

JAN 25 1995  
JUDICIARY

HOUSE FILE 71  
BY DAGGETT

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the release by law enforcement agencies of the  
2 names of juveniles taken into custody for an alleged  
3 delinquent act.

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

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HF 71

1 Section 1. Section 22.7, subsection 5, Code 1995, is  
2 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 or the name and  
7 address of a child taken into custody for an alleged  
8 delinquent act which would be a serious or aggravated  
9 misdemeanor or felony if committed by an adult shall not be  
10 kept confidential under this section, except in those unusual  
11 circumstances where disclosure would plainly and seriously  
12 jeopardize an investigation or pose a clear and present danger  
13 to the safety of an individual.

14 Sec. 2. Section 232.149, subsection 1, Code 1995, is  
15 amended to read as follows:

16 1. The taking of a child into custody under the provisions  
17 of section 232.19 shall not be considered an arrest. However,  
18 the law enforcement agency shall disclose upon request the  
19 name and address of a child taken into custody pursuant to  
20 section 232.19, subsection 1, paragraph "b", for an alleged  
21 delinquent act which would be a serious or aggravated  
22 misdemeanor or felony if committed by an adult.

23 EXPLANATION

24 This bill provides that the name and address of a child  
25 taken into custody by a law enforcement agency for an alleged  
26 delinquent act which would be a serious or aggravated  
27 misdemeanor or felony if committed by an adult is a public  
28 record and shall be disclosed upon request.

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