

MARCH FOR OUR LIVES IOWA

2021 Legislative Agenda

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1. Introduction

1.1 Background

The mission of March For Our Lives Iowa is to harness the power of young people across Iowa to fight for sensible gun violence prevention policies that save lives while encouraging youth involvement in politics. As part of that mission, the March For Our Lives Iowa Policy Team releases an annual list of our policy recommendations and goals for the state of Iowa in our legislative agenda. Last year, we released a short three step policy recommendation for the state of Iowa, covering the topics of background checks, mandatory reporting, and mandatory waiting periods.

This agenda aims to tackle what we feel are the current most pressing issues in gun violence prevention. In a year marked by shutdowns and changes to normal routine due to the spread of COVID-19, the Policy Team had to work through new and uncertain circumstances to prepare this proposal. Despite these challenges, the Policy Team managed to produce a comprehensive legislative agenda for the 2021 Iowa Legislative Session. This year's legislative agenda includes recommendations on Extreme Risk Protection Orders, mandatory waiting periods, universal background checks, and demilitarizing the police.

1.2 Policy Team Introduction

The March For Our Lives Iowa Policy Team is composed of three members. Legislative Affairs Associate Lexi Duffy is in her first year with March For Our Lives Iowa. She is a junior at Okoboji High School where she is involved in Speech and Debate, Mock Trial, and theatre, along with music and sports. In her free time, she can be found running, biking, and swimming, as well as reading up on current events and other news. She hopes to use this platform to educate her community. Legislative Affairs Associate Siri Mandava is in her first year with March For Our Lives Iowa. She is a senior at Johnson High School who is extremely passionate about preventing gun violence and increasing youth involvement in politics. Siri is currently taking classes in law and public policy to further her knowledge. Legislative Affairs Director Nicholas Pryor is in his second

year leading the state Policy Team. He is a junior at the University of Iowa studying political science, statistics, and Latin, and has worked in both activism and research throughout his time in high school and college. He is an avid rock climber and can usually be found at one of the midwest's numerous outdoor climbing spots, regardless of the weather.

1.3 Membership

March For Our Lives Iowa 2020-2021 Team:

- Esha Bolar (she/her): State Director
- Andrew Dunn (he/him): State Director
- Abigail Wharton (she/her): Communications Director
- Rebecca Lyons (she/her): Organizing Director
- Nicholas Pryor (he/him): Legislative Affairs Director
- Alistair Entz (he/him): Budget and Fundraising Director
- Askshara Eswar (she/her): IDEA Coordinator
- Kyle Kopf (he/him): College Organizing Deputy
- Dominic Eastman (he/him): Western Organizing Deputy
- Olivia Gayther (she/her): Northern Organizing Deputy
- Gabi Michalski (she/her): Center Organizing Deputy
- Ella Bergen (she/her): Communications Associate
- Lauren Wessling (she/her): Communications Associate
- Kidan Girma (she/her): Content and Design Associate
- Siri Mandava (she/her): Legislative Affairs Associate
- Lexi Duffy (she/her): Legislative Affairs Associate

2. Extreme Risk Protection Orders

By Nicholas Pryor

2.1 Executive Summary

Gun violence is a serious issue in Iowa. The firearm death rate has continued to increase, with the vast majority of deaths coming from suicide. This is due in part to the fact that Iowa has a large farm population. Farmers and agricultural workers have had some of the highest suicide rates of any occupation in the United States over the past three decades, peaking in the 1980s during the farm crisis. As economic conditions continue to deteriorate for farmers, this suicide rate may likely increase again. March For Our Lives Iowa recommends implementing Extreme Risk Protection Orders, a bipartisan supported policy that exists in 20 other states, to help prevent continued firearm deaths in Iowa.

2.2 Firearm Death and Suicide Rate in Iowa

In 2018, Iowa had a firearms death rate of 8.7 per 100,000 total population. This death rate has steadily increased from 6.7 per 100,000 total population in 2005. While suicides make up 61% of firearm deaths nationally, they account for 79% of all firearms deaths in Iowa and are the most common method used for suicide. Iowa has seen an alarming spike in the suicide rate over the previous two decades. Suicide rates have increased by 35% since 1999 to 16 per 100,000. This spike coincides with an increase in the number of farmer suicides in the United States. From 1992-2010 the farmer and agricultural worker suicide rate hit as high as .95 per 100,000. No other occupation in the United States reached above .19 per 100,000 during that time period. An increase in farmer suicide rates disproportionately affects majority rural states, like Iowa. As of 2017, 36% of Iowa's population lived in rural areas and 216,704 people were directly involved in the farming economy as operators or producers. As the trade war with China and disruption of supply networks due to the COVID-19 pandemic continue, farmers in Iowa are experiencing their worst economic crisis since the 1980s farm crisis. That farm crisis in the 1980s led to over 1,000 farmer suicides in a single

decade, almost 5x more than there have been since. As the economic crisis continues, the risk of firearm suicides in Iowa grows higher.

