



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

JUVENILE JUSTICE ADVISORY COUNCIL

"To advocate for an effective, fair and equitable justice system for every Iowa youth."

MINUTES OF REGULAR MEETING Thursday, June 2, 2022

Present: Andrew Allen, Chair; Rev. Roy Klobnak; Morgan Fritz; Patrick Garcia; Kristin Hixenbaugh; Dan Larson; Jacob Molitor; Jennifer Tibbetts; Hon. Cheryl Traum; Jeralyn Westercamp; Doug Wolfe

Staff: San Wong; Steve Michael; Scott Musel; Shayla Gilleland; Arena Horn; Angela Leonetti; Kathy Nesteby; Jill Padgett; Kayla Powell; Alison Roe; Julie Rinker; Sonya Streit; Maria Harrington

Others: Armi Damken-Navarro, Audi Espinoza, Taylor Parle, Youth Justice Council; Laurie Nash; Naomi Smoot, Laura Furr, Aide (Sam) Moore, Coalition for Juvenile Justice; Evan Johnson, LSA;

I. Call to Order and Introductions

Andrew Allen, Chair, welcomed all in attendance at 10:02 a.m. Introductions were made. A quorum was present.

II. Approve Minutes (March 2022)

Roy Klobnak moved to approve the minutes from the March meeting, seconded by Hon. Cheryl Traum. The motion was unanimously approved.

III. Coalition for Juvenile Justice (CJJ) Annual Conference & Business Meeting

• Coalition for Juvenile Justice Committee Opportunities

Allen and CJJP staff reviewed highlights from the CJJ conference held in mid-May. Allen expressed his overall enthusiasm and pride regarding presentations conducted by Iowa's youth attendees. Both presentations received standing ovations.

- Lyric Sellers and Endi Montalvo-Martinez presented on the removal of school resource officers in Des Moines public schools and results on referrals to Juvenile Court Services over the past 12 months. SRO's were replaced with restorative justice practices.
- Audi Espinoza and Ava Palmer presented on the newly-formed Youth Justice Council (YJC), a subcommittee of this Council. YJC members have lived experience in the juvenile justice system.

Kayla Powell presented photos from the trip. Attendees met with Rep. Cindy Axne, Senators Joni Ernst and Charles Grassley, and staff representatives from the offices of Representatives Mariannette Miller-Meeks, Randy Feenstra, and Ashley Hinson.

Audi Espinoza reported that their presentation focused on the structure and goals of YJC and how youth are leading efforts in Iowa. There were quite a few follow-up questions from audience members regarding youth engagement. The opportunity allowed youth members to build relationships with adult partners and other youth attendees.

Jill Padgett reported that Sellers and Montalvo-Martinez presentation included school referral data collected over the past 12 months. There has been an 80% reduction in juvenile court referrals and that has impacted youth of color. The audience was engaged and connected.

Naomi Evans, Aide “Sam” Moore, and Laura Furr with CJJ all noted that positive feedback was received regarding the presentations. Many were impressed with Iowa’s youth and their efforts, “they did a phenomenal job”.

During the Council of SAGs meeting, Ava Palmer represented Iowa. Iowa was the only state represented by a young leader. The purpose of the Council of SAGs is to approve policy changes and provide a larger voice from state representatives. Furr applauded Allen for allowing Palmer to take the lead.

Allen thanked the attendees and again noted his admiration. The conference included a session by Liz Ryan, the new Director of the Office of Juvenile Justice and Delinquency Prevention (OJJDP). He recognized Espinoza on her high school graduation and Morgan Fritz on her graduation from Iowa State University. Fritz has accepted a position as Executive Assistant to Lt. Governor Adam Gregg.

IV. Youth Justice Council

- **Administrative Rule Recommendation for Juvenile Court Services and Department of Human Services Regarding Hygiene Products**

Taylor Parle, YJC member, reviewed draft recommendations to change the Administrative Code for both Juvenile Court Services (JCS) and the Department of Human Services (DHS) with regards to feminine hygiene products and hair products for youth of color. The current Code is not sufficient. YJC collaborated with the Drake Children’s Rights Clinic to conduct research on other state codes. Wisconsin’s code includes more detailed information and language that provides accountability. The YJC is requesting support for the draft wording.

