

## IOWA CITIZENS UNITED FOR THE REHABILITATION OF ERRANTS

*An Effort to Reduce Crime Through Criminal Justice Reform - 2013*

### MARK YOUR CALENDARS

#### IOWA RACE LEGISLATIVE WORKSHOP

**WHEN:** JANUARY 27, 2 TO 4 P.M.

**WHERE:** GRACE UNITED METHODIST Church, 38<sup>TH</sup> & Cottage Grove Avenue, Des Moines, IA

**WHAT:** Learn how to design a criminal justice advocacy plan that fits your lifestyle and personality

**WHO:** This workshop is sponsored by Iowa CURE (Citizens United for the Rehabilitation of Errants), but is open to anyone who feels there is a need for change in the Iowa criminal justice system.

**COST:** Free - There will be a free-will offering basket for contributions to cover workshop expenses

**LEADERS:** Marty Ryan and Stephanie Fawkes-Lee, Legislative Advocates for the Justice Reform Consortium will be our leaders. They have many years of experience in working with our legislators. The workshop will last approximately 1-1/2 hours followed by coffee and refreshments. Area legislators will be invited to attend the latter part of the program.

#### PLEASE REGISTER!

You will receive valuable information, which includes a legislative agenda for 2013, as well as basic lobbying information about how the legislature works.

Please contact Marty Ryan at [mrtyrn@gmail.com](mailto:mrtyrn@gmail.com) to let him know that you are coming so that he may prepare an appropriate amount of written materials.

If you are a member of the Iowa CURE community inside the walls of an Iowa prison, PLEASE share this information with your family and friends. Together we can make a difference. We need to come together and plan how we can work for a prison system based on restorative justice (making things as right as possible for everyone touched by crime).

Planning Committee Members:

Carolyn Walker Uhlenhake,  
Mary Kay Dial,  
Sr. JoAnne Talarico

### HAPPY NEW YEAR TO THE IOWA CURE COMMUNITY

Greeting to members of the Iowa CURE community. We are writing to thank you for your participation in the activities of our organization and to bring you up to date on plans that we have for the future which we believe which make our organization more effective. The purpose of this letter is to share our plans with you and invite you to participate.

In recent months our board has been working with Marty Ryan, Legislative Advocate for the Justice Reform Consortium, to update our by-laws and make sure that we are in good standing with the IRS and the Iowa Secretary of State as a

501 (c)3 organization. We also have permission to use the nickname "Iowa CURE" to identify our organization. We have elected additional members to the board and divided the board into classes as follows:

Class of 2014: Jean Basinger, Larry Smith, and Ed Bloomer;  
Class of 2015: Anne Bickell, Jackie Robinson, and Mary Kay Dial;  
Class of 2016 Sue Royce, Carolyn Uhlenhake Walker, and Sr. JoAnne Talarico. The Board elected the following officers: Jean Basinger, President; Jackie Robinson, Vice President and Membership Secretary, Recording Secretary, Mary Kay Dial, Treasurer, Anne Bickell.

The board voted to accept the request of the Iowa Coalition 4 Juvenile Justice to merge with Iowa CURE as a focus group.

The current board members of the Coalition will continue as members of the focus group and Jean Basinger and Sister Joanne Talarico will represent them on the CURE Board. The two budgets will be merged.

Over Labor Day Weekend Mary Kay Dial and Carolyn Uhlenhake Walker represented Iowa CURE at the board meeting of International CURE which was held in Washington D.C. They were enthused about the people they met who are active in prison reform around the world. They have suggested that Iowa CURE have quarterly meetings of our outside members for education and to organize our work. They are suggesting that we begin with a meeting on January 27 which will be a legislative workshop to educate us regarding the issues related to criminal justice that will be addressed by this year's legislature. (More about that later in this letter.) We urge those of you in prison to contact your family members and friends and ask them to come to this meeting so that we can have a large number of committed folks working on these issues. Some of these issues include: incarcerated veterans, treatment for persons in our prisons who have a diagnosis of mental illness, excessive cost of commissary items, and the use of civil commitment to keep sex offenders and the mentally ill in prison indefinitely. There is a nationwide campaign to reduce the use of isolation for the mentally ill and for discipline. Re entry, drug treatment, education, and the high cost of inmate phone calls, etc. all remain problems and are just a few of the issues we hope to address together. We need your participation! We are so excited about these plans, but we need your support and we need the input of those within the walls as well.

