

CORRECTIONS DEPARTMENT[201]

Regulatory Analysis

Notice of Intended Action to be published: 201—Chapter 20
“Institutions Administration”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 904.103, 904.108, 904.310A, 904.320, 904.506, and 904.910

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 904, 910, and 915 and sections 2C.14 and 80A.2

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 8, 2026
10:30 to 11:30 a.m.

Via Google Meet:
meet.google.com/ikd-tecb-vuh
Or dial: 1.317.469.9645
PIN: 984 771 251#

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Corrections no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Des Moines, Iowa 50319
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Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 20 and adopt a new chapter with revisions. This new chapter consolidates public engagement frameworks while providing necessary public transparency regarding public-facing systems such as facility visitation, correspondence, publications, fiduciary transactions, and victim notification. This proposed rulemaking eliminates language that is overly restrictive or duplicative of State statutes, removes historical placeholders, and removes an obsolete rule regarding outdated federal parameters.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- **Classes of persons that will bear the costs of the proposed rulemaking:**

No classes of persons will bear any additional costs from this proposed rulemaking.

- **Classes of persons that will benefit from the proposed rulemaking:**

The general public, Department stakeholders, crime victims, and individuals interacting with incarcerated individuals will benefit from the clarity provided by this proposed rulemaking.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- **Quantitative description of impact:**

There is no known quantitative or financial impact.

- **Qualitative description of impact:**

There is no known qualitative impact.

3. Costs to the State:

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no additional implementation or enforcement costs borne by the Department or any other agency because these updates align administrative rules with current agency practices.

- **Anticipated effect on State revenues:**

There is no effect on State revenues.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Given the directive under Executive Order 10, inaction is not permissible. The benefit of the proposed rulemaking is a legally compliant chapter that removes obsolete or redundant text at no additional cost.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

No less costly or less intrusive methods exist. Rulemaking is the legally required method to maintain an administrative framework that complies with the Iowa Code and the mandates of Executive Order 10.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Alternative methods were not considered because formal rulemaking is required to bring the chapter into compliance with Executive Order 10 directives.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 201—Chapter 20 and adopt the following **new** chapter in lieu thereof:

TITLE II
INSTITUTIONS
CHAPTER 20
INSTITUTIONS ADMINISTRATION

201—20.1(904) Application of rules. The rules in this chapter apply to all adult correctional institutions outlined in Iowa Code section 904.102 unless otherwise stated.

This rule is intended to implement Iowa Code section 904.102.

201—20.2(904) Title II definitions.

“Commercially published information or material” means any book, booklet, pamphlet, magazine, periodical, newsletter, photograph or other pictorial depiction, or similar document, including stationery and greeting cards, published by any individual, organization, company, or corporation, that is distributed or made available through any means or media for commercial purposes. This definition includes any portion extracted, photocopied, or clipped from such items.

“Contraband” means weapons; alcohol; drugs; money; obscene materials; or materials advocating disruption of or injury to incarcerated individuals, employees, programs, or physical facilities. Contraband shall also include anything that is illegal to possess under federal or state law; anything that is against institutional regulations; drugs or alcohol or materials that are used in the production or use of drugs or alcohol or weapons, explosives, or potential weapons and explosives; and altered authorized property. *“Contraband”* also includes possession or use of any prohibited communication device.

“Department” means the Iowa department of corrections.

“Features” means that the publication contains depictions of nudity or sexually explicit conduct on a routine or regular basis or promotes itself based upon such depictions in the case of individual one-time issues. Publications containing nudity illustrative of medical, educational, or anthropological content may be excluded from this definition.

“Furlough” means any temporary release from custody as granted in accordance with Iowa Code section 904.108(2).

“Furlough residence” means any private dwelling, apartment, house, mobile home park, hotel, motel or community dwelling place.

“Immediate family” means an incarcerated individual’s spouse, mother, father, sister, brother, child, grandparent, established legal guardian or other who acted in place of parents, and step- or half-relation if the step- or half-relation and the incarcerated individual were raised as cohabiting siblings.