2.3 What are Extreme Risk Protection Orders?

Extreme Risk Protection Orders (ERPO), commonly referred to as “red flag laws”, temporarily limit an individual’s access to firearms if their family, other household members (such as roommates), or law enforcement officials petition the court that the individual is a risk to themselves or others. Usually, the restrained individual must relinquish all firearms and ammunition to local law enforcement within 24 hours of the order. Currently, 20 states have ERPOs, with New Mexico joining most recently on May 20, 2020. Differences exist between these states over implementation and requirements. In five states, only law enforcement officials can petition the court. In 13 states, families are allowed to petition the court, and four states allow someone outside of the family — such as school administrators in New York — to petition the court. In order to petition the court for an ERPO to be issued, different states require different standards of proof for different orders. For Ex Parte ERPOs, an emergency temporary order without notice, states often require lower standards of proof of evidence showing dangerousness. 13 states require the lowest level of civil court justification — “probable/reasonable/good cause” — meaning that a reasonable person would believe a danger is present. Four states require a “preponderance of the evidence,” meaning that it is more likely than not that a danger is present. These Ex Parte orders vary in length from state to state, ranging from a single day in Maryland to 21 days in California. At the end of this period, the restrained individual must be given a hearing where they can contest the order and the court will determine if a final ERPO is necessary. Final ERPO orders require a higher burden of proof to be implemented. Six states require a preponderance of evidence and 12 states require clear and convincing evidence for the final order to be approved by the court. Most states’ final order lasts one year before the order can either be renewed or expires.

2.4 Evidence of Effectiveness

Evidence shows that there are often identifiable warning signs before acts of violence. 80% of those considering suicide give a sign of their intentions, and those who frequently talk about suicide are 30x more likely to actually commit suicide. The Federal Bureau of Investigation found four main specific behaviors that preceded many of the mass shootings in the United States between 2000 and 2013. In school shootings, other individuals had some knowledge of the plan in 81% of cases. ERPOs can take advantage of these warning signs and lead to life saving actions. Indiana and Connecticut, two states that have implemented ERPOs, have seen a decrease in their suicide rates by 7.5% and 14% respectively. In Connecticut, 44% of individuals who received an ERPO ended up receiving psychiatric care that they likely would not have received otherwise. California's ERPO has been found to have prevented at least 21 threatened mass shooting incidents.

2.5 Constitutionality and Viability

ERPOs have been found to be Constitutional and follow due process in multiple court cases. Both *Hope v. State of Connecticut (2016)* and *Redlington v. State of Indiana (2013)* found ERPOs to be in line with the Second Amendment at the Appellate and Appeals Court levels respectively. Finally, studies show overwhelming support nationally for ERPOs. A 2019 study found support for ERPOs among 85% of likely voters, including 94% of Democrats, 78% of gun owners, and 77% of Republicans. Although action has not been taken on the issue federally, President Donald Trump has voiced his own personal support for ERPOs following a string of mass shootings in August of 2019.

2.6 Recommendation

March For Our Lives Iowa recommends a two part Extreme Risk Protection Order for Iowa.

1. Ex Parte Order
2. Final Order

The Ex Parte order shall only be approved for cases in which there is an imminent alleged danger. A full hearing must be scheduled within 14 days of the Ex Parte order being implemented.

Due to its short timeframe, the court shall only need probable/reasonable/good cause to approve this order. Immediate family, household members, and law enforcement officials shall be allowed to petition the court for the Ex Parte order.

The final order shall be approved only if clear and convincing evidence of dangerousness (see below) is presented to the court at the hearing. The final order shall last for one year, at which time another hearing will be held and the court will decide if the restrained individual still meets the clear and convincing evidence of dangerousness. As with the Ex Parte order, immediate family, household members, and law enforcement officials shall be allowed to petition the court.

When determining if the restrained individual meets the clear and convincing evidence of dangerousness, the court shall be required to consider the following categories of evidence, modeled after California's requirements.

