



Windsor Heights Public Safety

POLICE ♦ FIRE ♦ EMS

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June 22, 2022

Hannah Fordyce
Iowa Public Information Board
Wallace State Office Building
502 East 9th Street, Third Floor
Des Moines, Iowa 50319

RE: PROPOSED IPIB RULE CHANGES TO Chapter 11.2(1)

To Whom It May Concern,

I write to you in hopes IPIB will reconsider the wording proposed for changes to Chapter 11.2(1), specifically the wording related to, “***within two business days after receipt by the lawful custodian,***” and “***e. A request received by other means, including social media, within two business days after the communication is received.***”

I suspect, and hope, the wording above was intended to relay someone could make a **specific request for open records** via means such as messenger platforms on social media platforms – directly sent to an organization and directed at a specific response, but not simply listed in comments within a social media post.

However, as written this could be interpreted to incur liability on government organizations requiring someone to monitor, read, view or otherwise review ***every single comment on a social media platform*** as one could argue they put something in a social media comment whereby they expected a response within two business days. This simply is untenable...

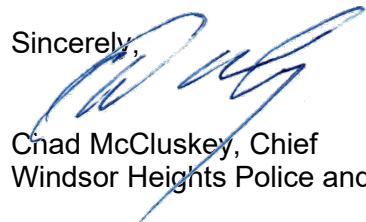
Government organizations, including police departments and fire departments, rely on social media platforms to communicate timely, and sometimes critical, information to our communities. We use such platforms for public relations and to support our efforts to keep our communities safe. However, very few organizations have staffing robust enough to assign someone to a fulltime position of monitoring these platforms. Rather, the typical use is to either schedule informational posts ahead of time, or post information as necessary – but typically the information is posted / shared and we do not regularly revisit the post to read all the comments. In fact, any such requirement to review every, single comment on social media would be something most organizations simply cannot complete. The only practical alternative would be to close comments on every post, which defeats open dialogue and community discussion...

For example, a recent post from June 3, 2022 by the Des Moines Police Department garnered 439 comments on a single post... That post was shared another 118 times. Under the proposed rule change, are government entities expected to review all 439 comments, and all comments on all 118 shares to ensure someone didn't put something which could be construed as a request for records within those comments?

The rules need to be clear, concise and leave no room for interpretation. I urge you to reconsider the wording in the proposed rule changes to ensure the exact wording used not only meets your intent, but is also **reasonable and practical**, while not adding undue burdens to all of your Iowa communities and governing entities.

I appreciate your time and consideration of this letter of opposition, as well as the others you have received for consideration. Please let me know if you have any questions.

Sincerely,


Chad McCluskey, Chief
Windsor Heights Police and Fire Department

