

FINAL REPORT

**TASK FORCE TO MONITOR
CRIME/DRUG/PRISON LEGISLATION**

**Presented to the Legislative Council
and the Iowa General Assembly
January 1991**

Prepared by the Legislative Service Bureau

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AUTHORIZATION AND APPOINTMENT

The Legislative Council established the Task Force to Monitor Crime/Drug/Prison Legislation, and directed it to review the implementation of legislation enacted in recent legislative sessions concerning drug and crime enforcement, treatment, and prevention programs, as well as prison expansion.

Members of the Task Force were:

Senator Eugene Fraise, Co-chairperson
Representative Gary Sherzan, Co-chairperson
Senator Donald Doyle
Senator Michael Gronstal
Senator Mark Hagerla
Senator Larry Murphy
Senator Ray Taylor
Senator Richard Vande Hoef
Senator Richard Varn
Representative Jack Beaman
Representative Robert Fuller
Representative Teresa Garman
Representative Dan Jay
Representative Donald Knapp
Representative Andy McKean
Representative Wayne McKinney, Jr.

COMMITTEE PROCEEDINGS

The Legislative Council approved three meeting dates for the Task Force, and meetings were held on July 31, October 2, and November 16, 1990.

July 31 Meeting

At its first meeting, the Task Force heard the following presentations concerning the implementation of legislation regarding the state's correctional system.

Ms. Anne Hills, Department of Corrections, provided an update concerning the status of the correctional education system, as well as the Department's future plans. Ms. Hills addressed budget concerns, as well as the Department's work pertaining to the development of computerized learning systems within the correctional institutions. In addition, Ms. Hills discussed the Department's plans for community-based education.

Mr. Marvin Wilson, Chief Jailer of the Polk County Jail, spoke concerning recent changes to the Operating While Intoxicated (OWI) law, and the impact on the county jails. Mr. Wilson primarily discussed changes contained in section 30 of chapter 1251, 1990 Iowa Acts, which require certain OWI offenders to serve their sentences in community-based treatment facilities. He noted that when those beds are full, OWI offenders remain in the county jail, and that Polk County has not been receiving reimbursement for these expenses. Ms. Jeanette Bucklew, Deputy Director of Community Services, Department of Corrections, informed the Task Force that the Department had received an informal Attorney General's opinion, which indicates that OWI offenders can be transported to the Iowa Medical and Classification Center at Oakdale only pursuant to certain limited exceptions detailed in the legislation. Mr. John Goeldner, Legislative Liaison for the Department of Corrections, responded to questions from Task Force members relating to the history of this legislation.

Next, Mr. Paul W. Grossheim, Director of the Department of Corrections, provided a general overview of the Department's work in implementing recent legislation. Mr. Grossheim discussed several documents which were distributed concerning inmate populations and construction activities. Various members asked the Department to provide further information on several subjects. The Department provided this information, which relates to prison population projections, major maintenance and repair activities at the institutions, savings achieved through the use of inmate labor, continuing activities concerning correctional education, compliance with American Corrections Association (ACA) accreditation standards, the utilization of the basements at the Iowa Correctional Institution for Women at Mitchellville, pending litigation, utilization of the fourth floor of the Correctional Treatment Unit at Clarinda, and institutional reading room procedures. The information was contained in a November 15, 1990, memorandum from Mr. Goeldner, which was distributed at the final meeting of the Task Force.

Mr. John Baldwin, Deputy Director of Administration, Department of Corrections, discussed prison construction and financing. In particular, Mr. Baldwin addressed the Department's lease-purchase financing activities.

Mr. Chuck Lee, Deputy Director of Institutions, Department of Corrections, testified concerning the Department's efforts to handle prison overcrowding. Mr. Lee commented on compliance with ACA accreditation standards and the conditions at various correctional facilities.

Ms. Bucklew further addressed the Task Force concerning community-based facilities, as well as Departmental efforts to implement the OWI legislation. Due to time constraints, the Task Force asked Ms. Bucklew to continue her presentation at a future meeting of the Task Force.

The final presentation at the meeting was a panel discussion involving the following representatives from the district departments of correctional services: Mr. James Wayne, Director, Seventh Judicial District; Mr. Gary Hinzman, Director, Sixth Judicial District; Ms. Linda Murken, Director, Second Judicial District; Mr. Curt Campbell, Director, Eighth Judicial District; Mr. Linn Hall, Director, Third Judicial District; and Mr. Thomas Boniface, Division Manager, Residential Facilities, First Judicial District. The panel members addressed construction, staffing patterns, problems, programming for sexual offenders, and the effect of recent legislation.

