

2017 End of Session Report For Justice Reform Consortium

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Prior to the beginning of the First Session of Iowa's Eighty-Seventh General Assembly, the Justice Reform Consortium Steering Committee met to identify priority areas of concern. Below, we have listed the areas of concern and followed with the results. When a bill was introduced that correlates with our pre-session concern, we followed with the bill and a summary of why we opposed or supported it, the corresponding legislative activity, and an "issue number" (indicated as such - # followed by a number). Match the issue number with the subsequent chart to see how legislators voted on specific legislation.

MINORITY IMPACTS

WHAT WE EXPECTED:

Transit Assault: Enhancing the criminal penalty for an assault on an operator of a motor vehicle providing transit services as part of a public transit system, and providing penalties. A Minority Impact Statement (within a [Fiscal Note](#) from a previous year) claims:

The minority impact cannot be estimated but may be significant. Approximately 25.4% of offenders convicted under this Bill may be minorities. This Bill shifts a percentage of serious misdemeanor convictions to aggravated misdemeanor convictions, and a percentage of aggravated misdemeanor convictions to Class D forcible felony convictions. Enhanced penalties will result in an increased number of minority offenders under current law.

JRC **OPPOSED** this bill in the past, and has strongly opposed the concept for many years. We anticipate the bill will be introduced again this year. We will continue to oppose any efforts to make this concept law (See [Occupational Assault](#) below under [ENHANCED PENALTIES](#)).

WHAT HAPPENED:

Nothing. There was no bill this year enhancing penalties for assault on any person in a particular occupation. We hope this is the trend.

WHAT WE EXPECTED:

Risk Assessments; A trend in sentencing is to look at an offender's past to determine if the offender is a risk to reoffend. The preferred sentencing structure is to sentence the defendant based upon the crime for which the defendant committed, not based upon what a person may or

may not do at some future date. JRC OPPOSED in the past. Requires that a validated risk assessment be part of a presentence investigative report. JRC believes that risk assessments are biased against people of color, and an in-depth article with factual data proves it:

<https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing>

We believe several government entities will try to expand the use of risk assessments during the 2017 session.

WHAT HAPPENED:

#1. **HF 604** A bill for an act establishing a motor vehicle insurance verification program, establishing fees, and including penalty and effective date provisions. JRC OPPOSED. So did the insurance industry. This is another government collection of personal data. What could go wrong? A minority impact statement concludes: “The Bill is expected to have a minority impact on African Americans. They represent 3.5% of Iowa’s population and 14.4% of total convictions of existing offenses affected by this Bill. Citations issued for driving without registration are expected to increase. Citations issued for driving without insurance are expected to decrease. This assumes that law enforcement decisions will remain consistent with current practices.” Passed the House 94-2 on April 10. The Senate did not consider the bill. A “nay” vote is the position of JRC.

ENHANCED PENALTIES

WHAT WE EXPECTED:

Interlock devices: “Current law allows a first-time operating-while-intoxicated (OWI) offender to operate a motor vehicle with a temporary restricted driver’s license, but without an ignition interlock device, where, during the offense, the offender’s alcohol concentration was .10 or below and the offender did not cause an accident. *An effort by Rep. Sandy Salmon eliminates this provision.* A bill in the past provides “that a first-time OWI offender with a temporary restricted driver’s license shall install an ignition interlock device in the offender’s vehicle, whether the offender’s driver’s license revocation was the result of sentencing, deferred judgment, or administrative revocation, and regardless of the offender’s alcohol concentration at the time of the offense.” *Explanation of past bill.*

The requirement of installing an ignition interlock device is expensive and restrictive. In that way, it is considered by JRC to be a penalty enhancement. JRC opposes penalty enhancements when there is a lack of empirical evidence that proves the increase in a penalty is warranted. In this matter, the impetus for the bill was based on emotion. During the previous General Assembly, a subcommittee meeting was held on the bill where a legislator showed a picture of a child who was killed by an impaired driver. There were not enough subcommittee members willing to sign the bill for it to move out of subcommittee and be placed before the House Judicial Committee for its consideration.

JRC **OPPOSED** this bill in the past, and Rep. Salmon has written in her newsletter that she will introduce it again this year.

WHAT HAPPENED:

Rep. Salmon did introduce a bill this year, [HF 362](#), but was referred to the [House Public Safety Committee](#) where it was assigned to a subcommittee (Rep. Salmon was the subcommittee chair). That is the only action on this bill. Much of what Rep. Salmon introduced may have been addressed in a larger bill. [See #3 SF 444 below](#).

