

Reprinted 4/10/81

SENATE FILE 464

BY COMMITTEE ON STATE GOVERNMENT
Approved 3/23/81 (p. 934)
(FORMERLY SSB 327)

Passed Senate, Date 4-8-81 (p. 1172) Passed House, Date 4-2-82 (p. 1197)
Vote: Ayes 13 Nays 1 Vote: Ayes 94 Nays 2
Approved May 2, 1982

A BILL FOR

1 An Act creating the criminal justice planning agency and the
2 criminal justice coordinating council, prescribing powers
3 and duties, transferring existing programs, and abolishing
4 the Iowa crime commission.

5 BE IT ENACTED, BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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SENATE FILE 464

S-3311

1 Amend the Schwengels amendment S-3284 to Senate
2 File 464 as follows:
3 1. Page 1, line 9, by striking the word
4 "coordination" and inserting in lieu thereof the
5 word "coordinating".

S-3311 FILED

BY FORREST V. SCHWENGELS

APRIL 1, 1981

Adopted 4/8/81 (p. 1165)

SENATE FILE 464

S-3284

1 Amend Senate File 464 as follows:
2 1. Page 1, line 12, by inserting after the word
3 "approve" the words "criminal justice".
4 2. Page 4, by striking lines 5 through 8 and
5 inserting in lieu thereof the words "to approve
6 juvenile justice programs, policies and the
7 administration of funds and to perform other duties
8 required by law or rule. The juvenile justice
9 coordination council shall approve the disposition
10 of funds available".

S-3284 FILED

BY FORREST V. SCHWENGELS

MARCH 31, 1981

Adopted as amended by 3311 4/8/81 (p. 1165)

1 Section 1. NEW SECTION. AGENCY CREATED. The criminal
2 justice planning agency is created in the office of the
3 governor. The agency is responsible for coordinating criminal
4 justice activities in the state including planning, research,
5 program implementation, and the administration of grants and
6 other funds. The governor shall appoint the executive director
7 of the agency who shall serve at the pleasure of the governor.
8 As used in sections 1 through 6 of this Act unless the context
9 otherwise requires "agency" means the criminal justice planning
10 agency created in this section.

11 Sec. 2. NEW SECTION. COORDINATING COUNCIL. The criminal
12 justice coordinating council is created to approve programs,
13 policies, and the administration of funds of the agency and
14 to perform other duties as required by law. The council shall
15 consist of fourteen members. The governor shall appoint seven
16 members each for a four year term beginning and ending as
17 provided in section 69.19 and subject to confirmation by the
18 senate as follows:

- 19 1. One person shall be a county supervisor.
 - 20 2. One person shall be a county sheriff.
 - 21 3. One person shall be a mayor.
 - 22 4. One person shall be a city chief of police.
 - 23 5. One person shall be a county attorney.
 - 24 6. Two persons shall represent the general public and
25 shall not be employed in any law enforcement, judicial, or
26 corrections capacity.
- 27 Two employees of the department of social services appointed
28 by the director of the department of social services, one
29 representing corrections programs and the other representing
30 juvenile programs shall serve on the council. The director
31 of the Iowa law enforcement academy or a designee of the
32 director, the commissioner of public safety or a designee
33 of the commissioner, the attorney general or a designee of
34 the attorney general and the chief justice of the supreme
35 court or a designee of the chief justice shall also serve

1 on the council. The chief justice shall also appoint a
2 district court judge to serve on the council. Members of
3 the council shall receive reimbursement from the state for
4 actual and necessary expenses incurred in performance of their
5 official duties. Public members shall also receive forty
6 dollars per diem. As used in this Act unless the context
7 otherwise requires "council" means the criminal justice
8 coordinating council created in this section.

9 Sec. 3. NEW SECTION. DUTIES OF AGENCY. The agency is
10 responsible for planning, coordination and development of
11 criminal and juvenile justice programs, activities and
12 technical assistance to state and local governmental agencies.
13 The agency shall:

14 1. Identify issues and analyze the operation and impact
15 of present criminal justice policy and make recommendations
16 for policy changes.

17 2. Coordinate data resource agencies, provide data and
18 analytical information to federal, state and local governments,
19 and assist agencies in the use of criminal justice data.

20 3. Report criminal and juvenile justice program
21 deficiencies, effective programs, and innovative approaches
22 to the governor, the general assembly, and other decision
23 makers to improve the criminal and juvenile justice system.

24 4. Provide technical assistance upon request by state
25 and local agencies, if possible.

26 5. Administer federal funds and funds appropriated by
27 the state or that are otherwise available for criminal and
28 juvenile justice programs.

29 6. Coordinate criminal and juvenile justice system budgets.

30 7. Plan or implement the following programs and activities:

31 a. Crime statistics.

32 b. Juvenile restitution.

33 c. Crime prevention grant coordination.

34 d. Juvenile community based corrections and the juvenile
35 justice assistance program.

1 e. Jail assistance and training program.

2 f. Criminal justice grant administration.

3 The agency shall act as the state law enforcement planning
4 agency for purposes established by state or federal agencies.

5 The agency may conduct inquiries, investigations, analyses
6 and studies of all state, county, and city departments and
7 agencies concerned with the problems of crime, and may conduct
8 inquiries, investigations, analyses, and studies into the
9 incidence and causes of crime in Iowa, in co-operation with
10 state, area, city, and county agencies.

11 Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning in 1982,
12 and every five years thereafter, the agency shall develop
13 a twenty-year criminal justice plan for the state which shall
14 include ten-, fifteen-, and twenty-year goals and a
15 comprehensive five-year plan for criminal justice programs.
16 The plan shall be updated annually as necessary and each
17 twenty-year plan and annual updates shall be submitted to
18 the governor and the general assembly by February 1 of each
19 year.

20 Sec. 5. NEW SECTION. ACCEPTANCE OF GRANTS. The council
21 with approval of the governor may accept funds, grants,
22 services, facilities, and property from any source. All
23 receipts of the council, including gifts, grants-in-aid, and
24 other revenue, are appropriated for carrying out the purposes
25 of sections 1 through 5 of this Act. The expenditure of funds
26 available to the council shall be by warrant to the treasurer
27 of the state, drawn by the state comptroller upon vouchers
28 authorized by the executive director of the agency.

29 The council may:

30 1. Expend funds appropriated by the general assembly,
31 or otherwise available, for study, research, investigation,
32 planning, and implementation.

33 2. Make grants to cities, counties, and areas pursuant
34 to applicable law and regulations.

35 3. Provide supplies, facilities, personnel, and staff

1 Section 1. NEW SECTION. AGENCY CREATED. The criminal
2 justice planning agency is created in the office of the
3 governor. The agency is responsible for coordinating criminal
4 justice activities in the state including planning, research,
5 program implementation, and the administration of grants and
6 other funds. The governor shall appoint the executive director
7 of the agency who shall serve at the pleasure of the governor.
8 As used in sections 1 through 6 of this Act unless the context
9 otherwise requires "agency" means the criminal justice planning
10 agency created in this section.

11 Sec. 2. NEW SECTION. COORDINATING COUNCIL. The criminal
12 justice coordinating council is created to approve criminal
13 justice programs, policies, and the administration of funds
14 of the agency and to perform other duties as required by law.
15 The council shall consist of fourteen members. The governor
16 shall appoint seven members each for a four year term beginning
17 and ending as provided in section 69.19 and subject to
18 confirmation by the senate as follows:

- 19 1. One person shall be a county supervisor.
 - 20 2. One person shall be a county sheriff.
 - 21 3. One person shall be a mayor.
 - 22 4. One person shall be a city chief of police:
 - 23 5. One person shall be a county attorney.
 - 24 6. Two persons shall represent the general public and
25 shall not be employed in any law enforcement, judicial, or
26 corrections capacity.
- 27 Two employees of the department of social services appointed
28 by the director of the department of social services, one
29 representing corrections programs and the other representing
30 juvenile programs shall serve on the council. The director
31 of the Iowa law enforcement academy or a designee of the
32 director, the commissioner of public safety or a designee
33 of the commissioner, the attorney general or a designee of
34 the attorney general and the chief justice of the supreme
35 court or a designee of the chief justice shall also serve

1 on the council. The chief justice shall also appoint a
2 district court judge to serve on the council. Members of
3 the council shall receive reimbursement from the state for
4 actual and necessary expenses incurred in performance of their
5 official duties. Public members shall also receive forty
6 dollars per diem. As used in this Act unless the context
7 otherwise requires "council" means the criminal justice
8 coordinating council created in this section.

