

PROMOTE PUBLIC SAFETY

Focus on Correctional Needs with Programs for Community Based Corrections and Prisons

• Lower recidivism by providing education, job training, substance abuse, mental health and sex offender treatment while inmates are in prison and during re-entry. These programs help change offender behavior which results in safer communities and fewer parole revocations.

• Expand community-based corrections with an emphasis on eliminating the waiting lists at facilities in order to break the “log-jam” of inmates waiting in prison for community placement.

• Create and ensure statewide access to alternative sanctions, such as Drug Court, to divert, when appropriate, offenders from entering prison.

• Increase probation and parole supervision services to reduce revocation rates and prison population. (Half of the admissions to prison are due to failure in community supervision.)

• Increase support for drug treatment as an effective way to fight illegal drug use and other crime.

ICAA

The Iowa County
Attorneys Association
is a bi-partisan
organization comprised
of the 99 locally-
elected county
attorneys and their
assistants.

The Association’s
purpose is to promote
the uniform and
efficient administration
of criminal justice in
Iowa.

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Iowa County Attorneys Association

2007 Session



Legislative Priorities



Protect Children from Sex Offenders
with More Effective Measures

Residence restrictions for sex offenders do not protect children but do waste law enforcement resources. Such laws give the perception of safety but fail at providing real protection. Enact wise measures which improve child safety while rejecting those which give only a false sense of security and may actually decrease safety for children.

- ◆ Replace residency restrictions with more effective “child safe zones.”
- ◆ Amend §701.11 to require admission at trial of defendant’s prior acts of sexual abuse.
- ◆ A sex act perpetrated by deception should be made a crime under §709.1.
- ◆ Amend §728.12 to make it illegal to sexually exploit a person “reasonably believed to be a minor.”
- ◆ Make it a crime for an adult to use a position of authority to cause children to engage in a sex act.
- ◆ Target the use of electronic monitoring of sex offenders on parole or work release under §§906.4 and 907.6.

- ◆ Protect more children from the large majority of child sex offenses perpetrated by acquaintances and family members by educating children and caretakers to those dangers. Only caretakers can effectively protect children in those circumstances.
- ◆ Improve sex offender treatment programs both in and outside of prison.

- ◆ Recognize that child safety from sex offenses is not amenable to simple solutions by creating a Sex Offender Treatment and Supervision Task Force to identify effective strategies to reduce child sex offenses.

~ Priorities 2007 ~

Provide Fair Compensation for
Prosecutors

County Attorneys are solely responsible for criminal charging decisions and for the prosecution of all state criminal offenses. The quality of justice and the safety of our citizens depends upon attracting and retaining qualified and experienced prosecutors. In most counties, the level of compensation is not adequate for this purpose. County Attorneys must also be qualified to advise and represent their counties, county officials, and boards. The statutory minimum salary (§331.752(5)) has become the average and prosecutor salaries have fallen further and further behind the salaries of comparable positions in the federal, state and private sectors. Compensation should be raised to levels that are fair for those expected to perform these important duties and which reflect the value Iowans place on justice and public safety.

Improve Public Safety/Increase Access to
Substance Abuse Treatment

Substance abuse contributes directly to criminal behavior. Nearly 80% of prison inmates have a substance abuse problem. Public safety will be enhanced if we reduce the abuse of all substances. Children and families of abusers also benefit. Drug and alcohol abuse can be reduced by fast and easier access to treatment. When adequately funded, treatment is effective – those persons commit far less crime – fewer crimes mean fewer victims and lower costs for taxpayers. Those savings far outweigh the additional investments which are needed for adequate substance abuse treatment.

Track Pseudoephedrine Sales
Electronically

Enact legislation to include pseudoephedrine sales in the electronic tracking system for the Prescription Drug Monitoring Program which requires pharmacists to track and/or limit the amount of such purchases by a person within prescribed time periods. Adopt a real-time system which allows instant access to pharmacists and law enforcement in order to prevent sales over the legal limit.

Limit Underage Access to Alcohol

Persons who knowingly permit alcohol to be consumed on their premises by underage youth do not violate Iowa law (§ 123.47(1)) if they did not “sell, give, or otherwise supply” the alcohol. The real dangers of underage alcohol consumption require greater responsibility from each of our citizens and the law should be amended to close that loophole. Make it illegal for an owner or lessee of property to permit alcohol to be consumed or possessed on their premises by any person under legal age.

Similarly, Iowans can protect our youth and themselves to a greater degree from the often tragic consequences of underage drinking by requiring the registration of all beer kegs sold in Iowa. Registration will assist identification and prosecution of those who illegally provide keg beer.

Clarify the Law on Criminal Possession

Create statutory definitions for criminal possession so that Iowa will have common sense definitions for “actual possession” and “constructive possession”. Recent Court opinions have restricted the definitions of possession which allow defendants who knowingly possess drugs jointly with others to escape accountability.