



IOWA PUBLIC INFORMATION BOARD MEETING — AUGUST 2017

Meeting. The Iowa Public Information Board (IPIB) met on August 17, 2017, in Des Moines. The Board discussed the following items:

Status Update. Executive Director Margaret Johnson provided the Board with a status update, stating that at the close of FY 2017, the Board experienced a budgetary shortfall of approximately \$41,000. Director Johnson confirmed that she has been working with the Department of Management to set up an appropriations transfer to cover this shortfall. Director Johnson also stated that the Board's caseload has slightly decreased compared to previous months. However, the number of cases with a same-day resolution has also decreased, primarily due to a decrease in staff levels.

Dismissed Cases. The Board dismissed seven complaint allegations, including a case alleging a violation of Iowa Code chapter [22](#), the Open Records Law, against Iowa State University. The Board found that these two cases, as well as the remainder of the dismissed cases, were either legally insufficient or did not fall under the Board's jurisdiction pursuant to Iowa Code chapters [21](#) and [22](#).

Closed Session, Burlington Case. In a follow-up to the Board's July 2017 meeting, which included a closed session regarding a recent administrative law judge (ALJ) ruling on the open records request pertaining to the 2015 police shooting and consequent death of a Burlington woman, the Department of Public Safety (DPS), the Division of Criminal Investigation (DCI), and the City of Burlington and its police department asked the Board for an interlocutory appeal and requested a stay in the matter of providing an index of all case records to the Board's counsel.

At its August meeting, the Board again entered into a closed session. After returning from closed session, the Board unanimously voted to accept an Order of Interlocutory Appeal, stating that it disagrees with the ALJ's conclusion that the Burlington Police Department, the DPS, and the DCI had failed to lawfully abide with the Iowa Open Records Law when the disputed index of all case records was requested and received. The Board voted 7-1 that any other disputed records are considered to be confidential investigative reports pursuant to Iowa Code section [22.75](#) and to grant the respondents Interlocutory Relief.

Next Meeting. The Board will hold an electronic meeting on August 23, 2017, at 9:30 a.m. in the Wallace Building to discuss further decisions to be rendered in the ongoing Burlington contested case proceeding. Board discussion may be held in a closed session to discuss litigation with counsel. The next regular meeting of the Board will be held on September 21, 2017, at 1:00 p.m. at the Wallace Building.

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