

Senate File 395 - Introduced

SENATE FILE 395

BY DAWSON

A BILL FOR

1 An Act relating to the confidentiality of certain law
2 enforcement information involving a person experiencing a
3 mental health crisis, substance-related disorder crisis, or
4 housing crisis.

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

1 Section 1. Section 22.7, Code 2021, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 5A. *a.* Any reports generated by a law
4 enforcement agency regarding a person experiencing a mental
5 health crisis, substance-related disorder crisis, or housing
6 crisis, when the report is generated for the specific purpose
7 of providing crisis intervention information to assist peace
8 officers under any of the following circumstances:

9 (1) De-escalating conflicts.

10 (2) Referring a person experiencing a mental health crisis,
11 substance-related disorder crisis, or housing crisis to a
12 mental health treatment provider, substance-related disorder
13 treatment provider, homeless service provider, or any other
14 appropriate service provider.

15 *b.* A report generated for the purposes of this subsection
16 shall be made available to the person who is the subject of the
17 report upon the request of the person who is the subject of
18 the report, and may be provided to a mental health treatment
19 provider, substance-related disorder treatment provider,
20 homeless service provider, or any other appropriate service
21 provider in connection with a referral for services.

22 *c.* Reports generated for the purposes of this subsection are
23 not peace officers' investigative reports under subsection 5.

24 *d.* For the purposes of this subsection, "*housing crisis*"
25 means a situation where a person is experiencing homelessness,
26 a lack of adequate or safe housing, or is in imminent danger of
27 homelessness or lack of adequate or safe housing.

28 EXPLANATION

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

31 This bill relates to the confidentiality of certain law
32 enforcement information involving a person experiencing a
33 mental health crisis, substance-related disorder crisis, or
34 housing crisis.

35 The bill provides that any report generated by a law

1 enforcement agency regarding a person experiencing a mental
2 health crisis, substance-related disorder crisis, or housing
3 crisis shall be kept confidential pursuant to Code section
4 22.7 when the report is generated for the specific purpose
5 of providing crisis intervention information to assist peace
6 officers in de-escalating conflicts or referring a person
7 experiencing a mental health crisis, substance-related
8 disorder crisis, or housing crisis to a mental health treatment
9 provider, substance-related disorder treatment provider,
10 homeless service provider, or any other appropriate service
11 provider.

12 The bill requires a report generated pursuant to the bill
13 to be made available to the person who is the subject of the
14 report upon the request of the person who is the subject of
15 the report, and may be provided to a mental health treatment
16 provider, substance-related disorder treatment provider,
17 homeless service provider, or any other appropriate service
18 provider in connection with a referral for services.

19 The bill provides that reports generated for the
20 above-stated purposes are not peace officers' investigative
21 reports under Code section 22.7(5).