

## Memorandum

Iowa Dept. of Corrections Legislative Proposal

Subject: A bill for an act relating to the Department of Corrections and Department of Correctional Services' access to the Iowa Courts Information System.

Recently, the Iowa Judicial Branch I.T. staff conducted an audit of users in two probation districts and determined that the district had originally requested access for a number of its employees at a higher security level than they should have had, in light of confidentiality provisions in the Iowa Code, for certain documents.

The Iowa Court Information System (ICIS) screens, attachments, and information is used by Department of Corrections (DOC) and Community-Based Corrections (CBC) staff to execute essential job functions that support the criminal justice system. Understandably, State Court Administration must follow the Iowa Code requirements when protecting confidential court documents, which means that CBC and DOC staff cannot access most attachments and confidential screens; this has caused the following issues:

1. Clerical staff cannot enter information into DOC's Iowa Corrections Offender Network (ICON) data management system for new clients—they need ICIS screens that show Social Security Numbers, but Social Security numbers are confidential.
2. DOC and CBC Staff cannot see confidential information in ICIS such as mental health and substance abuse information because this information is considered confidential. This is used to ensure that clients have complied with court orders or for pre-sentence investigations or even if a client scores low risk but the intake officer has concerns they will look to see if there are issues so that they can provide more services. If this is taken away, it will create more barriers for clients in that they will need to go to the courthouse to request these documents themselves, rather than authorized staff simply having access to them.
3. DOC staff review orders in ICIS to ensure any mandatory programming has been included for defendants. For example, all those convicted of a domestic abuse charge are required by Iowa Code to have Iowa Domestic Abuse Program (IDAP) programming. When IDAP programming is inadvertently absent from the Court's order, DOC/CBC staff are able to catch it by running exception reports and then confirming such in ICIS. If it is not correct, DOC/CBC staff contact the courts to do a nunc pro tunc order and ask that it be fixed.
4. Before CBC Districts and prisons discharge someone from probation, parole, or release from prison, staff check ICIS to ensure costs are paid, there are no active new warrants, or court orders that have not been addressed. If they are not given access to this, staff will have to ask local law enforcement to provide this for DOC/District Staff. This will create additional bureaucratic redundancy and increase the possibility for error.

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5. PSI (pre-sentence investigations) writers require information from ICIS to create their reports that are delivered to the court. This will create additional governmental redundancy and waste as someone will have to get that for the CBCs, if the courts want it included in their reports.

6. Parole officers cannot gain access to ICIS documents needed to prove criminal charges for parole revocation hearings, such as the criminal complaint or police report.

Further, after discussion with several leaders of the Judicial Districts, it was their desire to have the Director of the Judicial District Department of Correctional Services be the authorizing authority for their employees receiving access (as opposed to the Director of the Department of Corrections). This language is a reflection of that desire.

This proposed language is supported by both the CBCs and the department, and was developed with assistance from the Iowa Court Administration; the department appreciates their assistance.

Respectfully Submitted,

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