



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

Justice Advisory Board Minutes of Regular Meeting Virtual Meeting via Google Meet*

September 16, 2020

Present: Beth Barnhill; Tammy Bramley; Kim Cheeks; Sarah Fineran; John Haila; Eileen Meier; Tina Meth-Farrington; Andrea Muelhaupt; Cody Samec; Ardyth Slight; Sherri Soich; Kurt Swaim; Dale Woolery; Daniel Zeno *Ex-officio:* Hon. Romonda Belcher; Hon. Jeffrey Neary

Staff: Steve Michael; Mindi TenNapel; Meg Berta; Jeff Regula; Julie Rinker; Lanette Watson; Cheryl Yates

Others: Betty Andrews; Cathy Engel; Bill Freeland; Christin Mechler; Sonci Kingery

I. Call to Order, Welcome, and Introductions

The Honorable Jeffrey Neary, Chair, called the meeting to order at 9:10 a.m. A quorum was present. Due to COVID-19 and social distancing concerns, the meeting was held electronically.

II. Approval of Minutes

Kurt Swaim moved to approve the minutes from the May 20 meeting, seconded by Tina Meth-Farrington. The motion was unanimously approved.

III. Division Update

Steve Michael reported the following:

- Dave Kuker, Juvenile Justice Specialist, is retiring in December. His position will be posted in near future.
- Plans are underway for budget preparations.
- Grants—we are awaiting approval of two grants—the Statistical Analysis Center (SAC) Grant and a grant related to improving services and treatment for girls. Once approved, the SAC grant begins January 1, the girls' grant would begin October 1.

IV. Election of Vice Chair

Neary reported that since Chandlor Collins has resigned from this Board, a vacancy exists for the position of Vice Chair. He asked for nominations.

Swaim nominated John Haila to serve as Vice Chair, seconded by Tammy Bramley. There were no other nominations. The motion was unanimously approved and Haila was appointed.

- V. Develop 3-year Goals and Plan**
- a. Review template for reports**
 - b. Identify and Discuss Priority Areas and Goals**
 - c. Establish Short-Term goals and Action Steps**

Michael reported that a subcommittee of this Board met to develop the format of reports and reviewed the former Criminal & Juvenile Justice Planning Advisory Council twenty-year plan and the Juvenile Justice Advisory Council's three-year plan. He noted the importance of this group identifying priority areas and later developing both short and long-term goals and action steps. Iowa Code requires that this Board submit two reports: A long-term plan for the justice system and a Correctional Policy Project (formerly the Prison Population Forecast).

Once developed, Neary would like to share the information with the Governor's FOCUS group and perhaps meet with them.

Members suggested a variety of issues as priorities:

- Crack/cocaine disparity
- Reducing penalties for marijuana possession
- Voting rights
- Data collection for anti-racial profiling
- Lessons learned from COVID, reducing incarcerated population
- Access to mental health by prisoners and probationers
- Health insurance and medication needs
- Alternatives to incarceration, restorative justice
- Specialized treatment courts
- Prison reentry training programs—trades/skills
- Reducing incarceration for minor infractions
- Reducing jail costs
- Challenges to parolees—transportation/missing appointments, funding for living expenses, job training
- Wrap-around services
- Community-based corrections
- Families First Prevention Services Act
- Sex offenders—modify special sentence, supervision, access to resources, modify 2,000-foot rule, housing and residency issues, effectiveness of treatment—what can be detrimental, what is good
- Mandatory minimum sentences—modify minimum terms
- Juvenile Justice—need for long-term services for deep-end girls, community-based services for all juveniles, waiver to adult court, police in schools (impact on youth across Iowa, what schools use SRO's), responsibilities of SRO's
- Evidence-based practices—use and evaluation of, identify programs that work
- CINA and delinquent youth—separate facilities/services

- Juvenile sex offenders
- Victims—availability of and access to services

Neary recommended that future meetings include presentations/speakers to drive next steps. He encouraged members to make requests for more information. Beth Barnhill suggested a presentation on how treatment can be detrimental and offered to recommend a speaker.

