b. The serious bodily injury of a person due to an officer's use of force; or
 - c. The discharge of a firearm by an officer at or in the direction of a person that did not otherwise result in death or serious bodily injury.

D. Community Relationships. A strong partnership between the Department and the community is essential for effective law enforcement and public safety. Uses of force, even if lawful and proper, can have a damaging effect on the public's perception of the Department and the

Department's relationship with the community. Both the Department and individual officers need to be aware of the negative effects of use of force incidents and be empowered to take appropriate action to mitigate these effects, such as:

1. Explaining actions to subjects or members of the public
2. Offering reasonable aid to those affected by a use of force
3. Treating subjects, witnesses, and bystanders with professionalism and courtesy
4. Department follow-up with neighbors or family to explain police actions and hear concerns and feedback.

Title: Authorized Weapons & Ammunition			Number: 5.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 6

I. PURPOSE: To establish authorized weapons and ammunition to be carried by Department personnel and explain rules governing the use of firearms.

II. POLICY: It is the policy of the Polk City Police Department to allow officers to carry only authorized weapons and ammunition in the performance of their duties and to promote the safe handling and storage of firearms at all times.

III. PROCEDURE:

A. Definitions of Firearms Types

1. **Duty firearm** is a semi-automatic handgun carried by a sworn officer on or off duty while wearing a Polk City Police uniform. Officers shall only carry handguns authorized by and registered with the Department. Upon hire, officers shall be supplied with a 9mm Glock G17. Should an officer elect to purchase their own weapon for duty use (a different handgun to improve personal ergonomics, proficiency, and/or confidence), the following parameters must be met prior to authorization:

- a. The weapon must be a semi-automatic and 9mm.
- b. Any duty weapon selected by an officer must be designed for the rigors of patrol duty use. It shall not be a subcompact model or hold less than eight rounds of ammunition. Generally, the following manufacturers of law enforcement series weapons shall be approved:
 - (1.) Beretta
 - (2.) Colt
 - (3.) Glock
 - (4.) Heckler & Koch (H & K)
 - (5.) Sig Sauer
 - (6.) Smith & Wesson
 - (7.) Springfield
 - (8.) Other handguns as approved by the Chief of Police on a case-by-case basis
- c. Officers may utilize a red dot sight (RDS) on their authorized duty handgun. The handgun must have been manufactured to accommodate a RDS. There are two approved RDS systems:

- (1.) Trijicon Ruggedized Miniature Reflex (RMR)
- (2.) Leupold Delta Point Pro

- d. Officers who choose to carry and certify with a handgun other than the Glock G17, shall be accountable for full payment of the following expenses, of which uniform allowances are not authorized to cover:
 - (1.) Lawful purchase of the weapon
 - (2.) Approved duty holster, minimum of level 2 security
 - (3.) Approved duty leather magazine pouches, two (2) magazine capacity minimum
 - (4.) Yearly inspection of weapon by a certified armorer
 - (5.) Repairs and replacement parts for the handgun
 - (6.) Duty weapon light systems, if specialized
2. **Non-duty firearm** is a pistol carried by a sworn officer on or off duty while in civilian clothes, in a Polk City Police uniform and assigned to administrative duties within the police station, or as a back-up weapon for regular duty.
 - a. Authorized non-duty firearms are any revolver or semi-automatic pistol capable of firing a caliber cartridge not to exceed .45 caliber nor smaller than .38 caliber.
 - b. For special assignments the Lieutenant may authorize another duty firearm not listed in Part III, Subsection A(1. b.) so long as it is not to exceed a 24-hour time period and the officer has posted a qualifying score in the previous year. This authorization must be in writing from the Lieutenant to the Chief of Police within that same time period or at the earliest available opportunity.
3. **Police Shotgun** for the Polk City Police Department is the Remington Model 870 pump action 12-gauge shotguns with straight or collapsible stocks.
4. **Patrol Rifles** are .223 caliber/5.56 mm firearms assigned to each officer and governed by Policy 5.03. Approved rifles models are:
 - a. Colt M4 configurations
 - b. FN America, LLC

B. Carrying and Use of Firearms

1. Prior to carrying any weapon (duty or non-duty) officers shall have the weapon inspected and registered with the Department and shall qualify in accordance with regulations set herein.
2. Any officer failing to demonstrate proficiency with any firearm by the end of the qualification period shall not be returned to duty with that firearm until such time as proficiency is demonstrated and documented.
3. Discharging a firearm is considered a use of deadly force and will be used in accordance with the Iowa Code Chapter 704 and Policy 5.01 Use of Force.

4. In all cases of duty use, approved firearms will be carried as follows:
 - a. Handguns will have all magazines loaded according to manufacturer's guidelines. The duty handgun will be carried with a full magazine and one round in the chamber.
 - b. Shotguns will be carried with the bolt closed on an empty chamber and a full magazine.
 - c. Patrol rifles will be carried with the bolt closed on an empty chamber and a full magazine inserted. Patrol rifles will have all magazines loaded as follows:
 - (1.) Steel magazines will be loaded two (2) rounds less than maximum capacity (EX: 30 round mag will have 28 rounds).
 - (2.) Polymer magazines will be loaded to manufacturer's guidelines.

C. Standards for Firearms

1. Duty Firearms:
 - a. Will meet all manufacturer specifications.
 - b. Will not be altered in reference to trigger pull or safety.
2. Non-duty Firearms:
 - a. Will meet all manufacturer specifications.
 - b. Will not be altered in reference to trigger pull or safety.
 - c. Will be capable of firing at least five (5) rounds before reloading.

D. Ammunition

1. The Department Range Master(s) will annually issue to each officer enough ammunition to completely load their duty weapon, plus two complete magazine reloads.
2. Officers carrying, as an authorized non-duty weapon, any other firearm of non-conforming caliber must qualify with, carry, and resupply ammunition authorized by the Department Range Master(s). The purchase of this ammunition will be at the officer's own expense. If the non-duty firearm is a 9mm weapon, department duty ammunition may be issued at the Range Master's discretion if stock is deemed to be adequate.
3. Old issued ammunition will be turned over to the Range Master and used for training purposes.
4. Issued ammunition will not be modified or altered in any way.
5. Only issued ammunition may be carried in a duty firearm.
6. Officers carrying a non-duty firearm while on duty shall use Department approved ammunition.
7. Ammunition authorized for use by on-duty officers:
 - a. **Semi-automatic Handguns**
 - (1.) 9mm Speer Gold Dot 124 grain +P
 - b. **Shotguns**
 - (1.) Federal, 12 gauge #00 BUCK
 - (2.) Federal, 12 gauge rifle slugs
 - (3.) CTS #2581 Super Sock bean bag (less-lethal)

c. **Rifles**

- (1.) Speer Gold Dot 62 grain GDSP (bonded .223)

E. Carrying of Weapons by On-duty Plainclothes Personnel

1. The weapon shall meet the minimum standard of the **Non-duty firearm** and should be carried concealed outside of the station.
2. The Lieutenant may authorize exceptions to this section.

F. Carrying a Second (Concealed) Firearm While On Duty

1. A Non-Duty Firearm may be carried concealed by a police officer while on duty as a secondary or back-up weapon.
 - a. The firearm must meet all specifications of a Non-Duty Firearm as defined in Section III, A.2. of this policy.
 - b. The firearm must be inspected and approved by a Department Range Master as well as show proof of a qualifying score within the previous twelve months.
 - c. The firearm must be registered to that officer in the log maintained by the Department Range Master(s).
2. Procedure to Carry a Second Firearm:
 - a. The officer must submit a request to carry the firearm to the Chief of Police.
 - b. Once approved, the Department Range Master shall be contacted and arrangements will be made to inspect the weapon, to qualify with the weapon, and to register the weapon in the Range Master's records.
 - c. Whether the officer and the weapon pass or fail, the Range Master shall note the result and send a copy to the Chief.

G. Carrying a Firearm Off Duty is governed by Chapter 724 of the Code of Iowa and additional actions will be regulated according to rules set forth in this policy. Agency credentials must be carried in conjunction with any duty or non-duty firearm carried off duty.

H. Safe Handling of Firearms – On and Off Duty

1. Officers shall keep their firearms in good working order and maintain them according to manufacturer guidelines and armorer recommendations.
2. Officers will not handle firearms in a manner that endangers the safety of any person.
3. Firearms used at an authorized police range will be handled under safety standards maintained by the Department Range Master. Officers will adhere to the Range Master's instructions.
4. Any discharge of a firearm while on duty outside of dispatching a diseased animal will immediately be reported to a supervisor and/or command staff and documented in an incident report.
5. Any firearm confiscated by Department personnel must be unloaded before entering the Police Department and logged as property for safekeeping or recorded as evidence of a crime.
6. Misuse of a firearm is cause for immediate discipline up to and including termination.

I. Safe Storage of Firearms

1. **Storage at the Station.** While the Department does not recommend storing weapons in assigned station lockers, if an officer chooses to do so, the locker **MUST** be kept locked.
2. **Storage at Home.** Any officer taking duty weapon(s) home shall be accountable to Department standards of safe operation and storage. It is recommended that the weapon(s) be locked up and/or disabled so that an unauthorized person cannot handle it.
 - a. Weapon(s) may be locked (secured) in a safe, lock box, drawer, closet, or any other place that the officer believes to be safe.
 - b. Options to Disable Weapon(s):
 - (1.) Unload it.
 - (2.) Place the ammunition in a different location from the weapon.
 - (3.) For automatic weapons, take the slide or magazine out.
 - (4.) For revolvers, remove the cylinder.
 - (5.) Place a trigger lock on the firearm.

J. Qualifications with Firearms

1. Authorized weapons are those which the officer has qualified with on an annual basis and received Department training on proper and safe use. Initial qualifications for newly hired personnel that are already certified through the ILEA (Iowa Law Enforcement Academy) or current non-probationary officers that choose to switch to a new make and model of duty weapon as authorized, shall be required to post a qualifying score on the ILEA Marksmanship course in addition to the Department approved annual qualification course of fire.
2. The Department shall schedule regular training and qualification sessions for duty, non-duty, and specialized weapons, which will be graded on a basis as set by ILEA. Training shall include day and low light qualifications and combat courses for all duty handguns. Other specialized training and course work shall apply to long guns and specialized equipment as determined by the Range Master.
3. An officer shall not be permitted to carry any weapon with which he/she has not been able to qualify with during the most recent qualification session. Officers who fail to receive a passing score with their duty weapon in accordance with Department testing procedures, shall be relieved of their law enforcement authority until such time as they can post a qualifying score. Should this period of time exceed 30 calendar days, discipline up to and including termination may result.
4. Officers who have taken extended leave, suffered an illness or injury that could affect their firearms ability, or been involved in a

duty related shooting, must re-qualify prior to returning to enforcement duties.

5. Officers using prescription medications that may affect their ability to safely handle a firearm are subject to fitness for duty review.

K. Duty Knives

The Polk City Police Department authorizes each officer to possess and use a duty knife both on and off duty. Specifications shall be in accordance with the recommendation of a Duty Knife Instructor. It is recognized that officers may have many needs for a knife, including both general work and for limited defensive purposes. While not considered to be a primary weapon of choice in a defense of life situation, officers may, under extraordinary circumstances, use a knife in defense of their life and the lives of others.

Title: Patrol Rifle			Number: 5.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 3

- I. PURPOSE:** To set forth guidelines for the use of .223 caliber/5.56 mm patrol rifle deployed by the Polk City Police Department during regular field operations.
- II. POLICY:** It is the policy of the Polk City Police Department to equip specially trained police officers with patrol rifles to be used as a resource in high threat level situations.
- III. PROCEDURE:**
- A. Deployment Criteria**
1. Only rifle-trained officers posting a qualifying score within the previous year are allowed to deploy the rifle operationally.
 2. The rifle may be deployed upon approval from a supervisor.
 3. The rifle may be deployed during a spontaneous field incident when the rifle-certified officer involved has reason to believe the rifle's increased range and accuracy would aid in resolving the situation more efficiently and with increased safety for officers and/or innocent bystanders. These situations may include but are not limited to:
 - a. Felony traffic stops
 - b. Armed robbery, burglary in progress, a hostage/barricade event, active shooter, or other incidents when a suspect is believed to be armed and the environment is not limited solely to close quarter battle terrain.
 - c. This agency considers it a best practice to deploy a patrol rifle when there is reason to believe that a suspect is:
 - (1.) Wearing protective body armor.
 - (2.) Armed with a high-powered weapon that surpasses the capability of the weapons routinely carried by Patrol officers.
 - (3.) Armed and situated in a distant or fortified location that affords the suspect a tactically superior position.
 4. When a rifle-certified officer encounters an immediate life-threatening situation that meets the deployment criteria and sufficient time does not exist to obtain supervisory approval, the officer deploying the rifle shall inform an on-duty supervisor as soon as practicable.
 5. Once the threat is resolved the rifle shall be re-secured.

B. Officers Equipped with a Rifle

1. Department personnel must be trained and qualified annually as a rifle operator according to measures set forth by the Iowa Law Enforcement Academy and the Department's Rifle Instructor. Approved rifles must meet the following specifications:
 - a. Factory built AR-15 style semi-automatic rifle in .223 caliber/5.56 mm (semi-auto only unless assigned to a tactical entry team as approved by the Chief).
 - b. 16" or 20" standard or heavy barrel (no varmint barrels) unless assigned otherwise. Barrels may not be suppressed unless authorized by the Chief. Suppressed barrels will be cut to 11.5" and the suppressor will be pinned and welded to the barrel.
 - c. Black in color (no camo, chrome, stainless steel, Etc.).
 - d. No modifications to factory trigger pull or safety mechanisms.
 - e. Equipped with a weapon mounted white light source producing a minimum of 60 lumens.
 - f. Equipped with a sling.
 - g. 20 and/or 30 round magazines with Department issued ammunition only.
 - h. Rifles must be transported in a black nylon case or a Pelican style hard case.
2. Secure the weapon and ammunition in the trunk of the officer's police vehicle or approved mounting hardware until deployment.
3. Respond to requests for an officer armed with a rifle.
4. Ensure that the situation meets the deployment criteria.

C. Patrol Supervisor

1. Respond to situations where an officer armed with a rifle is requested.
2. Determine if the deployment of the rifle is appropriate.
3. Take command of the tactical incident and determine if the Metro STAR team is necessary.
4. Ensure that rifles are secured when the situation is resolved.
5. Make the necessary notifications if a weapon is discharged.
6. Document the incident in the call for service log if no other report is filed.

D. Department Rifle Armorer

1. Inspect all Department owned rifles prior to field use and annually thereafter.
2. Ensure that officers meet all training requirements prior to field deployment including qualifications with iron sights and optics.
3. Maintain documentation of training and inspections.
4. It is the responsibility of each officer issued a rifle to notify the Armorer when a weapon malfunctions, needs maintenance, or has been exposed to inclement weather or adverse conditions that

require immediate maintenance or inspection for damage. The Armorer shall then repair the issue or remove it from service.

5. An independent certified armorer may be utilized to service PCPD patrol rifles if a departmental armorer is available.

Title: Shotgun Inventory and Maintenance			Number: 5.04
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 1

I. PURPOSE: To define the guidelines and requirements for the inventory, maintenance, and assigning of Department shotguns.

II. PROCEDURE:

A. Any ordering of new shotguns or altering of presently owned shotguns will be coordinated by the Range Master.

B. The Range Master's responsibility is to order, inventory, and oversee of all Department shotguns.

C. Inventory

1. The Range Master will inventory annually all shotguns belonging to the Department which will include the type, model, and serial number, the purchase date, the date of the last maintenance performed, and where the shotgun has been assigned.

2. The Lieutenant will be responsible for the shotguns assigned to patrol cars and officers. It will be the responsibility of the specific unit or person assigned a shotgun to know its whereabouts at all times, and any change in status of the shotgun must be reported both to the Lieutenant and the Range Master in writing as soon as possible.

3. It is not mandatory for officers to utilize a shotgun while on patrol if they are patrol rifle certified and have an issued departmental patrol rifle. The use of a patrol shotgun will be at the officers discretion.

D. Maintenance

1. The Range Master will coordinate a semi-annual cleaning and inspection of each shotgun, documenting it on the inventory for each weapon.

2. The responsibility for daily care will be that of the Range Master or person assigned the weapon.

a. If the weapon needs attention outside the normal semi-annual inspection/cleaning, the responsible party should contact the Range Master for the needed work.

b. The Range Master will document this additionally needed maintenance on the inventory for that weapon.

3. The Range Master will see that adequate materials are available for normal care and maintenance.

Title: Less Lethal Munitions			Number: 5.05
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 3

I. PURPOSE: To set forth guidelines intended to address the training and use of close quarter and extended range impact weapons with less lethal projectiles for the Polk City Police Department. Regulations specific to Electronic Control Devices are referenced in Policy 5.06 of this manual.

II. POLICY: It is the policy of the Polk City Police Department to recognize that combative, non-compliant, armed and/or violent persons may cause handling and/or control problems which require special training and equipment. The Department has adopted this less lethal force philosophy to promote the de-escalation of potentially violent confrontations.

III. DEFINITION:
Less lethal projectiles are defined as those munitions which can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, and/or preventing serious injury without posing a significant potential of causing death. Examples of less lethal impact projectiles include, but are not limited to: beanbags, launchable wooden, foam, or rubber batons/balls, rubber pellets, OC/pepper balls, glass breaking agents, marking agents, water filled projectiles and other similar items.

IV. PROCEDURE:

A. Authorized Use

Only personnel who have successfully completed a Department approved training course by a certified instructor in the use of less lethal impact devices are authorized to use them. Officers will be required to undergo an annual qualification in each less lethal option.

B. Carrying of Less Lethal Munitions

1. Less Lethal Shotgun: A dedicated less lethal shotgun with beanbag rounds shall be assigned to one on-duty officer each shift. Upon completion of a shift, the less lethal shotgun will be turned over to an officer on the next shift. The dedicated less lethal shotgun is equipped with a blaze orange stock for easy identification and shall be carried in a hard protective case in the trunk of a patrol vehicle complete with dedicated less lethal ammunition.
2. Members authorized to carry the dedicated less lethal shotgun and ammunition or Pepperball launcher will only use the shotgun or launcher and ammunition provided by the Department.

3. Guidelines for loading, unloading, and carrying of the less lethal shotgun shall be the same as regulations set forth for duty shotgun usage.

C. Justification for Use

The uses of less lethal impact munitions are decisive actions which may assist in achieving the goal of protection of life and property and/or restoration of order. Use may be considered whenever a less lethal device could assist in enabling arrest, restoring order, area denial, crowd control, and/or reducing the risk of serious injury as determined through proper training. Circumstances justifying the use of these devices include, but are not limited to:

1. Restoration or maintenance of order during civil disturbances
2. Safely controlling violent persons
3. Subduing persons with a weapon capable of inflicting substantial bodily injury to themselves or others
4. Subduing vicious animals
5. Situations authorized by a supervisor

D. Contradiction of Less Lethal Munitions Use

Less lethal munitions shall not be used on the very young, the very old, and the visibly frail person, or a female known to the officer as being pregnant or believed to be pregnant, unless it is an immediate life-threatening situation. Less lethal munitions shall not be used to gain compliance from persons who are exhibiting passive resistance.

E. Deployment

1. Intended target areas follow the same guidelines as other agency approved impact weapons. Primary target areas are major muscle groups such as the thighs, buttocks, and abdomen area surrounding the region of the belly-button. Secondary target areas are smaller muscle groups such as arms, shoulders, and knees.
2. Less lethal munitions shall never be aimed at the face, throat, neck, spine, or groin area unless deadly force is justified.
 - a. Extended range 12-gauge less lethal projectiles shall not be deployed at a target less than twenty (20) feet away. The optimum range of twenty (20) to seventy-five (75) feet is preferred for accuracy with a bean bag round.
3. When feasible, supervisory approval should be obtained prior to deployment. Additionally, a back-up officer with lethal force capability will always be present.
4. The dedicated less lethal munitions operator should announce his/her intention to use the weapon to all officers who are present so they will know the weapon is about to be discharged. The term "Red Gun" has been designated as a code to alert other officers of the use of a less lethal shotgun.
5. Officers will verbally instruct the person to comply with their commands after a less lethal weapon has been discharged. If the initial round(s) is ineffective and the threat still persists, an officer

may utilize follow-up rounds as necessary until which time further use is deemed ineffective.

6. The officer discharging less lethal munitions should not assist in controlling and handcuffing the person unless necessary. Whenever possible an arrest/react team will be used to take an individual into custody.

F. Post Deployment

1. Persons who are struck, or claim to be struck by the impact munitions, or have injury associated with a fall as a result of being struck, shall be examined by medical personnel. While the possibility always exists for physical injury whenever impact weapons are used, the maximum desired effect of impact munitions is blunt trauma.
2. Photographs of injuries shall be taken as well as target range aspects and measurements.
3. Officers should collect expended casings and projectiles from extended range impact munitions (less lethal shotgun) and place it/them into property if feasible.
4. An incident report shall be completed and command staff shall be notified that less lethal munitions were used.
5. Accidental discharge during an administrative handling will be reported to the Lieutenant.

Title: Conducted Energy Weapon			Number: 5.06
Date Issued: 1 October 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 4

- I. PURPOSE:** This policy describes the circumstances and types of behavior when the less lethal conducted energy weapon may be deployed in the force management paradigm.
- II. POLICY:** It is the policy of the Polk City Police Department to recognize that combative, non-compliant, armed and/or violent persons may cause handling and/or control problems which require special training and equipment. The Department has adopted a conducted energy weapon option and the following guidelines to promote the de-escalation of potentially violent confrontations.
- III. DEFINITION:**
Conducted Energy Weapon (CEW) commonly known as a TASER, is authorized for use by the Polk City Police Department.
- A. The CEW is a hand held, battery operated device that delivers low electrical amperage, which dominates the neuromuscular system, causing involuntary muscle contractions to temporarily incapacitate a person.
 - B. The CEW is deployed by: (1) discharging a single use dart cartridge, (2) through a direct contact drive stun, or (3) through a combination of both techniques.
 - C. The CEW is designed to temporarily immobilize a person who appears to be actively resisting or is an immediate threat to themselves, officers or others.
- IV. PROCEDURE:**
- A. Carrying of CEW**
Only Officers or Reserve Officers who have successfully completed the agency or state training academy CEW certification program are authorized to carry and use the CEW.
 1. Officers assigned a CEW for designated periods of time are responsible for care and security of the device. If the CEW is damaged or malfunctions, the officer’s supervisor will be notified of the need for repair or replacement. It will be the responsibility of the officer to routinely conduct arc tests to ensure the unit is properly functioning.
 2. Officers will carry the CEW in a departmentally approved holster, in the “safety on” position. The CEW will not be carried on the same side of the body as the officer’s firearm.

B. Deployment Parameters

1. The CEW shall be used within the guidelines established by the Department's Use of Force Policy (5.01).
2. The purpose of the CEW is to provide officers with a less-lethal force intervention option. Officers should refrain from the use of the CEW to gain compliance from persons who are exhibiting passive resistance, unless there is a reasonable expectation that it will be unsafe for officers to approach within contact distance of the person, and all other perceived options are not practical or effective.
3. The deployment of the CEW will be evaluated using the Department's Use of Force regulations. The CEW may be used, but is not limited to the following circumstances:
 - a. To overcome violent or assaultive behavior or threat in close proximity
 - b. To control persons in order to prevent them from harming themselves or others
 - c. When other attempts to control or subdue the person by conventional tactics have been, or will likely be, ineffective in the given situation
 - d. To control an animal that appears to present a danger to the officer or the public.
4. Officers should refrain from the use of the CEW in the following circumstances, unless there are compelling reasons to do so which can be clearly articulated.
 - a. Against a person operating a motor vehicle
 - b. Against a person with known heart problems or is known to have an implanted cardiac defibrillator (pacemaker)
 - c. Against a person with apparent debilitating illnesses
 - d. Against a young child or the elderly
 - e. Against a person with known neuromuscular disorders such as multiple sclerosis, muscular dystrophy, or epilepsy
 - f. Against a person known to be pregnant
 - g. Against a subject fleeing on foot
 - h. Against handcuffed subjects who are not actively resisting
 - i. In areas where deployment may cause the suspect to fall resulting in serious injury or death
 - j. The CEW should not knowingly be discharged or tested near flammable or explosive materials
 - k. Against a person who may fall into a body of water
 - l. Against a person who is known to have recently ingested extreme quantities of drugs and/or alcohol or exhibiting symptoms of "excited delirium" (e.g. nudity, profuse sweating, irrational behavior). If the CEW has been utilized and substance abuse concerns arise, these people may be more susceptible to certain medical problems and should be closely monitored following the application until such time as they can be examined by paramedics or other medical personnel. Refer to policy on Sudden Custody Death Syndrome (5.08) for further guidance.

5. Officers shall give a verbal warning, when practical, to the subject and other officers before deploying the CEW. Officers should notify other officers on the scene by loudly and clearly announcing “TASER” if the CEW is discharged.
6. The CEW is not to be intentionally aimed at the head, neck, upper chest or genital area.
7. Officers shall notify an on-duty supervisor immediately after a deployment is made and the subject is secure.
8. Upon deploying the CEW, the officer should engage the subject with the least amount of cycles to accomplish the objective. If at any time during the application of the CEW, the operator and/or supervisor determines that further cycles of power will not effectively incapacitate the person, use of the CEW will cease.
9. When a subject is armed with an CEW and attacks, or threatens to attack a police officer, the officer may defend him/herself by whatever force options necessary to avoid becoming incapacitated and risking the possibility that the subject could gain control of the officer’s firearm. When possible, officers should attempt to move outside the CEW range and seek cover, as well as request back-up officers to mitigate the danger.

C. Medical Treatment Guidelines

1. All persons receiving a discharge from the CEW, either through the deployment of darts or a direct contact drive stun, will be treated or evaluated by certified medical personnel. If necessary, the person will be transported to the county medical facility for treatment, evaluation, and/or removal of the darts.
2. Prior to medical treatment or transporting the person to a medical facility, officer will ensure the wires to the barbs are detached from the cartridge.
3. Persons with barbs lodged in the head, neck, or genital area will be transported to the county medical facility.
4. Expended darts and cartridges should be considered a biohazard and should be disposed of safely and properly.

D. Reporting

1. Any deployment of the CEW which a cartridge is discharged or a drive stun technique is utilized will be reported by the officer in an incident report.
2. Photographs will be taken of the person and the contact sites on the person receiving the CEW. Photographs shall also be taken of the scene and any secondary injuries and causes of such.
3. An CEW Instructor should be contacted to download the data for the CEW deployment from the device and provide a printed copy to the Chief or designee to be included with the other appropriate administrative review documents. The device shall be taken out of service with power source and cartridge removed if unit is damaged or inoperable.
4. The deploying officer’s supervisor will ensure that all applicable reports are forwarded through the chain of command in a timely

manner. In addition, a copy of all applicable police reports relating to the deployment of the CEW shall be forwarded to the Chief of Police.

5. Accidental discharges of the CEW during administrative handling will be reported in email format to the officer's supervisor. The officer responsible should include in the memo details of the immediate facts and circumstances that led up to the discharge.

E. Equipment Procedures and Training

1. Each CEW will be inspected and maintained by a certified CEW Instructor. All inspection records will be kept in accordance with Department protocols.
2. Any unassigned CEW shall be stored unloaded with the safety mechanism on "safe" and secured as defined by agency protocol.
3. CEW in-service training shall be conducted annually to include policy/protocol review, target acquisition, and practical exercise.

Title: Deadly Force Used by Officers, Follow Up Procedures			Number: 5.07
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 7

I. PURPOSE: To establish guidelines regarding the investigation into officer involved uses of deadly force and to provide a procedure for handling stressful situations in a manner compatible with the involved officer’s physical, mental and emotional health.

II. POLICY: It is the policy of the Polk City Police Department to adhere to the following procedures whenever a police officer, on or off duty, acting in the capacity of a peace officer, attempts deadly force either intentionally or accidentally against another person.

III. PROCEDURE:

A. Involved Officer (on duty): Any officer involved in a deadly force encounter shall:

1. Immediately contact dispatch to summon emergency medical responders to the scene to treat the subject(s) and/or officer(s).
2. Ensure the safety of themselves and other responders by securing the scene, if possible, and/or notifying incoming units of additional hazards/suspects outstanding.
3. Request dispatch to immediately notify his/her supervisor of the incident and location, or if none is available any command staff. If the involved officer is unable to make this notification, it will be the responsibility of the first officer arriving on the scene.
4. Perform first aid and/or CPR on any involved individuals as soon as it is safe for the officer to do so.

B. Involved Officer (off-duty): Any officer involved in an off-duty deadly force encounter shall

1. Will immediately notify, or have notified, the Department Supervisory staff of the incident and the location.
2. Comply with this policy and outside agency investigative protocols as applicable.

C. On Scene Supervisor

1. Normally the supervisor of the officer involved in the shooting/ deadly force incident will control the scene. In the absence of an

- immediate supervisor, the first responding officer will be responsible for the scene until relieved by command staff.
2. Obtain aid for injured persons and secure the scene by setting up a primary and secondary perimeter.
 3. Contact command staff and provide them with all pertinent information regarding the incident and request that they make the scene.
 4. Coordinate the response of other responding officers and continue scene security until relieved by command staff.
 5. File supplemental report on observations and actions, including a preliminary scene diagram, in-car videotaping, preliminary photographs, and have reports from all involved employees filed as soon as possible.
 6. Ensure employees involved in the incident will not be allowed to leave the scene/their assigned area unless permission is given after first checking with the command officer aiding in coordination of the criminal investigation.
 7. At the discretion of the lead investigator, accompany the involved officer to an appropriate medical facility and supervise the collection of a blood specimen (or blood collection kit) to document the results and maintain chain of custody on the specimen [The on-call medical examiner may need to be notified to fulfill this request.]. A breath sample should also be taken at the nearest law enforcement facility.
 - a. The blood sample will be placed in the appropriate property storage with an evidence-style tag attached.
 - b. A criminal case number will be put on the tag.
 - c. Breath samples should be taken with a DataMaster.
 - d. All paperwork will be forwarded to the command officer/case agent in charge of the criminal investigation and placed in the appropriate file.
 8. Every effort will be made to conduct interviews with the officer(s) involved as soon as reasonable following the incident. Outside of medical treatment, involved officer(s) should expect to be separated from the scene as well as his/her service weapon(s) and clothing/uniform and gear. At the discretion of the lead investigator, within two hours or as soon as practical, submit to a breath and blood test (or blood collection kit) to detect intoxicants at an appropriate medical facility, accompanied by a police supervisor or designee. At his/her expense, the involved officer shall be entitled to obtain his/her own independent specimen sample after complying with agency protocol.
 9. Involved officer(s) will be given the opportunity to speak or visit with family members and/or religious officials, as well as consult with union representation (if applicable) and/or an attorney

D. Lieutenant:

1. Coordinate initial response to follow-up investigation and scene management at the incident location; establish a crime scene access log; request alternative lighting to the scene as necessary.
2. Identify the incident command location; manage patrol operations, duty assignments, and interagency support staffing.
3. Liaison with the Polk County Attorney's Office and the Division of Criminal Investigation (DCI) as they arrive on scene to partner in a joint criminal investigation to include crime scene processing by the DCI lab.
4. Follow standard procedures for criminal investigations in conjunction with outside DCI investigator (S).
5. Liaison with the Polk County Attorney's Office and the DCI as they arrive on scene to partner in a joint criminal investigation to include crime scene processing by the DCI lab.
6. Seize the weapon(s) in the use of force application and provide a temporary replacement weapon for the involved officer(s). As necessary, seize any clothing, uniforms, shoes, coats, hats and other belongings and gear.
7. Log item(s) into evidence and later coordinate follow-up evaluation of weapon(s) based upon manufacturer standards and functionality by a third-party systems expert.
8. Follow appropriate protocols for suspect and witness interviews, as well as coordination with the Polk County Medical Examiner's Office where applicable.
9. Ensure collection of dispatch logs and radio communications during the incident.
10. After completion of the joint criminal investigation, and grand jury hearing when applicable, the Lieutenant will coordinate the internal affairs administrative review process.
11. Provide information to Chief of Police on an on-going basis.

E. Chief of Police:

1. Follow standard procedures for criminal investigations in conjunction with outside DCI criminal investigator(s) and aid the Lieutenant in execution of duties in III. C. & D. as well as IV. B. of this policy.
2. Ensure that the weapon(s) in the use of force application were seized and provide a temporary replacement weapon for the involved officer(s). As necessary seize any clothing, uniforms, shoes, coats, hats, other belongings and gear.
3. Ensure death notification(s) are made where appropriate.
4. Ensure collection of all dispatch logs and radio communications during the incident.
5. Make all proper notifications to family members of involved officer(s) if necessary.
6. Determine when to initiate outside agency involvement. If so:

- a. Personally request the services of the Iowa Division of Criminal Investigation for a joint investigation and to conduct crime scene processing.
 - b. Contact the Polk County Attorney.
 - c. Coordinate request of outside law enforcement agency to provide evidence collection services and additional outside investigators if needed.
7. Handle media releases and press conferences.

IV. POST TRAUMA RESPONSIBILITIES

A. All employees

1. Display an attitude of concern for the officer(s) involved by being both comforting and supportive. Discussions of the incident itself will be avoided.
2. Department members will not verbalize their opinions concerning justification of actions taken, nor will they discuss the incident with any unauthorized person.

B. Supervisor – additional duties pursuant to III. C. of this policy

1. Remove the officer(s) involved from the scene as soon as practicable.
 - a. The supervisor, or a friend of the officer(s), will remain with him/her unless the officer desires to be left alone.
 - b. The involved officer(s) will not be subjected to any questioning or discussion of the incident during this time except as absolutely necessary.
2. Collect the weapon, ammunition, and magazines used in the incident and arrange replacements through the Support Services Commander as soon as practical.
3. Make certain that all other evidence surrounding the officer(s) involved is collected, turned over to and secured by an evidence technician or investigator.
4. Except for limited questioning deemed critical to the on-scene investigation, a reasonable recovery time of normally at least one hour and potentially multiple days, will be allowed to the involved officer(s) before any formal investigative interview.
5. Assist with arrangements through the Chief's Office to contact the involved officer's family to advise them of the incident, the officer's condition, the family's ability to come to the Department to see the officer(s), and the post-incident procedures in this policy which will be followed.
6. If the officer's photograph and name is to be released to the media, the family will be made aware of this prior to the release.
7. An open line of communication will be established between the involved officer's immediate family and a Department

representative, who will remain available to answer questions and see that the reasonable needs of the family are addressed.

- a. If the involved officer is injured or hospitalized, arrangements will be made to transport the spouse or other immediate family members to the hospital.
- b. A close personal or family friend of the officer's who is also a Department member may be utilized to perform the above function.

C. Command Investigators (Department and DCI):

Only after the officer(s) have been allowed reasonable recovery time, as outlined in III. A. and IV. B. of this policy will a formal investigative interview be conducted.

1. The interview will be conducted in accordance with regular criminal procedures.
2. Written reporting requirements or comprehensive individual interviews by the Department and/or DCI may be completed at this time or delayed for a reasonable length of time pending further assessment of the incident if necessary.
3. Investigative interviews will be videotaped and include administration of an investigative waiver. Additionally, the involved officer(s) may be asked to complete or review crime scene diagrams, evaluate photographs, and complete a walk-through of the crime scene.

D. Office of the Chief

1. The officer will immediately be assigned to administrative duty or leave.
 - a. An administrative duty assignment will be made in such a manner to make the involved officer available to investigators during daytime hours.
 - b. If administrative leave is granted, the Chief will inform the officer that he/she must be available during his/her normal duty hours and keep the Chief's Office advised of where he/she can be contacted.
2. The Chief or designee will advise the involved officer(s) of additional requirements expected of him/her during the investigation and after-action procedure.
3. The involved officer(s) will attend a confidential meeting with a Department approved psychologist as soon as possible following the incident but not prior to the completion of the investigative interview.

- a. Arrangements for the meeting and any subsequent sessions with the psychologist will be made through the Chief's Office.
 - b. If deemed necessary arrangements for counseling or visits to a medical practitioner will be made.
 - c. A final fitness for duty evaluation will be completed on the officer prior to reinstatement. Follow-up fitness for duty evaluations shall be conducted thirty days after the original evaluation and again three to six months after the incident.
4. The Chief, Commanders, and Supervisors are responsible for dispelling any rumors by communicating to their subordinates, via regular roll calls or special employee meetings, those facts concerning the incident and the investigation that should be known by Department members in general.
 5. The City will provide private and group counseling sessions at the request of any officer or at the discretion of the Chief of Police. Critical Incident Stress Debriefing shall also be offered to all involved public safety responders.
 6. The Chief's Office shall also be sensitive to the needs of the community and assign personnel as appropriate to engage citizens in community outreach efforts.

V. DEADLY FORCE REVIEW BOARD

- A. After the officer involved use of deadly force incident criminal investigation and grand jury hearing, the Chief of Police will convene a Deadly Force Review Board whose sole purpose will be to determine if the use of deadly force was *within policy*, *out of policy*, or *accidental*, and make any added recommendations or comments as deemed necessary by the Board.
- B. This Board will be chaired by a senior commander of a nearby jurisdiction. The Board will also be comprised of at minimum two midlevel commanders and one first-line supervisor/OIC. One patrol officer chosen by the officer(s) being investigated shall also be allowed to sit on the Board.
 1. With the exception of the involved officer(s)' selection, the Chief of Police will make all final appointments of board members and determine the number and scope of personnel involved.
 2. Members chosen will receive a copy of the Internal Affairs investigation, this policy, and all police reports including the DCI investigative summary for their review at least one day prior to the meeting.
 3. The Board Chair will instruct the board members not to discuss the review with anyone outside of the Board.
 4. The Board can also include the hearing of direct testimony from the officer(s) and witnesses and any other testimony or evidence deemed appropriate.

5. The final individual decisions shall be by confidential written ballot. The Chairperson shall advise and brief the Chief of the Board's findings within 24 hours of reaching a final decision.
6. The Chairperson will return all copies of the involved reports/documents to the Chief of Police upon adjournment of the Deadly Force Review Board meeting.
7. The Chief of Police will be the only public spokesperson for the Board.
8. The Board is to serve in an advisory capacity only. However, the final report of the Deadly Force Review Board will be subject to subpoena in future criminal or civil proceedings.

Title: Sudden Custody Death Syndrome			Number: 5.08
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 1 Nov 2022	Page(s) 2

I. PURPOSE: The purpose of this policy is to provide guidelines for officers to abide by when recognizing individuals exhibiting preliminary signs of Sudden Custody Death Syndrome. When confronted by such individuals, officers shall bring them under control in a manner that does not unnecessarily aggravate their condition and work to provide immediate medical care for subject(s) in distress.

II. POLICY: As part of use of force considerations, it is imperative that officers of this Department be aware of the factors that most often contribute to Sudden Custody Death Syndrome. There is a need for officers to attempt to distinguish between a subject who is choosing to act in a violent manner and one who is doing so because of an underlying condition that is affecting him/her mentally and/or physically.

III. DEFINITIONS:

A. Sudden Custody Death Syndrome. The unexpected and often sudden death of a prisoner resulting from positional asphyxiation, excited delirium, or other unknown medical condition.

B. Positional Asphyxiation. The death of an individual as a result of interference with his/her ability to breathe. Most generally this type of death occurs when the subject is placed in a prone position thus restricting his/her breathing and confining one's ability to move. In positional asphyxia incidents, there are typically one or more contributing factors that cause the respiratory asphyxiation, including: intoxication from drugs or alcohol, physical restraint in a prone position or confined space, physical disability, obesity, or a high expenditure of violent energy.

C. Excited Delirium. A state of extreme mental and physiological excitement characterized by exceptional agitation and hyperactivity, overheating, hostility, strength and aggression. This state of excitement is generally accompanied by some type of controlled substance abuse, alcohol usage, and/or some form of mental illness.

IV. PROCEDURE:

The two leading causes of Sudden Custody Death Syndrome are positional asphyxiation and excited delirium. Subjects susceptible to either positional asphyxiation or excited delirium are typically encountered under consistent circumstances.

A. These subjects are generally experiencing a cluster of life-threatening physiological stresses, all of which put them at significant risk of death. The circumstances under which these subjects are most often encountered

may include bizarre and aggressive behavior, hyperactivity, making irrational statements, shouting, unresponsive to verbal direction, copious sweating, high body temperature and disrobing, unexpected strength often not impaired by pain including pepper spray and impact techniques, violence towards others, violence towards objects, heavy breathing, paranoia, or foaming at the mouth.

- B. When dealing with an individual exhibiting any of the signs and symptoms that are common to Sudden Custody Death Syndrome, the following procedures should be followed:
1. Whenever possible, develop a coordinated approach with assisting officers and standby emergency medical personnel.
 2. If open-handed force is necessary, utilize a multiple officer takedown (such as the 4-officer swarm tactic).
 3. As soon as the subject is handcuffed and it is safe to do so, based on the totality of the circumstances, get him/her off the stomach and into a seated or standing position. If it is necessary to leave him/her in a prone position, position on the left side.
 4. Avoid extreme prone restraint techniques such as securing handcuffs to a leg or ankle restraint.
 5. If an arrestee continues to struggle, do not sit on his/her back or neck.
 6. Do not place the arrestee on his/her stomach during transport to the jail or hospital. If necessary, a second officer should sit in the rear seat beside the arrestee for observation and control.
 7. Do not leave the subject unattended if distress is detected. Monitor the subject's rate of breathing and vital signs regularly and request medical evaluation by EMS if necessary.
 8. Notify jail personnel of any observed symptoms of Sudden Custody Death Syndrome. Recommend that jail personnel place the subject into an observation area for close monitoring.
 9. If necessary at any point, immediately seek medical attention and immediately provide lifesaving measures. Do not leave the subject unattended until relieved by certified medical professionals.
- C. If custodial death occurs, command staff shall be notified and the scene shall be locked down for further investigation. Regulations according to deadly force investigations shall apply (Policy 5.07).

CH 6

General
Operations

Title: Traffic Stops and Traffic Law Enforcement			Number: 6.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 5

I. PURPOSE: To define the Polk City Police Department’s procedures for reducing traffic crashes and related injuries while promoting a safe flow of motor vehicle and pedestrian traffic and voluntary compliance to traffic laws within the City using a combination of education, enforcement, crash investigation, and other necessary services and duties.

