

# Iowa Public Information Board

## 2014 year-in-review

*Editor's Note: This is a monthly column prepared by the Iowa Public Information Board to update Iowans on the IPIB's activities and provide information on some of the issues routinely addressed by the board.*



2014 was the first full year of operation for The Iowa Public Information Board (IPIB) that was established in 2012 to provide a cost-effective and efficient way for Iowans to receive information and resolve complaints related to Iowa's open meetings and public records laws. The board successfully resolved 92 formal complaints and answered 788 informal inquiries in 2014. It also worked to improve training, expand its website and suggest changes to state law.

The vast majority of complaints received in 2014 were settled informally, with the board attorneys negotiating a compromise that satisfied both parties, reduced community conflict and resulted in increased government transparency. However, several complaints resulted in formal hearings or judicial review.

One formal hearing was concluded in 2014, concerning Larry Brock, Washington County Attorney. Mr. Brock was found to have violated Iowa Code chapter 22 (public records) during a contested hearing before an Administrative Law Judge. The proposed decision was approved by the IPIB and not appealed by Mr. Brock. In addition to a violation of Chapter 22, statutory

damages of \$1000 were imposed and paid. At year's end, another formal hearing was pending concerning a public records (chapter 22) request to the Des Moines Public School District. The IPIB Board approved the filing of formal charges on October 16, 2014.

The complaint concerning the Des Moines Register and the Department of Human Services (DHS), involving the decision by DHS to not release certain videotape records from the Iowa Juvenile Home in Toledo, was dismissed by the IPIB on February 27, 2014. Following that dismissal, the Des Moines Register filed a Petition for Judicial Review on March 28, 2014. The IPIB was represented by outside counsel, Mark McCormick. The District Court affirmed the IPIB decision and dismissed the Petition for Judicial Review on November 25, 2014.

The board and staff also worked throughout 2014 to improve training and expand the website. Board staff members conducted 38 training sessions for hundreds of state, county and city officials in 2014, and the board's Training Committee met with other agencies to draft, refine and publish a free training PowerPoint presentation to the website: "Iowa Sun-

shine Law – Open Meetings and Open Records in Iowa." The website, [www.ipib.iowa.gov](http://www.ipib.iowa.gov), opened in late August 2013. The website includes the full text of Chapters 21, 22, and 23, as well as questions and answers (FAQs) about various issues, copies of selected formal complaint decisions of likely interest, all minutes and agendas for the IPIB, activities of the IPIB and contact information. The website also has links to file a formal complaint or to ask a question. Statistics from the web host for January through December 2014 note 4,707 visitors viewing 40,302 pages on the website. Each month around 60% of the visitors to the website are new, first-time visitors.

The board has identified continuing problems in the areas of meeting notice, governmental subcommittees and law enforcement records, and has recommended legislative changes to address them. Following review and preliminary IPIB approval of the legislative agenda, the board held public hearings and received public comment throughout the summer of 2014. A finalized legislative proposal was approved on September 18, 2014.

### IPIB Facts and Figures

During the month of January 2015, 69 contacts were made with the Iowa Public Information Board office.

<b>TYPE</b>	<b><u>JANUARY 2015</u></b>	<b><u>JAN-DEC 2014</u></b>
Formal complaints	6	102
Formal opinions	1	7
Declaratory orders	0	4
Informal complaints	10	123
Informal requests	49	565
Misc.	3	10
<b>TOTAL:</b>	<b>69</b>	<b>811</b>