

201—5.3(17A,22) Requests for access to records.

5.3(1) *Location of record.* A request for access to a record should be directed to the office where the record is kept:

a. Records of current inmates are maintained at the inmates' place of confinement. Such requests should be directed to the Records Office at:

Anamosa State Penitentiary
406 North High Street
Anamosa, Iowa 52205
(319)462-3504

Mount Pleasant Correctional Facility
1200 East Washington
Mount Pleasant, Iowa 52641
(319)385-9511

Clarinda Correctional Facility
2000 N. 16th Street
Clarinda, Iowa 51632
(712)542-5634

Newton Correctional Facility
307 S. 60th Avenue W, Box 218
Newton, Iowa 50208
(641)792-7552

Iowa State Penitentiary
2111 330th Avenue
P.O. Box 316
Fort Madison, Iowa 52627
(319)372-5432

Iowa Medical and Classification Center
2700 Coral Ridge Avenue
Coralville, IA 52241
(319)626-2391

Iowa Correctional Institution for Women
420 Mill Street SW
Mitchellville, Iowa 50169
(515)967-4236

North Central Correctional Facility
313 Lanedale
Rockwell City, Iowa 50579
(712)297-7521

Fort Dodge Correctional Facility
1550 L Street
Fort Dodge, IA 50501
(515)574-4700

If the requester does not know the current place of confinement, the request for a record should be directed to the Iowa medical and classification center as previously listed.

b. Records of former incarcerated individuals and other individuals served by the department's division of institutions should be directed to records office at the Iowa medical and classification center as previously listed.

c. Requests for other records, including administration or operation, should be directed to the Director, Department of Corrections, Jessie Parker Building, 510 East 12th Street, Des Moines, Iowa 50319, (515)725-5701.

5.3(2) Office hours. Open records shall be made available during all customary office hours, which are 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

5.3(3) Request for access. Requests for access to records may be made in writing, in person, or by telephone if the request is for open record information. Requests shall identify the particular records sought by name or description in order to facilitate the location of the record. Mail requests shall include the name, address, and telephone number of the person requesting the information. A person shall not be required to give a reason for requesting an open record.

5.3(4) Response to requests. The custodian is authorized to grant or deny access to the record according to the provisions of Iowa Code chapter 22, sections 904.601, 904.602, 904.603, and this chapter. The decision to grant or deny access may be delegated to one or more designated employees. Unless the size or nature of the request requires time for compliance, the agency shall comply with the request as soon as feasible. However, access to such a record may be delayed for one of the purposes authorized by Iowa Code section 22.8(4) or 22.10(4). The agency shall promptly inform the requester of the reason for the delay. A request to review a confidential record shall be in writing. A person requesting access to such a record may be required to complete department of corrections Form No. IN-V-24-F-1 enumerating the specific grounds justifying access to the confidential record and to provide any proof necessary to establish relevant facts, request prior to receiving access to the record.

5.3(5) Security of record. No person may, without permission from the custodian, search or remove any record from agency files. The examination and copying of agency records shall be supervised by the custodian or a designee of the custodian. Records shall be protected from damage and disorganization.

5.3(6) Copying. A reasonable number of copies of an open record may be made in the agency's office. If photocopy equipment is not available in the agency's office where an open record is kept, the custodian shall permit examination of the record in that office and shall arrange to have copies promptly made elsewhere.

5.3(7) Fees.

a. When charged. The agency may charge fees in connection with the examination or copying of records only if the fees are authorized by law. To the extent permitted by applicable provisions of law, the payment of fees may be waived when the imposition of fees is inequitable or when a waiver is in the public interest.

b. Copying and postage costs. Price schedules for published materials and for photocopies of records supplied by the agency shall be prominently posted in agency offices. Copies of records may be made by or for members of the public on agency photocopy machines or from electronic storage systems at cost as determined and posted in agency offices by the custodian. When the mailing of copies of records is requested, the actual cost of such mailing may also be charged to the requester.

c. Supervisory fee. An hourly fee may be charged for actual agency expenses in supervising the examination and copying of requested records when the supervision time required is in excess of five minutes. The custodian shall prominently post in agency offices the hourly fees to be charged for supervision of records during examination and copying. That hourly fee shall not be in excess of the hourly wage of an agency employee who ordinarily would be appropriate and suitable to perform this supervisory function.

d. Advance deposits.

(1) When the estimated total fee chargeable under this subrule exceeds \$25, the custodian may require a requester to make an advance payment to cover all or a part of the estimated fee.

(2) When a requester has previously failed to pay a fee chargeable under this subrule, the custodian may require advance payment of the full amount of any estimated fee before the custodian processes a new request from that requester.

[ARC 3929C, IAB 8/1/18, effective 9/5/18; see Delay note at end of chapter]