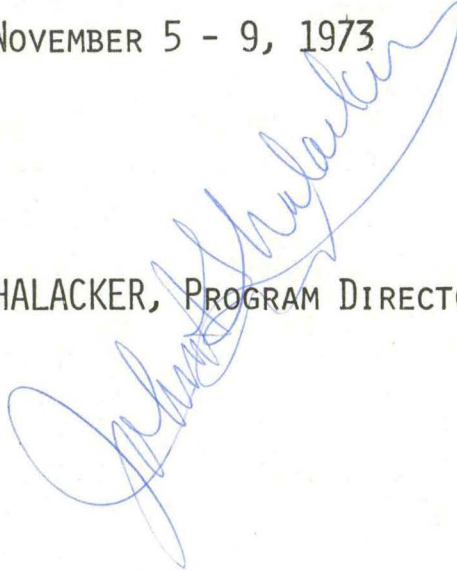


DEPARTMENT OF SOCIAL SERVICES
THE BUREAU OF ADULT CORRECTIONS

THE IOWA CRIMINAL JUSTICE SYSTEM PROGRAM

NOVEMBER 5 - 9, 1973

JOHN A. THALACKER, PROGRAM DIRECTOR



SPONSORED BY:

BUREAU OF ADULT CORRECTION SERVICES
OFFICE OF STAFF DEVELOPMENT & TRAINING
THE IOWA CRIME COMMISSION

Monday, November 5, 1973

- 10:00 Registration
- 11:00 Orientation to Program Objectives--John Thalacker
- 11:15 History of Corrections--George Welding
- 11:45 Lunch
- 12:30 Corrections' Impact on the Iowa Criminal Justice System,
1960-1973--Nolan Ellandson
- 1:15 The Department of Social Services--Bill Ketch
- 2:00 Break
- 2:10 Workmen's Compensation Benefits--Gary Winders
- 2:50 Toward Improved Communication--Barry Reece, Ph.D.
- 4:30 National Law and Order Test
- 5:30 Movie--"Cruel and Unusual Punishment"
- 6:00 Dinner

Tuesday, November 6, 1973

- 7:30 Breakfast
- 8:00 Problem Solving--Group Discussion
- 8:30 Problem Solving--Group Reports
- 10:00 Break
- 10:10 Nature and Cause of Crime--John Stratton, Ph.D.
- 11:00 Break
- 11:10 Nature and Cause of Crime (continued)
- 12:00 Lunch
- 1:00 Nature and Cause of Crime (continued)
- 1:30 Group Discussion
- 2:15 Law Enforcement in the Community--Jack Woodard
- 3:00 Break

- 3:10 Legal Aspects--Joe Coleman
4:10 Break
4:20 Judicial Decision Making--Judge James Denato/Judge George Fagg
5:15 Group Discussion
6:00 Dinner

Wednesday, November 7, 1973

- 7:30 Breakfast
8:00 Movie--"Who Am I?"
8:30 Community Alternatives to Institutionalization--Roger Knuth/
John Royal/Neal Wheeler
10:15 Break
10:30 Movie--"Dehumanization and the Total Institution"
11:00 Iowa State Penitentiary--Paul Hedgepeth
Women's Reformatory--Roberta Kraft
11:45 Group Discussion
12:15 Lunch
1:15 Men's Reformatory--John Sissel
Riverview Release Center--Ron Matthews
2:00 Movie--"Playing It Cool"
2:15 Iowa Security Medical Facility--Dick Mueller
3:15 Break
3:30 Working Inside--Correctional Officers and Counselors
4:30 Movies--"Testimony and Courtroom Demeanor"
"Tough-Minded Supervision"
"Pre-Sentence Investigation"
5:30 Dinner

Thursday, November 8, 1973

- 7:30 Breakfast
8:00 Role Playing

- 9:45 Break
- 9:55 Different Approaches to Individualized Treatment--Edwin Johnston, Ph.D.
- 10:45 Break
- 10:55 Post-Institutional Planning--Linda Christensen/Don Eades/Steve Dailey
- 12:00 Lunch
- 12:45 Tours: Des Moines Halfway House--Bernard Duffy
Fort Des Moines Project--Harry Woods
Mitchellville Training School for Girls--Dean Luxford
Riverview Release Center--Doug Dillavou
- 5:00 Cookout--Colfax Interfaith Spiritual Center

Friday, November 9, 1973

- 7:30 Breakfast
- 8:00 Parole Board--Don Olson
- 9:00 Break
- 9:10 Panel--Both Sides--Leon Tice/Bob Washington/Ray Gardner
- 10:45 Group Discussion
- 11:30 Evaluation
- 12:00 Lunch
- 12:30 Summary--John Thalacker
- 1:00 Future of Corrections--Nolan Ellandson
- 1:30 Awarding of Certificates--Nolan Ellandson/John Thalacker
- 2:00 Adjourn

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DARROW, Harold
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Ft. Dodge

GILLMAN, William
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Oakdale

KOEHN, Darcy
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LAMB, Curtis
Newton

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MADDEN, Russ
Ft. Madison

MC GUIRE, Clifford
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MESSENGER, Otis
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Ft. Madison

MOHR, Donald
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Ft. Madison

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STICE, Richard
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WHITE, Keith
Anamosa

