



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF CORRECTIONS
GARY D. MAYNARD, DIRECTOR

**Iowa Department of Corrections
Report to the Board of Corrections**

Population Growth

Last in a series of five reports highlighting issues
contributing to corrections population growth

July 2006

Introduction

Twenty years ago on June 30, 1985, there were 2,635 offenders in Iowa's prison system statewide. On June 30, 2005 Iowa's prisons held 8,578 inmates – over three times as many. During that same time, the offender population in community-based corrections increased from 14,990 to 30,281 offenders – more than double.

Previous reports in this series have discussed a number of factors influencing past trends and/or future growth, including drug offenders, sex offenders, and female offenders. This report reviews the impact of these factors on population growth, and summarizes other major contributing factors not previously covered in this series.

While some factors discussed in this report are major contributors to future growth, it should be noted that other factors are actually acting to reduce the expected increase. As outlined by the Division of Criminal and Juvenile Justice Planning (CJJP) in their 2005 forecast report, factors contributing to a reduction in the expected growth in Iowa's prison population include:

- A decrease in prison admissions between FY2003 and FY2005.
- A decrease in felony charges filed in the Iowa District Court between FY2000 and FY2005.
- Sentencing changes which provided for parole eligibility for certain violent offenders convicted of crimes for which parole had been abolished in 1996.
- An increase in parole releases from prison between FY2001 and FY2005.¹

CJJP does not currently complete a community-based corrections forecast. However, the decrease in felony charge filings mentioned above has also likely mitigated the growth in community-based corrections populations, given that imprisonment rates for certain types of felony offenses were as low as 28.5% based on FY2003 data.²

The prison population projections discussed in this report are from the CJJP 2005 forecast. This forecast is updated annually, and new projections will be available this fall. However, while the specific numbers are likely to change at least somewhat, the key contributing factors to continued growth are long-term trends that will remain relevant in the years ahead.

This report, however, goes beyond documentation of the problem. It describes how the Iowa Department of Corrections is addressing population growth through risk reduction strategies aimed at breaking the cycle of offenders' continued involvement in crime.

¹ Division of Criminal and Juvenile Justice Planning, *Iowa Prison Population Forecast: FY2005-2015* (Iowa Department of Human Rights, 2005), 5-8. The report is published on the Internet at: http://www.state.ia.us/dhr/cjpp/images/pdf/Forecast_2005-2015.pdf.

² Division of Criminal and Juvenile Justice Planning, *Statistical Overview of Crime and Justice in Iowa* (Iowa Department of Human Rights, 2004), 48. The imprisonment rate cited is for Class D felony property crimes.

Table of Contents

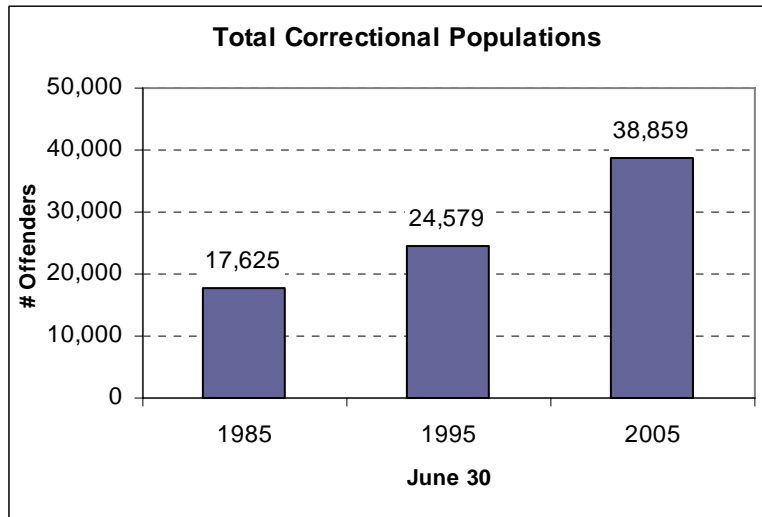
Introduction	1
Overall Corrections Growth	3
Prison Growth	4
Drug Offenders	5
Sex Offenders	6
Violent Offenders	7
Increase in Time Served	8
Women Offenders	9
Community Corrections Growth	10
Sex Offenders	11
Women Offenders	12
Corrections Strategy: Risk Reduction	13
Population & Resource Management Issues	
An Aging Prison Population	14
Mentally Ill Offenders	15
Staffing	16

Lettie Prell, Director of Research, wrote this report. A great deal of the report summarizes the prison population forecast and related findings of the Division of Criminal & Juvenile Justice Planning, Iowa Department of Human Rights (CJJP). CJJP is a valued research partner of the Iowa Department of Corrections, and we owe special thanks to Paul Stageberg, Laura Roeder-Grubb and Phyllis Blood of CJJP for providing information and technical assistance regarding the future growth of offender populations. Thanks also to Ms. Roeder-Grubb for providing review and advice concerning the female field services population forecast.

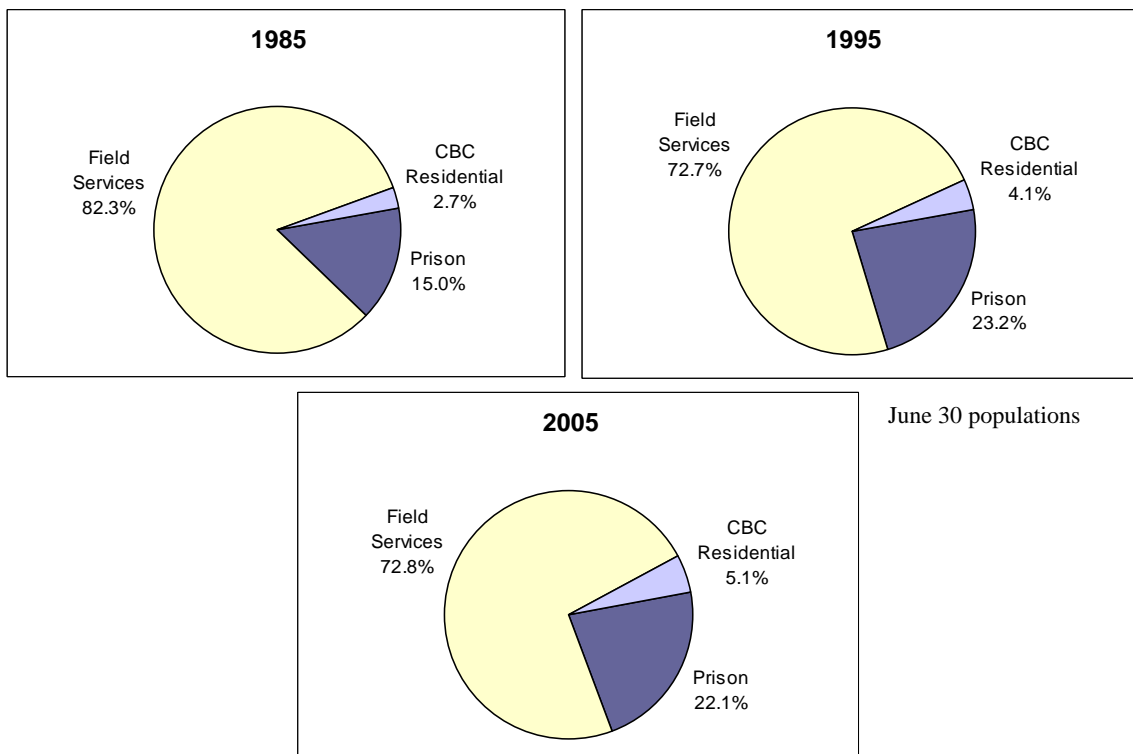
We would also like to acknowledge the contributions of another research partner, Dr. Wendy Ringgenberg of Des Moines University, in studying the chronic care needs of Iowa's aging prison population.

Overall Corrections Growth

Over the ten-year period 1985 to 1995, the combined community corrections and prison populations increased by about 39%. However, during the most recent ten years, 1995 to 2005, the total corrections population increased by about 58%.

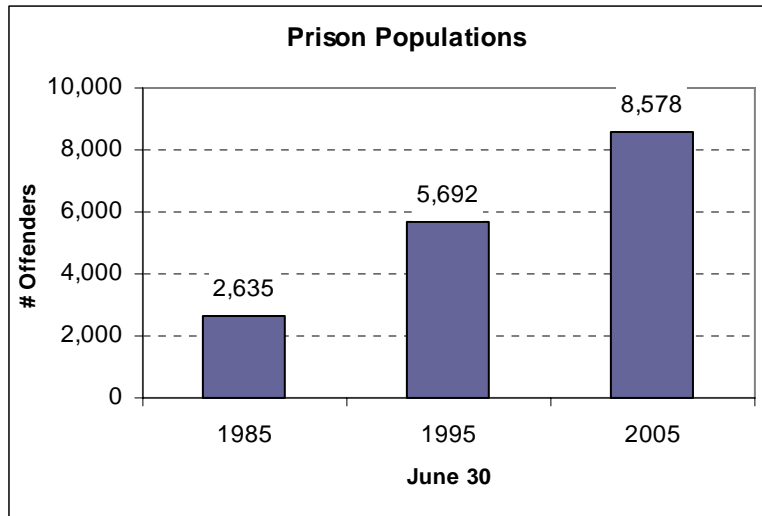


Between 1985 and 1995, the percent of the offender population in prison grew markedly, while the percent under community field supervision declined. However, between 1995 and 2005 the percent of the offender population in prison declined slightly. The percent of offenders in community-based corrections residential facilities have increased throughout the past twenty years.

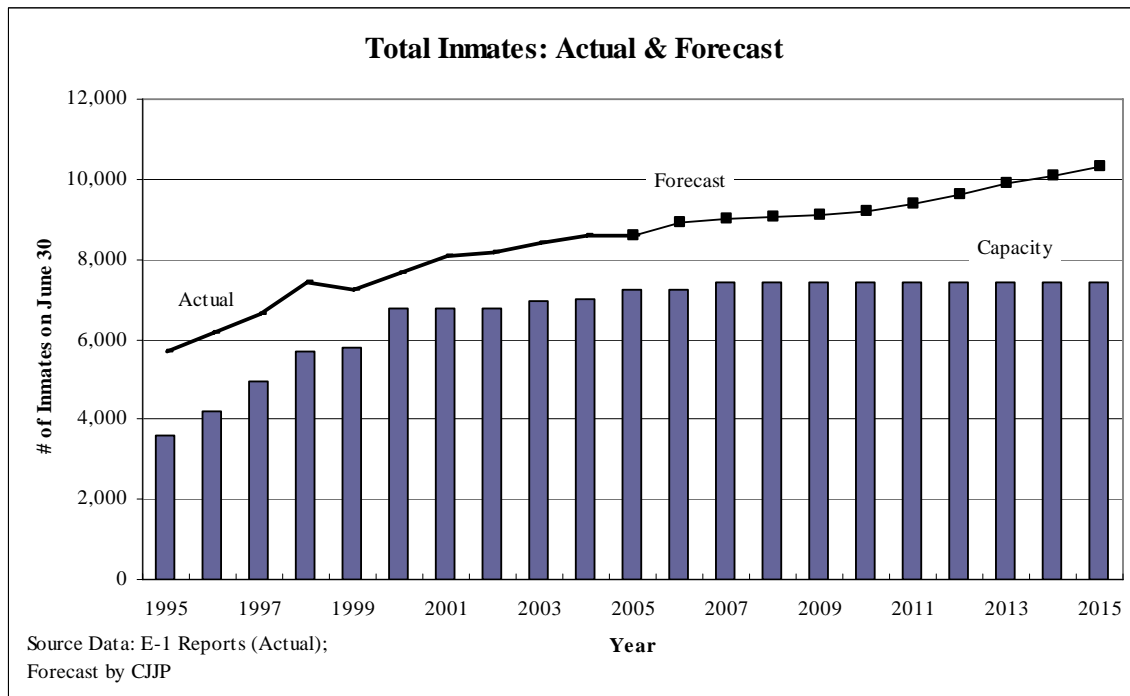


Prison Growth

Over the ten-year period 1985 to 1995, the prison population increased by about 116%. However, during the most recent ten years, 1995 to 2005, prison population growth slowed, increasing by only about 51%. Offender reentry efforts coupled with the desire on the part of the executive and legislative branches to manage the prison system without building new beds began during FY2004 and resulted in stabilization of the inmate population.