Espinoza added that placement centers require that youth earn certain products, which the YJC members thought were basic needs. Parle noted the cost of products and that youth are working to improve themselves and these products should be provided.

Dan Larson noted that basic items are provided to youth, however, they are able to earn nicer level products. He added that, for safety reasons, staff are required to watch youth use a razor.

Jennifer Tibbetts moved to approve that the draft letters be shared with DHS/JCS, seconded by Larson.

Jacob Molitor suggested consideration be given to the threat of self-harm regarding the use of razors.

Tibbetts and Larson agreed to amend motion to include: razors shall be provided in a manner that ensures safety of youth and staff.

The motion carried with one abstention from Doug Wolfe. Wolfe noted that DHS is making some changes to its Administrative Rules, but it is not the same wording in the draft letters. Public hearings are being held on the rule changes and he encouraged participation in the process.

Armi Damken-Navarro, YJC, provided information on HF2252 and HF2507. The legislation was signed by Governor Reynolds on May 24th.

V. Division & National Report

Steve Michael reported the following:

- **Compliance Monitoring Manual**—The required manual update was completed and has been submitted. Federal funding awarded last year will not be issued until the update has been approved by OJJDP.
- **Legislation**—HF2507 passed and will move the Detention Home Fund from DHS to CJJP. The first year involves training. Beginning July 1, 2023, CJJP will have complete oversight.
- **Staff**—An opening exists for a Justice Systems Analyst due to the retirement of Lanette Watson.
- **Juvenile Reentry Grant application**—CJJP has applied for a federal juvenile reentry grant. It will include one juvenile reentry navigator. Two navigators have already been hired, a third position is open. If the grant is approved, there will be four navigators.
- **Pre-Charge Diversion grant**—The deadline for the RFP was May 27. CJJP is in the process of reviewing proposals. Requirements relate to expansion of existing or new programs in communities.
- **Youth Engagement Summit**—The second summit hosted by the Judicial Branch will be held in person at the DMACC campus on August 9.
- **JJAC Term Expirations**—Michael thanked members whose terms are expiring: Kristin Hixenbaugh, Justin Pearson, Aaron Sewell, Stephanie Hernandez, Andrew Allen, Jeralyn Westercamp, Chad Jensen, Megan Adam. Several have reapplied to continue serving. Allen also thanked all members for their service to the Council.

VI. Title II Juvenile Justice Youth Development Allocation

• Council Budget Report

Scott Musel reported that a balance of approximately \$32,000 remains. CJJ conference expenses were not included in that balance. No funds would revert to the feds at the end of September.

Michael reported that conference costs for youth would be paid by a grant from the Mid-Iowa Health Foundation. Expenses charged to Council funds would most likely be \$6,000 to \$8,000.

Musel also noted that OJJDP mandatory training is required later this year for he and Padgett—no dates have been announced.

- **Coalition for Juvenile Justice's Youth Summit**

Powell reported that CJJ will host a two-day youth summit in early August. The summit provides opportunities for skill development. Airfare was approximately \$1,000 per person. With lodging, airfare, and registration, the cost to send two youth and one adult chaperone would be \$5,689, to send three youth and one adult chaperone would be \$7,500.

An alternative to this summit would be the Racial & Ethnic Disparities (R/ED) conference to be held in Louisville, KY, in early November. CJJ has been asked to submit workshop proposals. Powell noted that the cost of airfare is significantly less and this would be an opportunity to attend the conference in partnership with youth. To send a team of eight individuals would cost about \$12,000.

Allen asked if Powell had a recommendation. Powell deferred to YJC and JJAC members. The following was discussed:

- Pat Garcia asked which conference would be the most beneficial to youth. Espinoza thought either conference would be beneficial.
- Michael recommended 2-3 youth and 1 adult attend the Youth Summit.
- Allen noted the importance for adult-youth partnerships while being good fiscal stewards. He suggested the R/ED conference.
- Padgett responded that the DMC Subcommittee would like to send representatives to the R/ED.
- Michael reported that the Youth Summit would provide leadership skills not provided at the R/ED conference.
- Molitor and Garcia supported the youth summit and didn't want funding to be a barrier.

