

FULL REPORT

GOVERNOR'S YOUTH RACE & DETENTION TASK FORCE

**Response to Executive Order 5
May 2009**



Background – Comments

In May 2007, the first meeting of the Governor's Youth Race and Detention Task Force (YRDTF) was held. Created by Governor Chester J. Culver, the group's goal has been to assist in reducing the overrepresentation of minority youth in juvenile detention. The Task Force has met eight times and has received testimony from a wide variety of relevant parties.

Membership of the group includes a broad representation from state government, law enforcement, prosecution, defense, Human Services, Corrections, the American Civil Liberties Union of Iowa, Education, and community members.¹

This report, the Full Report, is the culmination of the Task Force's responsibilities as set out in Executive Order 5, dated October 30, 2007. *The Executive Order specifies a number of goals and report requirements. This report is organized accordingly (see Table of Contents and Figure List).* A copy of the Full Report, Findings (without figures), Recommendations, and a One Page document (front/back) is available on the website of the Iowa Division of Criminal and Juvenile Justice Planning: http://www.state.ia.us/government/dhr/cjip/publications/juve_reports.html

There is a commonly held perception that the use of detention may serve as a deterrent to future delinquency. Data in this report reflect that approximately 40% of youth detained in 2006 were re-detained in 2006. Research conducted by national experts indicates that, particularly for low risk/low level offenders, that the use of detention is not neutral, and may increase the likelihood of recidivism. Comparable data for Iowa are not available (national data studied for this report provide level of risk, but risk level related to detention is not presently available for Iowa). The Task Force finds no evidence suggesting that recidivism levels (as related to detention risk) in Iowa should be different than found in other states.

Data in this report also suggest that detention is one of the juvenile justice system's more costly sanctions (\$257 - \$340 per day). Other sites and local jurisdictions have been able to redirect savings from the reduced use of juvenile detention to support less costly, community-based detention alternatives without compromising public safety.

¹ A complete roster of the Task Force is found in Appendix I.

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GOAL 1 – USE OF DETENTION AND RELATED PUBLIC SAFETY ISSUES, INCLUDING THE POTENTIAL OF YOUTH TO RE-OFFEND

Return of Youth to Detention - The Task Force finds that a third of youth detained in 2006 returned to detention at least one time in 2006. Nearly 40% of African-American youth held in 2006 were re-detained in that same period, as compared to 33% of Caucasian youth. Males are more likely than females to be re-detained, and African-American males are those most likely (41.7%) to return to detention. Analysis of data for certain racial/ethnic groups (Hispanics, Native American, and Asians) by gender is difficult given the low numbers.

Figure 1
Subsequent Detention of Youth

	2006 Admissions			2006 Re-Detained					
	Male	Female	Total	Male	% Male	Female	% Female	Total	% Total
Caucasian	1,627	447	2,074	568	34.9%	119	26.6%	687	33.1%
African-American	588	170	758	245	41.7%	53	31.2%	298	39.3%
Hispanic	233	39	272	64	27.5%	9	23.1%	73	26.8%
Native American	42	19	61	12	28.6%	5	26.3%	17	27.9%
Asian/Pacific Islander	33	4	37	6	18.2%	2	50.0%	8	21.6%
Other	3	0	3	0	0.0%	0	0.0%	0	0.0%
Total	2,526	679	3,205	895	35.4%	188	27.7%	1,083	33.8%

Source: Iowa Justice Data Warehouse

Note: Table counts youth detained and re-detained in 2006

New Complaints After Detention – The Task Force finds that nearly 40% of youth detained in 2006 had a new complaint in 2006. Caucasian and African-American youth, as well as males and females, have comparable recidivism rates. Analysis of data for certain racial/ethnic groups (Hispanics, Native American, and Asians) by gender is difficult given their low numbers.

Figure 2
New Complaints After Initial Detention (2006)

	2006 Admissions			2006 New Complaints					
	Male	Female	Total	Male	% Male	Female	% Female	Total	% Total
Caucasian	1,627	447	2,074	655	40.3%	180	40.3%	835	40.3%
African-American	588	170	758	239	40.6%	71	41.8%	310	40.9%
Hispanic	233	39	272	60	25.8%	15	38.5%	75	27.6%
Native American	42	19	61	12	28.6%	4	21.1%	16	26.2%
Asian/Pacific Islander	33	4	37	13	39.4%	2	0.0%	15	40.5%
Other	3	0	3	1	33.3%	0	0.0%	1	33.3%
Total	2,526	679	3,205	980	38.8%	272	40.1%	1,252	39.1%

Source: Iowa Justice Data Warehouse

Note: Table counts 2006 new complaints on youth detained in 2006.

Offense Level – Youth With Complaints After Initial Detention – The Task Force finds that the 1,252 youth who had complaints after their initial detention in 2006 had 2,808 new complaints between date of discharge and December 31, 2006. Of these complaints, 83% were misdemeanors. Girls were more likely to reoffend with a misdemeanor (92%) than boys (81%). Caucasian and Hispanic youth had somewhat higher percentages of new felony offenses (17.8% and 17%, respectively) than did African-American youth (14.4%). Analysis of data for certain racial/ethnic groups (Native American and Asians) by gender is difficult given their low numbers.

Figure 3
Offense Level – Youth With Complaints After Initial Detention (2006)

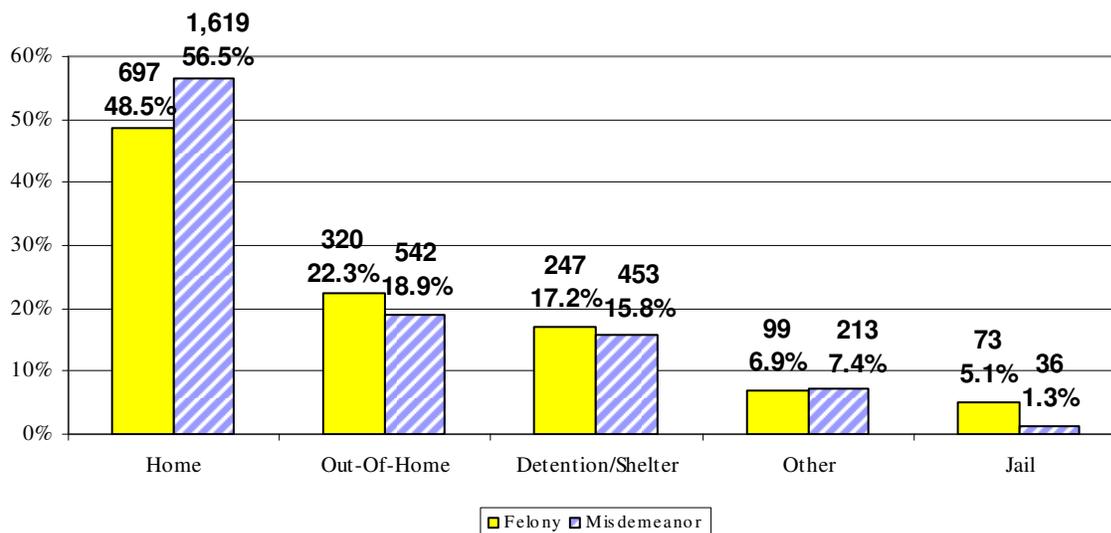
	2006 New Complaints (Total)							
	Male		Female		Total		Percent	
	Felony	Misd	Felony	Misd	Felony	Misd	Felony	Misd
Caucasian	296	1,215	31	297	327	1,512	17.8%	82.2%
African-American	89	452	11	144	100	596	14.4%	85.6%
Hispanic	32	129	2	37	34	166	17.0%	83.0%
Native American	10	27	1	3	11	30	26.8%	73.2%
Asian/Pacific Islander	4	21	0	6	4	27	12.9%	87.1%
Other	1	0	0	0	1	0	100.0%	0.0%
Total	432	1,844	45	487	477	2,331	17.0%	83.0%

Source: Iowa Justice Data Warehouse

Note: Table compares all offenses of youth with new complaints in 2006 after their initial detainment in 2006.

Detention Release Settings – The Task Force finds that over half of all youth are sent home at release from detention. Approximately 20% of youth are sent to an out-of-home placement at release from detention. A higher percentage of youth detained for misdemeanors are sent home after their hold when compared to felons.

Figure 4
Disposition From Juvenile Detention by Offense Severity (2007)



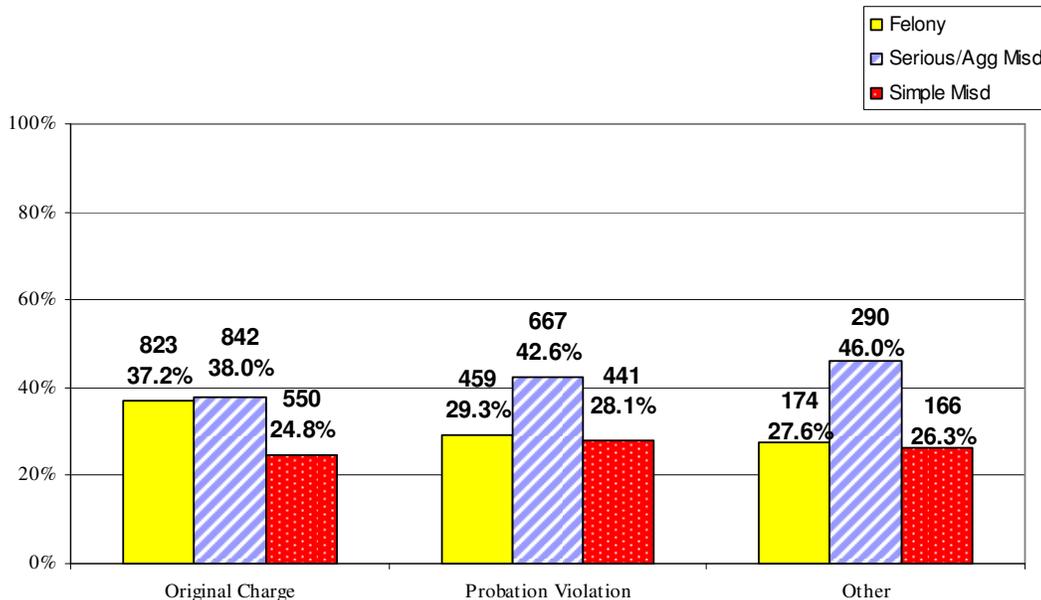
Source: CJJP Juvenile Detention Database

Research Regarding Negative Effects Removing Youth from School Settings – The Task Force concurs with research that reflects taking children out of school for even a few days disrupts their education and often escalates poor behavior by removing them from a structured environment and giving them increased time and opportunity to get into trouble. Studies have shown that a child who has been suspended is more likely to be retained in grade, to drop out, to commit a crime, and/or to end up incarcerated as an adult. Indeed, many schools are further expediting the flow of children out of the schools and into the criminal justice system by doling out a double dose of punishment for students who misbehave. In addition to being suspended or expelled, students are also increasingly finding themselves arrested or referred to law enforcement or juvenile court and prosecuted for behavior at school (NAACP Legal Defense and Educational Fund).

GOAL 2 – USE OF DETENTION FOR YOUTH WHO VIOLATE CONDITIONS OF PROBATION

Detention Holds for Probation Violators – Severity of Original Offense - The Task Force finds that about 36% of the youth in Iowa’s juvenile detention centers are there due to violating the conditions of probation. Of the remaining youth, about 64% are detained as the result of a new charge and the remainder for other reasons. The originating offenses of a majority of the youth in these categories were misdemeanors.

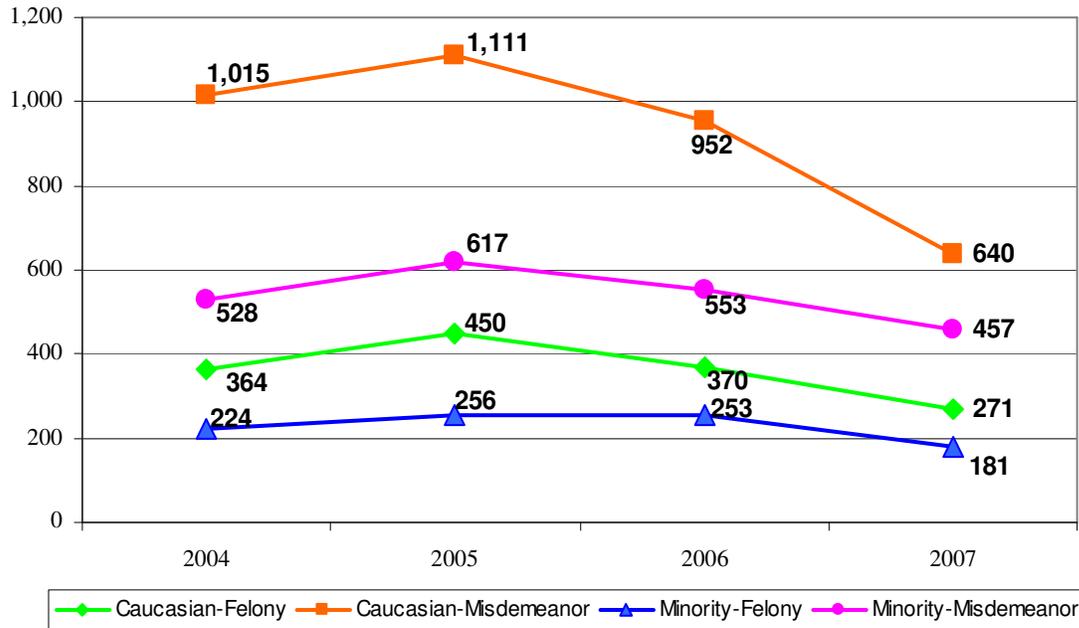
**Figure 5
Juvenile Detention Holds – Original Charge vs. Probation Violation (2007)**



Source: CJJJ Juvenile Detention Database

Trends by Race for Detention Holds for Probation Violators – The Task Force finds that progress has been made in reducing the number of youth detained as the result of probation violations, although a high percentage of these holds continues to involve misdemeanor originating offenses. Minority youth are especially overrepresented among probation holds, as they constituted about 40% of all probation holds during 2007 regardless of offense severity.

Figure 6
Probation Violation Holds by Offense Severity and Race

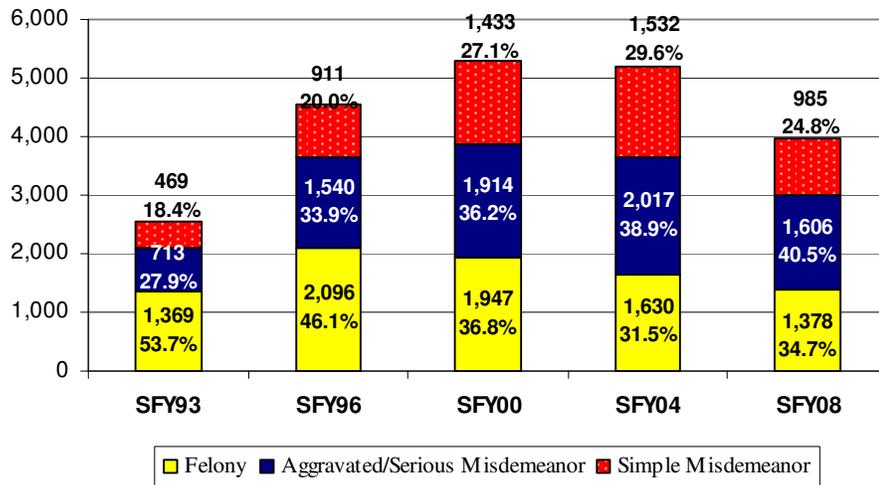


Source: CJJJ Juvenile Detention Database

GOAL 3 – APPROPRIATENESS AND USE OF SECURE DETENTION FOR LOW-LEVEL/LOW-RISK OFFENDERS

Detention Hold Trends by Offense Severity – The Task Force finds that misdemeanants comprised 65% of all holds during the report years, with simple misdemeanants alone accounting for 25% of the total. In 1993, 54% of all detention facility holds were for felons, by 2000 37% of all such holds were for felons (n’s=1,369 and 1,947 respectively). From 1993 to 2000 there was a 42% increase in holds for felons, and a 183% increase in holds for misdemeanants. In 1993 and 2008 the number of holds for felons was nearly identical (n’s=1,369 and 1,378, respectively). There is no state-wide guidance in place—such as a detention screening tool—to determine the level of risk such youth pose to public safety.

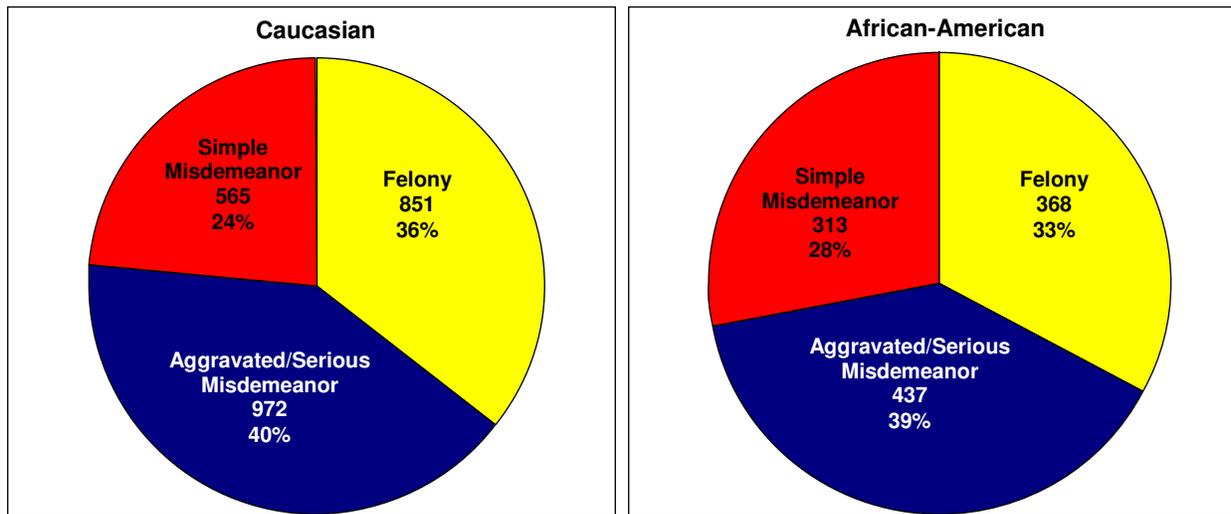
Figure 7
Detention Holds by Offense Severity



Source: CJJJ Juvenile Detention Database

Detention Holds by Offense Severity Comparing African-American and Caucasian Youth – The Task Force finds the percentage of detention holds for African-Americans for simple misdemeanors is slightly higher than that of Caucasians (24% and 28%, respectively).

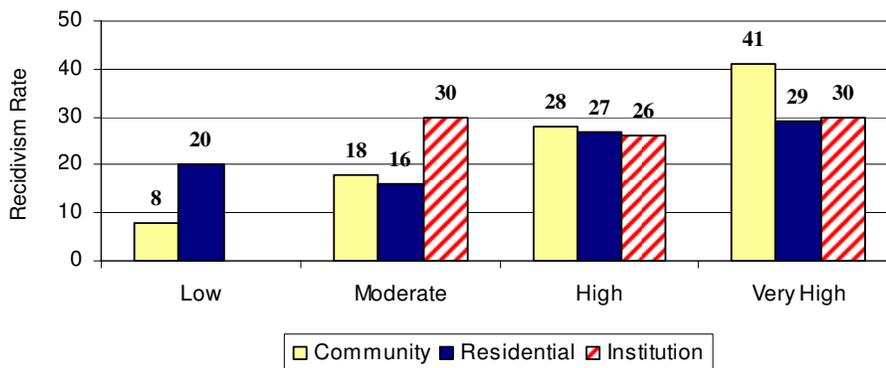
Figure 8
Comparison of Holds by Offense Severity – African-Americans and Caucasians



Source: CJJJ Juvenile Detention Data Base

Low Risk Youth in Residential Settings – The Task Force concurs with research that suggests there are potential negative effects associated with detention holds for youth who have committed low-risk offenses. Research from Dr. Edward Latessa at the University of Cincinnati reflects that placement of low-risk offenders in residential settings has more than just a neutral effect. Youth rated as low risk were more than twice as likely to recidivate after placement in a residential setting as they were when treated in a community-based setting.

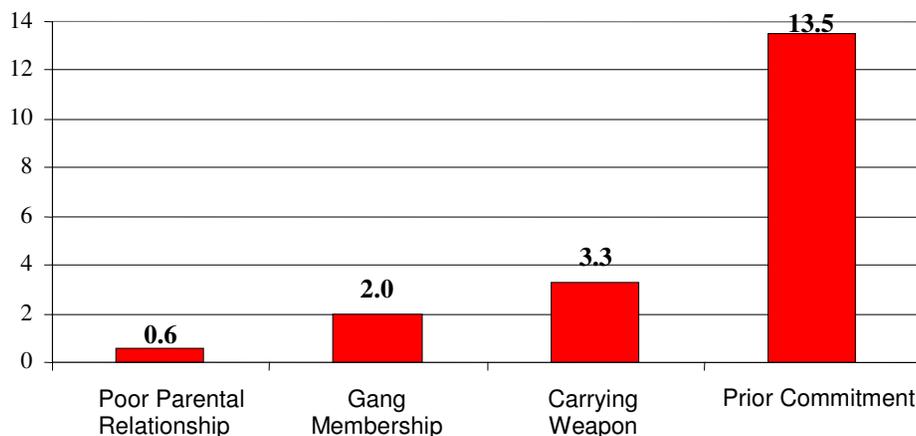
Figure 9
Risk Level by New Conviction:
Results from 2005 Ohio Study of Approximately 14,000 Youth



Source: Research – Edward Latessa, Ph.D.

Detention Holds (Relationship to Recidivism) – The Task Force concurs with research from the Justice Policy Institute (*The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*) which finds that being detained is the most significant factor in increasing the likelihood of recidivism. Prior incarceration was a greater predictor of recidivism than carrying a weapon, gang membership, or a poor parental relationship.

Figure 10
Predictability Related to Recidivism After Detention Holds



Source: Justice Policy Institute

Note: Study included a sample of 244 adolescents who had been in a Serious Offender Program operated by the Arkansas Division of Youth Services (DYS) to see what psychological, demographic and theoretical factors predicted: (1) return to DHS; and (2) days in the community without return to DHS within a one year follow-up period.

Research Regarding Differential Offending – The Task Force concurs with research that reflects “DMC cannot be explained by differences in offending behavior of different racial groups” (Huizinga, Thornberry, Knight et al., 2007, p. 41). If minorities committed more and more serious offenses than their white counterparts, this could explain and even justify DMC; however, the research indicates that actual offending “differences are not nearly as large as when official data are used” (e.g. Huizinga et al. 2007; Snyder & Sickmund, 1999, 2006, Miller, 1996; Krisberg et al, 1987). As Snyder (2006) has pointed out, “most juvenile crime does not come to the attention of the juvenile justice system”. Variations by site have been found, although DMC is not explained by the level of offending among racial and ethnic groups or the presence of risk factors (cf. Feld’s, “Justice by Geography”).

GOAL 4 – EXPLORATION OF COMMUNITY-BASED ALTERNATIVES TO JUVENILE DETENTION AND THEIR EFFECTIVENESS

Youth Participation in Detention Alternatives – The Task Force finds that the overall number of youth served in the selected detention alternative programs in the individual counties was small (below 50 youth for many of the local programs). Based on six-month data collection from three jurisdictions, minority youth appear to be under-represented in the Saturday Sanctions program (23%) and shelter (38%) and over-represented in school-based programming (63%). (NP indicates Non-Participating)

Figure 11
Youth Admitted to Detention Alternatives (7/1/07 to 12/31/07)

	BLACKHAWK			WOODBURY			POLK			TOTAL		
	Caucasians Served	Minorities Served	Total Number	Caucasians Served	Minorities Served	Total Number	Caucasians Served	Minorities Served	Total Number	Caucasians Served	Minorities Served	Total Number
Violators	6	7	13	NP	NP	NP	51	48	99	57	55	112
SatSanctions	NP	NP	NP	NP	NP	NP	86	26	112	94	28	122
In-Home Det	17	29	46	22	24	46	24	24	48	63	77	140
School	NP	NP	NP	12	21	33	10	17	27	22	38	60
Shelter	33	18	51	65	45	110	94	57	151	192	120	312

Detention of Youth Prior to Participation in Alternatives – The Task Force finds that most youth participating in detention alternatives have not been detained prior to program participation. An exception is in-home detention, where nearly 60% of the program participants have been detained prior to program participation.