9 Sec. 3. NEW SECTION. DUTIES OF AGENCY. The agency is
10 responsible for planning, coordination and development of
11 criminal and juvenile justice programs, activities and
12 technical assistance to state and local governmental agencies.
13 The agency shall:

14 1. Identify issues and analyze the operation and impact
15 of present criminal justice policy and make recommendations
16 for policy changes.

17 2. Coordinate data resource agencies, provide data and
18 analytical information to federal, state and local governments,
19 and assist agencies in the use of criminal justice data.

20 3. Report criminal and juvenile justice program
21 deficiencies, effective programs, and innovative approaches
22 to the governor, the general assembly, and other decision
23 makers to improve the criminal and juvenile justice system.

24 4. Provide technical assistance upon request by state
25 and local agencies, if possible.

26 5. Administer federal funds and funds appropriated by
27 the state or that are otherwise available for criminal and
28 juvenile justice programs.

29 6. Coordinate criminal and juvenile justice system budgets.

30 7. Plan or implement the following programs and activities:

- 31 a. Crime statistics.
- 32 b. Juvenile restitution.
- 33 c. Crime prevention grant coordination.
- 34 d. Juvenile community based corrections and the juvenile
35 justice assistance program.

1 e. Jail assistance and training program.

2 f. Criminal justice grant administration.

3 The agency shall act as the state law enforcement planning
4 agency for purposes established by state or federal agencies.

5 The agency may conduct inquiries, investigations, analyses
6 and studies of all state, county, and city departments and
7 agencies concerned with the problems of crime, and may conduct
8 inquiries, investigations, analyses, and studies into the
9 incidence and causes of crime in Iowa, in co-operation with
10 state, area, city, and county agencies.

11 *2008* *6.1.0* Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning in 1982,
12 and every five years thereafter, the agency shall develop
13 a twenty-year criminal justice plan for the state which shall
14 include ten-, fifteen-, and twenty-year goals and a
15 comprehensive five-year plan for criminal justice programs.
16 The plan shall be updated annually as necessary and each
17 twenty-year plan and annual updates shall be submitted to
18 the governor and the general assembly by February 1 of each
19 year.

20 *2008* *6.1.0* Sec. 5. NEW SECTION. ACCEPTANCE OF GRANTS. The council
21 with approval of the governor may accept funds, grants,
22 services, facilities, and property from any source. All
23 receipts of the council, including gifts, grants-in-aid, and
24 other revenue, are appropriated for carrying out the purposes
25 of sections 1 through 5 of this Act. The expenditure of funds
26 available to the council shall be by warrant to the treasurer
27 of the state, drawn by the state comptroller upon vouchers
28 authorized by the executive director of the agency.

29 The council may:

30 1. Expend funds appropriated by the general assembly,
31 or otherwise available, for study, research, investigation,
32 planning, and implementation.

33 2. Make grants to cities, counties, and areas pursuant
34 to applicable law and regulations.

35 3. Provide supplies, facilities, personnel, and staff

1 for the function and operations of the agency, and for other
2 purposes to accomplish the policy of this chapter.