WHAT WE EXPECTED:

Death Penalty: Creating the penalty of death for the commission of the multiple offense of murder in the first degree, kidnapping, and sexual abuse against the same minor, providing a penalty. This bill is reinstating the death penalty in Iowa. JRC has always OPPOSED. We expect a death penalty bill to be introduced in response to police killings throughout the country.

WHAT HAPPENED:

Two bills were introduced that would have reinstated the death penalty for capital murder in Iowa. One bill, [SF 335](#), was scheduled to be discussed by a subcommittee, but the meeting was canceled at the last minute.

WHAT WE EXPECTED:

Occupational Assault: Each year, a bill is introduced to enhance the penalty for assault against a particular occupation. For instance, the Transit Assault mentioned earlier. Many of these bills are “special interest” constituent bills relating to sports officials, bus drivers, etc. JRC has always OPPOSED these “Animal Farm” bills.

First, these types of bills are always afflicted with the accompanying words “protected”, “protections”, or “protects”. This bill and others like it protect no one. If an athlete or spectator is going to assault the official, the act will be committed regardless of the law. This assumption that a law will protect a person against an assault is pure conjecture.

In the past 20 years, the list of occupations that are referenced in Section 708.3A has grown exponentially. Before another occupation is added to the list of those already inducted into the piecemealed section, a study needs to be completed to discover the effect of those inclusions. How many parole board employees and officials have been assaulted since parole board member or employee was added? And how many parole board employees or officials were assaulted in the same amount of time before the position was added to the list of so-called protected occupations? Has the inclusion of employees of the “Department of Revenue” and “Department of Human Services” decreased the assaults upon these employees? Researching these questions, and similar inquiries will disclose the effectiveness of these additions, and will provide insight into whether the entire section should be maintained, enhanced, or discontinued.

How many people charged with violations of Section 708.3A, the predecessor to proposed Section 708.2D, have actually been convicted of the crime; and how many have

pled down to simple assault? There are too many questions that need answered before advancing this legislation.

Second, this legislation epitomizes the vanishing promise of equality related to us in George Orwell's "Animal Farm".

Equality is a relationship between man and man. . . . In an equal society, there is no division of classes, wealth or power. This was the predominant goal of the Russian Revolution as well as the animal revolution in the story Animal Farms (sic). The thought of having an equal society is admirable, though it's only a fantasy.

In the story Animal Farms (sic), 7 commandments were established soon after the fleeing of Mr. Jones, with the 7th- all animals are equal, being the most important. Later on, bit by bit, the 7 commandments were soon deformed, and the equality which the commandments promised and protected perished.

<http://apeliterature.weebly.com/animal-farm---george-orwell-equality.html>

Adding certain occupations to a Code section that has yet to prove anything beyond Orwell's prediction that everyone is equal, but some people are more equal than others, will lead to other members of certain other occupations seeking the same fantasy – this law will protect them. Eventually, most occupations will be included in this law, and it will become a dividing line between the haves and the have-nots. The result of years and years of moving other occupations into this Code section will have a name. It will be called totalitarian control.

WHAT HAPPENED: Nothing. See [Transit Assault above](#).

WHAT WE EXPECTED:

Blue Lives Matter: JRC believes that everything in this nationwide measure is currently in Iowa Code. We do expect this issue to be introduced and to move through the process. We will look at the legislation closely to see if it is repetitious or necessary.

WHAT HAPPENED:

A provision in [HF 579 below](#) requires a defendant convicted of attempted murder of a police officer to serve 100% of the sentence. This concerns JRC greatly. A person violent enough to attempt to murder a police officer should NOT be discharged from prison without the benefits of a supervised release (parole).

WHAT WE EXPECTED:

So-called "Emmalee's Law" – modifying hit-and-run laws. This anticipated legislation is the result of an incident that happened in Ames. A student was struck by a bus and the driver did not come forward with information, immediately. JRC will likely OPPOSE.

WHAT HAPPENED:

Nothing. We saw no bills that would have implemented the modification of hit-and-run laws.

SENTENCING REFORM

WHAT WE EXPECTED:

Mandatory Minimums – Justice Reform Consortium has always OPPOSED the creation and expansion of more mandatory minimum sentences. The elimination or reduction of mandatory minimum statutes must be taken seriously. Often, reducing the sentence of one crime leads to the expansion or creation of a new law. JRC will monitor carefully.

