

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF ADULT CORRECTIONS

THE IOWA
CRIMINAL JUSTICE SYSTEM
PROGRAM

SPONSORED BY:

DIVISION OF ADULT CORRECTIONS
IOWA CRIME COMMISSION

IOWA CRIMINAL JUSTICE SYSTEM PROGRAM
May 2 - 6, 1977

MONDAY, May 2, 1977

- 10:00 Registration for Participants
- 11:00 Orientation - Jerry Eggleston
- 11:30 Welcome - John Thalacker
- 11:45 Lunch
- 12:15 History of Criminal Justice - John Walton
- 12:45 Iowa Criminal Justice System, 1960 - 1977 - John
Thalacker
- 1:30 Break
- 1:40 Changes in the Delivery of Social Services - Florence
Stockman
- 2:10 Community Social Services and the Criminal Justice
System - Florence Stockman
- 2:40 Break
- 2:50 Toward Improved Communication - Donald Dahl
- 4:30 Break
- 4:40 Movies: "Tough-Minded Interpersonal Communication"
"Shotgun Joe"
- 6:00 Dinner

TUESDAY, May 3, 1977

- 8:00 Problem Solving Exercise
- 10:00 Break
- 10:10 Family and Community Impact on Crime - John Stratton
- 11:00 Break

TUESDAY, May 3, 1977 (cont'd)

- 11:10 Family and Community Impact on Crime - (cont'd)
12:00 Lunch
1:00 Family and Community Impact on Crime - (cont'd)
1:30 Group Discussion
2:15 Community Law Enforcement - Chief Harvey Miller
3:00 Break
3:10 Legal Rights and Procedures in Criminal Justice -
Joe Coleman
4:10 Break
4:20 Judicial Decision Making - Judge William Eads/
Judge Harold Vietor
5:20 Group Discussion
6:00 Dinner

WEDNESDAY, May 4, 1977

- 8:00 Movie - "Supervision of Inmates"
8:20 Community Corrections - Harry Woods/Bob Duff/Lary Nelson
9:45 Break
9:55 Movie - "Security in the Correctional Facility"
10:10 Administrative Perspectives - Lou Brewer/Cal Auger/
Dave Scurr/Ted Wallman/Paul Muller/Dr. Paul
Loeffelholz
12:00 Lunch
1:00 Citizen's Aide - Ray Cornell
1:25 Movie - "Emotional Disturbances in a Correctional
Facility"
1:45 Different Approaches to Individualized Treatment -
Dr. Lyons
2:30 Break

WEDNESDAY, May 4, 1977

- 2:40 Different Approaches to Individualized Treatment -
(cont'd)
- 3:35 Movie - "Before Help Arrives"
- 4:00 Movie - "Stress" - Problem Solving Exercise
- 6:00 Dinner

THURSDAY, May 5, 1977

- 8:00 Role Playing
- 9:50 Break
- 10:00 Working Inside
- 10:45 Community Planning for Release - Kent Ellithorpe/
Steve Dailey/Bill Fliehler
- 12:00 Lunch
- 12:30 Load bus for tour
- 12:45 Leave on tour: Men's Reformatory, Anamosa
Iowa Security Medical Facility, Oakdale
- 5:00 Cookout

FRIDAY, May 6, 1977

- 8:00 Parole Board - Don Olson
- 9:00 Break
- 9:10 Another Perspective - Art Rommel/Norman Smith/Larry
Scott/Jerry Menadue
- 10:45 Group Discussion
- 11:30 Post-Test
- 12:00 Lunch
- 12:45 Future of Corrections - John Thalacker
- 1:15 Summary - Jerry Eggleston
- 1:45 Presentation of Certificates - John Thalacker
- 2:30 Adjournment

STAFF

AUGER, Cal
Warden
Iowa Men's Reformatory
Anamosa, Iowa

BIERMAN, Jan
Secretary to Deputy Director
Division of Adult Corrections
Des Moines, Iowa

BREWER, Lou
Warden
Iowa State Penitentiary
Ft. Madison, Iowa

COLEMAN, Joe
Mitchell, Murray & Blackburn
Attorneys at Law
Ft. Dodge, Iowa

CORNELL, Ray
Deputy Citizen's Aide
Des Moines, Iowa

DAHL, Donald
Student Services Division
Indian Hills Community College
Ottumwa, Iowa

DAILEY, Steve
Community Correctional Services
Bureau Representative
Iowa Men's Reformatory
Anamosa, Iowa

DUFF, Bob
Community Correctional Facility
Cedar Rapids, Iowa

EADS, William
Judge
Linn County District Court
Cedar Rapids, Iowa

EGGLESTON, Jerry
Training Officer
Bureau of Community
Correctional Services
Des Moines, Iowa

ELLITHORPE, Kent
Parole Officer
Sixth Judicial District
Division of Adult Corrections
Cedar Rapids, Iowa

FLIEHLER, Bill
Work Release Office
Men's Reformatory
ANAMOSA, Iowa

LEE, Chuck
Training Officer
Iowa Men's Reformatory
Anamosa, Iowa

LOEFFELHOLZ, Paul, M.D.
Superintendent
Iowa Security Medical Facility
Oakdale, Iowa

LYONS, James N.
Associate Clinical Director
Iowa Security Medical Facility
Oakdale, Iowa

MC CAULEY, Roland
Director
Division of Adult Corrections
Des Moines, Iowa

MENADUE, Jerry
Parole Officer
Dubuque, Iowa

MILLER, Harvey
Iowa City Police Department
Iowa City, Iowa

MULLER, Paul
Superintendent
Riverview Release Center
Newton, Iowa

NELSON, Lary
Director
Sixth Judicial District
Division of Adult Corrections
Cedar Rapids, Iowa

STAFF (cont'd)

OLSON, Don
Executive Secretary
Iowa Board of Parole
Des Moines, Iowa

ROMMEL, Art
Grievance Counselor
Iowa State Penitentiary
Ft. Madison, Iowa

SCOTT, Larry
Davenport Halfway House
Davenport, Iowa

SCURR, Dave
Acting Treatment Director
Medium Security Unit
Mt. Pleasant, Iowa

SMITH, Norman
Department of Court Services
Waterloo, Iowa

STOCKMAN, Florence
Assistant Director
Johnson County Department
of Social Services
Iowa City, Iowa

STRATTON, John, Ph.D.
Chairman, Sociology Department
University of Iowa
Iowa City, Iowa

THALACKER, John
Deputy Director
Division of Adult Corrections
Des Moines, Iowa

VIETOR, Harold
Judge
Boone County
Boone, Iowa

WALLMAN, Ted
Superintendent
Iowa Women's Reformatory
Rockwell City, Iowa

WALTON, John
Special Projects Director
Bureau of Community
Correctional Services
Des Moines, Iowa

WOODS, Harry
Chief, Bureau of Community
Correctional Services
Des Moines, Iowa

PARTICIPANTS

ALLARD, Chris
Oakdale, Iowa

BEATY, Chris
Oakdale, Iowa

BRADY, Jack
Ft. Madison, Iowa

BULMAN, Lloyd, Jr.
Anamosa, Iowa

BUNCE, Sandy
Anamosa, Iowa

BURKE, Cheryl
Ft. Madison, Iowa

COCHRAN, Karen
Iowa City, Iowa

CONKLIN, Gordon
Oakdale, Iowa

COSTELLO, John
Anamosa, Iowa

DAUGHERTY, Brian
Newton, Iowa

DAVIS, Ann
Council Bluffs, Iowa

DE VORE, Stan
Des Moines, Iowa

EWALT, Tom
Ft. Madison, Iowa

GOLDMAN, Tim
Des Moines, Iowa

GOODING, Virgil
Cedar Rapids, Iowa

HAUGHTON, Anthony
Ft. Madison, Iowa

HAUSER, Tobi
Cedar Rapids, Iowa

HENKE, Margaret
Oakdale, Iowa

HOUSTON, Jack
Ft. Madison, Iowa

HUTCHINSON, Burl
Anamosa, Iowa

KIRCHHOF, Gary
Oakdale, Iowa

KOELKER, Ronald
Anamosa, Iowa

LAMB, Jim
Davenport, Iowa

LONG, Betty
Oakdale, Iowa

LYNCH, Danny
Ft. Madison, Iowa

LYNCH, Jerry
Davenport, Iowa

MC GINNIS, Fred
Ft. Madison, Iowa

MC GLOTHLIN, Dan
Ft. Madison, Iowa

MC QUEEN, Ora
Des Moines, Iowa

MALLINGER, Don
Ft. Madison, Iowa

MURPHY, Steve
Anamosa, Iowa

NEFF, David
Ft. Madison, Iowa

PRULL, Joseph
Anamosa, Iowa

REYNOLDS, James, Jr.
Anamosa, Iowa

PARTICIPANTS (cont'd)