For the purpose of visitation, all of the above will be included as immediate family provided a positive relationship exists. Immediate family members may be subject to criminal background investigation.

“Medical practitioner” means medical doctor, osteopathic physician or physician associate employed by the department.

“Nudity” means a pictorial depiction where genitalia or female breasts are exposed. When the pictorial depiction of the female breast displays the areola or nipple, this material will be rejected.

“Obscene material” means the same as that described in subrule 20.6(5).

“Plan of payment” means the method by which the incarcerated individual is to make restitution. The plan may include legal financial obligations. The plan is to reflect the incarcerated individual’s present circumstances, such as income, physical and mental health, education, employment and family circumstances.

“Plan of restitution” means a plan stating the amount of restitution as set by the court.

“Publication” means a book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus such other materials addressed to a specific incarcerated individual, such as catalogs.

“*Sexually explicit*” means a pictorial depiction of actual or simulated sexual acts including sexual intercourse, oral sex, or masturbation. Sexually explicit material does not include material of a news or information type. Publications concerning research or opinions on sexual, health, or reproductive issues should be admitted unless the publications are otherwise a threat to legitimate institutional interests.

This rule is intended to implement Iowa Code section 904.108(1) “k.”

201—20.3(904) Visits to incarcerated individuals. Visiting is a privilege that allows incarcerated individuals to maintain and strengthen relationships with family members and friends. Though visits are encouraged, institutions’ space, schedules, personnel constraints, treatment considerations, or other safety and security issues of the institutions and their operations may result in limiting the number and length of visits. Visitation is additionally governed by the provisions of department policy OP-MTV-04.

20.3(1) Incarcerated individuals will be provided information on the structured visiting process during orientation to the institution and are responsible to communicate visiting procedures to potential visitors.

20.3(2) The visiting application and information pertaining to the visitation of incarcerated individuals are available on the department’s website at doc.iowa.gov. Visitor applications may also be provided to the incarcerated individual at each institution to be mailed by the incarcerated individual to potential visitors.

This rule is intended to implement Iowa Code section 904.512.

201—20.4(2C,904) Mail. Constructive, unlimited correspondence with family, friends, and community sources will be encouraged and facilitated. Incarcerated individuals have the responsibility in the use of correspondence to be truthful and honest. Institutions have the responsibility to maintain a safe, secure, and orderly procedure for use of the mail by an incarcerated individual.

20.4(1) Nonconfidential.

a. In an effort to maintain proper security measures, mail may be monitored and read on a random basis.

b. All nonconfidential mail will be inspected for contraband and processed through a central processing facility.

20.4(2) Confidential.

a. Confidential mail will not be read or censored.

b. Confidential mail will be delivered unopened and then, in the presence of the incarcerated individual, will be opened and inspected for contraband and to ensure that the contents are from the return addressee.

c. Confidential mail may be read only after a finding of probable cause by a court of competent jurisdiction that a threat to the order and security of the institution or abuse of correspondence exists.

d. The incarcerated individual receiving confidential mail will be directed to photocopy each page using the designated copier under direct supervision of a staff person. Upon completion of copying each page, the incarcerated individual will check to verify that all original documents have been copied appropriately.

e. The incarcerated individual will choose to have the original documents either sent out at the incarcerated individual’s expense or destroyed by shredding in the presence of the incarcerated individual.

f. Pursuant to Iowa Code chapter 2C, mail addressed to and received from the ombudsman office will be delivered unopened.

20.4(3) General.

a. Mail is additionally governed by the provisions of department policy OP-MTV-01.

b. Information on how to correspond with an incarcerated individual is available on the department’s website at doc.iowa.gov.

c. Misuse of mails will result in institution discipline and be reported to the United States Postal Inspector or other state or federal agencies for action.

This rule is intended to implement Iowa Code sections 2C.14 and 904.108(1)“k.”

