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WILLIAM P. ANGRICK II
 CITIZENS' AIDE / OMBUDSMAN

RUTH L. MOSHER
 FIRST DEPUTY

In reply, please refer to: 78-931

November 6, 1978

Senator George Kinley
 Chairman, Legislative Council
 Capitol Building
 LOCAL

Dear Senator Kinley:

I am at this time approaching you as Chairman of the Legislative Council relative to a matter I have encountered as Citizens' Aide/Ombudsman.

In establishing the Citizens' Aide/Ombudsman by statute, the General Assembly supported the idea of a classical Ombudsman for Iowa State Government. In order to maintain its existence within the classical mode of ombudsmanship, the Iowa Citizens' Aide must remain independent and politically neutral.

During the course of my issuance of the recent Critical Report on "Matters Relating to the Use of an Official State Apartment by Iowa Public Records Search, Inc.", I made decisions bearing upon the relationship of the Iowa Citizens' Aide to individual members of the Iowa General Assembly.

Specifically, I denied possibility of access to information contained within a case file to a member of the Legislature when he questioned me as to his right to such information upon demand.

Section 601G:8 of the Iowa Code allows me to "maintain secrecy in respect to all matters including the identities of the complainants or witness...except that the General Assembly, any Standing Committee of the General Assembly or the Governor may require disclosure of any matter and shall have complete access to the records and files of the Citizens' Aide." I interpreted "the General Assembly" to mean the Legislature as a whole and not its members individually.

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I trust that this decision did not cause me to violate my responsibilities to the General Assembly. However, greater clarification would be achieved for me if we might have the Legislative Council address my responsibilities with regard to Section 601G.8 at its earliest convenience.

Respectfully,

William P. Angrick II
Citizens' Aide/Ombudsman

WPA:jg