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Recommendations of the Governor's FOCUS Committee on Criminal Justice Reform

Citizenship Rights Restoration

Iowa is one of two states that do not allow people with felony records to vote. In the 2019 Legislative Session Governor Kim Reynold championed legislation that would lead to a constitutional amendment. She has consistently expressed her interest to continue to press for the constitutional amendment. Understanding that the constitutional amendment process could take several years and that most lowans support the voting for individuals who have formerly discharged, there are committee members that support would support an executive order by the governor to fill the gap while advocating for the amendment. The committee recommends other measures be taken to increase the number of people applying for Citizenship Rights Restoral:

Automate the application process

- 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.

Employer Outreach

Governor Reynolds championed HF 650 reducing liability for businesses that hire people with criminal records.

Governor Kim Reynolds has begun 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.

Inventory of Community Programs

Create a comprehensive inventory of community programs, including formal and informal programs, that support reentering individuals. **This should be available online and searchable.**

Education

- **Education in prison, whether it is HiSET completion or post-secondary education can have the affect of significantly improving behavior in the prison and preparing incarcerated persons for success once released from prison therefore reduce recidivism.**

HiSET Completion

HiSET is a prerequisite for participation in apprenticeship and other post-secondary education programs, including Second Chance Pell eligibility. Currently, only offenders 21 and under are required to complete their HiSET.

DOC should

- **Work toward requiring HiSET for incarcerated persons through age 64 and eliminating the HiSET waitlist.**
- **Track why people don't participate in the HiSET for those who are not required.**

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 offenders are transferred between institutions before completing their coursework. DOC should **implement** temporary academic holds, 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 offenders will not serve enough time to complete a degree program while they are in prison.

- **DOC should work with** state universities and community colleges should **to** 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 inmates 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.

Increase Treatment Capacity in Prisons

64% of individuals leaving an Iowa prison have not completed their recommended treatment. The waiting list for cognitive-behavioral

treatment programming is over 2,500. Additional counselors providing evidence-based, cognitive-behavioral programming, substance abuse, and mental health treatment can help reduce recidivism by 30-40%.

Realign CBC 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 offenders who are on probation or parole. At the same time, many high risk offenders 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.

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 inmates 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 as willing to hire formerly incarcerated individuals and post such a listing on line.
- Create a big star of merit that an employer can post prominently that indicates “Second Chance Employer”

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.

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 inmates 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 all Iowa Code sentencing provisions that result in loss of one's driver's license and give close scrutiny for repeal of all those that are unrelated to driving.

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.
- Additionally, licensing boards should establish a consistent process to consider whether a person is rehabilitated and fit for licensure, even if their 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 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.

Fair Chance Hiring

- Enact Fair Chance Hiring (Ban the Box) legislation for public employers (including state agencies, departments, political subdivisions such as counties and municipalities) prohibiting inquiry into, consideration of, or requirement of disclosure of an applicant's criminal record history until the time of the interview or conditional offer of employment.
- Provide guidance that can be helpful to all employers, public and private, in assessing the relevance of a person's criminal record in considering his or her employment application and avoiding unintended disparate consequences.