Klobnak moved to send four youth and one chaperone to the youth summit, seconded by Tibbetts.

Allen asked about funding. Musel responded that it currently fits, but would know more after all expenses were submitted for the recent CJJ conference.

Furr noted that past attendees have indicated the importance of skills learned and networking with other youth across the country. The R/ED conference would be more like the most recent CJJ conference, but with a focus on disparities.

Tibbetts noted concerns about pre-paying airfare for youth. Michael responded that approval was received to pre-pay airfare and lodging for youth attendees at the CJJ conference.

There was no further discussion. The motion was unanimously approved.

- **Title II Judicial District Expenditure Report & Progress Reports**

Musel reported that some judicial districts have spent more of their funds than others and relates to getting new programs up and running. Copies of the progress reports were included in the meeting packet.

- **Youth Justice Council Per Diem**

Michael reported that in 2019, the JJAC adopted a statewide policy to pay per diem to qualifying members who meet certain poverty guidelines per Iowa Code §7E.6. No claims were ever made.

In 2020, DHR developed a payment policy and agreed to pay a stipend to Youth Action Squad members for their work—\$175 for 12 weeks in year one, \$300 for year two.

In March 2021, the JJAC voted to allocate funds to promote “youth voice” based on the aforementioned per diem since most youth meet the poverty guidelines.

Recently, DHR received an opinion from the Office of the Attorney General (AG) that Iowa Code §7E.6 only relates to commissions and councils established in Iowa Code. Since the JJAC was formed through an Executive Order, not Iowa Code, the decision is null and void. The AG informed DHR that we are at risk paying anyone, other than staff, for work associated to the council. In April 2022, the payment policy was suspended.

Since then, staff have been working to reinstate some form of payment method for youth involvement. Consideration is being given to contract with a non-profit that would allow oversight and technical assistance by CJJP to ensure that authentic youth-adult partnerships continue and are standardized as we move forward.

San Wong, DHR Director, noted that there are a number of youth initiatives in DHR used to engage youth with state leaders—training young people and giving them the opportunity to learn skills to exercise their voice through volunteer civic engagement.

She noted that in the past, youth were not paid. However, when Youth Action Squads were created in 2020, youth were paid to work on issues for a short period of time to offset expenses and remove barriers. DHR saw this as an opportunity to fill gaps and incubate programs.

The original guidance from the AG is that we cannot pay youth, *period*. However, in order for young people to participate, we want to offset their expenses.

Sonya Streit, Executive Assistant to Director Wong, added that the State promotes volunteerism. Volunteer status is lost when payments reach \$600. Other factors can represent an employer-employee relationship.

Streit noted that staff are exploring options that include contracting with a non-profit agency to provide fiscal oversight, yet not be bound by the aforementioned state rules. The AG thought that \$400 was a reasonable amount.

Streit also noted that DHR is audited each year and that the State Oversight Committee ensures procedures are followed according to law. DHR wants to ensure that this is considered.

Michael asked the Council to provide some parameters if we were to contract with a non-profit.

Members voiced their disappointment with the decision and shared the following:

- Most JJAC members are being paid by their employer to attend meetings and share their expertise.
- YJC members are youth with lived experience and have the expertise necessary to share knowledge.
- Youth members reported concerns related to balancing meetings with school and work schedules. They noted their passion for the work and youth engagement. While they don't want money to be a barrier to participation, they do have bills and some have had to work double shifts to be available to attend meetings. The funding would help offset some of those expenses.

Doug Wolfe reported that one of his responsibilities is to procure for the Iowa Foster Care Youth Council and contracts with YSS to compensate youth for their participation in DHS groups. Sometimes that compensation is in the form of gift cards paid with state and/or federal funding. He was hopeful that DHR would support youth in these activities.