III. PROCEDURE:

A. General Enforcement. It is the responsibility of all sworn officers operating marked or unmarked vehicles equipped with the proper emergency warning devices to enforce applicable traffic laws.

B. Traffic Enforcement Practices. The Department utilizes varied techniques in traffic law enforcement using both Patrol and specialized units. Many variables must be considered when evaluating tactics to be used on a specific problem.

1. *Moving observation.* Visible traffic patrol should be conducted using marked units. All patrol officers are responsible for maintaining a visible traffic patrol within their assigned areas. If needed, visible traffic patrol may be assigned to a specific location and time in response to complaints and/or crashes involving traffic violations.
2. *Stationary observation.* Units may be assigned to a stationary observation position in response to a citizen complaint, repeated violations, or recurring crashes. Observation may be made from a

C. Procedures for Traffic Stops. Officers should use their own discretion and common sense in conducting vehicle stops and in approaching violators. The following procedure is to be used as a guide for officer conduct under normal circumstances and is not all inclusive for every situation the officer may encounter.

1. **Non-high Risk Traffic Stops:**
 - a. When a violation is observed, the officer will advise via radio (or make an entry in the computer aided dispatch system if radio is unavailable) of the violator’s license number, the location of the stop, vehicle description, and number of occupants.
 - b. Utilizing the emergency lights, stop the vehicle in a location that does not create a hazardous situation.
 - c. Position the patrol vehicle about twelve (12) feet behind and offset two (2) feet to the left or right of the violator’s vehicle, depending on conditions. This positioning affords protection for the officer. The spotlight and take down

lights should be aimed into the violator's rear window to illuminate the interior. The public address system may be used to give commands to the violator or occupants in hazardous situations.

- d. When approaching stopped vehicles, keep a close watch on the occupants for any sudden movement.
 - e. Approach stopped vehicles primarily along the driver's side of the vehicle and stand behind the driver's door. Right side, or passenger side approaches may be utilized for officer safety or environmental factors in any situation.
 - f. While talking with the driver, maintain a professional image, be pleasant but firm and business like. Explain the reason for the stop and the enforcement action to be taken.
 - g. Obtain the violator's driver's license, the vehicle registration, and the proof of insurance. Do not normally accept the documents in a wallet or other card case. Have the driver remove the documents from the wallet or case.
 - h. Be alert for any emergency that may arise. Officers should not put their head or hands inside the vehicle.
 - i. Before returning to the patrol vehicle, tell the driver and occupants to remain in the vehicle, staying close to the vehicle and keeping a close watch on the occupants for any sudden movements.
 - j. Check the driver's license and wanted status of the driver and occupants, if applicable.
 - k. Return to the stopped vehicle with caution and explain the citation or warning. Request the driver sign the citation [or warning if applicable] and advise the driver of the court date, time and location.
 - l. When the traffic stop is completed, the officer should have the violator leave the scene first allowing the patrol vehicle's emergency lights to provide protection and alert approaching traffic.
 - m. The officer will advise by radio (or make appropriate computer entry) of the disposition of the traffic stop when returning to service.
2. Additional Considerations for High-Risk Traffic Stops:
- a. Pre-stop Planning - Detailed and clear communications with dispatch and other officers is a must. Officers should have at least one other squad for back up and assistance.
 - b. Location Considerations - Officers need to consider not only their safety, but that of the general public and other officers when deciding where and when the stop will take place. Factors in this decision include: lighting, volume of traffic and pedestrians, type of businesses near stop location and the location of back up officers.
 - c. Squad Placement and Lighting - The distance between the violator and the squads is generally greater during high risk stops. Furthermore, the placement of back-up squads needs to be coordinated between the back-up officers and the

stopping officer. Officers should utilize the squad lighting to their advantage to provide a visual barrier between them and the violator.

- d. Control of the Occupants - In most instances of a high risk traffic stop, the occupant(s) of the vehicle should be directed back to the officers with one officer giving the commands to the occupants. This can be accomplished by use of the PA system or verbal commands. In most instances, the officer who initiated the stop is the person giving the commands to the occupants. The control of the occupants will require the coordinated efforts of all the officers on the scene.
 - e. Coordination and Teamwork is paramount for the safe and effective application of a felony stop. Therefore, effective communication is necessary between all officers that are involved in the stop.
3. Blocking Techniques:
From time to time, it may be necessary for police vehicles with or without emergency lights or sirens to stop a suspect vehicle in traffic by blocking it in place. Officers who have received Department-approved training in vehicle blocking techniques may do so under the following restrictions:
- a. There must be an immediate need to make an apprehension.
 - b. The suspect vehicle must be completely stopped before officers use their vehicles to block it in.
 - c. Officers in unmarked cars shall use all means possible to identify themselves as police officers after blocking the vehicle (badges, police clothing, verbally).

D. Use of Speed Measuring Instruments

1. Specifications for speed measuring instruments will meet or exceed National Highway Traffic Safety Administration standards.
2. Prior to using the instrument, each officer will check calibration and test the instrument as required.
3. Care and upkeep of the instruments will be the responsibility of all officers using the instrument. If the instrument becomes inoperative or damaged, the operator will complete a written Equipment Repair Request form and turn into the Lieutenant to coordinate repairs.
4. On an annual basis, each instrument will be recertified for accuracy and operation. Copies of the recertification are filed at the Department and with the city attorney.
5. Officers will receive training and demonstrate operational competency on all speed enforcement instruments used by the Department prior to utilization.

E. Alcohol Enforcement Countermeasures

1. All officers are responsible for enforcing moving violations which includes O.W.I.

2. In addition, the Department will create selective enforcement opportunities through state and federal grants providing additional enforcement efforts in the areas of O.W.I., high risk driving violations, and special enforcement projects.

F. Operating While Intoxicated Stops and Arrests

1. If an officer suspects that a driver is under the influence of alcohol or a controlled substance, field sobriety tests should be conducted.
2. If probable cause is present to make an Operating While Intoxicated arrest, the offending driver should be transported to the Department or Polk County Jail where he/she will be processed for O.W.I.
3. All aspects of Iowa's Implied Consent Law will be invoked on the offending driver OR blood draw warrants will be obtained.
4. The citing officer will be responsible for arranging for warrants if a specimen test is obtained and later comes back above the legal limit.

G. Roadside Safety Checks will be conducted in accordance with the Code of Iowa 321K.

H. Driver License Re-Examination Procedures. If an officer encounters a driver who has a disability, disease, or other condition that may prevent the person from exercising reasonable care while operating a motor vehicle, they shall do the following:

1. Complete a "Request for Re-examination with the Department of Transportation" form.
2. Submit the form to the Records division for submission to the State.

I. Uniform Enforcement of Traffic Laws. Uniform enforcement supports the ultimate aim of traffic law enforcement, which is to achieve voluntary compliance with traffic laws and regulations. The intent of this section is to provide guidelines for uniform traffic law enforcement actions and not to supplant officer judgment. The officer should decide what enforcement, if any, is appropriate on the basis of a combination of training and experience.

1. *Operation While Barred, Under Suspension or Revocation.* Operating a motor vehicle under these license restrictions typically results in the violator being arrested. Because this is a serious offense, the officer may perform a custodial arrest should circumstances dictate.
2. *Speed Enforcement.* The Department regards willful violations of the speed limit laws as serious and hazardous violations warranting enforcement action. Under normal circumstances these are scheduled violations with the driver subject to release after the issuance of a citation.
3. *Other Hazardous Violations.* Some types of violations considered hazardous include disregarding a traffic control device, failure to yield to a vehicle and/or pedestrian, reckless driving, and improper lane usage/change. Since these and similar types of violations are

- responsible for a large amount of traffic crashes, officers should take enforcement action when the hazardous violation occurs.
4. *Off-Road Vehicle Violations.* Officers will take appropriate action for violations they observe related to illegal road usage, registration violations, equipment violations and licensing violations committed by operators of off-road vehicles.
 5. *Equipment Violations.* In order for a vehicle to be safely operated on the roadway, it must be equipped as specified by state traffic code. A warning or a citation may be issued in order to bring the motorist into compliance with the equipment requirement.
 6. *Commercial vehicle regulations* should be strictly enforced. However, the officer's discretion, training, experience, and knowledge will determine the action to be taken for public and/or commercial violations. The Iowa Department of Transportation may be called for technical assistance.
 7. *Non-Hazardous Violations.* The type of enforcement necessary in non-hazardous violations will be at the discretion of the officer.
 8. *Multiple Violations.* When multiple violations occur, the seriousness of the violations and the circumstances surrounding the violations will play a vital role in the type of action to be taken. The action taken by an officer will be consistent with traffic procedures, the officer's discretion, training, and experience.
 9. *Newly Enacted Laws and/or Regulations.* When new laws or regulations are enacted and become applicable to the public, the enforcement guidelines prescribed within the text of each new law will be followed.
 10. *Pedestrian and Bicycle Violations.* Pedestrian and bicycle violations are scheduled violations of which the violator may be issued a citation. The officer may also choose to issue a verbal warning.

J. Special Considerations

1. Out-of-state residents are handled in accordance to the Code of Iowa Chapter 321 and compact agreements between compendium states.
2. Juveniles are handled in accordance with state licensing parameters.
3. Senators and representatives, in all cases, except treason, felony, or breach of the peace, shall be privileged from arrest during the session of the general assembly, and in going to and returning from the same.
4. Foreign Diplomats/Consular Officials may be issued traffic citations, but may not be detained or arrested. Guidelines are available from the U.S. Department of State (www.state.gov).
5. Military personnel are handled in accordance to the Code of Iowa Chapter 321. (i.e. 321.176, 321.176A.3, and 321.198).

Title: Interviews and Interrogations			Number: 6.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 4

I. PURPOSE: To establish guidelines for the conducting of interviews, interrogations, and field interviews.

II. POLICY: It is the policy of the Polk City Police Department that all interviews, interrogations, and field interviews shall be conducted in a professional manner, within legal and constitutional guidelines. All persons being interrogated by an officer shall be advised of their rights regarding counsel and self-incrimination through the Miranda Warning whenever the person is in police custody.

III. DEFINITIONS:

Interview - A formal consultation with a person who may have knowledge regarding a crime that is of official interest to the investigating officer.

Interrogation - A systematic questioning of a criminal suspect or a person who is reluctant to disclose information that is pertinent to the investigation of a criminal matter.

Field Interview - An intelligence method by which peace officers interview citizens under various circumstances which officers believe need investigation. That interview may be recorded and filed as part of an intelligence database.

Contact - A face-to-face communication between an officer and a private person in which the person is free to leave if they choose.

Stop - A temporary detention of a person for investigative purposes, in which a person is under a reasonable impression that they are not free to leave the officer's presence.

Police Custody - A situation in which a person's freedom of movement is restricted and/or they are placed under arrest.

Reasonable Suspicion - More than a hunch or mere suspicion, but less than probable cause necessary for an arrest. Reasonable suspicion is articulable facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been or is about to be committed.

IV. PROCEDURE:

A. Constitutional Rights. Officers shall ensure the constitutional and legal rights of suspects and/or persons in custody are not infringed upon, and shall not:

1. Use coercion to obtain confessions and/or admissions from suspects or person in custody.
2. Fail to inform defendants of their rights (adult or juvenile).

3. Deprive defendants of their right to counsel.
4. Deprive a person in custody of the right to call, consult, and see a member of the person's family or an attorney, or both (Code of Iowa, Chapter 804.20).
5. Cause any undue delay in a defendant's initial court appearance or arraignment.

B. Interviews. The distinction between an interview and an interrogation is very thin. This process is investigatory in nature and is utilized to extract information from victims, witnesses, informants, and other sources available to officers.

1. Prior to conducting an interview, an officer should familiarize him/herself with the specific events of the incident, as a witness's memory can frequently be stimulated by the questions asked.
2. The interview should be conducted to obtain as much accurate information as possible, but not to influence a response.
3. Information obtained from an interview shall be recorded and maintained in the case file.

D. Interrogation

1. Prior to questioning of a person in custody, the officer shall read aloud the Miranda Warning.
 - a. Officers shall use a printed, pocket version Miranda Warning card or utilize the standard Department Miranda Rights form.
 - b. If the individual voluntarily, knowingly, and intelligently waives these rights, the officer shall have the person so indicate verbally or by signing the form in the appropriate location.
 - c. Officers shall discontinue questioning if at any point during the process the person requests the presence of an attorney or indicates they no longer wish to answer questions.
 - d. Admissions or confessions may be recorded in any case. In cases involving aggravated misdemeanors and felonies the officer should make every effort to have a defendant's statement audio and video recorded, written, or signed by the defendant or recorded by a court reporter. At no time shall an officer offer rewards, inducements, or promises of any kind in order to elicit an admission or confession. Information obtained from any interrogation shall be included in the appropriate police reporting form.
2. Juveniles questioned regarding criminal matters have the same rights as adults. In addition, the guidelines set forth in this Manual shall be followed.

E. Field Interviews. A basic technique in crime prevention and information gathering is the systematic use of field interviews by officers. Field interviews are a legitimate means of verbal contact by officers with selected motorists and pedestrians, and can assist with developing investigative leads and establishing crime patterns.

1. **Criteria & Consideration.** Officers should consider the following criteria in determining when field interviews would be appropriate:
 - a. The suspicious conduct of a person
 - b. The location of a person and the time of day
 - c. If a person is near the scene of a reported crime (past or present)
 - d. Description of person (or vehicle) is consistent with a wanted offender
 - e. Past record or reputation of a person
 - f. Unbelievable explanation for actions at time of inquiry
 - g. Illogical or evasive responses to inquiry
 - h. Unless probable cause exists for taking a person into custody or that a stop is justified
2. **Miranda Warning.** Officers are not required to give suspects Miranda Warnings in order to conduct a Field Interview unless the person being interviewed is in custody at the time.
3. **Contact.** Contacts are different from stops in that with no detention or arrest, they do not involve the "seizure" of persons within the meaning of the Fourth Amendment. Officers do not need "reasonable suspicion", "probable cause", or any other indication of criminal activity in order to initiate a contact. Officers shall be aware that in a contact a person is not legally compelled to display identification, answer questions, be detained or cooperate in any way during a field interview.
4. **Stop.** A stop occurs whenever an officer uses his or her authority to make a person halt, to remain in a certain place, or to compel that person to perform some act. If a person is under a reasonable impression that they are not free to leave the officer's presence, a stop has occurred.
 - a. **Basis for a Stop.** An officer may stop or detain a person after being identified as a peace officer if that officer observes unusual conduct that leads him/her to reasonably suspect that criminal activity may be occurring. Both pedestrians and persons in vehicles may be stopped. The stop cannot be based on a mere hunch or suspicion. The officer must be able to articulate specific facts to support a reasonable inference that criminal activity is probable. The officer may exercise this authority anywhere he/she has the right to be.
 - b. **Conduct During a Stop.** Proper justification for a stop does not permit unreasonable conduct during a stop. Therefore, all law enforcement activity during a stop must be in a reasonable manner.
 - c. **Duration of Stop.** Officers should detain a person only for a length of time necessary to obtain or verify the person's identification, or an account of the person's presence or conduct, or an account of the offense, or otherwise determine if the person should be arrested or released.
 - d. **Explanation.** At some point during the stop, or in response to a specific inquiry, the officer should give the person

- stopped an explanation of the purpose of the stop.
- e. **The officer may direct questioning** to the detained person for the purpose of identification and an explanation of their presence or conduct. The detained person may not be compelled to answer the questions, except that the officer may require the person to produce reliable identification. During the questioning the person need not be advised of their Miranda Warning, until such time as probable cause to arrest has developed or the questioning has become accusatory, rather than brief or casual.
 - f. **Refusal to answer questions** does not by itself establish probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause if, under the circumstances, an innocent person could reasonably be expected not to refuse.
5. **Field Interview (FIR)**. These reports will be completed by officers and turned over to the Records division for entry into the Intelligence system/records database. The paper copies of these reports will be purged within five years unless they relate to an ongoing criminal investigation or the subject has had gang related contact within that five-year span (28 CFR Part 23).

Title: Arrests, Detainees, Transports and Jail Booking			Number: 6.03
Date Issued: 1 October 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 4

- I. PURPOSE:** To provide a uniform procedure for the processing of all persons arrested by this Department and establish protocols for adult custodial and citation arrest filings with the Clerk of the Court.
- II. POLICY:** It is the policy of the Polk City Police Department to make arrests in accordance with the Code of Iowa chapter 804, the U.S. and Iowa Supreme Courts, and to file such arrests in accordance with the guidelines set by the State Court Administrator’s Office and the Polk County Clerk of Court. Additionally, officers shall provide for the safety and well-being of all persons in their custody and adhere to special considerations for foreign nationals as required by the Vienna Convention.
- III. PROCEDURE:**
- A. Adult Arrests, In Custody**
1. Upon taking a person into custody, the arresting officer shall search or cause to be searched, the arrested person for weapons, evidence, and contraband in compliance with the 4th Amendment.
 2. All arrested adults shall be handcuffed behind their back or otherwise made secure to prevent escape or injury to others.
 3. Arresting officers shall use all available information to determine the true identity of the arrested person and request an N.C.I.C. warrant check on that person.
 4. A transporting officer will place the arrested person in the rear of a barrier-equipped squad and deliver the arrested person to the appropriate law enforcement facility.
 - a. Officers shall not ride in the prisoner compartment of a patrol vehicle unless the officer believes that the prisoner is at risk for positional asphyxiation as provided by Policy 5.08.
 - b. Officers may only stop during transport under exigent circumstances.
 - c. Communication between the arrested person and others prior to arriving at a law enforcement facility is at the discretion of the transporting officer.
- B. Non-traffic Criminal Citations**
1. When appropriate, or at the request of reasonable protocols set forth by Polk County Jail supervision, a non-traffic criminal

citation may be issued in lieu of a custodial arrest as governed by the Code of Iowa chapter 805.1.

2. All necessary court documentation will be prepared as in other arrests.
3. Court dates should be set within 30 calendar days.

C. Temporary Detention. From time to time it will be necessary to detain an arrested person inside the Polk City Police Department for interrogation, preparation of paperwork prior to booking at the Polk County Jail, or issuance of a citation. Every effort will be made to reduce the time spent by any detainee within the Police Department. Detentions shall not exceed the time necessary to conduct interviews and process procedures.

1. The initial officer responsible for any detained person brought to the police station is the senior officer transporting that person to the Department.
2. If the detainee is to be left unattended, he/she must be placed in the secure interview room.
3. Responsible officer's duties:
 - a. Check the detainee visually, in person, at least every 15 minutes. (Video monitoring and other electronic safety equipment may be used but will not take the place of this visual check.)
 - b. Be familiar with the fire evacuation plan and responsible for the safety of the detainee in the event of a fire.
 - c. Segregate detainees by sex and age (minor vs. adult).
 - d. Provide for reasonable access to water and restroom facilities.
4. Before conducting interviews with detainees in the interview room, officers shall secure their weapon and, if possible, have at least one other officer in a position to see or hear them if assistance is needed.

D. Transport and Security of Prisoners at Medical Facilities. Transporting officers shall determine if medical attention is required for an arrested person. If so, they are to inform a supervisor if available and make arrangements for appropriate treatment.

1. Custody during medical treatment before an arrested person is accepted by the Polk County Jail is the responsibility of the Polk City Police Department.
2. When officers transport an injured prisoner to a medical facility for treatment of an injury or illness, the prisoner will be secured with handcuffs or other appropriate restraint devices depending on the injury.
 - a. Officers will enter the medical facility through the ambulance entrance if possible.
 - b. Officers will immediately notify the Emergency Room Doctor or Charge Nurse that they have an injured prisoner for treatment and request that hospital security be notified as a courtesy.

3. If the prisoner is transported by ambulance to the medical facility and is combative, an escape risk, or otherwise poses a danger to personnel, an officer will accompany the prisoner in the ambulance.
4. During examination the prisoner will remain in handcuffs unless the medical personnel require them to be removed. An officer will remain in the presence of the prisoner while the prisoner is in restraints. This includes while the prisoner is being treated and in the presence of medical personnel.
5. One copy of the discharge instructions will accompany the original report, another copy will be provided to the Polk County Jail.
6. If a prisoner is admitted to a medical facility, the transporting officer will notify a supervisor and request the medical facility notify their security department of the admittance.
 - a. The supervisor will then make the decision if the prisoner is to remain guarded or receive a citation in lieu of custodial arrest. Consultation with the on-call county attorney may be necessary.
 - b. If the prisoner is to remain guarded, the supervisor will make appropriate notifications and establish a staffing schedule until an initial appearance can be made and the prisoner turned over to the custody of the Polk County Sheriff's Office.
 - (1.) Prior to an initial appearance, the arrest information to include a complaint and affidavit and booking sheet will be delivered to the appropriate magistrate and the jail facility as soon as reasonably possible [This process typically refers to the delivery of these forms to the Polk County Jail for jail court].

E. Routine Transport Guidelines

1. Prior to transport, all prisoners shall be thoroughly searched for any weapons, contraband, or tools of escape.
2. When transporting prisoners, the officer shall provide the communications center with following information when possible:
 - a. A description of the prisoner (sex and approximate age – “adult” or “juvenile”), notice if the individual is combative, and whether or not the subject is intoxicated.
 - b. Arrest location and destination of transport.
 - c. Mileage readings at start and end of transport when prisoner is the opposite sex or the prisoner is a juvenile.
3. All prisoners under 18 years of age shall be secured in the vehicle by proper use of a seatbelt.
4. Any wheelchairs, crutches, prosthetic devices, and medication should be transported with, but not in the possession of, the prisoner.
5. Prisoners shall not be left unattended during transport. Any escape shall be immediately reported to the communication center for

broadcast and the on duty supervisor for coordination of apprehension efforts.

F. Entering the Polk County Jail

1. Officers will use the jail's secured prisoner intake area.
2. Officers' weapons will be secured in the lock boxes at the jail prior to entering the interior processing area of the facility or secured appropriately in a locked compartment of their patrol unit prior to entry into the facility.
3. Officers will turn over the custody of the arrested person(s), still handcuffed, to jail personnel.
4. Officers will completely fill out a booking sheet, including correct charges, code sections, and retain a copy for the case file.
5. Officers will notify jail personnel of any potential medical or safety concerns at the time of booking.
6. Officers will search the prisoner compartment of the transporting vehicle before returning to service.
7. Criminal evidence and contraband that is found in the possession of an arrested person during booking at the county jail (or within the Department's secure processing area) is the responsibility of the arresting officer and shall be handled through normal procedures.

G. Prisoner Property

1. Prisoner property that is not being taken as evidence is normally the responsibility of the Polk County Jail. However, the Jail will not accept excess prisoner property (i.e. luggage, possessions of a homeless person, bicycles, etc.).
2. Excess property may be placed in temporary safekeeping at the Polk City Police Department according to property and evidence regulations.

H. Arrests of Foreign Nationals

1. A Foreign National is any person who is not a U.S. citizen.
2. When a Foreign National is arrested they must be advised of their right to contact their consular officials.
3. In some cases, the consular office must be notified of the arrest of a National, regardless of the National's wishes.
4. Inquiries on this process can be phoned to the US State Department at 202-736-7559 or 202-647-1512 (after hours).
5. Foreign Diplomats/Consular Officials may be issued traffic citations, but may not be detained or arrested. Guidelines are available from the U.S. Department of State (www.state.gov).

Title: Juvenile Enforcement			Number: 6.04
Date Issued: 1 Oct. 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 4

I. PURPOSE: To define the procedure for handling juveniles found to be in violation of state law or city ordinance, including the custodial arrest and interrogation of juveniles.

II. POLICY: The Polk City Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. The responsibility for participating in or supporting the Department’s juvenile operations function is shared by all Department components and personnel. Officers contacting juveniles who require arrest, questioning, or custody will follow guidelines established by the Code of Iowa.

III. PROCEDURE:

A. Taking a juvenile into custody is generally governed by the Code of Iowa Chapter 232.19.

1. By order of the Court.
2. For a delinquent act.
3. As a runaway for the purpose of reuniting a child (under 18) with his or her family, or removing a child to a shelter or care facility.
4. In violation of a dispositional order.
5. Protective custody of a child suspected of being the victim of abuse.
6. When the child is under the influence of drugs or alcohol and it is necessary to seek medical attention for the child.
7. Transport to detention, jail, or reuniting with parent or guardian shall not be unduly delayed.

B. Using Restraints on a Child

1. Bodily restraints such as handcuffs may be placed on a child if they are violent, threatening violence, or are being arrested for a violent crime (232.19(2)).
2. Juveniles arrested for serious offenses may be subject to the same security requirements as adults and may be handcuffed or otherwise restrained as necessary during transport and processing.
3. Juvenile arrestees may be secured in the Interview Room at the Polk City Police Department fi:
 - a. Child is being held under a warrant for another jurisdiction.
 - b. Child is an escapee from a juvenile correctional or penal institution.

- c. There is probable cause to believe the child will run away or otherwise be unavailable for subsequent court appearance.
 - d. There is probable cause to believe the child has committed an act involving possession with intent to deliver a schedule II controlled substance.
 - e. There is probable cause to believe that the child has committed a delinquent act which would be domestic abuse under Iowa code 708.2A if committed by an adult.
 - f. If a child is violent or potentially violent, and securing them inside the interview room is the safest option.
4. When juveniles are brought into the Polk City Police Department and restrained and housed in a similar manner to adults, this information will be recorded in the Juvenile Lock-Up Log that is maintained in the processing area. If a juvenile is cooperative and non-violent, s/he should be held outside the holding cell in a secure area and monitored by an officer or matron until transport or release.
- C. Notification of Arrest.** It is the responsibility of the arresting officer to notify the parent or guardian as soon as possible of the custodial arrest of a child or when charging a child with any criminal offense.
- 1. Juveniles accused of criminal type offenses may be securely detained only for the period of time and in the manner prescribed by state law to allow for identification, investigation, processing and release to parents or a responsible adult, or transfer to the nearest available juvenile detention facility.
 - 2. Minors charged with possession of alcohol or drugs shall have their school notified by juvenile court services after receiving a referral form from this Department.
- D. Interrogations (In-custody questioning)** shall not be unduly long and shall not be conducted by more than 2 officers at any one time. Questioning officers will explain to the juvenile and/or parent what they can expect regarding juvenile court and police procedures.
- 1. A child 15 years of age or younger may *only* be questioned with written permission of a parent or guardian.
 - 2. A child who is 16 or 17 years of age may only be questioned after a *concerted effort* to notify a parent or guardian.
 - a. If the parent or guardian is located they may give oral or written permission for questioning.
 - b. If the officer is unable to locate a parent or guardian after a *concerted effort*, the child may give such permission him/herself.
 - 3. Age appropriate juvenile Miranda waivers shall be utilized prior to interrogations.
- E. Strip Searches** of juveniles are governed by chapter 804.30 of the Code of Iowa. See also Temporary Holding Facility policy (6.14).

- F. Custodial Placement of Juveniles.** To make a custodial placement of a juvenile, Juvenile Detention Center intake personnel should be contacted to approve the detention. Intake may approve or reject the request and will determine whether to place in the Polk County Juvenile Detention Center.
1. If a juvenile is being charged with a felony crime against a person, the officer should contact Intake and/or Juvenile Court Services and request detention.
 2. If a juvenile is being charged with felony property crimes, aggravated misdemeanors, or if there are special circumstances that warrant detention, the officer should use his/her discretion whether to call Intake to request detention.
 3. Procedure for placing a child in the Juvenile Detention Center (232.22):
 - a. Permission to place a child in detention for an alleged delinquent act must be obtained from the Juvenile Detention Center or Juvenile Court Services.
 - b. If unable to contact Juvenile Court Services, the Polk County Attorney's Office may be contacted to order the placement into detention.
 - c. Officers taking a juvenile to the Polk County Juvenile Detention Center will provide a copy of the following to the Detention Center:
 - (1.) The juvenile probable cause statement
 - (2.) The juvenile's property
 - (3.) No investigative reports will be provided to the Juvenile Detention Facility unless requested by intake.
 - d. The Code of Iowa does not provide for the posting of bond to gain the release of a minor from detention.
 4. Placing a juvenile in the Polk County Jail (232.22(2)c):

A juvenile may be placed in the Polk County Jail for a limited time period, under limited circumstances.

 - a. Juvenile Detention Center must be unavailable and the detention must be ordered by Juvenile Court.
 - b. Juvenile must be 14 years of age or older.
 - c. Juvenile must be charged with a felony, aggravated assault, or aggravated sexual assault.
 - d. There must be substantial risk of flight or the child must pose a substantial risk to himself, others, or the property of others.
 5. Charging Juveniles as Adults: There are certain circumstances in which a juvenile must be charged directly into adult court.
 - a. The child must be **16 or 17** years of age and be charged with:
 - (1.) Any forcible felony.
 - (2.) Criminal Gang Participation (723A.2), involving a weapon.
 - (3.) Any felony violations of Weapons Chapter (724).

(4.) Manufacture or Delivery of Controlled Substance (124.401(e) or (f)), while in possession of a firearm or offensive weapon.

b. Procedure for placing directly into Polk County Jail:

(1.) Notify Juvenile Court Services.

(2.) Fill out adult Complaint and Affidavit.

(3.) Bring to Juvenile Court Judge or on-call judge to have an arrest warrant issued.

(4.) Deliver juvenile to Polk County Jail with the original signed arrest warrant.

G. Referrals to Juvenile Court for a child are encouraged in lieu of physical custody, using proper officer discretion and weighing a child's age, violence or seriousness of the offense, and likelihood the child will later appear in court.

H. Fingerprinting. The arresting officer will be responsible for assuring that any juvenile who is charged with any crime that is a serious misdemeanor or above is fingerprinted prior to the juvenile's release (custodial or non-custodial arrest). *Required by Iowa State Code 232.148(2)*. Fingerprints and photographs shall be taken of all juveniles taken into custody for felony offenses. The fingerprint card and mug shot shall be marked JUVENILE and shall be maintained in this agency's records for such purposes separately from adult fingerprints and mug shots and shall be subject to controlled dissemination as provided by law.

I. Truancy. Juveniles taken into custody as truant during school hours will be taken directly to their school principal's office provided no other offenses were committed.

J. Restorative Justice Programming. Officers shall, whenever reasonable, take those measures necessary to effect positive changes in juvenile offenders that are consistent with the Polk County Attorney's Office initiatives to offer alternatives to juvenile court referrals for substance abuse related offenses.

K. Reprimand and Release. Using proper officer discretion and weighing a child's age and the seriousness of the offense, an officer may turn a child over to a parent without formal legal action.

Title: Searches			Number: 6.05
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 5

I. PURPOSE: To establish guidelines for conducting searches with or without warrants.

II. POLICY: It is the policy of the Polk City Police Department to adhere to all provisions listed in the State Code of Iowa regarding searches.

III. PROCEDURE:

A. Searches by Consent should be used when officers feel there is reason to believe contraband or further evidence of a crime may be located. In cases where information has been obtained regarding possible contraband or evidence, every attempt should be made to independently verify the information provided to assure the validity of the request for a consent search.

1. Voluntary:

a. Consent searches must be voluntary with no threats or promises made toward the person from whom consent is requested.

b. In obtaining consent, officers should bear in mind the burden of proving that consent is voluntary is on the officer and not the person from whom the consent is obtained. An officer should then make every attempt to use one or more of the following to assist in proving the consent was voluntary.

(1.) Voluntary consent should be witnessed.

(2.) Voluntary consent should, when feasible, be in writing on the Department's consent to search form.

(3.) A recording device, which could include the in-car camera, may be utilized to record the voluntary consent.

2. Consent searches can only be given by those having the right and authority to grant such request.

3. Consent searches can be used in numerous situations, and are not limited to the searches of vehicles, residences, luggage or persons.

4. "Knock and Talk" is an investigative technique used as a tool at a residence, hotel, business, or other occupied structure to obtain information, and in most cases, consent to search. Knock and Talk consent searches should be conducted under the following guidelines:

a. Every attempt should be made to independently verify information provided that may have led to the Knock and Talk.

- b. Every attempt should be made to verify that the person contacted has the right and authority to give consent to search.
 - c. Consistent with other consent searches, Knock and Talks should be conducted with the same concern for establishing that the search was voluntary.
 5. When obtaining a consent search, no matter how it is documented, the individual has a right to stop the search at any time (unless probable cause has been developed). For this reason, the individual must be able to convey his/her wishes verbally to the officer at any time during the search.
 6. If a request for consent to search a vehicle is refused, a canine may be utilized. If the canine alerts on the vehicle, the need for a voluntary consent is no longer needed as the canine has established probable cause for the search. At this time, a search can be conducted without a search warrant and the individual does not have the right to stop the search.
 7. Any doubt concerning the validity of a consent search should be resolved by the application and issuance of a search warrant.
- B. Stop and Frisk.** Officers conducting searches are permitted to take reasonable precautions for their safety, which may include limited searches and suspect control activities. This may include:
1. Ordering the occupants of a lawfully stopped vehicle to get out of the vehicle as a reasonable incident of the stop.
 2. Whenever an officer has developed reasonable articulable suspicion that a detainee is in possession of a potentially dangerous weapon(s), s/he may conduct a frisk for weapons and may conduct an area search of the detainee's vehicle, including potential containers in the passenger compartment if the detainee is in proximity of the unsecured area and not otherwise secured.
- C. Search of a Vehicle under Movable Vehicle Exception** provides that a search warrant is unnecessary where there is probable cause to search a vehicle stopped on the highway, the vehicle is movable, the occupants are alerted, and the vehicle's contents may never be found again if a warrant must be obtained. Therefore an immediate search is constitutionally permissible.
- D. Search Incident to Arrest** extends to the arrestee's person and any places and effects under his/her immediate control. A legal search must meet three requirements:
1. The arrest must be lawful
 2. The arrest must be custodial
 3. The search must be contemporaneous as to the time and place of the arrest.
- E. Strip and Body Cavity Searches** will only be made according to procedures defined in the Code of Iowa, chapter 804.30. See also Temporary Holding Facility policy (6.14).

- F. Exigent Circumstances** include incidents where the public safety is endangered and the urgency of the situation and the need to take immediate, warrantless action will render official conduct “reasonable” under the Fourth Amendment. Such exigencies may justify searches or seizures of persons, vehicles and other property, though they may be used most often to justify warrantless entry into the home. The need to protect or preserve life or avoid serious injury is justification for what would be otherwise illegal absent an exigency or emergency. This would include:
1. **Entry to Arrest.** It is generally necessary to have a search warrant to enter the residence of a third party to arrest a person without exigent circumstances, unless:
 - a. Someone is likely to be killed or seriously injured unless immediate action is taken.
 - b. A serious and dangerous criminal offender is likely to escape unless action is taken, and
 - c. There is probable cause to arrest the person, and
 - d. There is probable cause to believe the offender is present.
 2. **Entry to Preserve Evidence.** If there is probable cause to believe that critical evidence of a serious or dangerous offense is located within the private premises and the evidence is almost certain to be destroyed or removed unless **immediate** warrantless action is taken, the officer may enter to **secure** the premises while awaiting the arrival of a search warrant.
 3. **Crime Scene.** Upon arrival of a crime scene on private premises, the officer may enter the premises in order to:
 - a. Locate and secure perpetrators.
 - b. Provide emergency assistance.
 - c. Secure evidence that is likely to be lost or destroyed by the mere passage of time.
- G. Other Emergencies.** Officers may enter private premises without a warrant or consent if it reasonably appears that such action is urgently necessary to:
1. Prevent death or serious physical injury
 2. Provide needed emergency medical assistance.
 3. Guard against the imminent threat of **substantial** property damage.
- H. Execution of Search Warrant.** A search warrant is an order in writing pursuant to the requirements of Section 808.3 of the Code of Iowa, signed by a Magistrate/Judge and directed to a peace officer. Search warrants will be utilized when consent to search is not a reasonable alternative.
1. **Issuance.** Search warrants must be executed within 10-days of the issuance of the warrant. Most search warrants issued in Iowa are “Knock and Announce” which means that officers must first announce their presence and intentions and give a reasonable time for the occupants to allow entry before forcing entry.
 2. **Entry.** A search warrant may be executed by any peace officer. The warrant may be executed in the daytime or in the nighttime. Where the property to be seized has been or is susceptible of being

removed from the officers' jurisdiction, the officer executing the warrant may pursue it and search for property designated in the warrant.

3. **Forcible Execution.** The officer may break into any structure or vehicle where reasonably necessary to execute the warrant if, after notice of this authority and purpose, the officer's admittance has not been immediately authorized.
4. **Exceptions to "Knock and Announce".** The officer may use reasonable force to enter a structure or vehicle to execute a search warrant without notice of the officer's authority and purpose if:
 - a. During the execution of the warrant there are exigent circumstances that would compromise the safety of the officers or cause vital evidence to be destroyed by knocking and announcing
 - b. In the case of vacated or abandoned structures or vehicles.
 - c. "No Knock" Search Warrants. Under certain circumstances an officer may apply for and be issued this type of warrant which allows officers to force entry into the place to be searched without announcing their presence or intentions.
 - (1.) Some circumstances that may allow for this type of warrant would be occupants who were armed, where announcing would compromise the officers' safety or when critical evidence could easily be destroyed after an announcement.
 - (2.) Caution should be used when applying. Courts will critically examine the basis for requesting a "No Knock" warrant.
 - (3.) When serving a "No Knock" warrant, if entry cannot be immediately gained, officers should announce their authority and purpose as any delay in entry negates the purpose of the "No Knock." This allows the occupants to have information about who is forcing entry.
5. **Securing the scene.** Once inside a structure, precautions must be taken to assure the safety of the officers involved along with the individuals residing at the residence or the area to be searched.
 - a. All occupants when located should be brought to a central safe location. This safe area should be checked for weapons and contraband prior to securing the persons there.
 - b. Once the location is secured, additional investigative personnel may be called into the scene and should photograph the scene before any searching for evidence is done.
 - c. Case agent or designee:
 - (1.) Reads warrant and gives Miranda warning.
 - (2.) Obtains identification, addresses, and descriptions of occupants.
 - (3.) Collects and processes all evidence, identifying the location where evidence is found and by whom.

After evidence is located documented and photographed, it should be moved to a central location within the premises to avoid being left behind.

- d. Other investigators:
 - (1.) Specific location to be searched is assigned.
 - (2.) Once possible evidence is located, verifies collection with case agent, who takes custody of the item.
 - (3.) If the residence/business is damaged, specific photographs of damaged areas should be taken.
 - (4.) Uniformed personnel will transport and book prisoners.
 - (5.) An inventory of seized property shall be given to all persons that property was seized from. A copy of the search warrant shall be left at the area searched along with an inventory of seized property.
 - (6.) After the search is completed, the residence/business should be secured as well as possible, or turned over to a non-arrested person at the scene.
 - (7.) Evidence collected will be returned to the station where it will be packaged, tagged and placed into evidence.
6. **Return of Service.** After a search warrant has been executed, a Return of Service must be completed. This is the last page in the search warrant packet and if there is not enough room on the page to list the items seized, then a separate list must be attached to the Return of Service.
 - a. The original Search Warrant Application packet, including the Return of Service, is then filed with the Clerk of Court's Office. The Application, Search Warrant and Return of Service with a list of the property seized will be file stamped by the clerk with date and time.
 - b. The officer shall then request a copy of all the documents that have been returned to the Clerk's Office and this copy shall be attached to the original report.
7. If a search warrant has been issued and not executed within 10 days, it is no longer valid and all the documents relating to that search warrant application and the search warrant shall be taken to the Clerk's Office and filed. A copy of the file stamped search warrant shall be attached to the original report.

Title: Financial Institution Alarm Procedure			Number: 6.06
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. **PURPOSE:** To define procedures involving the initial response to financial institution alarms.

- II. **POLICY:** It shall be the objective of the Polk City Police Department to respond with high priority to all robbery alarms in an effort to ensure the safety of those persons at the institution and maintain the security of the community as a whole.

- II. **PROCEDURE:**
 - A. In each instance initial efforts shall be made to establish a 360 degree line-of-sight perimeter as quickly as possible while not unnecessarily compromising responding officers' safety and positioning or the well-being of any person(s) in or near the financial institution.

 - B. Communications for this response should be handled on a dedicated radio channel. This will allow officers to communicate freely and also have dispatch at their disposal.

 - C. The primary entrance to the structure will be referred to as the "A" side. Moving clockwise from this position, the next side will be referred to as "B", the following as "C", and so on.

 - D. In any commercial robbery response, efforts will be made to minimize potential hostage/barricade situations by not immediately approaching the structure whether or not a robbery is believed to be in progress. Responding units will remain outside the building in a position in which they are able to observe the exits and the interior of the building to the best of their ability while maintaining adequate cover.

 - E. If it is determined that a robbery is in progress and that the perpetrator(s) are still in the building, officers will remain outside until the subjects leave the financial institution at which time appropriate action will be taken to effect an arrest.

 - F. Whenever feasible, possible fleeing suspects should not be approached by officers on scene until the subjects have cleared a reasonable distance from the building. This shall be done to minimize the risk of retreat back inside the structure. However, at any point should an active shooter situation unfold within or near the structure, officers should use their training and experience to determine whether or not immediate approach is necessary to minimize the greatest potential risk of loss of life.

- G.** Should a vehicle or foot pursuit take place it will be necessary to continue coordinated apprehension efforts and maintain communication while also securing the facility and checking the welfare of those persons directly and indirectly involved.

- H.** If responding units have had no personal contact with a financial institution representative and the Communications Center has been unable to contact the financial institution, after ten minutes has passed and if everything appears to be normal, the ranking officer at the scene or a plain clothes officer may enter the financial institution.

- I.** If the alarm is true and is in fact a robbery, the F.B.I. shall be notified as soon as possible. The Chief and Lieutenant shall also be notified immediately. Additionally, necessary steps should be taken immediately to lock down and preserve the crime scene, obtain suspect and witness information, and put out an initial broadcast regarding suspect description(s).

Title: Hate Crimes			Number: 6.07
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

I. PURPOSE: Recognizing particular fears and distress typically suffered by victims of a hate crime, the potential for reprisal and escalation of violence, and the possible far-reaching negative consequences of these acts on the community, special attention shall be given to addressing the concerns of reported hate crime victims as well as their families and others affected by the crime.

