



# **RECOMMENDATIONS OF THE GOVERNOR'S FOCUS COMMITTEE ON CRIMINAL JUSTICE REFORM**

**Presented to Governor Kim Reynolds**

**December 11, 2019**

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**Reducing Recidivism through Successful Reentry**

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# **Executive Summary**

## **Discharge and Reentry Process**

- Automate the Voting Rights Application upon Discharge
- Create an Inventory of Community Programs
- Create a Value Process Map of Reentry in the Community
- Create a Competitive Grant Program to Support and Enhance the Reentry Efforts of Nonprofits

## **Education**

- Increase Completion of HiSET by Incarcerated Individuals over Age 21
- Coordinate Delivery of Post-Secondary Education in the Prison System
- Create a Post-Release Educational Pathway
- Advocate for Full Authorization of Second Chance Pell Grants

## **Behavioral Health Treatment**

- Expand Treatment Capacity in Prisons
- Realign Community Based Corrections Staffing to Focus on Treatment

## **Reentering the Workforce**

- Streamline Conviction Review for Occupational Licensing
- Adopt Fair Chance Hiring for Public Employers
- Continue Employer Outreach
- Expand Workforce Reentry Services in Prisons
- Establish "Second Chance Employer" designation

## **Transportation**

- Ensure Reentering Citizens have Access to Mobility Services
- Review Driver License Suspension and Revocation Sentences

## **Brief Background**

On October 15, 2019, at the Iowa Summit on Justice & Disparities Governor Kim Reynolds announced the formation of the Governor's FOCUS (Fueling Ongoing Collaboration and Uncovering Solutions) Committee on Criminal Justice Reform. Governor Reynolds charged the FOCUS Committee with delivering recommendations to her by mid-December on reducing recidivism through successful reentry.



The Governor named Lieutenant Governor Adam Gregg as the FOCUS Committee's chair, and thirteen other members of the committee:

Department of Corrections Director Dr. Beth Skinner  
Board of Parole Chair Helen Miller  
Department of Public Safety Commissioner Stephan Bayens  
Iowa Law Enforcement Academy Director Judy Bradshaw  
State Public Defender Jeff Wright  
Department of Correctional Services, 6th Judicial District Director Bruce Vander Sanden  
Iowa-Nebraska NAACP President Betty Andrews  
Commission of Latino Affairs Member Rev. Alfonso Perez  
Right on Crime, National Director of Reentry Initiatives John Koufos  
Office of the AG, Crime Victims Assistance Division Director Janelle Melohn  
Marshall County Attorney Jennifer Miller  
Ankeny Police Chief Darius Potts  
Scott County Sheriff Tim Lane

The FOCUS Committee met four times to hear presentations and discuss the subject of reentry into the community after prison. The topics of those meetings were:

November 7: Discharge and Reentry Process  
November 13: Treatment and Education  
November 20: Reentering the Workforce  
December 2: Fair Chance Employment

The FOCUS Committee would like to thank the following presenters and contributors for sharing their expertise and insights: Department of Corrections, United Way of Central Iowa, InsideOut Reentry, University of Iowa, Iowa Central Community College, National Alliance on Mental Illness-Iowa, Bridges of Iowa, Iowa Workforce Development, Department of Transportation, Iowa Lakes Regional Water, Associated Builders & Contractors of Iowa, Iowa-Nebraska NAACP, Department of Administrative Services, National Employment Law Project, Charles Koch Institute, Council of State Governments Justice Center, Iowa Association of Business and Industry, Arthur Barbine, Robert Pate, Jacob Shepard, Richard Thornburg, Wayne Byrd, and Lance Williams.

On December 11, 2019, the FOCUS Committee adopted the following recommendations for reducing recidivism through successful reentry.

## **Discharge and Reentry Process**

### **Voting Rights Application**

Better automate and institutionalize the voting rights restoration application upon discharge by providing assistance and ensuring the application is completed prior to leaving the correctional facility or community supervision.

### **Inventory of Community Programs**

Create a comprehensive inventory of community programs, including formal and informal programs, that support reentering individuals.

### **Create a Value Process Map of Reentry in the Community**

Map the first year after release including all requirements faced by reentering individuals in an effort to identify and streamline mandatory appointments that hamper work efforts.

### **Create a Competitive Grant Program to Support and Enhance the Reentry Efforts of Nonprofits**

The nonprofit sector and faith-based community play important roles in the reentry process - from supporting people after they are outside the jurisdiction of the correctional system, to helping individuals find a purpose and seek inner change while they are incarcerated. A grant program focused on supporting nonprofit reentry efforts can leverage these important public private partnerships.

## **Education**

### **HiSET Completion**

HiSET is a prerequisite for participation in apprenticeship and other post-secondary education programs, including Second Chance Pell eligibility. Currently, only incarcerated individuals 21 and younger are required to complete their HiSET. DOC should increase participation in HiSET programs by all incarcerated individuals, by adopting a tiered approach, which considers age and release date, among other relevant factors.

### **Coordinated Delivery of Post-Secondary Education in Prison**

DOC and education providers should better coordinate to ensure consistent delivery of post-secondary education options throughout the prison system. Barriers exist when incarcerated individuals are transferred between institutions before completing their coursework. DOC should consider implementing temporary academic holds (subject to safety and security considerations) which would delay transfer until coursework is completed. In the long term, DOC and stakeholders should develop processes and proposals to ensure that coursework is universally available throughout the prison system and can be continued regardless of transfer between facilities.