## **FEDERAL COMMUNICATION COMMISSION ADVOCATES FOR LOWER INMATE PHONE RATES**

After 9 years of receiving testimony from families and friends of prisoners and numerous civil and human rights organizations and religious groups the Federal Communication Commission has decided that this is, according to one of the Commissioners, “not just an issue of markets and rates; it is a broader issue of social justice.”

According to the LA Times the agency is proposing rate caps, eliminating per-call fees, and other changes that would lower the costs of keeping in touch with inmates.” These rulings affect state to state calls only, but it is expected that states will follow suit. In fact some states already have revenue neutral phone charges.

We know that in Iowa, in spite of the fact that all calls are pre-paid guaranteeing the ability of the IDOC to collect 100% of the phone charges, the price of calls went up when we switched from collect calls to prepaid calls. The Nebraska Department of Corrections has revenue neutral calls. This change was made because those in charge believed it was the “right thing to do.” Research shows that prisoners are much easier to supervise when they have opportunity for frequent contact with their families and do better when they are released.

Another problem in Iowa is that many of the prisons have their phones outside and it is difficult to make calls when the weather is bad or after dark. Being outside causes wear and tear on the phones, and they are often in poor repair and reception is poor and calls are disrupted. At one prison staff person in charge of maintaining the phone system have told prisoners and families that they don’t feel the prisoners should be able to make calls and/or they shouldn’t complain as they are lucky to have phones at all.

We are very thankful that the Federal Communication Commission has heard the voices of prisoners and their families and those of us who advocate for them and recognize that family connections are both a social justice issue and a safe society issue. We hope that Iowa will follow their example.

## **IOWA BOARD OF PAROLE: A TIME OF CHANGE**

Over the past year there have been many changes at the Iowa Board of Parole. These include changes in staff, policies, and operations. Elizabeth Robinson, who had been chairperson of the board for a number of years, retired due to health concerns. Clarence Key, long time Executive Secretary also retired. He said he believes that his position was going to be eliminated. Doris Kelley, a former Iowa Legislator from Dubuque was appointed temporary chairperson and several members who had been appointed by Governor Culver were replaced. September 1<sup>st</sup>, Jason Carlstrom, former Dickerson County Attorney was appointed Chairperson. Others serving on the board are: Nancy Boyd of Des Moines, Jim Felker of Hiawatha, and Thomas Phillips of Waukee. The Board has been undergoing training to help them to evaluate the risks in

paroling each person and also how to conduct interviews in a productive way. It seems that the Board is relying much more on the input of corrections staff in the making of parole decisions.

The objectives of the IBOP are as follows: 1. Comprehensive efficient consideration for parole and work release of offenders, 2. Return offenders back into the community through supervised conditional release, 3. Careful consideration of victim opinions concerning the release of offenders and prompt notification of victims of decisions. 4. Awareness of the serious impact that their decisions may have on the offender, the victims and the community. 5. Timely research and analysis of issues critical to the performance of the Board of Parole, 6. Quality advice to the Governor in matters relating to Executive Clemency.

Governor Branstad has expressed his desire to reduce the prison population through an increase in direct paroles back to the community rather than to work release facilities. The IBOP has been successful in achieving this task; however several problems have resulted. This means a strain on the budgets of the judicial districts that are responsible for supervising the increasing number of parolees.

There also seems to be a problem with a lack of housing resources for those being paroled back into the community as many landlords refuse to rent to ex-felons and the number of beds in shelters and hospitality houses is very limited. Most have long waiting lists. This forces returnees to accept alternatives that may threaten their ability to live healthy crime free lifestyles.

The Board presented a request to the Iowa Legislature’s Administrative Rules Review Committee that would allow them to change the rules so that it would take three votes rather than five to approve parole for a prisoner. In the past if a prisoner had a high-risk score they had to get 5 votes in order for their parole to be approved. This process was time consuming and meant that, after a 3 member panel interviewed the high-risk prisoner, read all their documents, they still had to wait to get two more votes from two members who had not had the face to face interview and had to rely on the notes of the 3 person panel. This sometimes meant a 60 day wait and rarely resulted in a change in the decision.

Marty Ryan, legislative advocate for the Justice Reform Consortium spoke to the Ad. Rules Committee and told them that changes seemed very practical and should reduce a backlog of cases. “This should save money and this should save time. It’s not going to let people out any more than they were before. It is just changing the process.”

## **PROGRESS ON VOTING RIGHTS**

One of the first acts of Governor Branstad on the day that he was sworn into office was to rescind the Executive Order signed by former Governor Vilsack which restored voting rights for ex-felons. The fact that he did so immediately after taking

office, must have been an indication of just how strongly he felt about it. He put into place a very complicated application for restoration of voting which included documentation that ALL restitution and fees and fines had been paid, and also required that a copy of the person's credit report be provided. The result has been that, since the process was changed, only 11 people have had their voting rights restored.