II. POLICY: It is the policy of the Polk City Police Department to safeguard the state and federal rights of all individuals irrespective of their race, religion, ethnic background or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation or other crimes designed to infringe upon these rights are viewed seriously by this agency and will be given high priority. This agency will use every necessary resource to identify the perpetrators, make arrests, and take enforcement action.

III. PROCEDURE:

A. Initial Response Procedures

1. When an officer at the scene of an incident believes that it may have been motivated by racial, religious, ethnic or sexual orientation bias, the officer shall take any preliminary action necessary, such as:
 - a. Determining whether any perpetrators are present and, if so, taking appropriate enforcement measures.
 - b. Restoring order to the crime scene and taking any reasonably necessary actions to gain control of the situation.
 - c. Identifying any injured parties and taking steps to provide medical assistance.
 - d. Identifying any witnesses or others who have knowledge of the crime.
 - e. Summoning supervisory personnel to the scene.

B. Supervisor's Responsibility

1. The supervisor shall confer with the initial responding officer and take measures to ensure that all-necessary preliminary actions have been taken. The supervisor shall request any appropriate additional personnel necessary to accomplish the following:
 - a. Provide immediate assistance to the crime victim, such as:
 - (1) Expressing empathy for the victim and showing a sincere interest in his/her well being.
 - (2) Expressing the law enforcement agency's official position on the importance of these cases and the

officer's and Department's interest in the victim's well being.

2. Conduct an investigation to include interviews of the victim and any witnesses to the incident.
3. Ensure that all relevant facts are documented on an incident report and make an initial determination as to whether the incident should be classified as a hate crime.

C. Community Relations/Crime Prevention

1. Hate crimes are viewed in the community not only as crimes against the targeted victim, but also as a crime against the victim's racial, religious, and ethnic or sexual orientation group as a whole.
2. Working constructively with segments of this larger audience after such incidents is essential to help reduce fears, stem possible retaliation, help prevent additional bias incidents and encourage any other previously victimized individuals to step forward and report those crimes. Towards this end, this agency's community relations function, or officers so assigned, shall:
 - a. Meet with neighborhood groups, residents in target communities and other identified groups to address fears, relay this agency's concern over and response to this and related incidents, reduce the potential for counter-violence, and provide safety, security, and crime prevention information.
 - b. Provide direct and referral assistance to the victim and family.
 - c. Conduct public meetings on hate crime information, threats and violence in general, and as it relates to specific incidents.
 - d. Establish liaison with formal organizations and leaders.
 - e. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children or neighborhood associations.

Title: Towing Vehicles, Releases and Vehicle Holds			Number: 6.08
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 3

I. PURPOSE: To establish guidelines for the towing of vehicles and placing of vehicle holds. The Polk City Police Department also recognizes that vehicles can be vital evidence in case investigations. It may be necessary to seize a vehicle for on-going investigative purposes and/or crime scene processing.

II. POLICY: It is the policy of the Polk City Police Department to tow vehicles when necessary and to properly document the various reasons for towing. When a hold is placed on a vehicle, officers shall properly document the reason and follow-up when required.

III. PROCEDURE: Occupants of a vehicle shall be allowed to retain any property they wish before a vehicle is towed. Officers shall ask the owner or operator if there is any other property of value they would like documented on the Impound Form. A property inventory of the contents of any containers (to include bags, boxes, and compartments) shall not be conducted. If the person is being transported (PCPD or PCJ) any property that was retained with the person shall be searched prior to transport and placement into the patrol car.

A. Reasons for requesting a vehicle to be towed:

1. Impound
2. Traffic hazard
3. Evidence processing
4. Nuisance abatement
5. Pursuant to arrest
6. Pending forfeiture proceeding
7. On-going criminal investigation
8. At the scene of a traffic crash if the operator is incapacitated or otherwise unable to direct the removal of the vehicle.

B. Considerations before decision to impound:

If the owner or operator of a vehicle is in custody or otherwise unable to drive a vehicle the officer shall consider the following options prior to impounding the vehicle.

1. Ask the driver or operator if they want the vehicle to be impounded. If they say no to the impound, consider alternative options.
2. Determine if the vehicle is legally parked, if the vehicle is legally parked, law enforcement should leave the vehicle where it is and secure it.

3. If the vehicle is not legally parked, see if the owner or operator can get a third party with a valid license to come to the scene and remove the vehicle, this may include a passenger with a valid license. If a third party is available they must verify they can be on-scene in a reasonable amount of time otherwise impoundment will be necessary. When determining a reasonable amount of time the officer shall take into account if they are the only officer working at the time, volume of calls for service, the safety of the occupants and officer e.g. heavy traffic, stopped in an unsafe spot etc, Officers shall not move the vehicle for the owner or operator.
4. It should be the goal of the officer to clear the scene as quickly and efficiently as possible, stopping vehicles along roadways is dangerous, a reasonable amount of time to consider to clear the scene should be 20 minutes and no longer than 30 minutes unless special circumstances arise.

C. Private-party towing assistance

1. Non-preference towing (when owner or operator does not have a preference for a towing service):
 - a. Officers shall notify the Communications Center to contact the department's contracted towing service.
 - b. Undue delays in contracted service provider or other concerns shall be reported to a supervisor.
2. Vehicle owner or operator requests specific towing service (i.e. private tow)
 - a. Officers will notify the Communications Center of the name of the towing service requested and the location to which the service should respond.
 - b. Officers will standby at the scene to facilitate removal.

D. Vehicle Holds and Releases

1. Responsibilities of officer placing a hold on a vehicle:
 - a. Fill out impound report indicating the reason for the hold.
 - b. Detail the reason for the hold in the narrative portion of the case incident report.
 - c. Release the hold when appropriate and notify the owner of the vehicle along with an administrative support clerk.
2. If the hold is for paperwork rather than investigation or evidence, the administrative support clerk may release the vehicle after the paperwork requirement is satisfied and impound release fee and/or other associated fees are paid. Examples of paperwork requirements include:
 - a. Proof of ownership/title transfer
 - b. Issuance of citation attached to report
 - c. Third party release, if verified by vehicle owner through written release that is signed by the owner with a copy of their legal state identification attached and matching signatures.

E. Impounds for Evidence

Should an officer decide that a vehicle needs to be seized from a crime scene as evidence, or for additional processing, it shall:

1. Be towed to the Polk City Police Department by the current approved tow company and secured in an area monitored by video surveillance.
2. The vehicle must be logged in as a seized item of evidence in order to maintain chain of custody. It shall remain in said secured location until which time as it is determined by the investigating officer(s) that the vehicle may be released.
3. In cases of processing for crime scene evidence, every effort will be made to get the vehicle processed and released as quickly as possible. If the vehicle can be processed adequately at its original location, it shall not be impounded.
4. After processing the owner shall be notified that s/he will have 24 hours to pick up the vehicle or the vehicle will be towed to the tow company's impound yard. Under this circumstance the owner may have two tow bills to pay and additional storage fees may be applicable before it will be released by the tow company.
5. It is the case officer's responsibility to ensure that all of the appropriate fees and documentation have been completed prior to release of the vehicle.

Title: Standby Requests			Number: 6.09
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 1

I. PURPOSE: To establish guidelines for responding to requests for Police Department standbys.

II. PROCEDURE:

A. Upon receiving a request for a Police Officer to standby reference civil matters, removing personal property, retrieving children, recovering rented property, etc., the officer will determine if the caller has the necessary court ordered paperwork to take action.

1. If the caller has the necessary court ordered paperwork, an officer will respond *when available* and remain until the "necessities" are taken care of.
2. If the caller does not have the necessary court ordered paper work, they should be advised to contact an attorney to obtain the necessary court order.

B. A supervisor may refuse to dispatch a unit regardless of the fact there is court documentation based on the time of day, pending work load or any other factor deemed reasonable.

Title: Court Appearances			Number: 6.10
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. PURPOSE:** To set standards so that when employees testify in court, they will present a quality of professionalism that speaks highly of their personal character and the Polk City Police Department. To define the procedures for officers to receive payment for court appearances or court related proceedings and to ensure notification of personnel for required court appearances.
- II. POLICY:** It is the policy of the Polk City Police Department to present a professional image to the Court, County Attorney’s Office, representatives of other agencies, and the public. Therefore, all employees will respond to subpoenas and other court notifications in a timely manner and document such actions as required by this policy.
- III. PROCEDURE:**
- A. Subpoenas**
1. The Lieutenant is ultimately responsible for seeing that subpoenas are served upon and honored by employees within their command.
 2. The administrative support clerk shall maintain an electronic log in which subpoenas are logged by the date received and forwarded to the affected officer.
 3. If the court time is scheduled for a time prior to the employee’s next duty day, the commander, with assistance from the administrative support clerk, shall see to it that the employee is notified in a timely fashion.
 4. Employees will not be compensated for any cancelled court case in which reasonable notification was given to the employee prior to the scheduled time of the subpoena.
- B. Court Documentation and Compensation**
1. Union employees shall be compensated for court appearances as governed by their bargaining unit agreement.
 2. Off duty employees will check with a supervisor prior to the use of Department vehicles for transportation to/from court.
 3. For the purposes of this section, non-union employees will be compensated in the same manner as Union employees.
- C. Preparation.** Employees are responsible for reviewing their notes and applicable police reports so they are well prepared to testify.
- D. Personal Appearance**

1. When appearing in a courtroom, employees may dress in any of the following manners:
 - a. Class A or Patrol Polk City Police uniform
 - b. Male employees may wear a suit or sport coat with a shirt and tie.
 - c. Female employees may wear appropriate business attire.
2. When appearing for a deposition, employees may wear business casual with attention to appearance. Jeans and shorts are not allowed.

E. Cancellations by Employees

An employee may only cancel a court appearance in an emergency and/or with verbal approval from the Lieutenant and the County/City Attorney's office.

Title: Contagious Disease and Infection Control Plan (Blood Borne Pathogens)			Number: 6.11
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 8

- I. PURPOSE:** To establish procedures and guidelines for the implementation of a departmental Infection Control Plan that is consistent with the OSHA Blood Borne Pathogen’s Standard 1910.1030
- II. POLICY:** It is the policy of the Polk City Police Department to ensure each employee with occupational exposure becomes familiar with and adheres to this exposure control plan.
- III. DEFINITIONS:**
- A. Blood borne Pathogens** means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).
 - B. Exposure Incident** means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.
 - C. Occupational Exposure** means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.
 - D. Other Potentially Infectious Materials** means semen, vaginal secretions, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids, any unfixed tissue or organ E. Parenteral means piercing mucous membranes or the skin barrier (other than intact skin) from a human (living or dead) through such events as needle sticks, human bites, cuts, and abrasions.
 - F. Source Individual** means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.
 - G. Universal Precautions** is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.

IV. PROCEDURE:

A. Exposure Determination

1. For the purpose of this policy, all police officers and administrative support clerks will be classified as having occupational exposure in the following categories:
 - a. First Aid / CPR
 - b. Prisoner arrest / processing
 - c. Collection and/or processing of evidence
 - d. Clean-up of potentially contaminated areas or materials
2. Custodial employees also have numerous ways of coming into contact with infectious materials on a daily basis and will be classified as having occupational exposure in the following categories:
 - a. Having to clean cells and the arrest processing area
 - b. Having to clean-up blood and other body fluids
 - c. Having to empty waste

B. Infection Control

The simplest and most effective way to minimize or prevent the spread of infection is to subscribe to a theory of universal precautions and use the appropriate personal protective equipment. Additionally, open cuts and abrasions shall be covered with waterproof bandages before reporting for duty.

1. Employees should wash hands frequently after coming in contact with the public. Antiseptic soap dispensers will be made available in the booking area and will be maintained by the custodial staff. Hand sanitizer shall also be made available to all staff throughout the building.
2. If hand washing is not immediately feasible due to lack of running water, each squad has waterless antiseptic hand cleaners or towelettes that are to be replaced by the using officer. When these cleaners are used, hands should be washed with soap and hot water as soon as possible.
3. In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, or handle contact lenses.
4. Whenever an item is turned into evidence that has even a trace of blood on it, a red biohazard sticker shall be placed on the outside of the bag/container so as to alert the evidence officer of the possible blood borne hazard.
5. Use of Protective Equipment:
 - a. Each squad will have a first aid kit, plastic mouthpieces or other authorized barrier/resuscitation devices used whenever an officer performs CPR or mouth to mouth resuscitation, a blood borne pathogens kit that is furnished with protective gloves, face mask, eyewear, and disposable apron or gown, and N95 surgical masks/respirators for containment of or protection from airborne particulates. If an officer during his/her pre-shift inventory check

- discovers these items missing or uses any during his/her tour of duty, shall obtain replacements from the station and place it back into the vehicle trunk.
- b. Officers shall utilize gloves and necessary personal protective equipment whenever coming into contact with victims/suspects who are known or suspected of being infected with a communicable disease and who create a potential for significant exposure.
 - c. Officers shall utilize personal protective equipment when there exists strong likelihood for direct contact with blood or body fluids that may contain blood or airborne pathogens.
 - d. Any protective equipment which comes into contact with blood borne or airborne pathogens shall be considered as “contaminated”. After using, contaminated equipment shall be placed in a disposable red “biohazard” bag. These will then be placed in the Biohazard waste container located in the Fire Department. If officers are disposing contaminated disposable items at one of the area hospitals, they need to ensure that the hospital waste container and/or its liner is marked for “Biohazard” use before disposing contaminated equipment into it. If any doubt exists, check with hospital personnel to ensure proper compliance.
6. Drug Paraphernalia:
- a. Drug Paraphernalia such as needles, syringes, and razor blades will be treated as if contaminated. These items and any other sharp instruments used as paraphernalia will be handled by the officer while wearing protective gloves. The item will then be put into a plastic Biohazard isolation container. Recapping needles is prohibited by OSHA regulations.
 - b. Drug paraphernalia that may be a potential biohazard will not normally be held for evidence. Instead it should be photographed and properly disposed of. Should extenuating circumstances exist, it will be placed into evidence with the appropriate Biohazard sticker(s) on the outside of the container. A sharp objects protective evidence storage container may also need to be utilized.
7. Other Evidence:
Prior to regulations set forth in part IV section B.4, any evidence contaminated with body fluids will be dried, double bagged in paper bags and marked as biohazard to identify potential or known communicable disease contamination. Special arrangements may need to be made with the evidence custodian/investigator.
8. Transport and Custody:
- a. When appropriate protective equipment is available, no officer shall refuse to arrest or otherwise physically handle any person who may have a communicable disease.
 - b. Officers shall not put their fingers in or near any person’s mouth.

- c. Individuals with body fluids on their persons shall be transported in separate vehicles from other individuals. The individual may be required to wear a suitable protective covering if s/he is bleeding or otherwise emitting body fluids.
- d. Officers have an obligation to notify relevant support personnel during a transfer of custody when the suspect has body fluids present on his/her person, or has stated that he/she has a communicable disease.
- e. Officers shall document on the appropriate arrest booking form when a suspect taken into custody has body fluids on his/her person or has stated that s/he has a communicable disease.

9. Listed below are contagious diseases and routes of transmission:

Disease	Route of Transmission
HIV, HBV	-Open wounds or mucosal linings in direct contact with blood, body fluids or sharp paraphernalia of another.
Tuberculosis	-Airborne: inhaling bacteria read by coughing or sputum of infected person.
Viral Meningitis	-Contaminated food or water.
Hepatitis A	-Usually through blood transfusions.
Hepatitis non-A non-B	

10. There are four diseases that will require follow-up care in the case of known or suspected exposure, they are:

Disease	Time Frame	Preventative Treatment
Meningitis	24-36 hours	Medical
Hepatitis	7 days	Medical
H.I.V.	4-24 hours	Medical
Tuberculosis	weeks-months	Medical

C. Biohazard Decontamination Procedures

- 1. Consider all blood and body fluids to be contaminated. Therefore, when cleaning up any blood or body fluids: WEAR PROTECTIVE EQUIPMENT.
- 2. To remove minor or small amounts of blood or body fluids, apply a disinfectant (or diluted bleach - 1 part bleach to 10 parts water) over blood or potentially infectious material. Product to be used in accordance with label directed use.
- 3. Clean-up contaminated material with disposable paper towels and dispose of into red "Biohazard" bag.
- 4. Apply appropriate disinfectant cleaner to decontaminated spot or area. Wipe off with paper towels and dispose of into red "Biohazard" bag.
- 5. Wash hands thoroughly. Dispose of gloves into red "Biohazard" bag.

6. Place biohazard bag into the “Biohazard” waste container located in the Fire Department.
7. All officers will be responsible for cleaning their own squad car(s) as it becomes contaminated during their shift. (Extreme amounts to be cleaned by professional service).
8. Uniform equipment that is contaminated shall be cleaned as follows:
 - a. Metal pieces will be cleaned in accordance Part III C. 1 - 6.
 - b. Fabric uniform clothing can either be washed or professionally cleaned.
 - (1.) If washed, clothing should be laundered with detergent in water of at least 160 degrees Fahrenheit for 25 minutes and done so at the station.
 - (2.) If professionally cleaned, contaminated clothing must be placed in a red “biohazard” bag with a tag.
 - (3.) The employee will inform his/her supervisor and the Chief’s Office by memo of the contaminated clothing or equipment and include a copy of any applicable police report. Determination will then be made on replacement.

D. Leather equipment will be handled in the following manner:

1. Minor, superficial contamination may be cleaned with warm soap and water, followed by the spray disinfectant.
2. Heavy contamination, with fluids soaked into the porous surface, may require professional cleaning or replacement. Should this procedure become necessary, the officer involved will place the equipment in a Biohazard bag, draft a memorandum to his/her supervisor, and include a copy of any applicable police report. This memo will be forwarded through the chain of command for determination if the leather is salvageable or needs to be discarded.

E. Contagious Disease - Post-Exposure Evaluation and Follow Up

1. Employee:
 - a. Should immediately notify his/her supervisor of the circumstances of exposure.
 - b. Go to the medical facility where the “Source” individual is taken for treatment. [The reason for this is so that the ER Physician can ask any additional information that s/he feels is necessary to make a determination whether there has been a “significant exposure” or not?]
 - (1.) Based upon physician advice, the employee may not have to be treated at this time. If the Department’s Occupational Medical Clinic is open, the employee should go there for treatment.
 - (2.) If closed, the employee may receive initial treatment at the hospital with follow-up to be completed through Occupational Medicine, or an appointment can be set for initial treatment with occupational medicine.

- c. Fill out the Iowa Department of Public Health Report of Exposure to Infectious Disease form and give to the ER Doctor or request the “House Supervisor” [administrative nurse]. (All three copies are to be given)
 - (1.) The IA Dept. of Public Health form mentioned above is to be carried in all command cars so that the form is available to all officers and then can be completed prior to getting to the hospital.
 - (2.) An electronic version of this form will also be available. Either form should be given to the ER doctor or House Supervisor upon arrival so that hospital staff is alerted and proper protocols are followed.
 - (3.) This form should also be available at the hospital if requested.
 - d. A summary memo to the Chief of Police should be completed as soon as possible on the circumstances surrounding the exposure and what led up to it. The incident report should also be attached to this memo.
2. Supervisor:
- a. Ensure that the officer/employee receives immediate medical attention if required.
 - b. Notify Command Staff.
 - c. Immediately take completed Report of Exposure form to emergency physician if exposed employee is unable to.
 - d. Get as much information as possible on the subject(s) involved in the incident and add same to the officer’s report.
 - e. Attempt to get Source individual to voluntarily submit to a blood test (at City expense) immediately when medically authorized.
 - (1.) If Source is sent to the hospital for treatment, inform the emergency room administrative nurse that an officer has had positive exposure from their patient and request that s/he initiate the hospital protocol reference exposure to public safety personnel.
 - (2.) Results of the Source testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
3. Emergency Room Physician:
- a. The ER Physician must decide if the employee has sustained a significant exposure by criteria from the Centers of Disease Control.
 - b. The ER Physician will complete the form and deliver it to the Infectious Control Nurse who will send the second and third copies of the form back to a designated supervisor, who will notify the affected employee of the results.

- (1.) Return of Exposure form informing an employee of non-significant exposure should take 24 hours, no more than 48 hours.
 - (2.) If an employee has a significant exposure, the employee will normally be contacted by an Infectious Disease Control Nurse, who will make an appointment for counseling and further testing.
4. The Employer:
 - a. Shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.
 - b. Shall keep medical records of any and all exposures by incidents to blood or potential infectious materials for a 30 year period after the employee ceases to be a member.
 - (1.) Records shall include:
 - (a) Name and social security number of the employee.
 - (b) Copy of the employee's Hepatitis B vaccination status including the dates of all Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccinations.
 - (c) Copy of all results of examinations, medical testing, and follow-up procedures.
 - (d) Employer's copy of the health care professional's written opinion.
 - (e) Copy of the information provided to the health care professional.
 - (2.) Employer shall ensure that the employee's medical records are kept confidential, not disclosed or reported without the employee's express written consent to any person within or outside the workplace, except as may be required by law.
 - (3.) Employer shall maintain the records for at least the duration of employment plus 30 years per OSHA 29 CFR 1910.20.
 - c. Conduct a review of the exposure incident with the Safety Committee to determine if new protocols are necessary for implementation or employee training/retraining is required.

F. Information and Training

1. Employers shall ensure that all employees with occupational exposure participate in a training program which must be provided at no cost to the employee and during working hours.
 - a. Training shall be provided as follows:
 - (1.) At the time of initial assignment to tasks where occupational exposure may take place
 - (2.) Within 90 days after the effective date of a new standard
 - (3.) At least annually thereafter

- b. Training records shall include the following:
 - (1.) Dates of the training sessions
 - (2.) Contents or summary of the training session
 - (3.) Name and qualifications of the person conducting the training
 - (4.) Be maintained for a minimum of three (3) years from the date on which the training occurred.

Title: Liquor Licenses			Number: 6.12
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 1

- I. PURPOSE:** To spell out the duties and responsibilities for liquor license applications and for the service of liquor license actions from the Iowa Liquor Control Board.
- II. POLICY:** It is the policy of the Polk City Police Department to provide for thorough investigations on liquor license applications and coordinated assistance to the Iowa Liquor Control Board during such times as they take action on a liquor license within the City of Polk City.
- III. PROCEDURE:**
- A.** The Chief of Police shall serve as the Liquor License Coordinator. The Chief will have the following duties:
1. Receive and review all new liquor license applications.
 2. Oversee background investigations on all liquor license applicants.
 3. Maintain a file containing all liquor license applications and background information.
 4. Make appropriate recommendations on the application to the city council.
 5. Appoint service for all liquor license actions requested by the Iowa Liquor Control Board.
- B. Serving Liquor License Suspensions**
1. If cause/events for a temporary city suspension comes to the attention of the Department members, officers shall prepare a case investigation and forward through the chain of command to the Chief. The Chief shall then present the need to the city council for an emergency injunction and coordinate further action with the Iowa Alcohol Beverage Division.
 2. If formal action from the City or State occurs, the Liquor License Coordinator or designee, along with at least one uniformed Polk City Police Officer will personally serve the suspension upon the business and post a notice according to Iowa Liquor Control Board regulations.
 3. The Liquor License Coordinator will communicate the suspension to the other members of the Department.
 4. A copy of all documentation along with a police report describing the actions taken will be forwarded to the city council and city attorney.

Title: Crime Victim Registration			Number: 6.13
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. PURPOSE:** To establish guidelines and requirements regarding legal rights of crime victims and the legal obligations and responsibilities of local law enforcement officers pertaining to victims' rights (Iowa Code CH 915.11). A victim, the victim's family, or other interested person may register with the automated victim notification system established pursuant to Iowa Code section 915.10A by filing a request for registration through written, telephonic, or electronic means. Notwithstanding chapter 22 or any other contrary provision of law, the registration of a victim, victim's family, or other interested person shall be strictly maintained in a separate confidential file or other confidential medium, and shall be available only to the offices, agencies, and departments required to provide information according to state law.
- II. POLICY:** Officers investigating criminal incidents must advise victims of their rights under the law and provide them with the necessary resources to register as victims. Peace officers shall advise a victim of the right to register with the county attorney, and shall provide a Victim Rights Registration form to each victim. Department personnel shall also provide a telephone number and website to each victim to register with the automated victim notification system established pursuant to Iowa Code section 915.10A.
- III. PROCEDURE:**
- A.** The reporting officer must provide a **Crime Victim Registration** form and information to victims of all crimes classified as a *serious misdemeanor and above*.
1. Arrest or suspect information is not needed if there is no one arrested or there is not a named suspect at the time of initial investigation.
 2. The form is to be distributed at the time of the initial investigation.
 3. The investigating officer will note in his/her report whether or not the form has been provided to the victim ("CVR given").
 4. The officer is to complete the bottom portion of the crime information section of the form before giving it to the victim.
- B. Registered victims** are entitled to be informed of the progress of the investigation when no arrest has been made.
1. Information on the progress of an investigation can be given, upon request, if it will not impede or compromise the investigation.
 2. The County Attorney's office should be consulted before giving any information regarding a case of a sensitive or critical nature.

C. Registered victims can request to be notified when offenders are to be released from custody.

D. Crime Reports Taken Over the Phone

1. When a report is taken over the phone, the victim of the crime must be told of the right to register as a victim.
2. The Victim Rights Registration form may be read or mailed to the victim in this circumstance. This information may also be accessed by the victim on the City's website.

E. Registration Forms

All officers will carry a supply of registration rights forms. Registration information will also be available at the front desk of City Hall or through a coordinator at the Restorative Justice Center within the Polk County Attorney's Office.

Title: Processing and Temporary Detention			Number: 6.14
Date Issued: 1 October 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 11

- I. PURPOSE:** The purpose of this section is to establish the procedural guidelines for the inspection, operation, maintenance, organization, management and administration of the Polk City Police Department Processing and temporary detention Facility.
- II. POLICY:** It is the policy of the Polk City Police Department to ensure that persons incarcerated by the Department shall be safely and humanely treated in accordance with Iowa law. The holding facility shall be secure, safe and free from hazardous or unsanitary conditions.
- III. DEFINITIONS:**
- A. Processing and Temporary Detention.** Processing and Temporary Detention shall be utilized to temporarily detain an arrestee or suspect for arrest processing, testing procedures and investigative interviews. Utilization of such facility shall not exceed a reasonable time needed to achieve processing and/or testing procedures, or interviews. Detention of an individual in custody shall be less than 2 hours unless exigent circumstances apply.
- B. Strip Search.** A strip search means having the arrestee remove or arrange some or all of his/her clothing so as to permit a visual inspection of the genitals, buttocks, anus, female breasts or undergarments of such person. Note: No search of any body cavity other than the mouth, ears or nose will be conducted without a duly executed search warrant.
- IV. PROCEDURES:**
- A. Training of Matrons, Patrons, and Staff**
1. All non-sworn members serving in the position of matron/patron shall receive training immediately upon assignment to such duties in physical restraint techniques, search techniques, policies and procedures of the Polk City Police Department and applicable laws governing operation of the facility and prisoner handling.
 2. All members of the Polk City Police Department, regardless of position, shall receive at a minimum, an orientation on the operation of the custodial facility. Their immediate supervisor or designee will conduct this orientation.
- B. Access of Non-Essential Persons**
1. In order to not impede with the operation of the holding facility or to not violate prisoner's rights, all non-essential persons, i.e., persons who are not directly involved in the processing or required

movement of prisoners, are prohibited from entering the custodial facility while prisoners are present. Interns and civilian observers may enter, if first approved by a supervisor.

2. Any authorized party entering the facility is subject to search and should be searched prior to entering.
3. Attorneys shall be allowed under certain parameters to consult with their client(s). The processing and temporary detention facility will honor an individual's right to a confidential consultation and an attorney's request for a private, barrier-free meeting space.
 - a. Attorneys that wish to meet with their clients in the facility will have all of their personal belongings removed from them with the exception of those relative to a consultation (i.e. notepad, writing utensil, eye glasses, digital recorder, PBT, etc.). Each item maintained is subject to inspection before and after consultation.
 - b. Upon request for meetings in confidence, video and audio recordings will be turned off. Prior to facilitating this request, the attorney shall be advised that they are doing so at their own risk, and agency personnel cannot be accountable for his/her safety. However, if there is suspicion of an individualized safety or security risk, physical separation may be required and/or visual monitoring of the interview room be necessary.
 - c. The attorney and client will then be allowed into the interview room. Upon completion of the consultation, both parties shall be searched again.
 - d. In matters of alcohol testing, the parties involved in consultation should be advised that this consultation shall not interfere with time restrictions imposed for implied consent. Interference of this time limit will constitute a refusal.
4. Contracted workers are authorized access only during those times that the custodial facility does not house a prisoner. Maintenance and janitorial personnel are authorized access to the cells only when they do not house a prisoner.

C. Detainee Records Security. The security and privacy of criminal records and individual criminal histories utilized in processing shall be governed by Chapter 692 of the Code of Iowa and by Title 28 of the Code of Federal Regulations.

1. An arrest transaction booking number is assigned by the arresting officer through use of the Polk County Communications Center issued case number for each person taken into custody.
2. All records pertaining to in-custody prisoners such as arrest reports, juvenile lockup records, etc. shall be maintained in such a manner as to safeguard them from unauthorized disclosure.
 - a. The Department's Records division maintains such records.

- b. Juvenile lock-up records (i.e. Juvenile Detention Survey spreadsheet) shall be securely maintained in the booking/processing area.
3. Upon a prisoner's release or transfer, all records pertaining to the prisoner shall be forwarded to the Records division. Any release of information or requests for information shall be handled in accordance with the Freedom of Information Act and applicable Department regulations.

D. Fire Prevention Measures

All personnel will adhere to the following fire safety measures:

1. No smoking will be permitted in the cells, processing area, or interview room.
2. Lighters, matches and any other similar materials will be removed from prisoners or authorized visitors prior to placing them into a cell.
3. Officers will remain aware of the location and use of firefighting equipment.

E. Prisoner Evacuation/Operational Procedures

Emergency situations that may require evacuation of prisoners include, but are not limited to fire, natural disaster, suicide attempt, or disturbance.

1. Authority and Responsibility for Evacuation of Prisoners:
 - a. A supervisor shall be immediately notified of any of the above situations and will determine when evacuation is appropriate if time allows.
 - b. Patrol or investigative personnel shall remove detainees when safety needs dictate.
 - c. In the event of a life-threatening situation, any department member may take necessary action to ensure safety of the prisoners. Staff will be responsible for the prompt release of detainees in the event of a life-threatening situation and the detainees removal from their cells will be guaranteed to the best of each employee's ability. If such a situation manifests itself, command staff will be notified and constantly advised of the on-going evacuation activities.
 - d. The nearest available on duty sworn officers shall report to the custodial facility, secure and evacuate the prisoners to a non-threatened area.
2. Evacuation Procedure:
 - a. In the event of an evacuation, the closest and safest exit, which is clearly marked, will be utilized.
 - b. When uninjured adult prisoners are being evacuated, officers shall handcuff them. Depending on the nature of the emergency, it shall be the officer's responsibility to determine the location of where the prisoners are to be taken. Prisoners will remain handcuffed and under guard at all times.

- c. If the prisoners must be removed from the building, they shall be placed inside available patrol vehicles, behind the security screen.
3. A supervisor shall make necessary assignments, as to security after evacuation, with the Polk County Jail being the primary resource for an alternate facility.

F. Security and Control of Facility

No officer will enter any part of the prisoner processing area when prisoners are being housed without having first secured all firearms in one of the available weapons storage boxes.

1. A locked storage unit is provided on the wall near the employee entrance for officer use. This is for firearm storage and is secured by a key-locking device. After securing an arrestee to the handcuff bench, the officer shall place his/her weapon in this unit and lock it, retaining the key in his/her possession. Except in an emergency situation, no firearms, or other dangerous weapons will be allowed in when a detainee is secured to the handcuffing benches.
2. When a detainee is not engaged in testing or processing they shall be secured to the handcuff bench.
3. Prior to securing detainee to handcuff bench, and immediately after removing a detainee from the handcuff bench for release or transfer, the attending officers will search each cell for weapons and contraband. In the event that contraband/weapons are found, appropriate charges will be filed.
4. Officers shall control the noise level in the custodial facility so that it will not become distracting and uncomfortable for either the staff or the detainees.
5. All incidents that threaten the facility require a written report to be submitted and maintained in the internal affairs files [and relevant case file] for a period of two (2) years unless otherwise specified. These may include but are not limited to: deaths, suicides or attempted suicides, use of force, escapes or attempts to escape, fires, occurrences of infection or exposure to infectious disease, assaults including sexual assault, injuries occurring within the facility (record must be maintained for five (5) years), or bomb threats.

G. Prisoner Escape

In the event that a prisoner escapes from the custodial facility, the following procedures are to be put into effect.

1. The officer(s) from whom the person escaped will immediately notify Communications and a supervisor.
2. The officer(s) will provide Communications with an offender description for immediate broadcast, which shall include all pertinent offender information.
3. The supervisor will initiate a regional broadcast of the escape through Iowa/NCIC and coordinate all search efforts.

4. The supervisor will ensure that command staff is notified of the escape as soon as possible.
5. If the escapee is apprehended, the supervisor will initiate all notifications (i.e. dispatch, Iowa/NCIC, and command staff) for termination of the alert.
6. If the escapee is not recaptured and is a misdemeanor, the supervisor will ensure completion of all reports, preparation of arrest warrants and obtain correspondence from the involved officer(s) detailing the circumstances surrounding the escape.
7. If the escapee was detained in “felony status”, consideration will be given as to the type of felony (i.e. any crime where death or serious injury was involved or wherein a threat to the welfare of the public appears eminent), and command staff shall determine the appropriateness of a house-to-house search.
8. Requests for assistance from other law enforcement agencies potentially affected by such an escape shall be made at the direction of command staff.
9. Use of force in the apprehension of an escapee is determined by the Department’s Use of Force policy (5.01).
10. Command staff shall determine the appropriateness of immediate media notification.

V. Detainee Regulations

A. Detainee Processing

1. Prior to being secured to the handcuff bench or placed in the interview room, detainees will be searched. All pockets shall be emptied, belt and shoes removed, jewelry removed and all items of property inventoried in an itemized manner and held outside the cell.
2. Searching of any detainee will be done by an employee of the same sex whenever possible or witnessed by another officer.
3. Officers collecting a urine sample of a detainee shall be of the same sex or a matron/patron shall be utilized. If a same sex officer or matron/patron is not available, regulations set forth in subsection V. D(2) of this policy shall be followed.
4. A person arrested for a scheduled traffic violation or a simple misdemeanor shall not be subjected to a strip search unless there is reasonable articulable suspicion to believe the person is concealing a weapon or contraband. A strip search shall not be conducted except under all of the following conditions:
 - a. Authorization by a supervisor is obtained.
 - b. The search is conducted in a place where persons not conducting the search cannot observe it.
 - c. A person of the same sex conducts the search, unless conducted by a physician.
 - d. A search warrant is obtained for the probing of any body cavity other than the mouth, ears or nose of the arrested/detained person.
 - e. A visual search or probing of any body cavity will be done in privacy and under sanitary conditions. Only a licensed

- physician at a medical facility shall perform a physical probe of any body cavity other than the mouth, ears or nose.
- f. Subsequent to a strip search, a written report shall be prepared which includes the names of the person(s) conducting the search, the time, date and place of the search and, if required, a copy of the search warrant authorizing the search.
5. The following classes of detainees will be kept separate to the degree specified:
- a. Juveniles and adults must be kept separated by a means that bars visual and auditory contact.
 - b. The following groups/classes must be kept physically separated:
 - (1) Males from females
 - (2) Felons from misdemeanants
 - (3) Pre-trial detainees from sentenced persons
 - (4) Witnesses from arrestee
 - (5) Persons from which a violent reaction could be anticipated if allowed to co-mingle
 - (6) Persons who are a health risk
 - (7) Persons who are accused of or believed to participate in sexually deviant behavior
 - c. Except in emergency situations, officers will secure more than one detainee to each handcuff bench.
6. At the time of booking, an attempt shall be made (either by observation or direct questioning of the detainee) to determine if the detainee is suicidal or violent.
- a. The following questions, or others of equal meaning, shall be incorporated into the booking process with appropriate documentation:
 - (1) Does the detainee show signs of depression
 - (2) Does the detainee appear overly anxious, afraid or angry
 - (3) Does the detainee appear unusually embarrassed or ashamed
 - (4) Is the detainee acting or talking in a strange manner
 - (5) Does the detainee appear to be under the influence of alcohol or drugs
 - (6) Does the detainee have any scars or marks which indicate a previous suicide attempt
 - b. If any of the above questions are yes, the following will be asked of the detainee:
 - (1) Have you ever tried to hurt yourself?
 - (2) Have you attempted to kill yourself?
 - (3) Are you thinking of hurting yourself?
7. Prisoner Safety: If any prisoner displays behaviors or physical characteristics consistent with signs of being under the influence of alcohol or other drugs or violence or self-destruction, the following should ensue:

- a. For the protection and safety of the prisoner, a determination should be made by the officer as to the necessity of: clothing removal; contacting EMS personnel or Mobile Crisis for medical assessment; continuous observation of the prisoner's mental/physical behavior and the subsequent transfer of the prisoner to Polk County Jail for more intensive supervision or to Broadlawns Medical Center for additional medical attention.
 - b. All observations relative to the prisoner's behavior shall be recorded in an incident report.
 - c. Decisions to transfer the prisoner to other facilities shall be made by a supervisor in coordination with Polk County Jail intake services.
8. The custodial facility may be used by outside agencies for temporary detention, processing and testing of prisoners pending transfer or release.
- a. Any individual presenting a prisoner in the Polk City processing and temporary detention facility must be positively identified as a law enforcement official. Positive identification may include presentation of police identification, verification through phone calls, or any other means that ensures that person's right to commit an individual into the custodial facility.
 - b. If an outside agency wishes to utilize the facility, they must provide staff to supervise the detainee or the request for utilization of the facility should be denied.
 - c. .
9. In the event of a mass arrest, the lead officer will determine whether the number of prisoners will exceed the custodial facilities capacity. If so, prisoners will be taken directly to the Polk County Jail for processing and incarceration.
10. Cash bonds will not normally be received at the Polk City Police Department. Detainees should be transferred to Polk County Jail where they may be allowed to bond out.

B. Booking and Fingerprint Protocols

1. All inventoried property will be listed on the PCPD Ident Form.
2. The Ident Form includes sections for arrest information and apparent physical condition. These must be filled out for each prisoner processed at the facility.
3. Persons processed at the facility shall be asked health related questions provided on the Ident Form.
4. All offenders, whether adult or juvenile, being charged with a serious misdemeanor or above shall be fingerprinted. Exceptions to this rule are for 321 or 321A violations. 321J.21 and 321.561 offenders shall be fingerprinted. Two red FBI cards shall be completed for each offender.
5. All *adult* offenders being charged under state code with simple misdemeanor crimes that are enhanceable for second or subsequent offenses shall also be fingerprinted:

- a. Theft 5th
 - b. Harassment 3rd
 - c. Domestic abuse (simple)
 - d. Possession of drug paraphernalia (upon second offense)
 - e. Criminal trespass (under certain circumstances – 716.8)
6. Booking photographs shall be taken at the time of fingerprint processing of adult individuals not being transferred to Polk County Jail. Juveniles shall have their photos taken after being charged with a felony offense. Consult Iowa Code 321.248 for complete regulations on juvenile fingerprinting and photographs. Other juvenile regulations shall apply according to the Juvenile Enforcement policy (6.04).

C. Detainee Rights

1. Officers shall not discriminate as to the availability of services on an equitable basis to both males and females. Detainees' opportunity to exercise their rights under Iowa Code 804.20 to make a phone call, will not be denied.
2. All officers shall see to it that staff and detainees are not subject to discriminatory treatment based upon race, religion, nationality, mental or physical disability, gender or age.
3. Communication and correspondence afforded to detainees:
 - a. Telephone calls by detainees will be permitted to their family or attorney or both without unnecessary delay, as required by the Iowa Code.
 - b. Attorneys will be permitted to visit detainees upon reasonable request. A visit shall be denied if a reasonable suspicion exists that the visit might endanger the security of the facility. A written record will be made of such denial and reasons therefore.
 - c. All visitors will be recorded within an incident report when permitted to visit any detainee.
 - d. All persons entering the facility may be searched for contraband. Notice to this effect is conspicuously posted. Persons may be denied entry to the facility if they refuse to consent to a required search.
 - e. When non-U.S. citizens are detained, they shall be advised of their right to have their consular officials notified. Consular officials shall be given access to non-U.S. citizens in the facility and shall be allowed to provide consular assistance.
4. No detainee will be released or transferred from confinement without appropriate process.

D. Supervision of Detainees and Juveniles

1. Each arresting officer is responsible for maintaining supervision of all detainees present in the processing and interview rooms and for monitoring facility conditions.
 - a. Individuals who are in the custody of the Polk City Police Department, and not secured to the handcuff bench, will

- not be left unattended or unsupervised by Department members at any time.
- b. Arresting officers will physically check detainees every fifteen (15) minutes. In the event a detainee requires additional attention due to a mental or physical condition, the arresting officer will increase the frequency as appropriate.
2. When a person of the opposite sex is arrested, the following procedures will be followed when an officer of that sex is not available to assist with processing:
 - a. The arresting officer will be responsible for making the decision as to whether a matron/patron should be called out and maintaining written record of the hours worked.
 - b. During temporary detention, processing or testing two officers shall be present at all times. If a matron/patron is available they will conduct a thorough search of the detainee and be present during the booking process of the prisoner.
 3. No person employed by this Department will transact any business with any detainee or any member of a detainee's family, nor shall any employee arrange through another party any business transaction with a detainee.
 4. Due to the temporary nature of processing or testing of a prisoner, no personal items such as mail, money, checks, money orders, food, prescription medication, smoking materials or other personal items will be accepted for delivery to any prisoner.
 5. For qualified detention of **juveniles** in a locking room or secured to the handcuff bench all of the following shall apply:
 - a. Adequate staff must be available to supervise and monitor the child's activities at all times. Any juvenile placed in any room cannot be allowed to come into contact with any adult detainee, *either by sight or sound*.
 - b. The child is fourteen (14) years of age or older.
 - c. There is probable cause to believe that the juvenile has committed a delinquent act which, if committed by an adult, would be a felony, aggravated assault, aggravated sexual assault, first or second offense operating while intoxicated (OWI), or public intoxication.
 - d. The juvenile poses a serious risk to others or to the property of others.
 - e. A short-term juvenile detention facility is not available.
 - f. All juveniles in custody, who are in a state of intoxication, shall be *personally observed* on a continuous basis throughout the period of detention. CCTV/video monitoring is not acceptable.
 - g. If a child is to be detained for a violation of section 123.46 or section 321J.2, placement into the custodial facility shall be made only after an attempt has been made to notify the parents or legal guardians of the child and request that the parents or legal guardians take custody of the child. If the

parents or legal guardians cannot be contacted, or refuse to take custody of the child, an attempt shall be made to place the child in another facility, including but not limited to a local hospital or shelter care facility (i.e. YESS).