WHITED, Charles
Anamosa

WILLIAMS, Russell
Anamosa

WOODBURY, Roger
Ft. Madison

HISTORY OF CORRECTIONS

I. Early Methods of Handling Wrongdoers--A History of Cruelty

A. European countries

B. Colonial America

II. Death Penalty as Separate Issue

III. Development of Incarceration as Substitute for Corporeal Punishment

A. Gaols

B. Workhouses

C. Prisons

1. Pennsylvania System - Solitary without labor

2. Auburn System - Solitary with congregate labor

3. Reformatories

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

V. A Modern Philosophy of Rehabilitation

A. Punishment vs. rehabilitation

B. The question of deterrence

THE IOWA BUREAU OF ADULT CORRECTION SERVICES, 1960-73

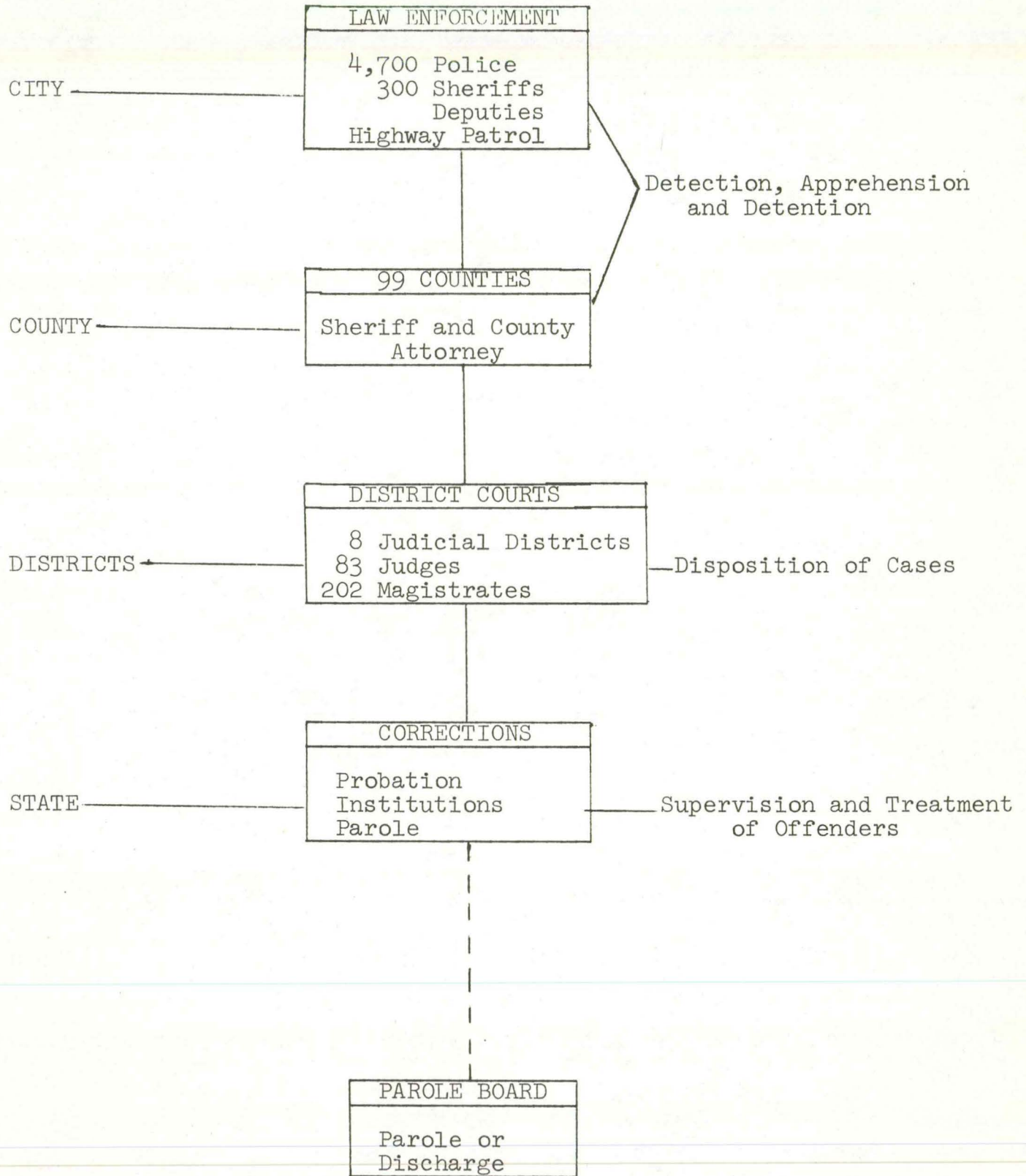
	<u>1960</u>	<u>1973</u>
I. Institutional Correctional Services		
A. Number of inmates	_____	_____
B. Number of staff	_____	_____
C. Cost per day	_____	_____
D. Return rate	_____	_____
II. Community Correctional Services		
A. Number in pre-sentence	_____	_____
B. Number in supervision	_____	_____
1. Parole	_____	_____
2. Probation	_____	_____
3. Interstate Compact	_____	_____
C. Number of staff (officers only)	_____	_____
D. Cost per day	_____	_____
III. Climate about Offender		
A. Public		
B. Community staff		
C. Institutional staff		
D. Legislature		
IV. Industries Role		

V. Role of Bureau--Central Office

A. Staff

B. Services provided

IOWA CRIMINAL JUSTICE SYSTEM



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. Administrative
- d. Architecture and Engineering

2. Special Units

- a. Federal/State Coordinator
- b. Executive Services
- c. Special Projects
- d. Client Hearings and Appeals
- e. Legal
- f. Programming
 - (1) drug abuse
 - (2) methods
 - (3) volunteers
 - (4) monitoring/evaluation

