

Criminal and Juvenile Justice Planning Advisory Council

Progress on the Long-range Justice System Plan

Submitted to the Governor and Iowa General Assembly

January, 2010

Staff support to the Criminal and Juvenile Justice Planning Advisory Council is provided by the

Division of Criminal and Juvenile Justice Planning

Iowa Department of Human Rights



CHESTER J. CULVER  
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CRIMINAL AND JUVENILE JUSTICE PLANNING  
AND STATISTICAL ANALYSIS CENTER  
PAUL STAGEBERG, PH.D, ADMINISTRATOR

TO: Governor Chester Culver  
Members of the General Assembly

FROM: Thomas Ferguson, Chair  
Criminal and Juvenile Justice Planning Advisory Council

Date: January 15, 2010

The Criminal and Juvenile Justice Planning Advisory Council respectfully submits the enclosed update of its twenty year plan for the criminal justice system in Iowa to the Governor's Office and members of the General Assembly. This update fulfills the Council's duties as enumerated in Iowa Code Chapter 216A.133 and 216A.137.

The Council is committed to providing the Legislature, Executive Branch, and Judiciary with recommendations on justice system policy and practices that are based upon data and objective analyses. The attached document includes the nine major justice system goals that the Council established five years ago after review of data and input from the public through hearings in local communities. Each goal includes data to describe trends and current conditions, discussion of the data and any initiatives begun since the plan was written, and recommendations of the Council.

While the Council recognizes the financial issues facing the State of Iowa, the Council also is aware of the significant cost of the justice system, in terms of budget for the Courts, law enforcement, attorneys, treatment providers, and Corrections and in lost productivity and quality of life for victims and perpetrators. The Council has taken both of those issues into consideration making its recommendations.

Thank you for the opportunity to provide you with this information, and for your consideration of the Council's recommendations.

Thomas Ferguson, Chair

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# Introduction

Iowa Code Section 216A.135 requires the Criminal and Juvenile Justice Planning Advisory Council (CJJ PAC) to submit a long-range plan for Iowa's justice system to the Governor and General Assembly every five years. The Criminal and Juvenile Justice Advisory Council directed that the 2005 plan be developed with input from the public. A public hearing was held in September 2004, utilizing the Iowa Communications Network at five sites across Iowa. Using the information gained, the Council developed new goals and strategies and modified others from the 2000 plan. The 2005 Long Range Goals for Iowa's Criminal and Juvenile Justice Systems, organized as follows, are meant to facilitate analyses and directions for justice system issues and concerns in Iowa:

## PLANNING AREAS:

- **VIOLENCE REDUCTION AND CRIME PREVENTION**
- **PUBLIC CONFIDENCE IN THE JUSTICE SYSTEM**
- **MINORITY OVERREPRESENTATION IN THE JUSTICE SYSTEM**
- **MENTAL HEALTH SERVICES**
- **SUBSTANCE ABUSE SERVICES**
- **VICTIM SERVICES**
- **CORRECTIONAL RESOURCES**
- **INFORMATION SYSTEMS -- PLANNING AND MONITORING**
- **SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR ADULT OFFENDERS**
- **SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR JUVENILE OFFENDERS**

Following is the Council's update to the 2005 long-range plan, including progress toward meeting the planning goals. The Council is making several recommendations that it feels would further progress toward these goals. However, there are two recommendations that the Council believes are critical for the State of Iowa. These two goals follow. The Council respectfully requests that heightened attention be paid to these recommendations.

1. **Funding should be made available to identify the underlying causes of disparity in the adult and juvenile justice systems so that appropriate and effective interventions or policy changes will be implemented.**
2. **Resources to treat prisoners with mental illness and substance abuse should be maintained and continued through re-entry and community supervision along with other support services.**

## PROGRESS ON TWENTY-YEAR PLAN

### CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL

**GOAL #1 – To establish Iowa as the state with the lowest violent and property crime rates in the nation.**

#### Data

Violent and property crimes are the two common groups of offenses that are tracked nationally and are used to make comparisons among states and jurisdictions in the United States. Violent crimes include murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Property crime includes burglary, larceny-theft, motor vehicle theft, and arson.

Violent Crime-Number and Rate per 100,000 population

	2005	2006	2007	2008
Number	8,642	8,455	8,805	8,520
Adjusted Rate	291.3	283.5	294.7	283.8
U.S. Rate	469.0	473.6	466.9	454.5

Source: Federal Bureau of Investigation, Uniform Crime Reports

Property Crime-Number and Rate per 100,000 population

	2005	2006	2007	2008
Number	84,056	83,579	78,154	72,689
Adjusted Rate	2,833.7	2,802.7	2,615.6	2,420.9
U.S. Rate	3,431.5	3,334.5	3,263.5	3212.5

Source: Federal Bureau of Investigation, Uniform Crime Reports

#### Discussion.

Iowa ranks 43<sup>rd</sup> among states for property crime and 35<sup>th</sup> for violent crime. There has been a slight increase in the number of convictions for aggravated assault Iowa from 2005 through 2007. The number of convictions stabilized in 2008. The 2008 numbers for both Iowa and the Nation showed decreases for both violent and property crime.

This goal is an indicator for the State in terms of public safety from violent and property crimes. Achieving the remaining eight goals will help improve overall crime statistics.

**Goal #2 – To establish a justice system that is operating efficiently, effectively, and equitably to ensure public confidence.**

**Data**

Costs\*, FFY2006

Per capita costs	Iowa	U.S.	Iowa ranking
	\$409	\$597	44

Source: U.S. Department of Justice

\*Costs include law enforcement, corrections (institutions and community-based for adults and juveniles), courts, prosecution and public defense. The source is the Criminal Justice Expenditure and Employment extract from U.S. Census surveys. More detailed information is available from the Bureau of Justice Statistics.

**Clearance Rates**

2004	2005	2006	2007
28.0	30.0	27.0	31.0

Source: Iowa Department of Public Safety, Uniform Crime Report

**Average Case Processing Time (in months)**

	FY2008	FY2009
Simple misdemeanor	4.13	3.69
Serious misdemeanor	8.23	8.22
Aggravated misdemeanor	8.09	7.81
Felony	9.67	9.5

Source: Justice Data Warehouse

**Discussion and New Initiatives**

Court appointed attorneys are one mechanism to provide equal access to defense attorneys, either through indigent defense or private court-appointments. Data are not available through the Iowa Court Information System or the Justice Data Warehouse (JDW) to distinguish the number of cases represented by indigent defense, court-appointed attorneys, or private defense. This information would be useful in determining the extent of the issue as well as providing opportunities to evaluate outcomes based upon defense type. During FY2009, however, there were 26,300 cases with payments to the State’s indigent defense financial code.

