



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

SEX OFFENDER RESEARCH COUNCIL MINUTES OF REGULAR MEETING

**Department of Public Safety
Public Meeting Room
215 E. 7th Street
Des Moines, IA**

September 30, 2014

- Present:** Beth Barnhill; Jerry Bartruff; Nate McLaren; John Hodges; Binnie LeHew; Tim Ross; Kurt Swaim; Tony Tatman; Randall Wilson; ex officio: Rep. Dave Dawson; Rep. Sandy Salmon
- Staff:** Steve Michael, Interim Administrator; Cheryl Davidson; Terry Hudik; Sarah Johnson; Julie Rinker; Lanette Watson
- Others:** Amanda Freel; Anna Hyatt-Crozier

I. Welcome and Introductions

Steve Michael, Interim Administrator, called the meeting to order at 10:00 a.m. A quorum was present. He welcomed those in attendance. Introductions were made.

Michael provided details regarding the hiring process for the CJJP Administrator position. He also reviewed a draft press release regarding a public comment session for interested Iowans to help develop long-range plans for Iowa's criminal and juvenile justice systems.

II. Approval of Minutes

Kurt Swaim moved to approve the minutes from the July 2013 meeting, seconded by Jerry Bartruff. The motion was unanimously approved.

III. Review of the Council's Charge – Iowa Code §216A.139

Michael reported that Iowa Code §216A.139 was included for reference in developing topics for the January, 2015 report.

IV. An Analysis of the Sex Offender Special Sentence in Iowa

Sarah Johnson, CJJP, reviewed the report which focused on the cost and effectiveness of the special sentence. Two groups of offenders were compared—one group serving

under the special sentence and another group convicted of a sex offense prior to the enactment of the special sentence. Recidivism rates were measured for new, new felony, new sex, new felony sex convictions, returns to prison, and parole revocations. Ultimately, the analysis found that the sex re-offense rates were low and there was basically no difference between the two groups for new felony sex convictions. The study also found a lower rate of new convictions for the special sentence group which could be attributed to supervision.

Ultimately, the study found that the special sentence is quite costly and implemented for many offenders with low baseline rates.

The report was presented to the Public Safety Advisory Board and this Advisory Council for comments, endorsement, and policy recommendations. A handout was provided that highlighted special sentence alternatives discussed by the Public Safety Advisory Board at its meeting held on September 24, 2014.

The following highlights discussion by this Council:

- Sexual assaults are underreported.
- Current practices focus treatment near the end of the sentence.
- A blanket policy was not warranted in all cases.
- Options for judicial discretion regarding post-sentence supervision included risk assessments and evidentiary hearings.
- Treatment decisions include risk assessments and pre-sentence investigations.
- There is a shortage of treatment resources.
- It may be better to offer treatment earlier in the sentence followed by a continuum of care with appropriate supervision levels, utilizing intensive treatment options where warranted. Offenders can benefit from treatment at the beginning of sentence when coupled with the impact of initial incarceration.
- Making sure treatment has the intended affect, offenders could be released at an appropriate time, providing more intensive treatment services where needed.
- A reallocation of resources was discussed, noting that supervision funding could possibly be reallocated to treatment resources.

A lengthy discussion was held regarding the formation of a motion.

Randall Wilson moved that the decision to remove an offender from the special sentence be made with judicial discretion based on an evidentiary hearing, seconded Binnie LeHew. There was no further discussion. The motion was unanimously approved.

It was suggested that a subcommittee be formed to conduct further study regarding judicial discretion in imposing the special sentence. Judicial branch representatives could be invited to serve on the subcommittee.

Randall Wilson suggested that projected savings from supervision be directed toward increased treatment resources and evaluation. The matter was discussed noting that it would be difficult to determine 'projected' savings.

Randall Wilson moved to recommend additional funding be appropriated for early and effective pre-release treatment of sex offenders and for improving the quality of sex offender assessments and evaluations. The motion was seconded by Binnie LeHew. There was no further discussion. The motion was unanimously approved.

After a brief discussion, there was consensus that this Sex Offender Research Council meet jointly with the Public Safety Advisory Board at its next meeting on November 19, 2014, to further discuss the above-referenced motions and develop a joint recommendation to the Legislature.

V. Update on Sexual Violence Prevention Programs

LeHew reviewed a handout regarding sexual violence data and trends. She reported that more young men are reporting sexual violence and as a result, there has been a slight shift in programming based on the research. She noted the importance of prevention/intervention programming and need for funding; and the importance of public education rather than fear-based messages. She would like to further discuss public education at a future meeting.

VI. Report to the Legislature, January 2015

- a. Discussion items**
- b. Recommendations**

Michael reviewed the reporting requirements stated in Iowa Code §216A.139 which include actions taken, issues studied, and recommendations. The “Analysis of the Sex Offender Special Sentence in Iowa” would be part of the report.

The Council reviewed the two recommendations contained in last year’s report: 1) was related to sex offender supervision and case review, 2) was related to sufficient funding for CJJP to support a position for continued research. Michael noted that funding was awarded for the current fiscal year for staff. The position would not be posted until the Division Administrator vacancy was filled.

After a brief discussion, there was consensus to submit the “Analysis of the Sex Offender Special Sentence in Iowa” as the Council’s report.

VII. Other Issues/Concerns

In the absence of Beth Barnhill, LeHew provided the following:

- The University of Iowa is looking for providers willing to accept student referrals as part of its sex offense response policy and would appreciate referrals of provider names.
- The Center for Sex Offender Management and the Association for Treatment of Sexual Abuse has applied for a grant to develop and pilot a treatment curriculum for college students. If awarded, the University of Iowa is one of the sites and will require a small network of providers.

VIII. Next Meeting Date

The next meeting will be held with the Public Safety Advisory Board on November 19, 2014.

IX. Adjourn

Michael thanked those in attendance. The meeting adjourned at 12:01 p.m.

Respectfully submitted,

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