

1-8-96 judiciary

FILED JAN 8 1996

SENATE FILE 2007
BY TINSMAN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act prohibiting the release of persons convicted of forcible
2 felonies on parole or work release.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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C. J. M. C. I.

1 Section 1. Section 902.11, unnumbered paragraph 1, Code
2 1995, is amended to read as follows:

3 A person serving a sentence for conviction of a felony,
4 other than a forcible felony, who has a criminal record of one
5 or more prior convictions for a forcible felony or a crime of
6 a similar gravity in this or any other state, shall be denied
7 parole or work release unless the person has served at least
8 one-half of the maximum term of the defendant's sentence.

9 However, the mandatory sentence provided for by this section
10 does not apply if either of the following apply:

11 Sec. 2. NEW SECTION. 902.12 MINIMUM SENTENCE --

12 ELIGIBILITY OF FORCIBLE FELONS FOR PAROLE OR WORK RELEASE.

13 A person serving a sentence for a conviction of a forcible
14 felony shall serve one hundred percent of the maximum term of
15 the person's sentence and shall not be released on parole or
16 work release.

17 Sec. 3. Section 903A.2, unnumbered paragraph 1, Code 1995,
18 is amended to read as follows:

19 Each inmate of an institution under the Iowa department of
20 corrections, except an inmate sentenced pursuant to section
21 902.12, is eligible for a reduction of sentence of one day for
22 each day of good conduct of the inmate while committed to one
23 of the department's institutions. In addition to the sentence
24 reduction of one day for each day of good conduct, each
25 inmate, except an inmate sentenced pursuant to section 902.12,
26 is eligible for an additional reduction of sentence of up to
27 five days a month if the inmate participates satisfactorily in
28 employment in the institution, in Iowa state industries, in an
29 inmate employment program established by the director, in a
30 treatment program established by the director, or in an inmate
31 educational program approved by the director. An inmate
32 sentenced pursuant to section 902.12, who participates
33 satisfactorily in one of these programs, is eligible to
34 receive a reduction of sentence of up to three days a month.

35 Reduction of sentence pursuant to this section may be subject

1 to forfeiture pursuant to section 903A.3. Computation of good
2 conduct time is subject to the following conditions:

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EXPLANATION

4 This bill provides that a person who is convicted of a
5 forcible felony must serve 100 percent of the person's
6 sentence if the person does not earn any reduction in sentence
7 through participation in prison employment, treatment, or
8 education programs. The bill prohibits a forcible felon from
9 earning good conduct time and limits to three days a month the
10 amount of time which may be credited against the person's
11 sentence for participation in employment, treatment, or
12 education programs while in prison.

13 Currently, each inmate, including a forcible felon, is
14 eligible for a one-day reduction in sentence for each day of
15 good conduct and up to five additional days' reduction in
16 sentence per month for participation in prison employment,
17 treatment, or education programs.

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