3. Bureaus

- a. Medical
- b. Income Maintenance
- c. Family and Adult
- d. Mental Health

e. Mental Retardation

f. Adult Corrections

II. Bureau of Adult Correction Services--Nolan Ellandson, Director

A. Central Office Staff

1. Jail Inspection

2. Statistics

3. Manpower Development

B. Institutional Services Division

1. Iowa State Penitentiary--Ft. Madison

2. Men's Reformatory--Anamosa

3. Women's Reformatory--Rockwell City

4. Iowa Security Medical Facility--Oakdale

C. Community Services Division--Roger Knuth, Director

1. Riverview Pre-Release Center--Newton

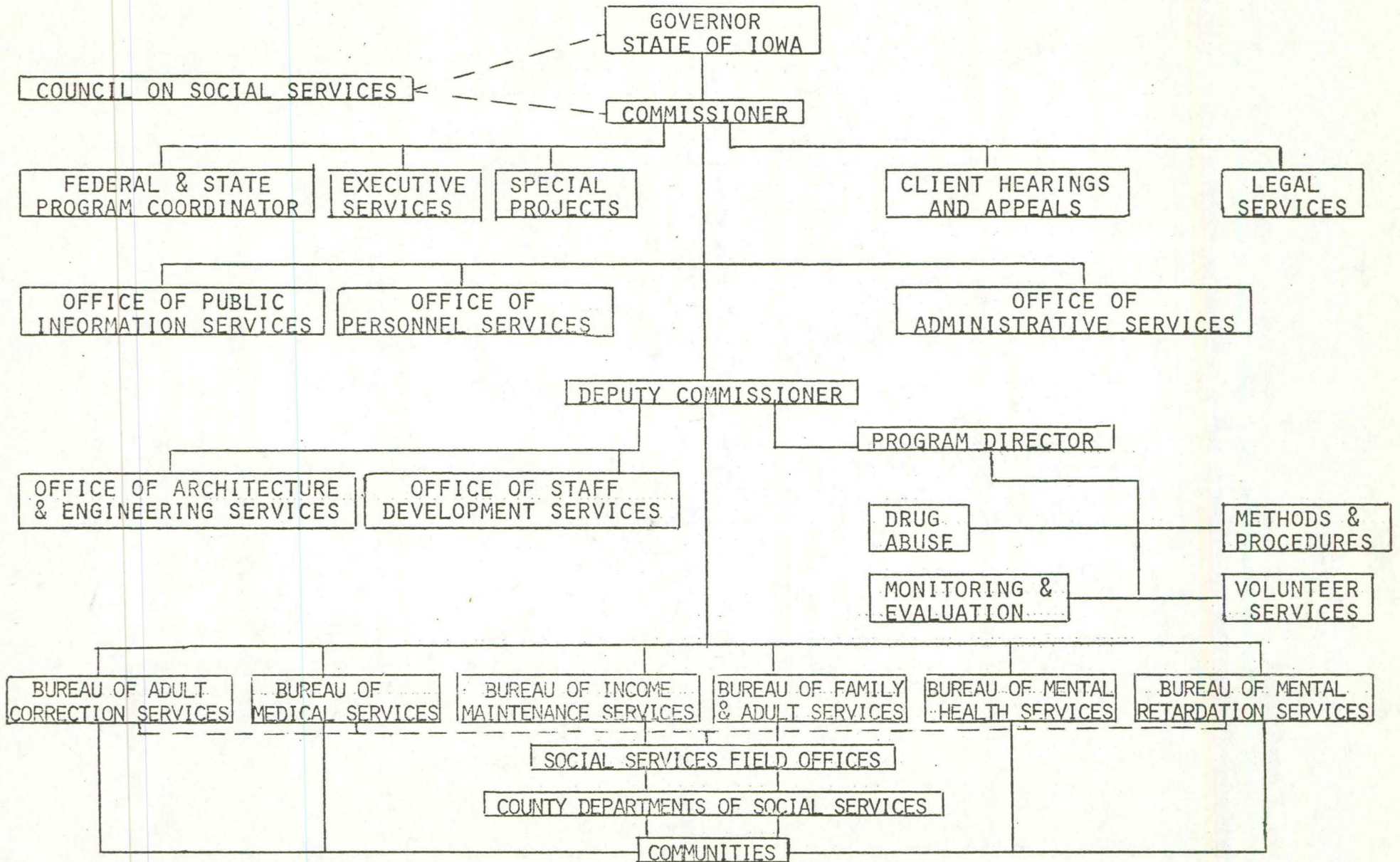
a. Halfway houses

b. Luster Heights Camp

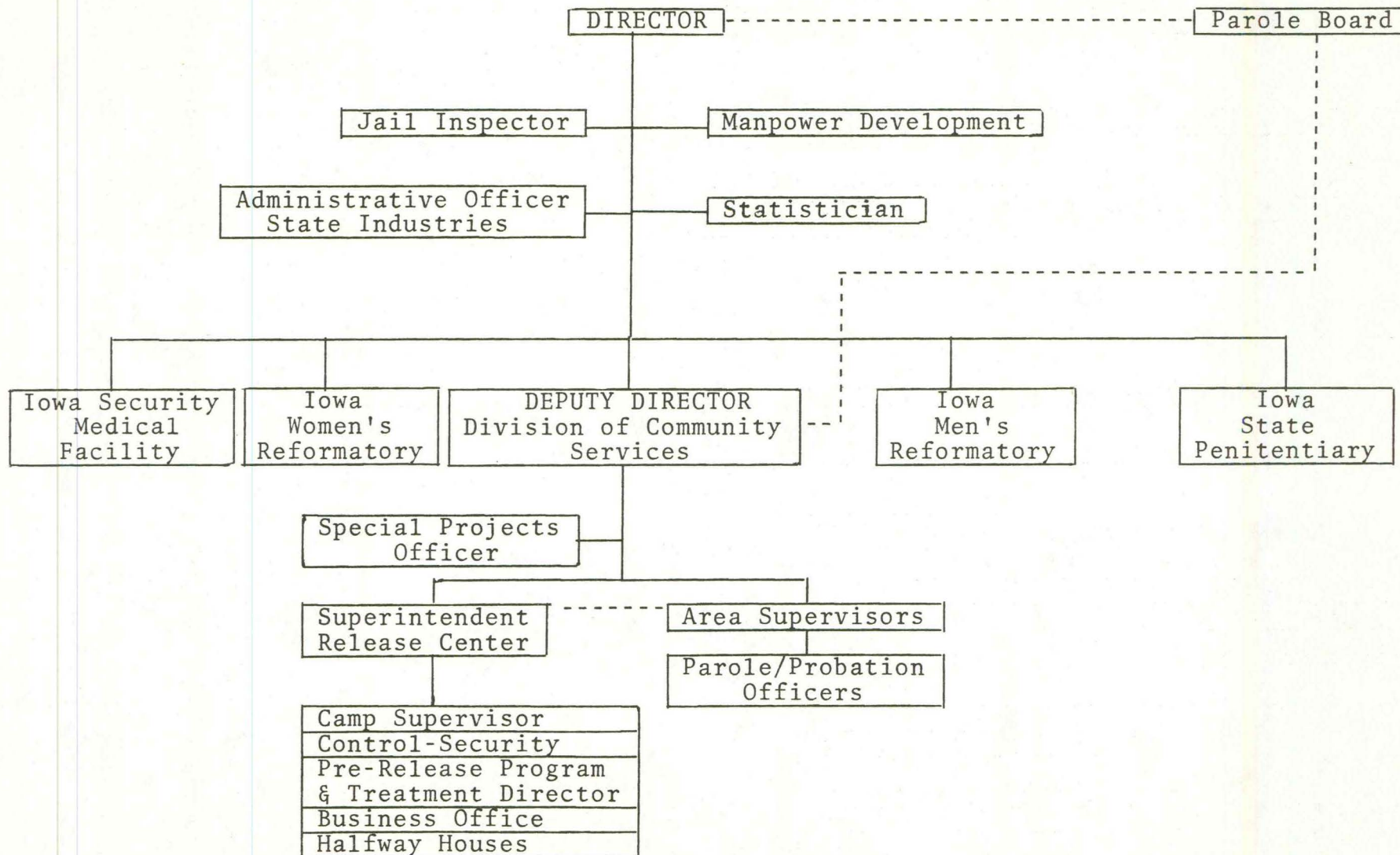
2. Probation and Parole Services

III. Departmental Unity

THE DEPARTMENT OF SOCIAL SERVICES



DEPARTMENT OF SOCIAL SERVICES
 BUREAU OF ADULT CORRECTION SERVICES



WORKMEN'S COMPENSATION BENEFITS

I. Workmen's Compensation

A. Main benefits

B. Is the Workmen's Compensation Law an insurance?

C. Methods of recovery

II. Tort Claims Act

A. Difference between Tort Claims and Workmen's Compensation

III. Occupational Safety and Health Act (OSHA)

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 \$2500 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 Sixth & 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, podiatric, 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, 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 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 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 for 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 case within three years after the date of the last 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 a 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 Sixth & 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

TOWARD IMPROVED COMMUNICATION

I. Major Purposes of Communication

II. Essential Elements of Two-Way Communication

