

FILED JAN 25 1973

Human Resources 1-26, Pass 1-31
the " " 2-8, Pass 2-20

SENATE FILE 66

By GLENN, LAMBORN, DODERER,
KENNEDY, KELLY and SCHWIEGER
(McCormick, Lipsky and Doyle)

Passed Senate, Date 2-2-73 (222) Passed House, Date 8-28-73 (652)

Vote: Ayes 41 Nays 0 Vote: Ayes 59 Nays 40

Approved 5-24-73

as amended by House, further amended
by Senate 5/10/73 (1184)
40-2

Motion to reconsider 3/28, lost 4/30
Passed per Senate amendment (1319)
5-14-73
61-22

A BILL FOR

1 An Act relating to furloughs and work release programs for
2 inmates.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section two hundred seventeen point fourteen
2 (217.14), subsection seven (7), Code 1973, is amended to read
3 as follows:

4 7. Establish and operate a system of rehabilitation camps
5 within the state. The department of social services may
6 designate appropriate facilities of the department as a part
7 of this camp system. Persons committed to institutions under
8 the department may be transferred to the facilities of the
9 camp system and upon transfer shall be subject to the same
10 laws as pertain to the transferring institution.

11 The commissioner of social services may establish for any
12 inmate sentenced pursuant to section 789.13 a furlough program
13 under which inmates sentenced to and confined in an institution
14 under the jurisdiction of the department of social services
15 may be temporarily released. Furloughs may be granted when
16 an immediate member of the inmate's family is seriously ill
17 or has died, ~~or~~ when an inmate is to be interviewed by a
18 prospective employer, or when an inmate is authorized to
19 participate in a training program not available within the
20 institution. Furloughs may also be granted in order to allow
21 the inmate to participate in programs or activities that serve
22 rehabilitative objectives. The commissioner of social services
23 shall promulgate rules and regulations to carry out the provi-
24 sions of this paragraph.

25 Sec. 2. Section two hundred forty-seven A point five
26 (247A.5), Code 1973, is amended to read as follows:

27 247A.5 HOUSING FACILITIES. The department shall designate
28 and adopt facilities ~~in-the-institutions-and-camps-under-its~~
29 ~~jurisdiction~~ for the housing of inmates granted work release
30 privileges. ~~In-areas-where-facilities-are-not-within-reason-~~
31 ~~able-proximity-of-the-place-of-employment-of-an-inmate-so~~
32 ~~released,-the~~ The department may contract ~~with-the-proper~~
33 ~~authorities-of-political-subdivisions-of-the-state-or-suitable~~
34 ~~public-or-private-agencies~~ for the quartering of the inmates
35 ~~inmate-in-local-confinement-facilities.~~ The committee shall

1 include as a specific term or condition in the work release
2 plan of any inmate the place where the inmate is to be ~~confined~~
3 housed when not on the work assignment. Inmates may be
4 released to the supervision of a responsible person to partici-
5 pate in family and selected community, religious, educational,
6 social, civic and recreational activities when it is deter-
7 mined that the participation will directly facilitate the
8 release transition from institution to community.

9 Sec. 3. Section two hundred forty-seven A point six
10 (247A.6), Code 1973, is amended to read as follows:

11 247A.6 WILLFUL ESCAPE. Any inmate released from actual
12 confinement under a work release plan who willfully fails
13 to return to the designated place ~~of confinement~~ for housing
14 at the time specified in the plan shall be guilty of a felony
15 and upon conviction be subject to the penalty provided in
16 section 745.1.

17 EXPLANATION

18 This bill modifies statutory furlough provisions and pro-
19 vides authority for inmate furloughs to participate in pro-
20 grams and activities that serve rehabilitative objectives
21 and provides for supervised release from work release housing
22 to participate in selected activities. It is not the intent
23 of section 2 of this bill that a supervisor be present at
24 all times when an inmate participates in community and other
25 activities.

26 The bill also provides that work release housing need not
27 necessarily be the penal institution in cities where the
28 institution is located and changes terminology to "housing"
29 rather than a "confinement" facility.

30 Recommendation of the Penal and Correctional Systems Study
31 Committee Progress Report.

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LSB0051CF
dh/cc/1

H-141

1 Amend Senate File 66, as passed by the Senate
2 as follows:
3 1. Page 3, by striking from lines 14 and 15
4 the following: "be guilty of a felony and upon
5 conviction" and inserting in lieu thereof the
6 following: "~~be-guilty-of-a-felony-and-upon-conviction~~
7 be treated as a parole violator, and subject to the
8 same proceedings as provided for a parole violator.
9 Upon conviction, an inmate under this section shall".

H-141 Filed - *withdrawn 3/27*
March 6, 1973

By MCCORMICK of Delaware

H-163

1 Amend Senate File 66 as follows:
2 1. Page 2, line 15, by inserting after the word
3 "Furloughs" the words "for a period not to exceed
4 ten days".
5 2. Page 2, line 20, by inserting after the word
6 "Furloughs" the words "for a period not to exceed
7 ten days".
8 3. Page 2, by striking lines 27 through 35 and
9 inserting in lieu thereof the following:
10 247A.5 HOUSING FACILITIES. The department shall
11 designate and adopt facilities in the institutions
12 and camps under its jurisdiction for the housing of
13 inmates granted work release privileges. In areas
14 where facilities are not within reasonable proximity
15 of the place of employment of an inmate so released,
16 the department may contract with the proper authori-
17 ties of political subdivisions of the state or
18 suitable public or private agencies for the quarter-
19 ing of the inmate in local confinement housing
20 facilities. The committee shall
21 4. Page 3, by inserting the following after the
22 period in line 3: "The committee shall not place an
23 inmate on work release for longer than six months in
24 any twelve-month period."

*Adopted
amended
by
H-163
3/26*

*Adopted
3/26*

*Law
3/26*

H-163 Filed
March 19, 1973

By EDELIN of Emmet
HANSEN of O'Brien

H-166

1 Amend the Edelen-Hansen amendment H-163 to
2 Senate File 66 filed March 19, 1973 as follows:
3 1. Line 4, by striking the word "ten" and
4 inserting in lieu thereof the word "fourteen".
5 2. Line 7, by striking the word "ten" and
6 inserting in lieu thereof the word "fourteen".

H-166 Filed - *Adopted 3/26*
March 20, 1973

By LIPSKY of Linn

H-192

1 Amend Senate File 66, as passed by the Senate,
2 page 3, by inserting at the end of line 3 the word
3 "temporarily".

H-192 Filed - *Adopted 3/27*
March 23, 1973

By WYCKOFF of Benton
NORPEL of Jackson
MILLER of Buchanan

H-201

1 Amend Senate File 66 as follows:
2 Page 1, by striking line 3.

H-201 Filed and lost
March 26, 1973

By NORPEL of Jackson
CRABB of Crawford

H-202

1 Amend Senate File 66 as follows:
2 1. Page 2, by adding the following after the
3 period in line 24:
4 Furloughs may not be granted until the inmate has
5 served at least three-fifths of the maximum term pro-
6 vided by law for the crime of which he was convicted.
7 2. Page 2, by adding the following after line 16:
8 Sec. 4. Chapter two hundred forty-seven A (247A),
9 Code 1973, is amended by adding the following new
10 section:
11 NEW SECTION. The committee shall not grant work
12 release to any inmate until the inmate has served at
13 least three-fifths of the maximum term provided by
14 law for the crime of which he was convicted.

H-202 Filed and lost
March 26, 1973

By WYCKOFF of Benton

SENATE AMENDMENT TO THE HOUSE AMENDMENT
TO SENATE FILE 66

1 Amend the House Amendment to Senate File 66 by adding after
2 line 20 the following new division and renumbering the
3 remaining division:
4 4. Page 3, by inserting the following after the period
5 in line 3: "The committee shall not place an inmate on work
6 release for longer than six months in any twelve-month period."

Received from the Senate
May 11, 1973

House concurred

HOUSE AMENDMENT TO SENATE FILE 66

1 Amend Senate File 66 as follows:

2 1. Page 2, line 15, by inserting after the word
3 "Furloughs" the words "for a period not to exceed
4 fourteen days".

5 2. Page 2, line 20, by inserting after the
6 word "Furloughs" the words "for a period not to
7 exceed fourteen days".

8 3. Page 2, by striking lines 27 through 35 and
9 inserting in lieu thereof the following:

10 "247A.5 HOUSING FACILITIES. The department shall
11 designate and adopt facilities in the institutions
12 and camps under its jurisdiction for the housing of
13 inmates granted work release privileges. In areas
14 where facilities are not within reasonable proximity
15 of the place of employment of an inmate so released,
16 the department may contract with the proper authori-
17 ties of political subdivisions of the state or
18 suitable public or private agencies for the quarter-
19 ing of the inmate in local confinement housing
20 facilities. The committee shall".

21 4. Page 3, by inserting at the end of line 3 the
22 word "temporarily".

Senate amended and concurred 5/10

Filed May 2, 1973

S—561

1 Amend the House Amendment to Senate File 66 by adding after
2 line 20 the following new division and renumbering the
3 remaining division:

4 4. Page 3, by inserting the following after the period
5 in line 3: "The committee shall not place an inmate on
6 work release for longer than six months in any twelve-month
7 period."

S—561 Filed and adopted
May 10, 1973

By BERGMAN and TIEDEN