



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

Criminal and Juvenile Justice Planning Advisory Council Minutes of Regular Meeting

**Iowa State Capitol
Legislative Dining Room
1007 E. Grand Avenue
Des Moines, Iowa**

November 15, 2017

- Present:** Tom Walton, Chair; Tiffany Allison; Kim Cheeks; DeAnn Decker; Tom Ferguson; Amber Markham; Andrea Muelhaupt; Beth Skinner; Sherri Soich; Kurt Swaim; Doug Wolfe; **Ex-Officio:** Hon. Jeffrey Neary; Sen. Rich Taylor; Sen. Brad Zaun
- Staff:** Steve Michael; Kile Beisner; Sarah Fineran; Julie Rinker; Lanette Watson; Cheryl Yates
- Others:** Laura Book; JoAnn Finkenbinder; Bill Freeland; Bob Greenlee; Anna Hyatt; Karen Person; Chris Robinson; Daniel Zeno

I. Approval of Minutes – September 20, 2017

Tom Walton called the meeting to order at 12:32 p.m. A quorum was present.

Doug Wolfe moved to approve the minutes from the September meeting, seconded by Tom Ferguson. The motion was unanimously approved.

II. Division Update

Steve Michael reported the following:

- A FY2018-19 budget meeting will be held with the governor's office later this month; CJJP will request a status quo budget, except for the CJIS project which needs \$1.2 million to function. There has been no word on another mid-year de-appropriation.
- Last week, national consultants presented findings from a year-long assessment of the juvenile justice system. A plan will be developed by the SMART Leadership Team to standardize services, policies, and practices. A focus will include diverting low-risk youth away from system involvement and reducing racial and ethnic disparities. Some changes will require legislation, however, most can be accomplished through collaboration between the Department of Human Services and State Court Administration.

III. Key Eyewitness/Custodial Interrogation Reforms

Michael provided information on letters sent to various state law enforcement associations encouraging their adoption and dissemination of model policies on key eyewitness identification and interrogation practices. Comments have not been received from those associations. Follow up will be conducted at a later date.

IV. Reports – Due December 1

- **Legislation Monitoring**

Sarah Fineran presented findings of the Legislation Monitoring Report which summarizes 2017 legislation and correctional impact, and historical legislation monitored for judicial system impact.

Discussion included the following:

- HF526—Invasion of Privacy, Distribution of Materials—Doug Wolfe requested a comparison of age groups (i.e. ages 18-26 to older age groups) as trend data becomes available. May want to recommend more public education—some cases need real consequences, but many need education rather than juvenile court.
- Coach-Student Sex—Ferguson noted the statute was amended during the past session to include volunteers, contract employees, and full-time district employees. He suggested differentiating the different classes of individuals.
- DNA Hits—Ferguson suggested separating DNA hits as a result of the Sexual Abuse Kit Initiative. Fineran will obtain more information from the Department of Public Safety to identify the best way to differentiate the data.

Sherri Soich moved to approve the Legislation Monitoring Report, second by DeAnn Decker. The motion was unanimously approved.

- **Five-Year Plan Update**

Ferguson moved to approve the Five-Year Plan with the amended Public Safety Advisory Board report updates as discussed during the Public Safety Advisory Board meeting, seconded by Soich. The motion was unanimously approved.

V. 2018 Meeting Dates

Michael reported that meetings have traditionally been held in May, September, and November. To provide more consistency, staff proposed meeting on the third Wednesday during May and September and the second Wednesday in November. There was consensus to hold meetings as noted.

VI. Public Comment

Chris Robinson, member of the public, addressed concerns regarding racial profiling tactics by troopers with the Iowa Department of Public Safety. He voiced concern regarding overall racism/discrimination and lack of training. Robinson asked what citizens

can do to insure changes happen. By not doing anything, racism and discrimination are allowed to happen.

Walton responded that this group has recommended the enactment of anti-racial profiling legislation. Judge Jeffrey Neary added that this group did not have authority to make changes, only recommendations.

Walton recently attended the Summit on Justice and Disparities sponsored by the Iowa-Nebraska NAACP. He noted the number of individuals representing state and local law enforcement agencies and various branches of state government. Saint Ambrose University has conducted research on traffic stops in certain Iowa cities. Departments are addressing the issue and directing resources. He encouraged Robinson to attend the next Summit.

Andrea Markham reported that the matter is important to the commissioner of the Department of Public Safety who has asked to meet with the NAACP, is working to recruit minorities, and has included training for troopers. She thought the commissioner would address his concerns.

VII. Issues for Next Meeting

- Beisner reported that last May this group discussed whether powder and crack cocaine usage could be tracked in light of new legislation that brought the two drugs closer to parity. She noted the difficulty in tracking usage. The Department of Public Health has provided some information on emergency room visits, hospitalizations, and overdose deaths, however, the data does not differentiate between powder and crack, but includes cocaine as a whole as well as other drugs. Beisner thought this could be a way to monitor usage through this method of tracking. Decker added that treatment centers don't differentiate between the two types of cocaine either. Therefore, the council decided to table any tracking of usage at this time until such data become available.
- Walton asked about the role of this council with the recommended changes to the juvenile justice system. Michael responded that there may be some effects on how the juvenile justice system interacts with the adult system, county attorneys, and overall awareness that some policy changes may be coming. More information will be shared a year from now regarding any proposed legislation and plan recommendations.

VIII. Adjournment

Kurt Swaim moved to adjourn, seconded by Ferguson. The meeting adjourned at 1:30 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary