



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

Justice Advisory Board

Minutes of Regular Meeting

Jessie Parker Building
510 E. 12th Street, Grant Room
Des Moines, Iowa

February 27, 2020

Present: Beth Barnhill; Tammy Bramley; Kim Cheeks; Sarah Fineran; John Haila; Tim Lane; Eileen Meier; Tina Meth-Farrington; Andrea Muelhaupt; Betsy Richey for Sarah Reisetter; Sarah Fineran; Sherri Soich; Kurt Swaim; Bruce Vander Sanden; Dale Woolery; Daniel Zeno *Ex-officio:* Hon. Romonda Belcher; Hon. Jeffrey Neary

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

Others: Betty Andrews; Dr. Rob Metzger

I. Call to Order, Welcome, and Introductions

The Honorable Jeffrey Neary, Chair, called the meeting to order at 1:28 p.m. A quorum was present.

II. Approval of Minutes

Sheriff Tim Lane moved to approve the minutes from the November 6, 2019, meeting, seconded by John Haila. The motion was unanimously approved.

III. Division Update

Steve Michael provided the following update:

Legislation—Legislative efforts have focused on eliminating the direct file for youth aged 16-17 who are waived to adult court for forcible felonies. The legislation would align Iowa with federal regulations contained in the Juvenile Justice Reform Act. The federal Act requires that by July 1, 2021, these youth must be held in detention centers unless certain criteria are met related to safety and would require a court hearing.

A joint Justice Systems Appropriations and Health/Human Services Appropriations Committee meeting was held to review recommendations by a work group seated last year. The recommendations include shifting oversight and administration of certain juvenile delinquency-related funding from the Department of Human Services (DHS)

to State Court Administration (SCA). Those funds relate to graduated sanction, group care, and court-ordered services. An MOU would be developed between DHS and Juvenile Court Services to provide a smooth transfer, improve services, and provide for better communication. A separate recommendation was to transfer administration and oversight of the Detention Home Fund from DHS to CJJP.

Research—The Department of Corrections (DOC) has partnered with the Urban Institute on a research initiative that would examine culture and climate in the Mitchellville women’s prison. Prison staff and inmates would be surveyed. This week, consultants from the Urban Institute visited with DOC and CJJP staff at the prison.

CJJP staff attended the Governor’s FOCUS meeting in Davenport and presented information on disparity in the juvenile justice system. The FOCUS group is in the process of gathering information to identify justice-related problems and solutions.

Day on the Hill—earlier today, the Department of Human Rights held a presentation in the Capitol Rotunda, followed by a DHR Board meeting, and lunch/learn. Some Justice Advisory Board members were in attendance.

IV. Community-Based Mental Health Services for Offenders – 6th District Presentation - Dr. Rob Metzger, Clinical Services Manager

Dr. Rob Metzger provided information on the jail diversion program in the 6th Judicial District. Offenders are referred to the program through a variety of means: courts, jail/corrections staff, law enforcement, family, community providers, or self-referral. Following a pre-screen, offenders are referred for a mental health evaluation and a re-entry plan is initiated. The purpose is to safely reduce the number of mentally ill offenders in jails, maintain public safety, and coordinate treatment. Two pre-trial probation officers are assigned to the program.

The program is structured to coordinate mental health care through the collaboration of multiple agencies, including prosecution, the courts, family, and mental health professionals. Through this effort, access to medication and treatment is provided for best outcomes and the number of days in jail has been significantly reduced. Offenders are seen weekly or as often as necessary. The mental health region funds most of the program. The re-entry coordination includes a review of housing, social supports, medication, substance abuse, and communication amongst interested parties (i.e. attorneys, courts, providers, jail/corrections staff, mental health professionals).

A handout provided information on the number of offenders involved with the program, including most serious charge, mental health diagnoses, gender, race, and outcomes. Most felony charges related to theft and/or substance abuse.

V. Waived Juvenile Offenders

- **Review Iowa Data**
- **Review Research from Crime & Justice Institute**

Michael reported that information on youth waived to adult court was requested during the November meeting. Two handouts were included in the meeting packet. A report from CJJP provided data on Iowa youth waived to adult court and the other from the Crime and Justice Institute provided an overview on current research and examples from other states.

Jeff Regula provided a brief overview of the Iowa data.

Discussion:

- Daniel Zeno noted a 2018 report by the Campaign for Youth Justice recommended the need for data. He appreciated the information and thought it was a first step to addressing Iowa's needs and approach towards reform.
- Eileen Meier asked if the review included whether or not youth were placed in group care such as Woodward Academy. Judge Romonda Belcher noted that the court must review whether a youth has been placed in a residential rehabilitation program when making a decision on a waiver—the court must determine that no other rehabilitation options exist within the juvenile court system. Regula responded that this type of review was not included in the report. However, the data on file includes the type of services provided, but he has not had time to review those details.
- Zeno suggested that this Board consider a policy response that no youth could be automatically waived to adult court. Betty Andrews suggested consideration of extended jurisdiction and asked the Board to consider all options regardless of age. Michael asked if the juvenile justice system had resources available, would it be necessary to waive some of these kids?
- Zeno asked how Iowa compares to the nation. Michael responded that several states have automatic waivers, some limit it to murder. There are various examples available. He suggested providing more information and holding further discussion at a future meeting.
- Kim Cheeks suggested including families with justice-involved children—what happened, what services could/should have been available, what is needed, influences from attorneys, etc.
- Michael asked Fineran about services available in the adult prison system and whether the Department of Corrections has a model for youth under age 18. She offered to obtain additional information and provide information.

Michael noted that this Board's recommendations to the Governor and General Assembly are due December 1. He asked Fineran to identify current services available for youth under 18. CJJP will explore the possibility of interviewing families of youth in prison prior to age 18 and look at sentencing practices for those under 18. Further discussion can be held at the next meeting. Vander Sanden asked that the data include outcomes—what actually happened—prison sentence, discharge, or other relevant information.

VI. Relevant Legislation

Michael noted that CJJP has developed a list of proposed criminal justice-related legislation. A handout categorized the legislation. The purpose was to provide a preliminary list of legislation the Board would like to monitor for inclusion in its recommendations to the Governor and General Assembly.

During a brief discussion, members noted legislation that did not pass by the legislative funnel deadline. Staff will continue to monitor legislation and provide an update following the current legislative session.

VII. JAB Tasks and Timeline

Michael reviewed Iowa Code §216A.135 and §216A.137 which relate to the Justice Advisory Board and required reports—a three-year criminal and juvenile justice plan and correctional policy analysis that includes a prison population forecast. The reports are due December 1. Preparation of the draft reports will begin following the legislative session and will need to be finalized in November. He wanted members to be prepared for further discussion during the May and August meetings.

VIII. Public Comment

There was no further public comment

IX. Issues for Next Meeting

Michael asked members to comment regarding issues for the May meeting. The following was discussed:

- Tammy Bramley requested SF2191 and HF2547 be tracked. These bills relate to medical bills for offenders housed in county jails.
- Vander Sanden offered to have his staff provide information on sex offender programs in correctional services. He noted circumstances when a victim marries the offender and age of consent.
- Zeno requested information on school resource officers—school districts and law enforcement backgrounds (police, sheriff, security guard).
- Michael noted that staff will provide more information on the adult waiver process. Discussion will include next steps for expansion of pre-trial diversion.

X. Adjournment

The meeting adjourned at 3:31 p.m.

Respectfully submitted,

Julie Rinker, Administrative Secretary