Figure 12
Youth Detained Within 60 Days Prior to Admit to Program

	BLACKHAWK				WOODBURY				POLK				TOTAL		
	Caucasian Detained	Minority Detained	% Detained Before	Avg LOS	Caucasian Detained	Minority Detained	% Detained Before	Avg LOS	Caucasian Detained	Minority Detained	% Detained Before	Avg LOS	Caucasian Detained	Minority Detained	% Detained Before
Violators	2	2	30.8%	5.3	NP	NP	NP	NP	11	14	25.3%	5.7	13	16	25.9%
SatSanctions	0	0	0.0%	0.0	NP	NP	NP	NP	1	0	0.9%	2.0	1	0	0.8%
In-Home Det	14	22	78.3%	16.0	7	8	32.6%	18.0	16	15	64.6%	7.5	37	45	58.6%
School	NP	NP	NP	NP	0	5	15.2%	19.6	1	5	22.2%	8.0	1	10	18.3%
Shelter	2	2	7.8%	7.3	0	1	0.9%	3.0	3	3	4.0%	6.0	5	6	3.5%

Source: Juvenile Court Services/Iowa Justice Data Warehouse

Re-Detention after Participation in Alternatives – The Task Force finds small numbers of youth are re-admitted to detention within 60 days after participation in a detention alternative. The highest number of youth that were re-detained (n=29) came from the in-home detention program.

Figure 13
Youth Detained Within 60 Days After Release From Program

	BLACKHAWK				WOODBURY				POLK				TOTAL		
	Caucasian Detained	Minority Detained	% Detained After	Avg LOS	Caucasian Detained	Minority Detained	% Detained After	Avg LOS	Caucasian Detained	Minority Detained	% Detained After Service	Avg LOS	Caucasian Detained	Minority Detained	% Detained After
Violators	3	3	46.2%	11.3	NP	NP	NP	NP	12	10	22.2%	10.2	15	13	25.0%
SatSanctions	0	0	0.0%	0.0	NP	NP	NP	NP	0	0	0.0%	0.0	0	0	0.0%
In-Home Det	4	7	23.9%	15.8	1	3	8.7%	21.8	8	6	29.2%	15.0	13	16	20.7%
School	NP	NP	NP	NP	1	6	21.2%	21.6	1	2	11.1%	9.7	2	8	16.7%
Shelter	7	4	21.6%	10.1	1	0	0.9%	58.0	7	5	7.9%	13.2	15	9	7.7%

Re-Offense after Participation in Alternatives – The Task Force finds small numbers of youth re-offend within 60 days after participation in a detention alternative. The highest number of youth who re-offended were youth placed in shelter (n=31).

Figure 14
Youth Who Re-Offended Within 60 Days After Release From Program

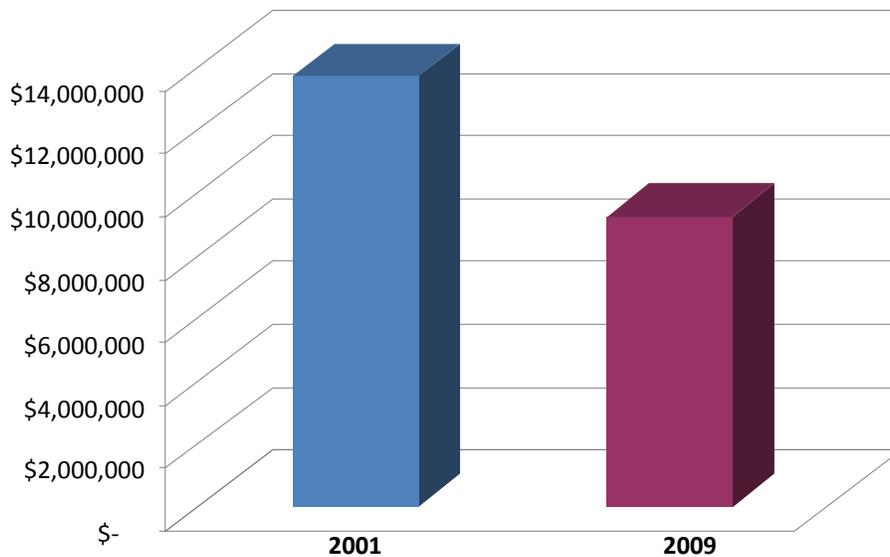
	BLACKHAWK				WOODBURY				POLK				TOTAL			
	Caucasian Recid	% Recid Caucasian	Minority Recid	% Recid Minority	Caucasian Recid	% Recid Caucasian	Minority Recid	% Recid Minority	Caucasian Recid	% Recid Caucasian	Minority Recid	% Recid Minority	Caucasian Recid	% Recid Caucasian	Minority Recid	% Recid Minority
Violators	1	16.7%	0	0.0%	NP	NP	NP	NP	6	11.8%	6	12.5%	7	12.3%	6	10.9%
SatSanctions	0	0.0%	1	50.0%	NP	NP	NP	NP	5	5.8%	3	11.5%	5	5.3%	4	14.3%
In-Home Det	0	0.0%	3	10.3%	0	0.0%	0	0.0%	4	16.7%	3	12.5%	4	6.3%	6	7.8%
School	NP	NP	NP	NP	2	16.7%	2	9.5%	0	0.0%	3	17.6%	2	9.1%	5	13.2%
Shelter	5	15.2%	0	0.0%	5	7.7%	1	2.2%	11	11.7%	9	15.8%	21	10.9%	10	8.3%

Source: Juvenile Court Services/Iowa Justice Data Warehouse

Community-Based Services Funding – The Task Force finds that in recent years there have been significant cuts to funding for community-based services. Such services are designed to allow delinquent youth to be maintained in the community and thereby avoid further advancement into the juvenile justice system. It is believed that utilization of such services may be an option to take pressure off the system and reduce the use of detention.

**Figure 15
Juvenile Court Services Graduated Sanctions Funding 2001 – 2009**

Program	2001	2009	Decrease	% Decrease
Tracking and Monitoring	\$ 4,151,673	\$ 3,202,982	\$ 948,691	23%
Life Skills	\$ 537,500	\$ 414,677	\$ 122,823	23%
Supervised Community Treatment	\$ 5,494,197	\$ 3,946,839	\$ 1,547,358	28%
School Based Supervision	\$ 3,528,000	\$ 1,690,239	\$ 1,837,761	52%
Total	\$ 13,711,370	\$ 9,254,737	\$ 4,456,633	33%



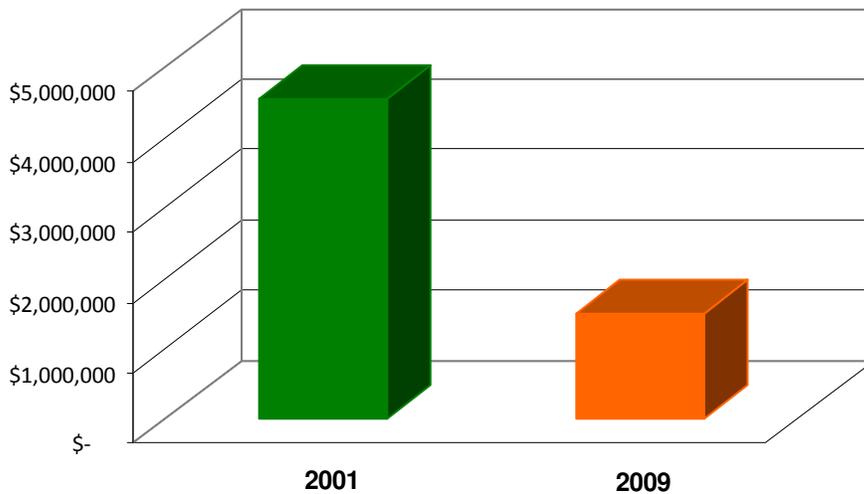
Source: Iowa Juvenile Court Services

Federal Delinquency Funding – The Task Force finds that in recent years there have been significant cuts to federal Juvenile Justice and Delinquency Prevention Act-related funding. Presently, Iowa allocates a majority of those funds to Juvenile Court Services offices in Iowa’s eight judicial districts. The funding is utilized to support services designed to allow delinquent youth to be maintained in the community, thereby avoiding further advancement into the juvenile justice system. It is believed that utilization of such services may be an option to take pressure off the system and reduce the use of detention.

**Figure 16
Federal Juvenile Justice and Delinquency Prevention Act Related Funding**

Program	2001	2009	Decrease	% Decrease
JAIBG	\$ 2,844,800	\$ 506,700	\$ 2,338,100	82%
Challenge Grant	\$ 87,500	\$ -	\$ 87,500	100%
EUDL	\$ 359,208	\$ 350,000	\$ 9,208	3%
Title V	\$ 384,000	\$ 48,360	\$ 335,640	87%
Formula	\$ 600,000	\$ 600,000	\$ -	0%
ABS Supplement	\$ 266,000	\$ -	\$ 266,000	100%
Total	\$ 4,541,508	\$ 1,505,060	\$ 3,036,448	67%

JAIBG: Juvenile Accountability Incentive Block Grant; EUDL: Enforcing Underage Drinking Laws; ABS: Accountability-Based Sanctions



Source: Iowa Criminal and Juvenile Justice Planning

GOAL 5 – CAUSES AND RECOMMENDED SOLUTIONS RELATED TO OVER-REPRESENTATION OF MINORITY YOUTH IN DETENTION

Iowa's Youth Population – The Task Force finds that Iowa's overall minority youth population is small yet growing, while the Caucasian youth population is declining.

Figure 17
Iowa Juvenile Population By Race and Gender (Estimates)
 (Ages 10-17/Hispanics as Race)

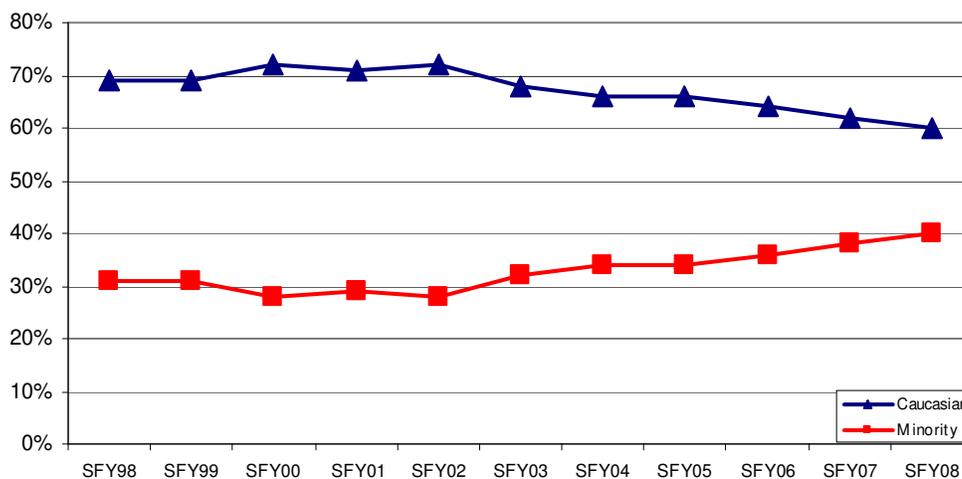
	2003	2004	2005	2006	2007	5-Year Change
Caucasian	298,071	293,722	289,683	285,800	281,239	-5.65%
African-American	10,727	11,104	11,551	11,896	12,424	15.82%
Hispanic*	14,420	15,433	16,436	17,443	17,443	20.96%
Native American	1,653	1,687	1,713	1,669	1,670	1.03%
Asian/Pac Islander	4,738	4,837	4,920	5,032	5,191	9.56%
Multi-Racial	5,295	5,574	5,929	6,176	6,559	23.87%
Male	172,090	170,780	169,588	168,476	166,562	-3.21%
Female	162,814	161,577	160,644	159,540	157,964	-2.98%
Total	334,904	332,357	330,232	328,016	324,526	-3.10%

Source: US Census Bureau Estimates

*Hispanics are considered an ethnicity in census counts, not a race. Therefore, the counts for those of Hispanic origin were deducted from the Caucasian population in order to portray Hispanics as a race.

