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Statehouse Update - 3/4/2007

by Marty Ryan, Legislative Director

March Madness

The upcoming week is going to be a March Madness of its own at the Capitol. The annual first funnel deadline arrives on Friday.

The first funnel is the event that occurs midway through the session in which certain bills must advance from a committee in the house in which they originated or else. Or else what, you ask? Well, they're supposed to be dead for the year, but you can count on some of them being amendments to appropriations bills later in the session.

Funnel doesn't mean what it used to mean. Bills, or bill numbers may die, but issues linger on and on and on. So, let's go through the motion of seeing what is pushed through as good public policy and what is destined to be attached to bills at a later date. Hang on!

Some business is NOT economic development

[HF 492](#) and [SF 96](#) are bills that prohibit the Department of Corrections from entering into an agreement with private for-profits corporations for the purpose of housing inmates under the control of the department.

The decision to place an offender in prison, and the decision to impose a particular length of sentence, are critical social policy decisions that should not be contaminated by profit considerations. Encouraging rehabilitation and establishing productive instructional programming in a safe and secure facility for prisoners and protecting the surrounding community should be the top priority of a prison. Cost-conscious private industry has little financial incentive to meet constitutional standards. A company's loyalty lies primarily with its stockholders. A [1998 Department of Justice report](#) cited the inexperience and lack of training of staff at an Ohio private prison and detailed the resulting excessive use of force by staff. After two stabbing deaths, several escapes and medically-related deaths, a lawsuit resulted in a \$1.65 million settlement to be paid by the private corporation to the prisoners.

Construction of private, for-profit prisons will not save taxpayers money. As a matter-of-fact, private prisons can eventually cost more in the long run. It's sort of like encouraging a chain store to come to a community, only to wonder what happened to all the mom & pop stores after a few years, and noticing that the prices at the chain store have now exceeded the prices you paid at the mom & pop.

Once inmates are warehoused at a private prison it is difficult to monitor the due process rights of prisoners. Placing a private entity between the inmate and the government fertilizes the potential for abuse, especially when for-profit corporations have a commitment to the shareholders of the corporation, not the taxpayers. The taxpayers remain liable for damages.

The following is shared by AFSCME Iowa Council 61:

Background:

"In 1997 Iowa was near finishing the Fort Dodge Correctional Facility (1998 opened), the last of three new prisons built in a 10-year period. The Newton facility had been built 2 years earlier and Iowa still lacked beds for offenders. The process used to determine the opening of the last three corrections facilities was an "economic development" model. Cities would submit packages to the state to attract such state facilities.

"Out of this 'bidding' war the popular idea that prisons might be economic development tools for all cities was born. Woodward and Ottumwa city councils invited private prison corporations into their Council meetings to visit with them about building private for-profit correctional centers that would in turn lease space to counties and the state. Legislators, Republican and Democrat, became alarmed that such facilities would take hold and "for-profit" companies with poor public safety records would turn Iowa into a privatized Mecca of offender solicitation from all over the United States.

"AFSCME Iowa Council 61 and concerned legislators such as Rep Teresa Garman, Dave Heaton, Senators Gene Fraise and Jack Rife developed language which was inserted in the 1997 Justice Appropriations bill and subsequently was added to the same budget bill for the next ten years.

"This bill simply codifies this language."

Please contact your legislators and encourage them to support [HF 492](#) and [SF 96](#).

Felony enfranchisement –

The ACLU released a film in 2005 entitled *Democracy's Ghosts*, which highlights the deleterious effects of felon disfranchisement on seven different Americans. If you are interested in obtaining a copy of the DVD, contact ACLU of Iowa Executive Director [Ben Stone](#). To view the trailer for *Democracy's Ghosts* on YouTube, please click [here](#).

A brief view of legislation

The following is a “partial” list of bills supported by the ACLU of Iowa:

[HF 92](#), [HF 603](#), [SSB 1046](#) and [SSB 1088](#) – Bills that add sexual orientation and gender identity as protected classes under the Iowa Civil Rights Act.

[HF 496](#) and [SF 182](#) – Bills that require men and women to be paid the same wage or salary for jobs of “comparable worth”.

The following is a partial list of bills opposed by the ACLU of Iowa:

[HSB 10](#) and [SSB 1085](#) – A bill restricting the presence of a registered sex offender on the real property comprising a school or child care facility. A series of joint (Senate & House) subcommittee meetings are being held each Monday on these two bills.

[SSB 1214](#) – A bill that provides peace officers with an exceptional amount of rights not known to the arrested persons under their control.

Don't know who your senator or representative might be?

[Click here](#) to find out.

Important dates to remember –

March 7th – Lobby Day for [Iowa Pride Network](#). Contact [Ryan Roemerman](#).

March 7th – Lobby Day for American Federation of State, County, & Municipal Employees [AFSCME]. RSVP to [Sue Glover](#), (800) 372-6054 x 621 or (515) 246-2621

March 14th –Iowa Safe Schools CIVIL RIGHTS LOBBY DAY
Please register at: www.iowasafeschools.org

8:30 - 9:00 AM : Check-in: Iowa State Capitol. Meet at the table inside the South Entrance

9:00 AM – Afternoon: Lobbying/Lunch/Networking Contact [Brad Clark](#)

March 20th – Lobby Day for the Justice Reform Consortium. Contact [Carlos Jayne](#)

May 5th – ACLU of Iowa 1st Annual Conference on Civil Liberties AND 2007 Annual Dinner. Contact [Ellen Simmons](#).