Another area where lack of data becomes an issue is bonding, pre-trial release, and time served in jails prior to sentencing. Iowa does not have a uniform reporting requirement for jail data, and attempts to collect basic information on jail holds statewide have been unsuccessful.

The Criminal Justice Information System (CJIS) is an initiative of governments in Iowa to allow criminal justice agencies to share critical data, documents, images, and key transactions. CJIS is being designed and implemented to improve public safety, eliminate data entry errors and redundant data, provide

complete, current and timely data, maximize available resources, improve response time, and improve the operational effectiveness of existing systems.

There are currently 58 criminal justice agencies conducting production level CJIS information exchanges. They include nine state agencies, 10 county attorneys' offices, 25 city police departments, and 14 county sheriffs' offices. The exchanges in production involve the transfer of information about crime victims, release of offenders, electronic citations, OWIs, protective orders, and court information.

The Legislature has established an interim committee on criminal code revision; the committee is looking at a range of issues including changes in selected sections of the criminal code, strengthening the research and evaluation of criminal justice laws and policies, sentencing practices, and penalties.

In July, 2005, Governor Vilsack issued Executive Order #42 to address the restoration of voting rights for individuals convicted of felony offenses through an automated process. Restoring voting rights for individuals who have successfully completed their sentences, probation, or parole has been viewed by some as an important equity issue, given the disproportionate number of minorities convicted of felony offenses in the United States. Prior to the implementation of Executive Order #42, voting rights were restored to an average of 500 individuals per year. The average since the order was implemented has been approximately 6,000 per year.

Current budget shortfalls may negatively affect court processing time, crime clearance rates, accessibility to defense attorneys, and other related justice system metrics.

### **Recommendations**

1. State support should be provided to develop and implement a uniform reporting format for jail data that are available at the State level.
2. A mechanism to distinguish defense attorney type (private pay, private pro bono, indigent defense) would facilitate evaluation of access to and outcome of court proceedings.
3. The impact of budget decisions on access to criminal court proceedings (case processing time, indigent defense, for example) should be an integral part of analyses of justice system operations.
4. The CJIS project should receive sufficient financial support to permit its completion.

**Goal #3 – To have all aspects of the justice system free of bias and disparate treatment of offenders, victims, or witnesses.**

**Data**

Disproportionate Minority Contact – Selected events, relative risk – Adult\*\*

	2003	2004	2005	2006	2007
Ratio of minority rate to Caucasian rate					
Arrests	2.1	2.1	2.2	2.2	3.4
Case filings	2.8	2.9	3.2	3.4	5.4
Disposed charges	3.1	3.1	3.4	3.4	5.2
Deferred judgments	NA	NA	NA	0.79	0.92
Guilty	NA	NA	NA	1	0.79
NOTE: Deferred judgments prior to 2006 would be understated as records are expunged, and guilty counts would be over-represented. Therefore, calculations have not been made for those years.					

Disproportionate Minority Contact – Selected events, relative risk – Juvenile, 2008 \*\*

Data Items	Rate of Occurrence - White Youth	Rate of Occurrence - Minority Youth	Relative Rate Index
1. Population at risk (age 10 through 17 )			
2. Juvenile Arrests	56.39	177.15	3.14
3. Referral to Juvenile Court	116.17	102.22	0.88
4. Cases Diverted	31.77	21.93	0.69
5. Cases Involving Secure Detention	11.61	20.28	1.75
6. Cases Petitioned (Charge Filed)	18.48	22.27	1.21
7. Cases Resulting in Delinquent Findings	39.41	38.38	0.97
8. Cases resulting in Probation Placement	55.19	54.56	0.99
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	15.45	19.87	1.29
10. Cases Transferred to Adult Court	10.53	8.44	0.80

Prison Population, FY2009

	Caucasian	African American	Hispanic
Population*	2,827,520	80,516	126,453
Prison population	5,484	2,174	569
Rate	193.9/100,000	2,700.1/100,000	450.0/100,000

\*2008 U.S. Census estimates

\*\*Relative Risk is a ratio of the rate for minorities compared to the rate for Caucasians for a specific event or decision point in the adult or juvenile justice system. A risk ratio of 3:1 would indicate that the rate for minority populations is three times higher than the rate for Caucasians, for example.

**Discussion and New Initiatives**

During the 2009 session of the General Assembly, an act requiring an analysis of how proposed legislation could affect minority populations in the justice system was passed. The intent is to allow for proactive analysis of the potential for creating or exacerbating disproportional treatment of minorities.

In 2008 Governor Culver established the Youth Race and Detention Task Force to look at improving the relative risk of minority youth to be held in secure detention. The Division of Criminal and Juvenile Justice Planning also began working with the Annie E. Casey Foundation to implement detention alternatives and reduced reliance on secure detention in three Iowa counties: Black Hawk, Polk, and Woodbury. Some progress has been made in reducing the number of youth held in detention, but disparity at several decisions points still remains. The underlying causes of the disparity have not been identified at this time, but could include such things as differences in criminal activity, differences in cultural norms and behaviors, and bias.

According to testimony presented to the U.S. House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security on October 29, 2009 by Marc Mauer, Executive Director of The Sentencing Project, a 2004 study found that 61% of racial disparity in imprisonment can be explained by greater involvement in crime, leaving 39% of the disparity that cannot be attributed to offending patterns. Although these data are based upon a national study and thus cannot be attributed to differences in Iowa, it is possible to infer that there may be unexplained differences in Iowa’s disproportionate imprisonment and contact rates as well.

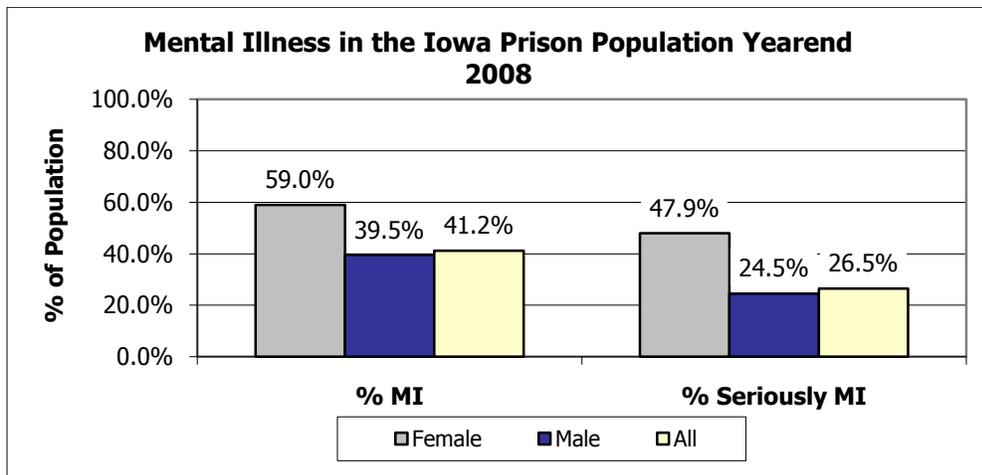
## Recommendations

1. All participants in the justice system - law enforcement, county attorneys, Judicial branch, Corrections, etc. - should assure that all practices are based upon data, openness, and race neutrality.
2. Any criminal code revisions should include racial impacts as a part of the process.
3. Funding should be made available to identify the underlying causes of disparity in the adult and juvenile justice systems so that appropriate and effective interventions or policy changes will be implemented