201—20.5(904) Money orders, cashier’s checks, and electronic funds transfers for incarcerated individuals. A person may deposit funds in an incarcerated individual’s account by money order, cashier’s check, or electronic funds transfer unless the person is the protected party of an active no contact order. Personal checks and cash will not be accepted. Only money orders and cashier’s checks will be accepted for deposit into an incarcerated individual’s account by mail. Money orders and cashier’s checks must be made payable to the Iowa Department of Corrections Offender Fiduciary Account (IDOC OFA); must be sent to Fort Dodge Correctional Facility, 1550 L Street, Suite B, Fort Dodge, Iowa 50501; and must include the incarcerated individual’s name and ID number and the sender’s name and complete address. Funds will also be accepted via electronic funds transfers from authorized vendors. An incarcerated individual’s suspected abuse of requests for money from the public may be cause for limits or restrictions on the amounts of money that can be received and from whom money can be received.

This rule is intended to implement Iowa Code section 904.506.

201—20.6(904) Publications.

20.6(1) The institution will allow incarcerated individuals access to publications when doing so is consistent with institutional goals of maintaining internal order, safety, security, and rehabilitation. Publications are additionally governed by the provisions of department policy OP-MTV-02.

20.6(2) Publications include any periodical, newspaper, book, pamphlet, magazine, newsletter, or similar material published by any individual, organization, company, or corporation and made available for a commercial purpose. Publications may be purchased by a third party or an incarcerated individual and shall be unused and sent directly from an approved publisher or bookstore that does mail order business. Any exceptions must be authorized by the warden. No publication will be denied solely on the basis of its appeal to a particular ethnic, racial, religious, or political group. The quantity of printed materials, as with other personal property, shall be controlled for safety and security reasons.

20.6(3) All publications not on the approved list will be reviewed by a publication review committee for approval or denial.

a. The committee will be appointed by the director of the department or the director’s designee and include:

- (1) A person with broad exposure to various publications.
- (2) Two representatives of correctional operations.

b. The committee will fairly review all types of publications to be received by incarcerated individuals in accordance with these rules.

20.6(4) The following procedures will be used when a publication not on the approved list is reviewed:

a. The committee will approve or deny publications within 30 working days of receipt of the publication.

b. When a publication is denied, the committee will send the incarcerated individual a written notice stating the publication involved, the reason for denial, and the incarcerated individual’s available appeal process.

c. The incarcerated individual will have ten days from receipt of the notice of denial to notify the designated institution staff to destroy the publication, to specify where to send the publication at the incarcerated individual’s expense, or to notify the institution that the decision is being appealed.

d. A list of approved publications will be maintained.

20.6(5) A publication may be denied when the publication presents a danger to the security or order of an institution or is inconsistent with rehabilitation goals. Authorized reasons for denying a publication are that the publication:

- a. Is likely to be disruptive or produce violence.
- b. Contains material that portrays or simulates a minor (any person 17 years of age or younger) engaged in or simulating any act that is sexual in nature.
- c. Contains lewd exhibition of the genitals or material that is sexually explicit or features nudity.
- d. Contains information relating to escapes or formulating escape plans.
- e. Contains information relating to provoking a riot or disturbance.
- f. Contains information relating to obtaining an emotional or behavioral state comparable to those produced by a controlled substance, by using aerosols, glue, or other chemical materials.
- g. Contains materials that illustrate, explain, describe, or teach martial arts, or other manufacture of weapons or explosives, or advocate behavior contrary to duly established institution rules or Iowa statutes. Contains materials that illustrate, explain, describe, or teach ability to frustrate crowd or riot control methods. Contains materials that illustrate, explain, describe, or teach ability to sabotage or disrupt communications networks, including a prison's internal and external communications and automated information systems.
- h. Contains information concerning criminal activities.
- i. Contains encoded material. This will not automatically include foreign language publications not otherwise prohibited in these rules.
- j. May violate postal regulations, such as threats, blackmail, contraband, or similar violations.
- k. Is a catalog or other publication whose purpose is primarily or significantly to sell items or materials that are expressly prohibited inside any of the department institutions. The warden can make exceptions for materials that serve reentry efforts.

This rule is intended to implement Iowa Code sections 904.108(1) "k" and 904.310A.

201—20.7(904) Interviews and statements.

20.7(1) When incarcerated individuals are selected to be interviewed and photographed within the institution, either individually or as part of a group, identifiable interviews or pictures will have the written consent of the incarcerated individual involved as well as prior consent of the warden or designee, and the department chief of staff.

20.7(2) The warden is responsible for all communications with mass media after consultation and approval by the department chief of staff.

This rule is intended to implement Iowa Code section 904.108(1) "k."

201—20.8(904) Guests of institution. Persons wishing to visit the institution are to give prior notice of their intended visit and receive approval for the visit. The prior notice and approval may be waived by the warden or designee for emergencies.

20.8(1) Any guest must agree to comply with the policy and procedures of the institution when signing in at the control center.

20.8(2) Persons under 18 years of age may only visit with prior approval of the warden or designee and shall be accompanied by a responsible adult. An adult shall be in charge of no more than four children. Persons under 18 years of age shall not be allowed to make institutional tours of maximum security prisons.

20.8(3) Guests will be escorted by a staff member. Any exception will have prior approval of the warden or designee.

20.8(4) Guests will be allowed personal contact with an incarcerated individual only when it serves the best interests of the incarcerated individual as determined by the warden or designee.

20.8(5) All contacts with incarcerated individuals will be absent of any encouragement, support, or suggestion of activity that would bring disorder to the institution.

This rule is intended to implement Iowa Code sections 904.108(1) "k" and 904.512.

201—20.9(904) Donations. Donations of money, books, games, recreation equipment or other such gifts will be made directly to the warden or the warden's designee. The warden or the warden's designee will evaluate the donation in terms of the nature of the contribution to the institution

program. The warden or the warden's designee is responsible for accepting the donation and reporting the gift to the deputy director of institutional operations on a monthly basis.

This rule is intended to implement Iowa Code section 904.113.

201—20.10(904) Incarceration fees. The director may charge incarcerated individuals an incarceration fee pursuant to Iowa Code section 904.108.

This rule is intended to implement Iowa Code section 904.108(6).

201—20.11(904,910) Restitution.

20.11(1) Every incarcerated individual required by a court order to pay restitution will have a restitution plan and a restitution plan of payment developed, unless a court-ordered restitution plan has been completed.

20.11(2) The restitution plan of payment will consider the present circumstances of an incarcerated individual's physical/mental health and other legal financial obligations.

20.11(3) The deputy director of institutions will ensure that there are written procedures governing the development and modification of each restitution plan and plan of payment.

20.11(4) Each incarcerated individual will be given a Predeprivation Notice: Notice of Intent to Deduct Restitution From All Account Credits and Notice of Opportunity to Respond during initial reception following admission to the Iowa medical and classification center (IMCC) or the Iowa correctional institution for women (ICIW).

20.11(5) Initial complaints by incarcerated individuals regarding restitution plans of payment or modifications may be addressed via the grievance procedure for incarcerated individuals.

20.11(6) Each incarcerated individual will receive a copy of the restitution plan of payment.

20.11(7) Restitution payments will be deducted from all credits to an incarcerated individual's account. Up to 50 percent may be deducted. The following are exempt for deductions from credits to an incarcerated individual's account from an outside source:

a. An amount, assessed by the warden or designee, specifically for medical costs. The same percent as established in the restitution plan will be deducted from any amount over the total amount assessed. If the medical procedures are not performed or carried out, the money will be returned to the sender at the incarcerated individual's expense.

b. An amount, assessed by the warden or designee, specifically for the cost of a funeral trip. The same percent as established in the restitution plan will be deducted from any amount over the total amount assessed.

c. An amount as assessed by the appropriate authority specifically for transportation fees as a result of work release/OWI violations or compact transfers. The same percent as established in the restitution plan will be deducted from any amount over the total amount assessed.

d. Refunds from outside vendors or institution commissaries.

e. Property tort claims.

f. Any other exception approved by the warden or designee.

20.11(8) Restitution deductions will be forwarded to the clerk of court in the county of commitment on a quarterly basis.

20.11(9) When the department has knowledge of other income or assets, the district court clerk of the sentencing county will be notified.

20.11(10) A percent greater than that established in the restitution plan of payment may be deducted from a credit to an incarcerated individual's account by authorization of either the incarcerated individual or the warden or designee or by court order.

20.11(11) The restitution plan of payment may be modified through each level of commitment. (This includes preinstitutional services and postinstitutional services.)

This rule is intended to implement Iowa Code chapter 904 and sections 910.2, 910.3 and 910.5.

201—20.12(904) Furloughs.

20.12(1) Furloughs are a privilege, not a right, and may be denied or canceled at any time for reasons deemed sufficient by the warden. Reasons for denial or cancellation will be given to the incarcerated individual.

20.12(2) Emergency family furlough will be considered in the event of a death or imminent death in the immediate family.

20.12(3) Emergency medical furlough is for those incarcerated individuals whose medical condition has deteriorated to the point of incapacitation or to a comatose state.

20.12(4) Both emergency family furloughs and emergency medical furloughs will have approval of the warden and the deputy director of institutional operations.

20.12(5) Furloughs are additionally governed by the provisions of the department's furlough policy IS-RL-04.

This rule is intended to implement Iowa Code section 904.108(2).

201—20.13(904) Board of parole interviews. Each institution provides space for the conduct of interviews between the Iowa board of parole and institutional incarcerated individuals.

20.13(1) All board of parole interviews and case reviews are conducted virtually and closed to in-person attendance.

a. Members of the public may listen to hearings online; instructions for access are on the board of parole website at bop.iowa.gov.

b. Registered victims may participate in a hearing online and should coordinate with the board of parole victim liaison prior to the proceeding.

20.13(2) Interviews may be temporarily modified or suspended in the following circumstances: riot, disturbance, fire, labor dispute, space restriction, natural disaster, or other extreme emergency.

20.13(3) Rules governing conduct at the hearings as required by the board of parole are contained in the board's administrative rules under agency number [205].

20.13(4) Provisions that apply to registered victims are found in subrule 20.15(7).

This rule is intended to implement Iowa Code sections 904.102 and 904.103.

201—20.14(80A) Transportation for incarcerated individuals.

20.14(1) Companies under contract to county or state agencies to transport Iowa incarcerated individuals must meet the requirements of this rule to qualify for exemption under Iowa Code section 80A.2.

20.14(2) To comply with the exemption in Iowa Code section 80A.2, the following requirements shall apply:

a. Companies contracting with any jurisdiction/agency within the state of Iowa will provide, upon request, training and compliance with policy standards governing weapons, security, transportation, and management procedures for incarcerated individuals essential to accomplishing safe and secure movement of incarcerated individuals.

b. Companies contracting to provide transportation for incarcerated individuals with a jurisdiction/agency within the state of Iowa will provide proof of insurance coverage including but not limited to comprehensive general liability, automobile liability, workers' compensation insurance, all inclusive policies, general liability, and errors or omissions.

c. Companies contracting with any jurisdiction/agency within the state of Iowa will provide the names, dates of birth, and social security numbers of all transportation personnel for criminal history checks.

d. All transporting personnel will possess appropriate and valid driver's licenses as required by the regulatory agencies.

e. All transporting vehicles will be licensed under the appropriate Interstate Commerce Commission (ICC) regulations and the state where the vehicle is registered.

f. All transmitting/receiving radios and communication equipment will comply with Federal Communications Commission (FCC) regulations.

g. This exemption applies only to transportation companies for incarcerated individuals. This exemption does not provide exemption for any other part of this statute.

This rule is intended to implement Iowa Code sections 80A.2 and 904.320.

201—20.15(915) Victim notification.

20.15(1) Definitions.

“*Notification*” means the same as defined in Iowa Code section 915.10(1).

“*Registered*” means having provided the appropriate office, agency, or department with the victim’s written request for notification and current mailing address and telephone number.

“*Victim*” means a person who has suffered physical, emotional, or financial harm as the result of a public offense, other than a simple misdemeanor, committed in this state. The term also includes the immediate family members of a victim who died or was rendered incompetent as a result of the offense or who was under 18 years of age at the time of the offense.

“*Violent crime*” means the same as defined in Iowa Code section 915.10(5).

