

Iowa Justice Action Network

Talking Points on Sentencing Policies

The Iowa Justice Action Networks recommends eliminating or reducing long, mandatory sentences, especially for non-violent offenses, and it recommends eliminating or reducing mandatory percentages of time served. These policies create a number of serious problems for our citizens:

- “Mandatory minimums” set a minimum number of years to which offenders of certain crimes must be sentenced, taking away the discretion that judges have to consider individual cases and circumstances.
- Mandatory minimums for drug offenses have contributed greatly to the racial disparity in Iowa’s prisons, as African Americans are arrested and convicted for drug offenses in great disproportion to their numbers in the Iowa population, even though their drug use has been found to be essentially the same as the white population.
- Mandatory minimums for drug offenders have contributed to the proportion of these offenders in the total prison population increasing from 2% in 1988 to 25% in 2013.
- Mandatory minimums place people in prison for long periods who could be more effectively dealt with less restrictive methods:
 - The Iowa Prison Population Forecast 2014-24 states, “Iowa should continue examining drug offenders and drug sentences to ensure that those committed to prison could not be handled more effectively elsewhere or imprisoned for a shorter amount of time.”
 - Many drug offenders have substance abuse issues, and treatment is a more effective way to decrease recidivism.
 - Treatment in the Community-Based Corrections system is more effective than in prison, with lower costs per inmate.
- Another sentencing inequity and a contributing factor to the astounding growth in the Iowa prison population is the requirement that class B felons must serve 70% of their sentence.
 - African Americans make up about 50% of the offenders who are serving 70% sentences. The Prison Forecast states that it would be difficult to decrease racial disparity without doing away with the 70% requirement.
 - These minimum percentages of time served do not allow the Parole Board to take into account the unique circumstances and record of each offender and set incarceration times appropriately
- Another great injustice caused by sentencing requirements is the crack/powder cocaine disparity. Currently in Iowa, prohibited acts involving more than 10 grams of crack carry the same penalty as offenses involving more than 100 but less than 500 grams of powder. African Americans disproportionately use the crack version of cocaine. Since crack and powder are the same drug, the sentences for both types of cocaine should be identical, with the crack penalty lowered to the level of the powdered cocaine penalty.

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