

201—40.1(905) Title III definitions.

“Accreditation” shall mean certifying that a judicial district department of correctional services is in compliance with applicable state and federal laws and with applicable portions of the Iowa Administrative Code, which compliance is determined by the department of corrections reviewing the bylaws, policies, procedures and practices of the judicial district department of correctional services.

“Board of directors” shall mean the same as district board as defined in Iowa Code section 905.3.

“Community service” shall mean unpaid public service as a condition of probation established pursuant to Iowa Code chapter 907 or in lieu of restitution as authorized in Iowa Code chapter 910.

“Conditions of probation” shall mean the same as defined in Iowa Code section 907.6.

“Contraband” shall mean weapons, alcohol, drugs, money, obscene materials, or material advocating disruption of or injury to clients, employees, programs, or physical facilities. It shall also include anything which is illegal to possess under the law, or materials which are used in the production of drugs or alcohol or used in conjunction with the taking of illicit drugs.

“Curfew hours” means those hours between 12 midnight and 6 a.m.

“Deferred judgment, deferred sentence or suspended sentence” shall mean the same as defined in Iowa Code section 907.3.

“Deputy director” shall mean the deputy director for community-based corrections (CBC) of the department of corrections.

“District department” shall mean the judicial district department of correctional services as defined in Iowa Code section 905.2.

“District director” shall mean the director of a judicial district department of correctional services.

“Executive committee” shall mean the same as defined in Iowa Code section 905.3(2).

“Immediate family” means spouse, child, parent, sibling, natural grandparent, stepparent, legal guardian, or an individual with whom the offender lived and who was responsible for the offender while the offender was a minor for a period of at least one year.

“Medical practitioner” means medical doctor, osteopathic physician, physician assistant or nurse practitioner.

“Ongoing site visits” means any visit by the deputy director, the deputy director’s designee or representatives of the office of the state auditor which shall be to assure continuing compliance with the Code of Iowa and the Iowa Administrative Code or to follow up on areas designated as needing improvement based on corrective action plans from the previous accreditation review period, and which may be conducted at any time during the five-year interim following the most recent team review.

“Parole” means the same as defined in Iowa Code section 906.1.

“Parole agreement” shall mean the same as defined in Iowa Code section 906.11.

“Parole plan” means a document listing place of employment, residence and the supervising parole officer.

“Presentence investigations” shall mean the same as defined in Iowa Code sections 901.2 and 901.3.

“Pretrial release” shall mean the same as defined in Iowa Code section 811.2.

“Probation” shall mean the same as defined in Iowa Code chapter 907.

“Probation agreement” shall mean the same as defined in Iowa Code section 907.6.

“Probation service” shall mean the same as defined in Iowa Code section 907.2.

“Rehabilitative objectives or purposes” means activities designed to further the reintegration of the offender into the community as a productive, law-abiding citizen. Activities deemed to serve rehabilitative objectives shall include, but not be limited to, family visits, seeking employment, supervised recreational activities, shopping trips, counseling/consultation sessions, educational programs and activities, vocational training and religious activities.

“Residential services” shall mean housing facilities providing 24-hour supervision operated pursuant to Iowa Code section 905.7(1).

“Restitution plan of payment and plan of restitution” shall mean the same as defined in Iowa Code chapter 910.

“Supervision” shall mean supervision during the probationary period as defined in Iowa Code section 907.8.

“*Team review*” means a five-year review of overall program, policies and procedures for compliance with the Code of Iowa and the Iowa Administrative Code by one or more persons designated by the deputy director.

“*Technical violation*” means a noncriminal violation of the conditions of parole.

This rule is intended to implement Iowa Code section 905.7.

[ARC 3929C, IAB 8/1/18, effective 9/5/18; see Delay note at end of chapter; ARC 5247C, IAB 11/4/20, effective 12/9/20]