October 2 Meeting

At its second meeting the Task Force heard the following presentations:

Mr. Mike Forrest, Drug Enforcement and Abuse Prevention Coordinator, addressed Iowa's efforts to combat substance abuse. Mr. Forrest discussed recommendations relating to the adoption of a drug paraphernalia law and increased penalties for anabolic steroid abuse. In addition, Mr. Forrest discussed the Drug Abuse Resistance Education (DARE) program.

Mr. Charles Krogmeier from the Attorney General's Office discussed the Attorney General's opinion concerning the recent OWI legislation.

Ms. Janet Zwick, Administrator of the Division of Substance Abuse and Health Promotion, Iowa Department of Public Health, discussed the implementation of chapter 1264, 1990 Iowa Acts, relating to appropriations for substance abuse treatment, prevention, education, and enforcement programs. Ms. Zwick also addressed issues relating to substance abuse treatment for individuals referred from the criminal justice system. Ms. Zwick detailed the use of both state and federal funds to combat substance abuse.

Mr. Eric Sage, Department of Human Services, and Mr. Steve Huston, Superintendent of the State Training School at Eldora, testified concerning the implementation of legislation pertaining to juveniles, particularly chapter 1239, 1990 Iowa Acts. Mr. Sage addressed issues relating to placement of juveniles and overcrowding at the state's juvenile institutions. In addition, Mr. Sage discussed the development of a plan to utilize the State Training School as a diagnostic and evaluative center for the provision of initial services. Mr. Huston testified about long-range plans for children placed outside of the child's home. In addition, Mr. Huston discussed the changes taking place at Eldora.

Mr. Dennis Ehlert, Manager of the Office of Vehicle Registration of the Motor Vehicle Division, Department of Transportation, discussed section 35 of chapter 1251, 1990 Iowa Acts, pertaining to the issuance of special vehicle license plates for certain OWI offenders. Mr. Ehlert provided a list of concerns and suggested changes to the law to assist the Department in implementation.

The Honorable John Mullen, District Associate Judge in the Seventh Judicial District, discussed the impact of new legislation giving the juvenile court jurisdiction of matters involving possession of alcohol by minors. In addition, Judge Mullen addressed questions pertaining to juvenile detention facilities.

November 16 Meeting

The Task Force held its third and final meeting on November 16, 1990. Prior to the meeting, the Task Force received written comments from Dr. Stephen C. Gleason, who was unable to testify in person due to scheduling conflicts. Dr. Gleason provided written materials concerning the need for legislation measuring drug treatment effectiveness and a copy of the draft report recommendations from the Mayor's Select Committee on Drug Abuse in Des Moines. In addition, Dr. Gleason noted that the Iowa Chapter of the American Society on Addiction Medicine has offered to cooperate in the creation of legislation to accomplish its goals pertaining to substance abuse treatment.

Ms. Bucklew from the Department of Corrections continued her discussions from the July 31 meeting pertaining to community-based corrections. Ms. Bucklew recapped the proposals for an additional 200 community corrections beds. In addition, she provided an update concerning the placement of OWI offenders, and detailed how the Department plans to correct certain problems as a result of the legislation. Both Ms. Bucklew and Mr. Baldwin, also from the Department of Corrections, addressed the status of various correctional construction projects.

Mr. Walter Saur, Chairman of the Parole Board, discussed the Board's recently completed computerization and automation of administrative processing. In addition, he discussed the Board's work in implementing the Toborg recommendations, which were presented to the Corrections System Review Task

Force established by 1988 Iowa Acts, chapter 1271. Mr. Saur also testified concerning the Board's implementation of sections 32, 68, and 69 of chapter 1251, 1990 Iowa Acts, which generally pertain to work release and early release of certain offenders. Mr. Saur also provided statistics concerning paroles.

Ms. Lettie Prell, Division of Criminal and Juvenile Justice Planning, Department of Human Rights, provided certain criminal justice statistical information to the Task Force. The information included data on recent trends in prison population, admissions, and releases. Ms. Prell compared these trends to the assumptions made in the Toborg report. In addition, Ms. Prell discussed statistics concerning inmate characteristics.

RECOMMENDATIONS

The Task Force to Monitor Crime/Drug/Prison Legislation made the following recommendations for consideration by the Legislative Council and the 1991 General Assembly:

1. The General Assembly should be informed that the various executive departments and agencies that testified before the Task Force have satisfactorily performed the implementation of recent legislation and funding, which was enacted to provide for stronger drug and crime enforcement, treatment and prevention programs, education programs, and prison expansion.
2. The General Assembly should consider legislation to expand upon the use of prison labor to the extent possible.
3. The General Assembly should consider legislation pertaining to drug paraphernalia.
4. The General Assembly should consider legislation establishing a pilot boot camp program within the correctional system.

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