Increasing Minority Overrepresentation in Detention – The Task Force finds that minorities have been overrepresented in Iowa's juvenile detention centers for many years and that their overrepresentation is increasing. In 2007, minority youth comprised nearly 40% of detention facility holds.

Figure 18
Percent of Juvenile Detention Holds by Race



Source: CJJP Juvenile Detention Database

Increases in Arrests for African-American Youth – The Task Force finds that arrests for African-American youth have increased nearly 60% in recent years. Arrests of African-American youth for simple misdemeanors, assault (49% increase) and disorderly conduct (213% increase) were offenses that influenced the increase. African-American youth are arrested at a rate nearly six times higher than Caucasian youth. Increases in arrests for girls are higher than increases for boys.

Figure 19
Juvenile Arrests By Race (Ages 10-17)
(All Juvenile Arrests By Race)

All Arrests	2003	2004	2005	2006	2007	% Change
Caucasian	17,886	16,723	17,065	17,303	17,408	-2.7%
African-American	3,012	2,721	3,699	3,720	4,814	59.8%
Other Minorities	508	460	617	650	573	12.8%
Total	21,406	19,904	21,381	21,673	22,795	6.5%

Figure 19A
Simple Assault Arrests by Race
(As a Subset of Violent Arrests)

Simple Assaults	2003	2004	2005	2006	2007	% Change
Caucasian	1,780	1,613	1,755	1,822	1,758	-1.2%
African-American	532	448	636	636	801	50.6%
Other Minorities	59	47	72	62	36	-39.0%
Total	2,371	2,108	2,463	2,520	2,595	9.4%

Figure 19B
Disorderly Conduct Juvenile Arrests
(As a Subset of Public Order Arrests)

Disorderly Conduct	2003	2004	2005	2006	2007	% Change
Caucasian	1,196	1,444	1,521	1,716	1,630	36.3%
African-American	300	411	566	757	938	212.7%
Other Minorities	36	54	58	66	73	102.8%
Total	1,532	1,909	2,145	2,539	2,641	72.4%

Source: Iowa Department of Public Safety - Iowa Uniform Crime Report

Figure 20
Juvenile Arrests by Gender (Ages 10-17)

	2003	2004	2005	2006	2007	% Change
Male	14,762	13,388	14,603	14,833	15,464	4.8%
Female	6,644	6,516	6,778	6,840	7,331	10.3%

Source: Iowa Department of Public Safety - Uniform Crime Report

Figure 21
Juvenile Arrest Rates (Per 1,000)

	2003	2004	2005	2006	2007	5-Year Rate
Caucasian	57.2	54.1	55.7	57.1	58.3	56.5
African-American	280.8	245.0	320.2	312.7	387.5	311.4
Other Minorities	43.5	38.0	49.1	50.5	42.7	44.8

Source: Iowa Department of Public Safety - Uniform Crime Report

Arrests of Youth in Schools – The Task Force finds that schools are a significant source of juvenile arrests. Arrest data from select metropolitan school districts reflect that minority youth comprise a significant percentage of school arrests.

Figure 22
2006-2007 High School Arrests

	# Students	# Arrests	% Student Population	% of Total Arrests
Des Moines (see note)				
All High School	8,808	666	---	---
Caucasian	5,695	386	64.7%	58.0%
African-American	1,630	225	18.5%	33.8%
Other Minorities	1,483	55	16.8%	8.3%
Sioux City				
All High School	4,387	325	---	---
Caucasian	2,941	190	67.0%	58.5%
African-American	233	58	5.3%	17.8%
Other Minorities	1,213	77	27.6%	23.7%
Waterloo				
All High School	3,175	224	---	---
Caucasian	2,059	79	64.9%	35.3%
African-American	875	145	27.6%	64.7%
Other Minorities*	241	0	7.5%	0.0%

Sources: Des Moines, Sioux City, and Waterloo Police Departments

*None reported

Note regarding Des Moines Police Arrest data – Des Moines arrest data include direct and delayed referrals, misdemeanor summons/citations and detention. Des Moines Police indicate the majority of contacts with youth resulting in arrest were initiated by school staff. Disorderly conduct arrests for Caucasian youth increased 18% from the 2005-2006 school year. Disorderly conduct arrests for African-American youth increased by 13% from the 2005-2006 school year. Des Moines arrests for Caucasian youth increased 8.3% from the 2005-2006 school year, decreased 4.7% for African-American youth, and decreased approximately 4% for combined arrests.

Top 5 Arrest Offenses In Select Schools – The Task Force finds that disorderly conduct, an offense not involving physical harm, is the offense most often resulting in referral from select Des Moines schools. The percentage of arrests for African-American youth in the Des Moines School District for that offense is much higher than that for Caucasian youth.

Figure 23
2006-2007 Des Moines High Schools
Top Five Allegations

	Caucasian	% Caucasian Arrests	African-American	% African-American Arrests
Disorderly Conduct	104	26.9%	101	44.9%
Assault	83	21.5%	50	22.2%
Drug (Misc)	59	15.3%	13	5.8%
Theft	15	3.9%	11	4.9%
Weapons	27	7.0%	8	3.6%

Source: Des Moines Police Department

Figure 24
2006-2007 Sioux City High Schools
Top Five Allegations

	N	% of Total
Disorderly Conduct	112	28.4%
Tobacco Possession	78	19.8%
Simple Assault	38	9.6%
Theft	16	4.1%
Criminal Mischief (Vandalism)	16	4.1%

Source: Sioux City Police Department

Research Regarding Education System Issues and Connection to Juvenile Justice System Overrepresentation – The Task Force concurs with research which indicates that “when all socioeconomic indicators are held constant, African-American children are still suspended and expelled at much higher rates than Caucasian students within the same schools”. Richardson et al. (2008) report that “the formal system tends to yield to informal decision-making and it is the accumulation of informal decisions throughout the systems which lead to the overrepresentation of minority youth”. The cause of the racial disparities is higher rates of referrals for subjective offenses such as “disrespect” or where decision making involves more discretion (The Civil Rights Project 2000; Skiba and Peterson, 1999; Skiba and Rausch, 2004, 2006).

Independent Research Regarding Minority Overrepresentation in Iowa – The Task Force concurs with research by Michael Leiber, Ph.D., (Virginia Commonwealth University) which indicates that detention was a statistically significant determinant of the decision to refer youth for further court proceedings at intake, while race was not. Being detained increased the likelihood of receiving the more severe outcome at intake by 19%. Thus, African-American youth were more likely than Caucasian youth to be referred on for further court proceedings at intake since they were more likely to be detained.

GOAL 6 – USE OF PUBLIC AND PRIVATE FINANCES TO SUSTAIN SUCCESSFUL JUVENILE DETENTION REFORMS

Detention Costs – The Task Force finds that there is great variation in the per diem costs of juvenile detention facilities in Iowa, most of which are borne by the counties (See Figure 25).

Costs Associated with Detention Alternatives – The Task Force finds that costs associated with detention alternatives vary by program type and by local jurisdiction. On a per diem basis, detention alternatives are less expensive than detention. Detention bed cost per day (provided in the chart below) will increase as the detention population decreases.

Figure 25
Cost Comparison of Alternatives to Detention
Black Hawk, Polk, Woodbury Counties

	Cost Per Day	Detention Bed Cost per Day*
Technical Violators		
Black Hawk	\$ 118.43	\$ 266.00
Polk	\$ 82.00	\$ 340.00
Saturday Sanctions		
Polk	\$ 35.00	\$ 340.00
In-Home Detention		
Black Hawk	\$ 12.57	\$ 266.00
Polk	\$ 33.00	\$ 340.00
Woodbury	\$ 9.50	\$ 257.00
Shelter		
Black Hawk	\$ 138.06	\$ 266.00
Polk	\$ 270.73	\$ 340.00
Woodbury	\$ 138.10	\$ 257.00

Source: Juvenile Court Services/Juvenile Detention Centers

*Bed Cost per Day was calculated by dividing total detention costs for the final 6-months of 2007 by the average daily population during that time at each of the three detention centers.

GOAL 7 – ASSURANCE OF APPROPRIATE CONDITIONS OF CONFINEMENT IN JUVENILE DETENTION FACILITIES

Conditions of Confinement - The Task Force finds that the conditions in which Iowa youth are detained is appropriate, and centers tend to be newer facilities that are well-run. All ten facilities operate under full state licenses, and seven of ten facilities were found to have no deficiencies in their most recent inspection.

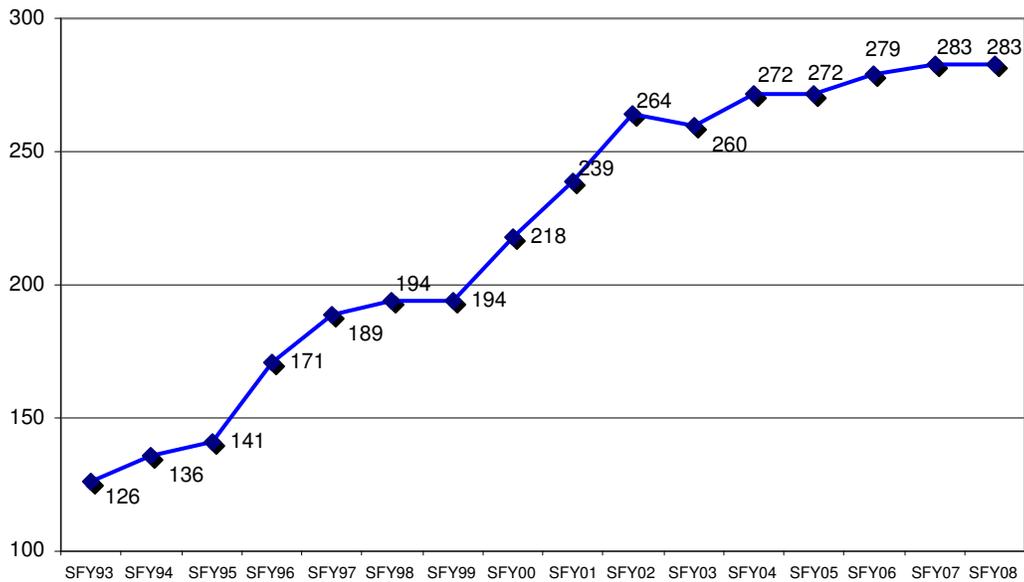
Mental Health Issues in Detention – The Task Force concurs with the findings of research conducted in 2007 by the National Center for Mental Health and Juvenile Justice (NCMHJJ) which reflect a significant number of youth held in the juvenile detention facilities in the United States have mental health issues. The NCMHJJ report noted a survey of 698 detention facilities which found: two-thirds of the facilities surveyed reported holding youth who are waiting for community mental health treatment; and, over a six month period, nearly 15,000 incarcerated youth waited for community mental health services (Blueprint for Change: A comprehensive Model for the Identification and Treatment of youth with Mental Health Needs in Contact with the Juvenile Justice System, Skowrya and Cocozza). Comparable statistics are not available for Iowa.

REPORT 1 – THE NUMBER AND USAGE OF DETENTION BEDS IN IOWA

Number of Detention Beds² – The Task Force finds that the number of available juvenile detention beds in Iowa grew 125% between 1993 (n=126) and 2008 (n=283).

²There are at least two ways to report detention beds in Iowa, as the actual capacities of several of Iowa’s detention centers are much higher than the number of beds for which staffing is available. “Pods” in several facilities remain closed due to lack of demand for beds.

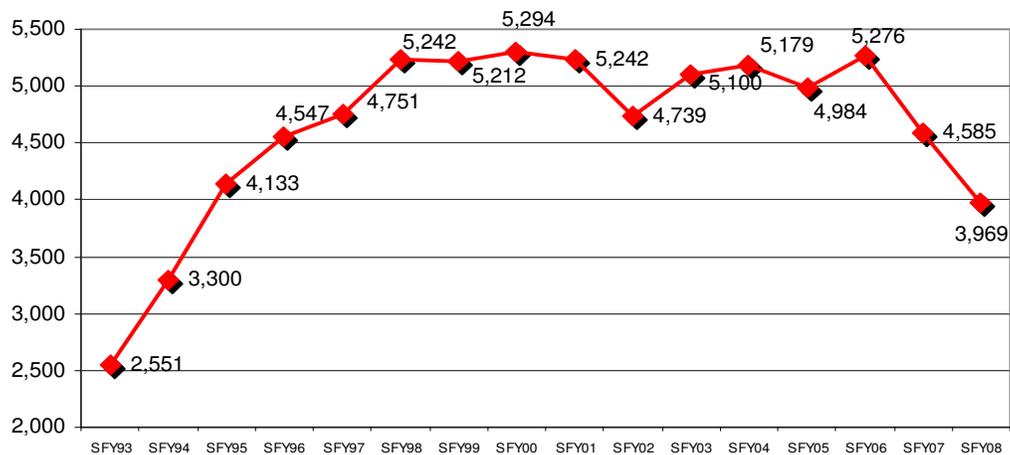
Figure 26
Total Number of Available Detention Beds



Source: Iowa Juvenile Detention Centers

Increase in the Number of Youth Detained – The Task Force finds that a dramatic increase in the number of youth detained accompanied this growth in available beds. Holds decreased 25% from 2006 (n=5,276) to 2008 (N=3,969). The occupancy rate in FY2008 was 61% of licensed beds. In all likelihood, Iowa has more available detention beds than needed.

Figure 27
Total Number of Juvenile Detention Holds



Source: CJJP Juvenile Detention Database

REPORT 2 – PROJECTION OF ARRESTS IN IOWA AND POTENTIAL EFFECTS ON JUVENILE DETENTION POPULATION

Juvenile Arrest Projection – The Task Force finds that juvenile arrests have remained stable over the past five years, although the composition of those arrests has changed as Iowa’s population has changed. Statistical analysis of arrest patterns suggests a small increase in juvenile arrests through 2012, with Caucasian arrests dropping slightly while minority arrests rise. This projected rise in minority arrests may exacerbate the existing overrepresentation of minorities in Iowa’s juvenile detention centers and, ultimately, in the adult justice system. **It must be noted that this trend projection is based solely on prior arrests. Thus, the projection does not accommodate for an increasing minority population, changing police arrest patterns, or changing social or societal factors in given communities.**

Figure 28
Five-Year Projection – Iowa Juvenile Arrests

	ACTUAL					PROJECTED				
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Caucasian	16,981	15,833	16,039	15,961	16,064	16,114	16,009	16,064	16,077	15,958
African-American	3,091	2,805	3,739	3,775	4,910	3,727	3,917	4,239	4,542	4,951
Hispanic	1,126	1,144	1,302	1,549	1,570	1,363	1,422	1,510	1,565	1,546
Native American	202	204	239	257	215	228	230	240	243	205
Asian	200	168	182	178	209	189	185	196	201	209
TOTAL	21,600	20,154	21,501	21,720	22,968	21,621	21,763	22,249	22,628	22,869

Source: Iowa Justice Data Warehouse

Note – The figures below are plotted by quarter.

Figure 28A
Projected Arrests – Caucasians

CAUCASIANS

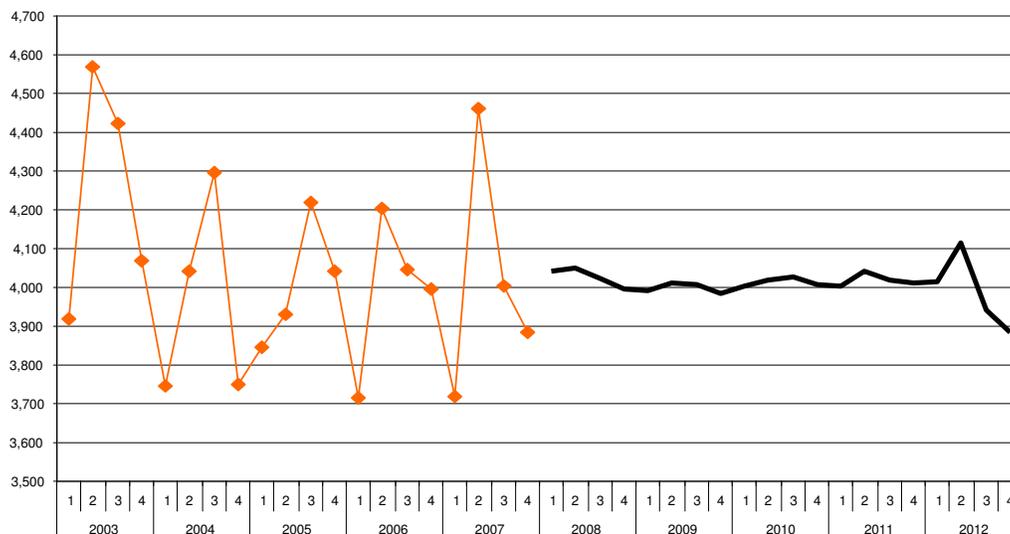


Figure 28B
Projected Arrests – African-Americans

AFRICAN-AMERICANS

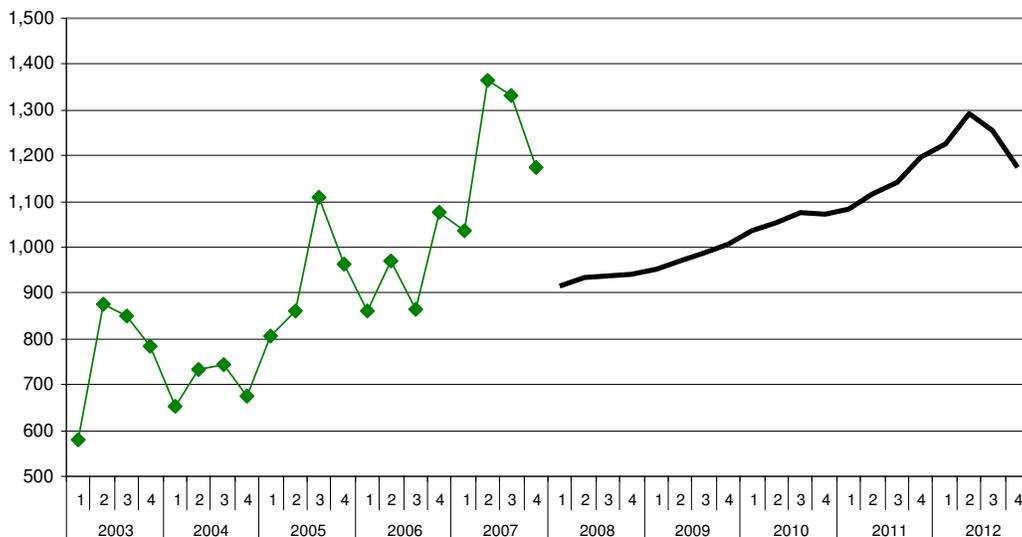


Figure 28C
Projected Arrests – Hispanics

HISPANICS

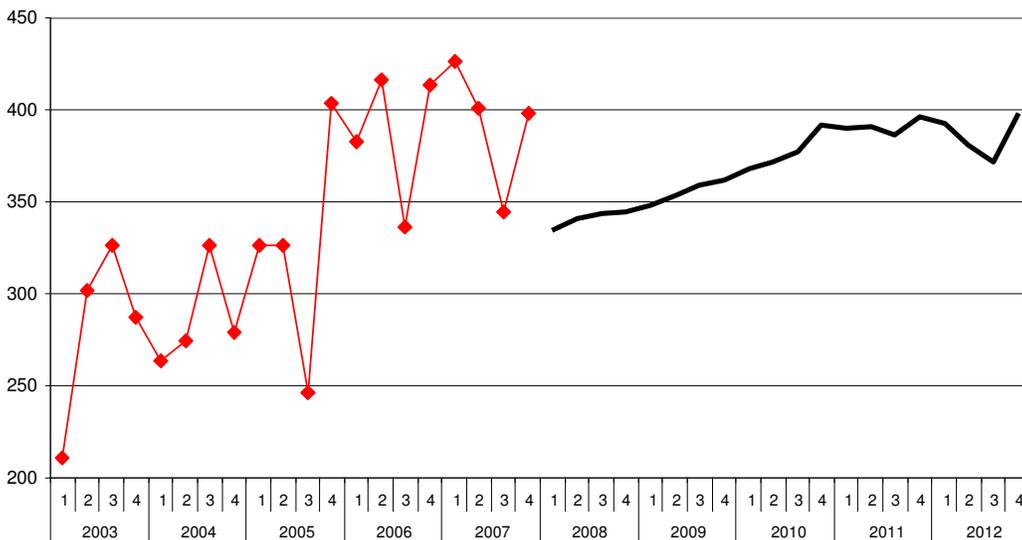


Figure 28D
Projected Arrests – Native Americans

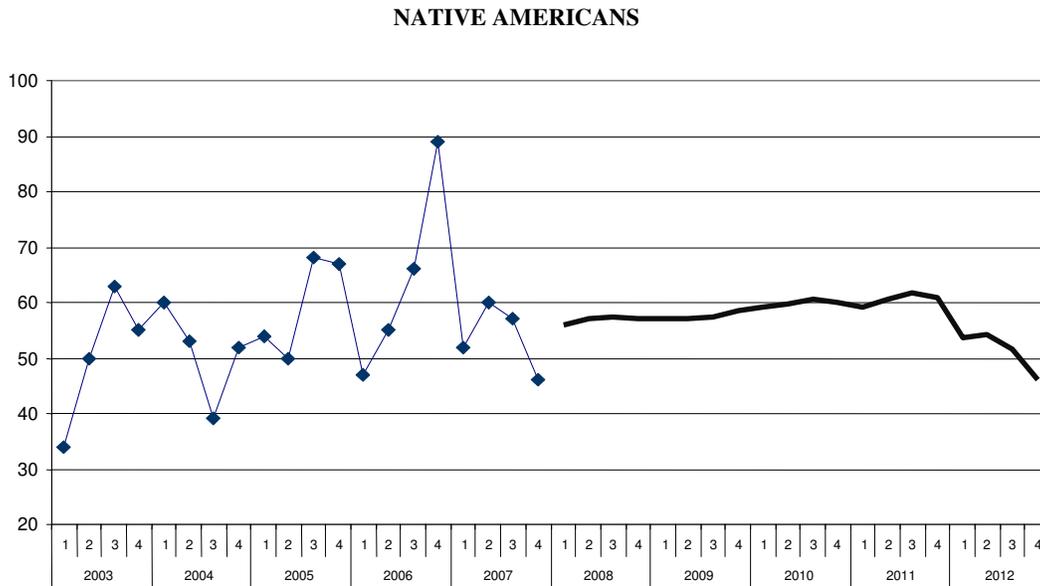
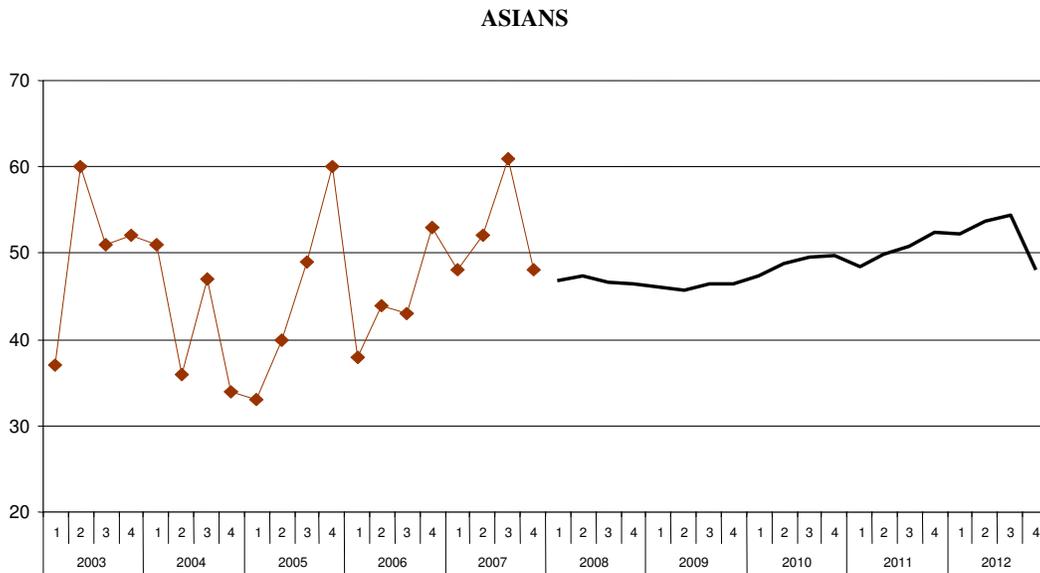