III. The Role of Communication on 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 WRITTEM 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.

<u>To Inform</u>	<u>To Change Attitudes</u>
Products	Prevent waste
Benefit plans	Reduce tardiness and absenteeism
Sales operations	Increase production
Research activities	Free enterprise
Policies	Resistance to change
History of company	Rumors, fears, misconceptions
Company problems	Good citizenship
<u>To Inspire</u>	<u>To Entertain</u>
Pride in job and company	Human interest
Teamwork	Recreation
Confidence in management	Personalities
Recognition	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 WEL-COMED BY MOST EMPLOYEES BECAUSE THEY LIKE TO KEEP INFORMED.

PROBLEM SOLVING

Situation #1

An inmate has been recommended for parole by an institution. He has served only 3 years on a 75 year sentence for murder. During incarceration he has been an exemplary client. Would you grant him a parole?

Situation #2

A female secretary with excellent knowledge of policies and practices has applied for a position as correctional officer in a men's institution. She is highly qualified. Should she be given the position? If not, why?

Situation #3

A group of White inmates has formally complained to the administration that Black inmates are extended privileges not given to Whites--namely, that Blacks are permitted longer hair than Whites. The White inmates have demanded that the hair code be identical for all inmates. What plan of action would you develop to deal with the situation?

Situation #4

A woman on parole for ten months has technically violated her parole on several occasions for failure to keep a job, drinking and failure to report adequately to her parole officer has asked for "one more chance". Since on parole, she has not acted responsibly but has been given numerous breaks. A week ago, she gave birth to her first child and now claims she can change her behavior. Should her parole be continued?

Situation #5

Anamosa has 20% Black inmate population and Ft. Madison a 16% Black inmate population. It has been suggested that the same ratio be applied to staff of the respective institutions. Should the staff ratio be the same as that of the inmate ratio? If so, how would you go about implementing this and why? If not, why?

Situation #6

A 32 year old first offender was paroled six months ago after serving 5½ years on a 25 year sentence for Robb.w/Agg. Since he was paroled, he has held three different jobs and has been arrested five times for intoxication. Would available programs at the institution be more assistance in a treatment program than would continuation on parole under a more rigid and defined type of community treatment program?

Situation #7

Outline a plan whereby inmates or clients would be paid for the minimum wage in the shop and pay for services received from the institution.

NATURE AND CAUSE OF CRIME

NATURE

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.

- 1. Principles of Legality

- 2. Other principles (when is behavior criminal?)

IV. Sources of the Criminal Law

- A. Historically

- B. Contemporary

V. 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

VI. 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.

A. Demons

B. Free Will

C. Biological

D. Psychological and bio-psychological

E. Sociological

IV. Some Problems in Explanations

AN OVERSIMPLIFIED SOCIAL-PSYCHOLOGICAL EXPLANATION

The following explanation is admittedly incomplete. It does, however, summarize the include much that sociologists and psychologists now agree on and it does seem to be the best fitting explanation for crime in general. While individuals may readily be found who just do not seem to fit it, it seems to take into account more offenders than any other explanation.

- I. Criminality is Learned Socioculturally in the Process of Communication, Including One's Conversations with Himself.

II. The Learning of Criminality Occurs Predominantly in Small, Intimate Groups.

III. The Learning of Criminal Conceptions of Thought and Action with Respect to the Law; The Person, and Property Includes the Learning of:

A. A vocabulary of motives for the committing of crime

B. A self-conception that allows the individual to admit his criminal acts without damage to his conception of himself as a worthy person.

C. The specific techniques involved in the commission of criminal acts.

CONCLUSION

This explanation is based largely on learning, communication, and interpersonal relationships. Its major implications for rehabilitation are that, to be effective, rehabilitative techniques should:

1. Increase the individual's commitment to law-abiding behavior by providing rewards for lawfulness and by getting the offender committed to groups that are law-abiding in their orientations--work, recreation, religious, family, etc.
2. Increase the risks for the individual's misbehavior--not in terms of penalties necessarily, but in terms of what appears to be more meaningful things, such as possible loss of reputation, friendship, love and respect of family, etc.
3. Decrease the possible rewards that might come from misbehavior, largely by isolating the individual from those groups or sub-groups who might provide rewards.

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. "Book"

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 Area

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. Prosecutor's Information

E. Grand Jury

F. County Attorney's "True Information"

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

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 of 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?

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

COURT ORGANIZATION

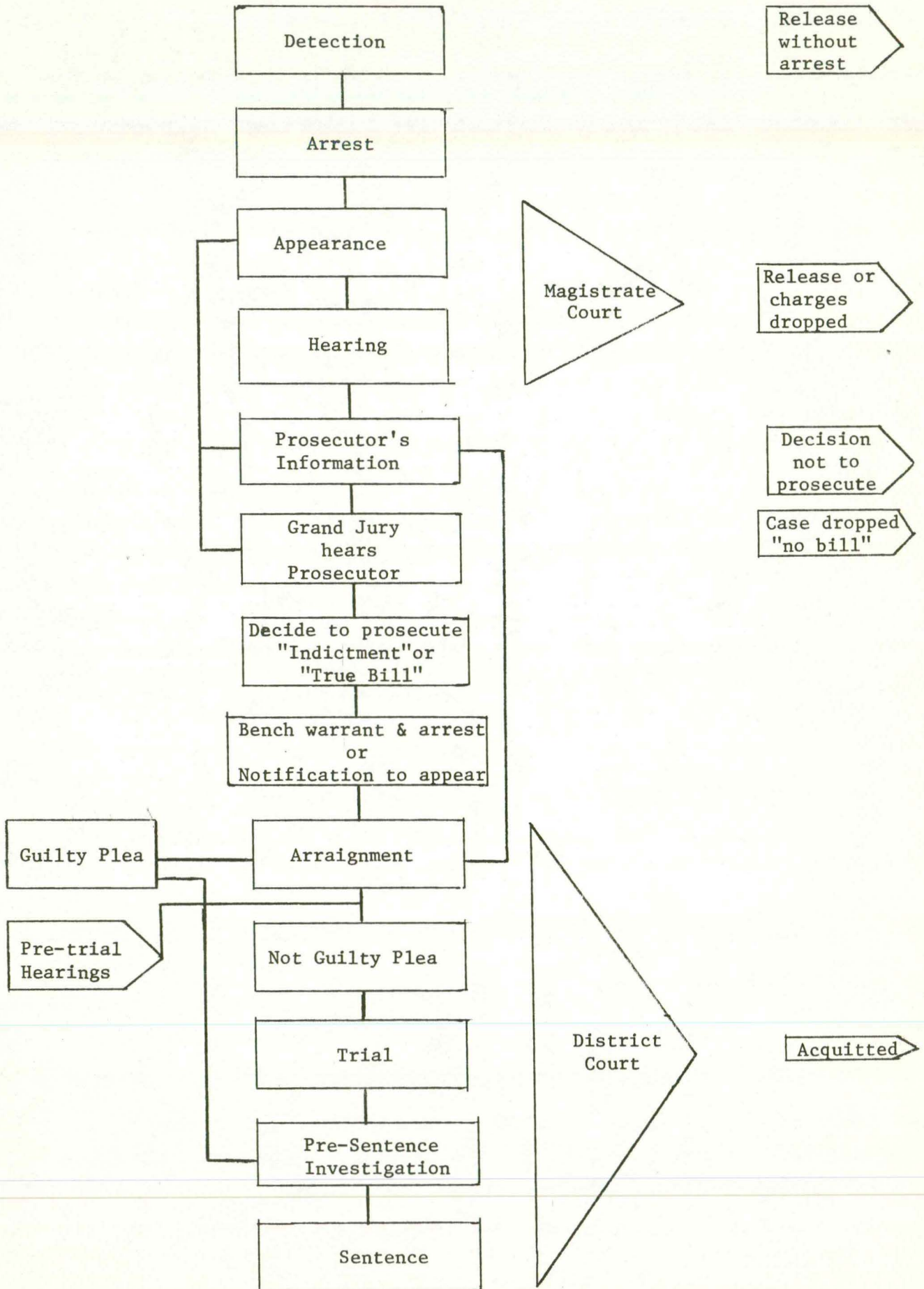
- I. Types of Judges
 - A. Justices of the Supreme Court
 - B. Judges of the District Court
 - C. Associate Judges of the District Court
 - D. Judges of the Magistrate Court

