

Comment Report

HF 2191

A bill for an act relating to the commutation of sentence procedure for class "A" felons.

Subcommittee Members: Salmon-CH, Fisher, Kressig

Date: 02/14/2022

Time: 11:00 AM

Location: RM 102, Sup. Ct. Consult

Name: Billie Johnson-Daves

Comment: I am writing on behalf of Otis F. Jenkins (#0802391 Anamosa) in favor of the passing of CF #2191. Otis has spent the last 35 years in Anamosa for sexual assault. He was sentenced to life in prison with no possibility of parole for his crime. In May 2019, he applied to have his sentence commuted, and on July 28, 2021, he received a unanimous vote in favor of commuting his sentence. On November 3, 2021, Governor Reynolds denied this request due to the lack of meaningful and substantial rehabilitative programming. She did not feel he had accepted responsibility for his crime. It was quite a blow to Otis and his family and friends. I have known Otis since grade school and coming from a small town and school district, everyone knew everyone. We had 32 kids in our class, so we were a pretty tightknit group. The night of his crime, he was 19 years old and had been to a party at my house. He was highly intoxicated, and there was also some drug use by him and another friend at one point. His friend ended up and took him home later on, and that is when the crime happened. He does not remember much from that night and does not remember the assault at all. Therefore, it is difficult for him to determine why he did what he did. Since he is a lifer at Anamosa, he cannot participate in any rehabilitative programs as they are reserved for people who have a release date. If this bill would pass, Otis would then possibly be able to get a "number" sentence and participate in these programs, and be released. He has accepted responsibility for his actions and is very remorseful. The sexual assault was very out of character for him, and we were all shocked the next day when we heard about it. I believe most everyone deserves a second chance, and Otis has paid for his crime for the last 35 years. Most murderers are given a second chance and released. His victim was not murdered, but she was brutally assaulted. Yes, what he did was a heinous crime, and I am not trying to diminish what he did. But 35 years for this type of crime is excessive especially with no chance of parole. He has had an outstanding record in prison and has stayed out of trouble. He has had one infraction in the early 2000s but has not had any since and significant accomplishments. He worked in the woodshop and even has some pieces on display in Iowa City at the Old Capitol Building. He has mentored other inmates in prison at the woodshop who have been released and have lived respectable lives and have gone on to own their own woodworking businesses. I believe even one of these inmates was in for murder. If Otis got a release date and could participate in the rehabilitative programs, he would have a strong support system thru his family and friends. He dreams of opening a woodworking business if he is released. Please take the time to consider passing this type of legislation and give a good person a second chance. Thank you for your time, Billie JohnsonDaves

Name: Wendy Abrahamson

Comment: I am writing as the lobbyist for the Episcopal Diocese of Iowa. We support this bill. In the Episcopal Church we offer to all of our members the possibility of a rite called "Reconciliation of a Penitent," also known as confession. It gives someone who feels the burden of a sin the opportunity to speak with a priest in order to seek God's mercy. After hearing the person's confession, and before pronouncing absolution, the

priest must offer counsel and make suggestions of things the person can do as a sign of penitence and thanksgiving. Those who seek reconciliation are asked to reflect and show true desire to amend their life before God's absolution is given. This bill follows the same pattern, in a way. Those who seek a commutation of their life sentence will have first served a significant amount of time, and will have to meet a number of meaningful markers that reflect amendment of life and understanding of the need to change. Commutation does not come easily, nor should it; but it can be given when there is evidence of a new pattern of life in the individual. Importantly, the bill also takes into account the effect on the victim and the community. We believe in both God's justice and mercy, and ask you to support this bill.