SANTORA, Mike
Ft. Madison, Iowa

SAWYER, Thomas
Anamosa, Iowa

SEEHUSEN, Clifford
Anamosa, Iowa

SHAFFER, Richard
Anamosa, Iowa

SHAULL, John
Council Bluffs, Iowa

SMITH, Dan
Des Moines, Iowa

SMITH, Lloyd
Cedar Rapids, Iowa

SNYDER, Bob
Council Bluffs, Iowa

SONDALL, Betty
Oakdale, Iowa

SORENSEN, Donald
Spencer, Iowa

SUMMERS, Cindy
Anamosa, Iowa

TEEPLE, Robert
Ft. Madison, Iowa

TENBORG, Mark
Oakdale, Iowa

THAYER, Bryan
Anamosa, Iowa

TRUESDELL, Ray
Sioux City, Iowa

VAN PEURSEM, Denise
Cedar Rapids, Iowa

WILLEY, Gary
Anamosa, Iowa

HISTORY OF THE CRIMINAL JUSTICE SYSTEM

I. Early Methods of Handling Wrongdoers

A. Law Enforcement System

B. Judicial System

C. Corrections System

1. European

2. Colonial

II. Development of Incarceration as Substitute for Corporal Punishment

A. Goals

B. Workhouses

C. Prisons

1. Pennsylvania System - Solitary without labor

2. Auburn System - Solitary with congregate labor

3. Reformatories

III. Prison Developments and Reform Efforts--Late 1800's to Present

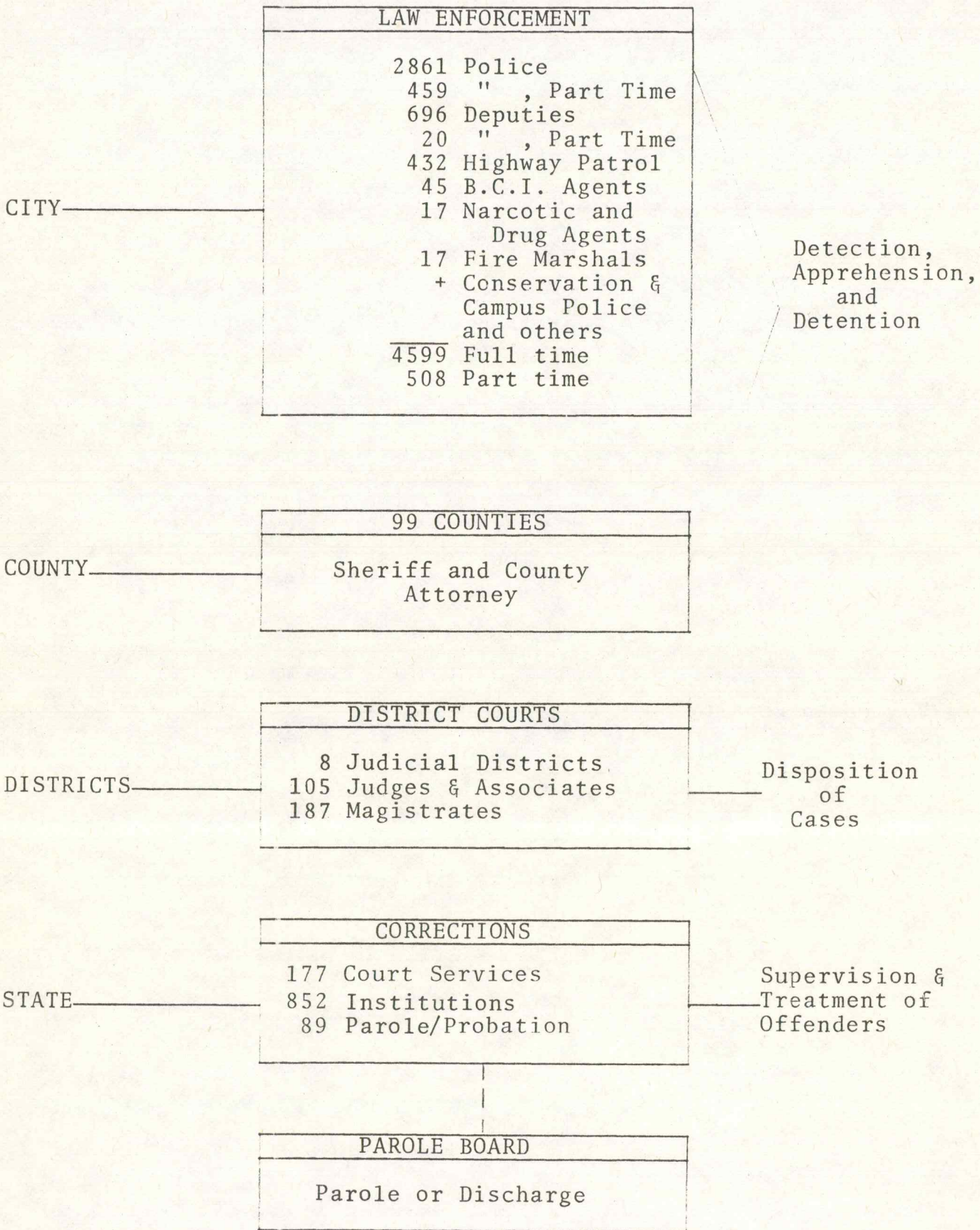
IV. A Modern Philosophy of Rehabilitation

A. Punishment vs. rehabilitation

B. The question of deterrance

V. Death Penalty

IOWA CRIMINAL JUSTICE SYSTEM



ADULT CORRECTIONS IN IOWA, 1960-1976
(Department of Social Services)

	<u>1960</u>	<u>June 30 1974</u>	<u>June 30 1976</u>
I. Institutional Correctional Services			
A. Number of inmates	2,255	1,471	1,912
B. Number of staff	488	764	852
C. Cost per day	\$4.21	\$19.55	\$21.36
D. Return rate	47.7	33.6	30.8
II. Community Correctional Services*			
A. Number of pre-sentences annually		1,757	3,868
B. Number in supervision (total)	871	1,802	6,132
1. Parole	381	447	506
2. Probation (Felony & Misdemeanor)	302	1,232	4,596
3. Interstate Compact	188	123	397
4. Pre-trial Release and Community Residential Facilities			633
C. Number of staff	15	74	266
D. Cost per day	\$.51	\$1.21	

*Note: The current figures for Community Corrections includes all court services projects while prior figures were limited to State services only.

- III. Climate about offender
- A. Public
 - B. Community staff
 - C. Institutional staff
 - D. Legislature
- IV. Industries Role

V. Central Office - Division of Adult Corrections

A. Bureau of Institution Services

1. Staff

2. Services

B. Bureau of Community Services

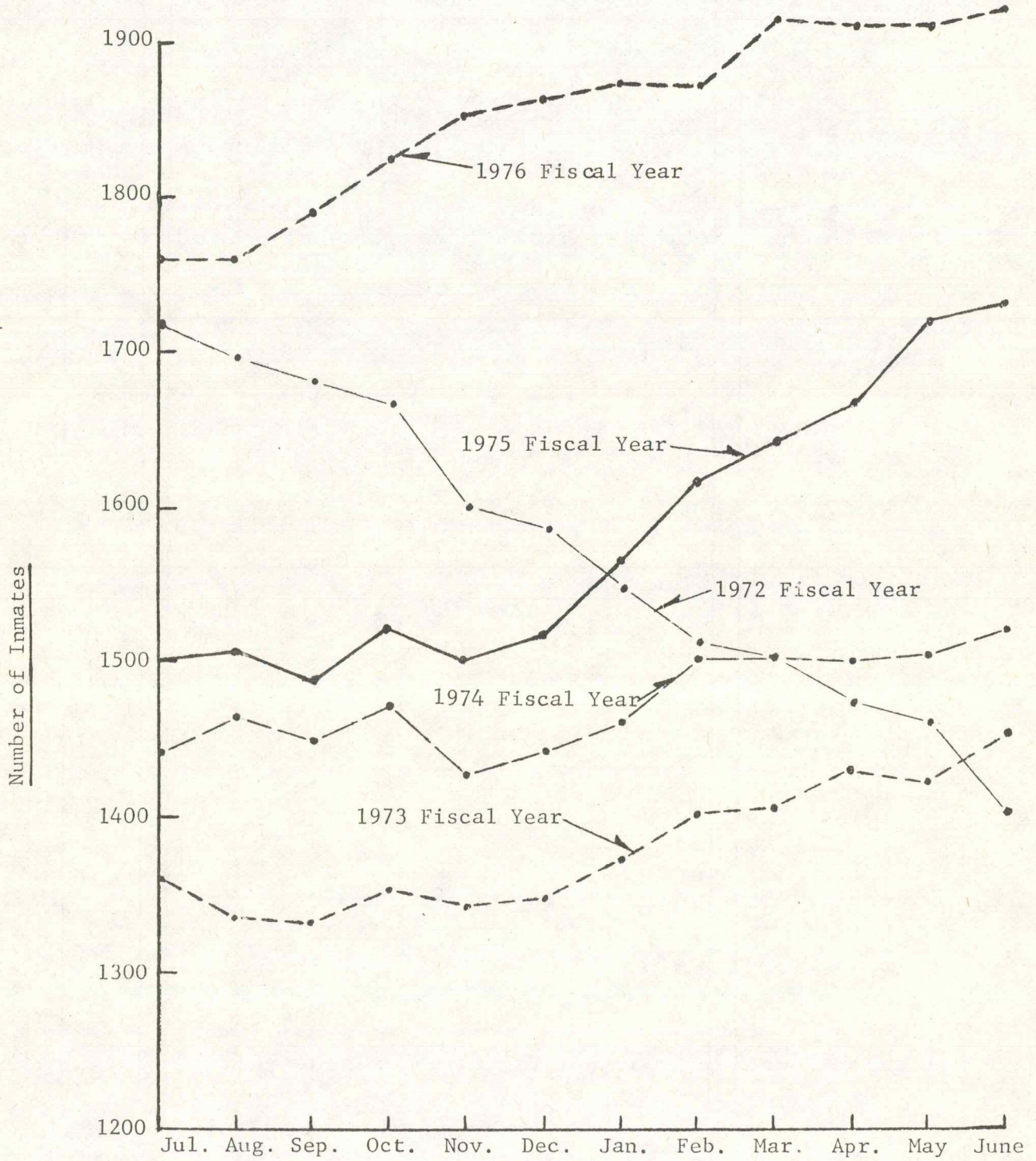
1. Staff

2. Services

<u>INSTITUTION</u>	CAPACITY 1-1-77		AVERAGE POPULATION		
	<u>MAX/MED</u>	<u>MIN</u>	<u>FY-74</u>	<u>FY-75</u>	<u>FY-76</u>
IOWA STATE PENITENTIARY Ft. Madison	936	130	593	606	826
IOWA MEN'S REFORMATORY Anamosa	702	35-40 *	552	653	711
RIVERVIEW RELEASE CENTER Newton		93	143	133	130
LUSTER HEIGHTS CAMP Harper's Ferry		40	28	27	19
IOWA SECURITY MEDICAL FACILITY - Oakdale	97		93	92	85
IOWA WOMEN'S REFORMATORY Rockwell City		86	62	63	69
TOTAL	1735	389	1471	1574	1840

*Housed in basement dormitory

ENDING MONTHLY POPULATION
at the Five Adult Correction Facilities



Department of Social Services

Adult Correction Institutions

SEMIANNUAL MOVEMENT OF POPULATION IN ADULT INSTITUTIONS

	State Penitentiary Fort Madison			Men's Reformatory Anamosa			Women's Reformatory Rockwell City			Security Hospital Oakdale			Release Center Newton			Total		
	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd	1st	2nd	3rd
Beginning Population	560	733	847	642	722	731	61	69	65	94	85	86	163	119	128	1520	1728	1857
Received this month																		
Court Convictions	126	125	111	299	263	253	24	23	20	-	-	-	-	-	-	449	411	384
Parole Violators (Rules&Rep)	21	23	16	24	29	19	3	3	4	-	-	-	-	-	-	48	55	39
Parole Viol. w/new Offense	5	11	3	11	4	9	1	-	2	-	-	-	-	-	-	17	15	14
Transfer-In (Inter. Inst.)	168	155	151	52	48	86	-	-	-	77	80	139	237	241	296	534	524	672
Transfer-In (Community Serv.)	37	25	24	67	21	15	-	-	-	5	1	1	77	65	84	186	112	124
Safekeepers & Evaluations	4	10	3	8	-	-	-	-	2	111	129	83	-	-	1	123	139	89
Ret. from Appeal Bond	1	4	4	10	7	8	-	-	2	-	-	-	-	-	-	11	11	14
Ret. from Escape	4	9	8	4	3	1	15	6	7	2	-	-	42	32	20	67	50	36
Total Received	366	362	320	475	375	391	43	32	37	195	210	223	356	338	401	1435	1317	1372
Released this Month																		
Expiration	41	56	53	42	41	34	3	5	4	2	1	1	20	8	13	108	111	105
Paroled & Replacements	10	11	17	15	10	6	15	26	7	2	1	1	165	181	205	207	229	236
Transfer-Out (Inter-Inst.)	51	42	80	165	170	175	-	-	-	81	71	121	109	48	39	406	331	415
Transfer-Community Service	77	109	138	147	125	155	-	-	-	13	7	3	77	65	84	314	306	380
Safekeepers & Evaluations	2	11	4	10	1	-	-	-	2	103	128	94	-	-	1	115	140	101
Death	3	2	1	1	1	-	-	-	-	-	1	-	-	-	-	4	4	1
Release on Appeal Bond	5	8	11	12	15	6	3	-	-	-	-	-	-	-	-	20	23	17
Escaped	1	7	13	3	1	1	13	5	9	1	-	-	29	27	28	47	40	51
Discharge by Court Order	3	2	3	-	2	6	1	-	2	2	-	-	-	-	-	6	4	11
Total Released	193	248	320	395	366	383	35	36	24	204	209	220	400	329	370	1227	1188	1317
Ending Population	733	847	847	722*	731	739	69	65	78	85	86	89	119*	128	159	1728	1857	1912
Average Daily Population	647	797	856	705	724	736	64	69	70	92	86	84	158	120	140	1666	1796	1886

1st Semiannual Period is January thru June, 1975

2nd Semiannual Period is July thru December, 1975

3rd Semiannual Period is January thru June, 1976

*Note: In April 1975 the Luster Height Camp was transferred back to Anamosa.

