



# MINUTES

## State Prison System Planning Study Committee

October 10, 2007

Second Meeting

### MEMBERS PRESENT:

Senator Gene Fraise, Co-chairperson  
Senator Jeff Angelo  
Senator Thomas G. Courtney  
Senator Tom Hancock  
Senator Paul McKinley

Representative Todd Taylor, Co-chairperson  
Representative Wayne Ford  
Representative Steven Lukan  
Representative Dave Tjepkes  
Representative Beth Wessel-Kroeschell

## MEETING IN BRIEF

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- I. Procedural Business
- II. Opening Comments
- III. Department of Corrections and Durrant Group, Inc.
- IV. American Federation of State and County Municipal Employees
- V. Tour of Facilities
- VI. Materials Filed With the Legislative Services Agency



## State Prison System Planning Study Committee

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### I. Procedural Business

**Call to Order.** Co-chairperson Taylor called the second meeting of the State Prison System Planning Study Committee to order at 10:07 a.m. on October 10, 2007, at the Iowa Correctional Institution for Women (ICIW) in Mitchellville. Co-chairperson Taylor declared a quorum was present. At the behest of Co-chairperson Taylor, each person in the room introduced themselves to the Committee.

**Minutes.** The minutes from the September 19, 2007, State Prison System Planning Study Committee were unanimously approved by voice vote.

**Adjournment.** The meeting adjourned at 3:21 p.m.

**Next Meeting.** The next meeting of the Committee is scheduled for November 14, 2007, at 10:00 a.m., Supreme Court Chamber, Room 103, State Capitol.

### II. Opening Comments

**Iowa Correctional Institution for Women Warden Diann Wilder-Tomlinson.** Warden Wilder-Tomlinson welcomed the legislators and visitors to ICIW, provided details of the tour, and explained who would be leading the tours.

**Committee Member Comments.** Co-chairperson Taylor thanked Senator Dennis Black for attending the meeting.

Co-chairperson Fraise stated that the confinement of female inmates in different correctional institutions is wasteful. He declared that it makes good economic sense to consolidate resources being spent on female offenders at the Oakdale and Mount Pleasant facilities with the resources at ICIW. He noted that by consolidating all female offender beds at ICIW, 100 male offender beds would become available at the Mount Pleasant Correctional Facility.

Representative Tjepkes stated that he believes it is important to look at the prison system as a whole and assess what is best for the state and the safety of Iowans. He emphasized it would be troubling if prison development would be created for the economic gain of one area. He hoped that the Committee would look at what would best serve the people of Iowa as a whole.

Senator Angelo suggested that representatives of the Durrant Group accompany each tour group and explain what changes are recommended for each building each tour group would be visiting.

Senator Courtney declared that the Committee members would like to be closing prisons but that is not possible at this point. He stated that the Committee's work is important for all Iowans, the offenders, and the people of Mitchellville.

Representative Ford stated that Iowa is number one in the country for the rate of suspension of African-American children from school. He declared that the Committee should discuss prison infrastructure, but the Committee should also discuss possible options for offenders coming back into the community from prison.



Representative Wessel-Kroeschell said she is troubled by the growing number of women in prison. She emphasized there is a need for gender-specific programming for offenders. She said that it would be her choice to fund programs that prevent all types of abuse.

Senator Hancock said that offenders with mental health and substance abuse issues may be out of the realm of expertise for the Department of Corrections (DCR). Some of the offenders in prison do not belong in prison.

Co-chairperson Fraise said it will be important to address the issues that start early in a child's life. Issues like drugs, abuse, and broken homes set children up for poor choices later in life. Sentencing changes may be necessary in the future.

### III. DCR and Durrant Group, Inc.

**DCR.** Mr. John Baldwin, Director, DCR, said that ICIW staff really cares about the offenders at ICIW, not just from a security standpoint but also from a treatment point of view. He said that the staff's response to questions about how to improve ICIW and to help the offenders has been tremendous. He thanked the staff for their support. Mr. Baldwin told the Committee that there are 645 female offenders currently at ICIW, which has a capacity of 422 offenders. There are 95 female offenders at the Mount Pleasant facility and 45 female offenders at Oakdale. Mr. Baldwin stressed to the Committee that treatment programs are crucial for female offenders and that there are many treatment needs for female offenders.

