

LEGISLATIVE SERVICES AGENCY

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Department of Corrections Electronic Law Libraries

Purpose and History

The U.S. Supreme Court has ruled that for inmates in prison across the country, meaningful access to the courts "requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law." *Bounds v. Smith*, 430 U.S. 817, 828, 97 S.Ct. 1491, 52 L.Ed.2d 72 (1977). There are other federal and Iowa Supreme Court rulings related to the provision of legal services to offenders held in state prisons.

In order to safeguard offender rights under the law, the Department of Corrections (DOC) used to maintain law libraries at each state prison. On October 1, 1999, the DOC began contracting annually with the <u>Office of the State Public Defender</u> to provide attorneys for inmates under lowa Code section <u>13B.7</u>. These were private attorneys under contract with the Office of the State Public Defender. Maintenance and updates to the law libraries in the DOC Institutions were eliminated as a cost reduction measure once the DOC contracted with the Office of the State Public Defender.

The DOC used the Request For Proposals (RFP) process to select a vendor to provide an Electronic Law Library (ELL). The successful vendor was <u>LexisNexis</u>. Effective August 2015 (FY 2016), the DOC implemented the Electronic Law Library. The DOC's contract with the Office of the State Public Defender was eliminated effective July 31, 2015, except for involuntary hospitalization hearings under Iowa Code chapter <u>229</u> in Johnson County for people held at the Iowa Medical Classification Center (IMCC) at Oakdale.

Administration

Offenders use computer kiosks connected to the Iowa Corrections Offender Network (ICON) to access the ELL. Offenders can conduct legal research and request legal documents to be printed through the <u>Iowa Prison Industries</u> or <u>State Law Library</u> links. The kiosks have no internet access but do provide a variety of legal resources. Click <u>here</u> to view the DOC policy for offender legal activities. This document includes the purpose, policy statement, definitions, and procedures related to offenders' legal activities. It also provides a list of legal resources available to offenders using the ELL.

Additional Information

Additional policies are available on the DOC website at: <u>http://www.doc.state.ia.us/Policies</u>. Select the Policy Chapter, such as Institutional Operations, and the subchapter, such as Offender Rights. For more information, refer to the following:

- Fiscal Topic Offender Management in the Iowa Prison System.
- Fiscal Topic lowa Prison System Funding, Staffing, and Population.
- Fiscal Topic Budget Unit: Iowa State Industries Revolving Fund.
- Fiscal Topic Budget Unit: Office of the State Public Defender.
- Fiscal Topic Budget Unit: Indigent Defense Fund.
- Fiscal Topic Budget Unit: Iowa Corrections Offender Network.
- Fiscal Topic Budget Unit: Adult Correctional Institutions.

Related Statutes and Administrative Rules

Iowa Code chapters <u>229</u> and <u>904</u> Iowa Code section <u>13B.</u>7 Iowa Administrative Code <u>201 IAC</u>

More Information

Department of Corrections: <u>http://www.doc.state.ia.us/</u> Iowa General Assembly: <u>https://www.legis.iowa.gov/</u> LSA Staff Contact: Beth Lenstra (515-281-6301) <u>beth.lenstra@legis.iowa.gov</u>