Home > Iowa Gov. Reynolds indicates a focus on criminal justice reform for her 2020 legislative program

| Mitch Arvidson [1] |

A new working group in Iowa will look for ways to reduce recidivism among former offenders and eliminate racial bias from the state's criminal justice system.

Gov. Kim Reynolds asked the group, chaired by Lt. Gov. Adam Gregg — a former state public defender — to deliver recommendations by December, to inform several proposals she will submit to legislators when they reconvene in January.

The racial disparity in Iowa’s criminal justice system is indicated by Bureau of Justice Statistics and census data from 2017 — black Iowans are incarcerated at a rate 9.5 times higher than white Iowans, which is tied with Nebraska for the second highest rate in the Midwest. Both states trail Wisconsin (11.7), and are just ahead of Minnesota (9.2) and Illinois (8.2).

In a separate study using 2013 data, The Sentencing Project [2] found that one in 17 adult black male Iowans were in prison, also the third highest rate in the nation.

Beth Skinner, director of the Department of Corrections, who previously worked for the CSG Justice Center, says racial bias is a systemwide issue for criminal justice requiring policymakers, law enforcement, the parole board, and others to collaborate for meaningful change.

As for how her department is addressing racial bias, she says, “First and foremost, we’re doing diversity training, we’re training all of our staff in implicit bias starting this month, we have an advisory group that advises on hiring, recruitment and other strategies around disparities so our staff can reflect the population that we serve.”

A similar working group was formed in 2015 by former Gov. Terry Branstad. This panel’s recommendations led to HF 2064 (of 2016) [3], which allowed low-risk, nonviolent drug offenders to be eligible for parole after serving half of their mandatory minimum sentences. It also created a mandatory minimum sentence for child endangerment leading to death, and an aggravated misdemeanor charge for certain robberies, giving the justice system more sentencing flexibility.

HF 2064 increased the number of offenders receiving parole and work releases, but high recidivism rates led to the state’s 2019 prison population being the highest in eight years, 8,473 inmates this year vs. 8,778 in 2011 [4]. Reducing this recidivism is a key task of the current working group.

Skinner points to several factors that have contributed to high recidivism, including poor in-community treatment, judiciary discretion, and over-supervision of low-risk offenders. She went on to say, “One thing that we’re really concerned about and focusing on is technical revocations. Half of our recidivism rate is for people returning on technical revocations, not new crimes but for violating the conditions of their supervision.”

Reynolds also reaffirmed her commitment to a possible constitutional amendment that would restore voting rights for offenders who have completed their sentences.

The amendment (HJR 14 [5]) nearly passed last year; the House approved it 95-2, but it died in the Senate Judiciary Committee. Constitutional amendments in Iowa must pass two consecutive legislatures and then be approved by Iowans in a statewide election.
Iowa and Nebraska are the only two Midwestern states that don’t automatically restore voting rights after an offender have completed their prison sentence, parole, and/or probation.

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