

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

<b>Department Name:</b>	Iowa Department of Corrections	<b>Date:</b>	5/5/2026	<b>Total Rule Count:</b>	20
<b>IAC #:</b>	201	<b>Chapter/ SubChapter/ Rule(s):</b>	51	<b>Iowa Code Section Authorizing Rule:</b>	356.36
<b>Contact Name:</b>	Jen Rathje	<b>Email:</b>	jen.rathje1@iowa.gov	<b>Phone:</b>	515-802-0898

**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

The intended benefit is to establish specific operational standards for Iowa’s 6 temporary holding facilities (detention of 24 hours or less) pursuant to Iowa Code sections 356.36 and 356.43. These rules ensure that all facilities, regardless of size, meet comprehensive standards for physical plant, security, personnel training, sanitation, inmate health, constitutional rights, and operational record-keeping. Beyond providing a baseline for safety, this framework promotes operational excellence. It serves as the foundation for recognizing facilities that demonstrate excellence in management, ensuring safety and well being of both detainees and staff while significantly reducing liability for local governments through standardized compliance.

**Is the benefit being achieved? Please provide evidence.**

Yes. The Department of Corrections (DOC) ensures the benefit of these rules is achieved through a robust, evidence-based oversight process. This is demonstrated by annual compliance reviews as mandated by Iowa Code section 356.43. These inspections verify adherence to minimum standards across all facility operations.

When deficiencies are identified, the DOC jail inspector works with the facility to implement a corrective action plan. This process ensures that potential risks are mitigated before they escalate into safety failures or legal liabilities.

The benefit is further evidenced by the DOC’s recognition of top-performing facilities. In 2025, for example, eight counties were recognized for demonstrating excellence in jail operations and management. This award system incentivizes facilities to not only meet but exceed minimum standards, ensuring the safety and well-being of both staff and detainees.

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

There are no direct costs to the public associated with this rule.

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

The primary costs associated with the implementation and enforcement of Chapter 51 are already integrated into the existing operational budgets of the involved agencies. For the Department of Corrections, as the enforcing agency, costs are limited to the existing personnel and travel expenses for the jail inspector to conduct mandated annual reviews. No additional staff or specialized appropriations are required to maintain this oversight. For the 6 temporary holding facilities, the cost of compliance is

absorbed into their standard public safety operating budgets. These rules primarily dictate operational behavior and safety protocols that do not require new expenditures for facilities currently in compliance. A direct fiscal impact would only occur if a facility were found to be in such poor condition that significant structural repairs or a new facility were required to meet life-safety standards; however, no such capital expenditures have been required in recent years, as the inspection process allows for incremental maintenance and corrective action before structural failures occur.

**Do the costs justify the benefits achieved? Please explain.**

Yes. The rules are justified by the critical public safety and liability protections they provide. Standardized rules ensure that local jurisdictions operate in a manner that protects the constitutional rights of detainees and the safety of staff. Iowa Code section 356.36 provides that these rules serve as the regulatory benchmark for compliance rather than a basis for civil damages. Adherence to these standards mitigates the risk of federal civil rights litigation and oversight, providing a vital legal and financial safeguard for local governments.

**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.**

No less restrictive alternatives exist because these rules represent the minimum standards necessary to satisfy the mandatory requirements of Iowa Code sections 356.36 and 356.43. The Department of Corrections (DOC) is statutorily required to "draw up minimum standards" and conduct "periodic inspections" to ensure compliance. If these rules were made less restrictive or replaced with voluntary guidelines, the state would fail to meet its legislative mandate to ensure the life, safety, and constitutional rights of both detainees and staff. These specific standards are developed in consultation with stakeholders pursuant to Iowa Code section 356.36, including the Iowa State Sheriffs' and Deputies' Association (ISSDA), the Iowa Chiefs of Police Association, Iowa State Association of Counties (ISAC), and the League of Cities, who have reached a consensus that these standards are the essential baseline for safe facility management.

**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]**

***PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE***

While this chapter was reviewed through the lens of Executive Order 10's goal to reduce redundancy, the Department has determined that the current language is neither obsolete nor unnecessary. Given the high-risk nature of jail operations and the specific compliance needs of local facilities, the existing language is essential for maintaining clear, unambiguous minimum standards.

Where rule language may mirror statutory requirements, it has been intentionally retained to provide a single, comprehensive "operating manual" for jail administrators. Removing these sections or relying solely on statutory cross-references would create a "fragmented" regulatory landscape, increasing the risk of operational errors and safety failures at the local level. Because these rules serve as the primary benchmark for mandatory annual inspections, maintaining the current level of detail is necessary to ensure the safety of staff and detainees and to protect local governments from legal liability.

Rather than broad rescission, the Department implemented targeted updates to clarify standards and improve operational safety, specifically:

**Rule 51.3 (Inspection and Compliance):** Updated to clarify the notification process for noncompliance and the formal listing of deficiencies to chief administrators.

**Rule 51.10 (Training for facility personnel):** Revised to require recorded acknowledgment, by either written or electronic means, from jailers and jail supervisors attesting that they have full knowledge of jail standards and policies.

**Rule 51.11 (Admission/Classification and Security):** Updated to identify specific methods for providing advance notice to detainees before a staff member or visitor of the opposite sex enters a housing unit.

**Rule 51.13 (Medical Services):** Updated to reflect that the responsibility for the costs of medical services and products remains that of the detainee as allowed by Iowa Code section 356.7.

**Rule 51.15 (In-house Food Services):** Refined language to ensure food preparation areas, storage, and sanitization practices remain clean and sanitary in accordance with state health standards regulating institutions and food establishments.

**Rule 51.19 (Records):** Updated rule 51.19(13)"d" to explicitly define the 24-hour notification window for the state jail inspection unit regarding major incidents such as deaths, attempted suicides, fires, or escapes.

**Administrative Rule and Code References:** Updated throughout the chapter to ensure all internal cross-references to the Iowa Administrative Code and relevant statutes are accurate and current.

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

None

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

All rules. 51.1 through 51.20 will be re-promulgated.

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

**METRICS**

<b>Total number of rules repealed:</b>	<b>0</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>0</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>3</b>

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

None