E. Detainee Medical and Health Assistance Procedures

1. Any time a prisoner is in need of medical and health services, the following procedures are to be followed:
 - a. During processing, detainees should be questioned as to their current health, medications taken and their behavior observed, including state of consciousness and mental status. Detainees should be observed for any obvious signs of injury.
 - b. The arresting officer will assure detainees the opportunity to receive prompt medical attention for illness and injury.
 - c. After initial processing or testing, medical and dental prosthesis will be returned when the health and well being of a detainee would be adversely affected without them.
2. At any point during arrest or confinement, any detainee affected by a chemical control agent or electronic control device will be offered a medical examination and appropriate treatment immediately after secure control has been gained.
3. Detainees suspected of having a contagious or communicable disease will be isolated from other detainees and, if necessary, examined by qualified medical personnel as soon as possible.
4. The emergency room at Broadlawns Medical Center will be the Department's designated medical facility for inmates in police custody.
 - a. Prisoners who are taken for immediate treatment should be closely monitored. Opportunities for escape, suicide, or assault on hospital personnel or the transporting officer should be guarded against and will be more prevalent if the prisoner is unrestrained or under supervised.
 - b. A supervisor will coordinate with medical and security staff at the medical facility, to ensure that an administrative hold is placed on a person of interest for those individuals that are admitted and do not require constant police supervision due to not being arrested.
 - c. Prisoners who are admitted to the medical facility are to be supervised on twenty-four (24) hour securities by Polk City Police Department members unless other arrangements are authorized by command staff. Adequate security coverage cannot be provided by medical facility security staff; however, courtesy notification to that department should occur.
 - d. When released from medical treatment or evaluation, a prisoner's condition should be carefully recorded with waiver documents from the medical facility. All instructions for future treatment and medication should also be obtained in writing and signed by the attending

physician. A copy of this documentation shall be provided to the detainee or placed in his/her property at the jail. An additional copy shall be maintained in the appropriate investigative file. Before removing the prisoner from the medical facility, he/she should be searched and restrained.

Title: Hearing Impaired Persons			Number: 6.15
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. PURPOSE:** To define the procedures for compliance with the ADA, the Rehabilitation Act, and state statutes governing contact between hearing-impaired persons and the police.
- II. POLICY:** It is the policy of the Polk City Police Department to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. The Police Department has specific legal obligations under the Americans with Disabilities Act, the Rehabilitation Act, and chapter 804.31 of the State Code.
- III. DEFINITIONS:** (Iowa Code chapter 622B.1)
1. **Deaf person** means an individual who uses sign language as the person's primary mode of communication and who may use interpreters to facilitate communication.
 2. **Hard of hearing person** means an individual who is unable to hear and distinguish sounds within normal conversational range and who needs to use speech reading, assistive listening devices, or oral interpreters to facilitate communication.
- IV. PROCEDURE:**
- A. General Guidelines**
1. People who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided to hearing persons.
 2. People who identify themselves as deaf or hard of hearing must never be charged for the cost of an auxiliary aid or service needed for effective communication.
 3. Supervisors will make every effort to ensure that officers and employees communicate effectively with people who have identified themselves as deaf or hard of hearing.
 4. Effective communication with a person who is deaf or hard of hearing involved in an incident – whether as a victim, witness, suspect, or arrestee - is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
 5. In many circumstances communication aids may be used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; an exchange of written notes; use of a computer or electronics; use of assistive listening devices; other circumstances may require the use of qualified oral or sign language interpreters.

6. The type of aid that will be required for effective communication will depend on the individual's usual method of communication and the nature, importance, and duration of the communication at issue.
7. To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. Employees should ask persons who are deaf or hard of hearing what type of auxiliary aid or service they need. Employees must defer to those expressed choices, unless there is another equally effective way of communicating given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.
8. Employees must also accept telephone calls placed by persons who are deaf or hard of hearing through the Telecommunications Relay Service (TTY).

B. Interpreter Recommended. In order to ensure effective communication with a person whose primary means of communication is sign language or speech reading, a qualified interpreter is recommended in circumstances where the communication is more lengthy, complex, and important.

For example:

1. Custodial arrest
2. Custodial interrogation
3. Issuing implied consent. (Officer may request and administer a preliminary breath test or chemical tests of a body substance prior to the arrival of a qualified interpreter)

C. A list of qualified interpreters and their phone numbers is made available through the Polk County Communications Center.

Title: Authority and Response to Outside Jurisdictions			Number: 6.16
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 4

I. PURPOSE: Sworn officers enforce the ordinances of the City of Polk City and the laws and Constitutions of the State of Iowa and the United States.

Members of the Police Department perform their duties and exercise their authority within the framework of established policies and procedures. Our primary responsibility as a sworn officer starts with the residents of the City of Polk City recognizing there are occasions in which we may be summoned outside our jurisdiction to protect the residents of another community or execute warrants. It is the purpose of this policy to establish a protocol for responses outside of our community while recognizing the principles and implicit safety of Incident Command.

II. POLICY: State v. Snider, 522 N.W. 2d 815, 817 affirms police powers within its jurisdictional boundaries with some exceptions related to traffic enforcement. It is the policy of this Department to regulate a jurisdictional response and, if called upon by another jurisdiction, to provide sufficient resources to overcome an evolving and active situation while maintaining adequate local service.

III. MUTUAL AID & PEACE OFFICERS POWERS

A. On Duty

Polk City police officers may exercise their authority when on duty anywhere outside the City of Polk City and in the State of Iowa when any of the following conditions exist:

1. Upon the prior written consent of the Sheriff or Chief of Police in whose primary jurisdiction the exercise of authority occurs;
2. In response to an emergency involving serious threat to human life or immediate threat to property only if requested by the jurisdictional agency;
3. In response to a request for assistance pursuant to a 28E agreement or mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction;
4. In direct response to the request of a peace officer with enforcement authority;
5. When a Polk City police officer is transporting a prisoner or returning from same;
6. When an officer is executing an arrest or search warrant pursuant to Iowa Code § 804.4.
7. When the officer is in fresh pursuit. Any peace officer who has statutory authority under Iowa law to make an arrest may proceed in fresh pursuit of a person:

- a. Who is reasonably believed to have committed a violation of traffic or criminal law pursuant to Iowa Code § 804.7, or
- b. For whom such peace officer holds a warrant of arrest.
- c. When called to assist another agency in a pursuit, the officer may assist in that pursuit even though the pursuit did not begin at the crime scene. *State v. Hearn, 797 NW 2d 577, 583.* A Polk City police officer in fresh pursuit shall have the authority to arrest and to hold such person in custody anywhere in the State of Iowa.

B. Off Duty

Polk City police officers may exercise their authority when off duty anywhere outside the City of Polk City and in the State of Iowa when the following circumstances exist:

1. In response to an emergency involving serious threat to human life or immediate threat to property.
2. In response to the request of a peace officer making an arrest who summons aid pursuant to Iowa Code § 804.17.

IV. OTHER POLICE AUTHORITY

Police authority from other law enforcement agencies may be issued to Polk City police officers when necessary and/or desirable. No Polk City police officer may accept authority from or with another agency without prior notice and permission from the Polk City Police Chief.

V. ABUSE OF COMMISSION

Abuse or unjustified use of police authority will result in the withdrawal of permission to serve as a Polk City police officer and/or subject the offending Polk City police officer to disciplinary action.

VI. TASK FORCE INVOLVEMENT

Task force or interagency involvement by a Polk City police officer may be governed by a written memorandum of understanding (MOU) or a 28E agreement which should address operational objectives and control, participation levels, qualifications, and personnel policies.

VII. ASSISTING OFFICERS FROM OTHER AGENCIES

Polk City police officers may assist a law enforcement officer from another Iowa State jurisdiction who has or is attempting to invoke his/her authority to enforce State law. If this occurs, the Polk City police officer shall ensure that the arrest is lawful and if so, shall assist the officer in the accomplishment of the objective.

VIII. REPORTING REQUIREMENTS

Polk City police officers are required to submit a report in writing, through the chain of command, to the Chief of Police whenever they exercise authority outside the City of Polk City. Polk City officers are also required to report in a timely manner to the agency with primary territorial jurisdiction and comply with reasonable reporting procedures established by that jurisdiction.

IX. PROTOCOLS FOR JURISDICTIONAL CALLS FOR ASSISTANCE

The following protocols shall be followed normally after permission has been granted by a supervisor or OIC:

- A.** Polk City police officers shall refrain from exercising extraterritorial authority when the offense is minor and/or when other options, such as acting as an observer and notifying local authorities, are reasonable.
- B.** Polk City police officers exercising extraterritorial authority shall normally make prior contact with the agency with primary territorial jurisdiction so as to observe professional courtesy and to minimize confrontation between peace officers of various jurisdictions.
- C.** Polk City police officers who are conducting an investigation or serving a warrant in another jurisdiction shall, whenever possible, make prior arrangements to be accompanied and aided by an officer from the jurisdiction in which the investigation is being conducted or the warrant served. Minimally, advance notification to the jurisdiction prior to the execution of a warrant is recommended in all cases.
- D.** Polk City police officers are cautioned against acting unless it is necessary, especially when they do not have access to radio systems, local protocols or established local policies designed to ensure their safety.
- E.** Polk City police officers are prohibited from making any sort of vehicle stop or pursuit when they are in a private or non-police vehicle.
- F.** Polk City police officers shall refrain from exercising off-duty or extraterritorial authority when they have consumed alcoholic beverages or prescription medications which may impair reflexes, performance, and/or judgment when exercising police authority.
- G.** Polk City police officers who exercise extraterritorial authority shall accomplish this action in a way that improves interagency relations, enhances the image and professionalism of law enforcement, and better serves the public.
- H.** Polk City police officers who exercise extraterritorial authority shall comply with all Polk City Police Department policies including vehicle operations, arrest management, and use of force.
- J.** Polk City police officers who respond to a request into another jurisdiction shall not order equipment, resources or additional personnel to the stricken agency/municipality. It is the responsibility of the requesting agency under a system of Incident Command to manage their scene and summon incoming personnel and resources. This does not prohibit a Polk City

police officer from summoning medical personnel whenever needed.

K. Polk City police officers shall only respond if requested by a stricken agency and only after advising the dispatcher of the response. In situations where the Department has available personnel, the supervisor should advise the dispatcher of our resources and availability and await a formal request from the stricken agency prior to responding outside of our jurisdiction.

L. Normally the supervisor or officer in charge should not leave the City of Polk City to assist another agency. The supervisor or OIC shall send an officer or sufficient number of officers only after considering local staffing levels, our ability to manage calls within our jurisdiction, and the amount of travel time needed to recall allocated agency personnel.

X. LIABILITY

A. Officers who leave the City of Polk City without permission from a supervisor and without a formal request from the other jurisdiction may unnecessarily expose themselves to personal liability and discipline.

B. Refer also to Policy 2.01 Authority of the Polk City Police Department.

Title: Officer Wellness			Number: 6.17
Date Issued: 10 Dec. 2018	Updated: 10 Dec. 2018	Reviewed: 15 Nov 2020	Page(s) 1

I. PURPOSE: To provide training and resources in an effort to ensure wellness among Polk City Police Department employees. The Chief of Police realizes that acute traumatic events and cumulative stress can be detrimental to the health of a police officer. It is imperative that police officers have training and services available to assist in mitigating the effects of stress encountered in the line of duty.

II. POLICY: The Polk City Police Department will provide periodic training relating to officer wellness. Resources relating to officer wellness will also be offered to employees of PCPD at no cost to the employee. These services will be confidential.

III. PROCEDURE:

A. At least once a year an in-service session will be held for officer wellness. These sessions will offer information and resources relating to various areas of officer wellness. These areas will include, but not be limited to:

1. Physical wellness
2. Mental wellness
3. Relational wellness
4. Financial wellness
5. Spiritual wellness

B. PCPD employees will have access to resources to improve and maintain their wellness. These services will be through the city sponsored Employee Assistance Program (EAP), or other avenues if necessary.

C. PCPD employees will be encouraged by Supervisory staff to seek out assistance in the event of a tragic or traumatic event. Supervisory staff will assist in any manner necessary to help an employee obtain assistance.

D. PCPD employees will be respectful and aware of any other employee who may have handled a tragic or traumatic event, either on or off-duty.

Title: Immigration Law Compliance			Number: 6.18
Date Issued: 1 Dec. 2018	Updated: 1 Dec. 2018	Reviewed: 2 Nov 2022	Page(s) 2

I. PURPOSE: To define the procedure for compliance with Iowa Code Relating to Immigration Laws

II. POLICY: The Polk City Police Department, and its staff, will comply with Iowa Code 825.

III. PROCEDURE:

A. Any lawful immigration detainer request shall be fully complied with, including any lawful instructions made in the detainer request and in any other legal document provided by a federal agency; unless compliance with such instruction will violate another duty imposed by state or federal law.

B. All police department employees shall fully comply with Chapter 825 of the Iowa Code and shall not prevent any employee from such full compliance. (reference IA Code section 825.5(2))

C. The policies of the police department shall not be interpreted to prohibit or discourage the enforcement of immigration laws. (reference IA Code section 825.4(1))

D. No police department member or other city official shall be prohibited or discouraged from doing any of the following: (reference IA Code section 825.4(2))

1. Inquiring about the immigration status of a person under a lawful detention or under arrest.
2. Doing any of the following with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest, including information regarding the person's place of birth:
 - a. Sending the information to or requesting or receiving the information from United States Citizenship and Immigration Services, United States Immigration and Customs Enforcement, or another relevant federal agency.
 - b. Maintaining the information.
 - c. Exchanging the information with another local entity, federal or state governmental entity.
3. Assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance.

4. Permitting a federal immigration officer to enter and conduct enforcement activities at a jail or other detention facility to enforce federal immigration laws.
- E.** A member of the Polk City Police Department shall not request or inquiry from a victim, reporter or witness of a public offense their national origin unless such information is pertinent to the investigation. (reference IA Code Section 825.7)

Title: Naloxone (Narcan)			Number: 6.19
Date Issued: 17 Jun. 2019	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. PURPOSE:** The purpose of this section is to establish guidelines and procedures governing the utilization of Naloxone (Narcan) administered by the officers of the Polk City Police Department to treat opioid overdoses and minimize the overdoses caused by opioids.
- II. POLICY:** With drug overdose emerging as the leading cause of death in the United States and officers responding to a growing number of incidents that may end in death due to opioids. It is the policy of the Polk City Police Department that officers be trained to recognize a potential opioid overdose and be equipped to render lifesaving aid to those affected by opioid overdose.
- III. DEFINITIONS:**
- A. Opioid Overdose:** result from the slowing of breathing, eventually leading to respiratory failure. Signs include non-responsiveness, inability to speak, slow or no breathing, blue or grayish lips and fingernails.
- B. Naloxone (Narcan)** is a pure opioid antagonist that is used to completely or partially counter the effects of opioid overdose, such as heroin, morphine, or other narcotic painkillers. The use of Naloxone works by blocking opioids from binding with the brain’s receptors, allowing the body to return to normal breathing.
- IV. PROCEDURES:**
- A. Officer Responsibilities:** At all times, officers shall carry the issued Naloxone kit and it shall be stored in the officer’s patrol vehicle. Officers shall be trained in the use of Naloxone and shall deploy Naloxone in accordance with the training provided by the department. Officers shall utilize Naloxone on subjects believed to be suffering from an opioid overdose.
1. Signs and Symptoms of an Opioid Overdose include:
 - a. Blood-shot eyes,
 - b. Pinpoint pupils, even in a darkened room,
 - c. Depressed or slow respiratory rate,
 - d. Difficulty Breathing
 - e. Blue skin, lips, or fingernails,
 - f. Loss of alertness,
 - g. Unresponsiveness,
 - h. Evidence of ingestion, inhalation, injection of an opioid drug
 - i. Known past history of opioid use/abuse

2. Use of Naloxone:
 - a. Officer shall use appropriate PPE (Personal Protective Equipment)
 - b. Perform an assessment on the patient and determine if signs and symptoms would indicate a possible opioid overdose.
 - c. Speak with bystanders, if appropriate, and scan the area for evidence of an opioid use by the patient.
 - d. Verify with dispatch that EMS is also enroute.
 - e. Use Naloxone as outlined in the user training and instructions on the packaging.
 - f. Retain the used Naloxone kit and dispenser and secure into evidence as part of the case.
3. Documentation/Follow up Procedures: After an officer deploys Naloxone a detailed report shall be completed by end of shift. The officer's immediate supervisory shall be notified of the incident. The supervisor shall review the incident report to ensure that the responding officer has documented the incident appropriately and in accordance with this policy.
4. Daily checks of the issued Naloxone kit are required by each officer to ensure the kit is in working order and that the expiration date has not been reached. Any missing, damaged, or expired Naloxone kits shall be immediately reported to the supervisor.

B. Supervisor Responsibilities: The Lieutenant shall administer the Naloxone Program and training provided by the manufacturer.

1. Administrators' responsibilities:
 - a. Ensure that authorized personnel have received adequate training in the use of Naloxone and recognition of a possible opioid overdose.
 - b. Ensure that the Naloxone kits are current and not past expirations dates,
 - c. Review any deployments of Naloxone to ensure that it was done within departmental guidelines outlined in this policy,
 - d. Replace Naloxone kits that have been damaged, used, or expired.

Title: Response to Persons with Mental Illness			Number: 6.20
Date Issued: 15 Nov 2020	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 6

I. PURPOSE: To provide guidance for incidents involving persons with mental illness or in mental health crisis and ensure those experiencing mental health issues are afforded the same rights, dignity, respect and access to services to all citizens.

II. POLICY: It is the policy of the Polk City Police Department to provide the highest level of service and protection to everyone with whom we come into contact, including those experiencing mental health issues. The Americans with Disabilities Act (ADA) requires equal treatment for people with disabilities in all state and local government services, including law enforcement. The ADA requires law enforcement agencies to make reasonable adjustments and modifications in policies, practices, or procedures. If a person exhibits symptoms of mental illness, personnel may need to modify routine practices and procedures by taking more time and showing more sensitivity to extend services or protections. This policy is intended to address the most common types of interactions with mentally ill persons and provide guidance to department personnel when dealing with such individuals.

III. PROCEDURE: Guidelines

- A. The terms “mental illness”, “emotional illness”, and “psychological illness” describes varying levels of a group of disabilities causing disturbances in thinking, feeling and relating.
- B. Mental Illness is the impairment of an individual’s normal cognitive, emotional, or behavioral functioning caused by social, psychological, biochemical, genetic, or other factors such as infection or brain injury.
- C. Many people with mental illness manage symptoms successfully with the proper use of medications, while other may experience psychiatric difficulties when they do not have access to mental heal services, fail to take their medications, or simply do not recognize that they are ill.
- D. Officers and civilian employees must ensure that people with mental illness receive the necessary assistance to access services. This requires time and patience beyond what is normally provided.
- E. Individuals with a mental illness may be detained or arrested and require transport and processing. Officers must familiarize themselves with the proper methods of transport, arrest, and detention to ensure officer safety while providing all reasonable support for the persons mental illness.

IV. COMMON SYMPTOMS/ENCOUNTERS

- A. Symptoms of mental illness may vary but mentally ill persons have thoughts, feelings, or behavioral characteristics which my result in an inability to cope with the ordinary demands of life. While a single

symptom or isolated event does not necessarily indicate mental illness, professional help should be sought if symptoms persist or worsen. The following may prove useful in recognizing signs of mental illness:

1. Social withdrawal
 2. Withdrawal from family, friends; abnormal self-centeredness
 3. Dropping out of activities such as occupations and hobbies
 4. Decline in academic or athletic performance
 5. Loss of interest in once pleasurable activities
 6. Expression of hopelessness, helplessness, inadequacy
 7. Changes in appetite, weight loss or gain
 8. Behaviors unrelated to events or circumstances
 9. Excessive fatigue or inability to sleep
 10. Pessimism and perceiving the world as “dead”
 11. Thinking or talking about suicide
 12. Inability to concentrate or cope with minor problems
 13. Irrational statements, poor reasoning, memory, judgement
 14. Expressing ideas of being harassed or threatened
 15. Nonsensical speech, word repetition, extremely slow speech
 16. Argumentative, belligerent or hostile behavior
 17. Inability to cry or excessive crying
 18. Nonverbal expressions of sadness or grief
 19. Hyperactivity or inactivity
 20. Deterioration in personal hygiene and appearance
 21. Drug or alcohol abuse
 22. Forgetfulness or loss of valuable possessions
 23. Inappropriate use of household items (aluminum foil covering windows)
 24. Hoarding: accumulation of trash, newspapers etc.
 25. Disorientation in time, place
 26. Inability to find way in familiar settings
- B. The degree to which these symptoms exist varies from person to person. Many of these symptoms represent internal, emotional states that are not readily observable from a distance, but many are noticeable in conversation with the person.
- C. Officers and agency personnel must recognize that responses from people with certain mental illnesses may resemble those of people who have abused substance such as alcohol or drugs. Individuals may exhibit signs that they are intoxicated when in fact they have not taken their prescribed medications.
- D. Officers should be prepared to encounter a person with a mental illness at any time. Common situations in which officers may encounter such individuals include but are not limited to the following:
1. Wandering aimlessly or engaged in repetitive or bizarre behaviors in public places.
 2. Mentally ill persons are more subject to seizures and may be found in medical emergency situations.

3. Disturbances when caregivers are unable to maintain control over mentally ill persons engaging in self-destructive behaviors.

V. PROCEDURE:

- A. Family members or friends are of great value in calming an individual exhibiting unusual behavior as a result of mental or emotional impairment.
- B. The following guidelines detail how to approach and interact with people who may have mental illness and who may be a crime victim, whether on the street or during more formal interviews and interrogations. While protecting their own safety, the safety of the person with mental illness and others at the scene, the officer should:
 1. Speak calmly as loud, stern tones will likely have either no effect or a negative effect on the individual.
 2. Use non-threatening body language and if possible, keep your hands by your sides.
 3. Eliminate to the degree possible, all loud sounds, bright lights, sirens, and crowds and attempt to move the individual to a calm environment.
 4. Keep animals away as person with mental illnesses are often alarmed by barking dogs and other large animals.
 5. Look for personal identification or medical tags which often provide a contact name and telephone number.
 6. Contact the caregiver. They are often the best resource for specific advice on calming the person and ensuring officer's safety until they can arrive.
 7. Unless there is an emergency, allow time to interact with mentally ill persons. If they are rushed, they may quickly become overloaded.
 8. Repeat short, direct phrases to eliminate confusion and distractions.
 9. Mentally ill persons have sensory impairments that make it difficult to process information. Officers should avoid touching the person unless absolutely necessary; use soft gestures, avoid quick movements and do not automatically interpret odd behavior as belligerent.
 10. Be conscious of different forms of communication as mentally ill persons often use signals or gestures instead of words to communicate.
 11. Maintain calmness and patience.
 12. Maintain a safe distance.
 13. Memory impaired persons who are reported missing should be handled following these guidelines and similar to any other missing person
- C. Once sufficient information is collected about the nature of the incident and the situation is stabilized, officers may exercise a wide range of options when selecting an appropriate disposition. Options include:

1. Release of person.
2. Contact the Mobile Crisis Response Team (MCRT) for on scene assistance.
3. Refer or transport the person for medical attention if injured or abused.
4. Release to care of family, caregiver, or mental health provider.
5. Refer or transport to substance abuse services.
6. Assist in arranging voluntary admission to a mental health facility.
7. Transport for involuntary emergency psychiatric evaluation if the person's behavior is a danger to themselves or others.

D. Interview and Interrogations Procedures

1. Officers attempting to conduct an interview or interrogation with a person that is obviously mentally ill should consider consultation with the Polk County Attorney's Office to determine a course of action.
2. If the mentally ill person is a witness, officers should:
 - a. Not interpret lack of eye contact or strange actions as indicative of deceit.
 - b. Use simple and straightforward language.
 - c. Be prepared to alter common interview techniques. Do not suggest answers or attempt to complete thoughts of persons slow to respond.
 - d. Recognize that the mentally ill persons might be easily manipulated and highly suggestible.

E. Detention Procedures

1. If an individual with a mental, emotional, or psychological illness is detained, officers shall make reasonable efforts to use the least restraint possible to protect the subject and other from injury. The overall circumstances and the person's potential for violence will determine if handcuffs should be used as a temporary measure to prevent injury to the person or the officer. Officers may consider transport by fire/rescue personnel as an alternative if the subject does not pose any risk to first responders.
2. In minor incidents where a person is suffering from mental illness, officers should seek non-arrest resolutions. The most desired resolution is voluntary admission to an appropriate mental health facility or treatment. When public safety is at issue, officers shall be responsible for ensuring the person is detained for an involuntary emergency evaluation.
3. When a mentally ill person is being transferred to another agency or facility (such as the Polk County Jail), the transporting officer shall be responsible for notifying the agency or facility of the risk in advance of their arrival. This will allow the agency or facility to make needed preparations for accepting the detainee.

F. Voluntary Admissions

1. The following scenarios would indicate minimal officer involvement:
 - a. Persons who appear to be in need of psychiatric evaluation and do not appear to pose an imminent danger to themselves or others should be referred to the MCRT or a mental health facility. (A family member or other responsible person is often available to assist the disturbed person in seeking such treatment and should be provided with the information and assistance necessary to secure the help needed).
 - b. When possible, persons who have been or are under the care of a private physician should be referred to the physician. The MCRT may assist in making contact with the appropriate physician.
 - c. Persons who voluntarily agree to psychiatric evaluation shall be taken to hospital or another appropriate facility. Again, MCRT may assist with this process.
 - d. When necessary, the department should assist with transportation of mentally ill persons.

G. Involuntary Admissions

1. A higher level of law enforcement intervention is required when officers encounter the following scenarios:
 - a. The person is imminently dangerous to self or others.
 - b. The person is unable to care for self (unable or refuses to accept intervention which would meet minimum needs for food, clothes, shelter or physical well-being)
 - c. The person is suffering substantial physical deterioration and shows an inability to function if not treated immediately.
 - d. Officers can respond with the most appropriate of the following alternatives for involuntary admission for psychiatric care:
 - i. When the person in question poses no apparent immediate threat to themselves or others, a relative, caregiver, or MCRT may petition a judge to order the detention and a hearing for the person who is believed to be in need of psychiatric hospitalization.
 - ii. Officers who have personally observed the actions of the individual and have reason to believe that the person is in clear and imminent danger of causing personal harm to himself or others should be transported to the hospital or other appropriate facility. Once at the hospital or facility, trained

staff shall be informed of the situation by the officer and conduct their own evaluation. When situations warrant, hospital staff or other trained professionals shall petition the court for an involuntary committal for psychiatric care.

- iii. The officer shall complete an incident report detailing circumstances of the event which led to the involuntary committal.

H. Additional Available Resources: There are several community mental health resources available to the department, including:

1. Mobile Crisis Response Team (MCRT): The MCRT is designed to assist police officers on calls related to mental health issues. MCRT is a collaborative effort where registered psychiatric nurses and mental health professionals are dispatched at the request of law enforcement to complete assessments and stabilize situations with on-site crisis counselling, provide one time medication management and referral for services, and assist with psychiatric hospitalizations.
2. Areas Hospitals: The officer can utilize this resource for voluntary or involuntary admissions. Broadlawns is the preferred hospital.
3. National Alliance for the Mentally Ill (NAMI) of Greater Des Moines: NAMI offers support and education for families dealing with mental illness and advocates for needed services.

CH 7

Evidence and
Property

Title: Evidence and Property Handling Procedures			Number: 7.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 11

- I. PURPOSE:** To define the duties and responsibilities of the Property Custodian and establish guidelines for peace officers in proper handling, storage, return, and destruction of evidence and found property.
- II. POLICY:** It shall be the policy of the Polk City Police Department to comply with the Code of Iowa, regarding matters of evidence and property. It is the policy of this agency to ensure that property in its custody can be properly secured, stored, readily retrieved, and that any changes in its custody have been properly documented. It is also the policy of this agency to dispose of property in its custody in a timely and organized manner.
- III. DEFINITIONS:**
- A. Property:** Anything of value, whether publicly or privately owned. The term includes both tangible and intangible property, labor, and services. The term includes all that is included in the terms of “real property” and “personal property”.
 - B. Evidence:** Seizeable property as defined by IA Code 809.1
 - C. Personal Property:** Material, articles, substances, or items found or seized by, turned in to, or otherwise lawfully comes into the possession of the Department and the Department does not own.
 - D. Real Property:** Lands, tenements, hereditaments, and all rights thereto and interests therein, equitable as well as legal.
 - E. Property/Evidence Custodian:** Officers specifically assigned to receive, process, track, and dispose of evidence and property.
 - F. Seizeable Property:** means any of the following:
 1. Property which is relevant in a criminal prosecution or investigation
 2. Property defined by law to be forfeitable property
 3. Property which, if not seized by the state, poses an imminent danger to a person’s health, safety, or welfare.
 - G. Seized Property:** means property taken or held by any law enforcement agency without the consent of the person, if any, who had possession or a right to possession of the property at the time it was taken into custody.

- H. Safekeeping:** property taken into custody with the consent of the owner or the person who had possession at the time of the taking.

IV. PROCEDURE:

A. Processing Property

1. Any member of this agency who has property to be placed in secure storage, whether seizeable property, found property or property for safekeeping, shall make an inventory of that property at the location it was found or seized. In cases where it is not practical or safe to inventory said property at the location of recovery, the property shall be inventoried upon its arrival at the police station. The officer shall include the following information for all items:
 - a. Description of the item (including make, model number, and serial number, if any)
 - b. Source (from whom and/or location obtained)
 - c. Name of person primarily responsible for collecting the item or items
 - d. Any case number assigned to the incident during which the property was collected
 - e. The date and time from which the property was seized
2. The impounding officer shall properly handle, mark, and package the property, and transport all physical property to the evidence storage area or other authorized secure location as soon as practical, to include evidence lockers, authorized storage area or large items evidence garage.
3. Evidence of a hazardous nature shall be appropriately packaged and stored in accordance with hazardous materials regulations. Such substances include but are not limited to items which may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste products. Where appropriate, the custodian will pre-authorize and make arrangements to assume responsibility for storage and control of such substances or for offsite disposal.
4. Neither explosives nor any type of combustible material will be seized for evidence to be stored in the evidence room. A photograph of such materials will be taken and kept in the case file as evidence of the crime. Exceptions to this rule will be at the discretion of the Chief of Police or designee. Any exceptions to this rule must provide for a safe storage facility for such materials - away from the evidence room.
5. Vehicles impounded containing personal property or property held as evidence, in order to protect both the owner's property from loss and the Police Department from unjust loss claims, a property inventory shall be made of all impounded vehicles. Closed storage containers, including but not limited to, the glove compartment, console, and portable containers shall not be opened without consent, a search warrant, probable cause, or exigent circumstances.

B. Drug Evidence

1. Drug evidence shall be turned over to the custodian so that it may be logged and secured in a double locked manner to protect it until such time that it is used in court proceedings or cleared for destruction.
2. Prior to drug evidence being secured in a locker, the impounding officer(s) shall list the following information for each drug and enter this information into SAFE Evidence Management Program:
 - a. Suspected type
 - b. Weight of drug
 - c. Quantity if applicable
3. The custodian(s) shall remove the property from the evidence locker and complete the processing of the drug evidence by:
 - a. Confirming the impounding officer correctly entered the evidence into SAFE Evidence Management Program.
 - b. Confirming the evidence is packaged, labeled, and sealed as required.
 - c. Securing the evidence in a locked cabinet inside the locked evidence room.
4. Drugs removed from storage for court, or for any other lawful purpose, are to be treated as any other evidence in terms of chain of custody.

C. Handling and Counting of Currency

1. A strict chain of custody must be maintained at all times for matters involving currency taken by officers. To that end, officers of this Department shall take the following steps to ensure that currency is handled properly:
 - a. Money shall be counted with two officers present when possible.
 - b. If money is seized from an arrestee, that money shall be counted individually but jointly by two officers in the presence of said arrestee when possible.
 - c. A receipt shall be issued for any currency seized and held from any suspect or arrestee.
 - d. The currency shall be packaged, sealed, and secured into evidence control.
 - e. The evidence custodian shall make arrangements for deposit into the appropriate holding account when applicable.
 - f. The CFO will coordinate deposits into the appropriate holding account. S/he will be present to verify the accuracy of the original count, provide additional reliability when large amounts of money are being removed from the station, and note any differences between the count taken at the station and at the bank when the funds were deposited into a pre-forfeiture/safekeeping account.
2. The CFO will verify that the deposit took place and provide the property custodian with a copy of the deposit slip to be placed into the evidence log and copied to the case file.

3. The custodian and/or CFO shall also give notice to the police chief of the date and amount of the deposit into the pre-forfeiture account.

D. Lost [Found] Property

1. A seizing officer when recovering lost/found property that holds an estimated value of greater than \$5.00 as described in 556F.6, shall exercise the following process:
 - a. Determine if the finder of such property requests to be vested in the title upon disposition or make claim for such property to include compensation from the owner, as described in Chapter 556F.
 - b. The officer shall have the finder attest by affidavit and signature that s/he will comply with the provisions of Chapter 556F to make claim for such property. The finder shall also complete a Found Property Affidavit attesting to:
 - (1.) A detailed description of the property
 - (2.) State when and where it was found
 - (3.) Attest to any alterations since being found
 - (4.) Approximate the value of the property
 - c. The officer shall then seize the property, verify accuracy and completion of the finder's Affidavit, prepare the necessary case documentation, log the item(s) into SAFE Evidence Management Program and secure the item(s) in secure property holding.
2. The property custodian shall then be responsible for sending a copy of the signed affidavit and property record to the Polk County Auditor.
3. The Auditor shall enter a description of the property and the value of the property in the auditor's lost property book.
4. The finder or auditor's office shall be responsible for posting the necessary public notices and/or making publication as applicable.
5. If no person appears to claim and prove ownership to said goods, money, bank notes, or other things within twelve months (366 days) of the date when proof of said publication and posting is filed in the office of the county auditor, the right to such property shall irrevocably vest in the finder. Exceptions to the twelve month period shall be in accordance with regulations set forth in IA Code 556F.3 – 556F.5.
6. Found property that is held by the Polk City Police Department shall be disposed of after a period of 30 days if no owner claims such property and the finder of such property has not filed an affidavit to claim the property as described in IA code 556F.

E. Safekeeping

1. Items will only be taken into custody for safekeeping with the consent of the owner or person having the right to be in possession of the property.
2. The owner, consenting to the release and control, shall be properly listed in the electronic property record and incident report.

3. If consent to the taking of property was given by the person in possession of the property, as reflected SAFE Evidence Management Program or incident report and later withdrawn or found to be insufficient, the property shall then be returned.
4. If property of safekeeping is not returned, it shall be deemed seized as of the time of demand or refusal in accordance with IA Code 809.

V. DUTIES OF PROPERTY CUSTODIAN:

A. Appointment of Custodian

1. At all times, in order to properly process, store, and maintain evidence and property for this Department, there shall be a minimum of one (1) property/evidence custodians.
2. Custodians shall be sworn officers employed full-time with the Polk City Police Department, and their appointment as evidence custodians shall be at the discretion of the Chief of Police.
3. The Chief of Police shall have the authority at any time to remove an officer from the duties of property/evidence custodian. The removal need not follow any disciplinary procedures, as evidence custodians are not listed as an official job description for the City.

B. Impounding Property

1. The custodian shall be responsible for receiving, storing, maintaining, releasing, and accounting for all property.
2. Property shall be properly deposited with the custodian or in an approved holding area, and the impounding officer shall document the property in the SAFE Evidence Management Program. The electronic record shall include all information necessary to both document and ensure the integrity of the chain of custody.
3. The custodian shall be responsible for maintaining the electronic SAFE Evidence Management Program.

C. Storage of Property

1. The custodian shall assign a storage location to each item of property and record this information in the custodian's log.
2. Perishable items shall be stored appropriately.

D. Right to Refuse Certain Property

1. The custodian will have the right to refuse any property for processing and storage for any of the following reasons but not limited to these alone:
 - a. Improper packaging
 - b. Improper paperwork accompanying evidence
 - c. Especially dangerous or hazardous material
 - d. Improperly labeled evidence
 - e. Improperly entered electronic record
2. Any refusal on certain items by a custodian must be accompanied by a written and/or oral explanation for the refusal provided to the entering officer. The response will state the reasons for the refusal, as well as the corrective action needed for the property to be

accepted. The Chief of Police or designee has the authority to override a refusal by the custodian.

3. All items refused by the custodian will be secured in a temporary safe pending correction by the officer. Corrections of refused evidence shall be made by the officer and the item shall be resubmitted to evidence control.

E. Storage of Keys for Access to Evidence Areas

1. The evidence custodian shall be responsible for safeguarding the keys and/or code to access property lockers, property storage areas, and other property related matters. Keys shall be stored in a safe and shall be used only when matters of property require them.
2. Each custodian will have access to a key to this safe, and shall be granted the combination to the safe for access to the evidence keys.
3. Should any property locker or property storage area require a code, a copy of the current access code shall be scribed and signed sealed by the custodian to be stored by the Chief of Police.
4. Custodians shall not keep, store or share any code, combination or means of access to a property storage area in a manner that will expose it to unauthorized personnel.
5. A log shall be maintained by the evidence custodians noting all entries to the safe to access keys for evidence processing, destruction, transfer, and other matters. All log entries shall include the date and time the safe was accessed, the name of the evidence custodian entering, and the purpose for which the safe was opened by the custodian. These records shall be subject to supervisory audit at any point in time.

F. Evidence Safe

1. Smaller articles of evidence with higher value shall be stored in a safe, which may include but are not limited to:
 - a. Jewelry
 - b. Wallets
 - c. Watches
 - d. Precious metals
 - e. Currency
2. Currency shall also be stored in this safe. In the event that there is no custodian on duty, the currency may be secured in the evidence lockers as temporary holding.
 - a. A custodian shall be notified of the currency in the lockers at the earliest convenient time. The custodian shall secure the currency in the safe until it can be deposited into the appropriate holding account.
 - b. The currency shall be counted in the manner detailed in section G below and deposited in accordance with this agency's Fiscal Management policy (2.07) as appropriate.
 - c. Currency may be held in the safe for extended periods of time contrary to policy 2.07 when being held for pending

trial-court purposes, pending Ion Scan, or for other specified purposes of the Polk County Attorney's Office.

G. Recording Transfers of Custody

1. The evidence custodian shall be responsible for documenting all changes in custody of physical evidence. This documentation shall be capable of readily identifying the individual or organization currently maintaining custody of the evidence.
2. A written or electronic record, including signatures of responsible parties, of all transfers of physical evidence shall be maintained.
3. Members of this law enforcement agency who assume custody of property from the custodian bear full responsibility for ensuring its security, proper storage and maintenance, and for the return of such property upon completion of evaluation or court proceedings.

VI. DISPOSITION OF SEIZED PROPERTY:

A. Parameters for Return of Seized Property

1. Seized property shall be returned to the owner if:
 - a. The property is no longer required as evidence or the property has been photographed and the photograph will be used as evidence in lieu of the property, or
 - b. If the property is no longer required for use in an investigation, or
 - c. If the owner's possession is not prohibited by law, and
 - d. If a forfeiture claim has not been filed on behalf of the state.
2. If the aggregate fair market value is *more than \$500*, the agency shall serve notice by personal service or by restricted certified mail, return receipt requested, to the last known address of any person having ownership or possessory right in the property. Refusal of restricted certified mail, return receipt requested, shall be construed as receipt of the notice.
3. If the aggregate fair market value of the property is *equal to or less than \$500*, the seizing agency shall serve notice by personal service or by sending notice by regular mail to the last known address of any person having an ownership or possessory right in the property.
4. A person having ownership or right in the property must file a written claim for the property with the seizing agency within 30 days from the date of receipt of the notice and must take possession of the property within 30 days of the expiration time period for filing a written claim. If no written claim is filed within 30 days from the date of receipt of the notice or if a written claim is filed but the claimant does not take possession of the property within thirty (30) days of the expiration of the period of time for filing the written claim, the property shall be deemed abandoned and shall be disposed of accordingly.
5. The notice served or sent shall inform the recipient of the filing and possession requirements of the previous subsection.
6. In the event that there is more than one claim filed for the return of property, at the expiration of the period for filing claims, the agency

shall file a copy of all such claims with the clerk of court and the clerk shall proceed as if such claims were filed by the parties under Chapter 809.3.

7. If the owner is unable to be located or the property is deemed abandoned the following shall apply:
 - a. If the value of the property is *greater than \$500*, forfeiture proceedings shall be initiated pursuant to the provisions of Ch.809A. If the court does not order the property forfeited to the state, the seizing agency shall become the owner of the property and may dispose of it in any reasonable manner.
 - b. If the value of the property is *equal to or less than \$500*, the seizing agency shall become the owner of the property and may dispose of it in any reasonable manner.
 - c. Notwithstanding subparagraph b., firearms or ammunition with an aggregate fair market value equal to or less than \$500 shall be deposited with the Iowa Department of Public Safety.
8. Upon the filing of a claim and following a hearing by the court, property which has been seized shall be returned to the person who demonstrates a right to possession, unless one or more of the following is true:
 - a. The possession of the property by the claimant is prohibited by law.
 - b. There is a forfeiture notice on file and not disposed of in favor of the claimant prior to or in the same hearing.
 - c. The state has demonstrated that the evidence is needed in a criminal investigation or prosecution.
9. The court shall, subject to any unresolved forfeiture hearing, make orders appropriate to the final disposition of the property, including but not limited to, the destruction of contraband once it is no longer needed in an investigation or prosecution.

B. Disposing of Seized Property – General Regulations

1. In such cases where this agency may dispose of any seized property in a reasonable manner the following may apply:
 - a. Selling the property at public auction with the proceeds, less Department expenses, going to the general fund of the City if sold by the city agency; however, the Department shall be reimbursed from the proceeds for the reasonable expenses incurred in selling the property at the auction. Funds from forfeited property associated with Policy 7.02 shall have the proceeds transferred to the appropriate holding account.
 - b. Retaining the property for the Department’s own use.
 - c. Giving the property to another agency of government.
 - d. Giving the property to an appropriate charitable organization.
 - e. Destroying the property.
2. Active or Suspended Case: Seized property of a suspect or victim, recovered stolen or seized as seizeable property, may be released if

- a photograph that clearly shows the item and its serial number has been taken for the case file and any of the following occur:
- a. Written authorization of the prosecuting attorney
 - b. Written authorization from the case investigator
 - c. Forfeiture order
 - d. Cases in which the investigator has written a supplemental report showing that s/he has closed the case due to lack of cooperation by the victim or complainant.
 - e. The victim's insurance company (if a claim has been paid)
3. Closed Case: Seized property may be determined no longer required as evidence of a case when any of the following occur:
- a. Sixty (60) days after sentencing of all parties involved to allow for the filing of appeals (if warrants remain active the case is not closed).
 - b. If no charges are filed and the statute of limitations has passed:
 - (1.) One (1) year for simple misdemeanors
 - (2.) Three (3) years for indictable misdemeanors and felonies, except:
 - (3.) Sex abuse adult victim is fifteen (15) years
 - (4.) Sex abuse juvenile victim is time to reach age 18 plus ten (10) more years
 - (5.) Murder has no statute of limitations
 - (6.) **Note:** when a person leaves the state, no period during which the party was not publicly a resident within the state is part of the limitation.
 - c. Fatality crashes, suicides or accidental deaths shall be held for two (2) years then review for civil filings
 - d. Photographs in death cases held indefinitely
 - e. DNA samples and evidence shall be maintained for three (3) years *beyond the limitation* for the commencement of criminal actions as stated in IA Code 81.10
4. Safekeeping: Items taken for safekeeping will be held for a total of thirty (30) days and will be returned to the owner unless extenuating circumstances exist.
5. Firearm: While being held as personal property, a firearm shall only be released back to the owner after a criminal history check was completed to ensure the owner has no prior felony convictions or domestic abuse convictions on file.
6. Lost/Found Property: If the finder of such property requests to be vested in the title upon disposition or makes claim for such property to include compensation from the owner as required in section IV, (D.) and if no person appears to claim and prove ownership, the Department will release such property to the finder if all of the following are completed:
- a. Signed affidavit from the finder is on file with the Department attesting to the interest in the title of said property.
 - b. Twelve (12) months from the date when proof of said publication and posting is filed with the county auditor.

C. Disposing of Seized Firearms

1. The property custodian will prepare a list of all firearms that are to be turned over to the DCI and submit that list for a court order authorizing destruction of the firearms. The list will show the case numbers, makes, descriptions, and serial numbers of the weapons.
 - a. All firearms will be checked for stolen by the property custodian before being turned over to the DCI.
 - b. The inventory will be signed by the property custodian and the DCI representative accepting the firearms.
 - c. Copies of the signed inventory will be given to the DCI representative and the Polk City. The property custodian will file one copy in the custodian's log.

D. Disposing of Seized Drug Items

1. In such cases where this agency may dispose of any seized drug evidence in a reasonable manner the following shall apply:
 - a. Found drugs and drugs held in concluded criminal proceedings are destroyed at an approved incineration facility. The term "drugs" may also include drug paraphernalia.
 - b. Found Drugs or drugs held in concluded criminal proceedings may be court ordered to the Department for the sole purpose of canine training in accordance with chapter 124.506(3).
 - c. The property custodian will prepare a list of property to be destroyed. The list will identify the specific items, weights and/or quantity of each item, and the agency case number.
 - d. The listing will be turned over to the county attorney's office in order to obtain a court order to proceed with the disposal which shall be completed within thirty (30) days from the date of the order.
 - e. The property custodian will make arrangement with the burn facility setting a convenient time for the drug burn.
 - f. The property custodian shall be accompanied by another law enforcement official while transporting drugs to the burn facility.
2. An evidence custodian shall monitor the loading of the items to be destroyed, accompany the items to the destruction site, and observe the destruction process.
3. At the conclusion of the drug burn all copies of the drug listing will be verified by the Lieutenant and signed by the property custodian, and all other independent witnesses.
4. The custodian or Lieutenant will complete an affidavit of verification and return it to the court having ordered the destruction.
5. After the completion of the destruction process, the evidence custodian shall maintain a copy of the destruction records for not less than ten (10) years.
6. Records will include at a minimum:

- a. The date, time, and location of the destruction
- b. An inventory of items destroyed
- c. A list of all witnesses to the destruction
- d. Court order for destruction
- e. Affidavit of verification for destruction

VII. QUALITY CONTROL

The following documented inspections, inventories, and audits shall be completed:

- A.** Semi-annual inspections to determine adherence to property control procedures shall be conducted by the Lieutenant, if necessary done in conjunction with an outside official.
 1. Initially, five (5) random cases will be selected for verification of items of evidence, location, weight/quantity, and status.
 2. If these cases do not pass in full compliance, an audit of twenty-five (25) single items of property/evidence from separate pending cases held by the Department shall be examined. A comprehensive report will be written by the Lieutenant to advise of the discrepancies and to make recommendations on how to alleviate further error and, where applicable, request a full inventory of the property room and possible personnel reassignment(s).
 3. The Lieutenant shall be the individual responsible for identifying which cases will be examined and will rotate these audit procedure methods as necessary.
- B.** An inventory of property should occur whenever a property custodian is assigned to and/or transferred from a custodian position. The inventory will be conducted with the remaining custodian, the new designee, and a designee as assigned by the Chief of Police.
- C.** Unannounced inspections of property storage areas, to include secured areas within the storage area, are conducted as directed by the Chief of Police or Lieutenant.

Title: Forfeiture of Property			Number: 7.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 5

I. PURPOSE: To set forth guidelines for the proper inventory and report of all seized property for forfeiture. Further, to set forth guidelines for the proper seizure and inventory of vehicles, vessels, and aircraft believed to be used or to be intended for use to deliver, import or export controlled substances and for other violations in compliance with state statute.

II. POLICY: The seizure and forfeiture of cash and property assets gained as a result of illicit conduct is a potent weapon in law enforcement’s arsenal. The proper application of these measures can deny profits from criminals, who would otherwise prosper at the expense of others, while at the same time provide additional resources to the police. Therefore, it is the policy of the Polk City Police Department to comply with laws regarding the seizure and forfeiture of property.

III. DEFINITIONS:

A. Evidence: Seizeable property as defined by IA Code 809.1

B. Forfeitable Property: Property which is illegally possessed; property which has been used or is intended to be used to facilitate the commission of a criminal offense or to avoid detection or apprehension of a person committing a criminal offense; property which is acquired from the proceeds of a criminal offense; or property offered or given to another as inducement for the commission of a criminal offense.

C. Personal Property: Material, articles, substances, or items found or seized by, turned in to, or otherwise lawfully comes into the possession of the Department and the Department does not own.

D. Property/Evidence Custodian: Officers specifically assigned to receive, process, track, and dispose of evidence and property.

E. Seizeable Property: Means any of the following:

1. Property which is relevant in a criminal prosecution or investigation
2. Property defined by law to be forfeitable property
3. Property which if not seized by the state poses an imminent danger to a person’s health, safety, or welfare

- F. Seized Property:** means property taken or held by any law enforcement agency without the consent of the person, if any, who had possession or a right to possession of the property at the time it was taken into custody.

IV. LEGAL REFERENCES:

- A. State** - The applicable state law regarding the seizure and forfeiture of property is found in Iowa Code Chapter 809, "Disposition of Seized Property" and Iowa Code Chapter 809A, "Forfeiture Reform Act."
- B. Federal** - The applicable federal law regarding the seizure and forfeiture of property is found within the Comprehensive Crime Control Act of 1984 which authorized federal officials to implement a national asset forfeiture program as a tool to target criminals and assist anti-crime measures. This legislation authorizes the sharing of forfeited funds with cooperating law enforcement agencies. The Department of Justice (DOJ) has since produced a *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, to serve to promote and maintain the integrity of the equitable sharing program so that it can continue to merit public confidence and support. This guide sets forth specific regulations as prescribed by federal law, and in accordance with the Office of the Attorney General, that assures the legal transfer of property and seized assets in matters of administrative or judicial forfeiture. The sole responsibility for administration, regulation, and reporting of this program within local jurisdictions lies with the chief law enforcement officer of that jurisdiction. For the City of Polk City, this official shall be the Chief of Police.

V. PROCEDURE:

A. Responsibility of the Chief of Police

1. The Chief of Police shall designate a representative from the Police Department to coordinate the disposition of property that is seized for forfeiture. This representative shall be referred to herein as the "Forfeiture Coordinator".
2. The disbursement of forfeited funds requires the approval of the Chief of Police. Forfeited funds may be disbursed for equipment, projects, or other lawful purposes, which will benefit law enforcement. Regulations for control of funds shall be administered in conjunction with the City Clerk and the Special Operations Funds policy (2.06) where applicable.

B. Responsibility of Seizing Officer

1. The officer taking possession of seized property shall make a written inventory of the property and deliver a copy of the inventory to the person from whom it was seized. The inventory shall include:
 - a. The name of the person from whom the property is being seized, and

- b. The name of the person taking custody of the seized property, and
 - c. The date and time of seizure, and
 - d. The law enforcement agency seizing the property.
 - e. Other property/evidence regulations shall be held in accordance with the Evidence and Property Handling Procedures policy (7.01).
2. Non-evidentiary or forfeitable items of property found during the inventory of a seized vehicle, vessel, or aircraft should normally be removed for safekeeping and afforded adequate security or turned over to the owner.
 3. The officer requesting forfeiture proceeding be initiated shall forward a copy of the report, a copy of the inventory of seized property, and a request to review for forfeiture indicating the property to be forfeited to the Forfeiture Coordinator within 24 hours.

C. Responsibility of Forfeiture Coordinator

1. Review reports to ensure that the seizure of property conforms to state law.
2. Research the ownership of property to ensure that any other claims of ownership are addressed.
3. Determine if the value of the property being seized is sufficient to offset any liens against the property and/or any administrative costs associated with the seizing of the property.
4. Return property that does not meet the criteria set forth by state law, Department policy, or the county attorney's office regarding seized property.
5. Once property has been authorized for forfeiture, a *Notice of Seizure for Forfeiture* form shall be filled out and served on any parties with property interest.
6. A request for forfeiture shall then be made through the county attorney's office according to procedures established by state law, the county attorney's office, and the Polk City Police Department.
7. Maintain a document file regarding pending forfeiture action to track progress as it is processed through the court system. Maintain this file for five (5) years.
8. Provide access to the Chief of Police of all forfeiture documents. The Chief shall also maintain a separate file of any pending currency that has been seized, is intended to be forfeited, and is held separately in a pre-forfeiture account or in the Department's safe.
9. The forfeiture hearing process will then be completed and, if successful, a court order issued allowing the property to be disposed of with transfer of ownership ordered to the appropriate government entity. After the 30-day window for appeals has expired, the property shall be titled to the City if applicable and a final determination made if it will be auctioned or maintained for agency use.

10. Maintain accurate records of all property sold and the selling price of each piece of property.
11. Turn over to the Chief proceeds from forfeited property that has been sold to be credited to the proper forfeiture account.

D. Permissible Uses of Forfeited Equipment

1. The Forfeiture Coordinator shall receive all written requests for property to be converted to departmental use and forward to the Chief of Police for approval.
2. The Forfeiture Coordinator shall maintain a file of all approved requests and the disbursement of property.
3. The Department will maintain property that has been converted to departmental use until the property is no longer useful. This property will then be returned to the Forfeiture Coordinator to be disposed of through agency protocols. Any funds received for the ultimate disposition of this property will be placed in the appropriate forfeiture account. Accurate records will be maintained in order to ensure accountability of this property.
4. At no time will a Department employee benefit from any sale of property that has been forfeited. The Forfeiture Coordinator will ensure that disposal of property is conducted in a manner that does not bring the integrity of the Department into question.

E. Permissible Uses of Forfeiture Funds

1. United States Department of Justice (DOJ) policy requires forfeited monies and property to be used for law enforcement purposes. Further, forfeited resources shall not be used to replace or supplant appropriated resources. In determining whether supplanting has occurred, the Department of Justice will examine the law enforcement agency's budget as a whole and allow agencies to use equitable sharing funds for any permissible purpose as long as shared funds increase the entire law enforcement budget. The following list of expenses is generally approved for expenditure of funds. Each category listed has specified parameters for qualification and may have some exclusions.
2. The *Guide* and/or the Polk City Police Chief should be consulted for questions regarding qualifying expenditures in these categories. Preapproval from the DOJ of a listed expenditure may be required.
3. In general, priority shall be given to supporting community policing activities, training, and law enforcement operations. The following categories are typically permissible:
 - a. Law enforcement investigations
 - b. Law enforcement training
 - c. Law enforcement and detention facilities
 - d. Law enforcement equipment
 - e. Law enforcement travel and transportation
 - f. Law enforcement awards and memorials
 - g. Drug and gang education and awareness programs
 - h. Matching funds for federal law enforcement grants

- i. Pro rata funding for multi-agency items or facilities
- j. Asset accounting and tracking of forfeiture funds
- k. Language assistance services for law enforcement activities
- l. Transfers to other law enforcement agencies
- m. Support of community-based programs with a law enforcement initiative.

Title: Forfeited Vehicles			Number: 7.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 2

- I. PURPOSE:** To establish policy and guidelines regarding the seizure and use of forfeited vehicles.
- II. POLICY:** It shall be the policy of the Polk City Police Department to comply with state law regarding the seizure and forfeiture of property when seizing a vehicle. The applicable state law regarding the seizure and forfeiture of property is found in Chapter 809, Disposition of Seized Property, and Chapter 809A, Forfeiture Reform Act.
- III. PROCEDURE:**
- A.** Property seized for forfeiture will be processed through normal evidence handling procedures as determined by Department protocols. After seizure of an automobile in which an officer has indicated a potential value to forfeit, command staff must make a determination whether or not to authorize application for seizure of the vehicle. Consideration will be weighed by evaluating the vehicle’s real market value, mechanical condition, and outstanding liens. The Chief of Police has final authority in determining authorization of forfeited property.
 - B.** Once a vehicle has been authorized for forfeiture, a *Notice of Seizure for Forfeiture* form shall be filled out and served on any parties with property interest in the automobile.
 - C.** A request for forfeiture of the vehicle shall then be made through the County Attorney’s Office according to procedures established by state law, the County Attorney’s Office, and the Polk City Police Department.
 - D.** The forfeiture hearing process will then be completed and, if successful, a court order will be issued allowing the vehicle to be disposed of. After a 30-day window for appeals has expired, the vehicle will transfer ownership as ordered to the State of Iowa which, in turn, assigns further transfer to the City of Polk City. It shall then be titled to the City and a final determination made if it will be auctioned or maintained for agency use. If the vehicle will be repurposed for agency use, the vehicle shall be insured through the City’s insurance carrier. Coordination of this effort will be handled through the City Manager.
 - E.** For guidelines to dispose of property within forfeited vehicles and processing dispositions of evidence/property related to contents of

forfeited vehicles, see also policies on Forfeiture of Property (7.02) and Evidence and Property Handling Procedures (7.01).

- F.** Use of Forfeited Vehicles
 1. Use of forfeited vehicles is not permitted until the title transfer process is complete and the vehicle is insured.
 2. Requests to use forfeited vehicles for special assignments shall be made to a command officer.
 3. Usage of a forfeited vehicle on shift for a specific purpose shall not require pre-authorization from a command officer, but consultation should occur with any on duty supervisor to coordinate impromptu initiatives and address any staffing concerns.
 4. Officers utilizing any forfeited vehicle are responsible for care, fueling, and reporting any maintenance concerns prior to the end of their shift, as with any other city owned vehicle.
 5. Department policy regulating motor vehicle operations and care of equipment shall also apply to operating forfeited vehicles.

- G.** At the conclusion of the use of a forfeited vehicle for Department use, the vehicle shall be disposed of according to state law regulating the disposal of forfeited property. At no time will a Polk City Police Department employee personally benefit from the sale of a forfeited vehicle.

CH 8

Professional
Standards

Title: Authority to Regulate Conduct; Notifications			Number: 8.01
Date Issued: 1 October 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 4

I. PURPOSE:

The purpose of this policy is to establish terms for which administration shall have the authority to regulate conduct of Department employees. This policy further delineates general provisions for required notifications to be made to the Chief of Police or other command officials.

II. POLICY:

It shall be the policy of the Polk City Police Department to empower its peace officers with law enforcement authority 24 hours a day. With this authority, officers also bear the responsibility for conducting themselves properly 24 hours a day. While case law has established this fulltime empowerment specifically for sworn officers, civilian employees will also be expected to demonstrate responsible conduct at all times, which is in line with the concept of this Department’s integrity and professionalism.

III. PROCEDURE:

A. Correspondence or Complaint

Any official correspondence or complaint pertaining to Department matters or employees, by or about an employee, will be sent through the chain of command.

B. Chain of Command – Use of

The Chain of Command will be observed unless it is clear that by observing it, the police purpose or the reputation of the Department will be jeopardized. All orders and reports will move downward and upward through the chain of command with mutual consideration by all employees concerned. The Chief of Police reserves the right to circumvent the chain of command if necessary. Chain of command does not need to be utilized to speak to the Chief on personal matters or as exercised with the Chief’s commitment to an “open door” policy. However, in some cases appointments may need to be scheduled to discuss time consuming matters.

C. General Performance of Duty Procedures

1. Employees on duty shall devote their entire time and energies to the duties and responsibilities of their rank, grade, and position to which they are assigned.
2. Personnel are responsible for duties as outlined in their job description, other duties as assigned or special assignment, and as

specified during orientation, training, counsel, discipline, or performance improvement measures.

3. Employees of this Department will interact with professionalism and in the best interests of the City in all duty related matters. Officers will coordinate efforts with like counterparts in outside departments. Special requests for assistance should be routed through the chain of command.

D. Attendance

Unless otherwise directed, employees must report on time for scheduled shifts, trainings, or special assignments at the designated time and place and remain on duty until properly relieved or dismissed.

1. Absent of emergency operations as designated by the Police Chief or City Manager, officers shall not exceed the following maximum duty hours:
 - a. 16 hours within a 24-hour timeframe
 - b. 24 hours within a 48-hour timeframe
 - c. 84 hours within a seven (7) day timeframe
2. Officers shall normally have an eight (8) hour rest period between regular assigned shifts.
3. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

E. Incapacity/Illness

1. If an employee is incapacitated and unable to work, he/she must notify a supervisor at least two hours before the scheduled reporting time, stating the nature of the illness and the expected period of absence.
2. If unable to remain on duty for any reason, immediate notification of a supervisor is necessary so that he/she may arrange for proper coverage of the shift assignment.
3. While absent from duty due to sickness or injury, employees must notify the Chief of Police through contact with a supervisor, of any change in medical status, pending physician, or treatment appointments. Also, employees must avoid any activities that could prolong their absence or aggravate their illness or injury.
4. Employees must not feign sickness or injury, or deceive any Department or City representative as to their condition. Written medical certification of illness may be required by the Chief for excused absences of any length when abuse of leave is suspected.

F. Identification

1. Officers should carry their official credentials on their person at all times, except when impractical or potentially hazardous to their safety. Should these be lost, misplaced, or stolen, immediate oral and written notification to command staff is required.
2. Additionally, officers shall furnish their name and identification number to anyone who asks for it when exercising police authority,

except when doing so is impractical, potentially hazardous to their safety, or would put them in a physically threatening situation.

G. Residence and Telephone

Officers must notify the Department, in writing, within 24 hours of any change of address or phone number. Although the number may be unlisted, officers must maintain a working telephone in their home. Cell phones are acceptable sources of a home number as long as they are powered on and readily accessible when in the home. The Department will protect employee phone numbers and addresses to the best of its ability as part of an employee's right to privacy.

H. Notifying the Chief in Emergencies

It is necessary that the Chief of Police account for police activity. Major emergency cases require large amounts of staff hours and the Department must keep the City Manager, Mayor, other elected officials, and the community informed of the status of such emergencies. Officers shall notify the Chief through the chain of command. In the event notice to the Chief cannot be made at the time of an emergency, notification will be made as soon as practical or offered by dispatch at the request of the senior officer/commander on-scene. Notification shall be made in the following incidents that occur within the city limits:

1. *Crimes Against Persons*
 - a. All violent or suspicious unnatural deaths
 - b. All robberies involving a weapon or injury
 - c. All business or residential break-ins involving personal injury
 - d. Any other felony crimes against persons with unusual significance
 - e. All crimes or traffic crashes which involve life-threatening injuries
2. *Homeland Security*
 - a. All major fires, floods, or natural disasters
 - b. Bomb threats, CBRNE incidents, or other acts of terrorism
 - c. Any substantiated report of a kidnapping, taking of a hostage, or barricaded individual(s)
 - d. Incidents which threaten city infrastructure or cause major property damage to City/Department assets
3. *Officer Involved Incidents*
 - a. All incidents involving a police officer discharging a firearm in an enforcement capacity
 - b. All incidents that involve the health and welfare of a police officer or city staff member
4. *Notification to Public and Officials*
 - a. Any incident in which an assailant is considered at-large and poses a real predatory threat to the community
 - b. Any high visibility actions taken by members of the Department in which community members may inquire to the Chief, city management team, or elected officials prior

to the next business day as to the nature of the incident and/or actions taken during police intervention.

- c. Prior to any scheduled on camera media interviews or subject to real time incidents in which video footage, interviews, or other case specific information is reasonably expected to be reported by a local media outlet.
- d. Any other situations which may require the attention of the Chief or rise to the level of requiring notification to elected city officials.

I. Personnel Files

Personnel files shall be maintained in the Police Chief's office. The employee shall have access to his/her personnel file during the normal working hours of the Police Chief. Appointments to view personnel files shall be coordinated with the Chief of Police or the City Manager. Requests to remove of any item from the file must be submitted in writing to the Chief. Unauthorized alteration of file documentation may result in discipline, up to and including termination. No items shall be placed in an employee's personnel file without offering or allowing a copy of the document(s) to the affected employee.

J. Departure from Service

Whenever an employee departs from service from this agency, that officer/police support clerk:

- 1. Deliver all clothing, Department manuals, and any equipment issued by the Department or purchased through his/her clothing allowance to a division commander. Failure to do so will result in the employee's final check being withheld or adjusted for replacement of the missing equipment.
- 2. An exit interview shall also be offered prior to the employee's separation of service.
- 3. The Chief or Police or Lieutenant shall notify the Iowa Law Enforcement Academy of the employment status change within ten (10) days.
- 4. The Chief of Police or Lieutenant shall notify the Department of Public Safety within thirty (30) days of the employment status change.

Title: Rules of Conduct			Number: 8.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 3

I. PURPOSE: To establish comprehensive and consistent standards by which Department employees shall conduct themselves.

II. POLICY: Members of the Polk City Police Department represent the primary objectives of protection, service, enforcement, and education to the community. The citizens they serve consider them a member of this Department whether on duty or off duty. To meet their expectations, employees must present themselves to the public and to fellow Department members in a respectable and courteous manner.

The Department's policies and procedures that govern conduct are not designed to restrict rights or privileges but to ensure the rights and safety of all employees and to provide working guidelines to maintain the Department's professionalism and pride. In adhering to the provisions of this manual, in observing all laws and ordinances, and in general attitude and personal conduct, all employees are expected to serve the community with enthusiasm, courage, discretion, and loyalty.

III. PROCEDURES:

A. Conduct On Duty

1. *Response to Calls.* Officers must respond without delay to all calls for law enforcement assistance from citizens and other peace officers, in a manner consistent with normal safety precautions and driving laws.
2. *Public Service.* No officer shall fail to provide prompt and courteous service to the public.
3. *Neglect of Duty.* Employees may be considered in neglect if they intentionally: fail to comply, by act or omission, with any law, order, directive, memorandum, policy, procedure, rule, or regulation of the Department; fail to perform their official duties; perform their official duties in a manner which could bring discredit upon the Department or any employee of the City.
4. *Supervision.* No supervisory officer shall fail to properly supervise subordinates, or to initiate disciplinary charges, or to take other appropriate corrective/disciplinary action.
5. *Sleeping On Duty.* Officers must be alert throughout their tour of duty. Sleeping on duty is forbidden, except with a supervisor's permission when officers have been working prolonged hours in response to an emergency or disaster.
6. *Meal and Coffee Breaks.* Personnel are entitled to a break schedule as defined by their union contract; breaks are not to be combined

without approval of a supervisor. While on break, officers shall remain available to handle calls as they occur. When necessary, officers shall notify the communications center of the location that they are at during their break and whether they are available by radio or telephone.

7. *Shopping While On Duty.* Officers shall not shop, barter, or trade while on duty, nor devote any on duty time to any activity that is not work related, without a supervisor's permission.
8. *Loitering.* Officers on duty shall not loiter in public places. This is not to be construed to interfere with scheduled breaks, investigations, or community relation's projects.
9. *Reporting Disobedience.* For the good of the Department, employees must report disobedience of orders by other employees in which they have knowledge or which may come to their attention.
10. *Truthfulness.* Officers must not knowingly make a false report, either oral or written, nor knowingly or willingly enter or cause to be entered into any Department document any inaccurate, false, or improper information or material matter; nor make a verbal or written statement to a supervisor or city official that is known to be not truthful.
11. *Withholding Evidence.* Employees must not fabricate, withhold, or destroy evidence of any kind.
12. *Official Business.* Treat the Department's official business as confidential. Employees shall not inform anyone, except authorized law enforcement personnel, concerning matters arising from operations, activities, or performance of duties, except as required or approved by the Chief of Police or designee, or under due process of law and on a need to know basis.
13. *Political Activity.* No employee will engage in any political activity whatsoever while on duty or in uniform. No employee will use his/her position with the Department to aid any political candidate. None of these prohibitions will deny an employee any Constitutional rights, including the right to vote.
14. *Gifts, Gratuities, and Rewards.* No compensation, reward or other consideration from private sources shall be solicited or accepted by an employee without the permission of the Chief of Police, except as prescribed by the Code of Iowa under Chapter 68B.22. Employees shall be firm in refusing gifts, favors or gratuities, large or small, which can in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.
15. *Language.* No officer shall unnecessarily use indecent or profane language while on duty in public view or where the public can hear the language.

B. Rules of Conduct

1. Employees shall not place themselves in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given.

2. No officer shall fail to report an offered bribe or gratuity for the permitting of an illegal act.
3. Employees shall not show badges or credentials for the purpose of gaining personal advantages, nor for the purpose of warding off the consequences of any illegal acts that may have been performed.
4. Legal services should not be accepted without charge unless arranged through the Police Department, City Attorney's Office, collective bargaining unit, or city insurance provider.
5. Officers shall promptly and willingly obey all lawful orders and directives issued to them by competent authority. The willful disobedience of any order lawfully issued by a superior officer or any disrespectful, mutinous, insolent or abusive language toward a superior officer shall constitute insubordination.
6. Alcohol/drug consumption:
 - a. No officer shall be under the influence of alcohol, liquor, or drugs, nor shall use any kind of intoxicant or illegal substance while on duty or in uniform.
 - b. No alcohol shall be consumed four hours prior to a scheduled shift, and all officers will report for duty with a 0.00% blood alcohol concentration (BAC).
 - c. Special assignments where alcohol has been consumed by an officer contrary to these parameters are at the discretion of command staff and shall be documented if approved.
 - d. If need for callout of personnel arises due to emergency operations or special circumstances and an officer has been consuming minor amounts of alcohol, the employee may be directed to cease consumption and be put on standby until s/he can report for duty with 0.00% BAC.
7. Employees will not frequent any establishment whereby the employee's presence could create embarrassment or discredit to the Department.
8. No officer shall fail to report his/her involvement in any incident or dispute he/she becomes involved in while off duty where the officer exercises official police powers. Additionally, any officers engaged in activities while in an off duty capacity in which they become the subject of a police investigation shall report such incidents immediately. Reports are to be made without undue delay to the Chief of Police through use of the chain of command.
9. No officer shall be in a tavern or private club when in uniform or with identifying police equipment visible except in the line of duty.
10. Officers will at all times, on or off duty, conduct and/or present themselves in a manner which does not bring discredit to the individual officer, the Department or the City. Officers will at all times conduct themselves in a manner consistent with the Law Enforcement Code of Ethics.
11. Except in the discharge of official duties, officers should not associate, fraternize, transact any business of an illegal nature or have any dealings with known criminals or persons engaged in unlawful activities.

Title: Discipline			Number: 8.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 2 Nov 2022	Page(s) 4

- I. PURPOSE:** To establish comprehensive protocols for corrective action/discipline against Polk City Police employees.
- II. POLICY:** The Internal Affairs function is important for the maintenance of professional conduct; therefore, it is the policy of the Polk City Police Department to thoroughly investigate any and all formal complaints on Police Department employees.
- III. DEFINITIONS:**
Corrective Action/Discipline: Failure to comply with any municipal, state, or federal law, Department policy, rule and regulation, procedural instruction, or any gross unjustifiable deviation from operational procedures as given in Department memorandums, manuals and/or training will result in corrective or disciplinary action as set forth in this policy. For the purpose of this policy, corrective actions shall include coaching, counseling/caution, verbal warning and written reprimands. Disciplinary actions shall include suspension, demotion, and/or discharge. All actions shall be promptly and consistently administered and thoroughly documented appropriate to the infraction committed.
- IV. REGULATIONS:**
- A.** This manual is made part of each member's equipment, and each member will be familiar with these policies, rules and regulations, and procedural instructions. Ignorance is not an excuse.
- B.** Any employee who commits an offense contrary to law, who acts in an unethical manner, violates the rules or policies of the Department, who is incompetent to perform an assigned duty, or who demonstrates unsuitability for further services as a police officer, is subject to appropriate disciplinary action up to and including termination.
- C. Violations of Standards**
A violation of any Department policy, rule or regulation, procedural instruction, order or directive may result in a penalty of:
- Oral Reprimand/Warning:* Formal verbal warnings will be documented and placed in the employee's personnel file. If no further actions result, employees may request the removal of a documented verbal warning after one year.

2. *Written Reprimand/Warning:* The Chief of Police or supervisory designee, and in their absence the City Manager may formally reprimand the employee in writing. Such reprimand shall become part of the employee's personnel records and a copy of the reprimand shall be given to the employee. The employee shall be required to sign the written reprimand acknowledging receipt. One copy shall be placed in the employee's personnel file. The employee shall have the right to enter into his/her personnel file a written response to any critical comments or reprimands placed in the file.
3. *Suspension:* Upon an infraction as listed herein, or if the employees work habits, attitudes, production, or ability to handle the duties of the position fall below the desired standards for continued employment, the Chief of Police or supervisory designee, and in their absence the City Manager, may suspend the employee. The length of the suspension shall be based on the nature of the offense and the number and length of previous suspensions. Notification of a suspension shall be in writing to the employee and shall become part of the employee's personnel file.
4. *Demotion:* The permanent removal from a position of supervisory authority for cause or due to agency restructuring.
5. *Termination:* Termination is the permanent removal from the job and may occur at any point in the discipline process.
6. Any officer who is suspended or terminated will deliver his/her badge, weapon(s) issued by the Department, and his/her police identification card to the Office of the Chief immediately upon notification of the intended action.
7. The disciplinary process is not contractual, and nothing contained herein shall require progressive discipline. A violation may result in disciplinary action being imposed at any level of severity. In all cases Department processes will be in compliance with Chapter 80F of the Code of Iowa.

D. Causes for Disciplinary Action

The seriousness of an offense will often vary with the circumstances prevailing at the time it occurred and the motives prompting it. Related and mitigating factors shall be considered when determining the appropriate action to take. Each of the following violations may be cause for discipline. The list of offenses presented herein does not purport to be all-inclusive. Additional causes for corrective action/discipline are outlined in policies 8.01 and 8.02 and throughout this manual. Causes for disciplinary action include, but are not limited to:

1. Obtain materials or leave time based on fraudulent information, dishonestly, stealing and/or other criminal acts.
2. Involvement in a felony, or in a misdemeanor involving moral turpitude, casting doubt on the ability to perform the job effectively.
3. Conduct unbecoming on the part of a certified professional that is contrary to the interests of the public served or which harms the standing of the profession in the eyes of the public.

4. Unreasonable, abusive treatment of a client, citizen, fellow officer, or city employee, including verbal or nonverbal harassment.
5. Violation of any lawful and reasonable Department policy, or refusal or inability to carry out a city rule, regulation, directive or instruction, in whole or in part, as may be expected of the employee in his/her service to the City.
6. Non-compliance with or inaction regarding rules, policies, assignments, procedures (provided the individual has been instructed or given access to knowledge of proper systems) in what is expected.
7. Destruction or loss of City property, including the abuse of equipment and/or allotments.
8. Absence from duty without permission, proper notice, or satisfactory reason.
9. Falsifying records, knowingly giving inaccurate information or unnecessarily withholding information.
10. Being under the influence of narcotics, alcohol or other impairing or illegal substances on the job.
11. Disregard to the City's Equal Employment Opportunity Policy prohibiting discrimination on the basis of race, creed, color, marital status, national origin, religion, sex, age, handicap, political affiliation or ancestry.
12. Incompetence, ineffectiveness, inefficiency or wastefulness in the performance of assigned duties.
13. Failure to pay or make reasonable provisions for payment of debts to such an extent that such failure causes continued contact by the employee's creditors and disrupting City business.
14. Disregard for safety policies, procedures, reporting requirements, and/or improper or non-use of safety gear, clothing or equipment.
15. Involvement in vehicular or personal crashes indicating an unacceptable pattern of incidents, whether or not added costs to the City result.
16. Solicitation or acceptance of money or anything of value to influence decisions in public matters or as a reward for such decisions.
17. Engaging in personal business/other employment while on duty, or using City vehicles, property or equipment for personal use except as such use may be in conjunction with a specific program, specific assignment or with permission.
18. An attendance record which demonstrates a consistent or continual lack of availability for work to the extent that ineffectiveness or inefficiency of services results.
19. Engaging in activities or habits which interfere with the individual's or any other employee's performance on the job.
20. Physical or emotional inability to perform duties of position.
21. Misuse or unauthorized modification of the Department's computerized network to include unauthorized access to documents, drives, or misuse of the electronic mail system.
22. Misuse, breach of confidentiality, other improper access or dissemination of [un]official department information or law

- enforcement database, records, or intelligence information for purposes unrelated to professional responsibilities or actions that may reflect poorly on the corporate image of the City.
23. A computer security violation that results in the disclosure of sensitive or classified information; secondary release of any IOWA System data to an unauthorized individual(s); unauthorized modification or destruction of system data including but not limited to unauthorized modification or cancellations of IOWA System entries, logs or any other storage medium; activities or actions that result in the loss of the agency's computer/IOWA System processing capability. Theft, loss due to carelessness, or intentional unauthorized destruction of any computer system media including: Chip ROM memory, optical or magnetic storage medium, hard copy printout, etc.
 24. Negligent conduct in the handling and treatment of individual(s) in police custody or detention, whereas the officer knows or reasonably should know that any disregard to health, safety, or supervision may create an excessive risk to an individual's welfare, not excluding an officer's failure to alleviate a significant risk that may potentially cause serious harm.
 25. Deliberate indifference in the handling and treatment of individual(s) in police custody by knowing of and disregarding an excessive risk to one's health or safety. Whereas the officer is aware of facts from which the inference could be drawn that a substantial risk of serious harm exists and draws the inference.
 26. Items listed in the City Personnel Policy Manual that have not already been listed.

Title: Complaint Procedures			Number: 8.04
Date Issued: 1 October 2016	Updated: 2 Nov 2022	Reviewed: 2 Nov 2022	Page(s) 6

I. PURPOSE: The purpose of this section is to establish guidelines and procedures for receiving, reporting, investigating, and adjudicating allegations of Department employee misconduct and to establish consistent procedures for the investigation of complaints against Polk City Police employees.

II. POLICY: It is essential that the entire community have confidence in the administration that supervises the exercise of police authority. This requires procedures for adequate and expedient processing of allegations of misconduct by Department employees. The Internal Affairs function is designed to address these concerns and is important for the maintenance of professional conduct. Therefore, it is the policy of the Polk City Police Department to thoroughly investigate formal complaints on Police Department employees.

III. DEFINITIONS:

Complaint: A formal complaint is when someone, internal or external to the organization, is filing a formal allegation of a criminal law, policy or rule against a classification of employee as described ins IA Code 80F. In order for external complaint to be considered a formal complaint they MUST be signed. To satisfy the signature for external complaints we will have a form that can be mailed or e-mailed signed and returned, a scanned in signature will suffice.

Inquiry: is when someone is seeking advisement on a process or actions of an employee or draws attention to the behavior or actions of a covered employee under IA Code 80F. They may or may not require follow up with the person issuing the concern but will be looked into. Any inquiry may become a formal complaint if upon review they rise to the level of a rule, policy or law violation.

Complaints and inquiries are not dissatisfaction with a citation or arrest absent any allegation of a law, policy or rule issue against a covered employee. The courts are where these issues will play out.

Line Investigation: Surrounds matters of internal operations and policy compliance such as alleged rudeness on the part of the officer, tardiness, or insubordination.

Internal Affairs Investigation: An internal investigation is for potentially serious violations of law, for example, allegations of corruption, brutality, misuse of force, breach of civil rights, or criminal misconduct.

IV. PROCEDURES:

A. All employees will comply with Department rules, regulations, directives, and orders. All employees will be held strictly accountable for properly exercising the authority they have been given to protect the rights, lives, and property of all individuals. At the same time, Department employees must be protected against false allegations of misconduct. This can only be

accomplished through a consistently thorough investigative process. Prompt, thorough investigations will be conducted into allegations of misconduct to establish facts that can absolve the innocent and identify the guilty.

- B.** The Chief of Police is charged with this responsibility and has the authority to maintain discipline within the Department. Consequently, s/he must ensure that internal investigations are conducted according to the fundamental principles of fairness, and that Department employees are afforded all of their rights.

C. Internal Affairs Function

The Chief of Police and Lieutenant are responsible for the administration of the Department's internal affairs functions. Due to the sensitivity and impact of internal affair matters, it is imperative that the Chief of Police receive all pertinent information directly. If the need arises, the Chief may establish a special unit to assist the Lieutenant in the performance of these duties. These functions include:

1. Receiving, documenting, and maintaining confidential files on all information pertaining to allegations of employee misconduct. These files will be maintained in a secure area.
2. Supervising and controlling the investigation of alleged or suspected misconduct within the agency.
3. The agency will compile annual statistical summaries, based upon records of internal affairs investigations, which are made available to the public and agency employees upon request.
4. The Chief's Office will make available information to the public on procedures to be followed in registering complaints against the agency or its employees.
5. All complaints against Department employees lodged by other Department employees that involve allegations of misconduct shall be recorded and investigated in the same manner as complaints received from a citizen. Exceptions to this would be minor infractions and disputes pertaining to policy or practice that can be disposed of satisfactorily by the Chief of Police or Lieutenant.

D. Misconduct Not Based Upon a Complaint

Instances where an improper or illegal act was either observed or learned of internally without an external complaint may be investigated at the discretion of the Chief of Police. These instances will be investigated with either a line or internal investigation with one of the six findings found in Part IV, subsection K.

E. Corruption Prevention

It is the policy of this Department to establish proactive procedures to prevent corruption and to investigate and prosecute corruption to the full extent of the law when reported or identified. Whenever there is suspicion that a complaint or an investigation will result in a charge of corruption, the Chief of Police will be notified immediately. The Chief of Police will

immediately notify the appropriate city officials and will be the only agent of this Department releasing information to the public, as necessary.

F. After Receipt of a Complaint

1. All complaints will be submitted in writing with a signature requested. The written complaint will then go directly to the Chief of Police. After reviewing a complaint, the Chief will make a determination as to the type of investigative follow-up that will be done (line investigation or formal internal affairs investigation).
2. Once a determination is made as to the type of investigation to be conducted, a letter will be sent to the complainant verifying receipt of the complaint, an explanation of the investigative process, the expected time-line for completion, and the assurance that s/he will receive another letter as to the results upon conclusion of the investigation. This letter shall be completed and sent immediately upon the initiation of an investigation.
3. All Department employees will be required to accept and forward to a supervisor any formal complaint that comes to their attention. An attempt should be made to refer all complaining persons and related correspondence to a command officer. If the complainant will not talk to anyone else or write the complaint down and the complaint is of a serious nature, the receiving employee will tell his/her supervisor of the complaint and request follow-up or complete and forward a written statement.

G. Administrative Leave with Pay

Any command officer has the authority to impose an emergency suspension upon a subordinate when it appears that such action is in the best interests of the Department. An emergency suspension shall last until the next regular work day for the Chief of Police. The involved commander may require the subordinate to relinquish his/her badge and other official police credentials. The supervisor imposing such a suspension shall submit a written report to the Chief of Police as to the incident and cause for the action. A member receiving an emergency suspension shall be required to report to the Chief's Office upon request on the next business day unless otherwise directed by competent authority.

H. Notifying the Affected Employee(s)

All employees who are being investigated for a line and/or internal investigation will be notified in writing of:

1. the allegations
2. the employee's rights:
 - a. Under the circumstances in which an employee of the Department is questioned about matters that potentially could result in criminal prosecution against him/her and no decision has been made whether to use the member's testimony in any subsequent criminal prosecution, the member shall not be compelled to make statements that might be self-incriminating, and he/she may not be disciplined for invoking his/her rights against self-

- incrimination. In such cases, Miranda and Garrity Warnings shall be given.
- b. Under circumstances in which an employee of the Department is questioned about possible criminal matters and it has been determined that any self-incriminating statements the member makes will not be used against him/her in criminal prosecution, the member may be ordered to answer questions, and s/he may be disciplined if s/he refuses to answer fully and truthfully. In such cases, the Garrity Warning shall be given.
 - c. When the Miranda and/or Garrity Warnings are given, a written record shall be kept of which warning was given, and witnesses who were present.
 - d. Employee responsibilities relative to the investigation shall be listed on the Notice of Investigation.
 - e. Employees shall also be afforded all rights given to them under law according to the Iowa Peace Officers Bill of Rights.
3. The affected employee(s) will be notified in writing as to the disposition of the investigation upon completion or any need for investigative extensions and delays.