### **Post-Release Educational Pathway**

The average prison stay is 20 months. Many incarcerated individuals will not serve enough time to complete a degree program while they are in prison. State universities and community colleges should offer credit bearing coursework in prisons and establish agreements that those courses are transferable between institutions. DOC and other partners should direct returning citizens to the Pathways for Academic Career Education and Employment (PACE) program and Gap Tuition Assistance Program (GAP) to fund completion of postsecondary education after discharge or while on parole. Create articulation agreements with community colleges and other institutions.

### **Advocate for Full Authorization of the Second Chance Pell Grants**

Second Chance Pell has proven effective during the pilot program through Iowa Central Community College, with Second Chance Pell students outperforming their Pell Grant counterparts. Federal discussion has centered around removing the general prohibition on incarcerated individuals accessing Pell grants. Removing this barrier would allow more educational institutions to provide services at additional correctional institutions. This federal change would significantly increase educational opportunity in Iowa prisons.

### **Behavioral Health Treatment**

#### **Increase Treatment Capacity in Prisons**

Sixty-four percent of individuals leaving an Iowa prison have not completed their recommended treatment. The waiting list for cognitive-behavioral treatment programming includes over 2,500 people. Increasing treatment capacity through additional counselors providing evidence-based, cognitive-behavioral programming, substance abuse, and mental health treatment can help reduce recidivism by 30-40%.

#### **Realign Community Based Corrections Staffing to Focus on Treatment Rather Than Supervision**

Historically, too much time and money has been spent on providing unnecessarily high levels of supervision for low risk individuals who are on probation or parole. At the same time, many high risk individuals are not receiving enough supervision and treatment. CBCs should fully implement the risk assessment level system that has been developed, and should continue their shift toward realigning staffing plans to more appropriately match supervision and treatment needs based upon risk levels. The state should provide funding for community treatment coordinators to incentivize full implementation of staff realignment. Provide additional training for Board of Parole and the judiciary on the risk assessment level system and appropriate conditions.

## Reentering the Workforce

### **Conviction Review for Occupational Licensing**

Barriers to professional licensure based on an applicant's conviction record prevent reentering individuals from pursuing certain high-demand occupations. While licensing boards must consider public safety when granting licensure, they should focus on the circumstances of the crimes and follow a consistent framework for providing formerly incarcerated individuals a second chance if they can show evidence of rehabilitation.

For example:

- Licensing boards should only be allowed to deny licensure for convictions that are directly related to the profession and do not involve an unreasonable risk to property or the safety and welfare of specific individuals or the general public.
- Licensing boards should establish a consistent process to consider whether a person is rehabilitated and fit for licensure, even if the conviction is directly related to the profession. Relevant factors would include:
  - The nature and seriousness of any offense of which the person was convicted.
  - All circumstances relative to the offense, including mitigating or aggravating circumstances, or social conditions surrounding the commission of the offense.
  - The age of the person at the time the offense was committed.
  - The length of time that has elapsed since the offense was committed.
  - Any treatment undertaken by the person.
  - A certificate of employability, issued pursuant to section 906.19.
  - Letters of reference.
  - All other relevant evidence of rehabilitation and present fitness.
- Individuals with conviction records should be able to petition licensing boards for a determination of eligibility, subject to certain conditions, for licensure based on conviction history prior to submission of a full application. This would ensure an individual does not undertake the time and expense of education and training for a profession in which they cannot be licensed.



### **Adopt Fair Chance Hiring for Public Employers**

Fair Chance hiring policies prohibit inquiry into, consideration of, or requirement to disclose an applicant's criminal record history until the time of an interview or conditional offer of employment. The State of Iowa currently implements a Fair Chance hiring policy. However, it is not codified in rule or statute. Pursue legislation adopting Fair Chance hiring policies for public employers (including state agencies, departments, and political subdivisions, such as counties and municipalities) in the state of Iowa. The relevant governing body shall retain the ability to adopt reasonable exceptions to the policy.

### **Employer Outreach**

Governor Kim Reynolds began hosting Reentry Roundtables with employers, engaging Iowa job creators in conversation about the opportunities to hire reentering individuals to help meet our workforce needs. Such outreach should continue and expand, engaging elected officials and business leaders and continuing these conversations throughout the state.

### **Expand Workforce Reentry Services in Prisons**

Each year approximately 6,500 Iowans are released from prison, and the vast majority are looking for work. Iowa Workforce Development is currently able to serve 2,500 incarcerated individuals with four Reentry Advisors. Reentry services can enable reentering individuals to reconnect with a prior employer, develop their resume, improve their soft skills, including interviewing, and schedule interviews with potential employers before being released from prison.

### **"Second Chance Employer" designation**

Establish a means for employers to self-identify in an online and searchable database as willing to hire formerly incarcerated individuals.

### **Transportation**

#### **Ensure Reentering Citizens have Access to Mobility Services**

The ability to get to and from jobs, treatment, and appointments with parole officers is critical to successful reentry. However, approximately 80% of reentering individuals do not have a valid driver's license. Mobility managers in prisons can assist incarcerated individuals nearing release with navigating the steps needed to obtain a driver's license or state-issued identification card, including paying unpaid fines and fees, taking driver's exams, and obtaining identification documents. Providing temporary relief from the costs associated with obtaining and maintaining a driver's license can help individuals with limited financial means, including reentering citizens, maintain access to a myriad of necessary services and opportunities.

#### **Review Driver License Suspension and Revocation Sentences**

Review all Iowa Code sentencing provisions that result in loss of an individual's driver's license and evaluate the necessity of those that are unrelated to traffic safety.