20.15(2) Victims may become registered with the department, which entitles the victim to be notified of changes in an incarcerated individual’s status as outlined in Iowa Code sections 915.17 and 915.17A.

20.15(3) A victim will become registered upon official request by the county attorney to the director of the department or the director’s designee.

20.15(4) Assistance for registering may be obtained through the county attorney or by contacting the department’s office of victim programs at 800.778.1182.

20.15(5) All information with regard to a registered victim will be kept confidential.

20.15(6) A registered victim is responsible for notifying the department of address or telephone changes.

20.15(7) Registered victims of the board of parole may attend hearings in accordance with procedures established by the board of parole pursuant to Iowa Code section 915.18. Information on this process may be accessed on the board of parole website at bop.iowa.gov.

This rule is intended to implement Iowa Code chapter 915.

201—20.16(904) Institutional community placement.

20.16(1) *Home care program.* This program allows for selected incarcerated individuals to be released from institutional confinement for a set period of time for the purpose of caring for the incarcerated individual’s immediate family. Release may be to a community correction residential facility/halfway house or to the incarcerated individual’s home, the home of an immediate family member, or other approved arrangements, provided the living environment is suitable to institutional requirements. Release may be for a set number of hours or days as appropriate.

a. Eligibility criteria.

(1) The incarcerated individual must be the natural parent or legal guardian of the child(ren).

(2) The incarcerated individual must show cause that this program can provide more suitable care than the present living situation of the child(ren).

(3) The child(ren) must be minor(s).

(4) The incarcerated individual must have been the primary caretaker of the child(ren) prior to incarceration.

(5) Investigating staff must be able to confirm that the incarcerated individual had satisfactorily served this care prior to incarceration.

(6) The proposed living arrangements shall provide a suitable environment for the incarcerated individual and dependents.

(7) The physical structure of the residence shall provide for adequate space; meet sanitary, health and safety requirements; and be in good repair. A functional telephone must be maintained in the residence at all times.

(8) It will be verified that the incarcerated individual, including a spouse or immediate family member living at the same residence, can and will provide adequate support toward the child,

children, or other dependent. Eligibility requirements for assistance through the department of health and human services programs (FIP, food stamps, etc.) will be verified prior to final approval.

(9) It will be verified that the incarcerated individual or immediate family living at the residence can provide adequate transportation or that public transportation is available.

(10) Adequate support services (medical, psychological, educational, as well as other treatment programs) must be arranged and available to both the incarcerated individual and dependents.

(11) Dependent care for an adult member of the incarcerated individual's immediate family must include a medically documented need with periodic supervision or other approved arrangements by a health-trained professional.

b. Requirements.

(1) Education/employment/child care/adult dependent care. Where all dependents are involved in full-time school, participation in an educational or employment program may be required of the incarcerated individual. Where such dependents are not yet in school, child care may be considered as full-time employment.

(2) Child care/adult dependent care. Child care shall be provided in the home. Therefore, the residence will be considered as the designated place of assignment. Deviations from the same shall be reported to staff in advance.

20.16(2) *Work program—eligibility criteria.* This program allows for selected incarcerated individuals to be released from institutional confinement for a period of time for gainful employment in the community. The program may also include placement in a community corrections residential facility/halfway house or to the incarcerated individual's home, the home of an immediate family member, or other approved arrangements, provided the living environment is suitable to institutional requirements. Release may be for a set number of hours or days as appropriate.

a. The incarcerated individual must show a substantial need and interest for participation in the program.

b. The incarcerated individual must seek and apply for employment through established procedures of the furlough program or through institutional correspondence, telephone, or visiting procedures.

c. Suitable employment and verification must be obtained by staff prior to consideration.

20.16(3) *Educational program—eligibility criteria.* This program allows for selected incarcerated individuals to be released from institutional confinement for a period of time for educational opportunities in the community. This program may also include placement in a community corrections residential facility/halfway house or to the incarcerated individual's home, the home of an immediate family member, or other approved arrangements, provided the environment is suitable to institutional requirements. Release may be for a set number of hours or days as appropriate.

a. The incarcerated individual must show a substantial need and interest for participation in the program.

b. The incarcerated individual must seek educational opportunities and financial support through established procedures of the furlough program or through institutional correspondence, telephone, or visiting procedures (financial arrangements can only include family support or grants). Educational loans or loans of any type will not be allowed while on institutional count. Additional community corrections restriction may apply while under community supervision.

20.16(4) *General requirements for all three programs.*

a. Participation in any of these programs at any level is a privilege, not a right, of which participating incarcerated individuals are subject to and held accountable for all provisions of this policy as well as the specific program plan.

b. Institutional progress and recommended program participation must reflect an average or above rating.

c. Incarcerated individuals must be furlough-eligible in accordance with furlough eligibility standards in department policy IS-RL-04 and rule 201—20.12(904).

d. If applicable, community corrections residential/halfway house rules and regulations will apply, as well as institutional rules including all program plan rules.

e. Local authorities will be contacted to determine possible concerns (correctional services, county attorney, law enforcement).

f. The incarcerated individual may be required to submit to periodic or regular urinalysis testing (this procedure may be completed at any correctional institution, community corrections facility/office, or at the residence).

g. All activity will be monitored by community corrections staff and institutional staff as agreed.

h. All employment and educational earnings, less payroll deductions including education grants and expenses, will be surrendered to the residential facility/halfway house staff according to established procedures or to the institution business manager, whichever applies, according to the program plan. Employment earning deductions will be prioritized in accordance with Iowa Code section 904.905 for all levels of placement.

i. Contact frequency. A minimum of one home visit and one other face-to-face contact per month is required of staff. Furthermore, a sufficient number of collateral contacts will be made each month to ensure that the incarcerated individual is meeting requirements of the program plan.

j. Special needs. In situations where incarcerated individuals or the family have special needs, a case planning system will be incorporated to address needs, capabilities, and specific goals. Special attention shall be given to past or immediate problems.

k. Travel. Supervisory staff may grant permission for travel within the state. Standard policy will apply to out-of-state travel.

l. Temporary absence. Incarcerated individuals may temporarily leave the residence for necessary purposes such as shopping, religious services, family recreation, medical appointments, and employment as indicated on the plan.

20.16(5) Application procedures.

a. Applications must be made to the present institutional classification committee.

b. The application must contain all pertinent information and resources for the requested program.

c. The classification committee shall review each case considering all standards and criteria.

d. The classification committee's recommendation must be approved by the warden.

e. If approved by the warden, the recommendation and all pertinent information shall be forwarded to the institutional deputy director for final approval.

f. If the recommendation is approved by the institutional deputy director, the incarcerated individual must agree to abide by all rules established in the program plan, including institutional rules and community corrections rules as well as all local, state, and federal laws.

g. Each level of review has the authority to deny the application or to make changes in the program plan, including level of placement (i.e., institutional, residential/halfway house, home) and electronic monitoring devices.

h. Incarcerated individuals placed in any of these programs will not be relieved of paying restitution or any other financial obligation as required by the court or institution.

20.16(6) Violations.

a. Violation of any rule set forth in the program plan, including any additional rules set forth by any authority listed in this policy, may constitute the revocation of participation in either program at any level.

b. Revocation may also occur for improper care of children or dependents, inadequate earnings, failure to maintain employment or unacceptable employment conduct, rule violations, or failure to meet program expectations.

20.16(7) Program activity. This rule does not create any liberty interest in the incarcerated individual's continued participation in any of the programs at any level listed under this rule, and the

department or its designee(s) reserves the right to revoke, suspend, or limit/restrict program activity from the listed programs for any reason, without hearing.

20.16(8) *Waiver of liberty interests.* As a condition for an incarcerated individual to participate in any of the programs at any level listed under this rule, the incarcerated individual must voluntarily waive any and all liberty interests to a hearing should the department exercise its right to revoke, suspend or limit/restrict program activity. This waiver must be signed prior to an incarcerated individual's acceptance into a program. The signed waiver shall remove any and all rights to due process should the department exercise its right to revoke, suspend or limit/restrict program activity.

This rule is intended to implement Iowa Code section 904.910.