- II. Magistrate Court
 - A. Magistrates have the power to hear complaints or preliminary information, issue warrants, order arrests, require security to keep the 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 to 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.

CRIMINAL CASE PROCESS



COMMUNITY ALTERNATIVES TO INSTITUTIONALIZATION

I. Comprehensive Overview

A. Bureau of Adult Corrections--Community Services structure

B. Programs in operation

1. Pre-sentence 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-institutional programs

1. Pre-trial release

2. Community corrections

3. Probation

4. Residential treatment

C. Methods and results--institutional program--Fort Des Moines Project

III. Fort Des Moines Project--Residential Treatment

A. Staff structure team

B. Physical plant

1. Drug counseling
2. Work release
3. Vocational education counseling
4. Work placement--employment counseling
5. Psychiatric counseling
6. Recreation program
7. Family counseling

IOWA STATE PENITENTIARY

WOMEN'S REFORMATORY

I. Purposes of Institution

I. Purposes of Institution

II. Major Objectives

II. Major Objectives

III. Methods Used to Reach Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Large Institution Management

IV. Positive and Negative Aspects of Small Institution Management

RIVERVIEW RELEASE CENTER

MEN'S REFORMATORY

I. Purposes of Institution

I. Purposes of Institution

II. Major Objectives

II. Major Objectives

III. Methods Used to Reach Objectives

III. Methods Used to Reach Objectives

IV. Positive and Negative Aspects of Small Institution Management

IV. Positive and Negative Aspects of Large Institution Management

IOWA SECURITY MEDICAL FACILITY

I. Treatment

- A. Process of resocialization

- B. Building a capacity to trust

- C. Requiring that confined person make decisions, even those that may be uncomfortable for themselves and others.

- D. Emphasis on clear, straightforward, decisive, and reasonable interactions with confined person.

- E. Flexibility to modify treatment when indicated.

- F. Expecting and requiring appropriate changes in behavior.

- G. Develop self-worth of patient.

II. Non-Treatment Staff--Who Are These People?

- A. Do not exist in institution that has "people" as its product. Any employee has either a positive or negative effect on the client--there is no such thing as "neutral" influence on another person.

B. The people involved

III. The Person Being Treated--Who is This?

A. What he is not:

B. An individual with a name who is entitled to respect, who is entitled to discipline when required and who is entitled to the expectation that he modify his behavior in order to have some change of making it on his return to society.

IV. Employee's Responsibility when Working in a "Person Factory"

A. So called "Non-Treatment Personnel" should seek out whatever information and training is available to them.

1. To increase their understanding of human behavior
2. To increase their safety and security within the institution

B. Administrative staff has obligation to work with their personnel.

C. Coordinated effort is necessary

WORKING INSIDE

DIFFERENT APPROACHES TO INDIVIDUALIZED TREATMENT

I. Psycho-Analytical

II. Behavior Modification

III. Reality Therapy

IV. Transactional Analysis

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 arrangements, 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 PROCEDURE

MEMBERSHIP AND COMPOSITION OF THE BOARD

The Chairman of the Board, as provided by law, shall be the member of the Board whose term next expires. The legal adviser of the Board shall be the member who was a practicing attorney at the time of his/her appointment. If there are two or more persons who were practicing attorneys at the time of their appointment, the Chairman shall designate which of said persons shall be the legal adviser to the Board.

The Chairman has no special powers or duties except that wherever one signature of the Board of Parole is required, his/her signature shall stand as the signature for the members of the Board, and the Chairman shall act as spokesman for the Board.

Meetings of the Board shall be planned in such a manner as to make it possible for all three members to be present at all meetings. If, for any reason, one member cannot be present, the two remaining members shall be required to constitute a quorum. The Chairman shall have authority to poll the members of the Board by mail or telephone on issues requiring Board decisions.

Commencing in July of 1972, the Board shall hire an executive secretary who shall administer the decisions of the Board and who shall assist in the direction of such secretarial staff as may be required to carry out the duties and functions of the Parole Board. The Parole Board shall also hire two or more individuals who shall act as liaison personnel between the correctional institutions and the Board of Parole. Their full responsibilities will be set out at the time of employment.