3 Sec. 6. NEW SECTION. JUVENILE JUSTICE COORDINATING
4 COUNCIL. A juvenile justice coordinating council is created
5 to approve juvenile justice programs, policies and the
6 administration of funds and to perform other duties required
7 by law or rule. The juvenile justice coordinating council
8 shall approve the disposition of funds available to the state
9 through the federal juvenile justice and delinquency prevention
10 act 42 U.S.C. 5601. The juvenile justice coordinating council
11 shall consist of at least twelve but not more than twenty
12 members appointed by the governor, one of whom shall be
13 designated by the governor as chairperson. Members shall
14 be appointed to terms of four years, however one half of the
15 initial appointments shall be for a term of two years. The
16 juvenile justice coordinating council shall be broadly
17 representative of state and local juvenile justice officials
18 and citizens concerned about juvenile justice programs.

19 Sec. 7. Chapter 80C and section 7A.10, Code 1981, are
20 repealed.

21 Sec. 8. On the effective date of this Act all property,
22 programs, grants, and other funds of the Iowa crime commission
23 and of the juvenile restitution program in the office for
24 planning and programming are transferred to the criminal
25 justice planning agency and are available for use of and
26 expenditure by the criminal justice planning agency.

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SF 464
dd/slc/26c

SENATE FILE 464

II-5419

1 Amend Senate File 464 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 1, by inserting after the word
4 "criminal" the words "and juvenile".
5 2. Page 1, line 3, by inserting after the word
6 "criminal" the words "and juvenile".
7 3. Page 1, line 8, by striking the figure "6"
8 and inserting in lieu thereof the figure "4".
9 4. Page 1, line 9, by inserting after the word
10 "criminal" the words "and juvenile".
11 5. By striking page 1, line 11 through page 4,
12 line 26 and inserting in lieu thereof the following:
13 "Sec. 2. NEW SECTION. ADVISORY COUNCIL. The
14 criminal and juvenile justice advisory council is
15 created to advise the agency in the performance of
16 its duties and to perform other duties as required
17 by law. The council shall consist of eleven members.
18 The governor shall appoint seven members each for
19 a four year term beginning and ending as provided
20 in section 69.19 and subject to confirmation by the
21 senate as follows:
22 1. Three persons who are either a county
23 supervisor, county sheriff, a mayor, city chief of
24 police or a county attorney.
25 2. Two persons shall represent the general public
26 and shall not be employed in any law enforcement,
27 judicial, or corrections capacity.
28 3. Two persons who are knowledgeable about Iowa's
29 juvenile justice system.
30 The commissioner of the department of social
31 services, the commissioner of public safety, the
32 attorney general and the chief justice of the supreme
33 court shall each designate a person to serve on the
34 council.
35 Members of the council shall receive reimbursement
36 from the state for actual and necessary expenses
37 incurred in the performance of their official duties.
38 Public members shall also receive forty dollars per
39 diem. As used in this Act unless the context otherwise
40 requires "council" means the criminal and juvenile
41 justice advisory council created in this section.
42 Sec. 3. NEW SECTION. DUTIES OF AGENCY. The
43 agency shall act as the state criminal and juvenile
44 justice planning agency for purposes established by
45 state or federal laws and shall:
46 1. Identify issues and analyze the operation and
47 impact of present criminal and juvenile justice policy
48 and make recommendations for policy changes.
49 2. Coordinate with data resource agencies to
50 provide data and analytical information to federal,

March 16, 1982

H-5419

Page Two

1 state and local governments, and assist agencies in
2 the use of criminal and juvenile justice data.

3 3. Report criminal and juvenile justice system
4 needs to the governor, the general assembly, and other
5 decision makers to improve the criminal and juvenile
6 justice system.

7 4. Provide technical assistance upon request to
8 state and local agencies.

9 5. Administer federal funds and funds appropriated
10 by the state or that are otherwise available for
11 study, research, investigation, planning and
12 implementation in the areas of criminal and juvenile
13 justice.

14 6. Make grants to cities, counties and areas
15 pursuant to applicable law.

16 Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning
17 in 1984, and every five years thereafter, the agency
18 shall develop a twenty-year criminal and juvenile
19 justice plan for the state which shall include ten,
20 fifteen, and twenty year goals and a comprehensive
21 five year plan for criminal and juvenile justice
22 programs. The five year plan shall be updated annually
23 and each twenty year plan and annual updates of the
24 five year plan shall be submitted to the governor
25 and the general assembly by February 1.

