

Friday, July 29, 2022

The Iowa Supreme Court and the Iowa Rules of Criminal Procedure Review Task Force appreciate the many thoughtful and important written comments that have been received on the post-2020 proposed revisions to the Chapter 2, Iowa Rules of Criminal Procedure. On behalf of the task force, I write this letter to provide more detail on the public session that will occur in Room 103 of the Iowa State Capitol on August 5, 2022, at 9 a.m.

Notably, the written comments were largely focused on three proposed rules:

1. Proposed Rule 2.8(2)(b)(9)—conditional guilty pleas
2. Proposed Rule 2.15(3)(a)—special circumstances defense subpoenas
3. Proposed Rule 2.18(5)(a)—exempting an individual juror from a challenge for cause regarding the previous conviction of a felony if more than 10 years have passed since the juror’s conviction or release from confinement for that felony, whichever is later

Therefore, to use time most efficiently, the task force believes it would be helpful to organize the public session around these proposed rules, while also providing an opportunity for public discussion of other post-2020 proposed revisions. The task force has adopted the following schedule for August 5:

9:00–9:30	Conditional guilty pleas
9:30–10:30	Special circumstances defense subpoenas
10:30–10:45	Break
10:45–11:30	Challenges to individual jurors for cause—more than 10 years since felony conviction or release from confinement
11:30–noon	Other post-2020 proposed rule changes

These timeframes are a guideline; the task force may modify the timing as the discussion progresses on August 5.

The following persons have requested and will be provided an opportunity to speak on these matters:

- Brenna Bird, Guthrie County Attorney
- Brent Heeren, Tama County Attorney, on behalf of the Iowa County Attorneys Association
- Russell Lovell or David Walker, Iowa-Nebraska NAACP
- Nick Sarcone, Criminal defense attorney, on behalf of the Iowa Association for Justice
- Karl Schilling, Iowa Association for Victim Assistance
- Charles Sinnard, Dallas County Attorney
- Theresa Wilson, Assistant Appellate Defender

The public session will also be livestreamed via Zoom (although the maximum number of participants is limited).

Link: <https://iowacourts.zoomgov.com/j/1616378591?pwd=ZW5rSDdMMkxlRU44ZDcwK1BaWmpwQT09>

Meeting ID: 161 637 8591

Passcode: 052192

Additionally, the task force notes that a number of public comments were submitted on proposed rule revisions that were part of the earlier 2020 public comment period. As indicated in the June 22 order, the August 5 public session will not be used to address these matters. However, the task force is reviewing the newly submitted comments, particularly where they raise interpretations of the proposed rules that were not intended by the task force and the possible need for clarification.

Respectfully,



Justice Edward M. Mansfield,

On behalf of the Criminal Rules Revision Task Force

EMM/dd