As a result of the decision handed down by the U.S. Supreme Court on June 29, 1972, in the Morrissey vs. Brewer, case, it has become mandatory that we hold preliminary parole violation hearings. The Parole Board liaison officers will conduct these hearings in the area as near as possible to the place where the violations have allegedly occurred.

PAROLE BOARD SCHEDULING

The Board of Parole shall meet at least once per month in its office in Des Moines, at which time progress reports, recommendations for and against parole and other decisions to be made by the Board will be discussed, examined and finalized.

It is anticipated that progress reports from the staff at Ft. Madison will be reviewed on the odd numbered months, and the progress reports from the staff at Anamosa will be reviewed on the even numbered months. The progress reports for Riverview Release Center and ISMF will normally be submitted during the month when Anamosa files are being reviewed. Progress reports from the staff at Rockwell City will normally be reviewed approximately three times per year or when the staff at Rockwell City believes there is adequate need for such review, and the Rockwell City progress reports will be reviewed at the meetings on even numbered months.

When, in the opinion of the majority of the members of the Board, a client is suitable for parole, his or her name shall be placed on the call list, and such person shall be interviewed by the Board at its next meeting at the institution on whose count that client is included.

Unless a change in circumstances, misconduct on the part of the potential parolee, or any new facts and circumstances are brought to the attention of the Board, the client whose name is placed on the call list will usually be paroled at said visit.

A progress report shall be prepared and submitted to the Board by the staff at the institution in which he/she is incarcerated, at least once every 12 months, unless written memoranda is included on the client's docket indicating that no such progress report shall be required, except that no progress report shall be required on person serving life sentence except as in provided by statute, and no progress report need be submitted on persons who are classified as patients at ISMF until such time as said patient is returned to the general inmate population.

PRIMARY INTERVIEW

As soon as the docket has been completely prepared, including classification, and counselor and staff requirements established, this fact shall be communicated to the Board of Parole, and at the next meeting of the Board at the institution in which such person is incarcerated, a primary interview shall be conducted by one of the members of the Board with that inmate, unless that inmate refuses such primary interview or is in disciplinary quarters. At the time of a primary interview, the member of the Board conducting that interview may call for a progress report at any time subsequent thereto, and the Board will review that file in compliance with that request. If no request is made for a progress report at an earlier date, a progress report shall be submitted by the staff to the Board of Parole for review at its meeting 12 months later.

At the time of a primary interview, if the member of the Board conducting the interview believes the client to be worthy of parole at that time, he shall take the matter up with the other members of the Board, and if a majority of the Board agrees with said interviewing member, parole shall be granted at that time.

Whenever possible, without causing undue hardship, expense or inconvenience, personal interviews shall be made by the Board at the time of granting parole. If personal interview is not required by the Board, a waiver of such interview shall be specifically set out by the Board.

After each primary interview and each parole interview, a member of the Board shall dictate a summary which shall be transcribed and typed onto the docket sheets of the three members of the Board of Parole, with reference to the inmate being interviewed or paroled.

In all cases where progress reports are required, a recommendation for or against parole shall be made by both the counselor and staff of the institution.

Whenever the Board of Parole deems it necessary for the safety of the public or for the success of a parole, they shall call for a complete workup which shall include psychiatric and psychological evaluations.

PROCEDURES AND REQUIREMENTS FOR OBTAINING PAROLE

Recommendation for parole must be affirmative from either the staff or the counselor or the Board of Parole employee acting as a liaison officer at the institution. If all of said persons are negative as to parole, parole will normally not be granted unless other extenuating circumstances are brought to the attention of the Board which would warrant the granting of a parole in spite of said negative recommendations against.

Paroles will not be granted to persons on patient status at ISMF.

Normally, a person whose parole has been revoked shall not be considered for another parole for a minimum of 12 months, and if his/her parole was revoked for the commission of any violent offense, another parole will be granted only when the Board is thoroughly convinced that there has been a change for the better in the client, and not merely because of the elapse of time.

Length of sentence shall normally not be considered in determining when a person is eligible for parole, although type of offense committed, previous offenses and general attitude may be considered regardless of length of sentence. Convictions

which indicate recidivism of a violent nature will indicate the need of a cautious approach by the Board of Parole. Meeting the programs established by the institution in connection with vocational training, educational training, and general institutional programming will be considered by the Board as an indication of desire to rehabilitate him(her)self, and such a client will receive extra consideration for meeting such standards. Realistic parole plans will be required of all persons granted parole. However, confirmed employment will not be necessary prior to granting parole, although employment will be required before release. Confirmed job placements will probably be required in the case of any out-of-state parole. Each case shall be considered on its own merits, considering all factors including the following:

1. Previous criminal record
2. Nature of offense or offenses
3. Indication of violence or dangerous activity
4. Balance of time remaining on sentence
5. Institutional program participation
6. Freedom from acts of misconduct in the institution
7. Recommendations of staff and counselor
8. Apparent social readjustment
9. General attitude
10. Previous parole or probation experience
11. Success while on work release
12. Any other extenuating facts or circumstances

Normally, a parole will not be granted for a period of 12 months following an escape by an inmate unless extenuating circumstances are presented to the Board, which the Board feels would warrant earlier consideration.

INTERVIEWS AND CORRESPONDENCE

No person shall be permitted an interview on his/her own motion before the Board of Parole except upon a petition to the Board of Parole either in writing or orally in such a manner as to give the Board an opportunity to determine whether or not to allow such interview. It shall be the practice of the Board to refrain from engaging in interviews as such with families and friends of potential parolees unless information desired by the Board of Parole may be obtained from such interviews. Exceptions to this rule may be made and waived by a majority of the Board at any time in any case.