The most recent forecast by CJPJ projects growth in the long-term, to about 10,329 inmates within the next ten years assuming current policies, practices and trends continue.³



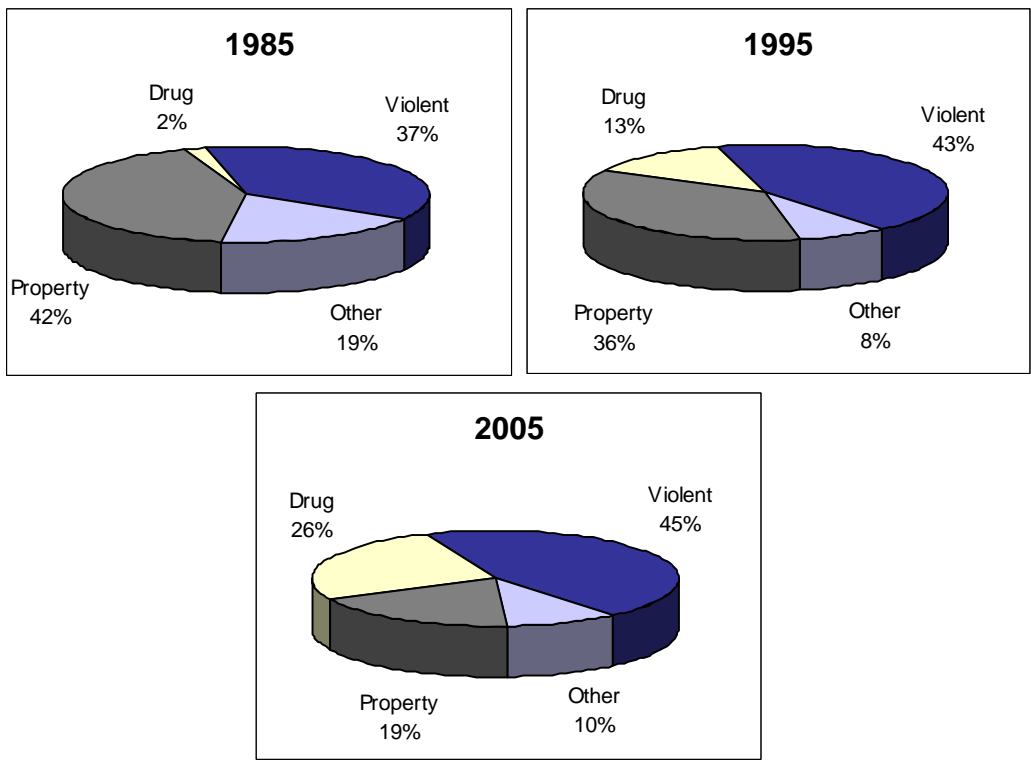
³ CJPJ Forecast, 3.

Drug Offenders

Prisons

Twenty years ago, about 2% of Iowa’s prison population was serving time for a drug-related offense; drug offenders now make up about 26% of the prison population, as of mid-year 2005.⁴ Sentencing changes in the 1980’s resulted in an increased likelihood of sentences to prison for drug offenses, as well as an increase in average length of stay.⁵ Increased resources for law enforcement, such as formation of the Division of Narcotics Enforcement and funding for multi-jurisdictional drug law enforcement task forces, has also contributed to the increase in drug offenders within the corrections system. In the 1980’s, cocaine and crack cocaine was a prominent problem;⁶ today it is methamphetamines.⁷

Drug crimes are the most common commitment offense among newly admitted prisoners, increasing from 316 admissions in FY1995, to 1,057 in FY2005.⁸ Although drug offender admissions in FY2005 represented a decline from a record 1,101 admissions in FY2004,⁹ it is likely that drug offenses will continue to be a major contributing factor to prison population growth in the long-term.



⁴ CJPJ Forecast, 17.

⁵ Division of Criminal and Juvenile Justice Planning, “Drugs, the Courts and Corrections,” Justice Statistics Update, Vol. 2, No. 3 (Iowa Department of Human Rights, 1991), 1.

⁶ Ibid., 5.

⁷ CJPJ Forecast, 11.

⁸ Ibid., 29.

⁹ Ibid., 29.

Sex Offenders

Prisons

Twenty years ago, about 12% of Iowa's prison population was serving time for a sex offense as their most serious offense.¹⁰ Little change has occurred in this percentage to date; sex offenders now make up about 13% of the prison population (based on most serious offense). That stability is expected to change in the coming years, due to passage of legislation that increases time served in prison for certain sex offenders, and lengthens the period of community-based supervision.

The Violent Crime Initiative (*Iowa Code* §902.12) effective July 1, 1996 abolished parole and most of the earned time for Sexual Abuse-2nd degree (as well as several other offenses). Although changes have been enacted to permit parole consideration after 70% of the maximum terms are served, the first of these offenders will not be eligible for parole until 2015.¹¹ As of June 30, 2005, there were 137 offenders serving terms for Sexual Abuse-2nd degree subject to these provisions.

A Sexually Violent Predator Law (*Iowa Code* Chapter 901A) was also made effective July 1, 1996, which increased maximum penalties for certain repeat sex offenses and also abolished parole and most of the earned time for these offenders. As of June 30, 2005, there were 27 offenders serving terms for these offenses.

Legislative changes effective July 1, 2005 created a new Class A felony, provided for loss of earned time for refusing sex offender treatment, enhanced certain provisions related to lascivious acts with a child, and created an additional special sentence of parole.¹²

On June 30, 2005 Iowa's prisons held 1,119 sex offenders (based on most serious offense). Over the next eight years, estimates project an additional 319 sex offenders due to the 2005 legislative changes alone.¹³ CJJP further estimates that as of June 30, 2015 there will be 404 sex offenders incarcerated under the 1996 legislative changes, taking out the previous sex offenders subject to these laws who will now become Class A felons per provisions enacted in 2005. **It is therefore reasonable to assume that the growth in sex offenders over the next ten years will about fill a 750-bed prison.**

¹⁰ Bureau of Management Information, Research and Statistics Section, *Report Series E-2* (Iowa Department of Human Services, June 30, 1985), 9. Information for institutions was adjusted to exclude work release counts, which used to be included in those totals.

¹¹ CJJP Forecast, 7.

¹² Fiscal Services Division, Legislative Services Agency (*HF 619 - Sex Offender Registry, Supervision, and Data Base Task Force (LSB 2527 HV.3*, May 11, 2005), 6. This fiscal note is published on the Internet at: http://www3.legis.state.ia.us/fiscalnotes/data/81_2527HVv3_FN.pdf.

¹³ *Ibid.*, 6.

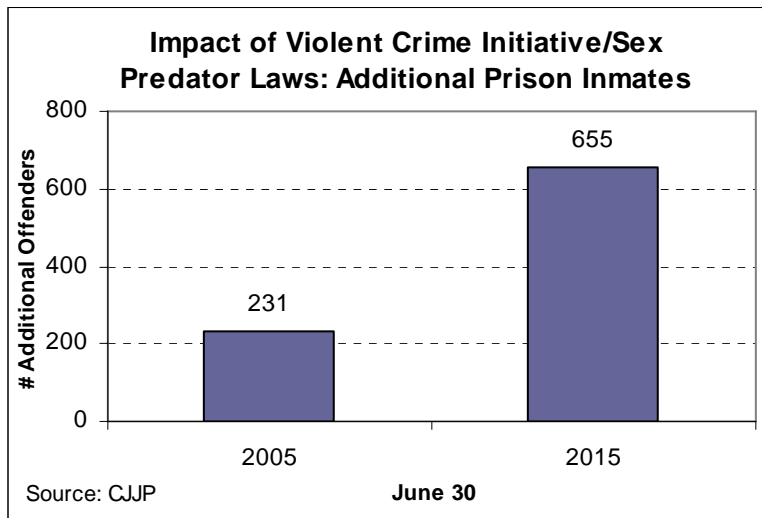
Violent Offenders

Prisons

The Violent Crime Initiative discussed in the previous section targeted a number of offenses in addition to Sexual Abuse-2nd degree: Murder-2nd degree, Attempted Murder, Kidnapping-2nd degree, Robbery, and certain convictions for Vehicular Homicide.

The CJPJ forecast summarizes the combined impact of the Violent Crime Initiative and Sexually Violent Predator Law. They simulated a “what if” scenario assuming persons currently convicted of offenses targeted under these laws were convicted of similar offenses of the same class but not subject to the laws, and served a period of incarceration similar to these other offenders. CJPJ found that, based on the scenario, there are currently 231 additional offenders in prison due to these laws, who would have otherwise been released. By mid-year 2015, 655 additional offenders will be incarcerated. CJPJ adds that “[a]dditional, substantial effects of these laws on the prison population will be realized beyond this forecasting period.”¹⁴

This latter statement is noteworthy because certain offenders convicted under the Violent Crime Initiative, such as for Murder-2nd degree, would not have otherwise been released, even by 2015. However, implications for the long-term are clear. The average time served prior to parole for “lifers” granted commutation and released since 1970 was 24.2 years. Those convicted of Murder-2nd degree are now required to serve a minimum of 35 years in prison prior to parole eligibility – that is, assuming they will not die in prison first. While there are several “lifers” in prison who have served longer than 35 years, analysis of “lifer” deaths for calendar years 1990 through 2005 show an average time served in prison of 18.2 years prior to death.



¹⁴ CJPJ Forecast, 13-14.

Increase in Time Served

Prisons

Time served in prison has not just increased for offenders sentenced under the Violent Crime Initiative or Sexually Violent Predator Law. Average time served prior to first release for all categories of crimes against persons has increased during the past ten years.¹⁵ Among non-violent offenses, average time served increased for the longest felony sentences (Class B) and drunken drivers required to serve some prison time prior to placement in community-based OWI treatment facilities; but decreased for all other categories.¹⁶

Some increases in average length of stay have been dramatic. For example, prior to passage of the Violent Crime Initiative, those convicted of Class B felonies like Robbery-2nd degree and Sexual Abuse-2nd degree served about seven years in prison on average; now they must serve a minimum of 17.5 years prior to parole eligibility.

Other increases in average length of stay have been small, such as a one month increase on average for those convicted of Class D felonies against persons. However, even small increases in average length of stay can have a marked effect on prison population growth.

Longer time served in prison means less time for community-based supervision following release – and less time to use as a sanction for parole and work release violators following revocation. As a result, the number of offenders released from prison due to expiration of sentence has increased from 322 offenders in FY1995 to 1,035 offenders in FY2005, or by about 221%. In comparison, total prison releases increased by about 82%.¹⁷

The trend in expiration of sentence inhibits offender reentry initiatives aimed at providing safe and smooth reintegration of offenders into the community following their prison stays. Post-release supervision not only provides a means for corrections staff to monitor offenders, but also enables staff to provide assistance with obtaining housing, employment, treatment services, and other supports.

Data suggest that post-release supervision is effective in keeping some offenders from returning to prison. CJPJ analysis of offenders exiting prison in FY2001 and tracked for three years found that about 35% of those expiring their sentences and receiving no post-release supervision returned to prison, compared with 29% of those released to parole. This is especially noteworthy because parolees may be revoked to prison for reasons other than new offenses, whereas those expiring their sentences only return due to new crimes.

¹⁵ CJPJ Forecast, 25.

¹⁶ Ibid., 25.

¹⁷ Ibid., 26.

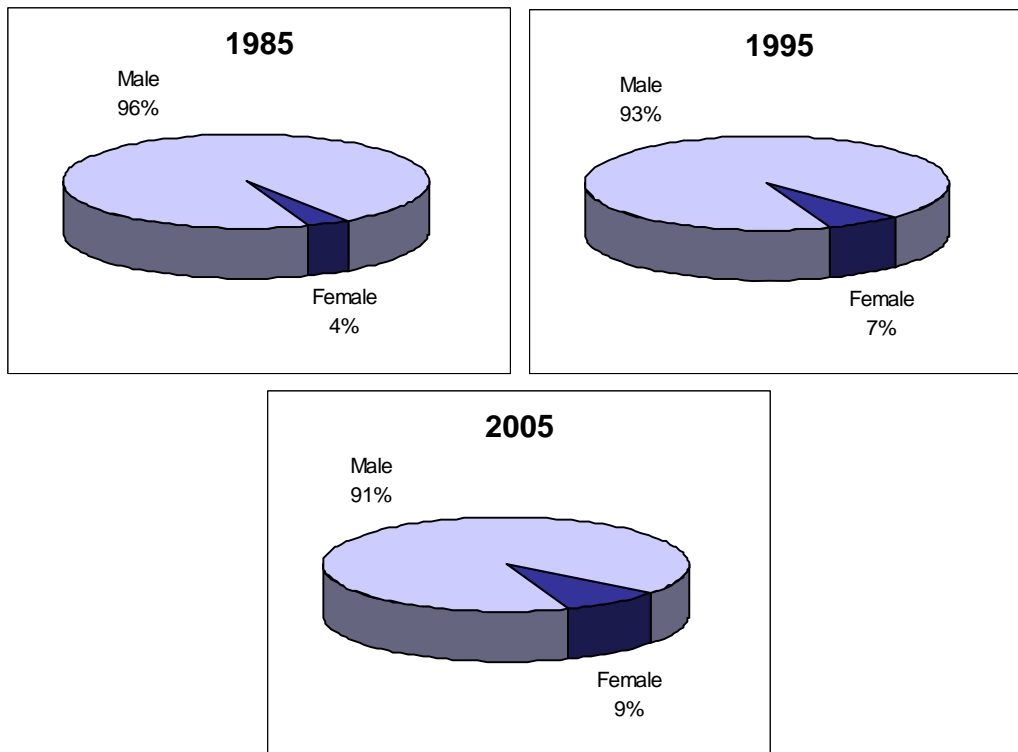
Women Offenders

Prisons

Twenty years ago, about 4% of Iowa's prison population was female.¹⁸ Female offenders now make up about 9% of the prison population, as of June 30, 2005. In another ten years, women are projected to make up about 10% of the prison population.¹⁹

Female inmate populations nationally and in Iowa are growing faster than male inmate populations – but the trend in Iowa appears worse. Between 1995 and 2004, the national female inmate population increased by about 53%, compared to 31% for men;²⁰ in Iowa, the female inmate population increased by about 83%, compared to 49% for men.²¹ Iowa ranks 38th overall in incarceration rates among the states, but 28th in incarceration of women.²²

CJJP projects that assuming current trends, policies and practices continue, the female inmate population in Iowa will increase by about 300 offenders over the next ten years, reaching about 1,054 inmates by mid-year 2015.²³



¹⁸ Ibid., 17.

¹⁹ Ibid., 22-23. Percentage was calculated using projected mid-year 2015 female and total populations.

²⁰ Bureau of Justice Statistics, *Prisoners in 2004* (U.S. Department of Justice, 2005), 4-5. Calculations for male inmates were derived by subtracting the women's populations from total population figures.

²¹ CJJP Forecast, 23-24.

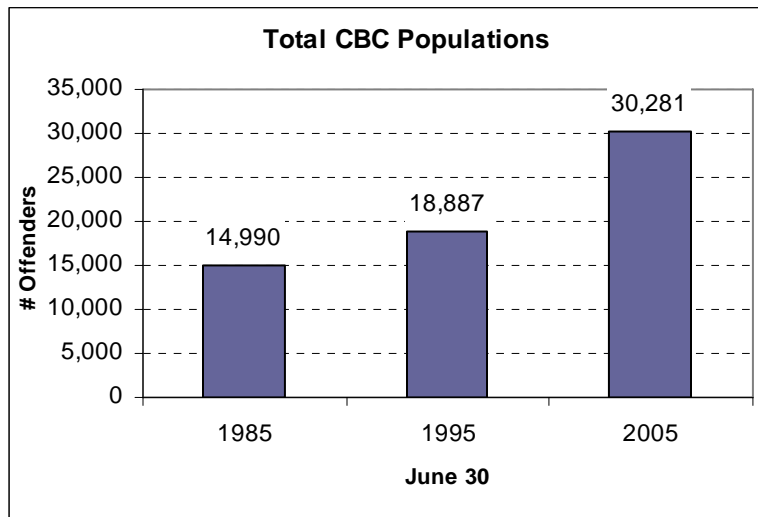
²² BJS, *Prisoners in 2004*, 4-5. Rates based on yearend 2004 populations. Iowa ties with Delaware in female inmate incarceration rates.

²³ CJJP Forecast, 23.

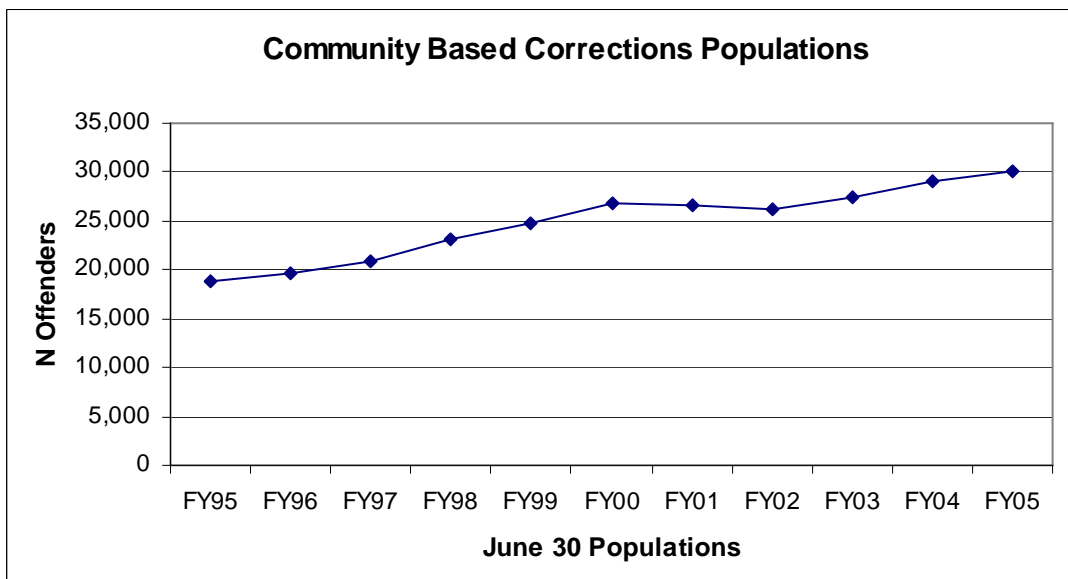
Community-Based Corrections Growth

So far, this report has focused on the major contributing factors to prison population growth. Growth of community-based offender populations has also contributed to the growth in prisons – that is, even if revocation rates are constant, more offenders under supervision lead to a greater number of revocations to prisons.

Over the ten-year period 1985 to 1995, the total community-based offender population increased by about 26%. However, during the most recent ten years, 1995 to 2005, the community-based offender population increased by about 60%.



While there are no projections available for the total community-based corrections population, projections for the growth in the number of sex offenders and women under supervision are summarized on the following pages. In addition to these issues, factors discussed as contributors to prison growth are also likely contributing to the growth in community offender populations, such as the increase in drug offenders.