- Threats or acts of violence to the self or others within the past 12 months.
- Violation of domestic violence protective order currently in effect, or in effect within the past six months.
- Convictions for any crimes that prohibit the purchase or possession of a firearm.
- Unlawful or reckless use, display, or brandishing of a firearm with the past six months.

Relinquishment proceedings shall also be modeled off of California's existing policy. Upon the court filing the ERPO, the restrained individual must relinquish all of their firearms and ammunition to the responding law enforcement officer. If the officer is not able to make contact, the restrained individual must either submit all firearms and ammunition to the local law enforcement agency or sell them to a federally licensed firearms dealer within 24 hours. Law enforcement or the firearms dealer must provide a receipt to the restrained individual that must be filed with the court and acting law enforcement agency within 48 hours. If probable cause exists that the restrained individual has not overturned all firearms and ammunition, the court may issue a search warrant.

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3. Mandatory Background Checks

By Siri Mandava

3.1 Executive Summary

Gun violence is something that continues to trouble the United States. 38,000 Americans die from gun violence every year and an average of 100 people die every day. This is due in part to the fact that prohibited purchasers have been able to arm themselves simply because the law didn't require a background check. We can look to Wisconsin for a recent example of this: a background check requirement for unlicensed sales could have saved a woman who was shot and killed in January 2018 in Appleton, Wisconsin by her husband, who was able to purchase the firearm from a seller he met online, despite his prohibiting felony conviction. March For Our Lives Iowa recommends a mandatory background check on all sales and transfers of firearms in Iowa.

3.2 Loopholes and Unrestricted Firearm Sales

Currently, private sales of firearms are often unrestricted, a 2017 study shows 22% of firearm owners who obtained their most recent firearm within the previous two years reported doing so without a background check. Under current laws, background checks are not required on private/unlicensed sales and transfers. Our federal firearm laws allow people to purchase firearms without passing a background check. Under current law, unlicensed sellers can transfer firearms without having to run any background check whatsoever. Because of this, people who are subject to domestic violence convictions or court orders, people who have been convicted of violent crimes, and people ineligible to possess firearms for mental health reasons can easily purchase firearms from unlicensed sellers with no background check in Iowa. In fact, an estimated 22% of US gun owners acquired their most recent firearm without a background check which translates to millions of Americans acquiring millions of guns, no questions asked, each year. Specifically, long-gun transfers by private sellers are not subject to background checks in Iowa. This is extremely problematic as from 2007 to 2016, at least 43 percent of Iowa's domestic violence firearm homicides of women were committed

with long-guns. What is even more daunting is the fact that around 80% of all firearms acquired for criminal purposes are obtained through transfers from unlicensed sellers, and 96% of inmates convicted of firearm offenses who were already prohibited from possessing a firearm at the time of the offense obtained their weapon from an unlicensed seller.

3.3 Universal Background Check System

The system of universal background checks entails that almost all types of firearms transactions would be recorded and the information about the buyer be checked out through the NICS. Under the current system, the law requires federally licensed firearms dealers, but not private sellers, to initiate a background check on the purchaser prior to the sale of a firearm. Federal law provides states with the option of serving as a state “point of contact” and conducting their own background checks using state, as well as federal, records and databases, or having the checks performed by the Federal Bureau of Investigation using only the National Instant Criminal Background Check System (NICS) database. Iowa is a partial point of contact state for NICS. County sheriffs and the Iowa Department of Public Safety (IDPS) serve as partial state points of contact for background checks on prospective handgun purchasers, with county sheriffs conducting checks on applicants for five-year permits to acquire a handgun or permits to carry concealed handgun, and the IDPS conducting handgun-related checks for state employees and non-residents.

3.4 Evidence of Effectiveness

Time and time again universal background checks have proven their effectiveness. First, we find that state gun laws requiring universal background checks for all firearm sales resulted in homicide rates 15% lower than states without such laws. Laws prohibiting the possession of firearms by people who have been convicted of a violent crime were associated with an 18% reduction in homicide rates. As soon as these laws are implemented there is a dramatic decrease in homicide rates, thus saving lives. In contrast, the average firearm homicide rate in states without background checks is 58% higher than the average in states with background-check laws in place. A 2017 report from

the U.S. Justice Department found that nearly 197 million applications for firearm transfers or permits have been run through the National Instant Criminal Background Check System. Of those checks run between 1994 and 2015, more than 3 million applications — 1.5% — were denied, mainly due to criminal convictions. Since 1998 in Iowa, nearly 14,000 firearm sales to prohibited purchasers have been denied, including nearly 6,000 illegal sales to convicted felons and over 3,000 illegal sales to prohibited domestic abusers. Even under the current laws, universal background checks have proven their effectiveness and saved numerous lives. It is empirically clear that requiring universal background checks on all sales and transfers will only save more lives.