**Goal #4 – To provide appropriate intervention and treatment services to mentally ill offenders in the justice system.**

## Data

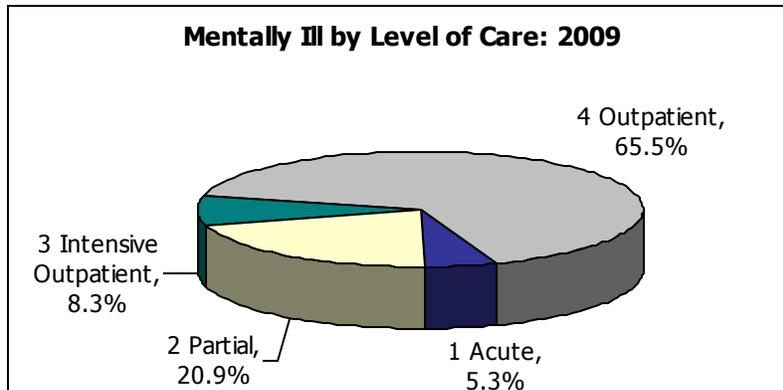
### Prison System



Source: Iowa Department of Corrections

Serious, persistent mental illness is defined as bipolar disorders, dementia/organic disorders, depression/major depressive disorders, psychosis/psychotic disorders, and schizophrenia. The percent with serious mental illness is a subset of all prisoners with a diagnosed mental illness.

The chart below breaks down the level of acuity into four levels. “Partial” refers to those offenders who can function in the general population except during periodic episodes when symptoms become acute, which would then require a separate housing/security environment.



### Discussion and New Initiatives

Even seriously mentally ill offenders can often be successfully treated and managed while residing with the general population. Various factors such as placements in suicide/self-injury protocol, mental health observations, and number of times seen by a psychiatrist have been used to estimate the populations of mentally ill offenders needing each level of care within the mental health care continuum.

The good news is that through proper diagnosis, treatment and medication monitoring, most mentally ill offenders can be appropriately managed in the general population. However, the roughly 26 percent of mentally ill inmates with an acute or partially acute mental health diagnosis require an inordinate amount of treatment and security resources. From March 1, 2009 through July 31, 2009, there were 753 critical incident reports (e.g. acts of violence, suicide attempts, illnesses and injuries) at the nine correctional institutions in the state. Almost 76% of them (571) involved mentally ill offenders.

Mental health courts at the community level are a new approach to working with offenders with mental health problems as an alternative to incarceration. At this time, there is one mental health court operating in Iowa in Black Hawk County. This is a new area for evaluation nationally; conclusive data are not readily available. However, some research suggests that mental health treatment without increased emphasis on other factors such as stable living arrangements, supportive communities, and employment does not reduce recidivism or further involvement with the criminal justice system (Louden, Jennifer: presentation at the 2009 Justice Research and Statistics Association conference, October, 2009).

### Recommendations

1. Resources to treat prisoners with mental illness should be maintained and continued through re-entry and community supervision along with other support services.
2. Community-based mental health services should be available to help Iowans with mental illness as a preventive measure, prior to the initiation of criminal activity.

**Goal #5 – To provide appropriate intervention and treatment services to offenders in the justice system with substance abuse problems.**

**Data**

**1. Family Drug courts**

From March, 2008 through September, 2009

147 families served	182 parents/caregivers
300 children	78.7% retention rate

Source: CJJP

There are five pilot family drug courts covering seven Iowa counties. The courts are designed to work with families involved with the Department of Human Services where there is a substantial risk of parents losing rights to their children as the result of substance abuse problems. While DHS involvement is the primary reason for being served in a family drug court, some families have involvement with the criminal justice system as well.

These courts are just beginning the 3<sup>rd</sup> year of operation, and outcome measures are still too preliminary to report. However, measures that will be used include items such as percent entering/completing substance abuse treatment, retention rates, number of subsequent abuse reports, and successful reunification of families.

**2. Comprehensive Drug Court Evaluation**

A statewide evaluation of the six adult and three juvenile drug courts in operation during calendar year 2003 was conducted. Completion rates, recidivism, substance abuse treatment, and supervision and placement (juveniles only) costs were examined by model (Judge and Community Panel) and by Judicial District. In addition, adult drug court participants were compared to a group of offenders who were screened and declined or were rejected by drug courts in 2003 (referred) and a sample of offenders starting probation in 2003 (probationer). The adult participant and comparison groups were tracked from their entry into drug court, or the study, through December 31, 2007, yielding an average post-program follow-up time of almost 3 years (2.9) for drug court participants. For the juvenile portion, drug court participants were compared to a group matched on several demographic and offense variables (Matched Comparison group) and juveniles referred to drug court who did not enter the program (Referred Comparison group). The juvenile participant and comparison groups were tracked from their entry into drug court, or the study, through approximately 16 quarters after program discharge, with an end date of December 31, 2007.

Recidivism for the purposes of this study for adults was defined as a conviction for any criminal offense. Criminal offenses do not include scheduled violations such as traffic tickets. For juveniles, recidivism was either a subsequent referral for a criminal offense to juvenile court or a conviction in adult court.

## Adult Findings

- Males were more likely to graduate than females.
- Whites were more likely to graduate than minorities.
- Participants under 30 years of age were only slightly more likely to graduate than those 31 years and older.
- Participants who began their drug usage at older ages tended to graduate at slightly higher rates than those who started at younger ages.
- Methamphetamine users were much more likely to graduate than cocaine users. About half of marijuana and alcohol abusers graduated.
- A higher percentage of those without an arrest before the age of 16 graduated compared to those who had an earlier arrest.
- Moderate differences were noted in graduation rates between participants who had prior prison admissions and those who had not.
- Those with prior felony convictions didn't do well in drug court, but referral on a current felony was a predictor of success.
- There was little difference in the amount of treatment graduates and failures received,
- A higher percentage of graduates were subjected to drug testing than failures,
- Failures were more likely to test positive than were graduates.
- The Judge model had a higher graduation rate.

