



Governor Terry E. Branstad  
Lt. Governor Kim Reynolds  
San Wong, Director

## **PUBLIC SAFETY ADVISORY BOARD**

### **MINUTES OF REGULAR MEETING**

**Iowa Department of Public Safety  
Public Conference Room  
215 E. 7th Street  
Des Moines, Iowa**

**March 3, 2016**

**Present:** Tom Walton, Chair; John Spinks, Vice Chair; Mardi Allen; Kim Cheeks; DeAnn Decker; Tom Ferguson; Mary Ingham; Mary Kovacevich; Amber Markham; Lettie Prell; Sherri Soich; Kurt Swaim; Tony Thompson; Doug Wolfe; Dale Woolery  
Ex-officio: Hon. Romonda Belcher; Hon. Jeffrey Neary

**Staff:** Steve Michael; Kile Beisner; Cheryl Davidson; Terry Hudik; Sarah Johnson; Julie Rinker; Lanette Watson

**Others:** Floyd Winter, DHR Board Chair; Angela McBride, Ombudsmans Office; Adam Gregg, State Public Defender; JoAnn Finkenbinder, Iowa League of Women Voters ; Monica Sharma, Sarah Wittig-Galgano, Results First

#### **I. Call to Order, Welcome & Introductions**

Tom Walton called the meeting to order at 10:04 a.m. A quorum was present. Introductions were made.

#### **II. Approval of Minutes—November 18, 2015**

**Lettie Prell moved to approve the minutes from the November meeting, seconded by Kurt Swaim. There was no discussion. The motion was unanimously approved.**

#### **III. Presentation from Results First**

- Monica Sharma, Senior Associate, Pew-MacArthur Results First Initiative
- Sarah Wittig Galgano, Senior Associate, Pew-MacArthur Results First Initiative

Monica Sharma provided an overview of Results First, a project between the PEW Charitable Trust and the MacArthur Foundation. The project is active in 19 states and four California counties. Initially developed by the Washington State Institute for Public Policy, the model allows state government agencies to assess program effectiveness, costs, and return on investment.

**Division of Criminal and Juvenile Justice Planning**

To use the tool, agencies must inventory administered programs, identify program capacity, the number of clients served, and participant cost. The tool houses over 200 programs for the evaluation process and has been upgraded to include other models and data from eight existing national clearing houses.

Lettie Prell provided an overview of Iowa's Results First project since 2011. The Department of Corrections (DOC) focused on three populations of adult offenders—prisoners, parolees, and probationers. Cognitive behavioral therapy was found to have a high return on investment and a recidivism reduction effect. The DOC also found that the domestic violence/abuse treatment program was ineffective. A new curriculum was piloted and reduced recidivism for domestic abusers. A study is being conducted to determine if the program works for females convicted of domestic abuse. This information would not have been possible without the tool.

Laura Roeder-Grubb noted the other models added since 2011 are mental health, substance abuse, child welfare, and education. CJJP is contacting state agencies to inventory programs in those models. Once inventoried, programs will be compared to the clearing house, cost information developed, followed by completion of the model. A 3-5 year timeline is anticipated to complete the process—each model requires 6-9 months in order to be accurate. CJJP will assist with evaluation.

Sharma noted that technical assistance is available for program evaluation. Funding and grant opportunities are shared with state partners to apply for this assistance.

#### **IV. Presentation from State Public Defender**

Adam Gregg, State Public Defender, reported that the agency's mission is to ensure that indigent persons in Iowa are provided high quality legal representation in eligible proceedings. He reported the following:

- The office maintains 20 offices statewide and 223 FTEs, two-thirds of which are attorneys.
- Through the Indigent Defense Fund, approximately 1,000 attorneys are contracted across the state to provide legal representation under certain circumstances. Minimum qualifications/rules have been established for contract attorneys.
- Improvements have been made in processing claims and email response times.
- Improvements have been made to the attorney hiring process and establishing minimum qualifications. A mentoring program and 3-day trial skills training have been implemented.
- A potential pilot project centers on client choice and may involve research by CJJP surrounding client satisfaction, case results, indigent defense costs, etc.
- Other work encompasses a post-conviction review of cases involving flawed testimony regarding hair analysis evidence. The cases were tried between 1980 and 2000. The DCI has identified 96 Iowa cases requiring review and investigation.