POPULATION MOVEMENT FOR PAROLE AND PROBATION
for the Year Ending June 30, 1976

CASES ADMITTED	Supervised In Iowa			Supervised In Other States		
	Male	Female	Total	Male	Female	Total
Admission Type						
Deferred Sentence	474	83	557	81	15	96
Probation	415	45	460	85	8	93
From Other States	293	33	326	-	-	-
Parole	398	26	424	46	12	58
Misdemeanor	118	10	128	47	6	53
TOTAL RECEIVED	1698	197	1895	259	41	300

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CASES RELEASED	Supervised in Iowa							Supervised in Other States														
	Male				Female			Male				Female			Tot							
Type of Separation	Def. Sent.	Prob.	O. S.	Par.	Misd.	Total	Def. Sent.	Prob.	O. S.	Par.	Misd.	Total	Def. Sent.	Prob.		Par.	Misd.	Total				
Discharged	361	287	181	236	117	1182	58	41	25	17	12	153	56	48	32	23	159	12	10	8	2	32
Revocation	28	91	12	84	21	236	1	6	1	9	1	18	2	6	2	1	11	-	-	-	-	-
Transf. Oth. St.	-	-	58	-	-	58	-	-	-	-	-	8	-	-	-	-	-	-	-	-	-	-
Absconded	11	24	12	37	5	89	3	4	1	3		11	1	6	6	3	16	-	-	-	-	-
Death	1	6	1	4		12	1					1		2	1		3	-	-	-	-	-
Other	25	5	-	1	28	59	4	2			4	10	2	3		3	8	-	-	-	2	2
TOTAL	426	413	264	362	171	1636	67	53	35	29	17	201	61	65	41	30	197	12	10	8	4	34

ENDING POPULATION

as of	Iowa							Other States														
June 30, 1976	662	684	355	432	137	2270	118	75	38	33	10	274	105	156	77	47	385	19	20	13	4	56

ADMISSION DEFINITIONS

- Deferred Sentence: Sentence withheld by the court
- Probation: Institution Commitment withheld by the court for felony convictions
- Out of State: All interstate compact cases transferred to Iowa from other states

THE DEPARTMENT OF SOCIAL SERVICES

I. Overview of the Department

A. Established in 1968

1. Board of Social Welfare
2. Board of Control
3. Board of Parole

B. Composed of:

1. Offices

- a. Public Information
- b. Personnel
- c. Staff Development

2. Divisions

- a. Administrative Services
- b. Management and Planning
- c. Adult Corrections
- d. Community Services
- e. Mental Health Services

3. Bureaus within Community Services

- a. Youth Services
- b. Family and Adult Services
- c. Mental Retardation Services
- d. Veterans Services
- e. Income Maintenance
- f. Medical

4. Sections
 - a. Legislative
 - b. Special Projects
 - c. Legal

II. Division of Adult Corrections - Cal Auger, Acting Director

A. Central Office Staff

1. Training
2. Statistics
3. Resource and Planning
4. Escort Services
5. Jail Inspection
6. Compacts

B. Bureau of Institutional Corrections - John Thalacker, Bureau Chief

1. Iowa State Penitentiary - Fort Madison
2. Iowa Men's Reformatory - Anamosa
- Luster Heights Camp - Harper's Ferry
3. Iowa Women's Reformatory - Rockwell City
4. Iowa Security Medical Facility - Oakdale

C. Bureau of Community Correction Services - Harry Woods, Bureau Chief

1. Riverview Pre-Release Center - Newton
 - a. Halfway Houses

IV. Departmental Unity

DEPARTMENT OF SOCIAL SERVICES

PURPOSE

To make available to the people of Iowa an array of financial and social services which prevent or reduce the incidence and/or effects of conditions which handicap and/or disadvantage* the individual in society.

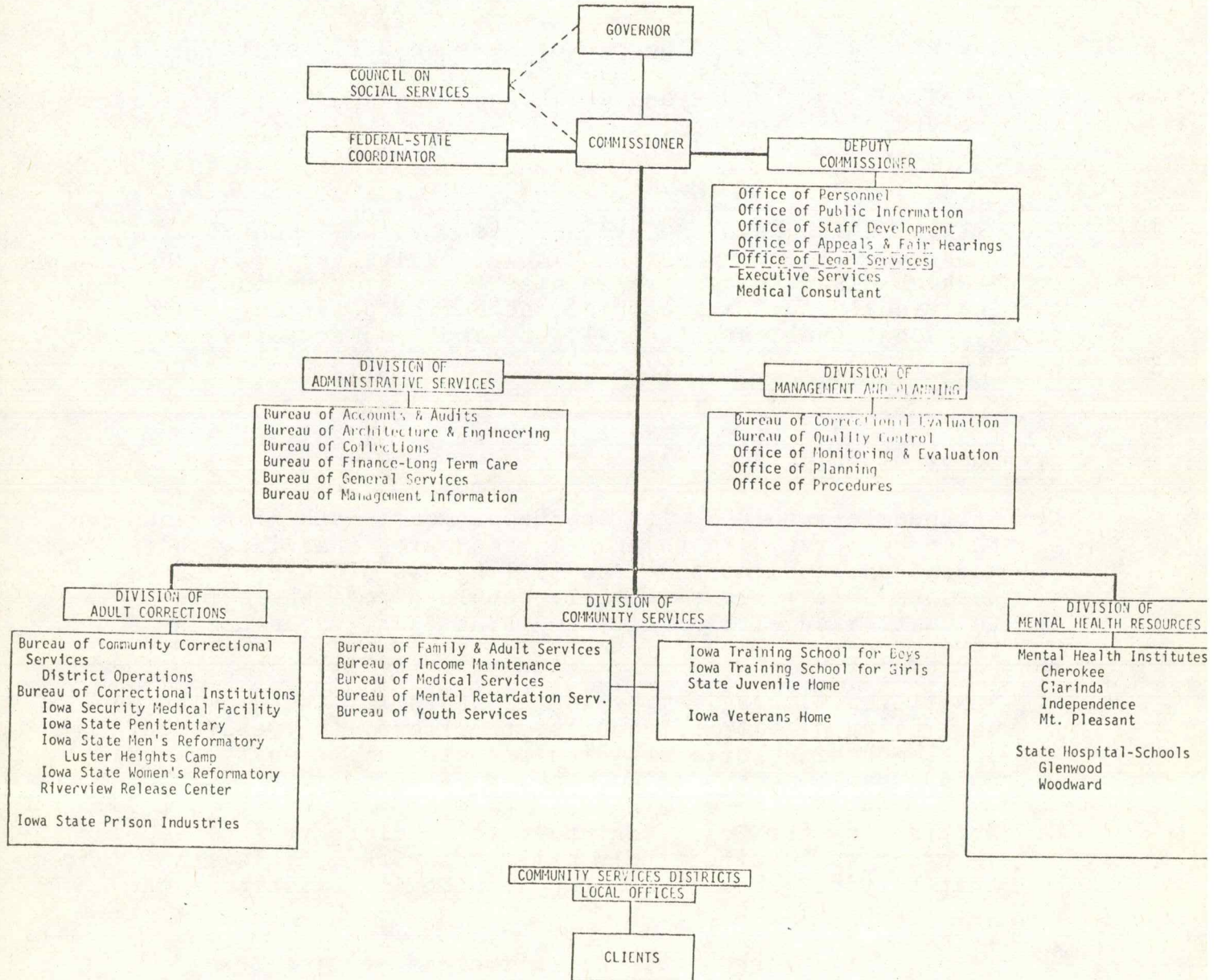
*Conditions which handicap are seen as physical, mental or emotional conditions occurring within the individual. Conditions which disadvantage are seen as those originating outside the individual, such as cultural, economic, political, educational, vocational, attitudinal, or simply a lack of available resources.

STATEMENT OF PRINCIPLES

1. All people involved with the Department, both staff and those we serve, are human beings -- with individual hopes, needs, and aspirations, and feelings about themselves as persons. It follows that all people have a basic right to be treated with dignity and true equality as human beings.
2. A well-functioning family is the basis for the growth and well-being of all individuals; therefore, the Department must emphasize services which promote family unity and human development.
3. Services of the Department need to be close to the people in order to be effectively utilized by them; this means that services should be based as much as possible in the local community.
4. In order to bring about more efficient service toward reaching the Department goal, the Department must work toward a managerial system which integrates services of the Bureaus and Offices at all administrative levels, bringing multiple functions together, supplementing and complementing one another.
5. The Department must cooperate with other public agencies at all levels, and agencies in the private sector, in achieving the Department goals.

March, 1976

IOWA DEPARTMENT OF SOCIAL SERVICES



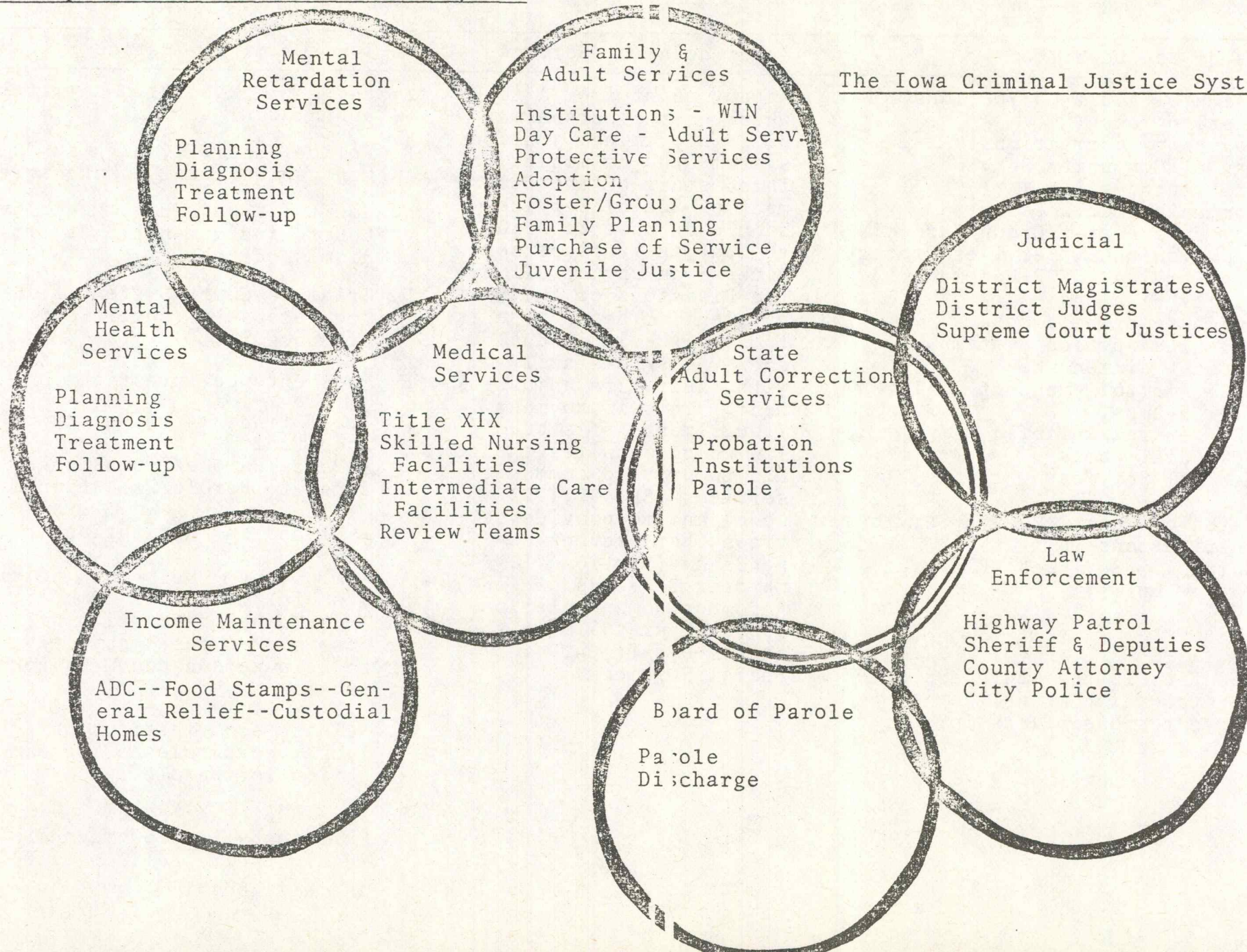
DEPARTMENT OF SOCIAL SERVICES SYSTEM

Programs of the Department	Interlacing of Services	Iowa Criminal Justice System
<p>A. Division of Adult Corrections 1. Institutions (5) 2. Community Corrections</p> <p>B. Bureau of Community Services 1. Institutions (16) 2. Community Services Day Care-Foster/Group Care-WIN- Adoption-Adult Services-Protect- ive Services-SYOP-Homemaker- Family Planning 3. Purchase of Services 4. Juvenile Justice System 5. Income Maintenance 6. ADC (Aid to Dependent Children) 7. Food Stamps 8. GR (General Relief) 9. Custodial Homes 10. Medical Services</p> <p>C. Division of Mental Health Services 1. Institutions (6) 2. Community Services: Planning- Follow-up</p> <p>* 22 Counties in the State are non-integrated which means they do not have responsibility for GR.</p>	<p>At any point from A to H wherever the person may be in a criminal justice system, the community related staff of the Department of Social Services should be able to bring to bear the various services from any or all of the Divisions of the Department. The purpose is to help the individual and/or his/her family with their life adjustment. This is to meet requirements of state law which requires the DSS to provide community services (SF 482,1973 Code) and to provide services that prevent dependency (Section VI, Chapter 209-Code of Iowa). A common human relations approach prevails in the entire Department of Social Services.</p>	<p>A. Person charged with committing an unlawful act.</p> <p>B. Police, Sheriff, Highway Patrol, Constable (local), make arrest.</p> <p>C. Court - Grand Jury, Municipal Court, indictment for a trial-dismissed, etc.</p> <p>D. Trial in Court System if indicted because of sufficient evidence.</p> <p>E. Pre-Sentence Investigation</p> <p>F. Trial findings of Guilty or Acquittal --Bench Parole/Probation by Judge to Parole/Probation Officer. --Placed in institution.</p> <p>AC Philosophy - Help the individual be a useful member of community and leave the institution as soon as possible -- total objective is to help person become a non-offender.</p> <p>G. Release from institution. Furlough, work release, recommendation for parole.</p> <p>H. Parole by Parole Board. AC Philosophy - Help offenders retain their feelings of dignity and citizenship.</p>