WHAT HAPPENED:

#2. [HF 579](#) A bill for an act relating to criminal sentencing by modifying criminal penalties for cocaine base and attempted murder, making inapplicable certain provisions relating to mandatory sentences, mandatory minimum sentences, limitations on parole and work release, and limitations on earned time, and modifying the reconsideration of certain felons' sentences. JRC OPPOSED, as did the Iowa State Police Association and the ACLU of Iowa. JRC cannot speak for the others, but a compromise placed in the bill made it worse than when it was introduced. JRC opposed it originally because of two faults we recognized. First, although powder cocaine and crack cocaine are the same pharmacologically, the original bill "settled" for a 2:1 ratio in thresholds for sentencing. Yes, it was an improvement, but not the logical settlement of a 1:1 ratio. The bill sent to the Senate contained a ratio of 5:1, called for by the Iowa Attorney General and the Iowa County Attorneys Association. No science involved, the 5:1 figure was pulled from a hat. Our second objection was the failure of the legislation to recognize the potential release from prison of a dangerous defendant without supervision. See [Call it a Giraffe](#) in a previous issue of JRC Newsletters. HF 579 passed the House 97-0 on March 20th. A "nay" vote was the position of JRC. There were no "nay" votes. It was not taken up by the Senate.

CRIME/PUNISHMENT

WHAT WE EXPECTED:

As you will notice from the anticipated [Emmalee's Law above](#), there is no way to "accurately" predict what sort of new crime is going to be introduced and gain momentum all the way to the governor's desk. JRC encountered two bills that were not expected. SF 403 and SF 415 below. The other bill, SF 468 was sort of expected; it wasn't expected as it came forth.

WHAT HAPPENED:

#6. [SF 403](#) A bill for an act relating to the theft of equipment rental property, and making penalties applicable. JRC OPPOSED. Our reasons for strongly opposing this legislation can be

found in JRC Newsletter Vol. 8, No. 5 in the second article: [The Wrong Use of Tax Dollars](#). SF 403 passed the Senate 49-0 on March 13; it passed the House 75-21 on April 10. The governor signed it into law on April 21. A “nay” vote was the position of JRC.

#7. [SF 415](#) A bill for an act providing immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties. JRC SUPPORTED. This is often called “The Good Samaritan Bill.” The bill’s intent is to encourage the act of calling emergency medical crews when someone is suffering from alcohol poisoning. The legislation will prevent the 911 caller from being charged with a crime, such as possession of alcohol of a minor. SF 415 passed the Senate 49-0 on March 15. There was no vote taken in the House on this issue. JRC encouraged the addition of immunity from criminal prosecution in instances of drug overdoses, but too many law enforcement lobbies were successful in getting that language omitted from the bill. Nonetheless, an “aye” vote is the JRC’s position.

#5. [SF 468](#) A bill for an act relating to the definition of stalking and making penalties applicable. JRC OPPOSED. This bill expands Iowa’s existing stalking statute with vague language that is overinclusive and redundant. SF 468 Passed the Senate 49-0 on March 21st. There was no vote on the bill in the House. However, the language of the bill was added to [HF 263](#), which passed both chambers and was signed by the governor. A “nay” vote was the position of JRC.

WHAT WE EXPECTED:

CO/Inmate Relationships: Bills relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions. JRC SUPPORTED, and actually requested this bill last year. This legislation was a priority issue for JRC. It is one of those times the JRC supports the enhancement of a criminal penalty. *This is one of those rare occasions in which JRC believes that the current penalty does not coincide with the crime that has been committed.*

It may be difficult to think of a prisoner as a victim, but there is no such thing as consensual sex in a correctional setting.

It is important to note that consent is never a legal defense for corrections staff who engage in sexual acts with inmates. According to federal law, all sexual relations between staff and inmates are considered abuse. Even if a sexual act would have been considered consensual if it occurred outside of a prison, by statute it is criminal sexual abuse when it occurs inside a prison. See 18 U.S.C. § 2243 (c).

<https://oig.justice.gov/special/0504/>

Iowa’s law prohibiting sex between a person in a position of authority and a person who is incarcerated or on parole or probation is weak.

Sexual misconduct by prison and jail employees, vendors, volunteers, etc. “compromises facility security and creates work environments that are negative for both staff and inmates. Allegations

are disquieting and divisive for employees and the public.” *Policy Development Guide for Sheriffs and Jail Administrators*. August, 2002.

