

IOWA STATE POLICE ASSOCIATION

Resolutions 87th Annual Conference Waterloo, IA October 7 – 9, 2019

Resolution #1

Submitted by the Iowa State Police Association Board of Directors

WHEREAS: Many police officers will receive no Social Security; and those who do, will receive one that is severely reduced; and

WHEREAS: Most persons receive Social Security pensions tax-exempt; and

WHEREAS: Until recently, police pensions were tax exempt in Iowa; and

WHEREAS: Many states honor their dedicated public employees by making their pensions tax-exempt; and

WHEREAS: Some bordering states do not tax retirement income which attracts Iowa retirees to cross the border and live in those states; and

WHEREAS: The taxation of their pensions has added an additional burden on our retired members;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to eliminate the income tax on retiree pensions.

Shawn Morgan, Local 10, made a motion to approve.

Cam Coppess, Past President, seconded the motion.

Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #2

Submitted by Iowa State Police Association Local 83, ISU Police

WHEREAS: Any Iowa city, county or state subdivision can currently and without warning disarm all of their law enforcement officers without recourse for those officers; and

WHEREAS: Law Enforcement has known and unknown inherent dangers including unforeseen felonious assaults and high risk calls for service;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to offer protection to all Iowa Law Enforcement officers by mandating all certified Iowa Law Enforcement Officers ***shall*** carry firearms during the performance of their duties, with allowances for discipline and administrative issues.

Shawn Morgan, Local 10, made a motion to approve.

Cam Coppess, Past President, seconded the motion.

Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #3

Submitted by Ted Stroope, Local 10, Des Moines

WHEREAS: Law Enforcement Officials, Prosecutors, Judges and other public officials in the Criminal Justice System are the most likely to have contact with individuals that are adherents to the "Sovereign Citizen" ideology, and

WHEREAS: Said adherents to the "Sovereign Citizen" ideology are known to take advantage of the lien filing process to file false liens upon those in the Criminal Justice System whom they deem to have crossed them, and

WHEREAS: The victims of false liens are subject to extensive damage both monetarily and emotionally in order to expunge these false liens from this record which may consist of years of legal battles and unrecoverable fees, and

WHEREAS: Remedies that include criminal penalties for filing such false liens are ineffective as "Sovereign Citizen" adherents have proven their disregard for criminal statutes and penalties, and

WHEREAS: Sixteen states have passed laws to combat the filings of false liens including Midwestern neighbors Illinois and Nebraska, and

WHEREAS: Nebraska has passed LB210 which allows the false lien to be challenged and the lien filer forced to prove the debtor owes the amount stated in the filed lien, and

WHEREAS: The Nebraska law has preserved the expediency of lien filings for financial institutions and agricultural interests;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to reform the Iowa Uniform Commercial Code in a manner consistent with the State of Nebraska in order to protect not only those in the Criminal Justice System but all citizens from the ruinous and wasteful practice of filing false liens.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #4

Submitted by Eric Gruenhagen, Local 2, Davenport

WHEREAS: Many Iowa Law Enforcement Agencies/Officers have strict policies governing vehicular pursuits, in many cases prohibiting pursuits unless they are related to forcible felonies under Iowa law and/or gun crimes; and

WHEREAS: Vehicular pursuits are inherently dangerous to all parties involved especially the unaware motoring public; and

WHEREAS: There is little consequence or penalty under current law for offenders who refuse to stop for police once given visual and audible signals to do so; and

WHEREAS: Suspect/offender vehicles failing to stop is a significant problem for law enforcement with increasing frequency; and

WHEREAS: Nearly all state's eluding laws do not use the suspect's motivation for eluding as a factor in enhancement of the charge, but rather the danger the suspect's driving presents to the public;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to amend the current law regarding failing to stop for a police vehicle while the ***marked or unmarked police vehicle*** emergency lights and sirens are activated shall be an aggravated misdemeanor with the same penalties as driving while barred. Eluding law enforcement shall be a class D felony without bodily injury and a class C felony if bodily injury is caused due to the vehicle pursuit. Once the suspect vehicle is located and or apprehended, the law enforcement agency may retain possession of the suspect vehicle until such time as the case has been disposed of in a court of law.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #5

