



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

Justice Advisory Board Minutes of Regular Meeting

Polk County River Place
2309 Euclid Avenue, Room 1A
Des Moines, Iowa

November 6, 2019

Present: Beth Barnhill; Tammy Bramley; Kim Cheeks; Brian Gladney; John Haila; Tim Lane; Andrea Muelhaupt; Betsy Richey for Sarah Reisetter; Cody Samec; Sarah Fineran for Beth Skinner; Ardyth Slight; Sherri Soich; Kurt Swaim; Bruce Vander Sanden; Dale Woolery; Daniel Zeno *Ex-officio*: Hon. Romonda Belcher; Hon. Jeffrey Neary; Rep. Timothy Kacena

Staff: Steve Michael; Mindi TenNapel; Meg Berta; Brianne Potts; Julie Rinker; Lanette Watson; Cheryl Yates

Others: Betty Andrews; Laura Book; Cathy Engel; Tom Ferguson; Christine Mechler; Karen Persons; Amber Shanahan-Fricke;

I. Call to Order, Welcome, and Introductions

The Honorable Jeffrey Neary, Chair, called the meeting to order at 10:02 a.m. A quorum was present.

II. Minutes

Daniel Zeno requested the minutes be corrected to reflect his presence at the September meeting. **Kurt Swaim moved to approve the minutes as corrected, seconded by Sherri Soich. The motion was unanimously approved.**

III. Division Update

Michael provided the following update:

- Reentry grant—CJJP has received approval for Second Chance Act funding from the federal Office of Juvenile Justice & Delinquency Prevention (OJJDP) to continue and expand reentry efforts for juvenile justice system youth. The funding period is October, 2019, through September, 2022.
- Transfer of Juvenile Services & Funding (TJSF)—A work group has been meeting to develop an action plan and make recommendations related to the transfer, administration, and oversight of certain juvenile justice related funding from the Department of Human Services (DHS) to State Court Administration (SCA) or another entity. A report is due December 15 to the Governor and the General Assembly.

Division of Criminal and Juvenile Justice Planning

- Pre-file bills—
 1. The TJSF has recommended that oversight and administration of Detention Home Funds be transferred from DHS to CJJP. The bill addresses this transfer as well as changes to the funding formula.
 2. CJJP has pre-filed legislation to align Iowa Code §232.22 with new Juvenile Justice Reform Act (JJRA) provisions that prohibit youth waived to adult court to be housed in adult jails unless the court determines it is in the best interests of the juvenile and the community. These new rules go into effect in 2021.

IV. Governor's FOCUS Committee on Criminal Justice Reform (Fueling Ongoing Collaboration and Uncovering Solutions)

Nate Ristow provided information on the Governor's newly formed FOCUS Committee. The Committee has identified successful reentry for offenders as the main topic for this year and next year plans to review bias in the criminal justice system. The Committee will also identify factors to reduce recidivism related to employment, mobility, housing, health care, and mental health treatment. He thought the Committee would like to know more about available research, data, and disparity.

Members suggested the Committee also consider technical violations and automatic revocations for sex offenders.

V. Review Topics and Identify Areas for Future Research

Michael reported that based on the prioritization of research topics at the September meeting, staff have identified past research on those topics. A handout summarized the topics by: what was feasible to study, what had already been studied/correlating research reports, and topics that were either too difficult to study or were unclear.

Mindi TenNapel, CJJP Research Coordinator, reviewed potential research questions for the following topics that would be feasible to study—1) Youth waived to adult court, 2) Mental health services for offenders, 3) Felon employment and recidivism, and 4) Risk assessments used by the Department of Corrections (DOC) to predict recidivism.

Neary asked for comments.

Daniel Zeno encouraged members to consider focusing on criminal justice reform—does Iowa have too many felonies? Should there be more mental health and substance abuse treatment referrals rather than charges? What can be done to reduce and prevent charges and referrals to the court system, especially in schools?

Betty Andrews would like to know how policing in Iowa schools varies by district and whether there are better models.

TenNapel responded that there is little data regarding School Resource Officers (SRO's), however, there is some work on diversion. Zeno noted concern on the lack of data on: SRO's, the number of Iowa school districts with officers in the schools, and

whether that individual is a police officer or security guard.

Neary asked if the Department of Education or School Board Association kept data on the number of SRO's. Michael offered to have staff obtain further information.

A lengthy discussion ensued regarding the proposed research topics. The following ideas, statements, and questions were brought forth:

Youth waived to adult court—

- Are there states that don't waive youth to adult court?
- Should Iowa develop an extended youth system?
- What changes would improve/impact the juvenile justice system?
- Should someone under age 18 be tried as an adult—they are still a child
- More should be done to prevent referrals, rather than reacting with punishment
- The Iowa Delinquency Assessment long form is used to identify criminogenic needs and tailor services to those needs
- Who are/not waived, comparison by race/gender
- Should the DOC have a specialized unit for unique youth-related problems?
- Should the automatic waiver for 16 and 17 year olds exist?
- What is the current research on brain development?

Mental Health—

- Availability of services in rural areas/distance issues
- Funding
- Offender needs based on offense, gender, and age (elderly)
- Identifying whether offenders have clinical diagnoses versus mental health issues
- How many offenders have a mental health diagnosis and what is the severity?
- Number of men v. women
- To what extent are we criminalizing mental health problems?
- How much of a role does poverty play?
- What does mental health/treatment look like in county jails?
- Lack of Medicaid services available to offenders who need hospitalization
- Polk County Criminal Justice Coordinating Council may have some information
- Other state departments with information are Public Health, Human Services, and Corrections

Assessments—

- Utilization—Where and how are assessments used?
- Are there better models?

There was consensus to learn more about the following:

- An overview of DOC programs
- An overview of the Iowa Workforce Development ex-offender employment initiative and Future Ready Iowa
- Information on mental health services in county jails. Vander Sanden reported on a model in the 6th Judicial District related to coordinating mental health care for those held on bond and released to DOC supervision.

Michael advised that research would be conducted on youth waived to adult court. Staff will review other states and models, identify issues, and provide recommendations.

VI. Public Comment

Andrews thanked the Board for allowing comments during discussions.

VII. Issues for Next Meeting

The next meeting will be held February 27, 2020, as part of DHR's legislative day.

VIII. Adjournment

Tim Lane moved to adjourn, seconded by Ardyth Slight. The motion passed unanimously and the meeting adjourned at 12:01 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights