

## CHAPTER 904A

### BOARD OF PAROLE

Referred to in [§901.1](#), [901A.2](#)

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#### 904A.1 Board of parole.

The board of parole is created to consist of five members. Each member, except the chairperson and the vice chairperson, shall be compensated on a day-to-day basis. Each member shall serve a term of four years beginning and ending as provided by [section 69.19](#), except for members appointed to fill vacancies who shall serve for the balance of the unexpired term. The terms shall be staggered. The chairperson and vice chairperson of the board shall be full-time, salaried members of the board. A majority of the members of the board constitutes a quorum to transact business.

[86 Acts, ch 1245, §1511](#); [89 Acts, ch 282, §1](#); [90 Acts, ch 1233, §46](#); [2000 Acts, ch 1177, §1, 5](#)  
 Referred to in [§904A.2A](#)

#### 904A.2 Composition of board.

The membership of the board shall be of good character and judicious background, shall include a member of a minority group, may include a person ordained or designated as a regular leader of a religious community and who is knowledgeable in correctional procedures and issues, and shall meet at least two of the following three requirements:

1. Contain one member who is a disinterested layperson.
2. Contain one member who is an attorney licensed to practice law in this state and who is knowledgeable in correctional procedures and issues.
3. Contain one member who is a person holding at least a master's degree in social work or counseling and guidance and who is knowledgeable in correctional procedures and issues.

[86 Acts, ch 1245, §1512](#)

#### 904A.2A Board of parole — alternate members.

1. The board of parole shall have a pool of three alternate members to substitute for board members who are disqualified or become unavailable for any other reason for hearings. The pool of alternate members shall be deemed a separate appointive board for purposes of complying with the requirements of [sections 69.16](#) and [69.16A](#). Each alternate member shall serve a term of four years beginning and ending as provided by [section 69.19](#), except for alternate members appointed to fill vacancies who shall serve for the balance of the unexpired term.

2. A person who serves as an alternate member may later be appointed to the board and may serve four years, in accordance with [section 904A.1](#). A former board of parole member may serve in the pool of alternate members.

3. When a sufficient number of board of parole members are unavailable to hear a case, the board of parole may request alternate members to serve.

4. Notwithstanding [section 904A.1](#):

a. An alternate member is deemed a member of the board of parole only for the hearing panel for which the alternate member serves.

b. At least one member of a hearing panel containing alternate members shall be a member of the board.

c. A decision of a hearing panel containing alternate members is considered a final decision of the board.

5. An alternate member shall not receive compensation in excess of that authorized by

law for a board of parole member who is not the chairperson or vice chairperson of the board of parole.

[2013 Acts, ch 79, §1](#)

#### **904A.3 Appointment to board of parole.**

The governor shall appoint the chairperson and other members of the board of parole, including alternate members, subject to confirmation by the senate. The chairperson shall serve at the pleasure of the governor. Vacancies shall be filled in the same manner as regular appointments are made.

[86 Acts, ch 1245, §1513](#); [89 Acts, ch 282, §2](#); [2013 Acts, ch 79, §2](#)

Confirmation, see [§2.32](#)

#### **904A.4 Duties of the board of parole.**

1. The board of parole shall interview and consider inmates for parole and work release and a majority vote of the members is required to grant a parole or work release.

2. The board of parole shall interview inmates according to administrative rules adopted by the board.

3. The board of parole shall gather and review information regarding new parole and work release programs being instituted or considered nationwide and determine which programs may be useful for this state. The board shall review the current parole and work release programs and procedures used in this state on an annual basis.

4. The board of parole shall increase utilization of data processing and computerization to assist in the orderly conduct of the parole and work release system.

5. The board of parole shall conduct such studies of the parole and work release system as are requested by the governor and the general assembly.

6. The board of parole shall provide technical assistance and counseling related to the board's purposes to public and private entities.

7. The board of parole shall review and make recommendations to the governor regarding all applications for reprieves, pardons, commutation of sentences, remission of fines or forfeitures, or restoration of citizenship rights as required by [chapter 914](#).

8. *a.* The board of parole shall implement a risk assessment program which shall provide risk assessment analysis for the board.

*b.* The board of parole shall also develop a risk assessment validated for domestic abuse-related offenses in consultation with the department of corrections. The board may adopt rules pursuant to [chapter 17A](#) relating to the use of the domestic abuse risk assessment.

[86 Acts, ch 1245, §1514](#); [88 Acts, ch 1091, §3](#); [89 Acts, ch 282, §3](#); [2017 Acts, ch 83, §8](#)

#### **904A.4A Chairperson of the board of parole — duties.**

The chairperson of the board of parole shall do all of the following:

1. Act as the board's liaison with the governor regarding executive clemency, parole, and work release matters.

2. Direct, supervise, evaluate, and assign the day-to-day administration of the board of parole.

3. Supervise and monitor parole revocations and appeals.

4. Supervise final work release revocation case reviews.

5. Supervise the development of rules, policies, and procedures, subject to the approval of the board, in cooperation with the department of corrections, pertaining to the supervision of executive clemency, parole, and work release.

6. Supervise the development of long-range parole and work release planning.

7. Act as the representative of the board relative to the passage, defeat, approval, or modification of legislation that is being considered by the general assembly.

8. Develop a budget for the board subject to the approval of the board and prepare all reports required by law.

9. Hire and supervise all staff pursuant to the provisions of [chapter 8A, subchapter IV](#).

[89 Acts, ch 282, §4](#); [2012 Acts, ch 1134, §18](#)

**904A.4B Executive director of the board of parole — duties.** Repealed by 2012 Acts, ch 1134, §19.

**904A.4C Vice chairperson of the board of parole.**

The vice chairperson of the board of parole shall be appointed from the membership of the board of parole by the governor. The vice chairperson shall serve at the pleasure of the governor and shall have such responsibilities and duties as are determined by the chairperson. The vice chairperson shall act as the chairperson in the absence or disability of the chairperson or in the event of a vacancy in that office, until such time as a new chairperson is appointed by the governor.

[2000 Acts, ch 1177, §2, 5](#)

**904A.5 Administration of board of parole.**

The chairperson of the board of parole is responsible directly to the governor. The board of parole is attached to the department of corrections for routine administrative and support services only.

[86 Acts, ch 1245, §1515; 89 Acts, ch 282, §6](#)

**904A.6 Salaries and expenses.**

Each member, except the chairperson and the vice chairperson, of the board shall be paid per diem as determined by the general assembly. The chairperson and vice chairperson of the board shall be paid a salary as determined by the general assembly. Each member of the board and all employees are entitled to receive, in addition to their per diem or salary, their necessary maintenance and travel expenses while engaged in official business.

[86 Acts, ch 1245, §1516; 89 Acts, ch 282, §7; 2000 Acts, ch 1177, §3, 5](#)

See also [§7E.6](#)

**904A.7** Repealed by 89 Acts, ch 282, §15.