Correspondence in connection with potential parolees shall be answered by the individual Parole Board member receiving the correspondence unless said Parole Board member believes such inquiries or statements are of general interest to the Board of Parole and should be communicated to the entire Board. In such

case, the correspondence shall be placed in the potential parolee's file and notations made on the docket of the nature of the correspondence and the decision of the Board in connection therewith. The executive secretary shall handle all routine correspondence for the Board of Parole, and any time the executive secretary is unsure of the decision of the Board, the matter shall be placed before the Board of Parole at its next session in its office in Des Moines.

PAROLE VIOLATION AND REVOCATION PROCEDURES

In most cases, the procedure will be as follows:

Arrest and detention--usually at direction of Parole Officer while an investigation of the violation is conducted.

The Parole Officer will submit violation reports within five days to the Parole Board (4 copies).

The time and place is set for the Preliminary Hearing by the Executive Secretary. Parolee may waive the Preliminary and Final Parole Revocation Hearings.

The parolee is given reasonable notice of hearing--usually not less than three days.

We serve written notice of time and place of hearing on parolee personally.

The notice shall include a list of the alleged violations of the Parole Agreement.

Hearing to be conducted at or reasonably near the place of the alleged violation.

The Hearing Officer is to be a finding agent to determine if there is sufficient evidence to hold and revoke. The Hearing Officer should be some person other than one initially dealing with the case. The Parole Board will appoint an independent decision maker to perform the preliminary function.

At the Hearing, the parolee should be confronted with the alleged parole violation (s). The parolee may appear and speak in his own behalf; he may bring letters, documents, individuals who can give information to the Hearing Officer relevant to the alleged violation. Parolee may be represented by an attorney.

On request of the parolee, persons who have given adverse information on which parole violation (s) is to be based are to be made available for questioning in his presence. However, if the Hearing Officer determines that the informant would be subjected to risk of harm if his identity were disclosed, he need not be subjected to confrontation and cross examination.

At conclusion of the Preliminary Hearing, the Hearing Officer will orally advise parolee of his decision.

The Hearing Officer will make a summary or digest of what transpires at the Hearing in terms of the responses of the parolee and the substance of the documents or evidence given in support of the parole revocation and of the parolee's position.

Based on the information before him, the Hearing Officer should determine whether there is a probable cause to hold the parolee for the final decision of the Parole Board on revocation. Such a determination would be sufficient to warrant the parolee's continued detention and return to the state correctional institution pending the final decision.

Prior to the final revocation hearing before the Board of Parole at the institution, the parolee will be given reasonable notice of the time and place of the hearing. The notice will be attached to a copy of the Hearing Officer's Report. Parolee may waive the Final Parole Revocation Hearing.

The Revocation Hearing will be conducted by the Parole Board on their next session at the Institution. (A lapse of two (2) months would not be unreasonable according to the Opinion)

In the event a parolee is returned to the institution upon conviction of another felony, the Board will conduct a Revocation Hearing on its next visit to that institution. (Conviction of a new felony is almost always considered by the Board to be sufficient grounds for Revocation of Parole.)

Absconders from parole, when arrested, will be returned to the county from which they absconded and will then be offered a preliminary hearing and treated the same as other violators.

DISCHARGES FROM PAROLE

Discharges from parole shall be signed by the executive secretary of the Board of Parole or the Chairman of the Board of Parole when, in the opinion of either of said persons, said parolee should be discharged and when it is so recommended by the parolee's agent. If there is any question in the mind of the executive secretary or the Chairman of the Board, the question shall be brought before the Board of Parole for the Board's decision. Any member of the Board of Parole may at any time request a review of a parolee's file when a parole discharge has not been granted.

INTERSTATE COMPACT AND OUT-OF-STATE PAROLES

Whenever a detainer is placed on an inmate by a state other than Iowa, the Parole Board may at any time parole said individual to that detainer with the parolee's consent. Out-of-state paroles shall be made through the interstate compact, and normally both residence and job must be confirmed before the parolee will be permitted to take his parole in the other state. The Board may request reports from other states as to detainers and as to interstate compact problems.

Normally paroles to detainers will not be made if the client has not been convicted and the detainer is solely for prosecution, unless, in the opinion of the Board of Parole, the potential parolee has met requirements for parole.

PROCEDURE FOR APPEALING BOARD DECISIONS TO NOT GRANT PAROLE

Each inmate who is denied a parole by the Board of Parole at the anniversary date of his primary interview may request a hearing before the Liaison Officer of the Board of Parole assigned to that Institution. Such hearings shall be provided by said Liaison Officer upon the written request of said inmate. At the hearing, the inmate shall be permitted to present such evidence as he may deem appropriate for the purpose of showing why he should receive a parole in contradiction to the action of the Board of Parole. At the conclusion of said hearing, the Hearing Officer shall then make a determination as to whether or not the inmate should be authorized to appear before the Board of Parole to make such arguments known to the Board or whether the decision of the Board to refuse to grant a parole is appropriate. Such facts shall then be made known to the inmate requesting such hearing and a copy of such findings shall be forwarded to the office of the Board of Parole, Lucas State Office Building, Des Moines, Iowa. The Board of Parole shall review the Liaison Officer's determination. In addition to the findings of the Hearing Officer or Liaison Officer, the inmate shall have the right to be apprised of the reasons why his parole has been previously denied. Such facts shall be communicated to the inmate upon the inmate's request by said Liaison Officer.

PANEL--BOTH SIDES

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