**Recidivism rates:** successful drug court participants were far less likely to recidivate after program admission and took longer to commit a new felony offense than the other groups. A comparison by model shows the Judge model participants were far less likely to recidivate after drug court admission and took longer to commit new felony offenses.

**Substance abuse treatment costs** were the highest for the Judge model group (\$14,001.23), followed by the Panel model (\$6,337.72), referred (\$4,091.47), and probationer group (\$3,130.26).

**Average correctional supervision costs** were the highest for the referred group (\$30,616.76) followed by the Judge model (\$30,275.09), Panel model (\$27,603.78), and probationer group (\$20,955.83). Drug court graduates had by far the lowest average correctional supervision costs of all groups. Graduates in the Panel model had an average total estimated criminal justice system cost of \$13,443.33 and graduates in the Judge model, \$15,452.00. The cost for Panel model failures was \$38,579.23 and for Judge model failures was \$51,452.00. In both models, the majority of the cost saving for graduates came from dramatically reduced jail and prison costs for graduates.

## Juvenile Findings

### Completion Rates

- Just over half (53.3%) graduated.
- Graduation rate for the judge model participants was 76.9%
- Community panel participants had a 39.4% graduation rate

## **Recidivism**

Juvenile drug courts did not reduce new offenses. Although graduates showed lowered recidivism while they participated in the drug court, no significant differences were found in cumulative recidivism or in the proportion of felonies as the most serious new offense among the groups.

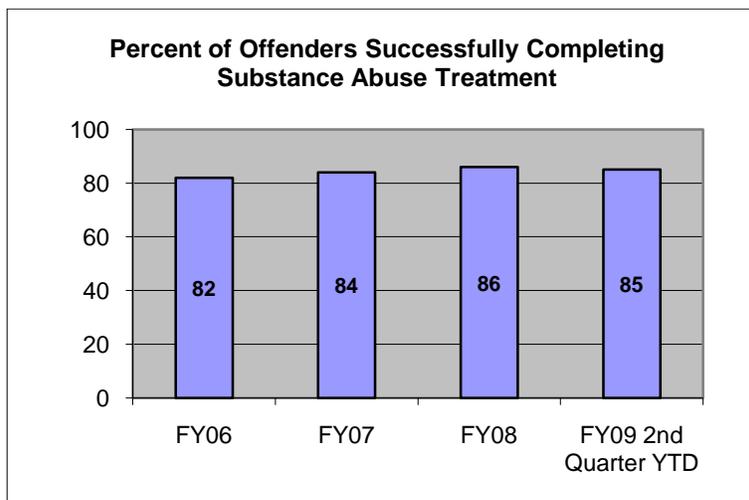
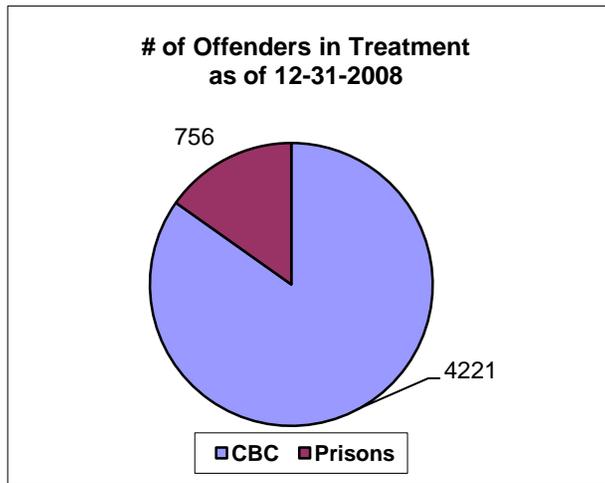
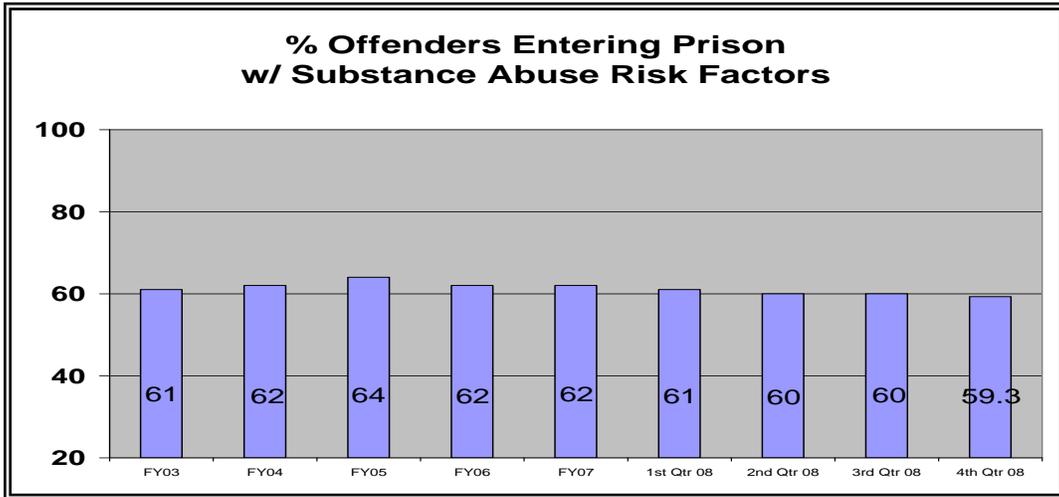
## **Substance Abuse Treatment and Costs**

- Juvenile drug court participants received more substance abuse treatment service units than did the comparison groups.
- Community Panel model participants received more substance abuse treatment service units in each timeframe than the Judge model (\$3,773.97 vs. \$1,638.90 respectively during program participation).
- Substance abuse treatment units received and costs were heavily weighted towards the quarter prior to juvenile drug court entry and the first and second quarters of drug court involvement.

## **Placement, Criminal Justice Supervision, and Juvenile Court Supervision Costs**

- Average total placement costs were higher for juvenile drug court participants than both the comparison samples (\$8,648.97 juvenile drug court participants, \$5,472.58 Matched Comparison group, and \$2,016.56 Referred Comparison group), and higher for juvenile drug court non-graduates than graduates (\$14,892.78 and \$3,185.64 respectively).
- Average total criminal justice supervision costs were higher for juvenile drug court participants than both the comparison groups (\$2,909.20 juvenile drug court participants, \$2,145.37 Matched Comparison group, and \$2,745.38 Referred Comparison group).
- Juvenile court supervision costs were higher for juvenile drug court than both the comparison groups and higher for the Judge model than the Community Panel model (\$5,600.66 vs. \$5,043.34).

3. Department of Corrections



## **Discussion and New Initiatives**

Substance abuse continues to be an issue for the criminal justice system and child protective services. The Department of Corrections has implemented evidence-based treatment programs in its institutions. Community-based programming for individuals and families with substance abuse problems is limited to certain jurisdictions.

The Department of Public Health has been involved with jail-based programming in four counties—Woodbury, Scott, Polk, and Story—since FY2003. Substance abuse treatment services are provided to individuals serving jail sentences and include post-release services as well. Evaluation of the services is being provided by The Iowa Consortium for Substance Abuse Research and Evaluation. Preliminary results have been promising.

## **Recommendations**

1. Treatment for substance abuse problems should remain a key component of working with individuals and families who come in contact with the criminal system or child welfare system.
2. Focus should be placed on evidence-based treatment and intervention practices in order to maximize resources.
3. Community-based treatment should be available across the state. Private insurance should be available for such treatment; state/federal resources should also be available for those without means to pay. Treatment prior to court involvement would reduce the impact of substance abuse on criminal behaviors.
4. Community-based treatment for juveniles is more cost effective than that provided in institutional settings; early intervention and treatment could stop youth from moving farther into the criminal justice system.
5. Cognitive development of youth should be a consideration in how juveniles are evaluated and treated.
6. More research should occur that helps identify the most effective components of drug courts, both for juveniles and adults.
7. Substance abuse prevention efforts are also encouraged as primary prevention is the most cost-effective approach. These efforts need to be based upon research-based evidence of effectiveness.

**Goal #6 – To ensure services for victims of crime are an integral part of the justice system in Iowa.**

**Data**

Protective Orders

	2007	2008
Protective/no contact orders issued	23,218	24,204
Charges for violating orders	3,752	4,447
Convicted as charged	1,661	2,003
% convicted as charged	44.2	45.0

Source: Justice Data Warehouse

Restitution imposed and collected, FY2008

# cases	11,370
\$ imposed	\$29,058,686.49
\$ collected	\$5,633,057.98 (2-year collected amount)

Source: Justice Data Warehouse

Number of counties with witness coordinators: 51
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State funding for victim services has been reduced from \$4,200,000 in FY09 to \$3,400,000 in FY10.

**Discussion and New Initiatives**

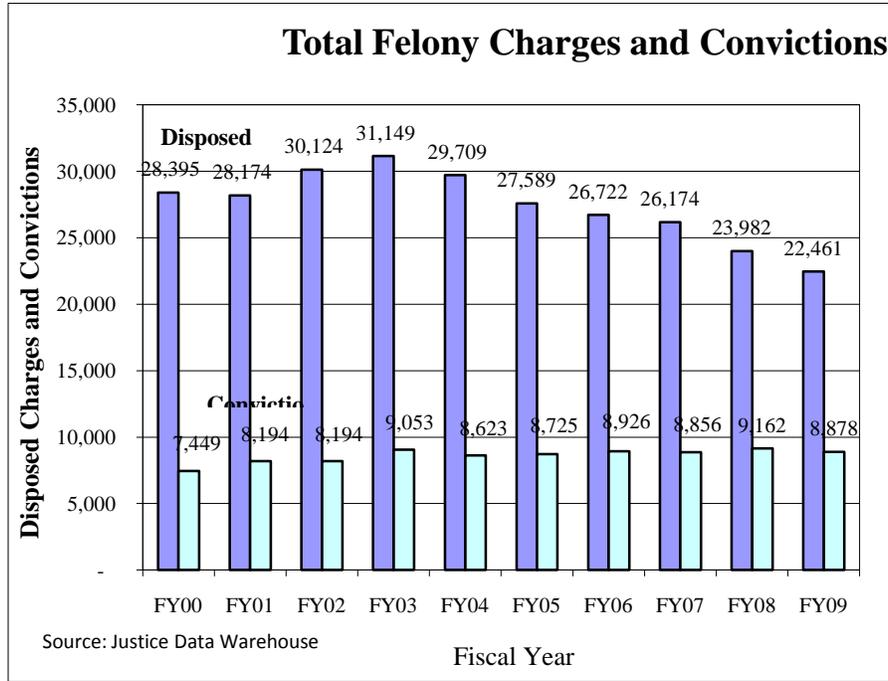
Funding for victim services remains an issue within both state and federal budgets. Shelter services for victims of domestic violence, victim witness coordinators, and sexual abuse counselors are not readily available or accessible in all Iowa counties. Budget shortfalls will continue to affect the availability of such services.