26 Sec. 5. Chapter 80C and section 7A.10, Code 1981,
27 are repealed.

28 Sec. 6. On the effective date of this Act all
29 property, programs, grants, and other funds of the
30 Iowa crime commission are transferred to the criminal
31 and juvenile justice planning agency.

32 Sec. 7. Acts of the Sixty-ninth General Assembly,
33 1981 Session, chapter 14, section 3, subsections 1,
34 2, and 3 are amended to read as follows:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
37 1. IOWA CRIME COMMISSION, OR		
38 ITS SUCCESSOR AGENCY		
39 a. Criminal justice planning . \$	234,000	\$ 260,000
40		116,350
41 b. Juvenile justice planning . \$	37,840	\$ 48,935
42 c. Jail standards develop-		
43 ment, jail training, and technical		
44 assistance \$	100,000	\$

45 2. It is the intent of the general assembly that
46 if the duties of the Iowa crime commission specified
47 in subsection 1 of this section and for which funds
48 are appropriated are subsequently transferred to
49 another agency, the funds appropriated in subsection
50 1 of this section are appropriated to the ~~successor~~

H-5419
Page Three

1 agency criminal and juvenile justice planning agency
2 to be expended only for the purposes specified in
3 subsection 1 of this section.

4 ~~3. -- If legislation creating a criminal justice~~
5 ~~improvement fund is enacted and becomes law, the~~
6 ~~appropriations in subsection 1 of this section for~~
7 ~~each year of the fiscal biennium beginning July 1,~~
8 ~~1981 and ending June 30, 1983 are void.~~

9 6. Amend the title page, by striking lines 1 and
10 2, and inserting in lieu thereof the words "An Act
11 creating a criminal and juvenile justice planning
12 agency and a criminal and juvenile justice advisory
13 council, prescribing".

14 7. Amend the title page, line 3 by striking the
15 word "and".

H-5419 FILED
MARCH 15, 1982

BY COMMITTEE ON APPROPRIATIONS
WELDEN, Chair

*Adopted as amended by 5611
4/2 (p. 1196)*

SENATE FILE 464

H-3739

- 1 Amend Senate File 464 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 1 through 10 and
- 4 inserting in lieu thereof the following:
- 5 "Section 1. Chapter 80, Code 1981, is amended
- 6 by adding sections 2 through 7 of this Act.
- 7 Sec. 2. NEW SECTION. DIVISION OF CRIMINAL JUSTICE
- 8 PLANNING. The division of criminal justice planning
- 9 is responsible for coordinating criminal justice
- 10 activities in the state including planning, research,
- 11 program implementation, and the administration of
- 12 grants and other funds. The commissioner shall appoint
- 13 the director of the division who shall be exempt from
- 14 chapter 19A. As used in this Act the word "division"
- 15 means the division of criminal justice planning."
- 16 2. Page 2, by striking line 9 and inserting in
- 17 lieu thereof the following:
- 18 "Sec. ____ NEW SECTION. DUTIES OF DIVISION.
- 19 The division is".
- 20 3. Page 2, line 13, by striking the word "agency"
- 21 and inserting in lieu thereof the word "division".
- 22 4. Page 3, line 3, by striking the word "agency"
- 23 and inserting in lieu thereof the word "division".
- 24 5. Page 3, line 5, by striking the word "agency"
- 25 and inserting in lieu thereof the word "division".
- 26 6. Page 3, line 12, by striking the word "agency"
- 27 and inserting in lieu thereof the word "division".
- 28 7. Page 3, by striking line 28 and inserting in
- 29 lieu thereof the words "authorized by the director
- 30 of the division."
- 31 8. Page 4, line 1, by striking the word "agency"
- 32 and inserting in lieu thereof the word "division".
- 33 9. Page 4, by inserting after line 18 the following
- 34 section:
- 35 "Sec. ____ Section 80.17, Code 1981, is amended
- 36 by adding the following new subsection:
- 37 NEW SUBSECTION. Division of criminal justice
- 38 planning."
- 39 10. Page 4, by striking lines 24 through 26 and
- 40 inserting in lieu thereof the words "planning and
- 41 programming are transferred to the division of criminal
- 42 justice planning of the department of public safety
- 43 and are available for use and expenditure by the
- 44 division of criminal justice planning of the department
- 45 of public safety."
- 46 11. Amend the title, by striking line 1 and
- 47 inserting in lieu thereof the words "An Act creating
- 48 the division of criminal justice planning in the
- 49 department of public safety and the"
- 50 12. By renumbering and correcting internal

Page 2

1 references as necessary to conform to this amendment.