3.5 Constitutionality and Viability

The Supreme Court has found that background checks do not violate the Second Amendment. In *District of Columbia v. Heller (2008)*, the Supreme Court ruled that, “Nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms.” Additionally, more than 90% of the American public supports background checks for all firearm sales.

3.6 Recommendation

March For Our Lives Iowa recommends that Iowa expand their required background checks to all firearms. This would entail that all transfers and sales of firearms would have to surpass background checks regardless of the base. It would be structured the same way as the current required background checks of handguns, but would entail a wider scope to include mandatory background checks on long-guns.

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4. Mandatory Waiting Periods

By Lexi Duffy

4.1 Executive Summary

Firearms-related violence, specifically suicide, is an increasingly troubling issue for the state of Iowa. Having only grown in recent years, the firearm death rate by suicide has been a pinpoint of concern for many. Worries have only been heightened as the United States has seen a surge in suicide numbers during the COVID-19 pandemic, and that number is only expected to grow as we continue on. As we deal with the economic impacts of COVID-19 as seen in 2020, the suicide rate in Iowa may likely increase once again.

Near instantaneous access to firearms without proper waiting periods put many at risk by allowing for impulsive acts of gun violence. In order to provide a cool-off period after purchase of a firearm and to reduce the firearm death rate, March For Our Lives Iowa recommends implementing a 10-day waiting period for all firearm purchases in Iowa.

4.2 Firearm Deaths in Iowa

Iowa faces an increasing number of deaths by firearms. As of 2020, Iowa saw a firearm death rate of 8.4 per 100,000 total population. This rate has increased by 38% from 2009 to 2018, with most of these being contributed to suicide. Suicides make up 61% of gun deaths nationally. This percentage pales in comparison to Iowa's 79% of all firearm deaths being attributed to suicide.

4.3 Mandatory Waiting Period Laws

Mandatory waiting period laws require a certain number of days to elapse between the purchase of a firearm and when the buyer may take possession of that firearm. Additionally, waiting periods can also give law enforcement agencies additional time to complete background checks that sometimes cannot be completed within the three-day window provided by the federal law. Plainly put, these laws create a buffer between the time of firearm purchase and firearm acquisition. Presently, there is no federal law requiring a waiting period of any sort. A dealer may transfer a

firearm to a prospective purchaser as soon as he or she passes a background check. If the Federal Bureau of Investigation is unable to complete a background check within three business days, the dealer may complete the transfer by default. Accordingly, persons purchasing firearms from private sellers may take immediate possession of their weapons, unless state or local law provides otherwise. Ten states, along with the District of Columbia, have instituted a waiting period that pertains to some type of firearm. This waiting period varies in length and type between states. Five states, along with the District of Columbia, have imposed waiting period laws for all firearm purchases ranging between three and fourteen days. Two states require waiting periods for certain classes of weapons. Three states, including Iowa, require waiting periods for handguns only. The waiting periods for all of these states range between three and 14 days.

4.4 Evidence of Effectiveness

The immediate purchase and acquisition of a firearm allows people to act on temporary emotions and impulses, which can increase the risk of both firearm suicide and firearm homicide. Suicide attempts are often impulsive, singular episodes that involve little planning. Many studies suggest that most suicide survivors contemplated their actions for only a brief period of time — often less than 24 hours — before making a suicide attempt. Similarly, studies suggest that some of the factors that incite violence against others, such as anger and rage, can be short-lived. Waiting period laws, which create a buffer between the time of firearm purchase and firearm acquisition, can help to prevent impulsive acts of firearm violence. Waiting period laws help to prevent firearm suicides and firearm homicides. According to one estimation, waiting period laws may reduce firearm suicide rates by 7-11%. Waiting period laws also appear to reduce gun homicide rates. One study found that waiting period laws that delay the purchase of firearms by even a few days can reduce gun homicides by roughly 17%.

