

Question: What police and sheriff's records are open to the public and press?

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.



ANSWER: Access to law enforcement records is spelled out in detail in an Attorney General's opinion, *Weeg to Holt*, 82-10-3. That opinion interprets Chapter 22.7(5), which provides public access to "the date, time, specific location, and immediate facts and circumstances surrounding a crime or incident."

The opinion notes that a news reporter or citizen does not have to know about a crime or incident to obtain information about it. The request could be a general one, to review the

public record of police activities during the past 24 hours: "A citizen may request [Chapter 22.7(5)] information for a particular day or time, or for any number of days or times. The request is not required to specify the particular criminal incident for which the information is requested."

Generally, the Attorney General opinion calls for routine access to all "date, time, specific location and immediate facts and circumstances" information, and the record custodian carries "the burden of estab-

lishing facts necessary to withhold public records. . . ."

As with all confidential record exclusions listed in Iowa Code Section 22.7, the lawful custodian, a court or another person duly authorized to release the information can release records under this section. Note that other Iowa statutes and federal laws may exclude release of certain information in law enforcement records.

IPIB Facts and Figures

During the month of August, 71 contacts were made with the Iowa Public Information Board office. Website statistics show 630 visits in August 2014, of which 55% were new visitors. To contact the IPIB, call 515-725-1781 or send an e-mail to Margaret.Johnson@iowa.gov.

| <u>TYPE</u> | <u>AUGUST</u> | <u>JAN-AUG</u> |
|---------------------|----------------------|-----------------------|
| Formal complaints | 8 | 68 |
| Formal opinions | 0 | 5 |
| Declaratory orders | 1 | 4 |
| Informal complaints | 13 | 74 |
| Informal requests | 48 | 374 |
| Misc. | 1 | 6 |
| TOTAL: | 71 | 531 |