H-5611

1 Amend amendment H-5419 to Senate File 464 as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 2, by inserting after line 25, the
5 following:

6 "Sec. _____. Section 7A.10, subsection 1, Code 1981,
7 is amended to read as follows:

8 1. There is created a juvenile victim restitution
9 program which shall be funded through funds
10 appropriated by the general assembly to the office
11 ~~for planning and programming criminal and juvenile~~
12 justice planning agency. The primary purpose of the
13 program is to provide funds to compensate victims
14 for losses due to the delinquent acts of juveniles.

15 Sec. _____. The Code editor shall transfer section
16 7A.10 to the same chapter in which sections 1 through
17 4 of this Act are placed."

18 2. Page 2, line 26, by striking the words and
19 figure "and section 7A.10".

20 3. Page 2, line 27, by striking the word "are"
21 and inserting in lieu thereof the word "is".

22 4. By renumbering as necessary.

H-5611 FILED MARCH 30, 1982 BY HARBOR of Mills

Adopted 4/2 (p. 1196)

S-5477

1 Amend Senate File 464 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 1, by inserting after the word
4 "criminal" the words "and juvenile".
5 2. Page 1, line 3, by inserting after the word
6 "criminal" the words "and juvenile".
7 3. Page 1, line 8, by striking the figure "6"
8 and inserting in lieu thereof the figure "4".
9 4. Page 1, line 9, by inserting after the word
10 "criminal" the words "and juvenile".
11 5. By striking page 1, line 11 through page 4,
12 line 26 and inserting in lieu thereof the following:
13 "Sec. 2. NEW SECTION. ADVISORY COUNCIL. The
14 criminal and juvenile justice advisory council is
15 created to advise the agency in the performance of
16 its duties and to perform other duties as required
17 by law. The council shall consist of eleven members.
18 The governor shall appoint seven members each for
19 a four year term beginning and ending as provided
20 in section 69.19 and subject to confirmation by the
21 senate as follows:
22 1. Three persons who are either a county
23 supervisor, county sheriff, a mayor, city chief of
24 police or a county attorney.
25 2. Two persons shall represent the general public
26 and shall not be employed in any law enforcement,
27 judicial, or corrections capacity.
28 3. Two persons who are knowledgeable about Iowa's
29 juvenile justice system.
30 The commissioner of the department of social
31 services, the commissioner of public safety, the
32 attorney general and the chief justice of the supreme
33 court shall each designate a person to serve on the
34 council.
35 Members of the council shall receive reimbursement
36 from the state for actual and necessary expenses
37 incurred in the performance of their official duties.
38 Public members shall also receive forty dollars per
39 diem. As used in this Act unless the context otherwise
40 requires "council" means the criminal and juvenile
41 justice advisory council created in this section.
42 Sec. 3. NEW SECTION. DUTIES OF AGENCY. The
43 agency shall act as the state criminal and juvenile
44 justice planning agency for purposes established by
45 state or federal laws and shall:
46 1. Identify issues and analyze the operation and
47 impact of present criminal and juvenile justice policy
48 and make recommendations for policy changes.
49 2. Coordinate with data resource agencies to
50 provide data and analytical information to federal,

1 state and local governments, and assist agencies in
2 the use of criminal and juvenile justice data.

3 3. Report criminal and juvenile justice system
4 needs to the governor, the general assembly, and other
5 decision makers to improve the criminal and juvenile
6 justice system.

7 4. Provide technical assistance upon request to
8 state and local agencies.