Neary provided an outline of how members will join small groups to identify priorities and associated goals and action steps.

- Betty Andrews, NAACP, asked members to consider a racial/disparity component within each priority area.
- Michael asked that COVID-related issues be applied as well.
- Neary suggested juveniles be considered.
- Other considerations included the impact on the Department of Corrections budget, cost of medication by county jails, alternatives to incarceration, and sentencing reform.

The following priority areas were agreed upon:

- Racial justice
- Mental health
- Community-based Corrections--including alternatives to incarceration and detention and the effects of COVID
- Sex Offenders

Swaim moved to allow Betty Andrews, NAACP, to participate and comment on race-related concerns, seconded by John Haila. The motion was unanimously approved.

Members comprised the following groups to address the specific priority area:

Group 1 – Racial Justice – Meg Berta, CJJP Staff

- Cheeks
- Fineran
- Belcher
- Zeno
- Andrews (NAACP)

Group 2 – Mental Health – Mindi TenNapel, CJJP Staff

- Bramley
- Meier
- Woolery
- Haila

Group 3 – Community-based Corrections – Lanette Watson, CJJP Staff

- Swaim
- Meth-Farrington
- Muelhaupt
- Samec
- Kingery (CASA)

Group 4 – Sex Offenders – Cheryl Yates, CJJP Staff

- Barnhill
- Soich
- Slight
- Neary

Upon resumption of the meeting, the above groups presented their priorities, goals, and action steps. This information is attached and serves as part of these minutes.

VI. JAB Tasks and Timeline

Michael reported that further discussion of report contents will be held at the November 4 meeting. The reports are due on December 1 to the Governor and General Assembly.

VII. Public Comment

There was no additional public comment.

VIII. Issues for Next Meeting

There were no additional issues.

IX. Adjournment

The meeting adjourned at 1:15 p.m.

Respectfully submitted,

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

IOWA'S JUSTICE ADVISORY BOARD Priority Areas - Draft

Priority One: Racial Justice

Goal 1: End racial profiling

Action Item 1: Obtain information on how data collection is being done on traffic stops to ensure that racial profiling can be identified

Action Item 2: Continual analysis of data and getting it to the appropriate people

Action Item 3: Identification of what data to collect and then ensure uniformity of data collections

Action Item 4: Identification of what data elements are missing (race in traffic citations and warnings) and recommendations on how to get this data (information to collect: scanning drivers licenses, officer-perception/id race versus voluntary self-report to the DOT, search, citation versus ticket, disparities in the length of the stop, DOT-collected race could take up to 8 years for full implementation, body camera footage, narratives)

Action Item 5: Reaffirming support anti-racial-profiling and unbiased policing legislation (FOCUS looking at legislation as well)

Goal 2: Continued efforts to identify and eliminate racial disparities and create an unbiased criminal justice system

Action Item 1: Evaluation of racial bias and cultural competency training of SROs, law enforcement, court personnel, correctional officers (there are existing trainings for corrections and court personnel); Is the training throughout the system

Action Item 2: Evaluate disparities in who is considered for release to parole or probation, who is released by BOP, and bond due to COVID (due to disparities in violent charges)

Action Item 3: 1:1 in penalties for crack versus powder cocaine

Goal 3: Equity (beyond equal treatment; fair dispensation of justice with like crimes having similar charges and sentences as they move through the justice system) in charging and sentencing

Action Item 1: Investigation of robbery charges (legislature eliminated the non-felony robbery charges) and aggravated theft (disparity in charges)

Action Item 2: Analysis of charging and sentencing data

Action Item 3: Disparities in referrals to Juvenile Court and DHS by SROs

Action Item 4: Investigate disparity in waivers to adult court and the impact for youth who are waived; Investigate other states' laws and policies, specifically a higher age for mandatory waivers; Update the report that was presented to the board; Board compile recommendations to eliminate waivers; Propose joint recommendation with the Juvenile Justice board

Goal 4: Disparities in use of force and death in custody

Action Item 1: Define use of force for those with a felony record

Priority Two: Mental Health – overarching in all, to evaluate urban and rural effectiveness