Figure 28E
Projected Arrests – Asians



REPORT 3 – PROJECTION OF IOWA JUVENILE DELINQUENCY POPULATION OVER THE NEXT FIVE YEARS AND RELEVANCE TO JUVENILE DETENTION

Complaint Projection – The Task Force finds that overall juvenile complaints have remained stable over the past five years. However, over that period, complaints for African-American youth have increased, while those for Caucasians have declined. A five-year projection indicates a continuation of the trend for African-Americans and a level trend for Caucasian youth through 2012. This projected rise in complaints for African-Americans may exacerbate the existing overrepresentation of minorities in Iowa’s juvenile detention centers and, ultimately, in the adult justice system. **It must be noted that this is a trend projection based solely on prior complaints. Thus, the projection does not accommodate for an increasing minority population, changing police arrest patterns or juvenile court referrals, or changing social or societal factors in given communities.**

**Figure 29
Five-Year Projection – Iowa Juvenile Complaints**

	ACTUAL					PROJECTED				
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Caucasian	23,676	21,596	20,827	21,761	20,344	20,302	21,012	20,766	20,668	20,133
African-American	3,515	3,509	4,143	4,601	4,985	4,326	4,312	4,534	4,718	4,817
Hispanic	1,320	1,385	1,535	1,827	1,631	1,672	1,611	1,672	1,729	1,700
Native American	266	281	301	318	310	306	306	312	316	312
Asian	255	244	211	232	232	212	225	223	225	221
TOTAL	29,032	27,015	27,017	28,739	27,502	26,818	27,466	27,507	27,656	27,183

Source: Iowa Justice Data Warehouse

Note – The figures below are plotted by quarter.

**Figure 29A
Projected Complaints – Caucasians**

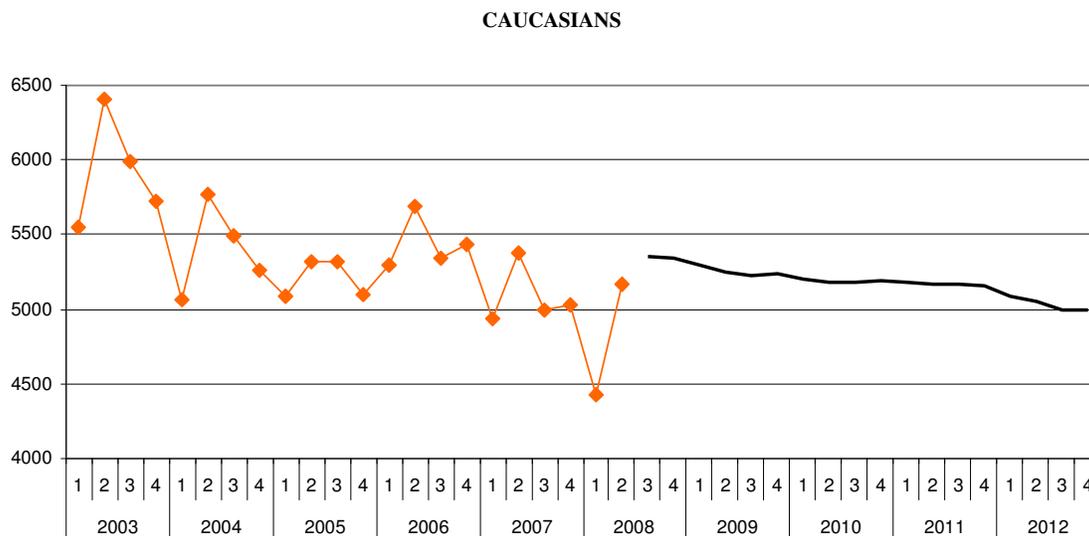


Figure 29B
Projected Complaints – African-Americans

AFRICAN-AMERICANS

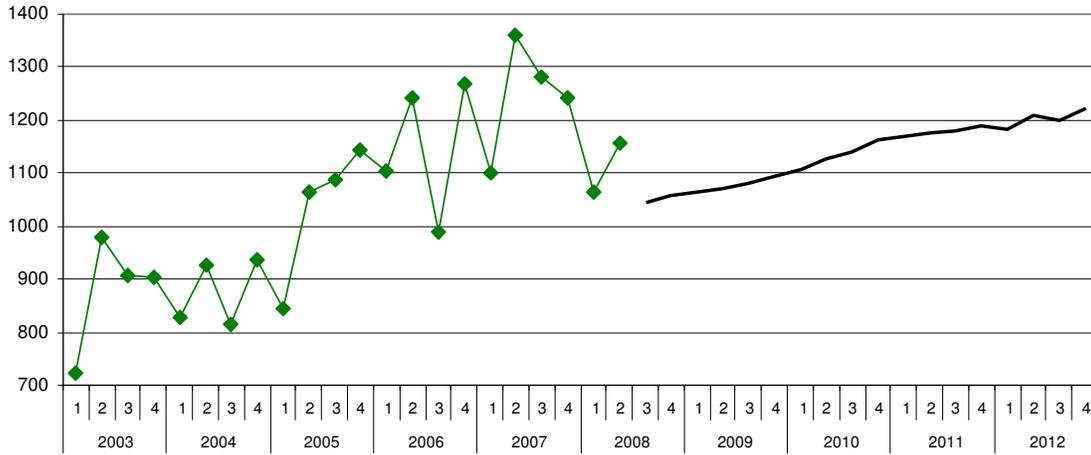


Figure 29C
Projected Complaints – Hispanics

HISPANICS

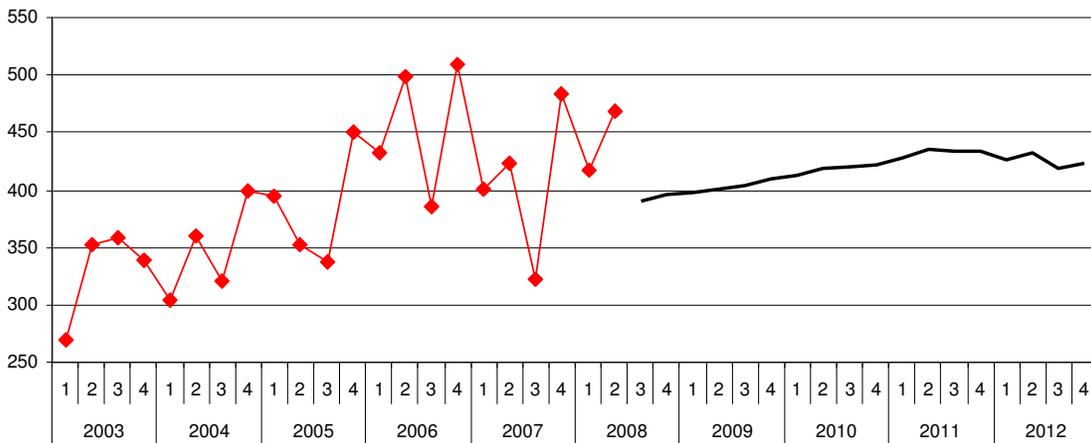


Figure 29D
Projected Complaints – Native Americans

NATIVE AMERICANS

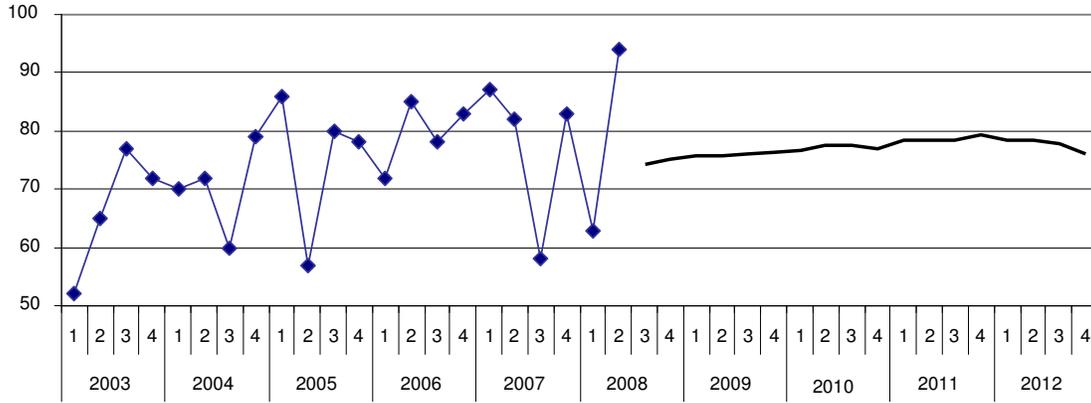
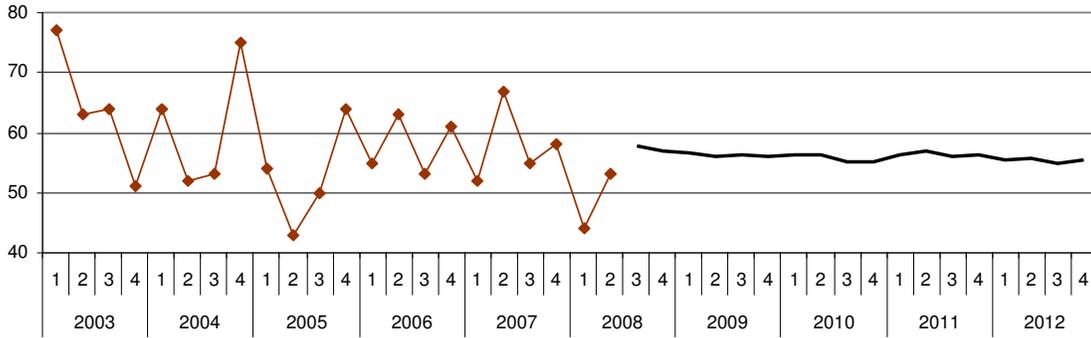


Figure 29E
Projected Complaints – Asians

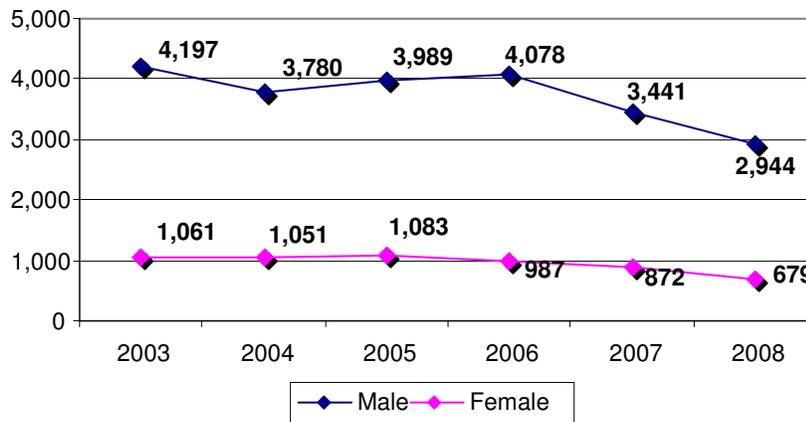
ASIANS



REPORT 4 – DEMOGRAPHIC CHARACTERISTICS OF YOUTH HELD IN DETENTION BY SEX AND RACE/ETHNICITY

Detention Holds by Gender – The Task Force finds that most detained juveniles in Iowa are male, with about 21% of admissions being female.

