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SENATE FILE

331

BY DVORSKY

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the applicability of an intermediate criminal  
 2 sanctions program for persons on parole or work release.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 331 JUDICIARY

1 Section 1. Section 901B.1, Code 2003, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 5. An intermediate criminal sanctions  
4 program shall also include a plan for persons on parole or  
5 work release. The intermediate criminal sanctions program  
6 shall consist of the same levels as the levels used for  
7 probationers but shall be adapted for persons on parole or  
8 work release. The plan shall be adopted by the chief judge of  
9 the judicial district and the director of the judicial  
10 district department of correctional services and shall be  
11 operated in accordance with the overall intermediate criminal  
12 sanctions program.

13 Sec. 2. Section 906.5, subsection 4, Code 2003, is amended  
14 to read as follows:

15 4. A person while on parole or work release is under the  
16 supervision of the district department of correctional  
17 services of the district designated by the board of parole,  
18 and the board of parole may release the person subject to the  
19 provisions of the intermediate criminal sanctions program  
20 pursuant to chapter 901B. If a person is released by the  
21 board of parole subject to the provisions of chapter 901B, the  
22 district department may transfer a person along the  
23 corrections continuum of the intermediate criminal sanctions  
24 program as necessary and appropriate during the period the  
25 person is assigned to the district department. The department  
26 of corrections shall prescribe rules for governing persons on  
27 parole or work release. The board may adopt other rules not  
28 inconsistent with the rules of the department of corrections  
29 as the board deems proper or necessary for the performance of  
30 its functions.

31 EXPLANATION

32 This bill relates to the applicability of an intermediate  
33 criminal sanctions program for persons on parole or work  
34 release.

35 The bill provides that if the board of parole releases a

1 person subject to the provisions of the intermediate criminal  
2 sanctions program pursuant to Code chapter 901B, the judicial  
3 district department of correctional services where the person  
4 was assigned may transfer the person along the continuum as  
5 necessary and appropriate during the period the person is  
6 assigned to the district department. The sanctions on the  
7 continuum include monitored sanctions, supervised sanctions,  
8 intensive supervision sanctions, residential treatment, house  
9 arrest, 21-day shock sentence for operating-while-intoxicated  
10 offenders, and violators' facilities.

11 The bill provides that the chief judge of the judicial  
12 district and the director of the judicial district department  
13 of correctional services shall adopt an intermediate criminal  
14 sanctions program adapted for persons on parole or work  
15 release. The bill provides that the program for persons on  
16 parole or work release shall be operated in accordance with  
17 the district's overall intermediate criminal sanctions  
18 program.

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