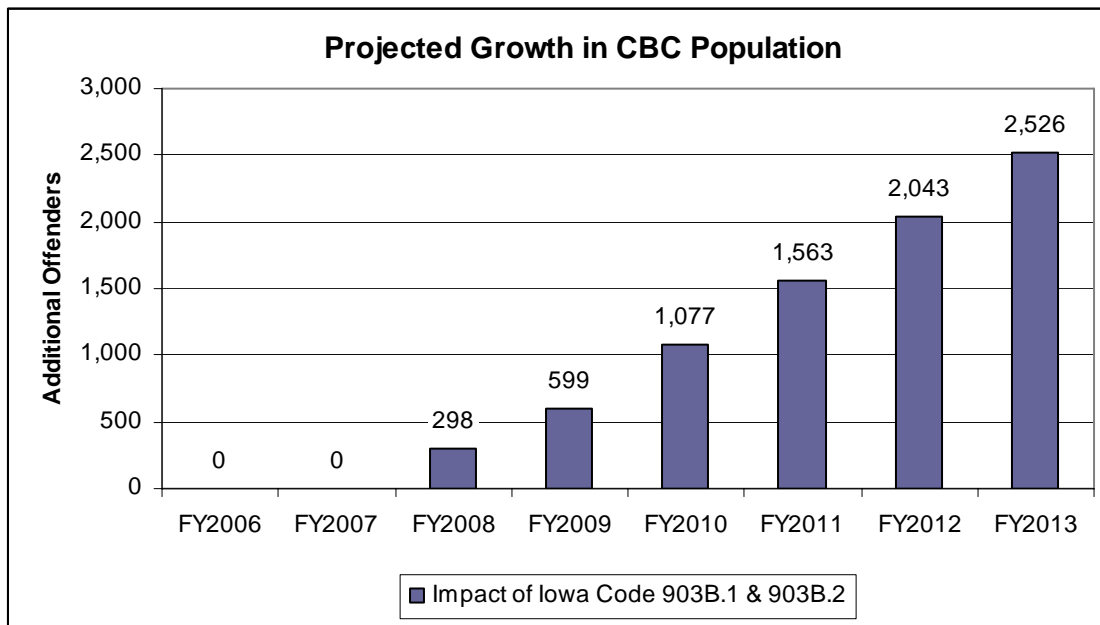


Sex Offenders: Projected Growth

Community-Based Corrections

Legislative changes effective July 1, 2005 are expected to have a substantial effect on the number of sex offenders under community-based corrections supervision. Certain sex offenders convicted of a Class C felony or greater offense will receive a special sentence to lifetime supervision, in addition to the regular penalty provided by law. Certain sex offenders convicted of a misdemeanor or Class D felony will receive a special sentence of ten years under supervision, in addition to the regular penalty provided by law.²⁴

On June 30, 2005 there were 699 offenders under community-based corrections supervision for sex offenses (as their most serious offense). Over the next eight years, based on the special sentences alone, estimates project an additional 2,526 sex offenders under supervision.²⁵



²⁴ Iowa General Assembly, *2005 Merged Iowa Code and Supplement* (State of Iowa 2005), §903B.1 and §903B.2. The *Iowa Code* is available on the Internet at: <http://www.legis.state.ia.us/IowaLaw.html>.

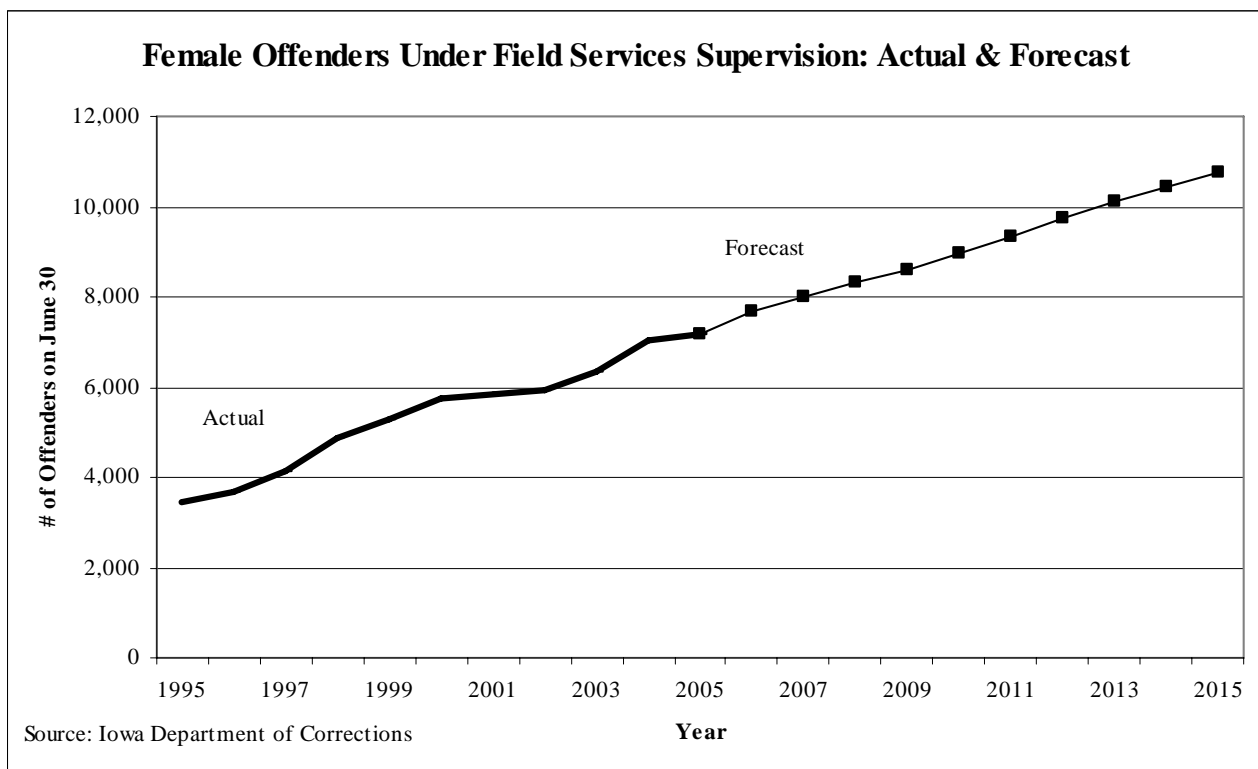
²⁵ LSA Fiscal Note for HF 619, 5.

Women Offenders: Projected Growth

Community-Based Corrections

The female offender population under community-based corrections supervision has grown faster than the male offender population. Over the past ten years, the female offender field services population in community-based corrections more than doubled, increasing from 3,448 offenders on June 30, 1995 to 7,152 on June 30, 2005. In contrast, the male offender population grew by only about 45%.

