

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N _____ - 2022

Item #9
1/4/22

SCOTT COUNTY BOARD OF SUPERVISORS

January 06, 2022

Resolution Regarding the Confidentiality of Public Records
Related to the Election Infrastructure of Scott County

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

WHEREAS, under Iowa law, sensitive vulnerability information is subject to examination by the public unless it is classified as a confidential public record, and Iowa Code, Chapter 22, subsection 7, paragraph 50 identifies confidential public records as:

Information concerning security procedures or emergency preparedness information developed and maintained by a government body for the protection of governmental employees, visitors to the government body, persons in the care, custody, or under the control of the government body, or property under the jurisdiction of the government body, if disclosure could reasonably be expected to jeopardize such employees, visitors, persons, or property.

a. Such information includes but is not limited to information directly related to vulnerability assessments; information contained in records relating to security measures such as security and response plans, security codes and combinations, passwords, restricted area passes, keys, and security or response procedures; emergency response protocols; and information contained in records that if disclosed would significantly increase the vulnerability of critical physical systems or infrastructures of a government body to attack.

b. This subsection shall only apply to information held by a government body that has adopted a rule or policy identifying the specific records or class of records to which this subsection applies and which is contained in such a record; and

WHEREAS, Iowa Administrative Rule 721-22.50(52) requires each county to maintain a written security policy which shall include detailed plans to protect election equipment and data from unauthorized access as well as describe methods to be used to preserve the integrity of the election and document the election process; and

WHEREAS, the nature of the information contained in the required written security policy qualifies it as a confidential record as identified by Iowa Code 22.7(50) as outlined above; and

WHEREAS, threats to election infrastructure through breaches of cybersecurity may be initiated by any number of sources including, but not limited to hackers, disgruntled current or former employees, criminal enterprises, terrorists, and foreign governments; and

WHEREAS, while the Scott County Auditor's Office advocates for 100 percent transparency in local government, the Office recognizes that releasing public records related to vulnerabilities of election infrastructure would be irresponsible and detrimental to the voters and may allow bad actors to affect the integrity of elections administered by the County.

NOW, THEREFORE BE IT RESOLVED, that the Scott County Board of Supervisors, a government body defined in Iowa Code Chapter 22, section 1, paragraph 1, hereby designates as a matter of public policy that any public records related to Scott County's Elections Security Policy and the protection, security measures, response plans, emergency preparedness, security codes, combinations, passwords, restricted physical area passes, keys, audio/video systems, emergency response protocols, vulnerabilities, and any information contained in records that if disclosed would significantly increase the vulnerability of the election infrastructure shall remain confidential public records.

FURTHER BE IT RESOLVED, that this resolution is effective upon the date of approval by the Scott County Board of Supervisors.