9 5. Administer federal funds and funds appropriated
10 by the state or that are otherwise available for
11 study, research, investigation, planning and
12 implementation in the areas of criminal and juvenile
13 justice.

14 6. Make grants to cities, counties and areas
15 pursuant to applicable law.

16 Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning
17 in 1984, and every five years thereafter, the agency
18 shall develop a twenty-year criminal and juvenile
19 justice plan for the state which shall include ten,
20 fifteen, and twenty year goals and a comprehensive
21 five year plan for criminal and juvenile justice
22 programs. The five year plan shall be updated annually
23 and each twenty year plan and annual updates of the
24 five year plan shall be submitted to the governor
25 and the general assembly by February 1.

26 Sec. 5. Section 7A.10, subsection 1, Code 1981,
27 is amended to read as follows:

28 1. There is created a juvenile victim restitution
29 program which shall be funded through funds
30 appropriated by the general assembly to the office
31 ~~for planning and programming~~ criminal and juvenile
32 justice planning agency. The primary purpose of the
33 program is to provide funds to compensate victims
34 for losses due to the delinquent acts of juveniles.

35 Sec. 6. The Code editor shall transfer section
36 7A.10 to the same chapter in which sections 1 through
37 4 of this Act are placed.

38 Sec. 7. Chapter 80C, Code 1981, is repealed.

39 Sec. 8. On the effective date of this Act all
40 property, programs, grants, and other funds of the
41 Iowa crime commission are transferred to the criminal
42 and juvenile justice planning agency.

43 Sec. 9. Acts of the Sixty-ninth General Assembly,
44 1981 Session, chapter 14, section 3, subsections 1,
45 2, and 3 are amended to read as follows:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
46		
47		
48 1. IOWA CRIME COMMISSION, OR		
49 ITS SUCCESSOR AGENCY		
50 a. Criminal justice planning . \$	234,000	\$ 260,000

1					
2	b. Juvenile justice planning .	\$	37,840	\$	<u>116,350</u>
3	c. Jail standards develop-				<u>48,935</u>
4	ment, jail training, and technical				
5	assistance	\$	100,000	\$	

6 2. It is the intent of the general assembly that
7 if the duties of the Iowa crime commission specified
8 in subsection 1 of this section and for which funds
9 are appropriated are subsequently transferred to
10 another agency, the funds appropriated in subsection
11 1 of this section are appropriated to the successor
12 agency criminal and juvenile justice planning agency
13 to be expended only for the purposes specified in
14 subsection 1 of this section.

15 ~~3.--If-legislation-creating-a-criminal-justice~~
16 ~~improvement-fund-is-enacted-and-becomes-law, the~~
17 ~~appropriations-in-subsection-1-of-this-section-for~~
18 ~~each-year-of-the-fiscal-biennium-beginning-July-1,~~
19 ~~1981-and-ending-June-30, 1983-are-void."~~

20 6. Amend the title page, by striking lines 1 and
21 2, and inserting in lieu thereof the words "An Act
22 creating a criminal and juvenile justice planning
23 agency and a criminal and juvenile justice advisory
24 council, prescribing".

25 7. Amend the title page, line 3 by striking the
26 word "and".

S-5477 FILED
APRIL 6, 1982

RECEIVED FROM THE HOUSE

Senate concurred 4/12 (p. 1142)

SENATE FILE 464

AN ACT

CREATING A CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY AND
A CRIMINAL AND JUVENILE JUSTICE ADVISORY COUNCIL, PRE-
SCRIBING DUTIES, TRANSFERRING EXISTING PROGRAMS, AND
ABOLISHING THE IOWA CRIME COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. AGENCY CREATED. The criminal and juvenile justice planning agency is created in the office of the governor. The agency is responsible for coordinating criminal and juvenile justice activities in the state including planning, research, program implementation, and the administration of grants and other funds. The governor shall appoint the executive director of the agency who shall serve at the pleasure of the governor. As used in sections 1 through 4 of this Act unless the context otherwise requires "agency" means the criminal and juvenile justice planning agency created in this section.

Sec. 2. NEW SECTION. ADVISORY COUNCIL. The criminal and juvenile justice advisory council is created to advise the agency in the performance of its duties and to perform other duties as required by law. The council shall consist of eleven members. The governor shall appoint seven members each for a four year term beginning and ending as provided in section 69.19 and subject to confirmation by the senate as follows:

1. Three persons who are either a county supervisor, county sheriff, a mayor, city chief of police or a county attorney.

2. Two persons shall represent the general public and shall not be employed in any law enforcement, judicial, or corrections capacity.

3. Two persons who are knowledgeable about Iowa's juvenile justice system.

The commissioner of the department of social services, the commissioner of public safety, the attorney general and the chief justice of the supreme court shall each designate a person to serve on the council.

Members of the council shall receive reimbursement from the state for actual and necessary expenses incurred in the performance of their official duties. Public members shall also receive forty dollars per diem. As used in this Act unless the context otherwise requires "council" means the criminal and juvenile justice advisory council created in this section.

Sec. 3. NEW SECTION. DUTIES OF AGENCY. The agency shall act as the state criminal and juvenile justice planning agency for purposes established by state or federal laws and shall:

1. Identify issues and analyze the operation and impact of present criminal and juvenile justice policy and make recommendations for policy changes.

2. Coordinate with data resource agencies to provide data and analytical information to federal, state and local governments, and assist agencies in the use of criminal and juvenile justice data.

3. Report criminal and juvenile justice system needs to the governor, the general assembly, and other decision makers to improve the criminal and juvenile justice system.

4. Provide technical assistance upon request to state and local agencies.

5. Administer federal funds and funds appropriated by the state or that are otherwise available for study, research, investigation, planning and implementation in the areas of criminal and juvenile justice.

6. Make grants to cities, counties and areas pursuant to applicable law.

Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning in 1984, and every five years thereafter, the agency shall develop a twenty-year criminal and juvenile justice plan for the state

which shall include ten, fifteen, and twenty year goals and a comprehensive five year plan for criminal and juvenile justice programs. The five year plan shall be updated annually and each twenty year plan and annual updates of the five year plan shall be submitted to the governor and the general assembly by February 1.

Sec. 5. Section 7A.10, subsection 1, Code 1981, is amended to read as follows:

1. There is created a juvenile victim restitution program which shall be funded through funds appropriated by the general assembly to the ~~office-for-planning-and-programming~~ criminal and juvenile justice planning agency. The primary purpose of the program is to provide funds to compensate victims for losses due to the delinquent acts of juveniles.

Sec. 6. The Code editor shall transfer section 7A.10 to the same chapter in which sections 1 through 4 of this Act are placed.

Sec. 7. Chapter 80C, Code 1981, is repealed.

Sec. 8. On the effective date of this Act all property, programs, grants, and other funds of the Iowa crime commission are transferred to the criminal and juvenile justice planning agency.

Sec. 9. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 3, subsections 1, 2, and 3 are amended to read as follows:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA CRIME COMMISSION, OR ITS SUCCESSOR AGENCY		
a. Criminal justice planning	\$ 234,000	\$ 260,000 <u>116,350</u>
b. Juvenile justice planning	\$ 37,840	\$ 48,935
c. Jail standards develop- ment, jail training, and technical assistance	\$ 100,000	\$

2. It is the intent of the general assembly that if the duties of the Iowa crime commission specified in subsection

1 of this section and for which funds are appropriated are subsequently transferred to another agency, the funds appropriated in subsection 1 of this section are appropriated to the ~~successor-agency~~ criminal and juvenile justice planning agency to be expended only for the purposes specified in subsection 1 of this section.

~~3--if-legislation-creating-a-criminal-justice-improvement fund-is-enacted-and-becomes-law-the-appropriations-in subsection-1-of-this-section-for-each-year-of-the-fiscal biennium-beginning-july-17-1981-and-ending-june-30-1982-are void.~~

TERRY E. BRANSTAD
President of the Senate

DEWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 464, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 21, 1982

ROBERT D. RAY
Governor