

CHAPTER 6 PUBLIC COMMUNICATIONS AND RECORDS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/15/30

205—6.1(22) General. The public may obtain information or make submissions to the board through the board's business office.

[ARC 8438C, IAB 12/11/24, effective 1/15/25]

205—6.2(22) Communications from persons other than victims.

6.2(1) *Written communication.* Communications by a person other than a victim, as defined in Iowa Code section 915.10, concerning an inmate, parolee, or work releasee should be in writing so that the communication may readily be made a permanent part of the case file. Oral communications concerning an inmate, parolee, or work releasee by a person other than a victim will be heard only with the consent of the board.

6.2(2) *Disclosure to inmate.* The board will place a written communication concerning an inmate, parolee, or work releasee in the case file.

[ARC 8438C, IAB 12/11/24, effective 1/15/25]

205—6.3(22) Examination of board records.

6.3(1) *General.* The public may examine and copy public records belonging to the board pursuant to Iowa Code chapter 22 at the board's business office. An individual wishing to examine or copy a record in person should schedule an appointment with the board's business office a minimum of three working days prior to the date on which the individual will review the information in question. When making the appointment, the requesting party should specifically indicate the information desired. Complete inmate files will not be released except by court order. When photocopies of documents or copies of audiotapes or videotapes are provided, the board may require the requester to pay the cost of the copies plus a reasonable charge for copying pursuant to 205—subrule 5.3(7). The board may refer anyone requesting information that has been generated by a source outside the board to the agency or individual that generated the information.

6.3(2) *Lawful custodian.* The chairperson or the chairperson's designee as the lawful custodian of the records will be responsible for implementing the board's rules regarding disclosure of public records and coordination of staff in this regard and generally ensuring compliance by the staff with public records disclosure requirements.

[ARC 8438C, IAB 12/11/24, effective 1/15/25]

205—6.4(904) Disclosure of information regarding inmates and parolees.

6.4(1) *Public information.* Iowa Code section 904.602(1) defines what information regarding individuals receiving services from the department of corrections may be disclosed by the board to anyone who requests such information.

6.4(2) *Confidential information regarding inmates and parolees.* Iowa Code section 904.602(2) defines information regarding individuals receiving services from the department of corrections that is confidential and will not be disclosed to the public.

a. Correspondence of a personal or confidential nature as determined by the board or the department directed to the board or the department of corrections from an individual's family, victims, or employers is confidential.

b. Communications to the board by members of the public other than public officials to the extent that the board believes that those members of the public would be discouraged from making the communications if the communications were available for general public examination is confidential.

c. Victim registrations pursuant to 205—Chapter 7. A record containing information that is both public and confidential that is reasonably segregable is not confidential after deletion of the confidential information.

6.4(3) Exceptions. The board may disclose confidential information described in subrule 6.4(2) as follows:

- a.* The board may release statistical information that does not identify particular individuals.
- b.* The board may disclose information to the department of corrections; public officials for use in connection with their duties relating to law enforcement, audits, and other purposes directly connected with the administration of their programs; and public and private agencies providing services to individuals. Those receiving information are subject to the same standards as the board in dissemination and redissemination of information.
- c.* The board may disclose information when necessary for civil or criminal court proceedings pursuant to court order. The board may seek to have the court limit disclosure of confidential information.
- d.* The board will give a supervised individual or former supervised individual access to the individual's own records in the custody of the board, except for those records that could result in physical or psychological harm to the individual or others, and disciplinary reports. Upon written authorization by a supervised individual or former supervised individual, the board may release information to any party included in the written release. This information is restricted to that which the individual can obtain.

[ARC 8438C, IAB 12/11/24, effective 1/15/25]

These rules are intended to implement Iowa Code chapter 22 and sections 904.601, 904.602, and 904A.4.

[Filed 2/6/89, Notice 12/28/88—published 2/22/89, effective 3/29/89]

[Filed 5/14/99, Notice 3/24/99—published 6/2/99, effective 7/7/99]

[Filed 6/4/04, Notice 4/28/04—published 6/23/04, effective 7/28/04]

[Filed ARC 3297C (Notice ARC 3117C, IAB 6/21/17), IAB 8/30/17, effective 10/4/17]

[Filed ARC 6968C (Notice ARC 6824C, IAB 1/11/23), IAB 4/5/23, effective 5/10/23]

[Filed ARC 8438C (Notice ARC 8211C, IAB 9/18/24), IAB 12/11/24, effective 1/15/25]