Goal 1: Correctly identify those in the criminal justice system needs mental health care/treatment

Action Item 1: Separate inmates who need mental health into a separate facility

Action Item 2: Identification of a *valid tool or assessment* to help identify those that need mental health support

Action Item 3: Correctly identifying those that also have drug dependency (meth being at the top of this list) and how this relates to mental health. Look for resource models

Action Item 4: Co-occurring drug use

Action Item 5: Look at national models to see how they deal with co-occurring substance use disorder and mental health

Action Item 6: Funding allocations for mental health issues, can it be changed – hiring of a social worker by law enforcement

Goal 2: Identity methods for pre-arrest diversion for those with mental health issues; identification of correct personnel to respond to mental health calls

Action Item 1: Crisis response team in Ames, but currently done by volunteering, takes 45 minutes for response. Can we investigate methods for this response time to get quicker. Especially with Iowa being a rural state. Quad cities also has a crisis response team

Action Item 2: How do we differentiate between mental health situations that also involve violence

Action Item 3: Investigation of models in other states that use non-law enforcement response teams; potentially going to or having a hospital be involved before going to jail (tele-health – Pros and cons: access, utilization, effectiveness, cost/benefit, etc.).

Action Item 4: Inventory and evaluation of CRTs and CITs for coverage and effectiveness (including scattered, but growing initiatives involving police-and-social service partnership responses).

Action Item 5: Evaluate MH Access center results

Action Item 6: Inventory and analysis of (“front end”) law enforcement assisted pre/post arrest diversion initiatives.

Goal 3: Identifying a web of resource coordination for resources

Action Item 1: Homeless, those on probation, those who can't afford healthcare – identification of community resources for them, non-profits

Action Item 2: Those that can't afford medications

Goal 4: Identifying how to get medication to 100% of incarcerated and released individuals

Action Item 1: Identifying the cost associated with this

Action Item 2: Evaluation of cost of medications versus effectiveness

Action Item 3: Capture jail data to determine which medications they are buying without violating HIPPA

Goal 5: Evaluate Mental health courts – two currently in Iowa

Action Item 1: Pre-arrest diversion models, how effective they are, how are they being done differently

Action Item 2: Different models for courts across the country – can we do a cost-benefit analysis to demonstrate how effective these are, also look at direction in crime reduction

Action Item 3: Sequential intercept mapping that is a tool for developing criminal justice-mental health partnerships used by communities to assess their resources, gaps and opportunities at each of 5 intercept points

Action Item 4: long term mental health disease and chronic care

Action Item 5: Some courts have co-occurring panels, getting information from those that are currently utilizing these programs

Priority Three: Community based corrections and alternatives to incarceration (COVID)

Goal 1: Reduce revocations to prison

Action Item 1: Increase intervention prior to revocation

Action Item 2: Study results of and obtain data from BOP "Community success program"

Action Item 3: Look at alternative methods of justice (transformative or restorative justice methods)

Goal 2: Increase the use of effective treatment courts

Action Item 1: Study the different models and effectiveness of different courts

Action Item 2: Understanding funding sources for these types of courts (treatment, mental health, substance abuse, etc) exploring all the different types of models utilized;

Goal 3: Lessons learned from COVID

Action Item 1: Study jail and prison numbers association with crime/public safety

Priority Four: Sex Offenders

Goal 1: Reexamine the efficacy of technical violations. Are they being charged?

Action Item 1: Gather information on what constitutes a technical violation and any leeway for special circumstances

Action Item 2: Research if technical violations are effective and how many get charged with technical violations

Goal 2: Reexamine the efficacy of the special sentence. Is duration and sentence appropriate for all cases?

Action Item 1: Make information available to the JAB and the legislature via presentations by the Iowa Department of Corrections

Goal 3: Survivors/victims? Putting something in place for restorative justice? Awareness of process?

Action Item 1: Identify other communities (Meskwaki, etc.) and learn about what they are doing in this area.

Goal 4: Reexamine the efficacy of sex offender residency restrictions. 2000 ft rule? Is duration and sentence appropriate for all cases?