

February 9, 1967  
Passed on File  
*On Calendar 2-13*  
*Board of Control 2-23*

Senate File 206  
By COMMITTEE ON PUBLIC  
HEALTH AND WELFARE

Passed Senate, Date 2-20-67 Passed House, Date 2-24-67  
Vote: Ayes 45 Nays 10 Vote: Ayes 111 Nays 2  
Approved March 10, 1967

## A BILL FOR

An Act relating to work release for inmates sentenced to an institution under the jurisdiction of the board of control.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. This Act may be referred to as the "Work  
2 Release Law".

1 Sec. 2. The board of control shall establish a work release  
2 program under which inmates sentenced to an institution under  
3 the jurisdiction of the board may be granted the privilege of  
4 leaving actual confinement during necessary and reasonable  
5 hours for the purpose of working at gainful employment in this  
6 state. Under appropriate conditions the program may also in-  
7 clude release for the purpose of seeking employment and atten-  
8 dance at an educational institution. In the case of female  
9 inmates the program may include housekeeping in her domicile.

1 Sec. 3. A committee shall be designated by the board of  
2 control consisting of one (1) representative of the parole  
3 board, one (1) representative of the division of rehabilitation  
4 services, and one (1) representative of the institution in  
5 which the inmate is confined at the time of application.

1 Sec. 4. An inmate eligible to participate in the work  
2 release program may make application to the superintendent or  
3 executive officer of the institution in which confined for  
4 permission to participate in the program. The application  
5 shall include a statement that the inmate agrees to abide by  
6 all terms and conditions of the particular plan adopted for

7 him by the committee if the application is approved, shall state  
8 the name and address of the proposed employer, if any, and  
9 shall contain such other information as the committee may re-  
10 quire. The superintendent or executive officer may, at his  
11 discretion, recommend such application to the committee. The  
12 committee may approve, disapprove, or defer action on the rec-  
13 ommendation. If the recommendation is approved, the committee  
14 shall adopt a work release plan for the applicant which shall  
15 contain such terms and conditions as may be necessary and  
16 proper. The plan shall be signed by the inmate prior to par-  
17 ticipation in the program. Approval may be revoked for any  
18 reason by the committee at any time after being granted.

1 Sec. 5. The board shall designate and adopt facilities in  
2 the institutions and camps under its jurisdiction for the hous-  
3 ing of inmates granted work release privileges. In areas where  
4 facilities are not within reasonable proximity of the place of  
5 employment of an inmate so released, the board may contract  
6 with the proper authorities of political subdivisions of the  
7 state or suitable public or private agencies for the quarter-  
8 ing of the inmate in local confinement facilities. The com-  
9 mittee shall include as a specific term or condition in the  
10 work release plan of any inmate the place where the inmate is  
11 to be confined when not on the work assignment.

1 Sec. 6. Any inmate released from actual confinement under  
2 a work release plan who willfully fails to return to the desig-  
3 nated place of confinement at the time specified in the plan  
4 shall be guilty of a felony and upon conviction be subject to  
5 the penalty provided in section seven hundred forty-five point  
6 one (745.1) of the Code.

1 Sec. 7. An inmate employed in the community under a work  
2 release plan shall surrender to the institution from which re-  
3 leased his total earnings less payroll deductions required by  
4 law. The institution shall deduct from such earnings in the  
5 following order of priority:

6 1. An amount determined to be the cost to the state

7 for providing food, lodging and clothing for the inmate.

8 2. The actual and necessary food, travel and other ex-  
9 penses of the inmate when released from actual confinement  
10 under the program.

11 3. An amount the inmate may be legally obligated to pay  
12 for the support of his dependents, the amount of which shall  
13 be paid to the dependents through the local department of  
14 welfare in the county or city in which the dependents reside.

15 4. Court costs and fines.

16 Any balance remaining after deductions and payments shall  
17 be credited to the inmate's personal account at the institu-  
18 tion and shall be paid to him upon release. Any inmate so  
19 employed shall be paid a fair and reasonable wage in accor-  
20 dance with the prevailing wage scale for such work and shall  
21 work at fair and reasonable hours per day and per week.

1 Sec. 8. No inmate employed in the community under the  
2 provisions of this Act shall be deemed to be an agent,  
3 employee, or involuntary servant of the board of control  
4 while released from confinement under the terms of any work  
5 release plan. Should any inmate suffer an injury arising out  
6 of or in the course of the inmate's employment under this  
7 Act, the inmate's recovery shall be from the insurance carrier  
8 of the employer of the project and no proceedings for compen-  
9 sation shall be maintained against the insurance carrier of  
10 the state institution or the state, and it is understood  
11 that there is no employer-employee relationship between the  
12 inmate and the state institution.

1 Sec. 9. Nothing in this Act shall be construed to affect  
2 eligibility for parole under chapter two hundred forty-  
3 seven (247) of the Code or diminution of confinement of any  
4 inmate released under a work release plan.

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- 1 Amend Senate File 206 as follows:
  - 2 By striking from Sec. seven (7), line 15.

Filed - *Withdrawn S-20*  
February 17, 1967

By LAMBORN

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- 1 Amend S.F. 206, Section 7, line 15, by striking
  - 2 the words "and fines".

Filed and adopted  
February 20, 1967

By MESSERLY

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- 1 Amend Senate File 206, Sec. 4, line 18, by inserting
  - 2 after the word "the" the words "superintendent or executive
  - 3 officer or by the".

Filed and adopted  
February 20, 1967

By LODWICK

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- 1 Amend Senate File 206 by inserting in line seven (7)
  - 2 of section seven (7) after the word "inmate" the words
  - 3 "while under the program".

Filed and adopted  
February 20, 1967

By ELY