

201—20.15(910A) Victim notification.**20.15(1) Definitions.**

“*Notification*” means mailing by regular mail or providing for hand delivery of appropriate information or papers. However, this notification procedure does not prohibit an agency from also providing appropriate information to a registered victim by telephone.

“*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 a forcible felony, as defined in Iowa Code section 702.11, and includes any other felony or aggravated misdemeanor which involved the actual or threatened infliction of physical or emotional injury on one or more persons.

20.15(2) A victim of a violent crime may become registered with the department of corrections which entitles the victim to be notified when the incarcerated individual is to be released in any of the following situations:

a. Work release. Approximate date of release and whether the incarcerated individual is expected to return to the community where the victim resides will be provided.

b. Furlough. Date of leave, date of return and whether the incarcerated individual is expected to return to the community where the victim resides will be provided.

c. Escape. Date of escape will be provided.

d. Expiration of sentence. Date of discharge from an institution will be provided.

e. Recommendations for parole. The institution has submitted a recommendation for parole.

f. Parole. Approximate date of release and whether the incarcerated individual is expected to return to the community where the victim resides.

20.15(3) A victim will become registered upon official request by the county attorney to the Director, or designee, Iowa Department of Corrections, 510 East 12th Street, Des Moines, Iowa 50319.

20.15(4) Assistance for registering may be obtained through the county attorney or by contacting the department of corrections, director of victim programs, at (515)725-5701.

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 corrections of address or telephone changes.

20.15(7) Registered victims of the Iowa board of parole may attend hearings in accordance with the following rules:

a. Registered victims by the parole board have the right to appear at the parole/work release hearing of the incarcerated individual(s) either personally or by counsel.

b. The parole board notifies victims of any scheduled parole/work release hearings where the board will interview the incarcerated individual not less than 20 days prior to the hearing.

c. The parole board notification will request any victim(s) planning to attend a hearing to notify the warden of the intention to attend prior to the hearing.

d. A victim may only be denied attendance when, in the opinion of the warden or designee, the victim(s) presents a threat to the security and order of the institution.

e. If a victim is denied attendance at a hearing, the parole board shall be notified immediately.

f. The security director or designee should consider separation of the victim(s) and family/friends in attendance at the same hearing. If there are any signs of conflict between the victim(s) and family/friends of incarcerated individuals, the victim(s) shall be escorted out of the institution to avoid an unsupervised contact situation on institution grounds.

This rule is intended to implement Iowa Code section 910A.9.

[ARC 3929C, IAB 8/1/18, effective 9/5/18; see Delay note at end of chapter]