

Amendment to Chapter 6
ESS Policies and Procedures
Personally Identifiable Information

Chapter 6 of the Electronic Services System Policies and Procedures is amended to provide for a redaction process as required by Section 331.604, subsection 3(f). These provisions require a county recorder or a county recorder's staff to redact the names of qualified parties from electronic documents that are displayed for public access through an internet site. Policies and procedures are necessary to further define and implement these requirements.

1. Section 6.1 of the ESS Policies and Procedures is amended as follows.

ESS – 6.1 Definitions.

(Iowa Code Section 331.604, 3(a))

As used in this Chapter:

Actual Cost – The proportionate amount of the equivalent hourly compensation of the person assigned to supervise, assist or implement a Batch Transfer of information from a County plus the actual cost of the media used to transfer the information.

Batch Transfer - The delivery or transfer of an accumulation of electronic documents or records recorded or maintained by a County Recorder.

Certifying Authority - A City Chief of Police, County Sheriff, County Attorney, or a designated administrative official of a State of Iowa Law Enforcement agency with direct knowledge concerning a **Compelling Safety Interest of a former law enforcement official.**

Compelling Safety Interest – A circumstance or condition in which a former law enforcement officer attests that there is a credible risk to their physical safety and well-being, and the risk is confirmed in writing by an **Certifying Authority.**

Electronic Document - A document or instrument that is received, processed, disseminated, or maintained in an electronic format. **The submission of an electronic document through the county land record information system electronic submission service shall be equivalent to delivery of a document through the United States postal service or by personal delivery at designated offices in each county.**

Personally Identifiable Information (PII) - One or more of the following specific unique identifiers when combined with an individual's name:

- (1) Social security number.
- (2) Checking, savings, or share account number, credit, debit, or charge card number.

Private Image Repository – The storage system used by the county land record information system to permanently archive original, unaltered images of recorded documents.

Public Access Terminal – A personal computer or other public computer terminal provided to the public at a service counter or other designated area for the purpose of providing read-only access to information and images for recorded documents.

Qualified Individual – Current or former law enforcement officers as follows:

- a. a current or former peace officer as defined in section 801.4 of the Code of Iowa,
- b. a current or former civilian employee of a law enforcement agency,
- c. a current or former state or federal judicial officer,
- d. a current or former state or federal prosecutor

A person holding or seeking public office shall not be considered as a Qualified Individual.

Recently Recorded Documents – Documents which are recorded and transferred to the county land record information system within the previous three business days as provided in Section 4.6(1).

Redaction - The process of permanently removing all or a portion of personally identifiable information or other information specified by Iowa law from electronic documents ~~document images~~.

2. Chapter 6 of the ESS Policies and Procedures is amended by adding the following new section.

ESS – 6.8 Redaction Requests.

(Iowa Code Section 331.604, subsection 3(f))

6.8(1) Request For Redaction of Qualified Individual Name. A Qualified Individual may request that their name be redacted from electronic documents displayed for public access through an ESS internet site. ESS will fulfill a valid redaction request at no cost when all of the following conditions are true:

- a. The person requesting the restriction is a named party in the document or documents, and

- b. The person is a Qualified Individual as verified by the employer, or if a former employee, verified by a supervisor or other human resources manager with the former employer, and
- c. If the person is a former law enforcement officer, verification by an Certifying Authority that the person has a Compelling Safety Interest, and
- d. The request is made in writing using a form approved by ESS, and
- e. The person specifies the documents to be redacted, and
- f. The person does not currently hold or is not seeking public office, and
- g. The redaction request is reviewed and approved by the county recorder or their staff

6.8(2) Form of Image Restriction Request. An individual requesting the restriction of document images shall provide all of the following information.

- a. Contact information for the person requesting a redaction (the Qualified Individual including name, phone number, and e-mail address).
- b. The Compelling Safety Interest (if applicable).
- c. The name of the County in which the document has been recorded.
- d. The document reference number assigned to the electronic document(s) by the County. There are various formats used by different counties. In some cases the reference number is a book and page number.
- e. The date on which the document(s) was recorded.

Requests to redact a name from an electronic document without the required specific document information will not be considered. All requests must be submitted in writing using the required form through a county recorder's office. The Office of the County Recorder shall deliver approved requests via e-mail to support@clris.com with the subject "Electronic Document Redaction Request".

6.8(3) Disposition Of Image Restriction Requests. Pending the completion of the redaction of a name, the applicable electronic document(s) will be temporarily removed from public access. A person who has made a redaction request will be notified of the disposition of the request. If a request is denied, the individual will be informed of the reason for the denial by the office of the county recorder.

6.8(4) No Restriction Of Index Information. Information about electronic documents which is used to index and reference information filed with the Office of the County Recorder shall not be restricted.

6.8(5) Removal of Redaction. ESS will restore unredacted electronic documents when any of the following conditions exist.

- a. The individual requesting the restriction of document images rescinds the request in writing.
- b. Four years following the application of a requested redaction to an electronic document.

6.8(6) Renewal of Redaction Request. A person may request that an electronic document continue to be redacted under this section by submitting an application for renewal to the Office of the County Recorder.