

Iowa's Ex-Offenders "Certificate of Employability" Overview

I. Background

1. It is believed that:
 - Employment has proven to be the most effective means of reducing recidivism;
 - An unemployed ex-offender is three times more likely to return to prison than one who has a job; and
 - Background checks are routine in the employment process, it is harder for people who have been convicted of a crime to escape their past;
2. The Iowa Board of Parole (BOP) has been charged with creating an Administrative Procedure for issuing "Certificate of Employability" to "eligible offenders". In the future the program could be expanded to include offenders who are given probation. At this time there is no statute enabling this program and funds have not been allocated for implementation. One person will be processing applications and they are required to verify that all information is correct on applications and to monitor the applications on all levels until it is ready to be submitted for review by the Chair or the Chair's designee before it goes to a panel of Board Members for consideration.
3. Applications will be available on our web-page, but will have to be sent to the BOP via U.S. mail for proper processing
4. A data system on the BOP web-page will also be set-up for employers to view active and inactive COE.

II. Eligible Offender:

1. "Eligible offender" shall mean a person who has been convicted of one or more than one eligible crime or eligible offense and has been sentenced to the custody of the Director of the Iowa Department of Corrections. As pursuant to HF 2660 (906.19 section 14), prohibits those offenders who are under 692.A from applying.

III. Certificate of Employability (COE):

The granting of a Certificate of Employability under this program shall be the basis to relieve an eligible offender from automatic bar to employment automatically imposed by law because of conviction of the crime or the offense committed before the effective date of the Certificate of Employability where the State AGENCY or DIVISION responsible

for supervising the employment area recognizes the BOP Certificate of Employability. The granting of a Certificate of Employability **does not remove the underlying conviction..**

1. A certificate of Employability shall not, in any way prevent any judicial, administrative, licensing or other body, board or authority from relying upon the conviction specified therein as the basis for the exercise of its discretionary power to suspend, revoke, refuse to issue or refuse to renew any license, permit or other authority or privilege in accordance to the provisions set in section (D) of this article.
2. The granting of a Certificate of Employability shall not provide any relief from any mandatory forfeiture or bar to employment imposed by law, order of court or administrative rule, which has not been removed by an executive pardon.
3. Issuance of Certificates:
 - a. The Board of Parole shall have the power to issue a certificate of Employability to any eligible offender who has been committed to an institution under jurisdiction of the state department of correctional services in this state
 - i. Such certificate may be issued by the board at the time the offender is released from such institution under the board's supervision or otherwise or at any time thereafter.
 - ii. Any certificate of Employability issued by the Board of Parole to an offender who is incarcerated or on supervision shall deemed to be a provisional certificate until such time a parole agreement is signed or the offender is discharged from the Board's supervision/authority, and, while provisional, such certificate may be revoked by the Board or Boards designee (Administrative Law Judge) for violation of the rules of the Department of Corrections, violation of conditions by Board, or state law.
 - b. The BOP shall retain authority to revoke and modify Certificates of Employability for a period of 10 years after an offender discharges his or her sentence.
 - c. Application for Certificate of Employability shall be submitted to the BOP with the information and in a form established by the BOP. The application may require the release of information which would otherwise be confidential and personal.

Evidence of Employability

1. The Board of Parole may consider the following evidence submitted by the eligible offender, the Iowa Department of Corrections and the Judicial Districts Community Based Corrections and any other relevant information.
 - A. Employment history and means of support
 - B. Proof of adequate progress in the payment of fines or restitution.
 - C. Attainment of vocational or educational training.
 - D. Evidence of voluntary community service.
 - E. Character reference letters.
 - F. Evidence of sobriety, if applicable
 - G. Department of Corrections Recommendation and Reports
2. The BOP has authority to investigate and verify information submitted by or for an eligible offender.
3. Submitting false or misleading information to the BOP may result in the revocation of any Certificate of Employability issued by the BOP and the revocation of any granted release for the person submitting the false or misleading information.