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August 3, 2023

Laura Belin

laurarbelin@bleedingheartland.com

Subject: Open Records Request – Sac County Sheriff's Office Investigative Records

Mr. Belin,

Sac County is in receipt of your open records request sent to the Sheriff's Office via email (laurarbelin@bleedingheartland.com to borlaug@sacountyiowa.gov) on July 27, 2023. See Enclosure 1. For the reasons below, Sac County cannot provide you with the information you requested.

A peace officer's investigative reports are confidential under Iowa Code section 22.7(5). This includes body camera videos and other evidence as part of the officer's investigative file. To be certain, we can provide you with the date, time, specific location, and immediate facts and circumstances surrounding the incident. This information is in the criminal complaint. See Enclosure 2.

If you have concerns about my interpretation of Iowa Code section 22.7(5), I would point you to the contested case by the Iowa Public Information Board on February 21, 2019, in 17IPIB001 FC:0030 and 17IPIB002 FC:0034. A copy of IPIB's decision is attached for your quick reference. See Enclosure 3.

I would also point you to the IPIB Ruling dated July 18, 2019, in 19AO:0003. The link to this IPIB Advisory Opinion can be accessed at the following URL: <https://ipib.iowa.gov/investigative-reports>

If you believe this interpretation of Iowa law is in error, please forward me the statute, regulation, or caselaw you are relying upon and we will reconsider your request.

Respectfully,

A handwritten signature in black ink, appearing to read "Benjamin Smith". The signature is stylized and cursive.

Benjamin Smith
Sac County Attorney