4.5 Constitutionality and Viability

The Constitutionality of mandatory waiting period laws has also been proven in court. In *Silvester v. Harris (2016)*, the Ninth Circuit entered judgement in favor of Kamala Harris, defendant and Attorney General of the State of California, stating that the law does not violate plaintiffs' Second Amendment rights because the ten-day wait is a reasonable precaution for the purchase of a second or third weapon, as well as for a first purchase. Now Vice President elect, Harris and President-elect Joe Biden have shown an outpouring of support for gun policy that extends waiting periods. In 1993, Biden shepherded through Brady Handgun Violence Prevention Act through Congress to establish the background check system that has since kept more than three million firearms out of dangerous hands. The pair has voiced their support for closing the "Charleston loophole," which allows people to complete a firearms purchase if their background check is not completed within three business days. Their support of this policy also extends to the proposal in the Enhanced Background Checks Act of 2019, which lengthens the timeline from three to 10 business days.

4.6 Recommendation

March For Our Lives Iowa recommends a 10-day mandatory waiting period for all firearms purchased in a private transaction or through a federally licensed firearms dealer within the state of Iowa. This is contingent upon two statements.

1.) The 10-day waiting period begins only once the background check process has been completed.

2.) Possession of a permit to carry firearms in public does not exempt those purchasing a firearm from the waiting period.

Proceedings shall be modeled off of the District of Columbia's existing policy.

No seller shall deliver a firearm to the purchaser thereof until 10-days shall have elapsed from the date of the purchase thereof, except in the case of sales to marshals, sheriffs, prison or jail wardens

or their deputies, policemen, or other duly appointed law enforcement officers. At the time of purchase, the purchaser shall sign in duplicate and deliver to the seller a statement containing his or her full name, address, occupation, date and place of birth, the date of purchase, the caliber, make, model, and manufacturer's number of the firearm and a statement that the purchaser is not forbidden by law to possess a firearm. The seller shall, within six hours after purchase, sign and attach his or her address and deliver one copy to such person or persons as the Chief of Police may designate, and shall retain the other copy for six years. No machine gun, sawed-off shotgun, or blackjack shall be sold to any person other than the persons designated by law as entitled to possess the same, and then only after permission to make such sale has been obtained from the Chief of Police.

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5. Police Demilitarization

By Nicholas Pryor

5.1 Executive Summary

Following the murders of George Floyd in May of 2020 and Breonna Taylor during a no-knock raid in March of 2020, protests against police brutality against Black people spread across the United States. In response to these protests, numerous police departments engaged in aggressive militarized counter-protest behavior, beating and macing numerous peaceful protestors. Incidents like these occurred multiple times in Iowa during the summer of 2020, including tear gassings of peaceful protestors in both Iowa City and Des Moines. As one of the many first steps that must be done to curb police brutality and police racism, March For Our Lives Iowa recommends banning law enforcement agencies in Iowa from participating in the federal 1033 Program and banning the use of no-knock raids in Iowa.

5.2 What is Police Militarization?

Militarization of local police is defined as the "process whereby civilian police increasingly draw from and pattern themselves around, the tenets of militarism and the military model." These tenets of militarism and the military model can come in the form of the adoption of military style attacks or the purchasing of military grade weapons and gear by local law enforcement agencies. Proponents argue that as gang and cartel membership and operation in the United States has increased, with it has come the need for police to have more advanced weaponry and tactics. The beginning of police militarization coincided with the beginning of the domestic War on Drugs and as the decline in the War on Terror began, large numbers of unused or extra military equipment became available for purchase for local law enforcement agencies.

5.3 The Process of Militarization

The easiest way for a civilian law enforcement agency to obtain military equipment is through the 1033 Program. The 1033 Program is run through the Law Enforcement Support Office

of the Defense Logistics Agency. Beginning during President George H.W. Bush's tenure, the program requires that the Department of Defense make items available to local law enforcement. As of 2020, \$5.1 billion worth of military material has been transported to over 8,200 law enforcement agencies across the United States. These transfers include anything from flashlights to firearms and armored vehicles.

Following criticisms of police brutality against the Ferguson, Missouri police department during the protests following the murder of Michael Brown, President Obama placed limits on what military equipment sales could be made through Executive Order 13688. Armed vehicles, bayonets, grenade launchers, high caliber ammunition, and weapons were all banned from sale to local law enforcement. However, President Trump overturned these bans through the Executive Order on Restoring State, Tribal, and Local Law Enforcement's Access to Life-Saving Equipment and Resources in 2017.

5.4 The Problem with Militarization

At its core, police militarization simply does not do what proponents claim it to do. Studies show that an agency receiving military equipment increases both the expected number of civilians killed by police and increases the change in civilian deaths. The use of militarization is most often through the form of a Special Weapons and Tactics (SWAT) team. Although SWAT teams are often thought of as dealing with high profile dangerous raids, the reality is far from it. 62% of SWAT raids are conducted for drug searches as part of the War on Drugs, a program which lacks popular support, with 67% of Americans believing the focus should be on treatment, rather than policing and prosecution, for drug crimes. As the opioid epidemic continues to grow across the United States, and especially the midwest, the number of SWAT raids for drug searches is likely to increase. Furthermore, in only 35% of SWAT warrant raids was it ever believed that a weapon was present, and even then the presence of a weapon in warrants is often exaggerated. This use of militarized SWAT raids comes at a high cost. From 2010-2016 81 people were killed by SWAT teams. These

tactics also have a strong racial bias component to them. 61% of all SWAT raids for drug offenses are against minorities, and studies have found a strong racial component in the deployment of SWAT warrants at the local level.

There is also a psychological problem to police militarization. The use of military gear and tactics is shown to lead to an increase in a militaristic world view in both individual officers and departments. This change in world view from protecting a community to being against an adversary has resulted in an increase in civilian, and especially minority civilian, deaths.

5.5 The State of Police Militarization in Iowa

Since the beginning of the 1033 Program, Iowa police departments have been a major benefactor. Iowa police departments have received at least \$11,771,116.00 in equipment since the beginning of the program. Between 220 and 230 agencies in Iowa have enrolled in the 1033 Program, and 160 agencies currently list having military equipment obtained through the program. This use of military equipment is widespread across the state. The Johnson County Sheriff's Department has spent \$733,000.00 on items through the program, including a Mine-Resistant Ambush Protected (MRAP) purchased in 2014. Despite the Iowa City Council requesting that the Johnson County Sheriff's Department get rid of the MRAP in 2020 following the tear gassing of protestors in Iowa City, the Johnson County Sheriff's Department has refused. Another large population center that was marked by its aggressive treatment and tear gassing of protestors in 2020, Des Moines, is also a major participant in the 1033 Program. The Des Moines County Sheriff's Department has spent \$689,000.00 on equipment through the 1033 Program. These large numbers are not exclusive to large population centers in the state, and in fact some of the highest numbers come from quite small towns. The Mason City Police Department has spent \$804,440.00 in the program and the Storm Lake Police Department has spent \$847,594.00, despite the two towns having a population of 26,931 and 10,322 respectively.

Iowa also allows for no-knock raids, a practice that can be extremely deadly, especially when combined with militarized police forces. From 2010-2016, 31 civilians were killed in no-knock raids, with over half of those killed were members of minority groups.

5.6 Recommendation

March For Our Lives Iowa recommends two separate pieces of legislation to curb police militarization in Iowa.

1.) Restrict police departments in Iowa from purchasing military equipment from the 1033 Program and close the loophole of purchasing military equipment through federal grants.

Montana HB330, signed into law by Governor Steve Bullock in 2015, accomplishes just this. Legislation should be modeled after Section 1. Limitations on excess property provided to local law enforcement, from Montana HB330, and with it the following items shall be prohibited from sale to local law enforcement:

- a.) drones that are armored, weaponized, or both;
- b.) aircraft that are combat configured or coded;
- c.) grenades or similar explosives and grenade launchers;
- d.) silencers; or
- e.) militarized armored vehicles.

If local law enforcement does purchase property from a federal military surplus program, the agency may only use local or state funds. Any funds obtained from the federal government, such as any federal grants, may not be used.

Section 2. Public notification, from Montana HB330 should also be modeled in any Iowa legislation.

If a law enforcement agency does request from a federal military surplus program, the local law enforcement agency must publish a notice of the request on a publicly available website at least 14 days after the request has been made.

2.) Ban the practice of no-knock raids.

Legislation banning the use of no-knock raids in Iowa should be modeled after Oregon's ORS 133.575, Execution of warrant. Specifically the language sections (2) and (3).

Section (2): The executing officer shall, before entering the premises, give appropriate notice of the identity, authority and purpose of the officer to the person being searched, or to the person in apparent control of the premises to be searched, as the case may be.

Section (3): Before undertaking any search or seizure pursuant to the warrant, the executing officer shall read and give a copy of the warrant to the person to be searched, or the person in apparent control of the premises to be searched. If the premises are unoccupied or there is no one in apparent control, the officer shall leave a copy of the warrant suitably affixed to the premises.

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