THE COMMUNITY - THE PEOPLE OF IOWA

Iowa Department of Social Services System

The Iowa Criminal Justice System



I. Major Purposes of Communication

II. Essential Elements of Two-Way Communication

III. The Role of Communication of Human Need Satisfaction

IV. Barriers to Effective Communication

V. Problem Solving Exercise

A. Major Communication Problems

1.

2.

3.

B. Possible Solutions

1.

2.

3.

ESSENTIAL ELEMENTS IN COMMUNICATING

By this time, we should be aware of the fact that effective communication, far from being simple, is much more complex than we had thought because of the difficulty of getting across one's true meaning and because of the fact that communication is a two-way street with many blockades.

We have implied before that effective communication must be planned. Let's look at some essential steps in the planning of an important communication:

1. Know your objective:
Is it to gain understanding of a new policy or procedure? Is it to precondition employees in advance of some change? Is it to refute false charges by union officials? Is it to dispel fear caused by false rumors? Sharpen your objective. The sharper the focus, the better the result.
2. Identify your audience:
You may wish to use not only different language but different media to reach your engineers from those you would use in reaching your shop people.
3. Determine your medium (or media):
How best to communicate your message? Orally? If orally, will you down the line of common man-to-man or by group meetings? If printed, will you use the plant house organ or the public press or letters to employees' homes?
4. Tailor the communication to fit the relationship between sender and receiver:
Is the relationship climate one of fear and distrust or one of confidence? Is the receiver preoccupied, under emotional strain, fearful of impending layoffs? Are the employees accustomed to getting communication from you, the sender? (If you act differently from the way they expect, they will be bewildered or suspicious.) Is the receiver or are the receivers able to respond with the behavior response you desire?
5. Establish a mutuality of interest:
Can your objective be expressed in terms of self-interest to the receiver? Are you tuned in on his wave length? Can he clearly see that your proposal or policy has something in it for him? Does it promise to fulfill one of his basic needs - to be superior, secure, socially acceptable, healthier, safer, etc.? Empathy, the ability to see the other person's point of view, is a priceless ingredient of effective communication.

6. Watch your timing:

It can often make or break the effectiveness of your communication. Do you wish to beat the grapevine? Should not your management employees receive the message first? Should not your employees receive it before they see it in the local news? Should the letter to employees' homes be sent on Monday? Perhaps, Wednesday would be better?

7. Measure results:

Use readership or recall surveys or other feedback devices to ensure that mutual understanding has been achieved, to check if desired response has occurred, and to improve the planning of your next communication.

In its "Ten Commandments of Good Communication", the American Management Association stresses the urgency of careful planning in its first commandment: "Many communications fail because of inadequate planning. Good planning must consider the goals and attitudes of those who will receive the communication and those who will be affected by it."

The good communicator, through instinct and training, subconsciously considers these factors in day-to-day communication and very consciously considers them in each of his important planned communication programs, whether it be the semiannual meeting with each employee to review his performance and progress, or mass appeal to all employees.

PURPOSES OF WRITTEN EMPLOYEE COMMUNICATIONS

From the managerial viewpoint, employee communications media are written for a variety of purposes; to inform, to change attitudes, to inspire, or to entertain.

To Inform

Products
Benefit plans
Sales operations
Research activities
Policies
History of Company
Company problems

To Change Attitudes

Prevent waste
Reduce tardiness and absenteeism
Increase Production
Free enterprise
Resistance to change
Rumors, fears, misconceptions
Good citizenship

To Inspire

Pride in job and company
Teamwork
Confidence in management
Recognition

To Entertain

Human interest
Recreation
Personalities
Hobbies

These purposes can be achieved by a good communications program, but there are some things that a program will not do:

1. It cannot inspire all employees.
2. It cannot change attitudes overnight.
3. It cannot eliminate waste, turnover, and tardiness.
4. It cannot inform all employees.

There are other "will nots" of written employee communications:

1. They will not increase productivity many times over.
2. They will not always make employees see things from the management point of view.
3. They will not substitute for good human relations of a good boss.

DESPITE THESE DRAWBACKS, EMPLOYEE COMMUNICATIONS WILL BE WELCOMED BY MOST EMPLOYEES BECAUSE THEY LIKE TO BE KEPT INFORMED.

FAMILY AND COMMUNITY IMPACT ON CRIME

BASICS

I. The Concept of Crime

- A. The commission or omission of an act which the law forbids or commands under pain of punishment imposed by the state acting in its own name.

- B. Crime, torts and "Parallel Liability"

II. Nature of Criminal Law

- A. Criminal law is a body of specialized rules regarding human conduct which have been promulgated by political authority which apply uniformly to all members of the classes to which the rules refer, and which are enforced by punishment administered by the state.

- B. Substantive Law and Procedural Law Differentiated

III. Functions of the Criminal Law

- A. To create order and predictability in a complex society

- B. To protect the community from the offender and the offender as a community member from the indiscriminate power of the state

IV. The Criminal

- A. Legal definition - a person found guilty of violating the criminal law

- B. Research definition - a person who has committed an act for which he/she could be found guilty (i.e., an act punishable by the state)

- C. "Criminal" is a social status

V. Four Categories of Offenders

- A. Those actually committing offenses without being known either because. . .

1.

2.

3.

B. Those known to have committed actual offenses, but are not punished because of. . .

1.

2.

3.

C. Those actually committing offenses for which they are convicted and punished.

D. Those convicted and punished for crimes they did not actually commit.

CAUSES

I. Complexity

II. Action and Causation

III. Brief History of Explanations - Virtually everything that has been thought to be related to human behavior has at one time or another been taken as the cause of criminal behavior.

IV. Some Problems in Explanations

V. Role of the Community

VI. Role of the Family

VII. Implications

LAW ENFORCEMENT IN THE COMMUNITY

I. Structure of Law Enforcement Agency

- A. Patrol
- B. Investigation
- C. Administration

II. Arrest Procedures

- A. Complaint or Observation of Offense
- B. Arrest
- C. Rights - Miranda Warning
- D. Transport
- E. "Bock"
- F. Interrogation

III. Police Attitudes Regarding Ex-Offenders

IV. If Person Not Returned to Community, What Would You Suggest as Alternatives?

V. Problems Unique to Rural Areas

VI. Are Law Enforcement, Courts, and Corrections Part of a "System"? How Should Good Relationships be Set Up Between Law Enforcement and Corrections?

LEGAL ASPECTS IN THE CRIMINAL JUSTICE SYSTEM

I. Procedural Steps from Arrest to Trial

A. Appearance

1. Types of offenses

a. Felonies

b. Misdemeanors

(1) indictable

(2) non-indictable

B. Bail

C. Preliminary hearing

D. Preliminary Information

E. Grand Jury or

F. County Attorney's Information - True Bill

G. Arraignment

H. Trial

I. Determination

1. Acquittal

2. Sentence
 - a. Probation

- b. Institution

- J. Appeal to Iowa Supreme Court

II. Tactics for Defense - - Trial Strategy

- A. Multiple

- B. Concentrated

- C. Post Conviction

III. The Issue of Plea Bargaining

IV. Attorney/Client Relationship

A. Obligation to client - - obligation to see justice
obtained

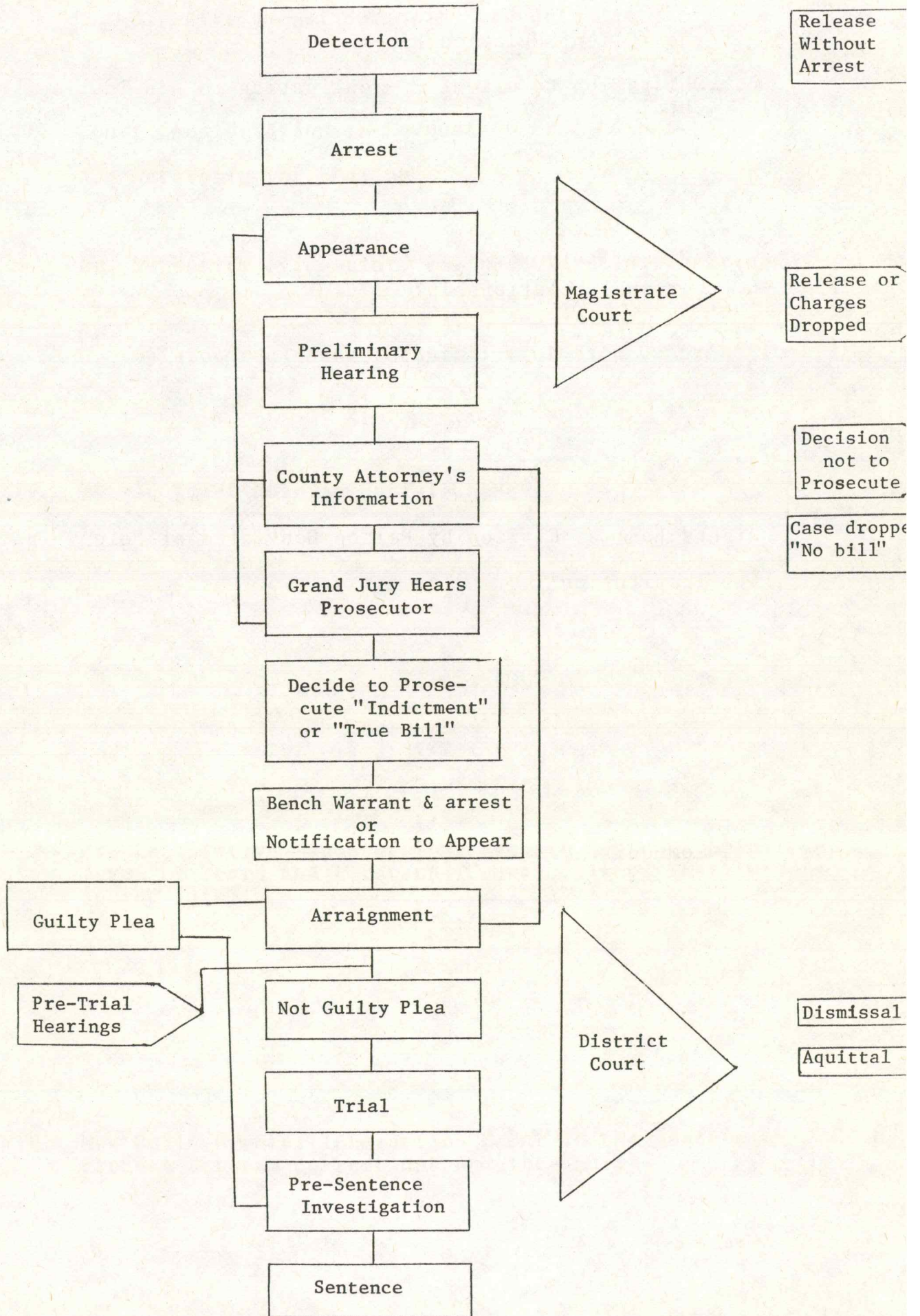
B. Personal relationship?

V. Rights Lost as Citizen by Person Convicted of Felony in:

A. Institution

B. Community

CRIMINAL CASE PROCESS



JUDICIAL DECISION MAKING

I. Basic Consideration in Court Process

A. Statutes of Crime (Code of Iowa)

B. Facts

1. Types of offenses
2. Circumstances
3. Jury or non-jury trial

C. Precedents

II. Sentencing Considerations

A. Institution or community probation

1. Length of sentence
2. Past record
3. Type of offense
4. Recommendations of probation officer, county or defense attorney and others

5. Attitude of community and defendant

III. Court Consideration in Revocation Proceedings

- A. Necessity for hearing
- B. Necessity evidentiary vs. no-evidentiary hearing
- C. Opinion regarding technical violation or probation rules

IV. The Judicial Role in Social Change

V. Are Legislative Mandates that Require Sentence Specifying Terms of Years and Location (County Jail or Institution) Appropriate?

IV. How Could Greater Interaction Occur in the Sentencing Process Between Corrections and the Court?

COURT ORGANIZATION

I. Types of Judges

- A. Justices of the Supreme Court
- B. Judges of the District Court
- C. Associate Judges of the District Court
- D. Judges of the Magistrate Court

II. Magistrate Court

- A. Magistrates have the power to hear complaints or preliminary information, issue warrants, order arrests, require security to keep peace, make commitments and take bail as provided by law.
- B. Magistrate's court has jurisdiction in misdemeanor matters (non-indictable) along with the associate judges of the District Court.
- C. Magistrate courts are included in one of the eight judicial districts in Iowa.
- D. Is the Court of Record, that is, some method of recording used to register proceedings?
- E. Jury of six in both indictable and non-indictable misdemeanors.
- F. Appeal is to the District Court.

III. District Court

- A. Shall have general, original and exclusive jurisdiction of all actions, proceedings and remedies, both civil and criminal, except in cases when exclusive or concurrent jurisdiction is or may hereafter be conferred upon some other court or tribunal by the constitution and laws of the state, and shall have and exercise all the powers usually possessed and exercised by courts of record.
 - 1. Jurisdiction to try indictable offenses.
 - 2. Each county is included in one of the eight judicial districts in Iowa.

3. Court of Record
4. Jury of twelve in criminal cases.
5. Appeal to Supreme Court

IV. Supreme Court

- A. Nine Justices
- B. Serves as the appellate court
- C. Considers constitutionality of decisions made by lower courts under the rules of law.

V. Court of Appeals

- A. Five Judges
- B. Receives cases assigned by Supreme Court after screening.

COMMUNITY ALTERNATIVES TO INSTITUTIONALIZATION

I. Comprehensive Overview

A. Bureau of Community Correction Services

B. Programs in operation

1. Pre-Sentence Investigation services

2. Probation Services

3. Deferred sentencing

4. Probation from county jail

C. Future possibilities

1. Shock probation

2. Comprehensive community correction projects

II. Comprehensive Community Corrections Project

A. Development and goals

B. Methods and results - non-institution programs

1. Pre-trial release
2. Community corrections
3. Probation
4. Residential treatment

IOWA STATE PENITENTIARY

I. Purposes of Institution

II. Major Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Large Institution Management

WOMEN'S REFORMATORY

I. Purposes of Institution

II. Major Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Small Institution Management

RIVERVIEW RELEASE CENTER

I. Purposes of Institution

II. Major Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Small Institution Management

MEN'S REFORMATORY

I. Purposes of Institution

II. Major Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Large Institution Management

IOWA SECURITY MEDICAL FACILITY

MT. PLEASANT

I. Purposes of Institution

I. Purposes of Institution

I. Major Objectives

II. Major Objectives

I. Methods Used to Reach Objectives

III. Methods Used to Reach Objectives

V. Positive and Negative Aspects of Small Institution Management

IV. Positive and Negative Aspects of Small Institution Management

CITIZENS' AIDE FOR CORRECTIONS

I. History of Ombudsman

II. Responsibilities

A. Executive

B. Legislative

III. Powers/Limitations

IV. Objectivity is Key

V. Problem Solving Process

- A. Oral recommendation to Warden/Superintendent
- B. Written recommendation to Warden/Superintendent
- C. Written recommendation to Division/Bureau Director
- D. Written recommendation to DSS Commissioner
- E. Written recommendation to Governor
- F. Written recommendation to Legislature

VI. Advantages to Corrections

VII. Sample Case

IOWA CITIZENS' AIDE ACT

SIXTY-FOURTH GENERAL ASSEMBLY, SECOND SESSION
Effective July 1, 1972

Section 1. As used in this Act:

1. "Person" means an individual, aggregate of individuals, corporation, partnership, or unincorporated association.
2. "Agency" means all governmental entities, departments, boards, commissions, councils or institutions, and any officer, employee or member thereof acting or purporting to act in the exercise of his/her official duties, but it does not include:
 - A. Any court or judge or appurtenant judicial staff.
 - B. The members, committees, or permanent or temporary staffs of the Iowa general assembly.
 - C. The governor of Iowa or his personal staff.
 - D. Any instrumentality formed pursuant to an interstate compact and answerable to more than one state.
3. "Officer" means any officer of an agency.
4. "Employee" means any employee of an agency.
5. "Administrative action" means any policy or action taken by an agency or failure to act pursuant to law.

Section 2. The office of citizens' aide is established.

Section 3. The citizens' aide shall be appointed by the legislative council with the approval and confirmation of a constitutional majority of the senate and with the approval and confirmation of a constitutional majority of the house of representatives. The legislative council shall fill a vacancy in this office in the same manner as the original appointment. If the appointment or vacancy occurs while the general assembly is not in session, such appointment shall be reported to the senate and the house of representatives within thirty days of their convening at their next regular session for approval and confirmation. The citizens' aide shall employ and supervise all employees under his/her direction in such positions and at such salaries as shall be authorized by the legislative council.

Section 4. The citizens' aide shall be a citizen of the state of Iowa, and shall be qualified to analyze problems of law, administration and public policy.

Section 5. The citizens' aide shall hold office for four years from the first day in July of the year of his/her approval by the senate and the house of representatives, and until his/her successor is appointed by the legislative council, unless he/she can no longer perform his/her official duties, or is removed from office. The citizens' aide may at any time be removed from office by constitutional majority vote of the two houses of the general assembly or as provided by chapter sixty-six of the Code. If a vacancy occurs in the office of citizens' aide the deputy citizens' aide shall act as citizens' aide until the vacancy is filled by the legislative council.

Section 6. The citizens' aide shall designate one of the members of his staff as the deputy citizens' aide, with authority to act as citizens' aide when the citizens' aide is absent from the state or becomes disabled. The citizens' aide may delegate to members of his/her staff any of his/her authority or duties except the duty of formally making recommendations to agencies or reports to the Governor or the general assembly.

Section 7. Neither the citizens' aide nor any member of his/her staff shall:

1. Hold any other public office or trust or profit under the laws of this state.
2. Engage in any other employment for remuneration.
3. Knowingly engage in or maintain any business transactions with persons employed by agencies against whom complaints may be made under the provisions of this Act.
4. Be actively involved in partisan affairs.

Section 8. The citizens' aide may maintain secrecy in respect to all matters including the identities of the complainants or witnesses coming before him, except that the general assembly, any standing committee of the general assembly or the Governor may require disclosure of any matter and shall have complete access to the records and files of the citizens' aide. The citizens' aide may conduct private hearings.

Section 9. The citizens' aide shall have the following powers:

1. He may investigate, on complaint or on his/her own motion, any administrative action of an agency, without regard to the finality of the administrative action, except that he shall not investigate the complaint of an employee of an agency in regard to that employee's employment relationship with the agency.
2. He/she may prescribe the methods by which complaints are to be made, received, and acted upon; determine the scope and manner of investigations to be made; and, subject to the requirements of this Act, he/she may determine the form, frequency, and distribution of his/her conclusions and recommendations.

3. He/she may request and shall be given by each agency such assistance and information as may be necessary in the performance of his/her duties. He/she may examine the records and documents of all agencies not specifically made confidential by law. He/she may enter and inspect premises within any agency's control.
4. He/she may issue a subpoena to compel any person to appear, give sworn testimony, or produce documentary or other evidence deemed relevant to a matter under his/her inquiry. The citizens' aide, his deputy and his assistants shall have the power to administer oaths to persons giving testimony before them. If a witness either fails or refuses to obey a subpoena issued by the citizens' aide, the citizens' aide may petition the district court having jurisdiction for an order directing obedience to the subpoena. In the event the court finds that the subpoena should be obeyed, it shall enter an order requiring obedience to the subpoena, and refusal to obey such court order shall be subject to punishment for contempt.

Section 10. No monetary or other charge shall be levied upon any person as a pre-requisite to presentation of a complaint to the citizens' aide.

Section 11. An appropriate subject for investigation by the office of the citizens' aide is an administrative action that might be:

1. Contrary to law or regulation.
2. Unreasonable, unfair, oppressive, or inconsistent with the general course of an agency's functioning, even though in accordance with law.
3. Based on a mistake of law or arbitrary in ascertainties of fact.
4. Based on improper motivation or irrelevant consideration.
5. Unaccompanied by an adequate statement of reasons. The citizens' aide may also concern himself with strengthening procedures and practices which lessen the risk that objectionable administrative actions will occur.

Section 12. The citizens' aide may receive a complaint from any source concerning an administrative action. He/she shall conduct a suitable investigation into the administrative actions complained of unless he/she finds substantiating facts that:

1. The complainant has available to him/her another remedy or channel of complaint which he/she could reasonably be expected to use.
2. The grievance pertains to a matter outside the citizens' aide

3. The complainant has no substantive or procedural interest which is directly affected by the matter complained about.
4. The complaint is trivial, frivolous, vexatious, or not made in good faith.
5. Other complaints are more worthy of attention.
6. The citizens' aide resources are insufficient for adequate investigation.
7. The complaint has been delayed too long to justify present examination of its merit.

The citizens' aide may decline to investigate a complaint, but shall not be prohibited from inquiring into the matter complained about or into related problems at some future time.

Section 13. If the citizens' aide decides not to investigate, he shall within sixty days inform the complainant in writing of that decision and shall state his/her reasons. If the citizens' aide decides to investigate, he/she shall within sixty days notify the complainant in writing of his/her decision and he/she shall also notify the agency of his/her intention to investigate. After completing his/her consideration of a complaint, whether or not it has been investigated, the citizens' aide shall without delay inform the complainant of the fact, and when appropriate, the administrative agency or agencies involved. The citizens' aide shall on request of the complainant, and as appropriate, report the status of his/her investigation to the complainant.

Section 14. A letter to the citizens' aide from a person in a correctional institution, a hospital, or other institution under the control of an administrative agency shall be immediately forwarded, unopened to the citizens' aide by the institution where the writer of the letter is a resident. A letter from the citizens' aide to such a person shall be immediately delivered, unopened to the person.

Section 15. Before announcing a conclusion or recommendation that criticizes an agency or any officer or employee, the citizens' aide shall consult with that agency, officer or employee, and shall attach to every report sent or made under the provisions of this Act a copy of any unedited comments made by or on behalf of the offender, employee, or agency.

Section 16. If, having considered a complaint and whatever material he deems pertinent, the citizens' aide finds substantiating facts that:

1. A matter should be further considered by the agency.
2. An administrative action should be modified or canceled.
3. A rule or regulation on which an administrative action is based should be altered.

4. Reasons should be given for an administrative action; or
5. Any other action should be taken by the agency, he shall state his recommendations to the agency.

If the citizens' aide requests, the agency shall, within twenty working days notify him of any action taken on his recommendations or the reasons for not complying with them.

If the citizens' aide believes that an administrative action has occurred because of laws whose results are unfair or otherwise objectionable, he shall notify the general assembly concerning desirable statutory change.

Section 17. The citizens' aide may publish his conclusions, recommendations, and suggestions and transmit them to the Governor, the general assembly or any of its committees. When publishing an opinion adverse to an administrative agency or official, he shall, unless excused by the agency or official affected, include with the opinion any unedited reply made by the agency. Any conclusions, recommendations, and suggestions so published may at the same time be made available to the news media, or others who may be concerned.

Section 18. In addition to whatever reports he may make from time to time, the citizens' aide shall by February fifteenth of each year report to the general assembly and to the Governor concerning the exercise of his functions during the preceding calendar year. In discussing matters with which he has been concerned, the citizens' aide need not identify specific persons or agencies if to do so would cause needless hardship. If the annual report criticizes named agencies or officials, it must also include unedited replies made by the agency or officials to the criticism, unless excused by the agency or official affected.

Section 19. If the citizens' aide believes that any public official, employee or other person has acted in a manner warranting criminal or disciplinary proceedings, he shall refer the matter to the appropriate authorities.

Section 20. No civil action, except removal from office as provided in chapter sixty-six of the Code, or proceeding shall be commenced against the citizens' aide or any member of his staff for any act or omission performed pursuant to the provisions of this Act unless the act or omission is actuated by malice or is grossly negligent, nor shall the citizens' aide or any member of his staff be compelled to testify in any court with respect to any matter involving the exercise of his official duties except as may be necessary to enforce the provisions of this Act.

Section 21. A person required by the citizens' aide to provide information shall be paid the same fees and travel allowances as are extended to witnesses whose attendance has been required in the district courts of this state. Officers and employees of an agency shall not be entitled to such fees and allowances. A person who, with or without service of compulsory process, pro-

vides oral or documentary information requested by the citizens' aide shall be accorded the same privileges and immunities as are extended to witnesses in the courts of this state, and shall also be entitled to be accompanied and advised by counsel while being questioned.

Section 22. A person who willfully obstructs or hinders the lawful actions of the citizens' aide or his staff, or who willfully misleads or attempts to mislead the citizens' aide in his inquiries shall be subject to a fine of not more than one thousand dollars.

Section 23. There is appropriated from the general fund of the state for the office of the citizens' aide for the fiscal year beginning July 1, 1972 and ending June 30, 1973, the sum of fifty-two thousand (52,000) dollars, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this Act.

Section 24. This Act shall be known and may be cited as the "Iowa Citizens' Aide Act".

DIFFERENT APPROACHES TO INDIVIDUALIZED TREATMENT

I. Psycho-Analytical

II. Behavior Modification

III. Reality Therapy

IV. Transactional Analysis

WORKING INSIDE

POST-INSTITUTIONAL PLANNING

I. Services Presently Available When Person Leaves an Institution

A. Work Release

B. Furlough

C. Parole

II. Work Release

A. Person classified as inmate

B. Supervised by community services

C. Halfway houses and how they are operated

1. Examples

D. Financial arrangements and what parole officer's role is in the dispersion of funds obtained while on work release

III. Furlough

A. Person classified as inmate

B. Used for job interviews, religious activities, panels, family emergencies, structured community activities, training programs not available at the institution, etc.

IV. Parole

A. Pre-parole planning

1. Outline procedural steps in moving client from inmate to parole status
 - a. Case assignment by supervisor to agent
 - b. Investigation - adequate home living arrangements, etc.
 - (1) adequate home living arrangement, etc.
 - (2) employment
 - (3) special problems
 - (a) AA, mental health, debts, infidelity of wife, etc.
 - c. Sign parole agreement

B. Treatment and Supervision

1. Officer's role as "counselor"
2. Officer's role as "policeman"

C. Use of community resources

1. Officer as community resource
2. Other resources - social services, etc.
3. Coordination

D. Alternative violations

1. Minor

2. Technical

3. Major

E. Discharge recommendations

1. New rules, re: time spent on parole
2. Need for minimum time on parole
3. Criteria for discharge recommendation

F. Restoration of rights

1. Request filed
2. Governor's approval

G. What rights does a client have when on parole?

PAROLE BOARD DECISION MAKING.

- I. Membership and Composition of Board

- II. Parole Board Scheduling

- III. Primary Interview

- IV. Procedures and Requirements for Parole

- V. Parole Violations and Revocations

- VI. Discharges

- VII. Restoration of Rights

VIII. Full Pardons

IX. Interview and Correspondence

X. Out-Of-State Paroles and Detainers

PAROLE, BOARD OF[615]

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| <p>CHAPTER 1
ORGANIZATION</p> <p>1.1(247) Description—information and communication</p> <p>CHAPTER 2
MEETINGS AND AGENDA</p> <p>2.1(247) Majority vote</p> <p>2.2(247) Monthly meetings</p> <p>2.3(247) Consideration at monthly meetings</p> <p>CHAPTER 3
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PAROLES TO DETAINERS AND OUT-OF-STATE PAROLES</p> <p>5.1(247) Paroles to detainers</p> <p>5.2(247) Paroles to other states</p> <p>CHAPTER 6
PAROLE SUPERVISION AND CONDITIONS</p> <p>6.1(247) Parole agreement</p> <p>6.2(247) Conditions of parole agreement</p> <p>6.3(247) Reports to board</p> <p>CHAPTER 7
TERMINATION AND REVOCATION OF PAROLE</p> <p>7.1(247) Voluntary termination of parole</p> <p>7.2(247) Revocation of parole</p> <p>7.3(247) Revocation initiated</p> <p>7.4(247) Report of and recommendation for revocation</p> <p>7.5(247) Waiver of preliminary parole revocation hearing and waiver of final parole revocation hearing</p> <p>7.6(247) Preliminary parole revocation hearing</p> <p>7.7(247) Final parole revocation hearing</p> <p>CHAPTER 8
DISCHARGE FROM PAROLE</p> <p>8.1(247) Application for discharge</p> <p>8.2(247) Provisions of application</p> <p>8.3(247) Granting discharge</p> <p>8.4(247) Appeals</p> <p>CHAPTER 9
APPEALS FROM BOARD DECISION AND REQUESTS FOR APPEARANCE BEFORE BOARD</p> <p>9.1(247) Appeals or requests for appearance</p> |
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CHAPTER 1
ORGANIZATION

615—1.1(247) Description—information and communication. The Iowa board of parole is a statutory state agency created by chapter 247, of the Code. The board consists of three members who serve six-year terms. The members are appointed by the governor with confirmation by the senate. The board of parole has authority to grant and revoke paroles to persons sentenced to state correctional institutions for less than life terms.

The public may obtain information or make submissions or requests to: Iowa Board of Parole, Sixth Floor, Lucas State Office Building, Des Moines, Iowa 50319. Communications by the public to the board of parole concerning inmates or parolees shall be in writing. Oral presentations regarding inmates or parolees will be heard only with the consent of the board. Communications concerning individual inmates and parolees will be placed in that person's file and noted on the dockets of the members of the board. If communications adverse to the inmate or parolee are considered in making a parole decision, the inmate or parolee shall be so informed.

[Filed 7/26/76, Notice 1/26/76—published 8/9/76, effective 9/13/76]

CHAPTER 2
MEETINGS AND AGENDA

615—2.1(247) Majority vote. All parole granting and parole revoking decisions shall require the vote of at least two members of the board of parole.

615-2.2(247) Monthly meetings. The board of parole shall meet at least once each month for the purpose of reviewing progress reports and recommendations concerning inmates.

615—2.3(247) Consideration at monthly meetings. Upon reviewing an inmate's progress report, the board shall determine whether the inmate should be granted a parole interview.

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CHAPTER 3
PROGRESS REPORTS AND INMATE INTERVIEWS

615—3.1(247) Annual progress reports. Except as otherwise provided, progress reports and parole recommendations shall be submitted by the institution or facility staff to the board of parole at least once every thirteen months. The initial thirteen months shall be computed from the month of the inmate's date of admission to the institution of original incarceration.

615—3.2(247) Staff initiated progress reports. Progress reports and parole recommendations initiated by the institutional or facility staff or a board of parole liaison officer may be presented to the board at any time.

615—3.3(247) Board requested progress reports. Progress reports shall be submitted by the institution or facility staff or the board liaison officer as may be requested by the board of parole from time to time.

615—3.4(247) Progress reports for inmates serving life sentences. No progress reports need be submitted to the board of parole for inmates serving life sentences except in accordance with the requirements of section 247.5 of the Code or when specially requested by the board of parole.

615--3.5(247) Recommendations for or against parole. All progress reports submitted to the board of parole shall contain a recommendation of the reporting institution or facility either for or against parole stating the reasons for such recommendation.

615--3.6(247) Parole interviews.

3.6(1) A parole interview ordered by the board shall be conducted by the board, any one or more of its members, or a designee of the board of parole. Such interviews shall be for the purpose of determining any change in circumstances in the inmate's status or parole plans which have developed subsequent to the preparation of the progress report submitted for that inmate, and for the purpose of discussing any special conditions that should be considered in the parole agreement for that inmate.

3.6(2) If the parole board decides to grant parole to the inmate, such fact shall be communicated to the inmate in writing.

3.6(3) If the board of parole determines that parole should not be granted, as a result of facts elicited at the parole interview, the inmate shall be treated as an inmate whose parole has been denied and all of the rules and procedures of the board of parole pertaining thereto shall apply.

615--3.7(247) Inmates who have been denied parole interview. All inmates who are not granted a parole interview as a result of the board's review of the inmate's annual progress report shall be entitled to appear before the board of parole at its meeting at the institution in which that inmate is incarcerated, except the following: Inmates who are on work release status shall not be given the right to appear before the board of parole unless requested by the inmate and recommended by a liaison officer of the board of parole; inmates on patient status at Iowa Security Medical Facility, unless requested by the inmate and approved by the medical staff at that institution and recommended by a liaison officer of the board. The board reserves the right to conclude any discussion with an inmate for reasonable cause.

615--3.8(247) Other appearances before the board of parole by inmates. Any inmate may appear before the board of parole upon recommendation of a liaison officer of the board of parole.

615--3.9(247) Denial of parole. If the board of parole makes a decision not to grant a parole to the inmate such fact and the reasons therefor shall be communicated to the inmate in writing without unnecessary delay.

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CHAPTER 4 PAROLE CONSIDERATION

615--4.1(247) Staff recommendations. Paroles will usually be granted only if there is an affirmative parole recommendation by at least one of the following: The inmate's counselor, the institution preparole committee, or the board of parole liaison officer. If all of said parole recommendations are negative, parole will usually not be granted, unless there are extraordinary circumstances.

615--4.2(247) Other factors in parole decision. The board of parole may release on parole any person whom it has the power to release, when in its opinion there is reasonable probability that such person can be released without detriment to the community or to that person. Important factors in that decision include, but are not limited to, the following: The nature of the offense, previous offenses, recidivism record, convictions or behavior indicating propensity for violence, participation in programs, including academic and vocational training, freedom from misconduct in the institution, record of court probation,

prior parole, or work release, any history of drug or alcohol abuse, and formulation of a realistic parole plan by the inmate.

615—4.3(247) Psychiatric and psychological evaluation. Whenever in the opinion of the board it appears necessary for the safety of the public or for the success of parole, the board may require a complete workup which shall include psychiatric and psychological evaluations.

615—4.4(247) Escape. Normally, parole will not be granted for a period of at least twelve months following the return of an inmate from escape, unless extraordinary circumstances indicate otherwise.

615—4.5(247) Parole after parole revocation. Normally, an inmate whose parole has been revoked will not be considered for another parole for at least twelve months, unless extraordinary circumstances indicate otherwise.

615—4.6(247) Parole while on patient status. Usually, inmates on patient status at Iowa Security Medical Facility will not be granted parole until removed from patient status. When appropriate, parole may be granted to an inmate on patient status if it is reasonably anticipated that the inmate will be removed from patient status prior to effecting the parole. In an appropriate case, the board may consider parole of a person on patient status to a hospital for mentally ill or other treatment facility.

615—4.7(247) Information considered. Information that is considered by the parole board should be only such information which has been reviewed by the prisoner, except where it is not deemed feasible, the information shall be considered by the board only if the following safeguards are followed:

Information will be discussed with the prisoner by a member of the staff at the institution and the prisoner shall be shown any factual allegations made therein if that can be done in a manner to protect the confidential source, e.g., by excising the signature. Such factual matter shall include but not be limited to:

1. Any statements attributed to the prisoner.
2. Any allegations of convicted or unconvicted criminal or antisocial behavior from within or without the institution.
3. Any allegations of drug addiction or alcoholism.
4. Allegations regarding family history, employment, education.
5. Disciplinary record at prison.
6. Alleged threats made by the prisoner.

If any information from outside the institution is to be considered by the board, and it is necessary to protect the source, the prisoner should be informed at least: The number of such communication; the type of source, i.e. spontaneously or officially initiated; from private or official sources. The prisoner shall be given the opportunity to respond to such information.

All institutional reports including admission summaries, progress reports, medical reports, and social information or reports shall, to the extent possible, be structured so as to separate opinion from factual information. The factual information should be reviewable by the prisoner and the opinion shall be confidential. No psychiatric or psychological test results or diagnosis shall be deemed factual.

In any case the ombudsman or parole liaison officer may review any or all of the file and investigate to verify any allegations or justify any opinions contained therein. If communications adverse to the inmate or parolee are considered by the parole board, the inmate or parolee shall be so informed.

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CHAPTER 5
PAROLES TO DETAINEES AND OUT-OF-STATE PAROLES

615—5.1(247) Paroles to detainees. When a detainee is placed against an inmate by another state, the board of parole may at any time parole the inmate to the detainee with the inmate's consent. Normally, a parole will not be granted to a detainee if the detainee is solely for prosecution, and the inmate has not yet been convicted.

615—5.2(247) Paroles to other states. Paroles to other states will only be made through the interstate compact for supervision of parolees and probationers and, normally, both living conditions and employment must be confirmed. No out-of-state parole shall be granted unless the receiving state accepts supervision of the parolee under the provisions of the interstate compact.

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CHAPTER 6
PAROLE SUPERVISION AND CONDITIONS

615—6.1(247) Parole agreement. Parole shall not commence until the inmate has signed a parole agreement with a parole officer of the department of social services. If the inmate is on work release at the time parole is granted, the inmate shall remain on work release until the parole agreement is signed.

615—6.2(247) Conditions of parole agreement. The parole agreement shall contain such conditions as are set by the department of social services and the board of parole, such special conditions as may be set by the board of parole at the time of granting the parole, and such special conditions as may be deemed necessary by the parole officer.

615—6.3(247) Reports to board. The parole officer may at any time report violations of parole conditions to the board of parole; and shall without unreasonable delay report in writing to the board of parole, any of the following:

1. Violation of the law.
2. Willful and continued failure to maintain employment.
3. Violation of any special condition of parole set by the board of parole.
4. Excessive use of alcohol, or use of drugs.
5. Absconding from parole supervision.
6. Assaultive or violent behavior.

When reporting such matters the parole officer may give the officer's opinion as to whether revocation of parole is deemed appropriate.

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CHAPTER 7
TERMINATION AND REVOCATION OF PAROLE

615—7.1(247) Voluntary termination of parole. Any voluntary termination of parole shall be executed in writing by the parolee and witnessed by the parole agent. The parolee shall then be returned to the institution from which the parolee was paroled and the parole contract terminated.

615—7.2(247) Revocation of parole. The board of parole may for good cause shown revoke any parole it has previously granted. Good cause for revocation of parole shall include violation of one or more of the conditions of the parolee's parole agreement or obtaining parole by giving false or misleading information.

615-7.3(247) Revocation initiated. Parole revocation procedures may be initiated by the board of parole, or by parole officers of the department of social services.

615-7.4(247) Report of and recommendation for revocation. When a parolee is under investigation and the investigation shows that there is evidence that probable cause for revocation exists, the parole officer shall, without unreasonable delay, make recommendations to the board of parole regarding revocation of parole. On receipt of the recommendation, the executive secretary may issue a warrant for the detention of the parolee or order the parolee's release.

615-7.5(247) Waiver of preliminary parole revocation hearing and waiver of final parole revocation. When the parole officer makes a recommendation to the board for revocation of parole, the parole officer shall inform the parolee of the right to a preliminary and final parole revocation hearing and may then afford the parolee an opportunity to waive the preliminary and the final parole revocation hearings. If the parolee waives the preliminary parole revocation hearing, he or she must also waive the final parole revocation hearing. If the parolee desires to waive said hearings, such waiver shall be effected by signing the same in the presence of a parole officer, or an officer of the board of parole. The parole officer of the board of parole shall explain the rights contained in the waiver and the significance thereof and shall be satisfied that the parolee understands same. If this waiver is effected, it shall be forwarded forthwith to the executive secretary of the board of parole who shall issue a written order for the return of the parolee to the institution from which the parolee was paroled. Upon review of the recommendations for revocation of parole and the waiver executed by the parolee the board of parole will enter its order regarding revocation of parole. The board may on its own motion, interview the parolee prior to entering the final order.

615-7.6(247) Preliminary parole revocation hearing.

7.6(1) Information to board. If the parolee does not waive the preliminary and final revocation hearings, the parole officer shall so inform the executive secretary of the board. The parole officer shall also inform the executive secretary of any witnesses whom the parole officer or any other representative of the state intends to call for testimony at the preliminary hearing.

7.6(2) Hearing set and notice given. The executive secretary shall set the time and place of the preliminary parole revocation hearing and designate the hearing officer. The executive secretary shall prepare a notice of the hearing which shall be served on the parolee not less than three days prior to the hearing, unless time is waived by the parolee. The notice may be served by any peace officer, any parole officer, or any officer of the board of parole. The notice shall include a statement of the alleged violation(s) of conditions of parole.

7.6(3) Testimony at preliminary hearing. All testimony taken shall be under oath.

7.6(4) Hearing recorded. The preliminary parole revocation hearing shall be mechanically recorded. The recording, or transcription thereof, shall be filed with and maintained by the board of parole for at least five years from the date of the final decision of the board of parole following the final parole revocation hearing.

7.6(5) Finding of notice. The hearing officer shall ascertain whether the parolee has received proper notice and shall make a record thereof.

7.6(6) Record of parties and witnesses. The hearing officer shall make a record of the names, addresses, official titles, and capacities of those present at the hearing.

7.6(7) Witnesses segregated. On request of the parolee, or the parolee's counsel, or any representative of the state, or on the hearing officer's own motion, witnesses may be segregated, except that the parole officer, the parolee, and counsel may at all times be present at the hearing.

7.6(8) Parolee's rights. The hearing officer shall inform the parolee of the following rights and be satisfied that the parolee understands same:

a. That the parolee has the right to speak in his or her own behalf; that said parolee has the right to be heard and show that the conditions of the parole were not violated or that there exist circumstances in mitigation which suggest that the violation does not warrant revocation of parole.

b. That the parolee has the right to bring letters, documents, or individuals who could give relevant information to the hearing officer on the parolee's behalf.

c. That the parolee, upon reasonable notice, has the right to request that persons who have given adverse information on which parole revocation might be based be made available for questioning in the parolee's presence, and for cross-examination, unless the hearing officer determines that such person or persons would be subjected to risk of harm if his or her identity were disclosed.

7.6(9) Counsel for parolee. The hearing officer shall inform the parolee that the parolee has a right to have counsel present at the hearing; that the hearing will be adjourned to afford parolee an opportunity to obtain counsel; that if the parolee does not have sufficient funds to retain counsel, counsel will be appointed for parolee if the hearing officer determines that under the circumstances fundamental fairness requires the appointment of counsel. Regarding counsel, the following shall be observed by the hearing officer:

a. The parolee shall be afforded the right to retain counsel of his or her choosing.

b. If the parolee waives counsel such fact shall be entered in the record.

c. If the state or the parole officer is represented by counsel, and the parolee requests appointed counsel, the request shall be granted.

d. In other cases where the parolee asks that counsel be appointed, the request shall be granted if the hearing officer finds that the parolee does not have sufficient funds to retain counsel and the hearing officer further finds that: (1) The parolee's request for counsel is based on a timely and colorable claim that the parolee has not committed the alleged violation of the conditions of the parole; (2) or, that parolee's request for counsel is based on a timely and colorable claim that, even if the violation is a matter of public record or is uncontested by the parolee, there are substantial reasons which justify or mitigate the violation and make revocation inappropriate, if those reasons are complex or otherwise difficult to develop or present.

e. In passing on a request for appointment of counsel, the hearing officer shall also consider, especially in doubtful cases, whether the parolee appears to be capable of speaking effectively for himself or herself.

f. In every case in which request for counsel is denied, the grounds for refusal should be stated in the record.

7.6(10) Allegations of violation. The parole officer or the state's representative shall inform the parolee of the specific allegations of parole violation. The parolee shall be given the opportunity to admit, deny, or explain each of said allegations.

7.6(11) Evidence of violation. The hearing officer shall hear the testimony of the parole officer and other witnesses supportive of the allegations of parole violation and shall consider documents and instruments supportive of the allegations of parole violation. The parolee, or the parolee's counsel, shall be allowed to cross-examine.

7.6(12) Evidence for parolee. The hearing officer shall provide opportunity for the presentation of evidence and testimony of the parolee and other witnesses on behalf of the parolee to show that the parolee did not violate the conditions of parole, or to show that there exist circumstances in mitigation which suggest that the violation does not warrant revocation of parole.

7.6(13) Probable cause. The hearing officer shall report conclusion of the evidence, find whether or not probable cause exists to believe that the parolee has violated the conditions of parole.

7.6(14) Findings of hearing officer. If the hearing officer finds that probable cause does not exist, the officer shall order that the parolee be released from custody and continued on

parole. If the hearing officer finds that probable cause does exist, he or she may order that the parolee be kept in custody at the state corrections institution from which the parolee was paroled pending the final decision of the board of parole regarding the revocation of parole. If the hearing officer finds that probable cause does exist, but also finds that there exist circumstances which suggest that the violation does not warrant revocation of parole, the officer may order that the parolee be kept in custody pending the final decision of the board of parole or may order that the parolee continue on parole pending the final decision of the board of parole.

7.6(15) Parolees convicted of new offenses. Parolees who are sent to correctional institutions by reason of a new sentence need not be afforded preliminary parole revocation hearing.

615—7.7(247) Final parole revocation hearing.

7.7(1) Hearing. Parolees who are sent to a correctional institution by reason of a new sentence, and parolees who have been returned to a correctional institution by order of a board hearing officer, shall be afforded a final parole revocation hearing before the board of parole at the time when the board next meets at the institution where the person is incarcerated.

7.7(2) Waiver. Persons to whom a final parole revocation hearing is afforded may waive the same in writing.

7.7(3) Notice. Notice of final parole revocation hearing shall include the time and place of hearing, a statement of the grounds for revocation or parole if no preliminary hearing has been held, and a copy of the hearing officer's report and findings if preliminary parole revocation hearing has been held. The notice shall be served upon the parolee not less than three days prior to the hearing, unless time is waived by the parolee.

7.7(4) Evidence considered at hearing. As a general rule, on final hearing, questions of fact will be determined by the board of parole based on the summary of testimony contained in the report and findings of the hearing officer on preliminary hearing. The parolee shall have the right to speak in his or her own behalf and shall have the right to be heard and show that the parolee did not violate the conditions of the parole or that there exist circumstances in mitigation which suggest the violation does not warrant revocation of parole. The parolee shall also have the right to bring letters, documents, or individuals who could give relevant information to the board on behalf of the parolee. The parolee shall have the same rights to counsel as are afforded in regard to preliminary revocation hearings.

7.7(5) Decision. At the conclusion of the hearing, the board of parole shall announce its decision to the parolee to revoke or not to revoke the parole and shall give its reasons therefor. A summary of the hearing and decision shall be dictated and transcribed onto the dockets of the board members.

7.7(6) Oath and record. All of the provisions as to the mechanical recording of evidence and the preservation of the mechanical recordings of evidence and testimony as set out in 7.6(3) and 7.6(4) shall apply to final parole revocation hearings.

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CHAPTER 8
DISCHARGE FROM PAROLE

615—8.1(247) Application for discharge. Application for discharge from parole may be made at any time by the parolee or by the parole officer supervising the parolee. Normally, discharge from parole will not be granted unless recommended by the parole officer supervising the parolee.

615—8.2(247) Provisions of application. The application for discharge from parole shall

set forth the reasons why discharge is appropriate and shall set out any alleged violations of the parole agreement.

615—8.3(247) Granting discharge. Discharges from parole shall be made by the board of parole. The executive secretary of the board of parole shall be authorized to sign the discharge from parole.

615—8.4(247) Appeals. When the board of parole refuses to grant a discharge from parole, appeals may be made to the executive secretary of the board in the manner provided for appeals to liaison officers in these rules. The executive secretary may act as hearing officer or assign a liaison officer to act as hearing officer for the purpose of hearing said appeal.

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CHAPTER 9 APPEALS FROM BOARD DECISION AND REQUESTS FOR APPEARANCE BEFORE BOARD

615—9.1(247) Appeals or requests for appearance. Each inmate who is denied a parole or who is aggrieved by any other decision of the board of parole or who wishes to appear before the board of parole may request the same in the following manner: The inmate may make written application to a liaison officer of the board of parole indicating that he or she desires a hearing before the liaison officer for the purpose of presenting facts to the liaison officer. The liaison officer shall promptly grant such hearing. At that hearing the inmate may present such evidence and make such arguments as the inmate deems appropriate. At the next regularly scheduled meeting of the board of parole the liaison officer shall, in writing, make a report of such hearing to the board of parole. The report shall include a summary of the evidence and arguments presented by the inmate and shall indicate the opinion of the liaison officer as to the following:

1. Whether there appears to be any reasonable basis for reconsidering the previous decision of the board of parole.
2. Whether, in the opinion of the liaison officer, the recommendation of the counselor or the preparole committee should be modified.
3. Whether explanations or communications or both between the inmate and the board of parole would appear to be appropriate.

The board of parole shall review the liaison officer's report and shall thereupon affirm or modify its previous decision in writing. The board may also grant the inmate an appearance and thereafter give a written report to the inmate of its decision. No inmate shall, as a matter of right, be entitled to more than one appeal to the liaison officer in any twelve month period.

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ANOTHER PERSPECTIVE

FUTURE OF CORRECTIONS

THE IOWA WORKMEN'S COMPENSATION ACT
(As Revised July 1, 1973)

This brief summary of the Iowa Workmen's Compensation Act has been prepared by the Office of the Iowa Industrial Commissioner as an aid to employees, employers and insurance companies.

The Workmen's Compensation Act requires an employer or its insurance carrier to furnish medical and hospital services to employees sustaining personal injuries or occupational diseases arising out of and in the course of the employment, and to pay them, or their dependents in case of death, weekly compensation for disability.

After January 1, 1974, the Act is applicable to agricultural workers if at the time of injury such worker is employed by an employer(a) whose total cash payments to one or more such persons amounted to \$2,500 during the preceding calendar year, or (b) who employs at least one person regularly.

The Act is also applicable after July 1, 1974, to casual employees if such employees earn \$200 or more in any calendar quarter from such employer for whom employed at the time of the injury and to employees engaged around a private dwelling if (a) such employee earns \$200 or more in any calendar quarter from such employer for whom employed at the time of the injury, and (b) provided such employee is not a regular member of the household.

Until the respective coverage dates, persons engaged in agriculture or employing employees around a private dwelling or casual workers may elect to provide workmen's compensation benefits to their employees.

The employee who is injured should promptly notify the employer or a person in charge of such injury. The employer should at once refer the worker to a competent doctor.

The employer should then make a report to his insurance company. If the employee's disability extends beyond seven days, the employer must file the report with the Industrial Commissioner, State Capitol Complex, East 6th and Des Moines Streets, Des Moines, Iowa 50319.

A supply of blank forms for these reports, as well as others, may be obtained from the Commissioner. Medical reports are secured from the physicians by the insurance company or employer.

The employer must also report to the State Bureau of Labor at Des Moines, Iowa, when such accident results in either death of the employee or such bodily injury as will or probably may prevent him from returning to work within two days thereafter.

Medical and Hospital Benefits:

The employer is required to furnish medical, surgical, osteopathic, chiropractic, podiatry, physical rehabilitation, nursing, ambulance, hospital services and supplies, crutches, and one set of prosthetic devices. The total for these services is unlimited. The choice of medical attendant and hospital is in the first instance with the employer, and the injured employee cannot recover for unauthorized medical and hospital services except in the case of emergency. If the employee has reason to be dissatisfied with the care offered, he may request the employer to provide him with another doctor, or hospital, or the choice of a number of doctors, or he may request that the Commissioner order other care.

Compensation:

Compensation benefits are payable each week beginning on the 15th day after the injury. Payments may be made directly to an injured minor employee. Only injured employees of the State of Iowa are paid benefits through the Office of the Industrial Commissioner; all other employees by the employer or insurance carrier.

Temporary Disability:

No compensation is payable during the first week of incapacity. If the employee is disabled longer than the 4th, 5th, or 6th week, an additional 1/3 week is allowed on each of these weeks respectively. Temporary disability compensation is paid during the period of disability.

Death:

If injury causes death, compensation is payable to the widow or widower or dependents as follows: (a) to widow or widower for life or until remarriage, provided that upon remarriage two years' benefits shall be paid to the widow or widower in a lump sum if there are no children entitled to the benefits; (b) to a child under age 18 and to age 25 if actually dependent; (c) to any child physically or mentally incapacitated from earning for duration of incapacity from earning; and (d) to all other dependents for duration of incapacity from earning as defined in the Act. If the employee leaves no widow or widower or dependents, the only allowance in addition to the medical and hospital benefits is a statutory burial allowance of \$1,000.

Permanent Partial Disability and Healing Period:

The Act provides for two types of permanent partial disability for two distinct types of injuries, i.e., a permanent partial disability for injuries to certain statutorily designated members or parts of the body, and a permanent partial disability for injuries to the body other than those statutorily designated in the Act. Compensation for a statutorily designated injury is based upon a functional loss to the member or part of the body.

The following are examples of statutorily designated members or parts of the body and the maximum number of weeks permanent partial disability compensation is payable.

	<u>Number of Weeks</u>
Loss of thumb	60
Loss of first finger	35
Loss of second finger	30
Loss of third finger	25
Loss of fourth finger	20
Loss of hand	175
Loss of arm	230
Loss of great toe	40
Loss of any other toe	15
Loss of foot	150
Loss of leg	200
Loss of eye	125
Loss of hearing in one ear	50
Loss of hearing in both ears	175

Compensation for an injury that does not fall within the statutorily designated members or parts of the body is based upon industrial disability and not mere functional disability. In determining industrial disability, consideration may be given to the age, education, training, and employment qualifications of the employee, as well as his loss of earnings. Examples of injuries where industrial disability would be applicable are back and head injuries. Compensation is paid during the number of weeks in relation to five hundred weeks as the industrial disability bears to the body of the injured employee as a whole.

The employer is also required to pay the employee for a healing period in those cases wherein the employee has sustained a permanent partial disability. Healing period payments are provided until the employee has returned to work or medical evidence establishes that recuperation from the injury has been accomplished, whichever comes first.

Permanent Total Disability:

Compensation is payable during the period of disability.

Basis of Compensation:

The basis of compensation shall be the employee's average weekly spendable earnings. Spendable weekly earnings is defined as that amount remaining after deduction of payroll taxes from gross weekly earnings.

For death, healing period, a temporary disability, and permanent total benefits, the basis is 80% of the employee's weekly spendable earnings, but shall not exceed 66 2/3% of the average weekly wage of Iowa's covered workers as determined by the Iowa Employment Security Commission. The maximum will be \$91.00 after July 1, 1973.

For permanent partial disability benefits, the basis is 80% of the employee's weekly spendable earnings, but shall not exceed 61 1/3% of the average weekly wage of Iowa's covered workers as determined by the Iowa Employment Security Commission. The maximum will be \$84.00 after July 1, 1973. The Employment Security Commission determined the average weekly wage to be \$136.28 in 1972.

Rehabilitation:

An employee who has sustained an injury resulting in permanent partial or permanent total disability for which compensation is payable, and who cannot return to gainful employment because of such disability, shall upon application to and approval by the Industrial Commissioner be entitled to a twenty dollar weekly payment from the employer, in addition to any other benefit payments, during each full week in which he is actively participating in a vocational rehabilitation program recognized by the State Board of vocational education. The Industrial Commissioner's approval of such application for payment may be given only after a careful evaluation of available facts, and after consultation with the employer or the employer's representative. Such additional benefit payment shall be paid for a period not to exceed thirteen consecutive weeks, except that the Industrial Commissioner may extend the period of payment not to exceed an additional thirteen weeks if the circumstances indicate that a continuation of training will in fact accomplish rehabilitation.

Administration:

The Workmen's Compensation Law is administered by the Iowa Industrial Commissioner. When compensation is payable, a memorandum of agreement must be submitted to the Commissioner for his approval. After completion of payments, a receipt for the amounts must be filed with the Commissioner.

If an agreement is not reached, either the employee or employer may request an arbitration hearing to determine whether the employee is entitled to benefits, or the amount thereof. This filing must be made within two years from the date of injury causing such death or disability for which benefits are claimed. If an arbitration award has been made or weekly compensation paid, an employee may seek additional benefits by filing for a review-reopening of his/her case within three years after the date of the lay payment of weekly benefits (not medical payments). No statute of limitations is applicable to medical and hospital services where an arbitration award has been made or where weekly benefits have been paid.

There are appeal procedures for the aggrieved party in each instance. Hearings are held in the courthouse in the county where the injury occurred, and it is recommended that all parties be represented by a lawyer.

The workman, if requested by the employer, shall submit himself to all reasonable medical examinations by physicians at the expense of the employer. In case of permanent disability the

workman may, if dissatisfied with the permanent disability rating, apply to the Commissioner for an examination by a doctor of his choice at the employer's expense.

Commutation and Lump Sum Payment:

As a general rule, compensation payments are made periodically. Future payments may be commuted to a present worth lump sum only (1) when the period during which compensation is payable can be definitely determined; (2) when the Industrial Commissioner has filed his written approval; and (3) when commutation is shown to be for the best interest of the employee, or to entail undue expense, hardship, or inconvenience upon the employer.

In addition, if the person seeking the commutation is (a) widow or widower, or (b) a permanently and totally disabled employee, or (c) a dependent as defined in the Act, the future payments which may be commuted shall not exceed the number of weeks indicated by probability tables designated by the Iowa Industrial Commissioner for death and remarriage.

A commutation and lump sum payment discharges the employer from all further liability and entitles the employer to release.

Waivers:

An employee with a physical defect which increases the risk of injury may, with the approval of the Industrial Commissioner, agree to waive compensation for injuries which may occur directly or indirectly because of the defect.

Medical and Attorney Fees:

The fees of attorneys and physicians for services under the compensation law are subject to the approval of the Industrial Commissioner.

Second Injury Fund:

An employee who has suffered loss or loss of use of an eye, leg, arm, hand, or foot prior to an industrial accident which causes the loss or loss of the use of another such member may be entitled to compensation from the Second Injury Fund. Applications for such benefits may be obtained from the office of the Industrial Commissioner.

For further information in regard to Workmen's Compensation, write or telephone the Iowa Industrial Commissioner's Office, State Capitol Complex, East 6th and Des Moines Streets, Des Moines, Iowa 50319. The office is open for personal inquiries from 8 A.M. to 4:30 P.M. Phone (515) 281-5934.

Robert C. Landess
Industrial Commissioner

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