Submitted by the Iowa State Police Association Board of Directors

WHEREAS: Police officers and fire fighters risk their lives to protect the citizens of their communities and this state; and

WHEREAS: Performance of their duty sometimes results in sever and substantial injury to these officers; and

WHEREAS: These injuries sometimes mean the end of these officers' careers; and

WHEREAS: These officers may be able to find other employment after being retired with a disability; and

WHEREAS: The current pension law provides for a reduction of pension income when an officer has earnable income greater than 1½ times the salary of their position at retirement; and

WHEREAS: This effectively freezes those officers' income indefinitely;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to increase the amount of income an officer may earn before the reduction of pension benefits from 1½ times to 2½ times the salary of their position.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #6

Submitted by the Iowa State Police Association Board of Directors

WHEREAS: The 2017 Iowa General Assembly passed legislation that effectively rendered Chapter 20 Public Sector Collective Bargaining useless; and

WHEREAS: Chapter 20 has been in force for over 40 years and has provided a level field for both employers and employees; and

WHEREAS: This will adversely affect public employees, including peace officers, for years to come;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to reverse this injustice to the public safety officers of Iowa.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #7

Submitted by the Iowa State Police Association Board of Directors

WHEREAS: Law enforcement is an inherently dangerous occupation; and

WHEREAS: Some law enforcement officers are called upon to pay the ultimate price; and

WHEREAS: Section 425.15 of the Iowa Code provides for an additional homestead credit for Iowa military veterans or spouses of veterans who are severely injured or killed in the performance of their duties;

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to provide this same credit to Iowa peace officers and fire fighters or their spouses who are severely injured or killed in the performance of their duties.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #8

Submitted by the Iowa State Police Association Board of Directors

WHEREAS: Law enforcement is an inherently dangerous occupation; and

WHEREAS: Law enforcement officers have recently come under increasing attacks including ambush attacks; and

WHEREAS: The United States congress has passed legislation creating a nationwide "Blue Alert" system whereby information of potential threats to law enforcement is passed along to all law enforcement agencies; and

WHEREAS: Each state must pass enabling legislation to participate in the Blue Alert system; and

WHEREAS: Iowa has yet to pass this enabling legislation and is not a participant in the Blue Alert system;

NOW THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to pass legislation to enable participation by Iowa law enforcement in the Blue Alert system.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.

Resolution #9

*Submitted by the Iowa State Police Association
Board of Directors*

WHEREAS: The Municipal Fire and Police Retirement System of Iowa (MFPRSI/411 System) currently states "*Member in good standing*" means a member in service who is not subject to removal by the employing city of the member pursuant to Section 400.18 or 400.19, or other comparable process, and who is not the subject of an investigation that could lead to such removal. Except as specifically provided pursuant to Section 411.9 a person who is restored to active service for purposes of applying for a pension under this chapter is not a member in good standing."

WHEREAS: The 411 System and the Courts have interpreted the present 411.1(14) member in good standing and the phrase "other comparable process" in a way that creates an untenable situation for the members.

WHEREAS: A member who is merely challenging his disciplinary action even after he has served the suspension imposed is not in good standing until all appeals which could include the district court and the supreme court have been exhausted.

WHEREAS: Even if the member prevails at the Civil Service Commission and it is the City taking the appeal, the member is still not considered to be in good standing. MFPRSI and the courts consider the appeal to be "other comparable process." The court in determining that an appeal is "other comparable process" noted that the penalty can be increased from suspension to discharge.

WHEREAS: The member at present is in an untenable position requiring the member to give up either the right to continue to appeal what the member considers unwarranted disciplinary action or to put on hold for up to three years his pension application.

NOW, THEREFORE, BE IT RESOLVED that the Iowa State Police Association petition the Iowa General Assembly to change Iowa Code section 411.1(14) Member in good standing to limit the loss of good standing only to termination and not any lesser form of discipline; and provide that good standing could not be lost until all administrative, court or contract appeals had been exhausted.

Shawn Morgan, Local 10, made a motion to approve. Cam Coppess, Past President, seconded the motion. Motion carried by unanimous voice vote. Attested to by Ryan Goecke Secretary/Treasurer.