Mr. Baldwin also clarified comments he made during the first Committee meeting. He said that the Board of Corrections approved Option #1 of the Durrant Group's recommendations at the Iowa State Penitentiary (ISP), which does not affect the Critical Care Unit, the John Bennett Unit, or the farm #1 facility. The plan would close the inside-the-wall facilities currently used at ISP.

Mr. Baldwin also stated that the current plan to expand the community-based corrections (CBC) program in the Fifth Judicial District is unrelated to the Blank Park Zoo's plans to expand. He noted there are currently 427 people in the prison system waiting for work-release beds.

Mr. Baldwin reminded the Committee that the Durrant Group's study, relating to the classification of offenders, began October 9, 2007. Mr. Baldwin also stated that he is pleased to see that the emphasis on the issue of high numbers of African-Americans in the prisons is on the correct part — the preprison part. Mr. Baldwin said that DCR has good information about who is entering prison, but it is the behavior before they get involved in the criminal justice system that needs to be addressed to lower the number of African-Americans. The effort to reduce the number of African-Americans in prison is focusing on behaviors and issues prior to becoming involved in the criminal justice system.

**Discussion.** Co-chairperson Fraise asked Mr. Baldwin about the ownership of the buildings used for the CBC program in the Fifth Judicial District. Mr. Baldwin stated that the Fifth Judicial District owns the buildings, but the building construction and ongoing maintenance needs are paid for by the state.

Representative Tjepkes asked Mr. Baldwin why there are nine correctional institutions. Mr. Baldwin said that there is no particular reason for that number of institutions, but that there used to



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be a goal of 750 offenders per facility in the 1990s for optimal security and safety. He further said, most facilities currently house more than 750 offenders.

Senator McKinley asked Mr. Baldwin what the reading and education levels of the offenders in the prison system are. The DCR provided the Committee with information indicating the average offender at ICIW reads at a tenth grade level. Mr. Baldwin added that, unscientifically, when money was put into educational programs in the prisons, the recidivism rate dropped. He felt that there is a fairly direct correlation.

**Durrant Group, Inc.** Several representatives of the Durrant Group, including Mr. Michael Lewis, Mr. Curtiss Pulitzer, and Ms. Judi Regina-Whiteley, explained the specific issues affecting ICIW to the Committee. The Durrant Group study is examining how to adapt architecture to be gender-specific. The Committee was told that the study is not just about adding beds, it is to determine whether it would be advantageous to move the Oakdale beds to ICIW and to have all the staff at ICIW to provide a continuity of care for female offenders. The Committee was told prison growth rates for female offenders are higher than for male offenders in Iowa and nationwide.

The Committee was told that gender does make a difference in prison facilities and treatment. Female offenders need staff trained in abuse treatment, female offenders make connections among themselves and develop friendships and support systems, and female offenders need mental and medical treatment that is complicated and diverse. A single location that can effectively and efficiently provide this unique environment with dedicated staff is vital. Currently ICIW has no acute mental health treatment beds and no infirmary. Most of the female offenders in ICIW will rejoin society and need training to care for their families, especially children; training to be able to get jobs; and training to become responsible citizens.

The Committee was told treatment and management of female offenders is most successful when it recognizes and accounts for the differences that gender makes. Women are more relationship-oriented, need to be treated with respect and dignity, and need to feel safe. The Committee was told most of the female offenders have backgrounds that involve some type of abuse. Most of the female offenders have been deprived of socio-economic opportunities and education. More than 60 percent of the women have a diagnosed mental illness, and more than 50 percent of the women have substance abuse issues. The Committee was told a large percentage of the women are both mentally ill and addicted to drugs or alcohol. In order to reduce recidivism, these women need opportunities to improve their socio-economic status; the reentry process into society is vital to their success. The Committee was told some of the key factors for helping women include:

- Changing classifications of women in prison.
- Increasing staffing ratios so that safety and treatment are effective.
- Altering disciplinary policies and responses to fit the gender.
- Adapting policies and facilities to accommodate women's differences.
- Allowing women to take pride in personal care and grooming.
- Teaching women how to apply for jobs and teaching computer skills.

The Committee was told the transition from jail to prison and from prison to prison is very difficult, especially for women who have mental illness. The female offenders deteriorate very quickly when



the environment is changed. The Committee was told one facility for all treatment would be better for this type of offender.

**Discussion.** Senator Angelo asked if mental illness among the offenders is more biological or situational. Ms. Regina-Whiteley stated that the majority of mental illnesses are schizophrenia, bipolar disorder, clinical depression, and borderline personality disorder. She further stated that the first three are biologically related, while the last is more related to abusive situations. Senator Angelo asked, hypothetically, if it is possible that if the offenders' mental illnesses were addressed prior to their crimes they wouldn't be in ICIW. Ms. Regina-Whiteley said that it is certain that DCR needs to continue to help those who come into the prison system with mental illness, and that certainly early childhood and mental health assistance are important, but that is where funding cuts have been made. She said that as a society we are institutionalizing our persons with mental illness.

Representative Lukan asked whether there is a difference in lengths of time men and women are serving for the same crimes. Mr. Baldwin stated that sentencing rules and guidelines are the same, but that there is statistical information about whether the actual sentences being served are the same or not. Warden Wilder-Tomlinson stated that for most crimes a woman actually spends a shorter amount of time in prison than a man, but women are coming into prison at twice the rate of men.

Representative Lukan asked if women are committing the same numbers of violent crimes as men. Mr. Baldwin stated that women are being incarcerated for less violent crime than the men. Warden Wilder-Tomlinson also reiterated that there is a smaller percentage of women coming into the prison for violent crimes than men.

Representative Tjepkes asked what happens to the female offenders with mental illness at ICIW. Mr. Baldwin stated that for persons with serious mental illness the goal is to treat and stabilize. The offender is held at a specific locale until that goal is achieved, then the offender is returned to the appropriate institution.

Co-chairperson Fraise asked if the women at ICIW congregated by race. Warden Wilder-Tomlinson stated that there are no real racial groupings at ICIW. She stated that the female offenders are very relationship-oriented and they make friends across racial lines. She noted that 22 percent of the female offenders at ICIW are African-American.

Representative Wessel-Kroeschell asked if any organization is reviewing data to determine if there is a correlation between funding social programs and a drop in the recidivism rate. Mr. Baldwin stated that he does not know of any study that is examining a link between the two.

Co-chairperson Fraise commented that he remembered caps on the numbers of inmates allowed into the prison system during the 1980s. Mr. Baldwin replied that those caps were continually raised to accommodate more people. He further replied that some offenders would enter prison over the weekend to be processed on Monday but would be released because the cap would be reached during the weekend and the prisons could not take them.



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Senator Hancock asked what procedure ICIW followed if there is a medical emergency. Ms. Regina-Whiteley explained that ICIW emergency staff would respond first, followed by the volunteer EMTs from the city of Mitchellville if the emergency was beyond the expertise of the staff.

Senator Hancock asked whether the offenders in prison waiting for work-release beds affect recidivism rates. Mr. Baldwin said that the state has the best community-based corrections (CBC) program in the country. He said that the earlier offenders are placed into the CBC program the less time they spend in prison and the less likely they will reoffend.

Senator Hancock asked if it was likely that once offenders with mental illness are released from prison that they will end up back in state care. Mr. Baldwin said that DCR is studying the issue and attempting to obtain funding for a study that would evaluate the cost-effectiveness of offering full assistance to offenders with mental illness after their release from prison. The alternative is to abandon them with \$100, a 30-day supply of their medication, and a prescription for one more month's supply and having them reoffend.

Senator Black commented that he is impressed by the questions from the Committee and the time and commitment by everyone involved. He stated that there was a period of time when the General Assembly was so tough on crime that it built prisons and caps went out the windows. He commented the Committee should review laws that send some people to prison who could do better elsewhere.

**Afternoon Discussion.** The Committee reconvened for discussion following the facility tour (summarized in section V of these minutes). Representative Wessel-Kroeschell asked when the Durrant Group's new classification study will be finished and how it would impact the General Assembly's plans in the upcoming session. Mr. Lewis said that the new tools for classification should be finished by March, if not sooner. However, a 5 percent correction has been built into the estimates so that any adjustments that have to be made will be slight. Mr. Pulitzer added that the number of beds needed will not change, only the mix of beds will change.

Representative Wessel-Kroeschell asked whether the overcrowding in the prisons would be alleviated if the CBC waiting list of 427 offenders is eliminated. Mr. Baldwin stated that he will check on that information. Co-chairperson Fraise reminded the Committee that there are offenders waiting in country jails to get into prison, so the overcrowding is backing up into the county jails as well.

Representative Ford commented that the high number of African-Americans in the Iowa prison system is not a Democrat or Republican issue; it is an issue everyone needs to be aware of on this Committee.

