

CHAPTER 35
COMPLAINTS AGAINST EMPLOYEES

[Prior to 11/8/06, see 661—Ch 9]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

661—35.1(80) Definitions. The following definitions apply to rules 661—35.1(80) through 661—35.4(80):

“*Complaint*” means a formal written allegation signed by the complainant, or a signed written statement by an officer receiving an oral complaint stating the complainant’s allegation regarding, but not limited to, breach of rules or orders, a violation of the law, or other misconduct by an employee of the department.

“*Department*” means the Iowa department of public safety.

“*Employee*” means any employee of the department.

[ARC 6230C, IAB 3/9/22, effective 4/13/22]

661—35.2(80) Filing a complaint.

35.2(1) Any person may file a complaint against an employee or employees by:

a. Mailing a signed complaint in writing to the professional standards bureau at the following address:

Professional Standards Bureau
Iowa Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319

Complaints in writing may be mailed or submitted to any office of the department.

b. Calling the professional standards bureau at (515)725-6270, or by calling any office of the department.

c. Completing the commendation/complaint form online on the website of the department.

NOTE: The complaint form may be found at the following location: stateofiowa.seamlessdocs.com/f/PSB_Complaint_Form.

35.2(2) The complainant should describe as specifically and completely as possible the nature of the complaint and the details of any incident or incidents which give rise to the complaint.

35.2(3) Each complaint received will be recorded and investigated.

35.2(4) The complainant need not be identified if a statement is received as an oral complaint. Anonymous complaints will be accepted and investigated as thoroughly as possible.

[Editorial change: IAC Supplement 6/17/09; Editorial change: IAC Supplement 9/8/21; ARC 6230C, IAB 3/9/22, effective 4/13/22]

661—35.3(80) Notification to complainant. The professional standards bureau shall provide any identified complainant with a written receipt of the complaint and may provide additional information regarding the complaint and its disposition as permitted by law.

661—35.4(80) Investigation requirements of agency.

35.4(1) Recordkeeping and release of information. The department shall keep confidential an officer’s statement, recordings or transcripts of any interviews or disciplinary proceedings, and any complaints made against an officer unless otherwise provided by law or with the officer’s written consent. Nothing in this rule prohibits the release of an officer’s statement, recordings or transcripts of any interviews or disciplinary proceedings, and any complaints made against an officer to the officer or the officer’s legal counsel upon the officer’s request.

35.4(2) Training of investigating employee. The department shall provide training to any officer or supervisor who performs or supervises an investigation under Iowa Code section 80F.1, and shall maintain documentation of any related training. The Iowa law enforcement academy shall adopt minimum training

standards consistent with this rule, including training standards concerning interviewing an officer subject to a complaint.

35.4(3) *Right of officer to personnel file and records.* Upon written request, the department shall provide to the requesting officer or the officer's legal counsel a copy of the officer's personnel file and training records regardless of whether the officer is subject to a formal administrative investigation at the time of the request.

This rule is intended to implement Iowa Code sections 80F.1(20) through 80F.1(22).

[ARC 6230C, IAB 3/9/22, effective 4/13/22]

These rules are intended to implement Iowa Code chapter 80.

[Filed 6/7/79, Notice 5/2/79—published 6/27/79, effective 8/2/79]

[Filed 4/1/88, Notice 9/23/87—published 4/20/88, effective 5/25/88]

[Filed 10/19/06, Notice 9/13/06—published 11/8/06, effective 1/1/07]

[Editorial change: IAC Supplement 6/17/09]

[Editorial change: IAC Supplement 9/8/21]

[Filed ARC 6230C (Notice ARC 6052C, IAB 11/17/21), IAB 3/9/22, effective 4/13/22]