

JAN 17 1996
JUDICIARY

HOUSE FILE 2070
BY MAIN, HURLEY, SCHULTE,
LAMBERTI, HARRISON, McCOY,
MORELAND, BELL, MERTZ, and
LORD

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to keeping confidential identifying information
2 regarding a juvenile crime victim.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

HF 2070

1 Section 1. Section 22.7, subsection 5, Code Supplement
2 1995, is amended to read as follows:

3 5. Peace officers' investigative reports, except where
4 disclosure is authorized elsewhere in this Code. However, the
5 date, time, specific location, and immediate facts and
6 circumstances surrounding a crime or incident shall not be
7 kept confidential under this section, except where the victim
8 of the crime or incident is under the age of eighteen years or
9 in those unusual circumstances where disclosure would plainly
10 and seriously jeopardize an investigation or pose a clear and
11 present danger to the safety of an individual who is not a
12 victim under the age of eighteen.

13 Sec. 2. Section 22.7, subsection 18, paragraph c, Code
14 Supplement 1995, is amended to read as follows:

15 c. Information contained in the communication is a public
16 record to the extent that it indicates the date, time,
17 specific location, and immediate facts and circumstances
18 surrounding the occurrence of a crime or other illegal act,
19 except to the extent that its disclosure would plainly and
20 seriously jeopardize a continuing investigation or pose a
21 clear and present danger to the safety of any person who is
22 not a victim of the crime or other illegal act under the age
23 of eighteen. Identifying information regarding a victim under
24 the age of eighteen of a crime or other illegal act shall be
25 kept confidential. In any action challenging the failure of
26 the lawful custodian to disclose any particular information of
27 the kind enumerated in this paragraph, the burden of proof is
28 on the lawful custodian to demonstrate that the disclosure of
29 that information would jeopardize such an investigation or
30 would pose such a clear and present danger.

31

EXPLANATION

32 This bill provides that identifying information regarding a
33 juvenile who is the victim of a crime or incident shall be
34 kept as a confidential public record.

35