Aide 'Sam' Moore noted her work as an Idaho youth SAG member and current work with CJJ. As a youth member, she was fired from her job due to her meeting attendance. This gravely impacted her ability to maintain housing. She noted the importance of listening to youth concerns and their voice in solving problems. She complimented the work of youth members in Iowa and the positive comments on their presentation.

Allen noted that there was consensus amongst JJAC members to compensate youth for their time and asked staff if there was a path forward.

Michael noted the value of youth participation and that the original payment policy was instituted to provide an opportunity for youth to advise policy makers and make changes. CJJ has offered advice and shared information. We will explore this information and identify a way so that youth can participate.

Allen added that best practice is to pay kids. He asked Wong if a workgroup should be seated to create a way to compensate youth.

Wong responded that she understands the value of young people, however, there was nothing in the Iowa Code that allows us to do this legally. We will continue to explore options and are committed to making changes. This may be an opportunity to move programs to non-profits. This may be a catalyst to make things happen.

Jacob Molitor moved to send the matter to the Policy & Programs Subcommittee to develop a list of options, seconded by Tibbetts. The motion was unanimously approved.

VII. Program and Policy Committee

• Youth Engagement Recommendations

Powell reported that during the March JJAC meeting, recommendations from the joint training between the YJC and the JJAC were reviewed and forwarded to the Policy & Programs Subcommittee (PnP) for further review. Garcia added that the purpose is to elevate youth voices.

Allen commented on the training held in February for JJAC and YJC members. He noted his conviction to solicit youth voice and expertise in work conducted by the JJAC.

The PnP recommended the following motion:

1. **Clarify roles of youth members**
2. **Have prep meetings with youth members before quarterly SAG meetings**
3. **More outreach and engagement with youth who are currently in placement**
 - **Engage youth currently in the system (self-governing boards at QRTPs, detention centers)**
 - **Engage judicial districts to identify youth to become more involved**
 - **Community-based services who serve youth**
4. **Empower youth to speak first during meetings**
5. **More communication between youth JJAC members and Youth Justice Council members**
 - **JJAC youth members go to YJC meetings**
 - **Informal conversations through texting/calling**
6. **Have a youth co-chair**
7. **Adapt meeting structure**
 - **Shorter meetings, more often + blend of virtual and in-person**
8. **Develop mentorships between adult JJAC members and youth members from both the JJAC and YJC**

Michael noted that some of the recommendations were ‘heavy lifts’ and would require more involvement and commitment from members, especially around change of structure, mentorship, and youth co-chair. This is more than creating a way to do things. Youth will expect to know their mentor, meet at convenient times, and elect the co-chair.

Tibbetts asked if there was a timeline or if a workgroup should be seated to develop one. Garcia responded that there is no timeline. However, the recommendations relate to involving youth voice into activities prior to decisions being made or actions taken.

There was no further discussion. **The motion passed unanimously.**

- **Juvenile Justice Advisory Council Meeting Frequency and Format**

Padgett reported that the current format of our JJAC meetings is not convenient for youth engagement. **The PnP Subcommittee discussed ways to engage youth and recommended the following:**

- **Shorter, more frequent meetings (every other month for 2 hours)**
- **At least twice a year—hold longer, in-person retreat-style meetings**
- **Based on the work or needs, more meetings may be added**
- **Continue to offer virtual options, with the exception of retreat-style meetings.**

Members discussed the following:

- Youth will need to meet outside of school, meeting times and frequency will change.
- Current structure requires long meetings and affects engagement.

- Quarterly meetings are not frequent enough to understand and address issues.
- Will increased travel affect the current budget?
 - Expenses can be reduced through hybrid meetings.
- How will this affect subcommittee meeting structure? Currently, subcommittee meetings are in alignment with quarterly JJAC meetings.
 - Subcommittees can identify the type and frequency of meetings.
 - Subcommittees could meet more frequently using a virtual format and also meet in person a couple times per year.
- Currently, the YJC meets on Sunday evenings. Convenient meeting times for youth will depend on whether they are in high school or college and their work hours.