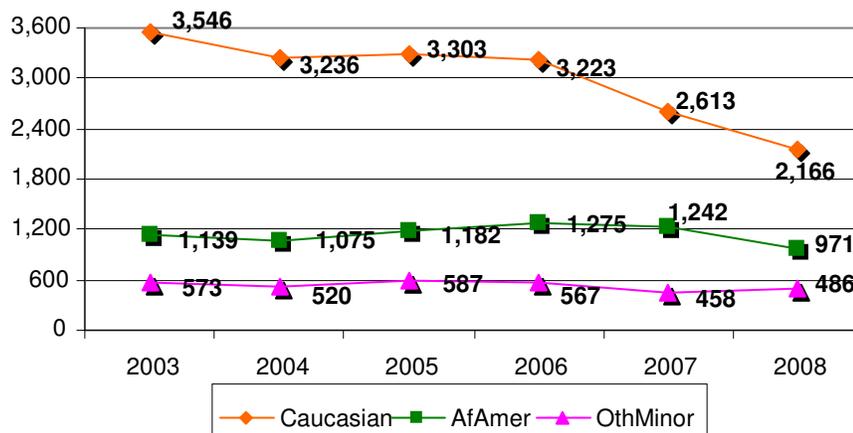
Figure 30
Juvenile Detention Holds By Gender



Source: CJJP Juvenile Detention Database

Detention Holds by Race/Ethnicity – The Task Force finds that the racial make-up of the detained population has also changed, as the number of Caucasian youth has dropped and minority youth, particularly African-Americans, have increased (the percentage of holds for African-American youth was 22% in 2003 and increased to 29% in 2007).

Figure 31
Juvenile Detention Holds By Race



Source: CJJP Juvenile Detention Database

REPORT 5 – PROJECTION OF JUVENILE DETENTION HOLDS BY RACE/ ETHNICITY OVER THE NEXT FIVE YEARS

Juvenile Detention Projection - The Task Force finds that overall juvenile detention holds dropped in the past five years, with a considerable drop between 2006 and 2008. Holds for the different racial ethnic groups mirrored the overall trend. A five-year projection indicates a continuation of those trends. **It must be noted that this is a trend projection based solely on prior detention holds. Thus, the projection does not accommodate for an increasing minority population, changing police arrest patterns or juvenile court referrals, or changing social or societal factors in given communities.**

Figure 32
Five-Year Projection – Iowa Juvenile Detention Holds

	ACTUAL					PROJECTED				
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Caucasian	3,236	3,303	3,223	2,613	2,166	2,884	2,777	2,557	2,310	2,072
African-American	1,075	1,178	1,275	1,242	971	1,155	1,170	1,139	1,060	901
Hispanic	365	398	398	332	369	373	372	360	360	362
Native American	112	122	99	82	75	98	91	81	76	81
Asian	41	67	68	43	39	52	54	46	41	41
TOTAL	4,829	5,068	5,063	4,312	3,620	4,562	4,464	4,183	3,847	3,457

Source: CJJP Juvenile Detention Database

Note – The figures below are plotted by quarter.

Figure 32A
Projected Detention Holds – Caucasians

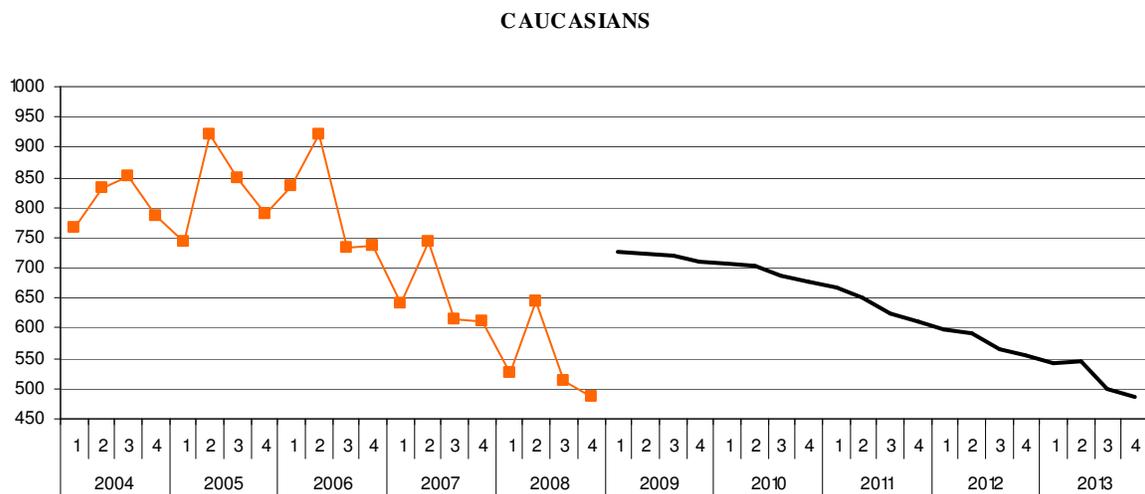


Figure 32B
Projected Detention Holds – African-Americans

AFRICAN-AMERICANS

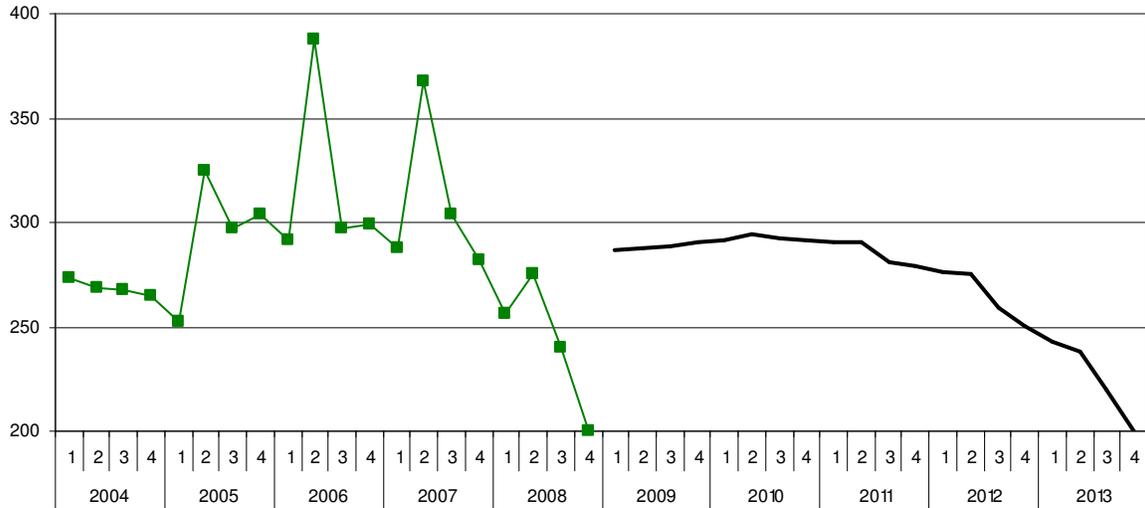


Figure 32C
Projected Detention Holds – Hispanics

HISPANICS

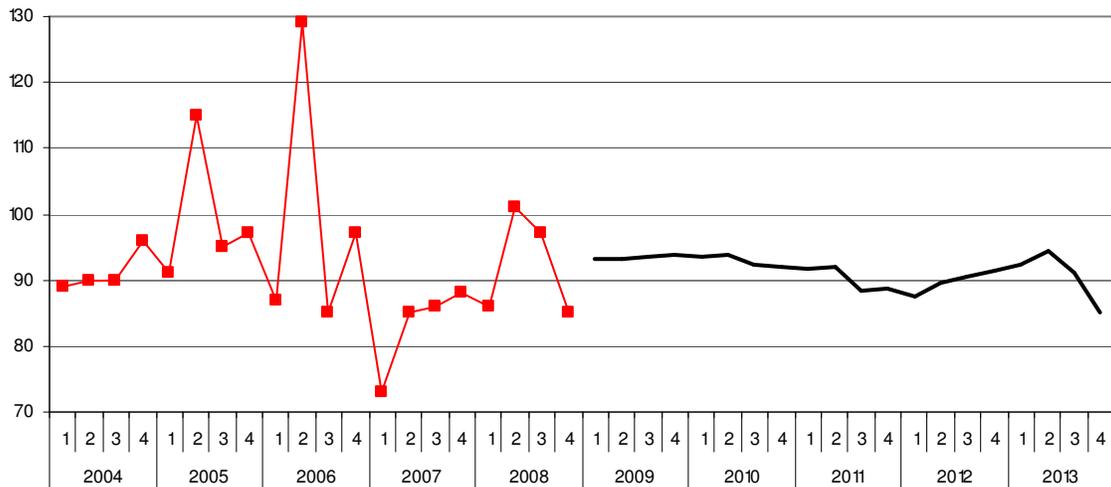


Figure 32D
Projected Detention Holds – Native Americans

NATIVE AMERICANS

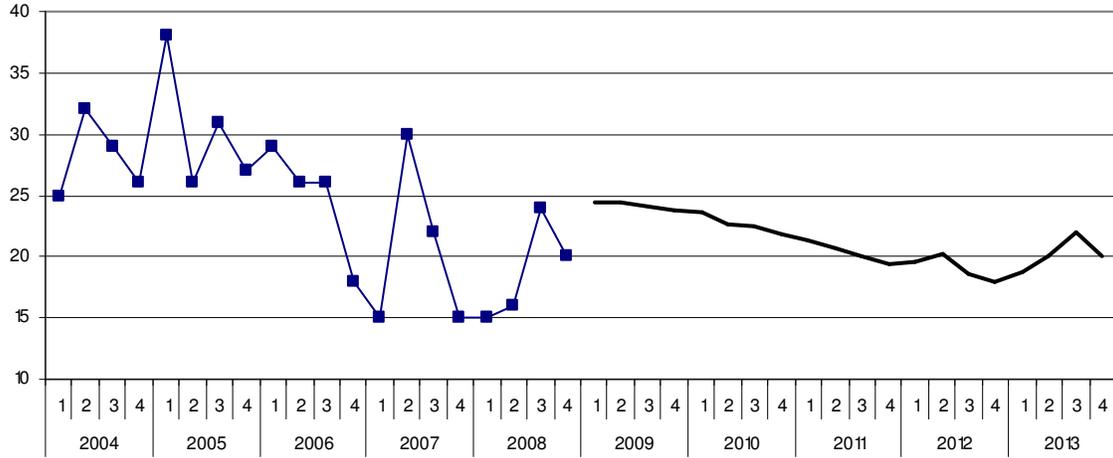
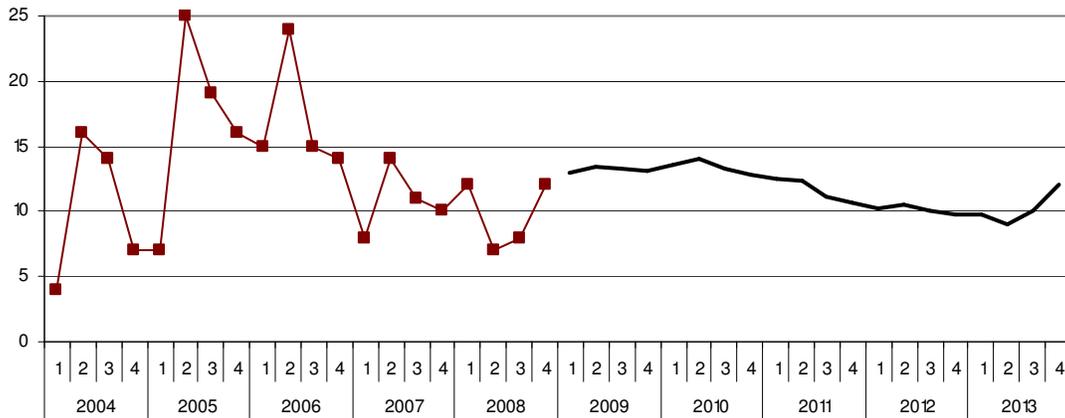


Figure 32E
Projected Detention Holds – Asians

ASIANS



REPORT 6 – PROJECTION OF NUMBER OF YOUTH HELD IN JUVENILE DETENTION FACILITIES WHO WILL END UP UNDER SUPERVISION OF THE IOWA DEPARTMENT OF CORRECTIONS OVER THE NEXT FIVE YEARS

Corrections Projection – The following figures include data on all offenders who were at some point detained at a juvenile detention facility and were subsequently placed under the supervision (pretrial release/probation/prison) of the Iowa Department of Corrections between 2003 and 2007. The Task Force finds that youth in all racial groups that were held in juvenile detention and later placed under the supervision of the Department of Corrections increased significantly during the report years. A five-year projection indicates a continuation of those trends. **It must be noted that this is a trend projection based solely on prior counts of youth placed on supervision status with the Department of Corrections. Thus, the projection does not accommodate for an increasing minority population, changing police arrest patterns or juvenile court referrals, or changing social or societal factors in given communities.**

Figure 33
Five-Year Projection – Iowa Youth Under Supervision of Corrections

	ACTUAL					PROJECTED				
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Caucasian	256	336	332	493	511	395	428	465	500	519
African-American	70	90	116	109	142	108	117	125	130	150
Other Minorities	17	37	51	62	51	46	53	55	56	52
TOTAL	343	463	499	664	704	549	598	645	686	721

Source: CJJP Juvenile Detention Database and Iowa Corrections Offender Network

Note – The figures below are plotted by quarter.