Many individuals and organizations, including Iowa CURE and the organizations of the Justice Reform Consortium, has petitioned the Governor and the Secretary of State to restore the voting rights of ex-felons on completion of their sentences, and allow them to participate as active citizens in the democratic process. We strongly believe that having this citizen's right improves the chances that they will stay crime free.

All of our efforts seemed to fall on deaf ears until recently when representatives of the National NAACP came to Iowa and spoke with the Governor's staff regarding the fact that his voting rights policy disproportionately disenfranchised African Americans and harkened back to the voter registrations in the Jim Crowe era.

According to a new policy announced Friday, the requirement that a credit check be submitted has been dropped and payments on restitution, fees, and court costs must be current rather than paid in full. The application documents have also been simplified.

These changes represent progress and we applaud these changes as do the representatives of the NAACP and our member organizations. We do look forward to the day when there will automatic restoration of voting rights when a person has completed their sentence.

## **SECRET POLICIES**

For several years there has been concern expressed by individuals and organizations who advocate for women regarding the lack of a law which restricts the use of shackles in Iowa's jail and prisons on pregnant women prisoners during labor and delivery. The Iowa DOC has said that such a law was not necessary because they had a policy against this practice. Several years ago a bill was introduced in the legislature that would have addressed this issue, but it didn't make it out of sub-committee.

Several months ago Johnie Hammond, who is a member of the Iowa Board of Corrections, requested that the Board suggested that IDOC introduce and support a bill in the legislature that would restrict the use of shackles during labor and delivery. As a part of the decision Ms Hammond asked to see the department's policy regarding shackling. The Board was informed that the policy is "confidential." Apparently it is so confidential that not even the Board is allowed to see it. When asked if there are other such policies, they were told that there are. The Board has asked to see a list these policies. They have been informed that the agenda for the January Board

meeting is already too full for them to review the topics covered by the policies at that time.

The bill restricting the use of shackled was passed with a unanimous vote by the Board members. We have now learned that the Governor has told the Department that they can't offer this as a departmental bill on recommendation of Attorney General Tom Miller. AG Miller says that it is easier to defend a lawsuit when the policy is confidential!!! Is this really the basis for healthy governance?

## **RESTORATIVE JUSTICE SIGNPOSTS**

By Harry Mika and Howard Zehr

We speak about working for a system based on restorative justice, but we often don't take time to define it. We are working for restorative justice when we .....

1. ..focus on the harms of wrongdoing more than the rules that have been broken,
2. ..show equal concern and commitment to victims and offenders, involving both in process of justice,
3. ..work toward the restoration of victims, empowering them and responding to their needs as they see them,
4. ..support offenders while encouraging them to understand, accept, and carry out their obligations,
5. ..recognize that while obligations may be difficult for offenders, they should not be intended as harms and they must be achievable,
6. ..provide opportunities for dialogue, direct or indirect, between victims and offenders as appropriate
7. ..involve and empower the affected community through the justice process and increase its capacity to recognize and respond to crime,
8. ..encourage collaboration and reintegration rather than coercion and isolation,
9. ..give attention to the unintended consequences of our actions,
10. ..show respect to all parties including victims, offender and the community.

Crime wounds..... Justice Heals

## **UPDATE ON SENTENCING FOR JUVENILES**

### **RECEIVING LIFE WITHOUT PAROLE**

In 2010 the US Supreme Court ruled that sentencing youth under the age of 18 to life without parole for non-homicide crimes was contrary to the constitution. Response to this decision was left up to each state. Iowa has seven prisoners who are in this category. The Iowa Legislature passed a law that would require that these prisoners serve 25 years before they can be considered for parole.

On June 25<sup>th</sup> on 2012 the US Supreme Court ruled in Miller v. Alabama that automatic life without –parole sentences violate the Eighth Amendment. The ruling stated that each case must be looked at individually and the individual's life experiences must be considered in the sentencing.

In preparation for a response to Branstad's action each of the prisoners has been assigned a lawyer from the state public defender's office who will prepare the individual information needed for consideration of resentencing. It is our understanding that when the SPD's office asked the Iowa Department of Corrections for the contact information for these information, they refused, citing "security reasons."

Our Coalition was able to provide this information. We feel that the response by the Department gives the appearance of obstruction of justice. Governor Branstad reacted immediately and issued an order that the sentences of 35 individuals affected by this ruling are immediately commuted from life without parole to 60 years without the opportunity for parole. We believe that this is a violation of Miller v. Alabama which states that each case must be examined and considered individually and this information must be considered in determining the sentence.

### **SECRET RENDITION**

The term "secret rendition" which is defined as, "holding prisoners in undisclosed locations", is one which we have come to associate with the CIA and not our own Iowa Department of Corrections, but in February of 2012 when a small inner city United Methodist Church made the decision to participate in a special activity sponsored by the National Campaign for the Fair Sentencing of Youth, it was discovered that Iowa DOES have prisoners being held in undisclosed locations. The work involved in finding these prisoners became the topic of a "Whistleblowers" column by Lee Rood, journalist for the "Des Moines Register."

In February of 2012 the Iowa Coalition 4 Juvenile Justice invited faith groups to participate in a "Week of Faith and Healing" through "prayers, faith, and action" to raise awareness regarding the 45 Iowa prisoners who received a sentence of life without parole for crimes committed when they were under 18 years of age. The invitation went out to faith groups through the Des Moines Area Religious Council

website. Educational and worship materials were made available on the Iowa Coalition4JJ web-site.

The governing council of Trinity United Methodist Church in Des Moines voted to participate. They invited a guest speaker and had a worship service, they prayed for all those whose lives are touched by crime and had church school class around this theme. The adult class decided to send cards to the 45 prisoners to let them know that they were thinking of them and praying for them.

The Iowa Coalition 4 Juvenile Justice had the addresses of those among the 45 prisoners who are in Iowa prisons. Five of these prisoners are in federal prisons and their addresses are easily obtained on the Federal Bureau of Prison website. However, there were two men in prisons in other states for whom the Coalition had no addresses. They contacted the Iowa DOC and the DOC said it was illegal for them to give out the locations of these men due to the Interstate Compact Contract. The Coalition read the Contract and determined that this was not true. The IDOC then said although it was not illegal it was their "policy" not to do so. The Coalition then asked to see a copy of the policy. It could not be located. Marty Ryan of the Justice Reform Consortium then filled a Freedom of Information request with Director John Baldwin. Eventually, Mr. Ryan received the names of the prisons where the men are located, but not their prisoner numbers.

This experience left us with many questions regarding why prisoners are transferred out of state and why the location of any Iowa prisoner should be a secret.

If your organization is interested in having a participating in a "Week of Faith and Healing" please contact: Sister Joanne Talarico, P.O. Box 41005, Des Moines, Iowa 50311.

### **INDUSTRIAL CHICKEN FARM FREE RANGE CHICKENS THEY ARE NOT**

For profit companies  
Housing them in long buildings  
As cheaply as possible

So many birds in a cage  
Vying for space

Needing to get their  
Feet on the ground,  
Spread their injured wings  
And have natural light.

Left with antisocial  
Behavior, trauma, injury,  
Some die in confinement,  
Suffering is not rehabilitation.

End product is always money.  
You and I both know,  
I'm not talking about chickens.

Name withheld by request

## CONTACT INFORMATION

### IOWA CURE

Jean Basinger, Chair/  
Newsletter Editor  
P.O. Box 41005  
Des Moines, IA 50311  
Phone: 515-277-6296

[jabwab@msn.com](mailto:jabwab@msn.com)  
[www.iowacure.org](http://www.iowacure.org)

Board Members: Anne Bickell, Mary Kay Dial,  
Eddie Bloomer, Jackie Robinson, Sue Royse,  
Carolyn Uhlehake Walker and Larry Smith

### Henry County CURE

Susie Snyder  
[skizer@iowatelecom.net](mailto:skizer@iowatelecom.net)

### Northeast Iowa CURE

Barb Dahlen  
[dahlen@mchsi.com](mailto:dahlen@mchsi.com)

### CURE for Vets

535 Queen St  
Philadelphia, PA 19147  
[Jcautilli2003@yahoo.com](mailto:Jcautilli2003@yahoo.com)  
[www.vets-cure.com](http://www.vets-cure.com)

### FRIENDS OF IOWA WOMEN PRISONERS

Website: [friendsofiowawomenprisoners.org](http://friendsofiowawomenprisoners.org).  
Facilitator: Vi Darsee,  
E-mail: [vddarsee@q.com](mailto:vddarsee@q.com)  
Phone: [515-225-8349](tel:515-225-8349).  
Meets on the 3rd Tuesday of each month at noon at Wesley UMC  
800 East 12th St., Des Moines  
Board Members: Anne Bickell, Mary Kay Dial, Eddie Bloomer,  
Jackie Robinson, Sue Royse, Carolyn Uhlehake Walker and  
Larry Smith; [www.lowacure.org](http://www.lowacure.org)

### JUSTICE REFORM CONSORTIUM

Marty Ryan and Stephanie Fawkes-Lee, Staff,  
Website: [justicereformconsortium.org](http://justicereformconsortium.org),  
E-MAIL: [mrtyrn@gmail.com](mailto:mrtyrn@gmail.com), Legislative Update  
sent out every 2 weeks during the session. Contact Marty  
to get on list to receive it. Phone: [515-681-8076](tel:515-681-8076)

### HEALTH CARE FOR RE-ENTRY VETERANS PROGRAM

Brian Brooks, VA Medical Center, 3600 30th St. Des Moines,  
IA 50310, Phone: [515-577-8068](tel:515-577-8068), E-mail: [brian.brooks@va.com](mailto:brian.brooks@va.com),  
website: [i.va.gov/homeless](http://i.va.gov/homeless/page.cfm?pg_38) page.cfm?pg\_38. Eligible: Those who  
are currently incarcerated by the DOC- Fort Des Moines and prisons.  
(Not in jail or released from prison)

### Voices To Be Heard / Des Moines Cure

Support group for persons who have a loved one in  
prison, parole or probation and those concerned  
about people in the criminal justice system. Meets the 1st  
and 3<sup>rd</sup> Tues – Union Park UMC;  
Support group for adults and special program for children  
from 6 to 7:30 p.m. Contacts: Sue Royce, Facilitator  
phone: [515-265-5457](tel:515-265-5457); Board Member Jean Basinger:  
[515-277-6296](tel:515-277-6296), [jeanbasinger@gmail.com](mailto:jeanbasinger@gmail.com),  
Melissa Nelson, 515-280-9027

### Federal CURE

P. O. Box 15667  
Plantation, FL 33318-5657  
[FedCure@FedCURE.org](mailto:FedCure@FedCURE.org)

### Life Long CURE

P. O. Box 2093  
Englewood, CO 80150  
Send stamped, self-addressed envelope  
for brochure: [everyonesmom4@comcast.net](mailto:everyonesmom4@comcast.net)

### CURE International

Charlie and Pauline Sullivan  
P. O. Box 2310  
Washington, D.C. 20013  
[cure@curenational.org](mailto:cure@curenational.org)

### IOWA COALITION 4 JUVENILE JUSTICE

(now a focus group of Iowa CURE)  
website: [ia4juvenilejustice.org](http://ia4juvenilejustice.org)  
Sr. JoAnn Talarico, facilitator  
address: P.O. Box 41005, D.M., IA 50311

### HELP FOR VETERANS

Will visit incarcerated veterans in need in central Iowa  
Jennifer Miner, [515-577-8892](tel:515-577-8892) or 699-5999,  
Ext. 4875, E-mail: [jennifer.miner@va.gov](mailto:jennifer.miner@va.gov)  
Covers Eastern Iowa: Sherri Koob, Veterans Justice  
Outreach, cell: [563-320-9887](tel:563-320-9887); [sherri.koob@va.gov](mailto:sherri.koob@va.gov)

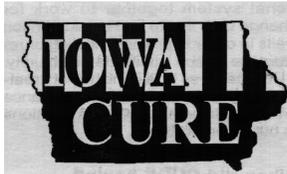
### CURE Sort - Sex Offenders Restored Through Treatment

P.O. Box 761  
Milwaukee, WI 53201-0761  
[sata@satasort.org](mailto:sata@satasort.org)

### *A note about Iowa CURE:*

We are an organization with members in and out of  
the prison system. We cannot offer legal services.  
Do not send us your legal documents. In joining  
CURE, you are **NOT** entering into a contract for  
services.

**IOWA CURE**  
**P. O. BOX 41005**  
**Des Moines, IA 50311**



**MEMBERSHIP INFORMATION**  
**2013 DUES NOTICE**

*Please remember to pay your 2013 Iowa CURE dues*

Fill out the application form below and mail it with your membership fee to the Iowa CURE office address below

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Email \_\_\_\_\_

**Annual Membership Fees**

Prisoner	\$2
Individual	\$10
Family	\$20
Sustaining	\$50
Life	\$100

**IOWA CURE**  
**P. O. BOX 41005**  
**Des Moines, IA**  
**50311**

Please remove me from this mailing list

**Why should I join CURE?**

Being a CURE member gives you access to experienced staff, reputable research, political action, community organizing, leadership and strategy development as well as informative fact sheets, action alerts, legislative and issue updates. **Please feel free to photocopy this newsletter/application to pass along to interested friends, family, associates or loved ones in prison.**