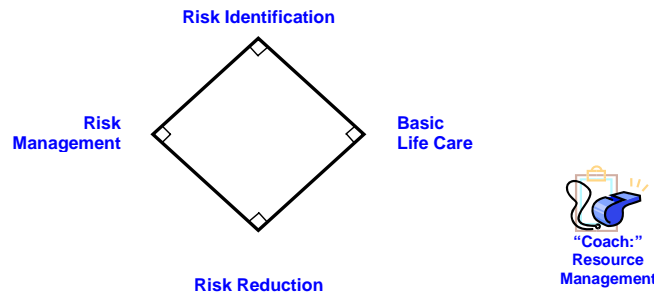
Over the next ten years, the female field services population is projected to increase by about 50%, and reach 10,758 offenders by mid-year 2015 if current trends continue.²⁶



²⁶ Based on linear trend, using the least squares method. Such projections tend to overestimate population growth in the short-term.

Corrections Strategy: Risk Reduction

The corrections system does four fundamental things. The first three, basic life care for offenders, risk identification and risk management, cover the bases of managing offenders. However, only risk reduction “hits a home run” to significantly affect offender outcomes and community safety.



According to the National Institute of Corrections, appropriate treatment reduces recidivism by 30%. The Iowa corrections system redesign currently underway is focusing on correct identification of need, providing appropriate treatments and interventions for offenders’ top priority needs, and measuring outcomes to determine which treatments and interventions work best.

Also key to risk reduction efforts is the department’s commitment to implementing evidence-based practices. In recent years community-based corrections has been trained in and begun implementing evidence-based practices. Evidence-based practices implementation in Iowa has included staff training in motivational interviewing techniques, to help offenders change attitudes and prepare them for treatment. Another effort underway in this area is assessing the array of interventions for offenders, and identify whether – and to what extent -- they are operating on evidence-based principles.

Programs that work less well will be examined to see how they might be made more effective – or replaced. Ineffective programs will be discontinued and resources redirected to what does work. In this way, the Iowa Department of Corrections intends to transform the way we do business, and achieve a better return on investment – in terms of increased public safety – for each corrections dollar spent. Preventing just one person from returning to prison on a parole or work release violation saves the state approximately \$5,400 in incarceration costs.²⁷

Growth in offender populations in general contribute to the need for resources in all areas; provision of basic life care is a particular concern. The following sections discuss a number of issues in population and resource management.

²⁷ Based on an average of 360 days served in prison following revocation for FY2005 releasees (data source: CJJP), and \$15 marginal cost per day per inmate (data source: Department of Corrections).

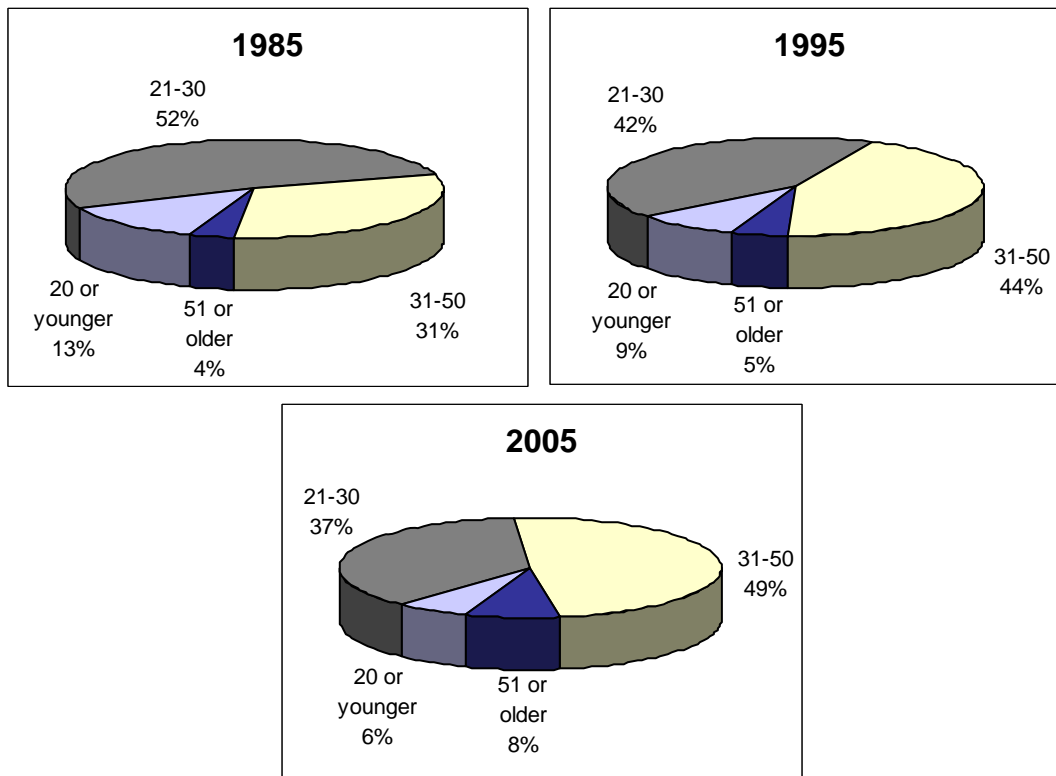
Population & Resource Management Issues

An Aging Prison Population

A corrections trend that does not contribute to prison growth, but rather is an important factor because of its implications for future corrections budgets, is Iowa's aging prison population. Twenty years ago, 4% of the prison population was age 51 or older; now 8% of inmates are in this age group. The percent of inmates age 31 to 50 has increased from less than one-third to nearly half during this same period.

As inmates get older, they require increased costs for medical attention and pharmaceuticals. A study of Iowa prison inmates found that while inmates age 55 or older make up only about 4.8% of the prison population, they are responsible for:

- 10.2% of prescriptions
- 11.6% of medical conditions
- 13% of assistive devices
- 13.8% of the nurse visits
- 10.3% of the physician visits²⁸

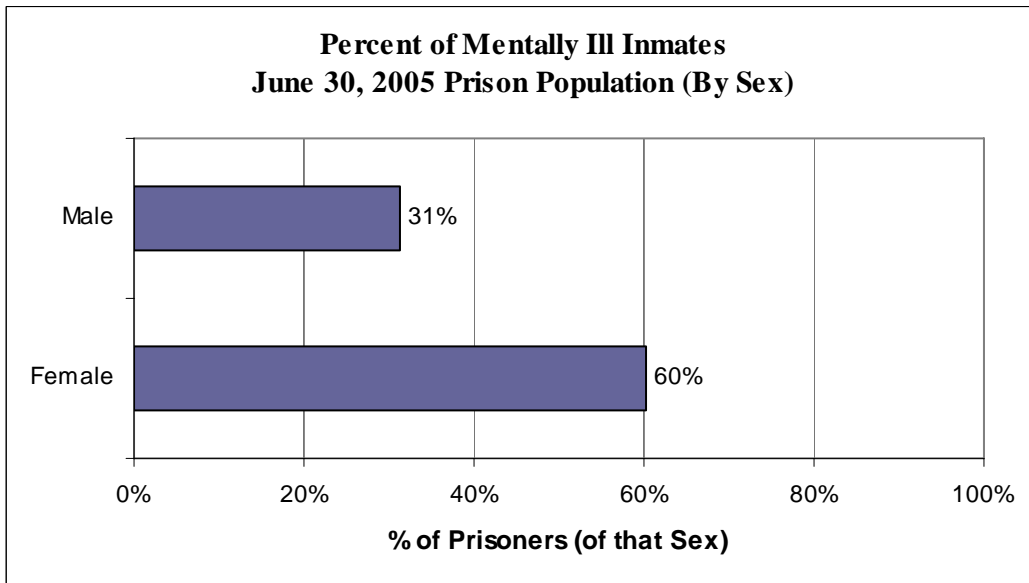


²⁸ Wendy Ringgenberg, PhD., *Chronic health conditions in Iowa's prisons: Iowa prisoner population's health care usage and chronic disease* (Des Moines University 2006), 15-16.

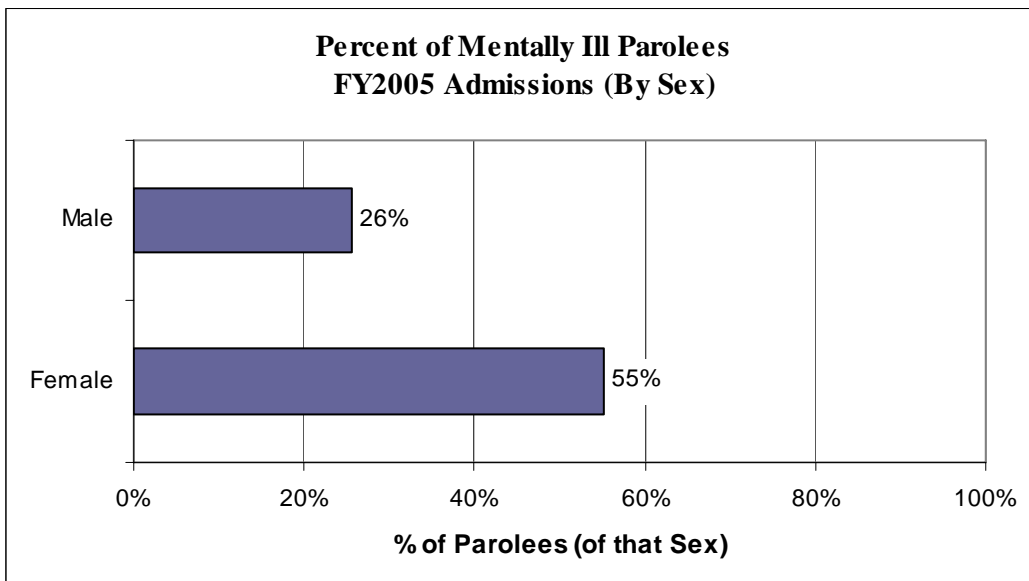
Population & Resource Management Issues

Mentally Ill Offenders

On June 30, 2005 Iowa's prisons held 8,578 offenders. Of these, 2,902 were mentally ill per psychiatric diagnosis. Just under one-third of male offenders, but 60% of female offenders, were diagnosed as mentally ill. Acute cases require an increased amount of medical attention, pharmaceuticals and treatment.



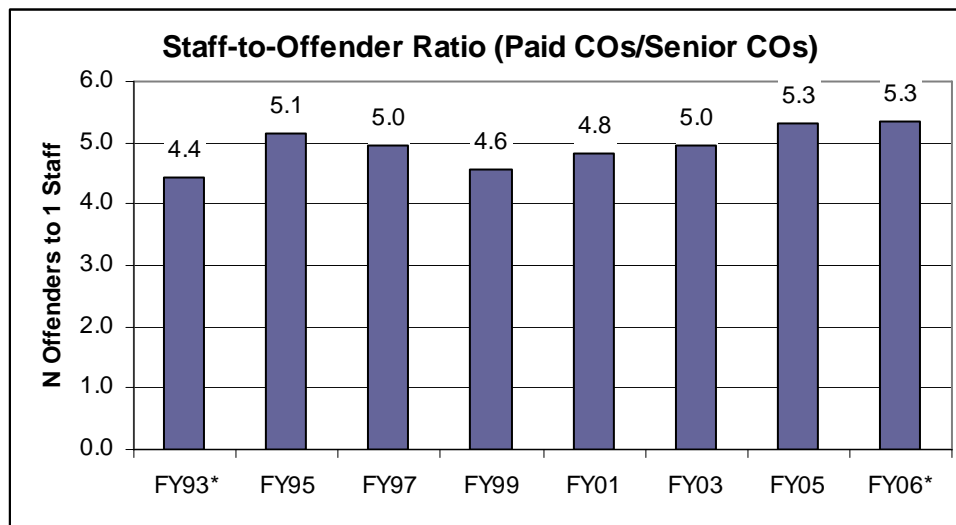
Similarly, treatment resources in the community are an important part of offender reentry. During FY2005, 2,923 parolees were admitted to field supervision, either directly from prison or following a stay in a community-based work release or OWI treatment facility. Of these, 873 were mentally ill per psychiatric diagnosis. About 26% of male offenders, but 55% of female offenders, were diagnosed as mentally ill. Psychiatric diagnoses are not readily available for probationers under community based supervision.



Population & Resource Management Issues

Staffing

Analysis of correctional officer (CO) and senior CO paid positions compared with the prison population show that there are currently 5.3 offenders per each CO/senior CO. In the past, this ratio has been as low as 4.4 offenders per each CO/senior CO.



*Pay periods are end of fiscal year except for FY93 which is the 25th pay period, and FY06 which is the June 1 pay period.

An April 2006 analysis of community-based corrections workload document that 450.98 full-time equivalent positions (FTE's) are required to adequately staff all areas, including pretrial interviews, presentence investigations, offender supervision and treatment groups. There are currently 372.5 direct service FTE's available for these tasks, resulting in a shortage of 78.48 FTE's.

Corrections population growth in both institutions and community-based corrections will continue to present challenges in staffing.