

Red Tape Review Rule Report (Due: September 1, 2026)

Department Name:	Public Safety	Date:		Total Rule Count:	4
IAC #:	661	Chapter/ SubChapter/ Rule(s):	35	Iowa Code Section Authorizing Rule:	Iowa Code chapters 22 and 80F
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of this rule is to provide the public with steps on how to file a complaint against an employee of the Department of Public Safety. This rule also outlines notification and investigative requirements when a complaint is filed. However, upon further review of the rule, the Department has determined it does not possess rulemaking authority for this chapter.

Is the benefit being achieved? Please provide evidence.

Yes. The steps on how to file a complaint against an employee of the Department are clearly defined, as well as how notification to the complainant will be completed along with an investigation into the allegations made. The benefit can still be achieved as the process to file a complaint is easily accessible and outlined on the Department's [website](#). Additionally, as part of the DPS Operating Manual, policy 26-02.01 outlines the handling of complaints against Department employees. Iowa Code chapters 80 and 80F also support the intended benefit of this rule.

What are the costs incurred by the public to comply with the rule?

There are no costs incurred by the public to comply with this rule.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the agency or any other agency to implement or enforce this rule.

Do the costs justify the benefits achieved? Please explain.

There are no costs to comply, implement, or enforce this rule. Though the department lacks rulemaking authority, the benefit can still be achieved through Iowa Code chapters 80 and 80F and the Department's website and internal policies regarding the submission and handling of complaints against employees.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Yes, as the Department does not possess clear rulemaking authority for this chapter, it is proposed that it be rescinded in its entirety.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Yes, this chapter contains language that is duplicative of statute (Iowa Code Chapters 80 and 80F).

RULES PROPOSED FOR REPEAL (list rule number[s]):

The Department proposes rescinding Chapter 35.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 35

COMPLAINTS AGAINST EMPLOYEES

~~661—35.1(80) Definitions.~~ The following definitions apply to rules ~~661—35.1(80)~~ through ~~661—35.4(80)~~:

~~—“Complaint” means a formal written allegation signed by the complainant, or a signed written statement by an officer receiving an oral complaint stating the complainant’s allegation regarding, but not limited to, breach of rules or orders, a violation of the law, or other misconduct by an employee of the department.~~

~~—“Department” means the Iowa department of public safety.~~

~~—“Employee” means any employee of the department.~~

~~661—35.2(80) Filing a complaint.~~

~~—35.2(1) Any person may file a complaint against an employee or employees by:~~

~~—a. Mailing a signed complaint in writing to the professional standards bureau at the following address:~~

~~Professional Standards Bureau
Iowa Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319~~

~~Complaints in writing may be mailed or submitted to any office of the department.~~

~~—b. Calling the professional standards bureau at (515)725-6270, or by calling any office of the department.~~

~~—c. Completing the commendation/complaint form online on the website of the department.~~

~~NOTE: The complaint form may be found at the following location:
stateofiowa.seamlessdocs.com/f/PSB_Complaint_Form.~~

~~—35.2(2) The complainant should describe as specifically and completely as possible the nature of the complaint and the details of any incident or incidents which give rise to the complaint.~~

~~—35.2(3) Each complaint received will be recorded and investigated.~~

~~—35.2(4) The complainant need not be identified if a statement is received as an oral complaint. Anonymous complaints will be accepted and investigated as thoroughly as possible.~~

~~661—35.3(80) Notification to complainant.~~ The professional standards bureau shall provide any identified complainant with a written receipt of the complaint and may provide additional information regarding the complaint and its disposition as permitted by law.

~~661—35.4(80) Investigation requirements of agency.~~

~~— 35.4(1) — *Recordkeeping and release of information.* The department shall keep confidential an officer’s statement, recordings or transcripts of any interviews or disciplinary proceedings, and any complaints made against an officer unless otherwise provided by law or with the officer’s written consent. Nothing in this rule prohibits the release of an officer’s statement, recordings or transcripts of any interviews or disciplinary proceedings, and any complaints made against an officer to the officer or the officer’s legal counsel upon the officer’s request.~~

~~— 35.4(2) — *Training of investigating employee.* The department shall provide training to any officer or supervisor who performs or supervises an investigation under Iowa Code section 80F.1, and shall maintain documentation of any related training. The Iowa law enforcement academy shall adopt minimum training standards consistent with this rule, including training standards concerning interviewing an officer subject to a complaint.~~

~~— 35.4(3) — *Right of officer to personnel file and records.* Upon written request, the department shall provide to the requesting officer or the officer’s legal counsel a copy of the officer’s personnel file and training records regardless of whether the officer is subject to a formal administrative investigation at the time of the request. This rule is intended to implement Iowa Code sections 80F.1(20) through 80F.1(22). These rules are intended to implement Iowa Code chapter 80.~~

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	5
Proposed word count reduction after repeal and/or re-promulgation	508
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	6

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.