Allen suggested polling members to further identify convenient meeting schedules.

There was no further discussion. **The motion was unanimously approved.**

VIII. Youth Appointments to Juvenile Justice Advisory Council

Musel reported that OJJDP provided guidance in appointing and maintaining the required number of youth members. An option exists to have *youth appointments* conducted via a governor's designee. He noted the high turnover of youth members and asked members to consider whether it would be better to have the governor designate someone to appoint only youth members. This could be someone in DHR administration. If approved, conversations would be held with the governor's office.

Furr reported that there are a few states already doing this.

Allen asked about payment for youth participation. Tibbetts suggested consideration be given to typical consultant fees.

Allen asked members if they were willing to approve this knowing there could be some unintended consequences.

Musel recommended that staff develop information to address concerns.

There was consensus to table the matter pending further review by the PnP Subcommittee.

IX. Mitigating Gender and Racial Bias Training

Nestey reported that this was the second training offered by the JJAC through the One Circle Foundation. Feedback was overwhelmingly positive.

X. Chief Justice's Juvenile Justice Task Force

Hon. Cheryl Traum reported that there are six workgroups—Community-based services, Congregate Care, State Training School, Transition to Reentry, Dual System Youth, and Governance-Funding-Data Collection. A wide variety of stakeholders were appointed to the task force.

Workgroups have been meeting individually and are at various stages. Recommendations will be compiled into a report that is due December 2.

Garcia added that the intent of the Task Force is to look at system change and make recommendations. Some changes will come slowly, others more quickly.

Michael reported that CJJP staff sit on each workgroup; Espinoza and Palmer are on the Task Force.

Allen reported that the Congregate Care workgroup is looking at treatment, solutions for high risk delinquent females, and reducing disparities.

XI. Juvenile Justice Advisory Council Goals and Objectives: Priority Areas (2021–2023 Three-Year Plan)

Gender—Tibbetts reported that the Iowa Task Force for Young Women is looking to collaborate with the DMC Subcommittee and the YJC. The Congregate Care Workgroup has requested guidance regarding girls in the juvenile justice system.

DMC—Padgett reported that the DMC Subcommittee meets June 15. The meeting includes a review of the DMC goals and objectives and progress.

Reentry—Padgett reported that CJJP has applied for a new federal grant. If awarded, the grant would provide expansion and standardization of best practices. JCS has developed a reentry and aftercare policy for juvenile court officers. A draft of the policy has been shared with the Chief Justice’s Task Force.

Most of the current reentry effort has focused on residential treatment. The new grant includes youth exiting long-term detention. IWD was recently contacted regarding the use of the reentry navigators for youth in detention.

Traum noted that her Workgroup is developing recommendations, including a checklist and assigned agencies. She noted difficulties in the availability of services in rural versus urban areas. She has asked her co-chair if detention should be included in the congregate care discussion.

XII. Compliance Monitoring Progress

Musel reported that he is currently visiting local police departments that don’t have secure facilities. In October, he will once again visit facilities. He has received several calls regarding youth waived to adult court and their placement with regard to recently passed legislation. Overall, the system is working.

CJJP has not received the application for next year’s federal funding. As a result, data collected from last year have not been submitted. Once that is received, the data are ready to be submitted.

XIII. Unfinished Business

There was no unfinished business.

XIV. New Business

- Minimum age of jurisdiction for Juvenile Court Services
- Extended original jurisdiction of Juvenile Court Services—youth can continue to receive services from JCS for a period of time beyond their 18th birthday.

Musel reported that staff recommend further discussion on the above two items. Both relate to reducing the number of youth referred to juvenile court.

Padgett suggested that the PnP Subcommittee further discuss policy on minimum age of jurisdiction in Iowa—Iowa is one of 24 states that does not have an established minimum age. Allen concurred.

XV. Adjourn

Allen thought this was the most substantive meeting during his tenure and attributed that to the involvement of the YJC and their accountability. Espinoza thanked members for their advocacy and support.

The meeting adjourned at 2:00 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning