

**INTERMEDIATE CRIMINAL SANCTIONS CONTINUUM PLAN****BACKGROUND/PURPOSE:**

Pursuant to 901B.1 of the Code of Iowa, the Chief Judge and the District Director of the Sixth Judicial District shall adopt a plan regarding placement of offenders in the Sixth Judicial District Department of Correctional Services' Intermediate Criminal Sanctions Continuum which shall be designed to reduce probation revocations to prison through the use of incremental, community-based sanctions for violations.

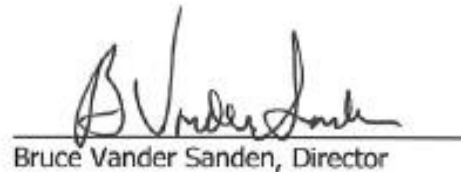
**POLICY:**

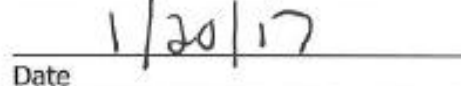
1. The attached continuum represents the sanctions/services offered by the Sixth Judicial District. All offenders committed to the Sixth Judicial District Department of Correctional Services under 907.3 shall be placed on the continuum in a level appropriate to the individual based upon a current risk assessment evaluation. For a deferred judgment, all conditions, including placement on the continuum, must be specifically stated in the deferred judgment order including placement in a residential facility without further order of the Court.
2. Offenders sentenced to Level One or Self-Supervised probation are only monitored for compliance with court ordered conditions. It is understood that offenders sentenced to this level are, in the Court's judgment, deemed capable of fulfilling court ordered requirements without correctional supervision.
3. Offenders sentenced to supervised probation are sentenced with the understanding that the Department has the authority to place and move offenders, within Levels 2 and 3 of the continuum based on a variety of risk/needs assessment tools utilized to determine appropriate offender placement.
4. A court order is required prior to moving offenders to Level 4 of the continuum.

BY ORDER OF:

  
 Chief Judge Patrick Grady

  
 Date

  
 Bruce Vander Sanden, Director

  
 Date

**NOTES OF CLARIFICATION:**

1. Pursuant to 901B – 4a: It was determined we needed language in our continuum making this statement to cover the deferred judgment issue. As 901.B 1 (4) (a) does not address placement of offenders granted a deferred judgment or deferred sentences on the continuum, all conditions, including placement on the continuum must be specifically stated in the sentencing order.
2. This is level 2C of the Continuum.
3. The understanding is the Department of Correctional Services has the authority to move offenders up or down the Continuum without coming back to the Court based on risk/needs assessment. This includes residential placement when specifically stated in the Court order.

## CORRECTIONS CONTINUUM 901B

FORM 153A-16

Level	Level Name	Sanctions/Services	Level Description
5	Incarceration	Prison Jail 30 days or longer	24-hour institutional incarceration
4	Short-Term Incarceration	<sup>(1)</sup> 1 -- 21-DAY SHOCK incarceration for persons who violate Chapter 321J. 2 -- Jail less than 30 days 3 -- <b>VIOLATORS' FACILITIES</b> 4 -- Prison with Sentence Reconsideration	24-hour institutional incarceration sanctions designed to be of brief duration
3	Quasi-Incarceration	<sup>(1)</sup> Residential Treatment Facilities OWI Treatment Facilities Work Release Facilities House Arrest w/Electronic Monitoring	Sanctions supported by community-based residential placement or 24-hour electronic monitoring
2	Probation/Parole		Supervised Sanctioning
2A	Intensive Supervised	ISP (With or W/O Electronic Monitoring) Day Programming Institutional Work Release (904.910) Youthful Offender Program Intensive Sex Offender Program Residential Conditional Release	Requirements placed on offenders that require increased supervision
2B	Supervised	Regular Probation Supervision Regular Parole Supervision Pretrial Release w/Services Electronic Monitoring Iowa Domestic Abuse Program (IDAP)	Requirements placed on offenders are supported by regular probation/parole supervision (minimum, non-intensive supervision only)
2C	CBC Monitored	Level 1 Supervision Self-Supervised Probation	Requirements placed on offender are handled via administrative review or are monitored for compliance by the Department of Correctional Services
1	Non-CBC Sanctions		
1A	Other (not DCS) Monitored	Mandatory Mediation Victim/Offender Reconciliation Non-CBC Supervision Iowa Domestic Abuse Program (IDAP)	Sanctions that are monitored in compliance by the Clerk of Court, county attorney, or other agencies/individuals by agreement
1B	Self-Monitored Sanctions	Fine Community Service Pretrial Release Own Recognizance Iowa Domestic Abuse Program (IDAP)	Sanctions placed on offender hold them accountable. (The county attorney has methods able to pursue non-compliance of non-payment of fine.)

<sup>(1)</sup> Including, but not limited to

**CHAPTER 901B**  
**INTERMEDIATE CRIMINAL SANCTIONS PROGRAM**  
**SIXTH JUDICIAL DISTRICT**

The Intermediate Criminal Sanctions Program requires the Chief Judge and Judicial District Department of Correctional Services Director to describe:

- ◆ The sanctions and services available in each level of the continuum in their District;

AND

- ◆ The policies of the District regarding placement of a person in a particular level of sanction;

AND

- ◆ The requirements and conditions under which a defendant will be transferred between levels in the corrections continuum under the program;

- ◆ Intermediate Sanctions Program consists of Levels 2 and 3. A court order is required to move an offender to Level 4 of the Continuum. This will be operated in accordance with an Intermediate Sanctions Criminal Plan adopted by the Chief Judge of the Judicial District and the Director of the Judicial District Department of Correctional Services;

- ◆ The plan adopted shall be designed to reduce probation revocations to prison through the use of incremental community based sanctions or probation violations;

- ◆ The plan shall be subject to rules adopted by the Department of Corrections;

- ◆ Provisions include a requirement that the reasons for the transfer be in writing and that the defendant have an opportunity to contest the transfer;

- ◆ The District shall place an individual to the sanction and appropriate level of supervision based upon current risk assessment evaluation;

AND

- ◆ Placements may be to levels two and three of the continuum;

- ◆ The District may transfer an individual along the intermediate criminal sanctions program as necessary and appropriate;

- ◆ Nothing in this section limits the District Department's ability to seek revocation for an individual's probation pursuant to Section 908.11.