**Recommendations:**

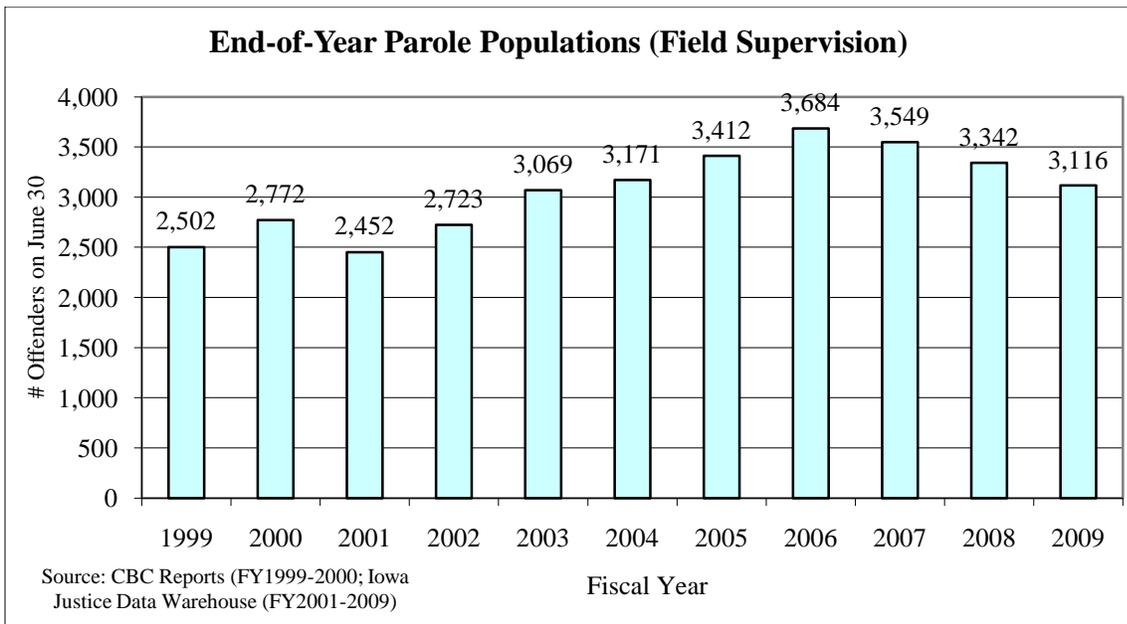
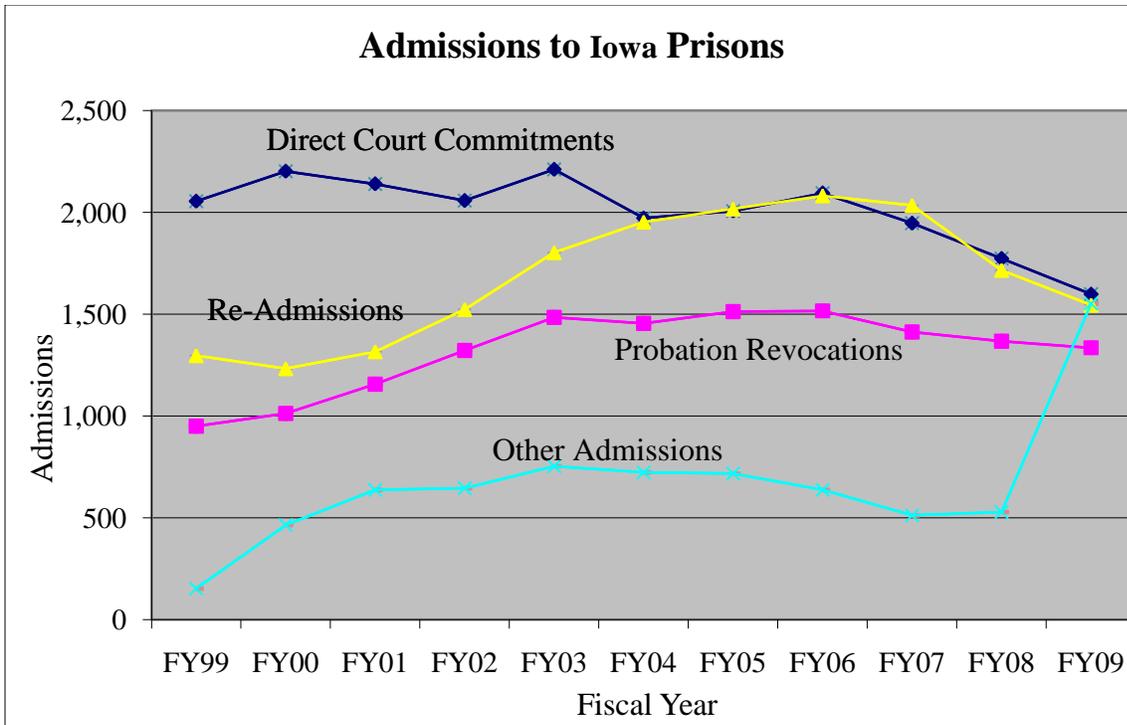
1. Domestic and Sexual Abuse funds appropriated to the Attorney General's Crime Victim Assistance Division should be maintained and increased with the cost of living each year. The funds are used for salary and benefits of victim advocates who earn an average of about \$28,000 a year.
2. The state should provide some funding for victim advocate positions so that all funding is not either federal or county. It would be good justice if the state provided five years of funding so the county could see the value of the work.
3. The Victim Services Division currently receives 17% of the State's share of the criminal penalty surcharge. The impact on victim services' funding should be considered when changes are proposed in criminal penalties and scheduled fines.

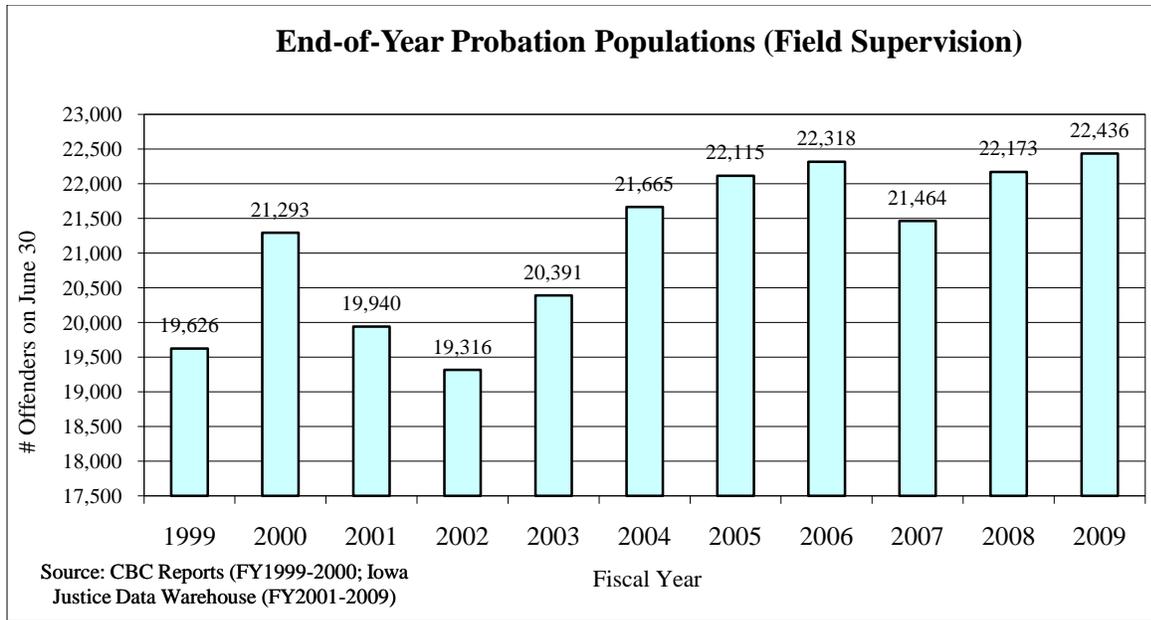
Goal #7 – To ensure correctional resources are sufficient to meet current and foreseeable needs.

Data



Over this same period the Iowa prison system has seen a decrease in new direct court commitments and, since FY2006, a drop in probation revocations. Also, accompanying a drop in the number of parolees under supervision, has been a decrease in returns to prison since FY2006.



