

The Iowa Public Information Board

In re the Matter of:	Case Number: 25FC:0014
Michael Merritt, Complainant	Investigative Report
And Concerning:	
Jasper County, Respondent	

COMES NOW, Erika Eckley, Executive Director for the Iowa Public Information Board (IPIB), and enters this Investigative Report:

On February 5, 2025, Michael Merritt filed formal complaint 25FC:0014, alleging Jasper County (County) violated Iowa Code chapter 22.

The IPIB accepted this Complaint on March 20, 2025

Facts

Michael Merritt has a long history with and has made voluminous accusations and filed numerous complaints against the County (and other entities across Iowa). In the current complaint, Merritt alleges he made a records request to the County for an invoice of their Office 365 software.¹

The County responded that Merritt has filed extensive public records requests and had provided more than 40 hours of time at no charge in fulfilling the requests, but that Merritt would need to pay for the costs of responding to his previous request submitted prior to the records request that is the subject of this complaint. The County had spent significant time developing an estimate and notified Merritt he would need to address the pending request before they proceeded with future requests.

In reviewing the Complaint, IPIB suggested an informal resolution under Iowa Code § 23.9 that Merritt would withdraw the outstanding request that was sitting unresolved and any others that

¹ Although this complaint is against Jasper County, Merritt included all 99 county attorneys in Iowa on the emailed records request.

had not yet been resolved. The County would immediately provide the most recent records request at no charge.

In response, Merritt took offense an informal resolution was proposed under Iowa Code § 23.9 and provided the following notice:

As of 1600, CST on 08 MAY 2025 I will be assuming responsibility over all investigative actions in IPIB case 25FC:0014 manifested by Iowa Code Section 23.6(4.). This action is being taken due to compelling evidence of the IPIB's longstanding posture of:

- Retaliatory criminalization of complainants,
- Discrimination rooted in mental health bias, and
- Deployment of quid pro quo tactics in place of proper statutory investigative procedures in accordance with Iowa Code Section 23.6(4.).

As a veteran and citizen advocate, I do not take this step lightly. However, the evidence supporting the IPIB's failure to properly manifest Iowa Code Chapter 23 and enforce rights codified in Iowa Code Chapter 22 compels me to act in defense of citizens' rights and liberties. In service of lawful transparency, accountability, and public trust within the State of Iowa.

Please provide the proper address for the service of court documents and subpoenas for the following public officials...

Applicable Law

"An aggrieved person, any taxpayer to or citizen of this state, the attorney general, or any county attorney may seek enforcement of the requirements of chapters 21 and 22 by electing either to file an action pursuant to section 17A.19, 21.6, or 22.10, whichever is applicable, or in the alternative, to file a timely complaint with the board." Iowa Code § 23.5.

Analysis

Merritt has stated as a result of IPIB submitting an informal resolution proposal that he will be taking over the investigation of his complaint with service of court documents. Under Iowa Code § 23.5, an aggrieved party must choose their remedies. Merritt has stated he will be pursuing his complaint outside IPIB's jurisdiction, so this IPIB complaint should be dismissed under Iowa Code § 23.5.

IPIB Action

The Board may take the following actions upon receipt of a probable cause report:

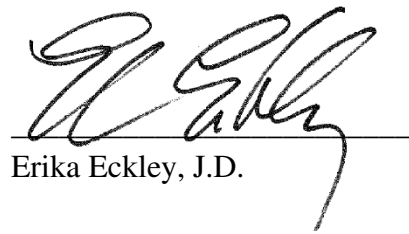
- a. Redirect the matter for further investigation;
- b. Dismiss the matter for lack of probable cause to believe a violation has occurred;
- c. Make a determination that probable cause exists to believe a violation has occurred, but, as an exercise of administrative discretion, dismiss the matter; or
- d. Make a determination that probable cause exists to believe a violation has occurred, designate a prosecutor and direct the issuance of a statement of charges to initiate a contested case proceeding.

Iowa Admin. Code r. 497-2.2(4).

Recommendation

Merritt has stated he will pursue other remedies outside the IPIB process for complaint 25FC:0014. As such, this complaint should be dismissed.

By the IPIB Executive Director



Erika Eckley, J.D.

CERTIFICATE OF MAILING

This document was sent on May 9, 2025, to:

Michael Merritt
Jasper County