Discussion included suggestions for sensitivity and cultural training and costs of jail fees for indigent individuals.

## V. Governor's Work Group on Justice Policy Reform

During the November meeting, staff agreed to review all issues submitted for consideration by the Governor's Working Group on Criminal Justice Policy Reform (GWG). A handout categorized issues by council. Michael asked for assistance in prioritizing for further review.

### **CJ Council Issues:**

After a lengthy discussion, there was consensus to research further information concerning the following two items which fell under the purview of the CJ Council:

- ***Innocence Project***--Recommendations for key eyewitness identification reforms and mandatory statewide policy for recording custodial interrogations.
- ***ACLU – Anti-racial profiling bill***—Staff will follow progress of a bill which requires the collection of race/ethnicity data during law enforcement stops; implements standards for the use of body cameras; and requires written consent for law enforcement searches of people or vehicles.

### **PSAB Issues:**

- ***Use of Risk assessment for Drug Traffickers***—Prell will be asked to present information at the next meeting.

**Swaim moved to have CJJP provide preliminary information on all of the following items, seconded by Sherri Soich. There was no further discussion. The motion was unanimously approved.**

***ACLU – Reduce/Eliminate prison time for non-violent drug crimes and provide alternatives***

- Eliminate mandatory minimums for non-violent drug crimes
- Eliminate sentence enhancement for second or subsequent drug offense
- Eliminate crack/powder cocaine disparity
- Change low level drug threshold currently charged as intent to deliver to possession
- Create and fund alternatives to prison for low level drug offenders

Steve Michael noted that crack/powder cocaine disparity has been studied in the past and is currently tied to synthetic drug legislation.

- **Mary Kovacevich moved to decriminalize marijuana possession penalties and replace with a civil fine. The motion failed for lack of a second.**
- **Kovacevich moved to approve studying the effects of decriminalization of marijuana in other jurisdictions, seconded by Swaim. The motion was unanimously approved.**

***ACLU – Decriminalize marijuana possession penalties and replace with a civil fine***

- **Confidentiality of Juvenile Records**

Lanette Watson reviewed a report she prepared in January which summarized nationwide legislative changes that occurred in the 1990's in response to predictions of mass increases in violent juvenile crime. These predictions were later proved incorrect; however, legislative changes to the treatment of juvenile offenders remained including greater access to juvenile records. This has resulted in unforeseen consequences for youth in a variety of areas including housing, employment, and credit. With the prevalence of online databases, this issue is compounded. Iowa is one of seven states allowing full access to juvenile records.

Since the report was compiled, excerpts have been shared with the governor's office and legislature. A bill to make juvenile records confidential has passed both the House and Senate. The governor is expected to sign the legislation. A copy of SF2288 was included in the meeting packet. Staff asked for approval of the report as a formality.

**Tom Ferguson moved to approve the report, seconded by Mardi Allen. There was no discussion and the motion was unanimously approved.**

#### **VI. Other Pending Legislation**

Michael reviewed the following proposed legislation:

SF2269—broadens the responsibilities of this Board to include the study of community violence causation and prevention, including gun violence. The bill passed in the Senate on March 1. A copy was included in the meeting packet.

SF2270—extends juvenile court jurisdiction to include persons up to age 21. The bill passed in the Senate. If it passes in the House, it will require CJJP to seat a task force to study issues and submit a report by December 15.

#### **VII. Issues for Next Meeting – May 18**

CJJP staff will provide information at the next meeting on relevant enacted legislation.

#### **VIII. Adjournment**

**Swaim moved to adjourn, seconded by Ferguson. The motion was unanimously approved and the meeting adjourned at 12:17 p.m.**

Respectfully submitted,

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