

Iowa SC declines registrants' petition; says constitutional rights not violated

written by admin | November 24, 2021



By [Erin Jordan](#) . . . The Iowa Supreme Court has upheld a district-court decision that the state is not wrongfully denying liberty to sex offenders who aren't eligible for parole because they haven't been able to get into a required treatment program in Iowa's prison system.

The [opinion filed Tuesday](#) said the Iowa Department of Corrections has not violated the Constitutional rights of seven men held at the Newton Correctional Facility for sex-related crimes. Further, the prison system hasn't intentionally withheld sex offender treatment to keep the men in prison longer, the court found.

"The problem is simply one of numbers: there are more male sex offenders in Iowa's prison system than SOTP (sex offender treatment program) spots available," Justice Edward Mansfield wrote.

“The DOC has been actively addressing the need for sex offender treatment by increasing the number of classes and counselors. The existing waiting list, which prioritizes admission to treatment based on tentative discharge date, is a reasonable way to decide when an offender gets admitted to treatment.”

The petitioners – Kyle Cross, Anthony Gomez, Raymond LaBelle, James Hall, Kelly Sand, Shane Millett and Travis Bomgaars – are considered low-risk or low-moderate risk to reoffend, which means they qualify for one track of sex offender treatment. That track has a waiting list of more than 400 people, the court’s opinion states.

[Read the remainder of the article here at The Gazette.](#)