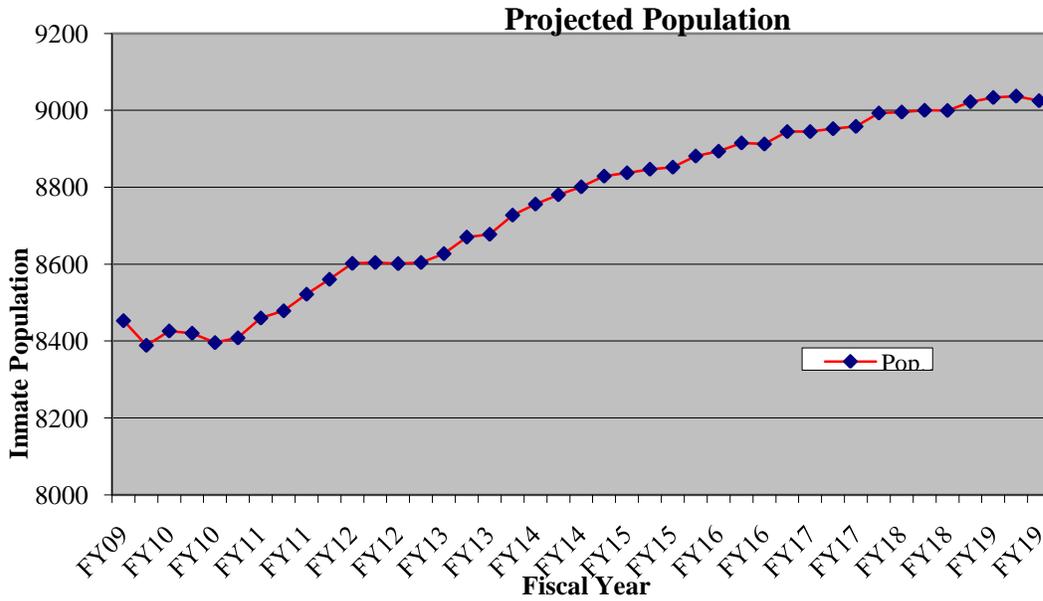


Corrections represents one of the larger expenditures from the General Fund. Iowa Code provisions can have a profound impact on the costs of sentencing and supervision requirements. Mandatory minimums, sentence enhancements, required intensive supervision, and special sentences for certain offenders all have costs that are in addition to the basic sentencing costs of dealing with offenders.

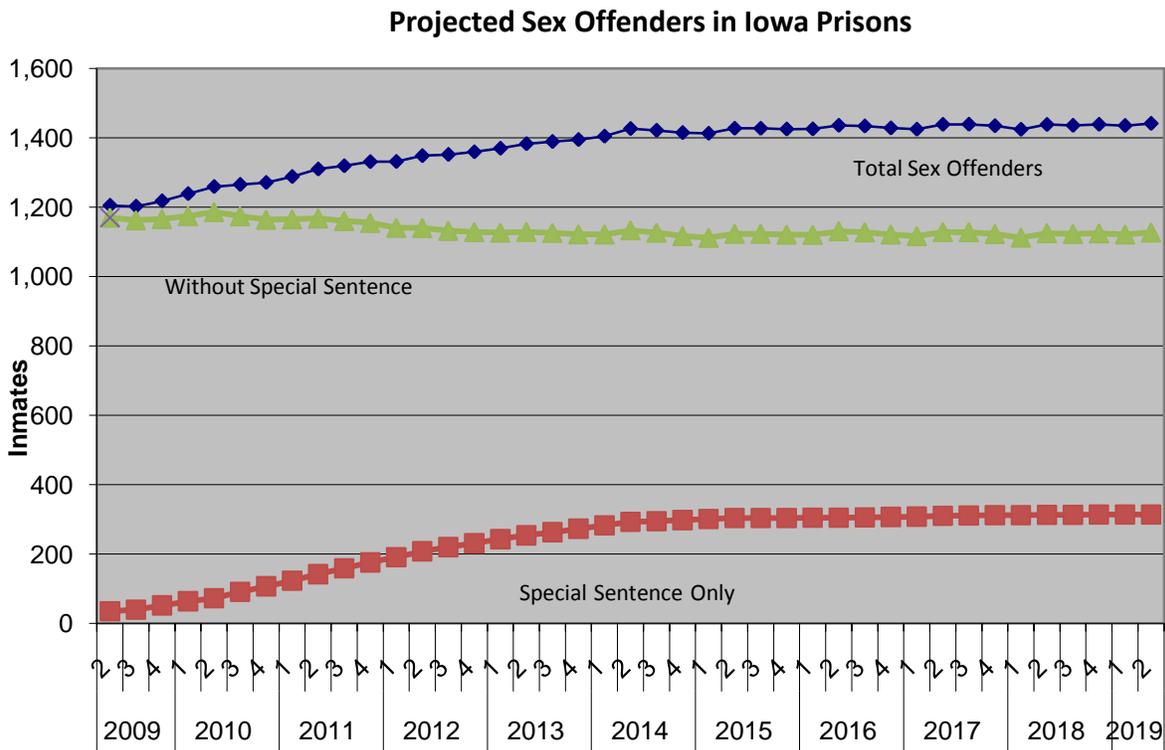
#### Supervision Costs

Level of Supervision	Average Daily Cost
Prison	\$85.02
Residential Facilities	\$65.94
Probation/Parole	\$ 3.75
GPS monitoring	\$ 7.00

Source: Department of Corrections



Beginning in FY2006, the Legislature required that sex offenders receive either 10-year or lifetime parole once they have completed their original sentence. It is projected that these “special sentences” will continue to increase both the prison population and community-based supervision for a number of years to come before leveling out.



Prepared by CJP 10/27/09

### Projected Number of Sex Offenders on Community Supervision

Fiscal year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
# Offenders	51	181	355	626	952	1263	1515	1748	1959	2146
# Additional Parole Officers	1	4	7	13	19	26	31	36	40	44

Source: CJP projections

### Discussion and New Initiatives

A variety of indicators suggest that Iowa will not continue to see an increasing prison population during the next decade. The state has seen decreasing numbers of felonies disposed for the past six years. During that period there has also been stability in felony convictions.

There are three concerns regarding the state’s maintaining sufficient correctional resources; the first of these is a probation caseload, which was at a record high at the end of FY09. The second is related to the parole caseload, as dramatic increases are expected in the number of sex offenders under supervision under the special sentence. Both of these should be monitored to ensure that the Departments of Correctional Services are provided with sufficient resources to effectively manage those under supervision. The third is mandatory minimum sentences/penalty enhancements. These contribute significantly to time served in prison without benefit of judicial or corrections staff modifications.

