

RIGHTS RESTORATION IN IOWA

I. DISENFRANCHISEMENT AND RESTORATION PROCESSES

Who does Iowa disenfranchise?

Iowa **permanently** disenfranchises those with felony convictions while they are incarcerated and on probation or parole.⁵⁸

What is Iowa's restoration process for people with felony convictions?

After completing their sentence, a person's rights can only be restored by the governor. Individuals complete an application for restoration and submit it to the governor's office.⁵⁹ The governor recently simplified the application to one page.

Regarding LFOs, one must either complete repayment of fines, fees, and restitution or be current on a payment plan.

What state resources are available to assist people in registering in vote?

The Secretary of State has the application for rights restoration on the state's website.

The Iowa Department of Corrections automatically completes 12 of the 14 questions on the application for each person being discharged. A DOC officer then works with the person to complete the last two questions, and the person leaves DOC supervision with a completed rights restoration application form.⁶⁰

II. IMPACT

How many people are directly impacted by disenfranchisement and mass incarceration?

As of 2016, Iowa's felony disenfranchisement laws disenfranchised 2.17% of its population, and 9.84% of the African American population.⁶¹

In fiscal year 2019, the total number of people housed in Iowa's nine prisons increased by 54 people (to 8,473 people total). This is the most since the count stood at 8,778 in the 2011 fiscal year.⁶²

As of January 31, 2020, Iowa incarcerated 8,445 people and had 38,467 people on community supervision.⁶³

As of January 31, 2020, Iowa incarcerated 8,445 people and had 38,467 people on community supervision.

Who are the impacted people?

One in 10 African American adults cannot vote because of a felony conviction.⁶⁴

African Americans comprise about 3.5% of Iowa’s total population, but 25.3% of Iowa’s total prison population.⁶⁵

III. STRATEGIES TO EXPAND RIGHTS RESTORATION

What are key legal and policy rights restoration strategies tried as of February 2020?

	Legislation	Litigation	Executive Order	Ballot Initiative	Administrative Advocacy
Measures Attempted in the State	X		X		

Legislation

House Bill (2019) – There was a proposed amendment to the Iowa Constitution that would have restored voting rights upon a person’s completion of sentence. The Governor and the House supported the bill, but Senate Republicans killed the bill. They wanted more clarity on what “completion of sentence” meant and to what extent it included LFOs, similar to the issues with Florida SB 7066.

The Governor says she will push for another proposed bill this session that would restore the right to vote.

Executive Order

In 2005, Governor Tom Vilsack issued an executive order that restored voting rights to those with felony convictions who completed their sentence. In 2011, Governor Terry Branstad reversed this executive order, returning Iowa to a status of permanently disenfranchising those with felony convictions.

Advocates are currently pushing Governor Kim Reynolds to issue an executive order similar to the one issued by Vilsack, but Governor Reynolds says she does not want another executive order that can be reversed again with a new administration. She says she would prefer a more permanent fix in the form of legislation that will restore voting rights.⁶⁶

Administrative Advocacy (Rulemaking/Regulations)

The Governor’s office has a backlog of applications for rights restoration. Advocates pressured Governor Reynold’s office to address the backlog in advance of the Iowa Caucus.

The Governor has committed her office to reviewing all pending applications before the Iowa Caucus on February 3, 2020.⁶⁷

Advocates have also recently challenged the accuracy of the Secretary of State's list of people with felony convictions.

The Secretary of State has audited the list, and after finding numerous errors, is committed to rebuilding the list from scratch.⁶⁸

What is the process for bringing forward a ballot initiative in Iowa?

Legislature: There must be a majority vote in both houses of the legislature in two successive legislative sessions. Then voters must approve the proposed amendment by a majority.⁶⁹

IV. KEY ISSUES/WHERE THE FIGHT IS

Iowa is the only remaining state that permanently disenfranchises those with felony convictions. Advocates previously introduced legislation that would restore the right to vote to those who complete all terms of their sentence. The bill did not pass in 2019, but advocates plan to introduce it again in 2020.

Advocates are also urging Governor Kim Reynolds to issue an executive order that would provide a blanket restoration of rights for those with felony convictions. The governor has expressed reluctance because she views this as a temporary fix. Instead, she is advocating for legislation as a means of re-enfranchisement.