I. Employees Suspected of Criminal Behavior

Whenever a Department employee is under internal investigation, and is subject to criminal interrogation for any reason which could lead to disciplinary action, demotion or dismissal, such interrogation will be conducted under the following conditions:

1. The interrogation will be conducted at a reasonable hour, preferably at a time when the employee is on duty, unless the seriousness of the investigation is of such a degree that immediate action is required.
2. The interrogation will normally be conducted either at the Polk City Police Department or at the police department in whose jurisdiction the incident allegedly occurred, as designated by the investigating officer.
3. The employee under investigation will be informed of the nature of the investigation prior to any interrogation.
4. Interrogating sessions will be for reasonable periods and will be timed to allow for such personal necessities and rest periods as are reasonably necessary.
5. If the employee under interrogation is under arrest or is likely to be placed under arrest as a result of the interrogation, s/he will be completely informed of all appropriate rights prior to the commencement of the interrogation.
6. At the request of any employee under investigation, s/he will have the right to be represented by counsel or a union representative when the employee reasonably believes that discipline or other adverse consequences may be a result of the investigation.
7. No employee under interrogation or investigation will be ordered, required, or asked to submit to polygraph detection deception tests,

- commonly known as lie detector tests, or to questioning under the affect of thiopental sodium.
8. An employee under investigation may request at his/her expense a Datamaster, blood, urine, psychological, or medical examination if it is believed that it would be beneficial to his/her defense. Also, the Department may require drug or alcohol examinations as outlined in this manual.
 9. An employee may be required to submit to having a photograph taken when his/her identity is in question. Additionally, employees may be asked to participate in a live line-up.
 10. A financial disclosure statement may be requested of an employee or otherwise obtained by way of subpoena from the appropriate court.
 11. Property belonging to the Department is subject to inspection where the Department has reasonable suspicion that evidence of work-related misconduct will be found therein.
 12. An employee will not be ordered to appear before, or be questioned by, any agency not affiliated with the City of Polk City for the purpose of responding to only internal charges or allegations which have been or may be brought against that employee, unless otherwise waived by that employee.

J. Scope of Investigation

Should an investigation uncover information of possible criminal activity, the investigator shall immediately advise the Chief of Police.

1. If a Department employee is alleged to have been involved in any criminal activity that constitutes a felony, the Chief of Police or his/her designee shall contact the Polk County Attorney's Office for consultation. This contact may be for notification and/or legal advice, or assistance in case preparation.
2. The Chief of Police may also contact the Iowa Division of Criminal Investigation for assistance in investigating a criminal allegation against an employee of the Department.
3. Should allegations or information include both criminal and administrative violations, the Chief of Police may order separate investigations by different investigators or agencies or s/he may order an all encompassing investigation by the investigator(s).

K. Tracking a Complaint Investigation

1. It shall be the responsibility of the Lieutenant to track the status of each investigation and ensure that it is proceeding as quickly as possible to avoid undue delay. All investigations should be completed within 30 days of receipt. If this is not possible, the Chief of Police, officer(s) involved, and the complainant will be notified in writing of the extension.
2. Upon completion of an investigation, the Lieutenant will forward a written summary of the investigative findings to the Chief of Police. The memo shall include a summary of the incident, the allegation(s) made, a general summary of the investigation that was conducted, the associated policy and legal issues, and the final

determination of the investigation with one of six possible findings:

- a. exonerated* - meaning the officer acted properly;
- b. unfounded* - where the incident in question did not occur as stated by the complainant;
- c. unsubstantiated* - where the complaint can neither be proved nor disproved;
- d. sustained* - where the act did occur as alleged by the complainant;
- e. policy failure* - where the officer acted within established policy but policy needs to be re-evaluated;
- f. withdrawn* - investigation began but complainant withdrew complaint or became uncooperative prior to the completion of the investigation.

3. Upon completion of an investigation, the Chief or designee will author a letter to the complainant summarizing the investigative findings and the final determination. No mention will be made of any disciplinary action. The affected employee(s) will be notified in writing as to the disposition of the investigation, and if applicable, the correspondence may be combined with any corrective/disciplinary action to be taken.

Title: Bias-based Profiling & Discrimination			Number: 8.05
Date Issued: 1 October 2016	Updated: 3 Nov 2022	Reviewed: 3 Nov 2022	Page(s) 2

I. PURPOSE: To ensure in the absence of a specific report, ethnicity, age, gender or sexual orientation of an individual shall not be the basis for the investigation, interdiction, or other disparate treatment of an individual by any member of the Polk City Police Department.

II. POLICY: It is the policy of the Polk City Police Department to prevent and prohibit the practice of racial profiling and any other discriminatory practice by any member of the Department.

III. DEFINITION:
Bias-based Profiling/Discriminatory Practices: for the purpose of this policy, is the detention or other disparate treatment of an individual on the basis of the racial, ethnic status, gender, economic status, age, disability, political affiliation, national origin, cultural group, or sexual orientation of such individual.

IV. PROCEDURE:

A. Bias-based Profiling Prohibited

1. In the absence of a specific report, race, ethnicity or any other discriminatory trait of an individual shall not be a factor in determining the existence of probable cause to detain or arrest an individual, or in constituting a reasonable or articulated suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigative stop of a motor vehicle.
2. In response to a specific credible report of criminal activity, race or ethnicity of an individual shall not be the sole factor in determining the existence of probable cause to detain or arrest an individual.

B. Stopping and Detaining Prohibited

1. The stopping and detaining of any individual that is not based on factors related to an investigation of a violation of federal law, Iowa statute, Polk City City ordinance, or any combination thereof is prohibited.
2. No officer shall stop, detain, or search any person where such action is motivated solely on a common trait of a group. This includes but is not limited to: race, color, ethnicity, age, gender, or sexual orientation.

C. Reporting Requirements

1. Failure to report any observed or known violations of this order by any Department employee shall result in disciplinary action.

2. The assigned supervisor shall conduct an investigation of any formal complaint of racial profiling or discriminatory practice.
3. The Chief or Lieutenant shall prepare an annual report of racially motivated internal affairs complaints, if applicable, to include, but not limited to:
 - a. Listing of each complaint
 - b. Explaining action(s) taken through investigation
 - c. Recommending training needs
 - d. Recommending policy changes

D. Training

1. All employees shall receive initial training to recognize and prevent bias in performing their job duties. For sworn officers, initial training shall occur in the Iowa Law Enforcement Academy curriculum and the department Field Training Program.
2. Additional diversity and sensitivity training shall be designated for employees with sustained racial profiling or other sustained discrimination complaints filed against them.
3. All employees shall receive annual training on prevention of bias based profiling in order to prevent bias based profiling while conducting law enforcement services. This training may include but is not limited to:
 - a. Ethics
 - b. De-escalation
 - c. Diversity
 - d. Implicit Bias
 - e. Racial profiling
 - f. Motor vehicle stops and Terry stops
 - g. Probable cause and reasonable suspicion

E. Disciplinary Procedures

1. Appropriate sanctions shall be implemented for noncompliance of this policy.
2. Personnel who are determined to be in violation are subject to discipline as outlined in the City of Polk City Personnel Policies Manual, and the Polk City Police Department Policy Manual, up to and including termination.

Title: Personnel Early Warning System			Number: 8.06
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2

- I. PURPOSE:** To help identify and assist employees who display behavior inconsistent with the Department's performance standards.
- II. POLICY:** A Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential issues that could challenge an employee's performance and a menu of remedial actions can increase the agency's accountability, offer employees a better opportunity to change undesirable behavior, meet the Department's Mission Statement and adhere to the policies and procedures of the Department.
- III. PROCEDURE:** Performance history audits of personnel include data on use of force incidents, personnel complaints, use of force incidents, vehicle operation violations, and claims and civil suits against an officer.
- A. Chief or Lieutenant**
1. Will, at a minimum, record the following information on the log sheet for annual Internal Affairs documents:
 - a. Line investigations/internal affairs complaints
 - b. On duty traffic crashes
 - c. Sick leave abuse incidents
 2. If the supervisors observe a pattern of behavior in the collected material from current and previous years that leads him/her to believe that an employee may be in need of assistance or intervention, s/he shall notify the Chief of Police and provide documentation to support his/her belief.
- B. Follow-up**
1. When an employee has been identified as requiring intervention the Chief of Police and the employee's immediate supervisor will develop an individual course of assistance called a Performance Improvement Plan (PIP).
 2. This course of assistance may include, but is not limited to the following:
 - a. Counseling
 - b. A physical examination
 - c. A psychological examination
 - d. Participation into an Employee Assistance Program
 - e. Remedial training
 - f. A change of duty assignment
 - g. Itemized goals and objectives for improvement

- h. Weekly and/or monthly performance reviews
3. The employee's supervisor will coordinate the logistics of the employee's participation in the course of assistance and ensure that the employee completes the approved plan.

C. Documentation

1. The employee's supervisor will monitor and verify the employee's participation in the approved assistance plan and document defined benchmarks over the time allotted for improvement.
2. The employee's supervisor will prepare and forward to the Chief of Police a report documenting the employee's progress and final status within five (5) days of the employee's completion of the assistance plan.
3. If the employee does not participate or complete the approved assistance plan, further administrative action will be taken in the form of remedial action, Department discipline, or otherwise as deemed appropriate to ensure compliance with Department standards or removal from duty.

D. Review

1. The Chief of Police will review the Early Warning System process periodically to determine whether adjustments should be made.
2. The Chief shall direct support staff to conduct an annual review of the driver's license status and history of each department employee.
3. Additionally, at the direction of the Police Chief or City Manager, periodic administrative reviews of employees with or without cause may occur that include: searches involving employee arrest records, local/regional law enforcement database searches, Iowa Courts Online profile searches, field interviews, work product audits, or any other action taken to update background history statements since becoming employed by the City. These updated background checks may also include other formal inquiries that directly correlate to the character of the employee (on or off duty) as his/her actions impact the well-being of the corporate image of the City.

Title: Performance Evaluations			Number: 8.07
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2

- I. PURPOSE:** Annual performance reviews will occur to present every employee with an honest, straightforward reflection of his/her job performance; to advise the employee of strengths and weaknesses that affect job performance; to assist management in reviewing the overall effectiveness of its operation and to identify areas in which training could be beneficial; to create a forum for discussion to exchange career related communications between superiors and subordinates; and to provide a vehicle to document employee successes and areas of improvement on a regular basis.
- II. POLICY:** All employees of the Polk City Police Department will receive an annual performance review on or near June 1st. Employees will also be provided the opportunity to thoroughly discuss their progress towards professional growth or career advancement and be given the chance to evaluate themselves. Additionally, subordinate officers will be given the opportunity to evaluate their supervisor and the Chief of Police on an annual basis.
- III. PROCEDURES:**
- A. Completing the Evaluation**
1. Evaluations should be completed and signed by the employee's supervisor who is familiar with the employee's performance.
 2. Evaluations are to normally be completed annually, using current performance evaluation forms and instructions prepared and issued by the Chief of Police.
 3. The supervisor should complete and review the performance evaluation form before it is presented to the employee. This review is to ensure consistency in the use of the form and provide insight and consultation for developing a fair and concise follow-up conference.
 4. Upon completion of the evaluation form, a conference should be conducted with the employee.
 - a. To discuss the evaluation and produce direction for the employee's future performance.
 - b. To create goals and objectives to be discussed and written out by the employee. These goals and objectives are to be used to assist the employee to achieve his/her own personal performance goals. The employee must assist in supplying his/her own goals and objectives for the coming year.
 - c. At the completion of the conference the employee is asked to sign the performance evaluation form as a record that he/she has been advised of its contents. The employee may file a written statement outlining any areas of disagreement.

- d. Distribution of the performance evaluation includes a copy for the employee, one for Department administrative files, and the original for the employee's personnel file (after review by the Chief of Police and City Manager).
5. The performance evaluation, supporting documents, and discussions relating to the evaluation process will be treated in a confidential manner.

B. Supervisors

1. It will be the responsibility of the employee's supervisor to develop his/her personnel management skills in such a manner that this annual evaluation is a culmination of a systematic documentation of counseling efforts and positive reinforcement/recognition that has been consistently applied throughout the employee's work year.
2. When a subordinate is evaluating a supervisor, the rater should evaluate that employee regarding the quality of work that s/he has direct knowledge of given that particular evaluation topic. Raters should offer constructive criticism where appropriate without fear of reprisal. Subordinates will be allowed to remain anonymous.

C. Unsatisfactory Performance

1. If an employee demonstrates a repeated pattern of unsatisfactory performance, s/he may be subject to formal intervention through use of a Performance Improvement Plan (PIP). During this process troubled employees may be required to participate in a cumulative review of performance and ordered to complete a self-evaluation.
2. Employees on a PIP may be "recycled" through the field training program or other specialized training measures.
3. Failure to successfully demonstrate skills as outlined in a PIP will result in referral to the formal discipline process with action up to and including termination.

CH 9

Special
Situations

Title: Barricaded Persons and Hostage Situations			Number: 9.01
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 4

I. PURPOSE: To establish guidelines involving barricaded or hostage situations which maximize the safety of all persons involved.

II. POLICY: It is the policy of the Polk City Police Department to manage a barricaded or hostage situation so as to attempt to safeguard the lives of [in order of priority] hostages, citizens, police officers, and hostage takers/suspects.

III. DEFINITIONS:

1. **High Risk Situations:** Any situation that requires a police response that involves a high probability of serious bodily injury and/or death to anyone. Examples of high-risk situations include but are not limited to the following: hostage situations, trapped/barricaded suspect(s), armed person(s), armed domestic situations, political/terrorist situations, sniper attack.

Although certain planned events (i.e., drug/felony warrant execution raids) may be classified as high risk situations, the operational requirements and strategy used in such events would be determined by intended outcome and strategy during pre-planning. If Metro STAR is utilized, the operational requirements will be determined by the appropriate commander.

2. **Hostage Incident:** A situation in which a person(s) holds another person against his/her will by force, threat of force, and law enforcement officials present at the scene are attempting to obtain a safe release of the person/hostage being held.

3. **Barricaded Incident:** A situation in which a person, while in a place of cover, who is armed or believed to be armed, resists being taken into custody. Armed persons threatening suicide are also considered to be barricaded persons.

4. **Sniper:** An armed suspect(s), commanding a "kill zone", usually barricaded, possibly concealed, who has either used a firearm or demonstrated an intent to do so, holding an area rather than a person as his/her hostage.

5. **Terrorist:** A situation in which a person(s) commits or threatens to commit a serious criminal offense for political or ideological purposes.

6. **Incident Commander:** The senior officer on scene until such time as relieved by a supervisor or Metro STAR commander.

7. **Inner Perimeter:** The immediate containment area, as designated by the placement of officers, positioned to encircle and secure the actual incident. The size of the inner perimeter will be dictated by terrain features and suspect weaponry.

8. **Outer Perimeter:** A secondary containment area surrounding the inner perimeter, providing a safe zone for access to the inner perimeter as well as defining the limit of access by unauthorized personnel. All movement within this area is restricted to emergency services personnel and, if necessary, evacuated.
9. **Command Post:** A secure position within the outer perimeter from which the Incident Commander, Tactical Commander, and other requested support personnel can coordinate all law enforcement efforts of an incident while maintaining regular services. Also used as a conference point for crisis managers.
10. **Staging area:** The primary collection point of personnel and material prior to their commitment by the Department. This area is separate from the command post and point of negotiations.
11. **Point of Negotiations:** The area, usually within the outer perimeter, where negotiations are taking place. This is a limited access area, controlled by the Negotiations Team Leader. It can be attached to the command post as long as it is isolated and has independent communications, but must be out of sight and sound of the staging area.

IV. PROCEDURE:

- A. **Containment and Control.** Once a barricaded or hostage situation has been identified, responders should attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained tactical and/or hostage negotiation personnel, unless actions by the suspect require an immediate response in order to save the life of a hostage or citizen.
- B. **Responsibilities**
 1. Patrol Officer:
 - a. The responding patrol officer who believes that a high risk situation exists will advise Communications and request additional patrol units. The responding officer will assume command of the situation until properly relieved (either via radio or in person). After determining the situation is in fact a high risk incident, (hostage situation, barricaded suspect, etc.) officers should not, if at all possible, approach the house, building or site.
 - b. Select a position that provides protection and which also affords observation of the structure or site.
 - c. Direct arriving elements to necessary locations to seal off the house, building, or site and establish an inner perimeter.
 - d. Isolate and evacuate the area, if the circumstances require, while ensuring that personnel and citizens with potentially relevant information remain at the scene for debriefing and intelligence gathering purposes.
 - e. Evaluate all available information pertaining to the situation.
 - f. Direct other officers arriving at the location to specific areas.

- g. Ensure that the isolation and evacuation procedures have been carried out as the event progresses.
 - h. Establish inner/outer perimeter.
 - i. Request activation of the Metro STAR team if no immediate resolution is apparent.
 - j. Establish a command post at the scene to brief arriving command staff and Metro STAR personnel.
 - k. Have the officer manning the command post notify communications by PBX of the command post location a direct telephone number to the post.
 - l. Establish a staging area.
 - m. Cause the notification of sufficient personnel and proper equipment, e.g., ambulance, fire, for the situation and direct them to the staging area by a pre-determined safe route.
2. Lieutenant:
- a. Respond and take charge of the scene until relieved by the Chief of Police.
 - b. Complete patrol officer duties listed above that have not been addressed.
 - c. Evaluate the situation and assign responding personnel and equipment from the staging area as needed.
 - d. Coordinate with responding Metro STAR team leaders and establish an effective communications network.
 - e. Activate a press area where news media personnel will be referred for information.
 - f. Coordinate with neighboring jurisdictions to establish a secure outer perimeter.
3. Incident Commander (normally the Chief of Police):
- a. Will be responsible for the incident and its final resolution.
 - b. Will coordinate with the Division Commander to ensure an effective response to the situation.
 - c. Has responsibility for authorizing pre-planned use of force and chemical munitions deployment.
 - d. Will request other support services such as utility companies to respond to a staging area to assist if needed.
 - e. Will notify additional tactical personnel from other Departments to assist if needed.
 - f. Will determine extent of evacuations of the area and will cause the evacuation of injured parties if possible.
 - g. Will manage the incident by coordinating the use of tactical and negotiation options.
 - h. Will oversee the delegation of responsibility for follow-up investigation and the completion of an after-action report separate from the police report to be used for internal review and training.
4. Tactical Personnel:
- a. Will respond and be responsible to the Incident Commander working to resolve the incident.
 - b. Will establish a React Team to respond to emergency situations that arise during the incident.

- c. Will establish Marksman/Observer positions if necessary.
 - d. Will develop an assault plan to be used if necessary.
 - e. Will deploy personnel on the inner perimeter if necessary.
 - f. Will advise the Incident Commander of observations and tactical options for the resolution of the incident.
5. Negotiation Personnel:
- a. Will respond and be responsible to the Incident Commander working to resolve the incident.
 - b. Will establish a primary and secondary negotiator position.
 - c. Will attempt to establish communication with the suspect(s) and attempt to negotiate a peaceful resolution to the incident.
 - d. Will communicate to the Incident Commander and tactical personnel all intelligence and observations gained from negotiations.
6. Department personnel, with support from the state's Division of Criminal Investigation if necessary, will complete the follow-up investigation into the incident and all necessary filings of charges.

Title: Response to “Active Threat” Situations			Number: 9.02
Date Issued: 1 October 2016	Updated: 3 Nov 2022	Reviewed: 3 Nov 2022	Page(s) 3

I. PURPOSE: To outline the Department’s response to an “Active Shooter” situation.

II. POLICY: It is the policy of the Polk City Police Department to protect life by any legal means possible. Officers responding to an active shooter incident shall accomplish this goal by immediately using any legal means at their disposal to make contact with the active shooter(s) and stop him/her. This may include arrest, containment, or use of deadly force.

III. DEFINITIONS:

1. **Active Shooter:** One or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. Their overriding objective appears to be that of murder, rather than other criminal conduct, such as robbery, hostage taking, etc.
For purposes of this policy, the term “active shooter” will also include anyone who uses any other deadly weapon (knife, club, bow and arrow, explosives, etc.) to systematically or randomly inflict death or great bodily harm on people.
2. **Contact Team:** The first responding officers (ideally numbering four to five, one of which is a designated team leader) are to form a team to go in immediate pursuit of the active shooter. The focus is to make contact as soon as possible and stop the active shooter by arrest, containment, or use of deadly force.
3. **Rescue Team:** A set of four to five officers, one of which is a designated team leader, formed to enter a site and locate and facilitate removal of injured victims, and direct uninjured victims out of the building.
4. **Incident Commander:** The first supervisor to arrive who is not part of a contact or rescue team, or most senior officer if a supervisor is not available, will assume the role of Incident Commander until relieved by a higher-ranking official.

III. PROCEDURE:

- A. **Philosophy.** The Polk City Police Department recognizes that the active shooter must be stopped before he/she can destroy any more innocent lives. This is the duty and responsibility of the initial responding officers, and they shall use all legal means to accomplish it. The prioritization of activities in their order of importance is:
 1. Stop the active shooter
 2. Rescue the victims
 3. Assist in providing medical assistance
 4. Preserve the crime scene

- B. Equipment.** A patrol rifle, shotgun with slug ammunition, or other authorized shoulder fired weapon, should be deployed with the contact team(s) and rescue team(s) if available. Equipment for entry includes:
1. Ballistic vest
 2. Radio
 3. Flashlight
 4. Handcuffs
 5. Visible identification for plain-clothes officers
- C. Officer Response.** All enforcement personnel who are not on an emergency call shall respond to the staging area of an active shooter incident or shall respond to a location as directed by the controlling supervisor/officer.
- D. Intelligence Gathering.** An attempt should be made to gather intelligence information about the situation by contacting persons who have the necessary information to better enable the officers to resolve the incident. If the incident involves a location that has a crisis plan (schools, large retail/commercial industry, etc.) their crisis team should be contacted. Intelligence gathering, while important, should not detract from the primary mission, which is to first protect all innocent life by stopping the actions of the active shooter.
- E. Contact Team**
1. The first officers who respond to the incident shall form a contact team with a designated team leader and go in immediate pursuit of the active shooter.
 2. Officers should make entry at a location other than the main entrance, if possible, as this is the place where a suspect might logically set up barricades, explosives, or an ambush.
 3. If any officer encounters a suspected explosive device, they will not make contact with it and will mark its location. They will communicate its presence to the Command Post when it is safe to do so. All care will be taken to isolate the device with the objective of stopping the active shooter taking precedence.
 4. The team will be subject to 360-degree vulnerability and will not do a thorough clearing. They will continue past victims or harmless distractions.
 5. If the contact team isolates the suspect(s), the tactical response team will relieve them and negotiators will be used to try to effect surrender. The contact team should remain aware of the potential of other involved parties and secondary threats.
- F. Rescue Team.** Rescue Team members should maintain 360-degree coverage as the changing dynamics of the incident may put them in contact with the suspect(s) at which time the above procedures shall apply.
- G. Incident Commander.** The Incident Commander shall determine if additional contact teams are necessary and deploy if needed. The Incident

Commander shall then deploy Rescue Teams to facilitate treating the injured and evacuating the building. The Incident Commander shall:

1. Establish a command post (in his/her squad car if necessary)
2. Choose a safe staging area for arriving personnel
3. Order the dispatcher to initiate proper notifications
4. Form additional contact and rescue teams, as necessary
5. Call for mutual aid from other agencies, as necessary
6. Establish media staging area
7. Arrange a safe staging area for medical units and treatment of the injured
8. Post additional responding officers to guard perimeters
9. Call for resources to bring the incident to conclusion
10. If the suspect is arrested or incapacitated, regular agency procedure will be followed regarding the investigation and evidence preservation.

Title: Bomb Threats, Explosives, and Arson Investigations			Number: 9.03
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2

- I. PURPOSE:** To ensure that the Police Department and Fire Department personnel and equipment are utilized in a unified, efficient, and effective response to bomb threats, incidents involving explosive devices, as well as suspicious fires or fires determined to be the result of arson.
- II. POLICY:** It is the policy of the Polk City Police Department to coordinate the criminal investigations of bomb threats, incidents involving explosive devices, suspicious fires, and arson fires when any of the following circumstances are suspected:
- A. Fires where death or serious injury has occurred, or is likely to occur, or there is significant financial loss due to damage.
 - B. All bombings, explosives, or bomb threats, when a suspicious device is located or when a supervisor has determined there is cause to believe that the threat is real.
 - C. Incidents in which the Fire Marshall requests the assistance of the Polk City Police Department.
- III. PROCEDURE:**
- A. Bomb Threat Crime Scenes**
- 1. When calls are received involving bomb threats or explosive devices, Communications will immediately dispatch available police and fire personnel. The Police Department shall have incident command of the scene.
 - 2. A supervisor will contact the person in charge of the premises. It will be left to the discretion of the person in charge of the premises whether or not the building will be evacuated and/or searched. The decision maker's name will be recorded to the call log.
 - a. 1000 feet minimum standoff distance is recommended from any known, suspected, or threatened explosive device. Evacuees and non-vital personnel groupings as well as incident command should not enter inside this perimeter.
 - b. Radios, pagers, cell phones, or other electronic devices should not be used or activated within the inner perimeter.
 - c. All personnel should be alert for secondary devices placed outside the suspected hot zone or in addition to the initial threatened device.
 - 3. If the premises are to be searched, the police supervisor, along with approved fire personnel, will ask for adequate elements to make a quick and thorough search calling for whatever support is deemed necessary.

4. If an explosive or suspicious device is found, the Incident Commander will notify Communications to dispatch the Des Moines Police Department's Bomb Squad personnel. The premises and potential blast zone will be immediately evacuated. The Des Moines Fire Department's HazMat team will also be given notification if appropriate.
5. In all incidents involving explosives, the protection of human life will be the key point dictating the procedure to be followed.
6. Upon arrival, the DMPD Bomb Squad will assume command of the scene. They will maintain command until the incident or device is neutralized. At that time Polk City Police Department criminal investigators will assume responsibility for the crime scene.
7. If an explosive device is triggered, unified incident command will be set up between Polk City Police and Fire Departments to account for medical and crime scene activities. Additional mutual aid from neighboring organizations should be requested to the scene as necessary.

B. Incidents of Arson or Suspected Arson

1. It is the responsibility of the Fire Department to determine the cause and origin of all fires.
2. The commanding fire officer will immediately notify the Police Department of the arson or suspected arson incident.

C. Criminal Investigations Responsibilities

1. Department personnel shall be responsible for all fire investigations where death or injury are likely to occur; where a fire bomb is used to conceal or commit an additional crime; or fires sharing similar methods of operation or significant financial loss occurs.
2. Department personnel will retain this authority throughout the investigation regardless of requests for assistance from outside agencies throughout the investigation.
3. The Police Department and Fire Department shall work as a team as primary investigators and be responsible for the following:
 - a. Crime scene security
 - b. Evidence processing (locating, photographing, collecting, and evidence packaging)
 - c. Information gathering/canvass
 - d. Witness/suspect interviews
 - e. Any additional follow-up necessary
6. It shall be the presiding supervisor's responsibility to coordinate the investigation and prepare the case for the County Attorney.

Title: Weapons of Mass Destruction & CBRN Incidents			Number: 9.04
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 5

- I. PURPOSE:** To provide guidance to respond effectively to a possible terrorist-initiated weapon of mass destruction (WMD) or CBRN incident(s) using available resources.
- II. POLICY:** It is the policy of the Polk City Police Department to ensure the safety of the public and its personnel in situations involving the use or threatened use of chemical, biologic, radiological, or nuclear (CBRN) devices that could cause death or injury, damage to property, or are intended to alarm citizens. Additionally, officers will utilize proper protocols when encountering any suspected clandestine laboratories or byproducts used in the manufacture of illicit materials.
- III. PROCEDURE:**
- A.** A police department's responsibilities to citizens in times of suspected terrorist attacks, isolated CBRN incidents, or accidental exposures are essentially the same as in its daily operations. Individual responsibilities of personnel will change in relation to the type of emergency, the magnitude of the suspected exposure, and the belief of associated criminal activity.
1. Department personnel will be required to coordinate their operations with other responding agencies.
 2. PCPD personnel must remember they do not have the equipment necessary to expose themselves to CBRN threats. Activities where exposure is likely should only be completed by specially trained and equipped personnel.
- B.** Officers need to remain focused on their role as trained observers and data/intelligence gatherers. Critical thinking skills and expedient isolation of affected areas will be key in isolating the incident and minimizing further exposure.
1. When searching for CBRN or explosive devices, employees should suspect anything that looks unusual and safely report it to command personnel arriving to the scene. Trained technicians will determine what is or is not a threat. These devices can be assembled to look like almost anything and can be placed or delivered in any number of ways. The probability of finding one that looks like the stereotypical bomb is almost nonexistent.
 2. Devices may be homemade or designed to blend in with surroundings and are limited in their design only by the imagination of, and resources available to, the maker.

- C. First officers on scene have the responsibility to investigate and substantiate the reported threat. If determined to be a potential WMD incident, officers shall implement a unified command post for a multi-disciplined response and assume command of the incident until relieved by a supervisor. Police Chief and Lieutenant will be immediately notified of the situation and will respond to perform the duties of the incident commander.

D. WMD Hazard Response

1. The initial detection of a WMD terrorist attack will likely occur at the local level by either first responders or private entities. This policy is not intended to be all-inclusive of the different types of devices employees or citizens may be subjected to but are meant to provide guidance to the more common scenarios, with the understanding that these same response protocols may provide guidance to any given set of circumstances involving the threatened use of CBRN or explosive devices. Other potential terrorist activities and law enforcement responses are covered in Chapter (9) Nine of this manual.
 - a. First responders will be relied upon to identify unusual symptoms, patterns of symptom occurrence, and any additional cases of symptoms as the effects spread throughout the community and beyond.
 - b. First responders must take protective counter-measures from the hazard prior to treating victims.
 - c. Detection of biological agents could occur days or weeks after exposed individuals have left the site of the release. The scene may therefore shift to the public health facilities receiving unusual numbers of patients.
2. First responders will provide initial assessment or scene surveillance of a hazard caused by an act of WMD terrorism. Proper authorities capable of dealing with and containing the hazard are to be alerted. First responders must be able to assess the situation and request the appropriate assistance as quickly as possible.

E. Types of Hazards/Identification

1. *Chemical:* Chemical agents are intended to kill, seriously injure, or incapacitate people through physiological effects. A terrorist incident involving a chemical agent will demand immediate reaction from emergency responders (fire/paramedics, police, HazMat teams, and emergency room staff) that will need adequate training and equipment.
 - a. Hazardous chemicals, including industrial chemicals and agents, can be introduced via aerosol devices (munitions, sprayers, or aerosol generators), breaking containers, or covert dissemination.
 - b. Most chemical attacks will be localized, and their effects will be evident within a few minutes.

- c. Persistent chemical agents remain in the affected area for hours, days, or weeks.
 - d. Non-persistent chemical agents have high evaporation rates, are lighter than air, and disperse rapidly in well ventilated areas.
 - e. General indicators of possible chemical agent use may include: unusual occurrence of dead or dying animals, lack of insects, dead birds; unexplained human casualties to include: multiple victims, surge of similar 911 calls, serious illnesses, nausea, disorientation, difficulty breathing or convulsions, definite patterns; unusual liquids spray or vapors; unexplained odors; unusual metal debris; abandoned spray devices or unexplained munitions.
2. *Biological:* Recognition of a biological hazard can occur through methods including: identification through a credible threat, discovery of bioterrorism evidence (devices, agents, clandestine lab), diagnosis [identification of a disease caused by an agent identified as a possible bioterrorism agent], and detection [gathering and interpretation of public health surveillance data].
- a. A characteristic of an infectious disease may include a delay between exposure and onset of illness, or an incubation period.
 - b. Incubation may range from several hours to a few weeks depending on the level of exposure and the pathogen. Initial response is likely to be made by direct patient care providers and the public health community.
 - c. Biological agents could also be employed by terrorists that would affect agricultural commodities over a large area.
 - d. Indicators of possible biological agent use include: unusual occurrences of dead or dying animals; unusual human casualties such as unusual illness for a region or area but a definite pattern inconsistent with natural disease; unusual liquids, spray, or vapor and spraying or suspicious devices or packages.
3. *Radiological/Nuclear:* The difficulty of responding to a nuclear or radiological incident is compounded by the nature of the radiation itself.
- a. Explosion: radioactive material may or may not be obvious depending on the nature of the explosive device.
 - b. Unless confirmed by radiological detection equipment, the presence of a radiation hazard is difficult to ascertain.
 - c. Indicators of possible nuclear weapon/radiological agent use include: a stated threat to deploy a nuclear or radiological device; the presence of nuclear or radiological equipment (spent fuel canisters or nuclear transport vehicles); nuclear placards or warning materials along with otherwise unexplained casualties.

F. WMD Incident Command Responsibilities

1. In the event of a WMD incident, ICS will be implemented and the county-wide Comprehensive Emergency Plan initiated.
2. Rapid and secure communication is crucial to ensure a prompt and coordinated response. The incident commander should consider the use of interoperability radio channels as soon as practical.
3. The local FBI Field Office must be notified of any suspected terrorist threats or incidents. Federal response will include experts in the identification, containment, and recovery of WMD.
4. The operations for response would include the initial identification of the incident as a terrorist incident, which would include the initial detection of hazardous agents by first responders. The proper local, state, and federal authorities capable of dealing with and containing the hazard should be alerted as quickly as possible.
5. If additional specialized support is needed, it may be obtained through county, state, or federal resources.
6. Federal consequence management response will entail the involvement of FEMA, additional federal response plan departments and agencies, and the American Red Cross as required. Polk County Emergency Management will aid as a liaison in these efforts.

G. Clandestine Laboratories

Clan labs are inherently dangerous. Federal and state laws require special handling of hazardous materials by certified personnel.

1. Components of the lab will be maintained in their discovered location or position until certified personnel respond with the appropriate personal protective equipment.
2. If an employee develops credible information that indicates a subject is operating or has recently manufactured, he/she shall:
 - a. Notify a supervisor, describing the available information in detail along with a request for additional resources needed to safely process the scene.
 - b. Exit the hazardous zone immediately evacuating any bystanders present and secure the location if a lab is discovered. If the lab site is in a vehicle, trailer, or residence, open doors to vent the area.
 - c. Identify any witnesses or persons with knowledge and gather intelligence on the suspect(s).
 - d. Standby until a clan lab investigator can make the scene and determine the threat associated with the items located.
 - e. Aid in crime scene and follow-up investigations as appropriate.

H. Suspicious Letters/Packages

The Department may encounter circumstances in which officers are called to investigate a suspicious letter or package. The following are guidelines put in place as a threat assessment for identified or received suspicious items:

1. If the answer to any of the following questions is "YES", or there is any other reason to believe there is a credible threat, the appropriate specialized HazMat or bomb squad personnel should be requested to the scene and the letter/package should be isolated until further instructed.
 - a. Is there a threat message associated with the letter or parcel [Is there a written threat, threatening phone call, or verbal threat associated with the letter or parcel]?
 - b. Does the letter/parcel appear to contain any substance other than printed material?
 - (1.) Does there appear to be any powder or granular material in it or on it?
 - (2.) Is it lumpy, of uneven thickness or lopsided?
 - (3.) Are there any protruding wires?
 - (4.) Are there any stains, spots, discolorations or crystallizations on the outside?
 - (5.) Is there any strange odor associated with the letter/parcel (Do not sniff or smell the letter/package)?
 - (6.) Is there any leakage or anything oozing from the letter/parcel?
 - c. Does the return address or originating postmark present any threat potential in and of itself [Letters or parcels from the Middle Eastern countries, Malaysia, Philippines, or other overseas locations may present heightened threat potential]?
2. If the answer to all questions is "NO", then advise the reporting party that the letter/parcel should be treated as they would treat any unsolicited junk mail. They can simply throw it away if they do not wish to open it.
3. Open letters/packages containing powders or granular material will be treated as a crime scene with hazardous materials.
 - a. Crime scene procedures and crime scene protection measures shall be implemented.
 - b. A unified command system shall be implemented and appropriate personnel and agencies notified.
 - c. Only personnel wearing the appropriate protective clothing and equipment shall enter the scene.
 - d. Evidence shall be gathered and processed in accordance with FBI and Centers for Disease Control guidelines.
 - e. Appropriate decontamination procedures shall be instituted prior to releasing the scene.

Title: Child Abduction “Amber Alert” System			Number: 9.05
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2 + Attachments

- I. PURPOSE:** The Amber Alert System is an emergency child abduction alert plan in which radio and television stations provide quick police-generated reports on abducted children as a public service.

- II. POLICY:** It is the policy of the Polk City Police Department to participate in both a State of Iowa and a local plan to utilize all resources available to locate and safely return an abducted child and to apprehend the perpetrator(s) of the crime. It is important not to overuse the system. Responding officers and supervisors must carefully evaluate the circumstances of a missing child report before activating the system.

- III. PROCEDURE:**
 - A. Criteria for Activation.** All of the following criteria are required before an Amber Alert may be activated.
 - 1. The child is under the age of 18.
 - 2. Law enforcement must confirm that the child has been abducted.
 - 3. Law enforcement believes the circumstances of the abduction indicate the child is in danger of death or serious bodily harm.
 - 4. There is enough descriptive information about the child, abductor, or suspect’s vehicle to believe an immediate broadcast alert will help.
 - 5. There is probable cause to arrest the abductor and file criminal charges.

 - B. Responsibility of Responding Officer**
 - 1. Determine if it is a child abduction that meets the parameters provided in this policy.
 - 2. Obtain victim, suspect, vehicle, and any other pertinent information and descriptions to advise dispatch of the information.
 - 3. Advise command staff of the situation immediately.
 - 4. Have the parent/guardian sign the attached “Liability Agreement and Authorization for Release of Juvenile Information”.

 - C. Responsibility of Command Staff**
 - 1. Verify that the situation meets the definition of child abduction and that proper releases have been signed.
 - 2. Initiate State of Iowa Amber Alert Plan by completing the “State of Iowa Amber Alert Notification Plan Facsimile Transmission Packet” (see attachment).
 - 3. Call to the State Patrol at 515-323-4360 and advise of the alert (be prepared to articulate why the child is in danger). Fax the

completed form to the State Patrol Radio Communications at 515-323-4300.

4. Notify the Chief of Police to advise of circumstances. The Chief will make appropriate contact with other city officials to coordinate city-wide administrative support effort.
5. Coordinate with Automated Traffic Enforcement of neighboring jurisdictions with these technologies to switch technologies over to “Amber Alert” mode of monitoring vehicles.
6. Initiate media contact by sending the information out to affiliated resources through Public Information Officer.
7. Designate the official to contact for the media for any updated “Amber Alert” information and separate phone number if necessary.
8. Make all other notifications as required.

D. Documentation. The officer/supervisor sending the alert shall forward the originals of the fax cover sheet, “Amber Alert Child Abduction Notification” form, and fax transmission report to Records along with a supplemental report documenting the alert transmission. The report number should be noted on all documents.

E. Cancellation. When an alert is cancelled a supervisor shall:

1. Complete the “State of Iowa Amber Alert Notification Plan Cancellation Form” (see attachment). Include a brief summary of the incident.
2. Call the State Patrol at 515-323-4360 and advise of the cancellation. Fax the completed cancellation form to the State Patrol Radio Communications at 515-323-4300
3. Prepare a short cancellation press release on Department letterhead stating “To: All involved parties Re: Cancellation of Amber Alert originally issued (date). The Polk City Police Department is canceling the Amber Alert issued on (date) in reference to report number (number)...” Include other relevant basic facts and circumstances that do not compromise the investigation and thank support agencies and media for assistance. Signed, (name, rank, and position).
4. Forward the originals of the fax cover sheet, memorandum, and fax transmission report to Records along with a supplemental report documenting the alert cancellation. Report number should be noted on all documents.

State of Iowa

Amber Alert Notification Plan

Facsimile Transmission Packet

Date: _____

To: Iowa Amber Alert Communications
Telephone #: (515) 323-4360
FAX #: (515) 323-4300

Call State Patrol Communications in Des Moines at 515-323-4360 or send an IOWA System message to IDM2 prior to faxing.

From: Polk City Police Department

Contact: _____

Telephone #: 515-984-6565

Subject: _____

ALERT

CHILD ENDANGERMENT/ABDUCTION EMERGENCY NOTIFICATION

If you have any questions regarding this transmission, please call the sender at the telephone number listed above.

This facsimile contains CONFIDENTIAL INFORMATION which may also be legally privileged and is intended only for the use of the individual or entity to which it is addressed. Unauthorized disclosure of dissemination may be prohibited by state and federal statutes. If you received this communication in error, please call immediately at (515) 984-6565.

EMERGENCY NOTIFICATION MESSAGE CRITERIA

The following criteria must be met in order to issue an Amber Alert:

1. Law enforcement must confirm a child has been abducted.
2. The child is under the age of 18.
3. Law enforcement believes the circumstances surrounding the abduction indicate that the child is in danger of serious bodily harm or death.
4. There is enough descriptive information about the child, abductor, or suspect's vehicle to believe an immediate broadcast alert will help.

NOTE: Please complete all items with all available information. If you do not have information for anyone of these required fields, mark it "N/A".

ABDUCTION INFORMATION

Date Abducted: (mm/dd/yy) _____

Time Abducted: (hh:mm) _____

Location of Abduction: (description) _____

Direction of Travel/Destination:
(City, State, Subdivision) _____

Suspect Vehicle Description: (color, year, make, model, body style, plate and state of Issue)

CHILD INFORMATION (complete an additional page for each additional child abducted)

Name: (first, middle, last) _____

Race: (include all types) _____

Gender: (circle one) Male Female

DOB: (mm/dd/yy or approx. year) _____

Height: (feet, inches) _____

Weight: (lbs.) _____

Hair: (style and color) _____

Eyes: (color) _____

Clothing:

Shirt/Blouse: (type, l/s or s/s, color) _____

Pants/Skirt: (type and color) _____

Shoes: (color and type) _____

Outerwear/headwear: (color and type) _____

Additional Identifiers/Medical Concerns: _____

Obtain a photograph of the child, if available, and e-mail to Iowa State Patrol Communications (desmoines@dps.state.ia.us).

ABDUCTOR INFORMATION (complete an additional page for each additional abductor)

Name: (last, first, middle) _____
Race: (include all types) _____
Gender: (circle one) Male Female
Age: (Approximate year) _____
Height: (feet. inches) _____
Weight: (lbs.) _____
Hair: (style and color) _____
Eyes: (color) _____
Clothing:
 Shirt/Blouse: (type, l/s or s/s, color) _____
 Pants/skirt: (color and type) _____
 Shoes: (color and type) _____
 Outerwear/headwear: (type and color) _____
Additional Identifiers: _____

ALL AMBER ALERT ABDUCTIONS ARE CONSIDERED ARMED AND DANGEROUS

CONTACT ORGANIZATION:

Sheriff's Office or Police Dept. Polk City Police Department
Contact Person: _____
Telephone Number: 515-984-6565
Facsimile Number: 515-984-9280
Media Contact Number: _____
Agency Case Number: _____

Juvenile Information Waiver signed by parent or legal custodian:
if yes -attach as page # 7 if no -attach as page #7 and explain
Liability Waiver signed by parent or legal custodian:
if yes -attach as page # 6 if no -attach as page # 6 and explain

Submitted By: _____
Date and Time Submitted: _____
Amber Alert Authorization: _____

LIABILITY AGREEMENT

I hereby agree the information I have provided to the Polk City Police Department, acting as an agent of the State of Iowa, Iowa State Patrol, Iowa Emergency Management Agency, Iowa Broadcasters Association or any individual or entity assigned to aid in the investigation of this incident, to be truthful, factual, and correct.

As the parent/legal custodian, I am aware that in order for the Polk City Police Department to enter a child as being abducted and endangered the following criteria must be met:

1. Law enforcement confirms a child has been abducted
2. The child is under the age of 18
3. Law enforcement believes the circumstances surrounding the abduction indicate that the child is in danger of serious bodily harm or death
4. There is enough descriptive information about the child, abductor, or suspect's vehicle to believe an immediate broadcast alert will help

I am also aware I may be charged criminally for committing a crime if I knowingly provide false information to law enforcement authorities.

Law Enforcement Witness

Signature of Parent/Legal Custodian
(including maiden name)

Date

PLEASE PRINT OR TYPE

Last Name

First Name

Middle Initial

Maiden Last Name, former

Current Address:

House Number

Street Name

City

State

Zip Code

Telephone: _____

AUTHORIZATION FOR RELEASE OF JUVENILE INFORMATION

For a period of one year from the execution of this form, the undersigned authorizes full disclosure of all records concerning my child to any agent of the, state of Iowa, Iowa State Patrol, or any individual or entity assigned by the Polk City Police Department, whether the records are of a public, private, internal, or confidential nature. I direct the release of such information regardless of any agreement I may have made to the contrary with any entity or individual to whom my child's information is released or presented.

The intent of this authorization is to give my consent for full and complete disclosure of confidential juvenile information. Additionally, I understand the duty of the Polk City Police Department/Iowa State Patrol to release any information to the proper authorities and make other reports as may be mandated by law. I also certify that any person(s) who may furnish such information concerning my child shall not be held accountable for giving this information; and I do hereby release such person(s) from any and all liability which may be incurred as a result of furnishing such information. I further release the Polk City Police Department, the Iowa State Patrol, Iowa Emergency Management Agency, Iowa Broadcasters Association and its agents, and designees under this release, from any and all liability which may be incurred as a result of furnishing such information.

A photocopy of this release form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

I have read and fully understand the contents of this "Authorization for Release of Juvenile Information.

Witness	Signature of Parent/Legal Custodian (including maiden name)	Date
---------	----------------------------------------------------------------	------

PLEASE PRINT OR TYPE

Last Name	First Name	Middle Initial	Maiden Last Name, former
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Current Address:

House Number	Street Name	City	State	Zip Code
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Telephone: _____

State of Iowa

Amber Alert Notification Plan

CANCELLATION FORM

Date: _____

To: Iowa Amber Alert Communications
Telephone #: (515) 323-4360
FAX #: (515) 323-4300

Call State Patrol Communications in Des Moines at 515-323-4360 or send an IOWA System message to IDM2 prior to faxing.

From: Polk City Police Department
Contact: _____
Telephone #: 515-984-6565
Subject: _____

ALERT

CHILD ENDANGERMENT/ABDUCTION EMERGENCY NOTIFICATION CANCELLATION

Sin #: _____
NCIC #: _____
Name: _____
DOB: _____
Reason for cancellation: _____

If you have any questions regarding this transmission, please call the sender at the telephone number listed above.

This facsimile contains CONFIDENTIAL INFORMATION which may also be legally privileged and is intended only for the use of the individual or entity to which it is addressed. Unauthorized disclosure of dissemination may be prohibited by state and federal statutes. If you received this communication in error, please call immediately at (515) 984-6565.

Title: Strikes, Protests or Civil Disobedience			Number: 9.06
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2

- I. PURPOSE:** To define the Department’s policy regarding incidents requiring Department action which evolve from strikes, protest or civil disobedience.
- II. POLICY:** It is the Polk City Police Department’s policy to maintain an attitude of strict impartiality in labor/management disputes, protests or other civil controversies and to take prompt, decisive action whenever peace and order, civil rights or life and/or property are threatened.
- III. PROCEDURE:**
- A.** Command staff will evaluate the situations involving strikes, labor/management disputes or civil disobedience to determine the need to assign officers to the scene and the number of officers required. In making this determination, a meeting with site representatives and protesting officials (either separately or together) should be held if possible.
 - B.** When it is determined it is necessary to assign officers to the scene, the assignment will be made by the Chief of Police or Lieutenant. These assignments will be for safety and security of the scene and include behind the scenes investigative efforts if appropriate. Mutual aid may be requested for large scale protests. The Chief and/or Lieutenant will constantly review the situation to determine when a reduction or cancellation of the officers assigned to the scene can be made.
 - C.** Whenever peace and order, civil rights or life and property are threatened, prompt and decisive action will be taken by the officers at the scene against the offenders regardless of which side they represent. The minimum amount of force to effectively bring the environment under control shall be utilized so as not to further escalate the situation or cause greater volatility to the scene.
 - D.** Keeping entries and exits open will be a primary concern to the officers at the scene. Anyone wishing to enter or leave will be able to do so.
 - E.** The Iowa Criminal Code contains many provisions which may be violated in a protesting situation. Officers should familiarize themselves with these statutes if the possibility of a protest arises:
 - 1. Assault: 708.1
 - 2. False Imprisonment: 710.7
 - 3. Criminal Mischief: 716.1
 - 4. Criminal Trespass: 716.7

5. Harassment of Public Officials: 718.4
6. Interference with Official Acts: 719.1
7. Riot: 723.1
8. Unlawful Assembly: 723.2
9. Failure to Disperse: 723.3
10. Disorderly Conduct: 723.4
 - a. Abusive epithets: paragraph 3
 - b. Obstruction of any street or public way: paragraph 7

CH 10

Information
Management

Title: Records Management			Number: 10.01
Date Issued: 1 October 2016	Updated: 3 Nov 2022	Reviewed: 3 Nov 2022	Page(s) 6

- I. PURPOSE:** To establish procedures for the release of information maintained by the Polk City Police Department.
- II. POLICY:** It is the policy of the Polk City Police Department to establish guidelines for the conduct of all records related functions in accordance with state and federal statutes as well as departmental directives. This policy is to establish procedures for governing records maintenance, access to records, and the release of public information.
- III. DEFINITIONS:**
- Child Victim** means any minor under the age of 18 who has been sexually abused or subjected to any other unlawful sexual conduct under Iowa Code §709, 710A, 726 or subject to any forcible felony.
- Custodian or Records Custodian** means the Chief or Police or designee.
- DCI** means the Department of Criminal Investigation.
- Legal Custodian** means the Chief of Police.
- NCIC** means the National Crime Information Center.
- News Media** means a representative(s) of local, national and international news organizations.
- PIO** means the Public Information Officer, typically a Division Commander.
- Public Information Request** means any request for information by any citizen or member of the news media.
- Public Record** means any record, document, tape or other information stored or preserved in any medium pursuant to Iowa Code §22.1.
- Record** includes all official reports and documents generated during the course of business including tickets, case files, photographs, and any other medium of capture used on a daily basis.
- IV. PROCEDURE:**
- A.** The Records Custodian shall be responsible for the administration and maintenance of Department records.
- B.** Department records shall be secured, retained, disseminated and purged in accordance with state statutes and Department policies.
- C.** All records and documents captured in any medium by employees are the property of the Polk City Police Department and shall remain within the Department’s building unless otherwise approved by the Chief of Police or Lieutenant for removal. This does not prohibit the use of Department

records for court proceedings, or other job related functions so deemed necessary by the Chief of Police.

V. Access and Release of Public Records

Department records will be accessible to agency personnel as determined by the Records Custodian. Records are permitted to be reproduced, used, and or released to other law enforcement agencies for use in official law enforcement capacities.

A. Examination of Records

1. Requests for public records or the examination of, shall be accepted in person and should be accepted when other forms of legitimate and understandable communication are used to include:
 - a. Written
 - b. Electronic
 - c. Telephone/fax
2. The requestor is NOT required to identify themselves for the purpose of requesting and/or examining a public record except when required by law such as:
 - a. Court orders
 - b. Autopsy reports §22.7(41)
 - c. DOT accident reports §321.271
3. Requests will be fulfilled as promptly as circumstances allow, in an impartial and objective manner. Iowa Code §22.8(4) allows for a reasonable delay to determine whether a confidential record should be available for inspection.
 - a. A delay shall not exceed 20 calendar days
 - b. Typically should not exceed 10 business days
4. Requests for information or public records that cannot be clearly identified or accomplished immediately through the normal duties of a records clerk shall be forwarded to a Division Commander for approval utilizing a *Request to Examine and/or Copy Public Records* form.
5. The examination and request for public records shall take place during normal business hours.
6. All requests for examination of records are permitted without charge to include:
 - a. Taking photographs of a public record(s)
 - b. Making copies of a public record if the examinee has the ability to do so on his/her own accord without removing the record from a supervised location.

B. Confidential Public Records

Public records that are confidential SHALL NOT BE RELEASED or made available for inspection. Public records considered confidential by Iowa Code include, but are not limited to:

1. The identity of a child victim or any information reasonably likely to disclose the identity of a child SHALL NOT be released to the public unless authorized by the court of jurisdiction.
2. Intelligence data pursuant to Iowa Code §692.8A.
3. Registered victim information pursuant to Iowa code §915.
4. Social Security Numbers (Federal Privacy Act).

5. Identity of a child victim under the age of 12 pursuant to Iowa Code §232.
6. Iowa DOT accident reports, except:
 - a. Upon the request of any person involved
 - b. The person's insurance company or its agent
 - c. The attorney for such person
7. Pre-sentence investigation reports.
8. Minutes of evidence.
9. Investigative reports/autopsy reports of Medical Examiner §22.7(41).
10. DCI criminal history information pursuant to Iowa Code §692.8A.
11. Work products of an attorney including the City Attorney pursuant to Iowa Code §22.7.
12. Peace officers investigative reports pursuant to Iowa Code §22.7(5), including supplemental reports, in-car and interview camera footage, photos, emails, phone records, etc:
 - a. When disclosure would plainly and seriously jeopardize an investigation; or
 - b. Pose a clear and present danger to the safety of an individual or officer; or
 - c. Fall into classification of "pending legal action" per the Polk County Attorney's Office opinion of State vs. Neer. NOTE: the date, time, specific location, and immediate facts and circumstances surrounding a crime or incident shall not be kept confidential by this classification. These facts will normally be represented in the incident report which will serve as fulfillment of the open records request for the immediate facts surrounding a case.
 - (1) If no case was created and only a call for service log exists, additional information may need to be gathered to fulfill the open records request.
 - (2) Pending simple misdemeanor cases do not allow for discovery. Releases will only be made with command approval.
 - (3) If no pending legal action while within the statute of limitations and no other parameters for restriction apply, to include pending internal review, then it is considered an open record and should be released.
 - (4) Waiver to procedures above requires the Chief's approval.
13. **Employees are encouraged to review Iowa Code §22 to determine whether a public record is to be considered confidential prior to its release or permitting the inspection thereof.**

C. Juvenile Detention Records

1. Information pertaining to a child who is at least ten years of age and who is taken into custody for a delinquent act which would be

a public offense is a public record and is not confidential under Iowa Code §232.147.

2. Any juvenile record sealed by the order of the Court pursuant to Iowa Code §232.150 shall not be released unless permitted by court order.

D. Employee Records

The following public records will be made available for examination and/or copying:

1. Employee compensation.
2. Employee sick leave (including hours and days, but not specific reason(s) for sick leave).
3. Employee promotion dates and years of service.
4. Employee awards and certificate of accomplishments.
5. Employee records are confidential in nature. Discretion for their release shall only be approved by the Chief of Police or the City Manager. Additionally, a written waiver from the employee prior to release of this information may be required.

E. Public Request for Criminal History Information

1. Department regulations for dissemination of criminal history information (state or federal) will follow Policy 10.02 of this manual.
2. Local criminal history records check information retained by this agency shall be released or made available to the public upon request under certain parameters. See Policy 10.02 of this manual.

F. Public Request for Drivers License Information

Information contained in a driver's license record is made available through the Polk County Sheriff's Office for a fee, or a certified copy may be requested in writing to the DOT Des Moines office.

G. Public Request for Motor Vehicle Records

1. Motor vehicle registration information may be made available to fire chiefs or their designees to conduct an investigation pursuant to Iowa Code §100.2 or as needed for a fire/emergency incident report required by section 100.3.
2. An employee may release the name, address and telephone number of a motor vehicle registrant to a person requesting the information by plate number if the officer or employee believes that the release is necessary in the performance of the employee's duties.
3. Individuals, other than those specified above, are able to inspect vehicle registration records or obtain certified copies upon request during office hours at the Office of Vehicle Registration, Motor Vehicle Division, Iowa Department of Transportation.

VI. Cost of Records

- A. There is no cost to reproduce a record for another law enforcement agency involved in an investigation with this agency or as a result of intelligence sharing within the law enforcement community.

- B.** The following charges shall be assessed for a public records request:
1. A basic charge of \$10.00 will be assessed.
 2. For any request that exceeds \$10.00, the agency may charge for actual labor of the person conducting the work at \$50.00 per hour and \$1.50 per page. The fee will be estimated as closely as possible for the exact amount and the estimated fee will be collected in advance for any record being reproduced.
 3. Audio and video reproduction requires the labor hours of clerical staff as well as peace officers/administration. Per request, the average labor hours involved between staff to reproduce and disseminate audio and video files is 30 minutes.
 4. The fee schedule for all records as set by council resolution are:

Incident Reports	\$10.00 for 10 single-sided pages or less
CAD/Call Log Reports	- Polk County Sheriff's Office
Each additional page	\$1.50 per single page
Photograph(s)	Reproduced with 4 photographs per page
Local Records Check	\$5.00 per inquiry
Video CD's or DVD's	\$25.00 per reproduction
Audio CD's	\$25.00 per reproduction

VII. Press Releases

- A.** All requests for public information should be directed to the person responsible for commanding/supervising the incident in absence of an appointed PIO.
- B.** Only factual information shall be released and personal opinions should be withheld.
- C.** No "off the record" comments shall be made.
- D.** Public information should be released as promptly as circumstances allow, in an impartial, courteous, and objective manner.
- E.** Information shall not be withheld, delayed, or selectively released to favor any particular news media or agency.
- F.** The following information MAY BE released in connection with any investigation of a crime or event involving the Polk City Police Department. In the instance where the disclosure of any information listed below could jeopardize an investigation, pose a danger to any person, or is likely to result in further victimization, the information **shall not** be released.
 1. The type or nature of event or crime.
 2. The date, time, specific location, and immediate facts and circumstances surrounding a crime or incident, except in those unusual circumstances where disclosure would plainly and

seriously jeopardize an investigation or pose a clear and present danger to the safety of an individual.

3. The agencies participating in the investigation.

G. The following information SHALL NOT be released in connection with any investigation or event, unless specifically authorized by the Chief of Police or Lieutenant:

1. The identity of a suspect prior to arrest, unless such information would potentially aid in the apprehension of the suspect or serve as a warning to the public of potential danger(s).
2. The identity of any crime victim or related information which, if divulged, could lead to the identification of victims or witnesses jeopardizing an investigation, or place any person in danger.
3. The results of any investigative procedure.
4. Information which, if prematurely released, would jeopardize the investigation or interfere with the apprehension of the suspect.
5. Any information that may hold evidentiary value in criminal proceedings.
6. Specific cause of death, unless determined by the Medical Examiner.
7. Any information that Iowa law forbids being released.

VIII. Records Retention

A. The following records shall be retained and destroyed according to the listed schedule. This includes but is not limited to: in-car video, body camera video, attachments, statements, and photos.

1. All Class A offenses (homicide, sexual assault, arson): Keep Indefinitely – Scan to external hard drive.
2. All OPEN felony cases: Keep Indefinitely – Scan to external hard drive.
3. All other investigative and arrest reports: - Scan to external hard drive.
4. Accident Reports: Scan to external hard drive.

B. At a minimum, all casefiles shall be retained electronically and shall include Reports, Supplemental Reports, in-car video, body-camera video, photos, attachments, and statements. Two copies shall be made on external hard drives, one maintained by the Chief and the other secured into evidence. The current and previous years' case files shall be made available on electronically on the server.

C. All casefiles (all content) with an offense classified as an Aggravated Misdemeanor and above shall be uploaded to the SAFE evidence management system.

Title: Criminal History Records Checks			Number: 10.02
Date Issued: 1 October 2016	Updated: 15 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 2

I. PURPOSE: To establish guidelines for dissemination of criminal history records checks conducted by the Polk City Police Department.

II. PROCEDURE:

A. General Limitations on Permitted Disseminations

1. Police personnel may disseminate *local "in-house" records checks* to all law enforcement officers. Additional release of the local criminal history records check information is permissible under these parameters:
 - a. Provide valid government issued identification of the requestor.
 - b. State the name and date of birth, or name and social security number, of the person being queried.
 - c. The requestor and requested persons shall be recorded to a Local Criminal History Log.
2. Police personnel may disseminate *state or federal criminal history information (past arrest records)*, other than local records, to:
 - a. Law Enforcement Officers
 - b. Reserve Officers on duty
 - c. City Attorney
 - d. County Attorneys
 - e. Judges
 - f. Magistrates
 - g. Probation and Parole Officers
 - h. Juvenile Court Officers
 - i. Jailers
 - j. Department of Corrections from any state for:
 - (1) Employment background checks
 - (2) Pre-sentencing checks
 - k. The United States Postal Inspector for all investigative needs
 - l. The State Bar Association for Employment Background Checks
 - m. The Federal and State Government for Employment Background Checks
3. Personnel clerks WILL NOT provide any state or federal criminal history information to the following:
 - a. Private Investigators
 - b. Armed Services Recruiters
 - c. Mayors
 - d. City Council Members

- e. News Media
 - f. Defense Attorneys
 - g. Private Citizens
 - h. Lottery Commission
 - i. Department of Human Resources
 - j. Youth Services Workers
 - k. Racing Commission
 - l. Federal Office of Personnel Management
 - m. Central Intelligence Agency
 - n. Department of Defense
4. Use of criminal history record information disseminated to non-criminal justice agencies under these regulations shall be limited to the purposes for which it was given and may not be disseminated further.
 5. Some individuals or agencies may have access to the data under certain circumstances; however, they cannot receive it legally from local law enforcement.
 6. State Troopers, DCI Agents, DOT Officers, DNR Officers and Federal Enforcement Officers requesting criminal history information should be referred to a state commissioned center where their ORI's are assigned.

B. State law allows criminal history inquiries on liquor license applicants. Inquiries should be made first to the DCI master name index to check state records only; if a positive response is received, the record can be obtained from CCH.

C. Persons wishing to review or challenge their Iowa Criminal History must make their request in person or through an Attorney to the DCI.

III. Audits

Audits of a representative sample of state and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and ensure that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to:

A. The names of all persons or agencies to whom information is disseminated

B. The date upon which such information is disseminated

IV. Penalties

Records released to any unauthorized party shall be grounds for review of continued employment.

Title: Mobile Video/Audio Procedures			Number: 10.03
Date Issued: 1 October 2016	Updated: 3 Nov 2020	Reviewed: 3 Nov 2022	Page(s) 5

- I. PURPOSE:** The purpose of this policy is to provide guidance to all employees of the Polk City Police Department as it pertains to the use of mobile video/audio recording equipment and body worn cameras. The Department understands that video/audio footage captured does not necessarily reflect an all encompassing representation of the series of events that has transpired in every circumstance. Footage captured with this equipment shall be utilized as a tool of enforcement and/or evaluation and shall not be the sole representation of the totality of circumstances involved in an incident.
- II. POLICY:** Mobile video/audio recording (MVR) and body worn camera (BWC) equipment has been demonstrated to be of value in the prosecution of traffic, criminal and civil offenses, evaluation of performance, as well as in training. In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures for MVR and BWC equipment use as set forth in this policy.
- III. PROGRAM OBJECTIVES:** This agency has adopted the use of in-car video/audio recording systems and body worn camera systems in order to accomplish several objectives, including but not limited to:
- A. Accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence, and testimony in court.
 - B. The enhancement of this agency’s ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigative purposes, as well as for officer evaluation and training.
 - C. This Department strongly recommends the use of MVR equipment in any situation not listed under Section IV (Procedures) where a reasonable person should foresee an incident to be a threat to the safety of an officer(s), involved parties, bystanders, or an elevated potential liability to the officer, Department, or the City of Polk City.
- IV. AUTHORIZED USE**
- A. Training, including but not limited to policy, back-end software, in-car camera integration, and body worn camera equipment is required prior to use.

- B. Officers are responsible for ensuring proper functioning of the equipment and promptly report any malfunction to a supervisor.
- C. Only cameras issued by the department are authorized. The BWC will be positioned on the upper torso with the camera lens aimed forward. With approval from the Chief or designee, Officers are allowed to mount the BWC offset of center mass of the upper torso to accommodate uniform configurations but shall ensure the BWC is still able to accurately record all incidents.
- D. Officers shall not intentionally record other employees in casual conversation, administrative discussions, or in locations with an expectation of privacy such as a locker room or restroom.
- E. Officers are not required to inform citizens of the presence of the MVR or BWC equipment or recordings.
- F. Mandatory wearing of BWC:
 - i. Officers in uniform and assigned to respond to calls for service are required to wear BWC for the duration of their shift.
 - ii. Officers in uniform and assigned to special assignments, enforcement projects, or as designated by a supervisor.
- G. Discretionary wearing of BWC:
 - i. Officers in plain clothes and assigned to investigative, administrative and support functions may wear a BWC while performing their official duties.

V. PROCEDURES

Officers shall adhere to the following procedures when utilizing MVR and BWC equipment:

- A. MVR equipment installed in a patrol vehicle is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations.
- B. Officers shall determine whether their MVR equipment is working satisfactorily at the beginning of their shift and shall bring any problems identified at this time to the attention of their immediate supervisor as soon as possible. This does not exclude any problem that is identified during the course of an officer's shift.
- C. MVR or BWC equipment will automatically activate when the vehicle's emergency warning devices are in operation and may be manually deactivated during non-enforcement activities such as, but not limited to, protecting crash scenes from other vehicular traffic.

- D. An officer should make a reasonable effort to park the patrol vehicle or maneuver the camera so that the camera views as much as possible of the event location.
- E. The Department considers it a best practice for officers to activate the MVR and BWC on all traffic stops, calls for service, prisoner transports, created field events with public interaction while acting in an official police capacity, regardless of being a summoned or officer-initiated event. Officers should use the MVR and BWC for the entire duration of the event while in contact with the person(s) involved.
- F. Individual officers on performance improvement plans, subject to early warning signs, or in the disciplinary review process may be mandated to utilize the MVR and BWC system at all times throughout the course of their shift.
- G. Officers will ensure MVR and BWC equipment is utilized on all evidentiary interactions or citizen interactions, including but not limited to:
 - i. Arrest
 - ii. Call for Service
 - iii. Crowd control or management
 - iv. Emotional Situation (yelling, threats, profanity, etc.)
 - v. Consent Search
 - vi. Incident requiring force
 - vii. Information gathering related to active drug investigation
 - viii. Interviews- victim, witness, or suspect
 - ix. Disagreements which may reasonably lead to a complaint or arrest
 - x. Investigative stop (pedestrian, bicycle etc.)
 - xi. “pat down” or search of person
 - xii. Prisoner interaction
 - xiii. Pursuit of person or vehicle
 - xiv. Traffic stop.
- H. Officers are not expected to jeopardize their safety in order to activate MVR or BWC.
- I. Officers should continue recording the interaction until it concludes or enters a location with a separate police recording system.
- J. Officers should document use of MVR or BWC recordings in written reports.
- K. Officers may record routine conversation with citizens unrelated to an official call for service, investigation stop, etc.

- L. Recording exceptions permitted:
 - i. During non-confrontational situation if the person says they are unwilling to provide a recorded statement.
 - ii. To interrupt a recording to discuss private/privileged topics such as police strategy or charging decisions and resume when finished.
 - iii. When interviewing a victim of sensitive crimes such as sex assault, child abuse etc.
 - iv. When inside a medical facility to prevent sensitive, private, or unnecessary recordings.
 - v. Exceptions listed above should be explained before and after the interruption occurs.
 - vi. When directing traffic or securing a post.
 - vii. When there is no evidentiary value.

VI. REVIEW OF RECORDINGS

- A. Officers may review MVR or BWC recordings to prepare accurate reports. Officers may review other recordings for official purposes only (investigation, court etc.).
- B. A supervisor may restrict access to a video containing a critical incident (such as a fatal accident, OIS, etc.) until the officer involved has provided a formal statement. After viewing the video, the officer will be allowed to offer a second formal statement.
- C. Officers accused or involved in less serious allegations, (such as personnel complaint, administrative review or informal inquiry), may view their own video prior to providing a formal statement.
- D. Supervisors may review video with citizens, family, attorneys, etc. to address inquires or complaints. Officers shall not permit citizens, family, attorneys, etc. to view videos in a police vehicle or on a body camera unless deemed necessary by a supervisor.

VII. STORAGE AND RETENTION

- A. Officers shall securely download all recorded files and metadata periodically and no later than the end of every scheduled work shift if involved in a case with evidentiary value. Exceptions should be authorized by a supervisor.
- B. Personnel shall not attempt to copy, edit, alter, erase, or otherwise modify in any manner recordings except as authorized by state law and department policy.
- C. Accessing, copying, or releasing sounds, images and associated metadata for non-law enforcement purposes is strictly prohibited.

- D. Each agency shall maintain and retain all recordings designated **Evidentiary** for a minimum period of 3 years from the date of the recording.
- E. Recordings designated as **Non-Evidentiary** shall be retained for a minimum period of 90 days from the date of the recording.
- F. The following MVR and BWC recordings shall be retained indefinitely:
 - i. All Class A offenses (homicide, sexual assault, arson)
 - ii. Open felony cases

VIII. RELEASE OF MVR AND BWC RECORDINGS

- A. Recordings will be released when required by applicable laws, ordinances, and court orders or as otherwise deemed appropriate by the Chief of Police or designee.
- B. Iowa Open Records Law may require the release of recordings. However, consideration will be given to all its exceptions such as:
 - i. Confidential information, such as investigative reporting (IA code 22.7)
 - iii. Intelligence information (IA code 692)
 - iv. Juvenile information (IA code 232 and 915)

Title: Electronic Recordings of Custodial Interrogations			Number: 10.04
Date Issued: 1 October 2016	Date Effective: 1 October 2016	Updated: 15 Nov 2020	Page(s) 3

- I. PURPOSE:** The purpose of this policy is to establish guidelines and procedures for the electronic recording of custodial interrogations conducted in detention facilities, other law enforcement agency-controlled buildings, state task force offices, and/or any other off-site building.
- II. POLICY:** It is the policy of the Polk City Police Department to require the electronic recording of all custodial interrogations conducted by its officers when feasible. Such electronic recordings facilitate the judicial review process of evaluating the integrity and admissibility of the conversation's content between suspects and officers by creating a comprehensive unbiased and impartial evidentiary record of the interrogation process. This policy does not create statutory or constitutional rights, and the Department does not imply that exclusion of evidence is a remedy for any deviation from the purpose of this document.
- III. DEFINITIONS:**
- Analog Recording:** An electronic recording typically stored on a VHS, cassette, or micro-cassette.
- Child:** A person under eighteen years of age.
- Custodial Interrogation:** Questioning, or its functional equivalent, that mandates that law enforcement officers obtain a waiver of Miranda Rights from the party questioned.
- Detention Facility:** A police station, jail, or similar holding facility where suspects may be detained in connection with criminal charges.
- Digital Recording:** An electronic recording typically stored on a CD, DVD, or microchip/hard drive.
- Electronic Recording:** An analog or digital audio or video recording.
- Field Custodial Interrogation:** For purposes of this policy, a field custodial interrogation is defined as a custodial interrogation conducted at a location other than a detention facility or law enforcement-controlled building.
- Interview:** For purpose of this policy, an interview is defined as questioning of suspects, witnesses, or victims, by law enforcement officers that do not require a waiver of Miranda Rights from the party questioned.
- Juvenile:** Same as a child; however, in the interstate compact on juveniles, sections 232.171 and 232.172 (Iowa Code), "juvenile" means a person defined as a juvenile in the law of a state which is a party to the compact.
- Recorded Media:** Analog (includes VHS, SVHS, Hi 8mm tapes) and digital (includes CD, DVD, microchip, hard drive, flash drive) audio and/or video signal storage media.

IV. PROCEDURES

A. General Requirements

1. Officers shall electronically record, in their entirety, custodial interrogations conducted in detention facilities. This includes off-site or other law enforcement agency-controlled buildings or task force offices. Video and audio recording is preferred. Audio-only recordings are acceptable when video capabilities are unavailable.
2. If electronic recordings cannot be conducted as described herein due to reasonable unavailability of equipment, power or equipment failure, the suspect's refusal to answer questions of the conversation if recorded, or for other good cause, the basis for good cause not to record shall be documented in the investigative report.
3. Volunteered statements are outside the scope of the Miranda warning requirements and do not come within the requirements of this policy.
4. Electronic recordings of juveniles shall be conducted the same as an adult in addition to following all other procedures as specified in this policy and state law with respect to investigations involving juveniles.
5. Electronic recordings of field custodial interrogations are to follow those recommended guidelines as set forth in Policy 10.03.
6. The Department's Mobile Video/Audio Procedures (policy 10.03) will be independent of this policy.

B. Recordings Protocol in Detention and Law Enforcement Facilities

1. Custodial interrogations shall be recorded *in their entirety*, specifically including the administration of the Miranda Rights warning and subsequent waiver.
2. When commencing the recordings, the primary interrogator may elect to provide the identification of officer(s), suspect(s), other persons present, date, time, and location of the interrogation either in the electronic recording or within the investigative report.
3. The recorder shall remain in use during all breaks and/or recesses. If there is any reason the recorder is shut off during the course of the interrogation, it must be documented either in a resumed recording or in the investigative report.
4. All originals and copies of recordings are Department property and shall not be copied or disseminated except as allowed in this manual. The "original" evidentiary recorded media shall be retained by the Department, if necessary, in secure storage for a period of time as defined by agency protocols, state law, or the office of the prosecutor.
5. When possible and practical, a copy of the original recorded media shall be used by Department personnel and the courts (unless otherwise directed) to preserve the original media in its original and unaltered condition.

C. Consent and Documentation

1. As Iowa is a one-party consent state [*Iowa Code* 808b.2(2)b], suspects (adults and juvenile) do not have to be specifically informed that an interrogation is being recorded. If during the course of the interrogation the suspect objects to the electronic recording, his/her objection should be recorded followed by a decision made on whether or not the recorded interrogation will be continued or aborted based on officer discretion, taking into consideration the furtherance of the investigation and/or the suspect's assertion of Miranda Rights. Also keeping in mind:
 - a. Lack of consent does not affect the admissibility of a recorded statement.
 - b. At the discretion of the officer, the officer may inform the suspect that the interview or interrogation will be or is being recorded. Officers should use and trust their discretion about whether the subject may be inhibited by providing a notice of the recordings.
2. The recordings of an interview or interrogation shall not alleviate officers from their responsibility to prepare a written report.

D. Attorney-Client Right to Confidential Consultation

An individual's right to a confidential consultation with an attorney shall be allowed according to parameters set forth in *Iowa vs. Walker* and as defined in Policy 6.14. Video/audio recordings shall be discontinued in adherence with the parameters set forth in this case (i.e. honoring an attorney's request for a private, barrier-free meeting space to interact with his/her client).



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022
To: Mayor & City Council
From: Karla Hogrefe – Fire Chief
Subject: Standard Operating Guidelines Updates – Fire Division

BACKGROUND: The fire department has policies and procedures which provides an outline and direction to and for our members. These policies and procedure were established in 2005. Some have been revised throughout the years and others remain the same.

The fire department has had several changes in how we provide service to the community. This requires revising and removing policies and procedures. The Officers of the department are in the process of reviewing all 111 policies and procedures and SOG's and have begun to make some revisions. We have attached the following revised administrative policies and procedures for your review and acknowledgement:

- 301 – Mayday Procedures – Revised
- 302 – Hazardous Materials – Revised
- 303 – Natural and Liquified gas leaks – Revised
- 304 – Sides of Structure & Identification of Floors – Revised
- 305 – Rapid Intervention Crew – Revised
- 306 – SCBA Use – Revised
- 307 – Rapid Entry Knox Box – Revised
- 308 – Pump Operations 457 – Revised
- 309 – Pump Operations 458 – Revised
- 310 – Pump Operations 451 – Revised
- 312 – Personal Protective Equipment – Revised
- 315 – Lock Out Tag Out – Revised
- 316 – Carbon Monoxide – Revised
- 317 – Cascade System – Revised
- 318 – Chainsaw Operations – Revised
- 319 – Positive Pressure Ventilation – Revised
- 321 – Hose Testing – Revised
- 322 – Rope Maintenance – Removed
- 323 – Tanker Operations – Revised
- 324 – Search & Rescue – Removed
- 325 – Thermal Imaging Camera – Removed
- 326 – Bomb Threat – Revised
- 327 – Two In Two Out – Revised

- 328 – Engine Company Operations – Removed
- 329 – 4530 Seat Position Assignments – Removed
- 330 – Rules of Engagement – Removed
- 331 – Structure Fire – City – Revised
- 332 – Structure Fire – Rural – Revised
- 333 – Vehicle Fire – Revised
- 334 – Grass & Brush Fire – Revised
- 337 – Fires Involving Consumer Fireworks

ALTERNATIVES: Continue with the same policy and procedures.

FINANCIAL CONSIDERATIONS: No cost associated with these changes.

RECOMMENDATION: Acknowledge and accept these revisions so the operations of the fire department is up to date and appropriate for the times.



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022
To: Mayor, City Council, and City Manager
From: Karla Hogrefe – Fire Chief
Subject: New PT Hire Pay Rate Approval & Internship Pay Rate Approval

BACKGROUND: We have the opportunity to hire a part-time Firefighter/Paramedic, Tad Watson. Tad has been in the fire service for 11 years and been a Paramedic for 6 years. Tad is a full time Firefighter/Paramedic at the Urbandale Fire Department and has experience at multiple metro fire departments. Tad has a lot of knowledge and experience and will make a great addition to the Polk City Fire Department.

We also have an opportunity to offer an internship position to Grant Chaney. Grant lives just outside the city limits and is willing to do the fire department's internship program while working towards his certifications. He is hoping to move to Polk City, or closer to Polk City and become a paid-on call member in the future. Grant has 3 years of experience as a volunteer firefighter in Illinois and will be attending DMACC EMT classes in the Spring semester, followed by getting his Firefighter I & II certifications.

ALTERNATIVES: None

FINANCIAL CONSIDERATIONS: The only impact this will have is wages during orientation. Once a new employee is oriented, they will only work available shifts.

RECOMMENDATION: To hire the Tad Watson with the listed stipulation(s) and request approval of pay rate:

Tad Watson, part-time Firefighter/Paramedic position at a rate of \$22.00 per hour.

To hire Grant Chaney with listed stipulation(s) and request approval of pay rate:

Grant Chaney, fire department internship position at a rate of \$16.00 per call.



**APPLICATION FORM
FOR
Special Events**
City of Polk City, Iowa

Permit # 2022-1107

Application Fee* \$50

**application fee waived for 501(c)(3) organizations and block party requests*

Thank you for your interest in the City of Polk City!

A special event would be classified as a parade, run/walk/bike, fundraiser, farmers market, fair/festival, outdoor concert OR temporary structure including but not limited to tents over 200sf, canopy, stage, inflatables. The City of Polk City must approve your application prior to advertising your event on City's property or public right-of-way for a special event. Application process must begin at least a minimum of 45 days prior to the requested date of the event.

Please check the following type of event:

<input type="radio"/> Parade	<input type="radio"/> Farmers market
<input type="radio"/> Run/Walk/Bike	<input checked="" type="radio"/> Fair/Festival
<input type="radio"/> Outdoor Concert	<input type="radio"/> Temporary Structure(s)
<input type="radio"/> Fundraiser	<input type="radio"/> Other (please specify) _____

Contact Information:

Contact Name & Title: <small>*(contact must be onsite for setup & teardown of event)</small>	Jason Thraen, Parks + Rec Director
Contact Mailing Address:	PO Box 426, Polk City, IA 50226
Contact Phone number:	515-329-8036 or 712-216-0967
Contact Email Address:	jthraen@polkcityia.gov
Sponsor Organization: <small>*(if applicable)</small>	Polk City Parks + Rec, Go Polk City

Event Information:

Name of Event:	Light up Polk City	Requested event location:	Town Square
Event Date(s) & Time(s):	Friday, Dec 2 6-8pm	Event Setup & Teardown: (dates & times)	12-2-2022 4-6pm, 8-10pm
Estimated Attendance:	1000	Number of Vehicles:	8-10
Will Event Fee Be Charged?	Y or <input checked="" type="radio"/> N	Event Fee Amount: (if applicable)	—
Product Sales on Site:	Y or <input checked="" type="radio"/> N	Amplified sounds: (a noise waiver may be required)	<input checked="" type="radio"/> Y or N
Tent and/or canopy:	Y or <input checked="" type="radio"/> N Qty. _____	Inflatables: (valid State of Iowa permit required)	Y or <input checked="" type="radio"/> N Qty. _____
Access to water:	Y or <input checked="" type="radio"/> N	Access to electricity:	<input checked="" type="radio"/> Y or N
Alcoholic Beverages: <small>(must obtain Iowa Beverage Permit with outdoor services & area of alcohol must be fenced off)</small>	Y or <input checked="" type="radio"/> N	Portable Toilets: <small>*(1 toilet for every 250 people est.)</small>	Y or <input checked="" type="radio"/> N Qty. _____
Street Closure:	<input checked="" type="radio"/> Y or N Qty. <u>2</u>	On Street Parking Closure:	Y or <input checked="" type="radio"/> N Qty. _____

- ① 2nd St. from Van Dorn through Broadway } 4-10pm
 ② Broadway from 1st St. through 2nd St.

Event Description: (describe activities)

Light Up Polk City will be a holiday celebration on the square. Activities will include square lighting, horse drawn "sleigh" rides, characters, music, demonstrations, food, firepits, and santa!

Information about temporary structures: (stage, tables, inflatables, etc.; include location(s) on the site plan illustration)

Local business and social group demonstrations will be located on 2nd St. closure.

Barricades Required:	Qty. <u>8</u>	Security on site:	Y or N
Traffic Control:	Y or N	Emergency Services:	Y or N

Street or parking closures require barricades/setup & removal by maintenance staff. Applicant will be billed at a rate of \$115/hour per staff person/equipment. * fees waived for 501(c)(3) and block party requests

Security Services are available if the need is anticipated during the event.

Events serving alcohol will require Law Enforcement Officers to be on-site at each entrance/exit during said event and events interfering with non-participating vehicle traffic will require crowd/traffic control by a Law Enforcement Officer at each location. Applicant will be billed at a rate of \$40/hour per officer.

Emergency Services are available if the need is anticipated during the event.

Events requesting first aid stations will require a gator & stand-by staff at each location. Applicant will be billed at a rate of \$50/hour per staff personnel/equipment

Events requesting ambulance on site will require stand-by staff with equipment. Applicant will be billed at a rate of \$75/hour per for ambulance and \$23.22/hour per staff personnel

Events requesting firetruck protection on site will require stand-by staff with equipment. Applicant will be billed at a rate of \$300/hour for 4 personnel/equipment.

Additional Remarks:

Applicant understands and agrees that by submitting this application to the City, applicant certifies the information provided is true and correct, and that false information may be grounds for denial of this application. In addition to the City's approval, applicant is responsible to obtain any additional permits or approvals required by State or Federal regulations applicable to the Special Event. Further, it is understood, that the activities at all times during the event shall comply with all City, State and Federal laws, ordinances and regulations. The City reserves the right to impose special guidelines and restrictions based on the nature of the proposed event and its attendant circumstances.

Signature and Title of Applicant: _____

Date: 11 / 7 / 22

✓ If Provided

✓	Site Plan Illustration
N/A	Certificate of Insurance with City of Polk City named as certificate holder; general liability in the amount of \$2,000,000 per incident/\$3,000,000 aggregate
✓	Application fee plus any other applicable fees

OFFICIAL USE ONLY:

Department approvals:

Fire Chief: _____ Police Chief: GM
Public Works Director: _____ City Manager: _____
Parks & Rec Director: JT



Map data ©2021, Map data ©2021 20 ft

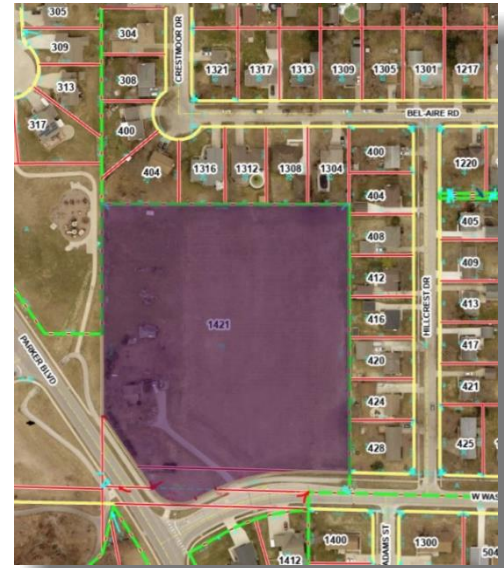
→ Santa in bandstand

PETITION FOR REZONING TO P.U.D.