### Recommendations:

1. When evaluating the criminal code in Iowa, or looking at the impact of any proposed changes, full consideration should be given to current costs, future costs, benefit to public safety, and the effect on the total budget/revenue stream.
2. Specific attention should be given to the Code provisions that have the greatest effect on prison and community-supervision populations—mandatory minimums, penalty enhancements, and the special supervision for sex offenders.
3. When evaluating the criminal code in Iowa, or looking at the impact of any proposed changes, consideration should be given to the long-term effects on society of imposing sanctions, special sentences, restrictions, or registration requirements that would result in creating significant barriers to offenders’ being able to re-integrate successfully. This is especially true for juveniles and youthful offenders.

**Goal #8 – To implement evidence-based sanctions, supervision, treatment, and services for adult offenders that are equally accessible and applied consistently across the state.**

**Data**

Return Rates to Prison: FY2004 Releases							
Offender Group	Total Released	False Recidivism (Returned for Previous Crime)	Not Returned	Return: No New Conviction	Return: New Conviction	Total Recidivism Rate	Recidivism Rate: New Conviction Only
Sex Offenders	185	1	157	4	23	14.7%	12.5%
All Other	3348	7	2169	388	784	35.1%	23.5%

Source: Iowa Department of Corrections

**Discussion and Initiatives:**

The Department of Corrections is implementing research-based and evidence-based sanctions and treatment as resources allow. Some discussion of interventions can be found in other sections of this report, such as adult drug courts and substance abuse treatment in prison.

New initiatives include re-entry projects that are based upon a continuum of services and support from institution to community.

Budget issues may slow the implementation of programming statewide.

**Recommendations:**

1. The various services provided to adults should be evaluated to determine effective implementation as well as their effectiveness in improving long-term outcomes.
2. Effective community-based correctional programming can reduce the need for incarceration. Proven community-based programming should be maintained in spite of state budget cuts.

**Goal #9 – To administer sanctions, supervision, treatment, and services for juvenile offenders that are equally accessible (to the degree possible) across the state, and are culturally competent, gender responsive, and have been documented as effective.**

**Data**

Data presented in this section include a unique count of youth by program for FY2008. The information is provided to CJJP by staff in the eight juvenile court districts through the reporting of service providers. A youth receiving services in the same program multiple times would be counted once. However, a youth receiving services across multiple programs would be counted once under each service received. Of the eight Judicial Districts, there were three districts that utilized funding for tracking and monitoring services only.

## Program Type by Gender

	TOTAL		Male		Female	
	N	%	N	%	N	%
Tracking & Monitoring	2,272	75.4%	1,654	75.4%	618	75.4%
Supervised Community Treatment	291	9.7%	239	10.9 %	52	6.3%
Lifeskills	450	14.9%	300	13.7%	150	18.3%
<b>Total</b>	<b>3,013</b>	<b>100.0%</b>	<b>2,193</b>	<b>72.8%</b>	<b>820</b>	<b>27.2%</b>

Note: These are broad categories of intervention types. Individual services within a category will differ among the eight juvenile court jurisdictions.

The following tables depict services provided to recidivists during SFY08. Youth with multiple services were represented in the counts for each program from which they discharged, but youth who received the same service multiple times are counted in that service only once.

## Recidivists – Program Type

	Total Population		Recidivists	
	N	%	N	%
Tracking & Monitoring	2,272	75.4%	611	26.9%
Supervised Community Treatment	291	9.7%	117	40.2%
Lifeskills	450	14.9%	118	26.2%
<b>Total</b>	<b>3,013</b>	<b>100.0%</b>	<b>846</b>	<b>28.1%</b>

Extensive evaluation of each service provider and services provided has not been done. These data are provided as information only, and not as an outcome-based evaluation effort.

## Boot Camps

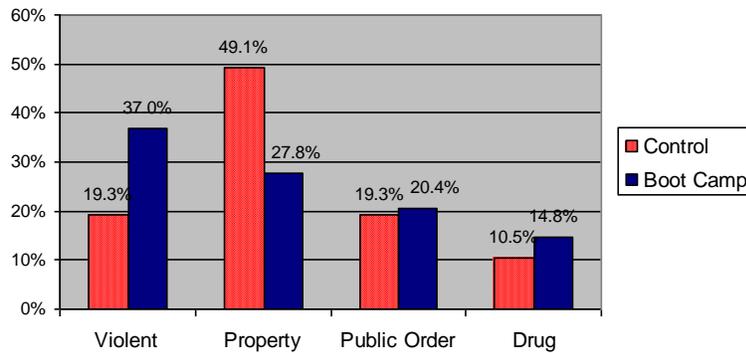
In FY2008 CJP evaluated the two boot camps (in Code and rules these are identified as highly structured juvenile programs) operating in Iowa for the Department of Human Services. The target group was youth discharged during FY2006, from July 1, 2005 through June 30, 2006. The follow-up period ran from July 1, 2006 through June 30, 2007. This represents a maximum follow-up period of 2 years and a minimum of 1 year. One hundred thirty-nine youth were identified (139).

The comparison group was matched on certain characteristics with the target group and was taken from youth discharged from community or residential group care during FY2006. A random select option in

SPSS was used to select the number of cases needed (140) from the pool of available cases. The comparison group was followed for the same time period as the boot camp youth.

The DHS case records were matched and linked to the juvenile records contained in the Justice Data Warehouse (JDW); data are from the Iowa Court Information System (ICIS), Juvenile Court Services.

### Recidivists Charges



### Discussion and New Initiatives

During its 2009 session, the General Assembly passed legislation establishing the Iowa Collaboration for Youth Development (ICYD) within CJJP. The mission of the Collaboration is to promote positive youth development models of services and interventions across all programs and providers. State agencies and service providers are members of the ICYD, and meet regularly.

The Juvenile Court is implementing the Iowa Delinquency Assessment tool to screen youth referred to juvenile court; the tool is used to determine service needs and levels. The screening tool has yet to be validated statewide.

There are interventions available that are either research-based or evidence-based, such as Aggression Replacement Therapy (ART), that are being implemented in the districts. Process evaluations to determine fidelity to the model programs are a good step in assuring sound implementation practices and to further the body of research into the best practices for juveniles.

The Juvenile Justice Advisory Council (JJAC) has two committees that work on issues of minority over-representation and gender-specific needs of young women. The JJAC has developed several position papers on issues that affect juveniles in contact with the juvenile justice system.

### Recommendations

1. The various services provided to juveniles should be evaluated to determine their effectiveness in improving long-term outcomes for juveniles.
2. The Iowa Delinquency Assessment should be validated statewide, and, long-term, should be a part of program outcome evaluations.