<https://s3.amazonaws.com/static.nicic.gov/Library/017925.pdf>

Section 709.16 addresses prohibition and the criminal penalty of sexual misconduct with an offender. In Iowa, that penalty is an aggravated misdemeanor. In most other states, this penalty is a felony¹. Increasing the penalty to a class “D” felony will align Iowa with the majority of states and should prove to be an effective deterrent².

The bill also enhances the penalty from an aggravated misdemeanor to a class “D” felony in a juvenile placement facility.

The punishment should fit the crime, and in this case, enhancing the penalty is appropriate.

WHAT HAPPENED:

Nothing. JRC had been able to introduce this legislation in previous sessions, but evidently, the Iowa Legislature does not perceive this to be a big problem.

DUE PROCESS

WHAT WE EXPECTED:

Home Occupancy: Restricting authority of cities to regulate and restrict the occupancy of residential rental property. Currently, several cities in Iowa have ordinances that restrict how many unrelated people can live in a one-family dwelling. This bill would prohibit such ordinances. JRC **SUPPORTS** this legislation because many people released from prison need a safe place to live. Ordinances that prohibit habitation based upon kinship are outdated and discriminatory. After all, why should the [local] government know “who” lives in your home and how they are or are not related to each other? JRC has knowledge of this bill being introduced again, most likely with different language.

WHAT HAPPENED:

#12. [HF 134](#) A bill for an act relating to the authority of cities to regulate and restrict the occupancy of residential rental property. JRC SUPPORTED. See the article “[A Good Opinion](#)”

¹ <https://www.wcl.american.edu/endsilence/documents/50StateSurvey-SSMLAWS2013Update.pdf>

² On March 25, 2011, Megan Elizabeth Cecil, 32, a former Department of Correctional Services residential officer, was sentenced to two years probation on two counts of sexual misconduct and required to register as a sex offender. She had been charged with having sex with a male prisoner at the Burlington Men’s Residential Facility four times in March 2010. [See: PLN, June 2011, p.50].

According to court records, former Dallas County jailer Kevin Paul Hines, 60, pleaded guilty to sexual misconduct with an offender and was sentenced on June 10, 2011 to two years; he was also ordered to register as a sex offender and pay \$1,599.02 in restitution. Hines had been arrested in 2009 for raping prisoner Tamera Poeschl three times in a temporary jail cell.

And several more examples.

[on SF 161](#)” (second article) in the February 22, 2015 edition of the JRC Newsletter. HF 134 passed the House 65-31 on March 15; it passed the Senate 43-6 on April 11. It was signed into law by Governor Branstad on April 21. An “aye” vote was the position of the JRC.

WHAT WE EXPECTED:

Interpreters and Translators: An Act relating to interpreters for persons who are limited English proficient, deaf, deaf-blind, or hard-of-hearing in certain legal proceedings and court-ordered programs. Currently, Iowa is not in compliance with federal law. JRC SUPPORTED every year the courts have tried to move this. We are not aware of the courts trying again, but if they do, we will be their ally.

WHAT HAPPENED:

Nothing. The courts did not attempt to re-introduce legislation. This legislation requires an appropriation.

WHAT WE EXPECTED:

24/7 Monitoring: Certain counties in Iowa want a bill for an act providing for the establishment of county chemical substance abuse monitoring pilot programs and modifying temporary restricted license eligibility requirements for operating-while-intoxicated offenders. This is known as the 24/7 monitoring program. JRC has **OPPOSED** this legislation. The Des Moines Register is lobbying the issue through articles and editorials. JRC has serious concerns about the program and its selective use.

WHAT HAPPENED:

#3. [SF 444](#) A bill for an act relating to public safety on highways, including the use of electronic communication devices while driving where such use results in death and the establishment of a statewide sobriety and drug monitoring program, and providing penalties. JRC **OPPOSED**. The statewide sobriety and drug monitoring program is full of holes. First of all, there is no treatment component to the program. Second, vague language is written into the law about exceptions to hand-held devices (i.e. a health profession in the course of an emergency situation. It doesn’t describe what emergency. A personal emergency? Out of milk at home and the kids need breakfast?) Third, a person may be “ordered” by a court to participate as a bond condition or pretrial release (many problems with this provision, including self-incrimination and violation of equal protection and due process). Fourth, there is no provision that provides the defendant with the opportunity to challenge the results of an alcohol or drug test. Finally, during subcommittee meetings and informal discussion in the Rotunda, people were contemplating the ways in which a person could drink and possibly pass the required tests. SF 444 passed the House 90-3 on April 6; it passed the Senate for the second and final time 49-0 on April 12. It was signed into law by Governor Branstad on April 17. A “nay” vote was the position of the JRC.

WHAT WE EXPECTED:

Forfeiture: JRC didn't know what to expect as far as civil asset forfeiture was concerned. An interim study committee was supposed to be scheduled, but it never occurred. This issue was not anticipated when JRC Steering Committee set goals and priorities last year. JRC was happy to see a bill amending forfeiture laws; we wish it would have gone further.

WHAT HAPPENED:

#4. [SF 446](#) A bill for an act relating to asset forfeiture by prohibiting civil asset forfeiture for property valued at less than a minimum amount, raising the standard of proof for asset forfeiture, requiring a proportionality review for property to be forfeited, and requiring law enforcement agencies to retain certain records related to asset forfeiture and including applicability provisions. JRC **SUPPORTED**, but mostly in spirit. The bill is weak. Legislators could have done so much more with this problem, but several lobbying groups representing police were against even the concept of opening the issue of civil asset forfeiture. SF 446 passed the Senate 49-0 on March 28; it passed the House 95-1 on April 10. It was signed into law by Governor Branstad on May 9. An "aye" vote was the position of the JRC.

Risk Assessments: An Act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties. JRC **OPPOSED** this legislation in 2016. The penalty relies heavily upon risk assessments in sentencing. JRC believes that risk assessment usage in the sentencing process contains grave constitutional violations.

#8. [HF 263](#) A bill for an act relating to the criminal offenses of domestic abuse and unauthorized placement of a global positioning device, and providing penalties. JRC **OPPOSED**. Language from [SF 468](#) on stalking was added to this bill. HF 263 also restricted earned time for inmates and required a risk assessment on domestic abuse with no apparent goal for the use of the assessment addressed in the law. Additionally, the bill requires electronic monitoring of offenders. JRC believes that monitoring devices are not effective in keeping two parties apart since only one of the parties is being monitored. HF 263 passed the House 90-8 on March 27; it passed the Senate 48-0 on April 10. The governor signed it into law on April 20. A "nay" vote was the position of JRC.

EQUALITY

WHAT WE EXPECTED:

Racial Profiling: Legislation relating to law enforcement profiling by standardizing the collection and centralizing the compilation and reporting of officer stop and complaint data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions. JRC **SUPPORTED** the bill requested by the NAACP, which was introduced in 2016. We will support future attempts by the NAACP to advance this legislation.

WHAT HAPPENED:

[Senate Study Bill 1177](#) was introduced by the Senate Judiciary Committee Chairperson Brad Zaun and a subcommittee meeting was held on the bill on March 2nd with subcommittee members Senators [Charles Schneider](#) (R-West Des Moines), [Janet Petersen](#) (D-Des Moines), and [Brad Zaun](#) (R-Urbandale). Unfortunately, the bill was not considered by the entire [Senate Judiciary Committee](#). The result of the subcommittee meeting was the intent to establish an interim study on the matter. The Legislative Council Studies Committee did not approve an interim study committee on this issue.

#11. [SF 234](#) A bill for an act relating to the use of electronic communication devices to write, send, or read text messages while driving as a primary offense. JRC OPPOSED. JRC believes that the result of this bill will lead to a significant increase in racial profiling. In other words, we expected something positive to be done to prevent racial profiling; it's apparent the opposite may be true. SF 234 passed the Senate 43-6 on March 22; it passed the House 90-6 on April 10. It was signed into law by Governor Branstad on April 17. A "nay" vote was the position of the JRC.

WHAT WE EXPECTED:

Jury Lists: Legislation requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions. This was an issue that was recommended by the [Governor's Working Group on Justice Policy Reform](#). JRC **SUPPORTED** the bill introduced in 2016.

WHAT HAPPENED:

[SF 466](#) Among several other court-related matters, this bill is an act requiring the master list for juror service to be updated annually using an electronic data processing system and eliminating jury commissions. JRC SUPPORTED. Because the bill was noncontroversial and JRC had no part in lobbying the issue, we have excluded it from the Voting Record.

WHAT WE EXPECTED:

Distracted Driving: Changing the criteria for pulling someone over for texting/emailing while driving from the current secondary offense to one of making it a primary offense. Our fear upon enactment is the possibility of it being a pretextual stop in the process of racial profiling.

WHAT HAPPENED:

This issue was incorporated into [SF 444 above](#).

WAR ON DRUGS

WHAT WE EXPECTED:

Marijuana Possession: Possession of marijuana is an issue that JRC has SUPPORTED in the past. However, the specifics of a particular law bill may dictate the position as to whether JRC supports, opposes, or remains neutral.

WHAT HAPPENED:

There were no bills moving that addressed meaningful marijuana laws. JRC considers cannabidiol a health issue and not a marijuana possession issue.

WHAT WE EXPECTED:

Synthetic Drugs: Bills relating to controlled substances, particularly those enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and temporarily designating substances as controlled substances, and providing penalties. The Iowa Pharmacy Board has pre-filed a bill.

First of all, the bill extended the time limit of designating a temporary controlled substance from the end of one general assembly to 2 years. A two-year designation as temporary is far too long.

Second, JRC OPPOSES the bill based upon statements within a past [Fiscal Note](#):

Synthetic Drugs The correctional impact is expected to be minimal due to the low number of convictions under current law. Enhancing the penalties will increase the incarceration rate and lengthen the term of supervision, both in the state prison system and Community-Based Corrections (CBC). Offenders convicted under the provisions of this bill will remain under supervision longer than current law.

Minority Impact: To the extent convictions occur under the provisions of the bill, there will be a minority impact, specifically to Blacks. Blacks comprise approximately 3.4% of the Iowa population but represent approximately 27.3% of the convictions impacted under this bill.

The fiscal note points out (italicized emphasis above) that there will be very few convictions. Yet, those convicted will serve enhanced penalties. JRC opposes the enhancement of penalties where research is lacking as to whether the enhancement will serve a viable purpose. It also points out that minorities will be heavily impacted by the provisions of this bill.

JRC may have to oppose these bills based upon language which was included in the past: adding vague language about risk assessments.

WHAT HAPPENED:

#10. [HF 296](#) A bill for an act relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, modifying requirements for electronic prescriptions, and providing

penalties. JRC OPPOSED for several reasons, but primarily because of the potential that the bill violates the Iowa Constitution's Separation of Powers Clause. The bill contains a provision that could, in essence, allow someone to be sentenced to a term of years in prison without the legislative branch's approval of the crime. HF 296 passed the House for the second and final time 93-2 on April 21. It had passed the Senate 48-2 on April 19. Governor Branstad signed the bill on May 11. A "nay" vote was the position of JRC.

RE-ENTRY

WHAT WE EXPECTED:

Fair Chance Law: Bills prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants for employment under certain circumstances, providing penalties, and including effective date provisions. JRC SUPPORTED this legislation in 2016, most popularly known as the "[Ban-The-Box Bill](#)", but more respectfully known as "[The Fair Chance Act](#)".

WHAT HAPPENED:

This legislature did not consider any bills that would have been an aid to people re-entering society from jail or prison.

WHAT WE EXPECTED:

JRC did not expect a bill that would weaken the positive influence Iowa Prison Industries has on so many incarcerated women and men in Iowa correctional facilities throughout the state. We have seen these bills in the past, but the threat of making changes to IPI was never serious – until this year.

WHAT HAPPENED:

#9. [HF 293](#) A bill for an act concerning state purchasing from prison industries for products manufactured in this state. JRC OPPOSED even though the Department of Corrections supported its passage. The bill is not as punitive to IPI as past bills have been, but JRC was still concerned about the results this legislation may have on IPI in the future. HF 293 passed the House 99-0 on February 22; it passed the Senate 50-0 on March 1. The governor signed it into law on March 10. A "nay" vote was the position of JRC.

This report contains only those bills that brought about a vote. It does not include bills in which the JRC declared "undecided", every bill that did come to a vote, or bills without a "significant" connection to the work of the JRC.

√ = means that a legislator's vote was compatible to the position of the JRC.

X = means that a legislator's vote was not compatible to the position taken by the JRC.

a = means that a legislator was not present, or did not vote on the bill.

p = means that a legislator had a conflict of interest and “passed” on the bill rather than vote.
b = signifies that Representatives Greg Forristall and Curt Hanson missed votes on many bills because of illness. Both legislators passed away after the session was over. JRC extends sympathy to their families and colleagues.

There are many reasons why legislators vote for or against a bill. If you have a question as to why your legislator voted the way the legislator did, your representative or senator should be willing to give you an explanation. We encourage you to sit down with your legislator(s) and discuss the issues with which you have a concern. Be sure to thank your legislators for their service and for voting in favor of positions taken by Justice Reform Consortium.