

**Senate File 2378 - Introduced**

SENATE FILE 2378  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2293)

**A BILL FOR**

1 An Act relating to the peace officer, public safety, and  
2 emergency personnel bill of rights.

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

1 Section 1. Section 80F.1, subsection 1, paragraph a, Code  
2 2020, is amended to read as follows:

3 a. "Complaint" means a formal written allegation signed  
4 by the complainant or a signed written statement by an  
5 officer receiving an oral complaint stating the complainant's  
6 allegation.

7 Sec. 2. Section 80F.1, subsections 3, 5, 13, and 18, Code  
8 2020, are amended to read as follows:

9 3. A formal administrative investigation of an officer  
10 shall be commenced without unreasonable delay from the date of  
11 the incident giving rise to the allegation against the officer  
12 and shall be completed in a reasonable period of time and an.  
13 An officer shall be immediately notified of the results of the  
14 investigation when the investigation is completed.

15 5. a. An officer who is the subject of a complaint, shall  
16 at a minimum, be provided a written summary of the complaint  
17 prior to an interview. If a collective bargaining agreement  
18 applies, the complaint or written summary shall be provided  
19 pursuant to the procedures established under the collective  
20 bargaining agreement. If the complaint alleges domestic abuse,  
21 sexual abuse, or sexual harassment, an officer shall not  
22 receive more than a written summary of the complaint.

23 b. Upon written request of the officer or the officer's  
24 legal counsel, the employing agency shall provide to the  
25 officer or the officer's legal counsel a complete copy of the  
26 officer's incident reports, other statements, and video or  
27 audio recordings from the incident giving rise to the complaint  
28 without unnecessary delay prior to an interview of the officer  
29 and allowing at least seventy-two hours for review before the  
30 interview unless the officer agrees to a shorter period of  
31 time.

32 13. An officer shall have the right to bring a private cause  
33 of action and pursue civil remedies under the law including but  
34 not limited to an action for money damages against a citizen  
35 arising from the filing of a false complaint against the

1 officer.

2 18. A municipality, county, or state agency employing  
3 an officer shall not publicly release the officer's official  
4 photograph without the written permission of the officer or  
5 without a request to release pursuant to [chapter 22](#). An  
6 officer's personal information including but not limited to the  
7 officer's home address, personal telephone number, personal  
8 email address, date of birth, social security number, and  
9 driver's license number shall be confidential and shall be  
10 redacted from any record prior to the record's release to the  
11 public by the employing agency. Nothing in this subsection  
12 prohibits the release of an officer's photograph or unredacted  
13 personal information to the officer's legal counsel, union  
14 representative, or designated employee representative upon the  
15 officer's request.

16 Sec. 3. Section 80F.1, Code 2020, is amended by adding the  
17 following new subsections:

18 NEW SUBSECTION. 20. The employing agency shall keep  
19 an officer's statement, recordings, or transcripts of any  
20 interviews or disciplinary proceedings, and any complaints made  
21 against an officer confidential unless otherwise provided in  
22 this section.

23 NEW SUBSECTION. 21. An agency employing full-time or  
24 part-time officers shall provide annual training to any officer  
25 or supervisor who may perform or supervise an investigation  
26 under this section, and shall maintain documentation of any  
27 training related to this section. The Iowa law enforcement  
28 academy shall adopt minimum training standards not inconsistent  
29 with this subsection, including training standards concerning  
30 interviewing an officer subject to a complaint.

31 NEW SUBSECTION. 22. Upon request, the employing agency  
32 shall provide to the requesting officer or the officer's legal  
33 counsel a copy of the officer's personnel file and training  
34 records regardless of whether the officer is subject to a  
35 formal administrative investigation at the time of the request.

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EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to the peace officer, public safety, and emergency personnel bill of rights.

The bill provides that a formal administrative investigation of an officer shall be commenced without unreasonable delay from the date of the incident giving rise to the allegation against the officer.

The bill provides that the employing agency shall provide to the officer or the officer's legal counsel a complete copy of the officer's incident reports, other statements, and video or audio recordings from the incident giving rise to the complaint against the officer, upon request of the officer or the officer's legal counsel, at least 72 hours before an interview with the officer unless the officer agrees to a shorter period of time.

The bill provides that an officer may bring a private cause of action, including but not limited to an action for money damages, against a private citizen for filing a false complaint against the officer.

The bill provides that an officer's personal information, including certain personal information specified in the bill, shall be confidential and shall be redacted from any record prior to the record's release to the public by an employing agency. The bill provides that the following information shall also be kept confidential: an officer's statement, recordings, or transcripts of any interviews or disciplinary proceedings, and any complaints made against an officer.

The bill provides that an agency shall provide annual training to any person who may perform or supervise an investigation under the bill. The Iowa law enforcement academy shall adopt minimum training standards not inconsistent with the bill including training standards concerning interviewing an officer subject to a complaint.

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1 The bill provides that upon request, the employing agency  
2 shall provide to a requesting officer or the officer's legal  
3 counsel a copy of the officer's personnel file and training  
4 records regardless of whether the officer is subject to a  
5 formal administrative investigation at the time of the request.

6 The bill modifies the definition of "complaint" to mean a  
7 formal written allegation signed by the complainant or a signed  
8 written statement by an officer receiving an oral complaint  
9 stating the complainant's allegation.