Date: November 7, 2022 Prepared by: Kathleen Connor
Travis D. Thornburgh, P.E.
Project: Leonard Senior Living Project No.: 122.1349.01
Rezoning & PUD Master Plan

GENERAL INFORMATION:

Property Owner: Clifford Leonard
Applicant: Maven Crux Development
Area: 6.044 Acres
Current Zoning: R-1 Single Family Detached Residential District
Requested Zoning: P.U.D
Existing Land Use: Single Family Residential
Future Land Use: Low Density Residential (1-4 Dwelling Units/Acre)
Requested Future Land Use: High Density Residential (8-24 Dwelling Units/Acre)



BACKGROUND:

The subject parcel is shown in purple above. This property contains one existing home, built in 1905, on a large lot which leaves the bulk of the lot vacant. When Polk City later adopted zoning regulations, the parcel was zoned to R-1 residential. The owner is now interested in selling his property for development purposes.

PETITION TO REZONE TO P.U.D.

On behalf of Clifford Leonard, Maven Crux Development has submitted a Petition for Rezoning of the subject property from R-1 to P.U.D. The purpose of this request is for development of a senior living facility. While such facilities are permitted in the R-3 zoning district, the developer believes PUD zoning will better accommodate the variety of dwelling types and uses being proposed as part of this development in this location adjacent to an established residential neighborhood. In addition, a PUD will allow more efficient use of the available land by reducing parking requirements to better reflect the actual anticipated traffic loading of the intended residents.

The applicant has obtained consent to the proposed rezoning from the owners of 53.4% of the area contained within the 250' buffer surrounding the proposed rezoning. The City Clerk will provide notice of the public hearing, the date of which has not yet been set by Council.

PROJECT DESCRIPTION:

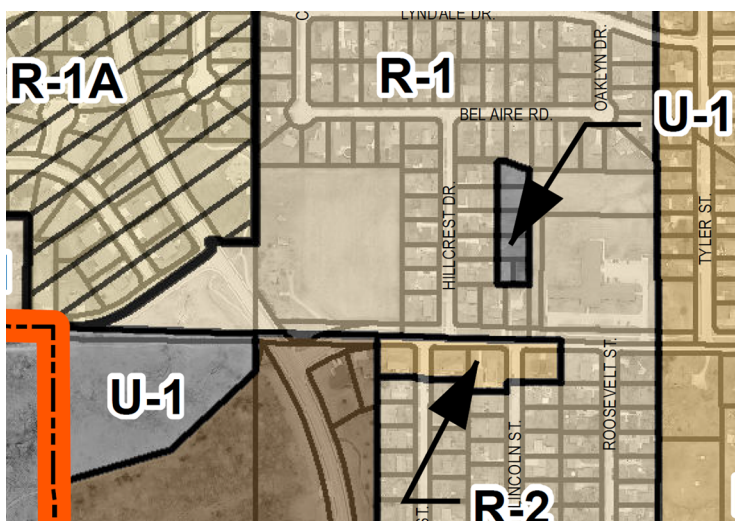
Maven-Crux Development intends to construct a Senior Living Center, with various levels of care. The developer plans for the center to include three connected buildings that together will include approximately 33 independent living units, 51 assisted living units, and 42 memory care units along with common facilities that will be used by residents and their guests. Each of these care levels will offer multiple floor plans, with a variety of unit sizes. The common facilities will be located in the Town Center building and will offer amenities such as the primary kitchen and dining facilities, multi-purpose gathering spaces, offices, mail delivery, maintenance, and other related uses. The Master Plan indicates the planned location for parking, including underground parking, and a fire apparatus road that will also serve as a recreational trail that will connect to Leonard Park and the Neal Smith Trail. Landscape buffers will be planted along the north and east boundaries of the development and parkway trees will be planted along Parker Boulevard.

COMPREHENSIVE PLAN:

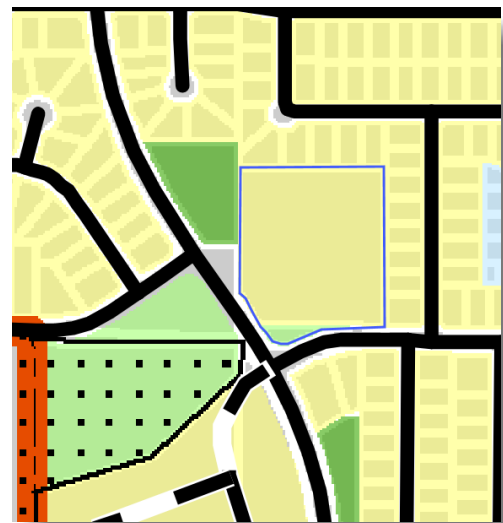
The provision of additional housing options was identified in the Comprehensive Plan and City Staff as a needed area of growth in the City of Polk City. There appears to be a need for senior living options within the city.

The current zoning and existing and future land use of the properties surrounding the area proposed to be rezoned are as follows:

<u>Adjacency</u>	<u>Zoning</u>	<u>Existing Land Use</u>	<u>Future Land Use</u>
Southwest (SW)	R-1 & U-1	Open Space	Open Space
Northwest (NW)	R-1A	Leonard Park	Parks and Recreation
North (N)	R-1	SF Residential	Low Density Residential
East (E)	R-1	SF Residential	Low Density Residential
South (S)	PUD & R-2	SF Residential	Low Density Residential



Zoning Map Excerpt



Future Land Use Plan Excerpt

A Comprehensive Plan Amendment will be required prior to approval of the rezoning to PUD since the proposed use of this lot exceeds the maximum density for low density residential use of four (4) dwelling units per acre. The conceptual layout for the PUD Master Plan shows 20.8 dwelling units per acre. As a result, the Future Land Use Plan would need to be amended to designate this parcel as a High Density Residential used, intended for use in districts with 8-24 dwelling units per acre, prior to rezoning this parcel to PUD for the senior living center.

P.U.D. MASTER PLAN & RESTRICTIONS:

As required for all P.U.D. rezonings, the developer has provided a P.U.D. Master Plan for this development. The master plan shows construction a large, senior living center intended to contain 126 dwelling units of various care levels. The facility would provide a continuum of care, including Independent Living, Assisted Living, and Memory Care. The assisted and independent living units will be in a 3-story, 94,386 sq. ft. building on the west side of the site. The 1-story, 30,271 sq. ft. memory care building will be on the east side of the site. Between these buildings will be a 18,700 sq. ft. 1-2 story building for common uses, referred to as the Town Center. The three buildings are interconnected with enclosed breezeways. The developer has provided conceptual architectural elevations to demonstrate the character of the building, including pitched rooflines with gables to soften the mass of the building and a combination of brick and stone veneers to enhance the horizontal lap siding.

The master plan calls for a fire apparatus road that also serves as a recreational trail. The plan calls for removable bollards at each end of this trail to restrict non-emergency vehicular traffic on this pavement. The existing type, size, and quantity of these bollards will be determined by the City at the time of site plan approval. City Staff will also provide additional fire truck information at the time of site plan review to ensure that the fire lane is appropriately designed to accommodate emergency services.

There is an existing paved recreational trail along the entire street frontage of this lot. Prior to site plan or plat approval staff will review the need for a Petition & Waiver for reconstruction of this as a PCC trail, along with the need for easements where the trail encroaches on private property.

The P.U.D. Master Plan, and future Ordinance, include the following stipulations:

- a. The proposed setbacks shall be a 30' front yard along W. Washington Street and Parker Blvd., 40' yard on the north and east sides of the lot, and 12.5' side yard on the west side adjacent to the park. For comparison, the R-3 district requires a of 30' front yard, 40' rear yard (east), and 12.5' side yard (north).
- b. A Type 'B' semi-opaque landscape buffer shall be provided within a 20' wide easement on the north and east property lines to provide screening for existing R-1 zoning districts. For comparison, the R-3 district requires a Type "A" open screen within a 20' easement abutting R-1 properties.
- c. The south and west sides of the 3-story independent/assisted living building will be 30% brick (or acceptable alternative) and the north and east will be 15% brick. The south elevation of the 1-2 story Town Center will be 30% brick and the north elevation of this building will be 15% brick, while the less visible east and west sides would not be required to have any brick. All elevations of the 1-story Memory Care building will be 15% brick. For

comparison purposes, Code requires all R-3 residential buildings with more than 4 dwelling units to be 30% brick on the facades facing public streets, but there is no requirement for brick on other facades.

- d. Pursuant to discussion at the last P&Z meeting, the developer agreed to increase the proposed visitor parking stalls to one per ten units. The parking requirements for this use shall be based on:

Parking Regs	Proposed		Per Zoning Code (2 bedrooms/unit, max)	
	Requirement	Stalls	Requirement	Stalls
Independent Living (33 units)	1 stall/unit	33	1.25 stalls / unit + 1 garage stall / unit + 1 visitor stall / 5 units	81
Assisted Living (51 units)	0.5 stalls/unit	25	1 stall / 2 units + 1/on-duty staff member	35
Memory Care (42 units)	1 stall/staff @ max shift	30	3 stalls/5 beds	26
Visitor Parking (126 total units)	1 stall/10 units	13		
Total Stalls	Per Master Plan	101	Per Code	142
Stalls Provided	Per Master Plan	105		
Garage	<i>Included in above total</i>	55	<i>Included in above total</i>	33

Following the Polk City Planning & Zoning meeting on October 17, staff reviewed parking requirements for this facility as if it were to be proposed in several other Des Moines Metropolitan Area cities. Included in the packet are the findings of that review for P&Z's consideration.

Based on the findings summarized in the attached memo, city staff is in agreement that parking requirements for Assisted Living facilities in Polk City are comparably high to other Des Moines Metropolitan Area communities. City staff will review this code requirement and a proposed change to this section of Polk City's code will placed on a future City Council agenda.

- e. In addition to the above-described parking, the developer proposes use of off-site parking and a shuttle service to provide additional parking accommodations for particularly busy days, planned events, and holidays at the facility. The owner would contact a local church or business to rent their parking lot and provide a shuttle service from that remote parking to the proposed facility. The developer has used a similar at other facilities they own and manage with great success.
- f. The parkland dedication shall be fulfilled by a fee that is equivalent to the fair market value of the land, based on 360.851 square feet of land per dwelling unit. The fair market value will be determined by the City Manager when the property is platted. City staff has discussed the

possibility of the developer installing a previously planned parking lot at Leonard Park, with the actual cost of the parking lot being credited against the required parkland dedication fee.

- g. This property shall be platted in accordance with the Subdivision Regulations prior to Site Plan approval.
- h. The PUD area is 6.04 acres. Per Code, Council may waive the requirement for PUD's to be a minimum of 10 acres due to site constraints. From staff's perspective, waiving the 10-acre minimum seems reasonable given the developed nature of the area surrounding this largely undeveloped lot.

REVIEW COMMENTS:

All of staff's review comments on the rezoning and PUD Master Plan have been addressed, with the exception of revising the proposed visitor parking stalls requirement to one stall per 10 units which results in 13 visitor parking stalls and a total of 101 stalls required for the facility. This item will be updated prior to presentation of this project to City Council, along with updates following P&Z's recommendation.

The proposed regulations and restrictions for the Leonard Senior Living PUD are included in the "P.U.D. Master Plan & Restrictions" section above.

RECOMMENDATION ON COMPREHENSIVE PLAN AMENDMENT:

At their meeting, the Planning & Zoning Commission should make a recommendation to City Council on the proposed amendment to the Comprehensive Plan's Future Land Use Plan which would change the future land use for the subject property from low density residential to high density residential, based on one of the following options:

- A. Approve the applicant's request to amend the future land use of the subject area to high density residential use.
- B. Deny the applicant's request to amend the future land use of the subject area to high density residential use.
- C. Approve the applicant's request to amend the future land use of the subject area to high density residential use, subject to certain modifications or restrictions as specified in P&Z's recommendation(s).

RECOMMENDATION ON REZONING:

Based on prior approval of the above Comprehensive Plan amendment, the Planning & Zoning Commission should also make a recommendation to City Council regarding the proposed rezoning for the subject property from R-1 to PUD, based on one of the following options:

- A. Approve the applicant's request to rezone their property to Planned Unit Development (PUD) as presented, subject to the following:
 - 1. Approval of the associated PUD Master Plan, including the above-described stipulations, in conjunction with the rezoning.
 - 2. Council waiver of 10-acre minimum requirement for PUD District.

3. Payment of all professional billings to the City of Polk City.
- B. Deny the applicant's request to rezone their property to Planned Unit Development (PUD) as presented.
 - C. Approve the applicant's request to rezone their property to Planned Unit Development (PUD) subject to certain revisions to the Master Plan and/or the above-described stipulations or additional restrictions as specified in the P&Z's recommendation, provided the applicant agrees to said amended recommendation(s).

RESOLUTION NO. 2022-143

**A RESOLUTION SETTING A PUBLIC HEARING ON AMENDING THE 2016
POLK CITY COMPREHENSIVE PLAN BY UPDATING THE FUTURE LAND
USE MAP**

WHEREAS, City Council has deemed it necessary to update the Future Land Use Plan in the 2016 Polk City’s Comprehensive Plan by revising the future land use designated in the vicinity of Parker Boulevard and W. Washington Street from low density residential use to high density residential use; and

WHEREAS, on November 10, 2022, the Planning & Zoning Commission meet in Special Session and recommended City Council approval of an amendment to the Future Land Use designated Polk City’s Comprehensive Plan’s Future Land Use Plan as shown on the attached Exhibit “A”; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Polk City, Iowa, hereby orders a public hearing and notice thereof to be held on November 28, 2022, at 6:00 p.m. in the City Hall Council Chambers, Polk City, Iowa, on amending the Polk City Comprehensive Plan by revising the Future Land Use in the vicinity of Parker Boulevard and W. Washington Street from low density residential use to high density residential use.

BE IT FURTHER RESOLVED, the City Council authorizes the City Clerk to publish notice of such hearing at the time and in the manner required by the law.

PASSED AND APPROVED this 14 day of November 2022.

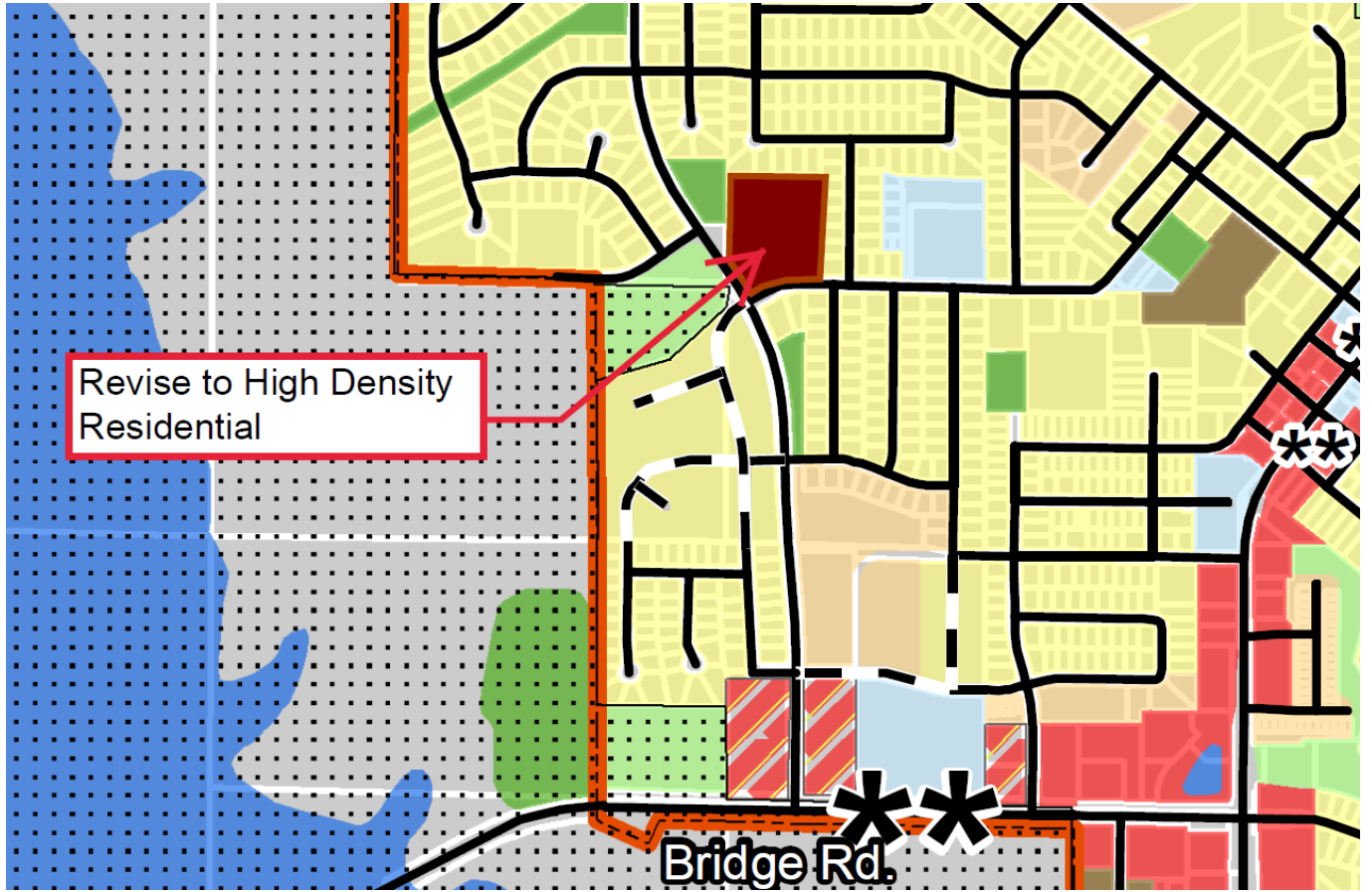
Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

EXHIBIT 'A'

Proposed Amendment to the Polk City Comprehensive Plan's approved Future Land Use Plan



RESOLUTION NO. 2022-144

**A RESOLUTION SETTING A PUBLIC HEARING ON THE PROPOSED REZONING OF
PROPERTY LOCATED AT 1421 W WASHINGTON AVE FROM R-1 SINGLE FAMILY
DETACHED RESIDENTIAL TO PUD PLANNED UNIT DEVELOPMENT**

BE IT RESOLVED, that the City Council of the City of Polk City, Iowa, hereby orders a public hearing and notice thereof to be held November 28, 2022 at 6:00 p.m. at the City Hall Council Chambers in Polk City, Iowa, on the proposal to rezone property located at 1421 W Washington Avenue and legally described as follows:

Rezoning a parcel containing 6.044 acres from the zoning classifications of R-1 Single Family Detached Residential District to PUD Planned United Development District:

THAT PART OF LOTS 13 AND 17, THE OFFICIAL PLAT OF THE NORTH HALF OF SECTION 2, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE FIFTH PRINCIPAL MERIDIAN, AN OFFICIAL PLAT IN THE CITY OF POLK CITY, POLK COUNTY, IOWA, LYING NORTH OF THE CENTERLINE OF W WASHINGTON AVENUE AND EAST OF THE CENTERLINE OF PARKER BOULEVARD.

ALL CONTAINING 6.044 ACRES MORE OR LESS.

The Clerk shall publish notice of such hearing at the time and in the manner required by law.

Passed and approved this 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Resolution approving Offer to Purchase Real Estate and Acceptance

BACKGROUND: The City has reached an agreement with Shirley Reynolds for the purchase of 314 S. 3rd Street. For the Council's consideration on Monday is a purchase agreement for that property. The purchase agreement outlines that the City is offering to buy the property for \$220,000 plus allowing the current owner to remain in the home until August 1, 2023.

ALTERNATIVES: Do not approve the purchase agreement.

FINANCIAL CONSIDERATIONS: The financial considerations are \$220,000 and are all-inclusive.

RECOMMENDATION: It is my recommendation that the Council approve the purchase agreement for 314 S. 3rd Street.

RESOLUTION NO. 2022-141

**A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE
LOCATED AT 314 S. 3RD STREET FOR PUBLIC SAFETY FACILITY PROJECT**

WHEREAS, the City Council of the City of Polk City has determined the City has need for a new Public Safety Facility (“Project”);

WHEREAS, the City has determined the properties needed to construct the Project;

WHEREAS, the real estate owned by Richard Sweet and located at 314 S. 3rd Street is needed for the Project;

WHEREAS, an agreement has been negotiated with Mrs. Reynolds to purchase the real estate;

WHEREAS, the real estate Purchase Agreement is attached hereto as Exhibit “A”;
and

WHEREAS, it is in the best interest of Polk City to enter into said Purchase Agreement.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Polk City hereby approves the real estate Purchase Agreement attached as Exhibit “A” to purchase the real estate located at 314 S 3rd Street, in the amount of \$220,000 plus allowing the current owner to remain in the home until August 1, 2023.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Purchase Agreement and other documents needed to complete the transaction and the City staff is authorized to complete the transaction on behalf of the City.

PASSED AND APPROVED the 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

WHEN RECORDED RETURN TO:

Amy S. Beattie
6701 Westown Parkway, Suite 100
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

OFFER TO PURCHASE REAL ESTATE AND ACCEPTANCE

TO: Shirley M. Reynolds, PO Box 12, Polk City, IA 50226-0012

The City of Polk City, a municipal corporation of the State of Iowa (hereinafter referred to as the "City") acting by and through its authorized agent who is the undersigned, hereby offers to purchase the real estate situated in Polk County, Iowa, locally known as 314 S 3rd Street, Polk City, Iowa 50226 and which is legally described as:

The South East One Half of Lot 4, Block 18, Polk City, Polk County, Iowa.

Which property is also described and depicted on the plat attached hereto as Exhibit "A" (hereinafter referred to as the "Property"), together with any easements and servient estates appurtenant thereto, buildings and improvements.

1. PURCHASE PRICE.

City offers to buy said Property for the total purchase price:

Fee Acquisition	\$220,000.00
Total	\$220,000.00

payable in full immediately after delivery of the Deed to the City and acceptance thereof by the City Council of the City of Polk City.

The Seller understands and agrees that the Purchase Price includes all reasonable moving expenses and related relocation expenses to be incurred by the Seller.

2. TITLE AND POSSESSION.

The Seller shall deliver legal title for the Property by Warranty Deed prior to full payment by the City of the purchase price. The Seller shall surrender possession of the Property no later than the date of closing which shall occur on November 15, 2022.

3. DEED.

The Seller shall convey title by Warranty Deed, with terms and provisions as per form approved by the City, free and clear of liens and encumbrances, including leasehold interests and leasehold claims, reservations or modifications except as in this instrument otherwise expressly provided. All warranties shall extend to time of closing, with special warranties as to acts of the Seller up to time of delivery of deed.

4. ABSTRACT AND TITLE.

Seller shall promptly provide Seller's abstract of title to the City for continuation and examination at the City's expense. Seller's abstract of title shall show marketable title in conformity with this agreement, the land title law of the State of Iowa and the Iowa Land Title Standards of the Iowa State Bar Association.

5. STATUS QUO MAINTAINED.

The Seller will preserve the Property in its present condition as of the date of this Offer and will deliver it intact at the time possession is given; in case of loss or destruction of part or all of said premises from causes covered by insurance, the City agrees to accept such insurance recovery (proceeds to be applied as the interests of the parties appear) in lieu of that part of the damaged or destroyed improvements and the Seller shall not be required to repair or replace same.

6. SPECIAL ASSESSMENTS AND UTILITIES.

The Seller shall pay all special assessments which are a lien on the date of closing, including but not limited to water, sewer rental and solid waste charges which were incurred prior to the closing date.

7. TAXES.

- A. The Seller shall pay all real estate taxes for the Property that are due and payable as of the date of closing, including any unpaid real estate taxes for prior years, as they come due.
- B. The Seller shall pay real estate taxes for the fiscal year in which closing occurs that are due and payable in the subsequent fiscal year.

8. RIGHT OF ENTRY

The Seller hereby grants the City, its officers, agents, employees and independent contractors, the right to enter upon and access the Property Interests at reasonable times upon reasonable notice, oral or written, from time to time after the date the City submitted its offer to the Seller for the purposes of inspecting and testing the Property where the

Property Interests are to be acquired, to begin construction of the public improvements and for other purposes consistent with the City's interest under this Agreement. The City agrees to defend, indemnify and hold harmless the Seller from any liability and expense, including reasonable attorney's fees, that result from the exercise by the City of its right of entry onto the Property Interests prior to Closing.

9. TIME IS OF THE ESSENCE.

Time is of the essence of this Agreement.

10. COUNCIL APPROVAL.

This contract is subject to the approval of the City Council of the City of Polk City, Iowa, and neither the City nor its representatives in this matter shall be bound by the contract until said approval is given and is public record.

11. PURPOSE OF ACQUISITION / EXERCISE OF THE POWER OF EMINENT DOMAIN.

The parties acknowledge and agree that the City is acquiring the Property subject of this Offer for the City Services Building Project. The parties further acknowledge and agree that the City has the authority, under Chapters 6A and 6B of the Iowa Code, to exercise the power of eminent domain to acquire property for said project, and that the City could have acquired the Property by condemnation, should the Seller have declined this Offer.

PRESENTED ON BEHALF OF THE CITY OF POLK CITY ON THE 26th DAY OF OCTOBER 2022.

BY: _____
Amy S. Beattie, City Attorney

SELLER: ACCEPTED BY THE SELLER ON THE _____ DAY OF _____, 2022:

Shirley M. Reynolds

STATE OF IOWA, POLK COUNTY, ss:

On this ____ day of _____, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Shirley M. Reynolds, to me known to be the person named in and who executed the foregoing instrument to which is attached; and acknowledged that she executed the instrument as their voluntary act and deed.

Notary Public in and for the State of Iowa

BUYER: APPROVED AND ACCEPTED BY THE CITY OF POLK CITY ON THE 14th DAY OF NOVEMBER, 2022.

Attest: _____
Jenny Coffin, City Clerk

By: _____
Steve Karsjen, Mayor

STATE OF IOWA)
) ss.
COUNTY OF POLK)

On this 14th day of November, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steve Karsjen and Jenny Coffin, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Polk City, Iowa; that the instrument was signed on behalf of the corporation, by authority of its City Council, as contained in Roll Call No. _____ passed and approved by the City Council on the 14th day of November, 2022, and that Steve Karsjen and Jenny Coffin acknowledged the execution of the instrument to be the voluntary act and deed of said City by it and by them voluntarily executed.

Notary Public in and for the State of Iowa



City of Polk City, Iowa City Council Agenda Communication

Date: November 14, 2022
To: Mayor, City Council, & City Manager
From: Karla Hogrefe – Fire Chief
Subject: Automatic Aid Agreement with Ankeny FD – Change of Quarters

BACKGROUND: The City of Polk City has had an Automatic Aid agreement with the Ankeny Fire Department since March 1, 2010. As services and staffing has changed, this agreement has been revised. The last revision was April 20, 2022. Both parties recently met and agreed that the agreement should continue, but the change of quarters section should be removed. The change of quarters section stated: “that in the event either City depleted their resources or ability to respond to an additional EMS call, a request should be made for a change of quarters.” Polk City has been called for a change of quarters 210 times so far this year and 196 times last year. This takes an ambulance out of our city and there have been too many close calls where our ambulance has been needed in town while it was either on a change of quarters call, or just coming back from one. I believe we owe it to the residents of Polk City to be available to serve them, therefore I am requesting the removal of EMS change of quarters to Ankeny.

ALTERNATIVES: Keep the agreement as is.

FINANCIAL CONSIDERATIONS: The agreement stated that the department requesting the change of quarters shall be reimbursed \$100 per event. With this removed, we will no longer receive this reimbursement.

RECOMMENDATION: Approve the attached revised Automatic Aid Agreement with the City of Ankeny, removing EMS change of quarters. The Ankeny Fire Chief will be bringing to the Ankeny City Council for approval on November 21, 2022. See attached updated agreement.

RESOLUTION NO. 2022-142

**A RESOLUTION APPROVING AN UPDATED AUTOMATIC AID AGREEMENT
BETWEEN THE POLK CITY FIRE DEPARTMENT AND THE ANKENY FIRE
DEPARTMENT**

WHEREAS, the Polk City Fire Chief and the Ankeny Fire Chief have in place an Automatic Aid Agreement for the two communities; and

WHEREAS, the new agreement will remove EMS change of quarters and associated reimbursements; and

WHEREAS, the new agreement is in the form attached hereto as Exhibit “A”

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Polk City, Iowa, that the updated Automatic Aid Agreement in the form attached hereto as Exhibit “A”, is hereby approved; and

FURTHER, BE IT RESOLVED, that the Mayor and City Clerk are hereby authorized to execute said Agreement on behalf of the City of Polk City, Iowa.

DATED this 14th day of November 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

AUTOMATIC AID AGREEMENT

This AUTOMATIC AID AGREEMENT ("Agreement") is entered into this 1st day of July 2022 by and between the City of Ankeny and the City of Polk City, Iowa.

AUTOMATIC AID

1. Situations Where Aid is Provided. All calls for fire and emergency medical services within the defined automatic aid agreement area shall result in an automatic, simultaneous response from both the Polk City and Ankeny Fire Departments. To accomplish this, the Polk County Emergency Communications Center shall simultaneously dispatch both the Polk City and Ankeny Fire Departments. This automatic aid Agreement shall be in effect 24 hours a day, seven days a week.

2. No Reimbursement for Costs. No party in this Agreement shall be required to reimburse any other party for the cost of providing the services set forth in the Automatic Aid sections of this Agreement. Each party shall pay its own costs for responding to the Emergency Incidents as described in said sections of this Agreement.

PARAMEDIC TIERED RESPONSE

Under this Agreement either fire department may provide paramedic level tiered response or ambulance transport when requested. The transporting service shall bill the patient for every patient transport. Both Ankeny and Polk City will maintain compliance with all applicable reimbursement laws.

1. Request for Tiered Response. Requests for a tiered response shall be made through the Polk County Emergency Communications Center.
2. Responsibility. Ankeny and Polk City shall maintain responsibility for the actions of its own personnel when functioning under the direction of a paramedic-qualified employee of either department as long as the direction provided does not violate the Iowa Department of Public Health, Bureau of EMS, Scope of Practice for EMS Providers or applicable law.
3. Ambulance Transport. Ambulance transport shall be provided by the fire department responsible for the address where the patient is located when available.

4. Payment. When Paramedic Tiered Response Service is provided the fire department requesting the tier shall reimburse the tiering agency a sum of \$200.00 per event. When possible, disposable supplies shall be provided by the transporting service.

PARAMEDIC INTEROPERABILITY

Each department has developed Standard Operating Procedures approved by the department's medical director that allow paramedic qualified personnel to utilize either services patient care equipment including the monitor/defibrillator, intravenous and pharmacy supplies while functioning under their own department protocols.

AUTOMATIC AID ENGINE COMPANY AND CHIEF OFFICER RESPONSE

As part of this Agreement, both Ankeny and Polk City will respond (when available) with a staffed engine company and Chief Officer to all reported or confirmed structure fires at locations within all the fire districts serviced by both Ankeny and Polk City. The dispatch of an engine company and Chief Officer will be made with the initial dispatch to the reported fire by the Polk County Emergency Communications Center.

PERSONNEL AND EQUIPMENT

The Polk City Fire Chief and the Ankeny Fire Chief shall establish a response plan regarding the deployment of personnel and equipment in responding to Emergency Incidents under this Agreement. In virtually all cases, responses will be consistent with the established Polk County Tiered Emergency Assets Management System (TEAMS) response cards. Any other required personnel and/or equipment will be determined by the incident Commander in his or her sole discretion. If first arriving responders determine that they can handle the incident with their own available resources, then they shall return the still responding units to their home city as quickly as possible.

LIABILITY/INDEMNIFICATION

Each party waives all claims against the other party for compensation for any property loss or damage, and/or personal injury or death occurring as a consequence of the performance of this Agreement. Each party shall bear the liability and/or cost of damage to its equipment and the death of, or injury to, its personnel, whether the death, injury or damage occurs at an emergency within the described boundary. To the extent allowed by law, each city shall indemnify, defend and hold harmless all other parties for damages, claims, demands, suits, judgments, costs and expenses arising from loss of or damage to private property and/or the death of or injury to private persons whether caused by either

department responding within the parameters of this Agreement. Provided, however, nothing contained herein shall expand the immunity of a party granted to it by law.

Each party waives all claims against the other party for compensation for any property loss or damage, and/or personal injury or death occurring as a consequence of any negligent acts, conduct, instructions or commands given by the individual that assumes command (Incident Commander) at any Emergency Incident. This provision shall not apply to any acts, conduct, instructions or commands given by an officer in the capacity of Incident Commander, which are later determined at any time to have been grossly negligent, willful, wanton or reckless.

TERMINATION

Either party may withdraw from this Agreement by giving sixty (60) days written notice to the other party by certified mail.

PRIOR AGREEMENTS

This Agreement supersedes any other previous Agreements, either written or verbal, that may have existed to define the response of the two fire departments in this area.

CITY OF ANKENY, IOWA

Mark Holm, Mayor

Attest:

Michelle Yuska, City Clerk

CITY OF POLK CITY, IOWA

Steve Karsjen, Mayor

Attest:

Jenny Coffin, City Clerk



City of Polk City, Iowa

City Council Agenda Communication

Date: October 21, 2022
To: Mayor & City Council
From: Chief Jeremy Siepker
Subject: Amend Chapter 75 – ATV's

BACKGROUND: In July 2022 the State of Iowa amended Code chapters 321I and 321G allowing operation of ATV's (all-terrain vehicles) and ORV's (off-road utility vehicles) to be operated on county roadways. The Polk City Municipal Code has not allowed the use of ATVs or ORVs on streets and roadways within the city limits for years. The amendments proposed to our current Chapter 75 ATV ordinance would change the language to reflect a continuation of not allowing the use of ATVs within the city limits of the City of Polk City.

ALTERNATIVES: Do not approve the proposed changes to Municipal Code Chapter 75.

FINANCIAL CONSIDERATIONS: There are no financial considerations in the proposal.

RECOMMENDATION: It is my recommendation that the Council approves the proposed changes to Code Chapter 75 and continue to not allow the use of ATV's or ORV's within the city limits of Polk City.

ORDINANCE NO. 2022-2400

**AN ORDINANCE TO AMEND CHAPTER 75, POLK CITY MUNICIPAL CODE,
REGARDING THE USE OF ALL TERRAIN VEHICLES AND OFF-ROAD UTILITY
VEHICLES WITHIN THE CITY**

WHEREAS, the State has amended Iowa code chapters 321I and 321G of the Iowa Code to allow for the use of all-terrain vehicles (ATV) and off-road utility vehicles (ORV) on county roadways as more particularly provided in those amended state code chapters; and

WHEREAS, Polk City Municipal Code has not allowed the use of ATVs and ORVs on streets and roadways within the city limits for many years; and

WHEREAS, the recent state amendments to Iowa Code chapters 321I and 321G necessitate updating the language of the Polk City Municipal Code to avoid ambiguity in the interpretation and enforcement of the City Code and consistent with Iowa law; and

BE IT THEREFORE ORDAINED by the City Council of the City of Polk City:

Section 1: Chapter 75.02, Polk City Municipal Code, should be and the same is hereby amended by adding the following new subsection:

5. “City Street” means all highways, streets, roads, primary and secondary road extensions, whether paved or unpaved, within the City limits.

Section 2: Chapter 75.05(1), Polk City Municipal Code, should be and the same is hereby repealed and enacted in lieu thereof is as follows:

§75.05(1) 1. City Streets. ATVs and off-road utility vehicles shall not be operated on City Streets.

Section 3: Chapter 75.05(6)(E), Polk City Municipal Code, should be and the same is hereby repealed and enacted in lieu thereof is as follows:

§75.05(6)(E) The crossing is made from a street, roadway, or highway on which the all-terrain vehicle is authorized to operate to a street, roadway, or highway on which the all-terrain vehicle is authorized to operate.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the

ordinance as a whole or any section, provisions or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED by the Council this ____ day of _____ 2022.

Steve Karsjen, Mayor

Attest:

Jenny Coffin, City Clerk



City of Polk City, Iowa

City Council Agenda Communication

Date: November 14, 2022 City Council Meeting
To: Mayor Steve Karsjen & City Council
From: Chelsea Huisman, City Manager

Subject: Third Reading of Ordinance 2022-2300 rezoning Holly Woods from R-2 to R-1, Single Family Residential

BACKGROUND: The City Council will have the third and final reading for a requested rezoning on the Holly Woods development on Monday evening. The Holly Woods plat was approved by the City Council on August 22, 2022. As part of that review and approval process, the City Council approved the plat subject to the developer requesting approval of a clean-up rezoning. This rezoning petition has been reviewed by the P&Z Commission, with a recommendation to the City Council to approve.

The clean-up is relative to the northwest corner of Lot 1, which includes a small area that is currently zoned R-2A and also a larger area which is zoned R-2. This re-zoning petition is to re-zone the entire Holly Woods lot to R-1.

ALTERNATIVES: Do not approve

FINANCIAL CONSIDERATIONS: There are no financial considerations for this proposed re-zoning change.

RECOMMENDATION: It is my recommendation that the Council approve the re-zoning request.

ORDINANCE NO. 2022-2300

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA, BY REZONING PORTIONS OF THE LILLSKAU PROPERTY LOCATED WEST OF NW 44TH STREET, POLK CITY, IOWA TO INCLUDE 0.97 ACRES FROM ZONING CLASSIFICATION OF R-2 ONE AND TWO-FAMILY RESIDENTIAL AND R-2A TOWNHOME RESIDENTIAL TO A ZONING CLASSIFICATION R-1 SINGLE FAMILY DETACHED

WHEREAS, on the 19th day of September 2022, the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that the property legally described as:

THAT PART OF OUTLOT X, WHITE PINE PRAIRIE PLAT 1, AN OFFICIAL PLAT, LOCATED IN POLK CITY, POLK COUNTY, IOWA; AND THAT PART OF THE SOUTH 601.5 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 07, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH 601.5 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 07; THENCE NORTH 00 DEGREES 34 MINUTES 17 SECONDS EAST, A DISTANCE OF 416.54 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 34 MINUTES 17 SECONDS EAST, A DISTANCE OF 517.32 FEET; THENCE SOUTH 47 DEGREES 10 MINUTES 01 SECONDS EAST, A DISTANCE OF 137.27 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 43 SECONDS WEST, A DISTANCE OF 13.57 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES 13 SECONDS WEST, A DISTANCE OF 425.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 43 SECONDS WEST, A DISTANCE OF 88.03 FEET, TO THE POINT OF BEGINNING.
CONTAINING 0.97 ACRES MORE OR LESS.

be considered for rezoning from zoning classification of R-2 One and Two-Family Residential and R-2A Townhome Residential to a zoning classification R-1 Single Family detached Residential; and

WHEREAS, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY, IOWA:

Section 1: That the Municipal Code of the City of Polk City, Iowa, be and is hereby amended by rezoning the 0.97 acres from R-2 One and Two-Family Residential and R-2A Townhome Residential to a zoning classification R-1 Single Family detached Residential.

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ of _____ 2022.

Steve Karsjen, Mayor

ATTEST:

Jenny Coffin, City Clerk

First Reading:
Second Reading:
Third Reading:
Date of Publication by posting



Date November 3, 2022

To: Chelsea Huisman
 City of Polk City
 P.O. Box 426
 Polk City, IA 50226-0426

INVOICE SUMMARY - SEPTEMBER SERVICES

Services from September 1, 2022 through September 30, 2022

GENERAL ENGINEERING

<u>Meetings</u>	122.0001.01	\$	650.00
<i>Council and P&Z Meetings, City staff meetings, and meetings with developers and developer's engineers.</i>			
<u>Development and Building:</u>	122.0001.01	\$	1,100.00
<i>Coordination with developers, engineers, building inspector, and staff regarding various potential and ongoing projects, and building permits.</i>			
<u>Water Dept:</u>	122.0001.01	\$	125.00
<u>Sanitary Sewers:</u>	122.0001.01	\$	50.00
<u>Storm Sewers:</u>	122.0001.01	\$	50.00
<i>View videos and prepare Memo re: drainage issues on Oakwood Drive.</i>			
<u>Street Dept.</u>	122.0001.01	\$	500.00
<i>Update exhibits for TAP application; and coordinate with Chelsea Huisman re: improvements to street lights and electrical system at City</i>			
<u>General:</u>	122.0001.01	\$	2,125.00
<i>Coordination with City staff and City Attorney re: agendas, minutes, resolutions, and miscellaneous issues.</i>			
<u>GIS</u>	122.0001.01	\$	400.00
SUBTOTAL		\$	5,000.00

CAPITAL IMPROVEMENT PROJECTS / WORK ORDERS

N. 3rd Street & Vista Lake Avenue Intersection Improvements	121.0455.01	\$	3,117.50
Northeast Trunk Sewer Study	122.0001.01B	\$	3,234.25
North Trunk Sewer Study	122.0001.01C	\$	3,738.25
SUBTOTAL		\$	10,090.00

REIMBURSABLE DEVELOPMENT REVIEW PROJECTS

Antler Ridge: Development Agr, Prelim Plat, and TIS	122.0178.01	\$	3,652.50
Creekview Estates Plat 3: Construction Drawings	122.0599.01	\$	600.50
Crossroads at the Lakes Plat 3: Construction Drawings	122.0914.01	\$	1,832.50
Holly Woods Plat: Preliminary Plat	122.0450.01	\$	434.00
Leonard Rezoning & PUD Master Plan	122.1349.01	\$	2,029.00
SUBTOTAL		\$	8,548.50

TOTAL **\$ 23,638.50**