Senator McKinley congratulated the staff on an excellent tour. He stated that the two purposes of DCR should be to protect the public and to transition offenders back into society. He asked how success is defined in that transition. He further asked if a 50 percent recidivism rate is success. Mr. Daniel Craig of ICIW stated that the dollars that are put into treatment are based on a better transition and impact recidivism. Mr. Craig said that the current 34 percent recidivism rate is fairly good, but that they want to improve the recidivism rate. Senator McKinley asked if the General Assembly puts \$200 million into DCR, could the General Assembly expect a 17 percent recidivism rate improvement. Mr. Craig stated that no one could guarantee that, but by investing in programs



that are known to work the recidivism rate will improve. Mr. Lewis added that the money can make the system more efficient and create a better infrastructure. Warden Wilder-Tomlinson stated that more space for substance abuse treatment will improve treatment which will positively affect the recidivism rate.

Senator Courtney commented there are women here that are perfectly fine because they have no access to drugs, but they need treatment so that when they get out they do not become a problem.

Co-chairperson Fraise suggested that perhaps a mentoring program would assist some or many offenders. He said that many offenders are embarrassed by their situation when they get out and that perhaps it would help to have someone to talk to when they leave prison. He said that a mentor may be able to help prevent someone from relapsing.

**Concerned Citizen Comments.** The Committee heard from citizens in the audience. A citizen stated that the Committee needs to look at schools because Iowa needs better and more proficient students. He further stated improved schools would prevent people from becoming part of the criminal justice system.

Another citizen said that prison overcrowding is not a problem that the General Assembly can solve with new construction or programs. He urged the Committee to turn to privatization, to ask corporations what they are willing to commit to keep the communities safe. He also urged the Committee to ask the local governments, such as the city councils and boards of supervisors, to come together with communities to prevent people from offending. He said this is a statewide problem. He also urged the Committee not to worry about stepping on political toes and just get things done.

#### **IV. American Federation of State and County Municipal Employees**

**AFSCME Local #451.** Mr. Jerry Jones, President of AFSCME Local #451, which includes the Newton and Creston facilities as well as ICIW, welcomed the Committee. He stated that the union members embrace change and the future challenges at ICIW.

**AFSCME Iowa Council 61.** Mr. Dan Homan, President of AFSCME Iowa Council 61, said that the council is still reviewing the Durrant Group's suggestions for ICIW. He also stated that he wanted to clarify his comments about Option #1 for ISP. AFSCME does not support closing the cell houses inside the walls of ISP. AFSCME feels that they could be used to house a lower-security inmate or even for storage, but the overcrowding is too severe to just close them completely.

Mr. Homan stated that the overcrowding at ICIW is also severe, but suggested that the staffing remains at the levels for the regular capacity. He stated that the prison system cannot continue to run over capacity. He further stated the overcrowding is unsafe for the inmates and the staff. He warned that the proposed new ISP is not going to be large enough to accommodate projected future growth.



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### V. Tour of Facilities

**Iowa Correctional Institution for Women.** The persons attending the meeting were split into several tour groups. The tour included:

- The Administration Building, which houses the gym and recreation area, classrooms, and computer room.
- Units 1 and 2, built in 1960; dorm-style.
- Units 3 and 4, which include a hospice room and library; dorm-style.
- Unit 5, built in 1933 and would be demolished under the Durrant plan; dorm-style.
- Unit 6A and B, special needs unit and segregated unit; pod-style.
- Units 7 and 8, duplex building; includes live-out offenders.
- Unit 9, substance abuse treatment unit; pod-style.
- Medical building.
- Laundry.
- Dining hall.
- Visiting hall.
- Sacred place/chapel.

### VI. Materials Filed With the Legislative Services Agency

The following materials listed were distributed at or in connection with the meeting and are filed with the Legislative Services Agency. The materials may be accessed from the <Additional Information> link on the Committee's internet page:

<http://www.legis.state.ia.us/aspx/Committees/Committee.aspx?id=214>

1. ICIW building list.
2. ICIW aerial map.
3. ICIW map layout.
4. ICIW offender informational sheet.
5. Mount Pleasant Unit Education Level sheet.
6. ICIW Demographics sheet.
7. ICIW Education Level sheet.
8. Mount Pleasant Unit Demographics sheet.
9. ICIW Reading Level sheet.
10. Mount Pleasant Unit Reading Level sheet.
11. Women v. Men serving time e-mail.