



Governor Terry E. Branstad
Lt. Governor Kim Reynolds
San Wong, Director

PUBLIC SAFETY ADVISORY BOARD MINUTES OF REGULAR MEETING

**Public Safety Headquarters Building
215 East 7th Street, Public Conference Room
Des Moines, IA**

May 29, 2013

- Present:** Tom Ferguson, Presiding; Mardi Allen; Kim Cheeks; DeAnn Decker for Kathy Stone; Stephanie Fawkes-Lee; John Asmussen for Paul Fitzgerald; Kurt Swaim for Sam Langholz; Ross Loder; Hon. Jeffrey Neary; Lettie Prell; Sherri Soich; John Spinks; Tom Walton; Dale Woolery
- Ex Officio:** Sen. Charles Schneider; Rep. Mary Lynn Wolfe
- Absent:** Trisha Barto; Jason Carlstrom; Patrick Gibbs; Michelle Leonard
- Staff:** Paul Stageberg; Cheryl Davidson; Sarah Rabey; Julie Rinker; Lanette Watson
- Others:** Jennifer Acton; Anna Hyatt-Crozier; Cathy Engel; JoAnn Finkenbinder; Amanda Freel; Bob Greenlee; Beth Lenstra; Marty Ryan

I. Call to Order, Welcome, and Introductions

Tom Ferguson, Chair; called the meeting to order at 11:55 a.m. A quorum was present.

II. Approval of Minutes—November 28 & 30, 2012

Judge Jeffrey Neary moved to approve the minutes from the November 28 and November 30, 2012, meetings; seconded by John Spinks. The motion was unanimously approved.

III. 2010 Uniform Crime Report – Update

Paul Stageberg reported that the 2010 Uniform Crime Report (UCR) has been completed and sent to the Department of Public Safety. No approval has been given to begin the 2011 UCR. Inquiries for 2010 information may be forwarded to CJJP.

IV. Results First Initiative – Update

Prell provided background information regarding Iowa becoming a Results First state and the PSAB providing oversight. The 'Results First Initiative' cost/benefit analysis application was developed by a Washington state economist and adopted by the Pew Charitable Trusts and the MacArthur Foundation. The model allows policy makers to review costs/reductions in recidivism and invest in policies and programs that are proven to work. An article written by the Pew-MacArthur Trusts will highlight Iowa's work with the model. Prell noted that the Department of Corrections (DOC) has identified that cognitive programs are the most effective, least expensive, and reduce recidivism. The DOC plans to expand these programs for offenders.

Division of Criminal and Juvenile Justice Planning

A meeting is planned for July 1-2 in Des Moines and will address efforts on the juvenile side. Pew representatives are willing to meet with PSAB members during that visit. Stageberg reviewed how the project will fit with the recently awarded Juvenile Justice Reform Project grant. Kile Beisner, CJJP, has been designated to work with the data.

Prell discussed other community-based correctional programs evaluated through the Results First model.

V. Mandatory Minimum Report

Stageberg stated he began the report several years ago. Sarah Rabey, a CJJP analyst hired last fall, has been working on it in the interim. Comparisons within the report are before and after enactment of the 70% legislation. The report looks at all 70% crimes, penalties, and effects on the prison population. Robbery was a primary focus as it represents over half of all prison admissions and is the most disparate crime in Iowa. Prior to the legislation, the average length of stay was 5-6 years and is now 17.5 years. The law took effect in 1996—the first individual incarcerated under the statute is still not eligible for parole.

A brief discussion included fiscal concerns, public safety, whether it was appropriate that all offenders serve 70% of their prison sentence, that the law was essentially driven by victim advocacy groups, and that other information should be considered at sentencing—criminal history, alternatives, community concerns, etc.

Judge Neary moved that the information be presented as a PSAB report and that the Chair appoint a committee to identify alternatives and recommendations; seconded by Stephanie Fawkes-Lee. The motion was unanimously approved. The following members offered to serve on the committee: Neary, Rep. Mary Wolfe, Stephanie Fawkes-Lee, Lettie Prell, and Tom Ferguson.

Stageberg will send a draft of the report to the committee members. A meeting will be held over the summer and a draft presented at the September meeting.

[12:35 p.m. Sen. Schneider departed meeting]

VI. Sex Offender Research – Update

Stageberg reported that the project began several years ago when a database of sex offenders was created. Lanette Watson, CJJP analyst, has been assigned the project.

Watson has developed some preliminary information, primarily demographic. There are approximately 6,872 offenders in the database who range in age from 9 to 79. 97.7% are male, 90% are Caucasian, 8.9% are African-American. The median age at first arrest was 23.

Criminal history data rely on convictions. Prior to their first sex offense conviction, 56% did not have a prior conviction. Sixteen percent had a prior felony; 26% had prior misdemeanor convictions. Many offenders had prior property offenses; only 8% had prior alcohol, drug, or violent offense history.

Recidivism data are similar to what CJJP has found in previous research. Over half had no new conviction; 16% of the total database received a new sex offense conviction. Cumulative recidivism—goes back 40 years, although nearly half of recidivism occurs in first three years.

Stageberg noted that the anticipated report could be a report of the PSAB, the Sex Offender Research Council (SORC), or both.

State Representatives Mary Wolfe and Chip Baltimore submitted a letter requesting a review of sex offender statutes that would allow an offender to petition the Court for an early discharge from the special sentence and modification of sex offender registry requirements. A brief discussion ensued. It was suggested that the matter be reviewed through a joint meeting in September between the PSAB and SORC.

Ross Loder moved that the PSAB undertake a review of the requests contained in the letter from Representatives Wolfe and Baltimore and also refer the matter to the SORC, seconded by Sherri Soich. There was no further discussion. The motion was unanimously approved.

CJJP staff will start collecting information.

VII. Habitual Offenders in Possession of Firearms/age of prior felony convictions

Stageberg reported that Terry Hudik, CJJP, is looking at data related to time at risk for habitual offenders, more specifically the time from the last felony conviction until the arrest that resulted in the habitual offender sentencing enhancement. CJJP anticipates having more on this at the next meeting.

VIII. Identification of Issues for FY13 Report

Stageberg asked the group to identify issues to be included in the next PSAB report to the Legislature.

Following a brief discussion, **Stephanie Fawkes-Lee moved that the report incorporate information on mandatory minimum sentencing, sex offender data, as well as updates to last year's report topics: mandatory minimums for drug offenders, modifying penalties for powder and crack cocaine, transitioning youth, and juvenile waivers to adult court; seconded by Loder. There was no further discussion. The motion was unanimously approved.**

IX. Other Matters Arising

Stephanie Fawkes-Lee discussed a report by the ACLU regarding ending mass incarceration. Stageberg will share the report with members.

Ross Loder reported that this would be his last meeting. Commissioner London has appointed Amber Markham, Policy Advisor, to represent the Iowa Department of Public Safety (DPS). Ferguson thanked Loder for his service to the group.

X. Adjournment

Loder moved to adjourn, seconded by Sherri Soich. The motion was unanimously approved. The meeting adjourned at 1:16 p.m.

Respectfully submitted,

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