

JRC

Justice Reform Consortium



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Legislative Wrap Up

The Eighty-fourth Iowa General Assembly ended its business shortly after 6:00 pm on Wednesday, May 9th, twenty-two days later than anticipated. Justice Reform Consortium's goals for the 2012 session were not met fully, but we did have some success in areas not anticipated. Below is a list of the JRC's goals and a brief synopsis of what happened with each listed goal.

Funding to fully staff Community-Based Correctional facilities in Waterloo, Cedar Rapids, Ottumwa, Davenport and Sioux City. SUPPORT

The Senate included funding in its version of the Justice Systems Budget; the House did not. The final conference committee report failed to include the Senate's version.

Earned time while on probation – The Iowa Supreme Court, in [Anderson v. State](#), ruled that Anderson should receive credit against his prison sentence for the time he lived at his residence while under electronic monitoring and home supervision. JRC believes that efforts to fix any perceived flaw must be carefully written to avoid further constitutional problems. JRC was **UNDECIDED** for most of the process. We didn't know what to expect as the original bill bounced from chamber to chamber.

Legislation to address this issue was added to House File 2465, the Standings Appropriations Bill. The language adopted in the Standings Bill is compatible with the goals of JRC.

Sexual misconduct by a correctional officer or others – [HF 614](#): An Act relating to sexual misconduct committed by employees and agents of the department of corrections and judicial district departments of correctional services, and providing a penalty. **FOR**

Like several previous years, JRC and others were unfortunately unsuccessful in achieving this goal for 2012.

Restraints on pregnant prisoners – [HF173](#): An Act restricting the use of restraints on a pregnant prisoner in labor.

This bill died last year in a House subcommittee. It is very difficult to get an issue to come up twice in the same general assembly. This bill was no exception.

Expungement of records – [HF 2379](#) passed both chambers and was signed into law by the governor on April 4. **FOR** Here is what we said about the bill last March:

The best way to explain what this bill does is to give an example. Imagine a person being charged with possession of marijuana, and also charged with a tax stamp violation. The person may have the tax stamp violation dropped in the course of a plea bargain. The plea bargain may include a deferred judgment on the possession charge. So, if the defendant does everything she is supposed to do, and the sentence is deferred, the crime will not show up on the “Courts Online”. However, the tax stamp violation will. It may show that the charge was dropped, or that the offense is crossed off, but the reality is that it is still there. The fact that the tax stamp violation remains leaves behind unanswered questions. This bill will allow the tax stamp violation to be expunged from the record. An amendment that requires all fines and fees to be paid off before the record is expunged was adopted. The amendment also provides that once expunged, the sentence goes off the public record.

Some bills that did not become law that were not on the JRC priority list, but were of concern to JRC, are listed below:

[SF2304](#): An Act requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions. AGAINST

[HF2215](#): An Act relating to the justifiable use of reasonable force and providing a remedy. AGAINST

[HF2331](#): An Act relating to the issuance of a search warrant to authorize the placement, tracking, and monitoring of a global positioning device. AGAINST

[HF2397](#): An Act relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties. AGAINST

[HF2422](#): An Act relating to sex offender notification in a nursing facility, residential care facility, or assisted living program, providing penalties, and including effective date provisions. AGAINST

[SF2297](#): An Act establishing the criminal offense of sexual abuse in the fourth degree, making related changes to sexual abuse in the third degree, providing penalties, and including retroactive and other applicability provisions. FOR

At this time we are contemplating the creation of a Voting Record. Let us know what your feelings are regarding this matter.



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UPCOMING EVENTS

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The next **[Friends of Iowa Women Prisoners](#)** meeting is at noon on **Tues., May 15** at Wesley United Methodist Church, 800 East 12th.

Bring your lunch. The place and time are consistent throughout the year. The meetings are always held on the third Tuesday of the month, and always held from noon to 1:00 pm at Wesley United Methodist Church located at 800 East 12th Street in Des Moines. The location is a block west of East High School. Please contact [Vi](#) for more information.

It's with great pleasure we welcome Judge Robert Hanson to our May meeting. Judge Hanson was appointed to the bench in 2003. He received his undergraduate education from Stanford University in 1978. He went to the University of Iowa and earned his law degree in 1981. He clerked for the Iowa Supreme Court and practiced law privately prior to his appointment. He is a member of the Polk County, Iowa State and American Bar Associations. He is married with two

children.

UPCOMING MEETINGS & PRESENTERS

In June we will hear from Jerry Bartruff, Deputy Director of Offender Services for the DOC. In July, Kim Gunnes will share the programs offered at ICIW by Planned Parenthood.

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Voices to be Heard is a support group for families and children of an incarcerated loved one. The group gathers to support and comfort those who know too well the grief that comes to those left behind when someone they love is incarcerated. The group meets on the first and third Tuesdays of the month at Union Park Methodist Church (East 12th & Guthrie in Des Moines) from 5:30 – 7:00 p.m. The group brings in speakers, performs outreach, provide support groups and leadership classes. The next meeting is scheduled for May 15th. Contact [Sue](#) for more information.



Justice Reform Consortium member organizations: Iowa CURE & Iowa Coalition 4 Juvenile Justice; Friends of Iowa Women Prisoners; Trinity United Methodist Church; Methodist Federation for Social Action; Voices to be Heard; ACLU of Iowa; Social Action Committee, Des Moines Presbytery; Des Moines Chapter of WILPF; American Friends Service Committee; Plymouth Congregational Church, Board of Christian Social Action; Iowa Annual Conference, UMC; Iowa NOW and Des Moines NOW; National Association of Social Workers; Beacon of Life

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