Figure 33A
Projected Corrections – Caucasians

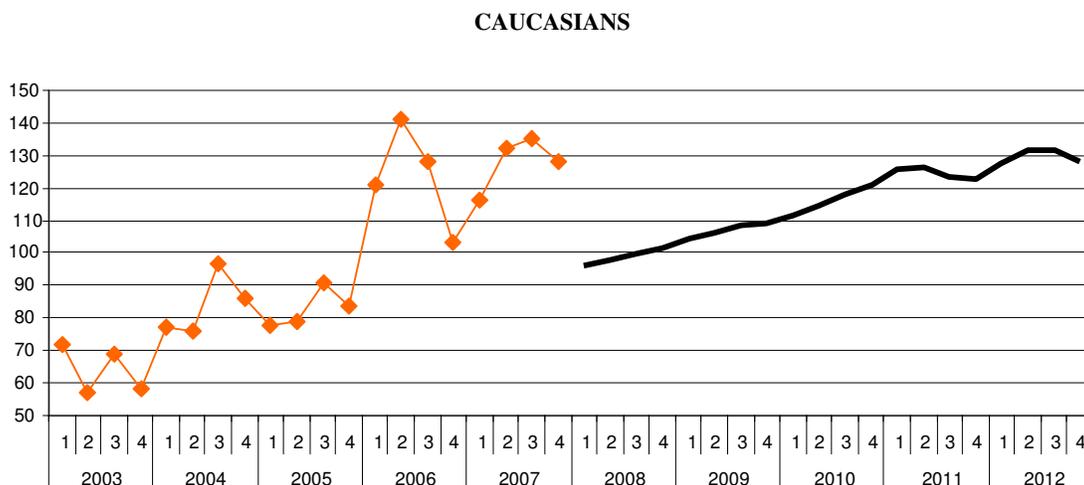


Figure 33B
Projected Corrections – African-Americans

AFRICAN-AMERICANS

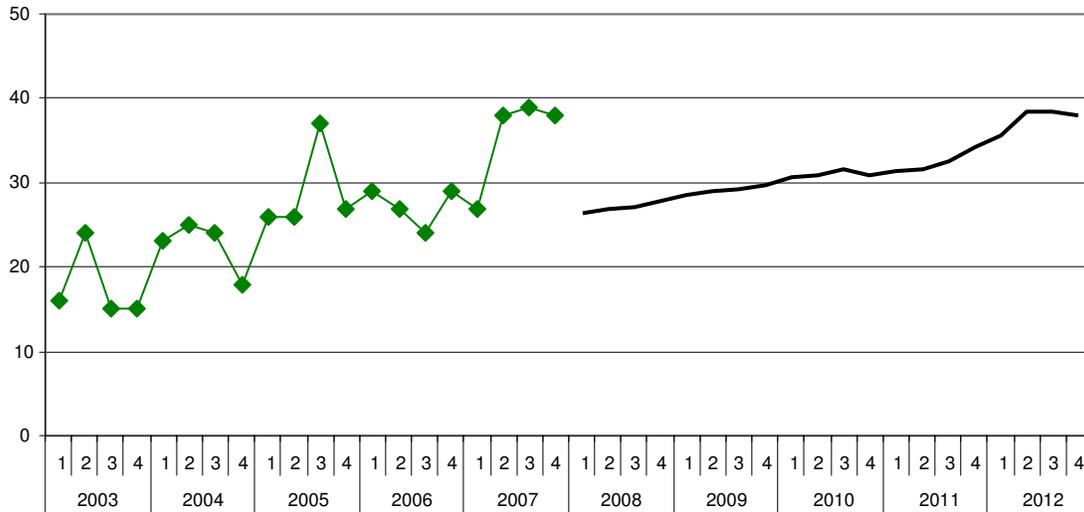
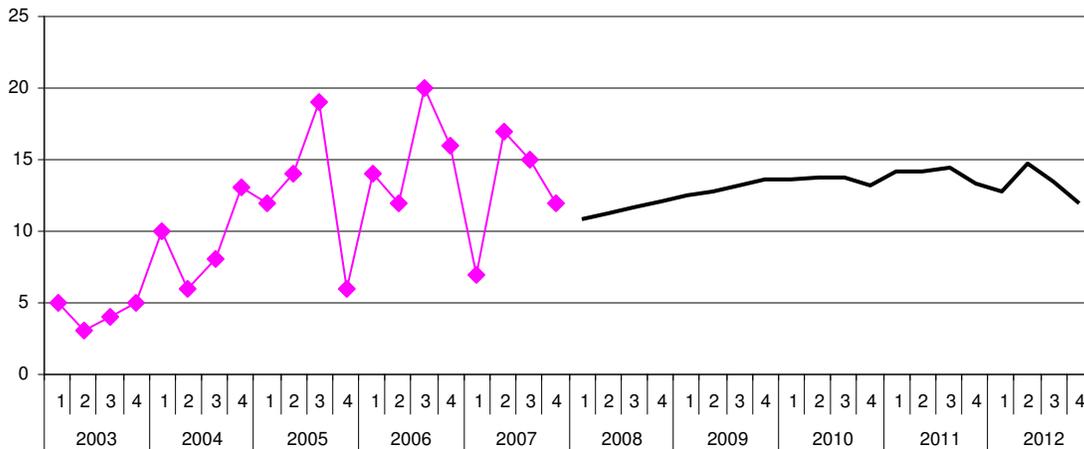


Figure 33C
Projected Corrections – All Other Minorities

OTHER MINORITIES



REPORT 7 – ANY OTHER RELEVANT INFORMATION

Delinquency Rate (By Population) – The Task Force finds that the rates by which youth access the juvenile justice system vary (as a product of their representation in the general youth population). African-American and Native American youth are much more likely than youth from the other racial/ethnic groups to be involved in the juvenile justice system (for all of the select decision points). Asian and Pacific Islander youth are the least likely to be involved in the juvenile justice system.

Figure 34
Stages of Delinquency – Rate of Occurrence Based on Population (2007)
Ages 0-17

	Caucasian			African-American			Hispanics			Native American			Asian/Pac Islander		
	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio
Population	612,711	---		34,304	---		47,404	---		3,265	---		13,719	---	
Arrests	16,064	0.026	1:38	4,910	0.143	1:7	1,570	0.033	1:30	215	0.066	1:15	209	0.015	1:66
Complaints	20,325	0.033	1:30	4,987	0.145	1:7	1,631	0.034	1:29	310	0.095	1:11	228	0.017	1:60
Petitions	4,152	0.007	1:148	1,483	0.043	1:23	344	0.007	1:138	59	0.018	1:55	28	0.002	1:490
Detention	2,613	0.004	1:234	1,242	0.036	1:28	332	0.007	1:143	82	0.025	1:40	43	0.003	1:319
Adjudication	1,595	0.003	1:384	526	0.015	1:65	175	0.004	1:271	14	0.004	1:233	17	0.001	1:807

Source: U.S. Census Bureau Estimates, CJJJ Juvenile Detention Database, Iowa Justice Data Warehouse

Note – Hispanics are counted as a race, as opposed to an ethnicity

Delinquency Rate (By Arrest) – The Task Force finds that the rates by which youth access the juvenile justice system are comparable across racial groups.

Figure 35
Stages of Delinquency – Rate of Occurrence Based on Arrest (2007)
Ages 0-17

	Caucasian			African-American			Hispanics			Native American			Asian/Pac Islander		
	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio	Number	Rate	Ratio
Population	612,711	---		34,304	---		47,404	---		3,265	---		13,719	---	
Arrests	16,064	---		4,910	---		1,570	---		215	---		209	---	
Complaints	20,325	1.265	1:1	4,987	1.016	1:1	1,631	1.039	1:1	310	1.442	1:1	228	1.091	1:1
Petitions	4,152	0.258	1:4	1,483	0.302	1:3	344	0.219	1:5	59	0.274	1:4	28	0.134	1:7
Detention	2,613	0.163	1:6	1,242	0.253	1:4	332	0.211	1:5	82	0.381	1:3	43	0.206	1:5
Adjudication	1,595	0.099	1:10	526	0.107	1:9	175	0.111	1:9	14	0.065	1:15	17	0.081	1:12

Source: U.S. Census Bureau Estimates, CJJJ Juvenile Detention Database, Iowa Justice Data Warehouse

Note – Hispanics are counted as a race, as opposed to an ethnicity

Consequences of Delinquency – The Task Force finds that there are potential consequences associated with involvement in the juvenile justice system or delinquency adjudication that may not be readily known to system officials, families, and youth. Such consequences may well follow youth beyond their involvement in the juvenile justice system into adulthood. Examples as presented from a publication by the Drake Legal Clinic (*Collateral Consequences of Delinquency Adjudication – 2005*) are provided below:

- ◆ **Fingerprints and Photographs** – Iowa Code Section 232.148 provides that youth taken into custody for any offense other than a simple misdemeanor shall be fingerprinted and photographed.
 - The fingerprints shall be sent to the Iowa Department of Public Safety for inclusion in the automated fingerprint identification system. A copy may also be retained for comparison with latent fingerprints and the identification of repeat offenders.

- Such fingerprints must be destroyed if the juvenile court has not filed a delinquency petition or the youth has not entered into an informal adjustment agreement.
- ◆ **Sex Offender Registration** – Iowa Code Section 692A.2 provides that a youth adjudicated delinquent of a relevant offense (e.g. sexual abuse 1,2, or 3; lascivious acts with a child; assault with intent to commit sexual abuse; burglary with sexual abuse; murder with sexual abuse) shall be required to register as a sex offender unless the juvenile court finds otherwise. Youth adjudicated delinquent of the listed sex offenses are subject to the 2,000 foot rule as reflected in Iowa Code Section 692A.2A, regardless of whether or not they are required to register as a sex offender.
- ◆ **Military Service** – Military service organizations require that enlistees be in good moral standing. To ensure this standard is met, potential enlistees must report any offense that resulted in either conviction or any kind of adverse adjudication, including those that occurred as a juvenile.
- ◆ **Employment and College Admissions/Financial Aid** – Traditionally, a distinction was made between adjudication and conviction, whereby a delinquent now applying for college or employment could permissibly answer a question regarding past criminal convictions in the negative.
 - More commonly today colleges and employers are specifically requesting information about adjudications as a juvenile delinquent. Thus, adjudication will increasingly affect a delinquent’s post-secondary education and employment dealings.
 - The Department of Education guidelines for federal financial aid in regards to drug convictions do not apply for any offense in which the applicant was treated as a juvenile.
- ◆ **Public Record** – Under Iowa Code Section 232.149, records of a criminal or juvenile justice agency concerning a child involved in a delinquent act are public records, except that release of criminal history data, intelligence data, and law enforcement investigatory files is subject to the provision of Iowa Code Section 22.7 and Chapter 692. Youth issued delinquency consent decrees or adjudicated delinquent have relevant case information placed on a public website, Iowa Courts On-Line (<http://www.iowacourts.state.ia.us/ESAWebApp/DefaultFrame>).

Cross-Over Youth – *The Task Force concurs with research by the Center for Juvenile Justice Reform (Bridging Two Worlds: Youth Involved in the Child Welfare and Juvenile Justice Systems) which indicates that maltreatment of an adolescent is causally related to later delinquency, including serious and violent offending. Furthermore, children whose abuse persists into adolescence, or who are originally abused during adolescence, are at a higher risk still for involvement with justice systems later in their lives. Operationally, as these cross-over youth move between both systems, in either direction, they and their families often lose continuity of services, representation, judges who know their cases, and even the focus of intervention.*

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