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SENATE FILE 2241

BY PATE

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act to establish two pilot projects for the development of  
2 facilities for certain juveniles.

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

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S.F. 2241

1 Section 1. JUVENILE BOOT CAMP ACADEMY PILOT PROJECT.

2 1. The department of human services, in consultation with  
3 the department of corrections, the division of criminal and  
4 juvenile justice planning of the department of human rights,  
5 and the governor's alliance against substance abuse, shall,  
6 effective January 1, 1995, establish a three-year pilot  
7 project for the development of a boot camp academy for  
8 juveniles who have been adjudicated delinquent. The  
9 department of human services shall identify possible sources  
10 of funding for the project and shall select the site for the  
11 project on a competitive basis. In establishing the pilot  
12 project criteria, the department shall consider other states'  
13 efforts and experiences in developing and establishing boot  
14 camps for juveniles who have been adjudicated delinquent, as  
15 well as the problems and successes experienced in existing  
16 programs for youthful offenders in this state.

17 2. The goals of the project shall include, but are not  
18 limited to, reducing the incidence of criminal activities by  
19 certain youthful offenders, improving the chances of  
20 correction and successful return of youthful offenders to the  
21 community, providing offenders with the skills necessary for  
22 living and rehabilitation, and providing a cost-effective  
23 alternative to other more restrictive dispositions. Boot camp  
24 academy programs shall take a holistic approach to providing  
25 services to program participants and shall include, but are  
26 not limited to, the following components:

- 27 a. Intensive educational services.
- 28 b. Mental health and substance abuse treatment.
- 29 c. Nonmilitaristic discipline.
- 30 d. Proper diet.
- 31 e. Exercise.
- 32 f. Self-esteem building.
- 33 g. An internal sanctioning structure.
- 34 h. An aftercare plan.
- 35 i. An evaluation component.

1 3. The project shall specify that any boot camp academy  
2 program developed shall not utilize more than one facility.  
3 Program participants shall be determined on a statewide basis  
4 by the juvenile court based upon the court's assessment of a  
5 particular juvenile delinquent's amenability to successful  
6 completion of a boot camp academy program. The department  
7 shall adopt rules which provide the court with objective  
8 criteria to consider in determining whether placement of a  
9 juvenile in a boot camp academy is appropriate. Placement  
10 criteria shall include, but are not limited to, the following:

11 a. Boot camp academy participation will provide an  
12 alternative to placement of the individual in a more  
13 restrictive setting.

14 b. Individuals selected shall meet the criteria  
15 established in section 232.52.

16 c. The individual is at least somewhat amenable to  
17 treatment.

18 d. The individual is within the age range of fifteen to  
19 seventeen years of age.

20 e. The individual does not have physical or mental  
21 characteristics that would cause placement in a boot camp  
22 academy to be detrimental to the person's physical or mental  
23 health.

24 4. The department shall adopt rules establishing criteria  
25 for facilities for and the employment of staff at a boot camp  
26 academy. In establishing criteria, the department shall  
27 consider requirements established for secure facilities for  
28 juveniles and adult correctional institutions and for staff  
29 employed at those facilities and institutions.

30 5. Each boot camp academy resident shall be informed of  
31 the sanctions and discipline that will result from violation  
32 of boot camp academy policies. Boot camp academy rules and  
33 regulations shall be well publicized within the boot camp  
34 academy setting. Boot camp academy discipline and sanctions  
35 shall provide for immediate incremental punishments for rule

1 violations and lack of progress. Voluntary withdrawals and  
2 program terminations shall be discouraged as sanctions.

3 6. The boot camp academy aftercare program shall emphasize  
4 individual, family, and community support. Aftercare  
5 programming shall be performed by local providers who shall be  
6 familiar with the juvenile and the juvenile's family prior to,  
7 and during the course of, the participation of the juvenile in  
8 the boot camp academy program. Aftercare programming shall be  
9 developed cooperatively by boot camp academy staff and  
10 aftercare providers and shall include a wide range of  
11 incremental sanctions designed to prevent the juvenile from  
12 committing new criminal offenses. Aftercare programs may  
13 include, but are not limited to, a continuation of any  
14 appropriate substance abuse treatment, continuation of or  
15 additional educational programming, community service work,  
16 employment skills training, drug and alcohol screening as  
17 appropriate, in-home visits by the aftercare provider,  
18 imposition of and compliance with curfew hours, a prohibition  
19 of participation in any gang activity as appropriate, and  
20 participation in mentoring programs.

21 7. In addition to any internal boot camp academy  
22 evaluation program, the division of criminal and juvenile  
23 justice planning shall annually monitor the effect of any boot  
24 camp academy programs established under the pilot project on  
25 recidivism and rehabilitation of delinquents who participated  
26 in the programs and report any findings to the general  
27 assembly. The council, in cooperation with the department,  
28 shall conduct a comprehensive review of the program and submit  
29 the findings in a report to the general assembly by January  
30 15, 1998.

31 Sec. 2. TRUANCY PILOT PROJECT.

32 1. The department of education shall, effective January 1,  
33 1995, establish a three-year pilot project for chronically  
34 truant children who are thirteen to sixteen years of age. The  
35 department shall establish criteria for the creation of a two-

1 hundred-bed private residential educational facility that  
2 provides, in addition to an appropriate accredited educational  
3 program, substance abuse treatment and counseling, and  
4 lifestyle skills development training to eligible children.  
5 Facility programs shall include evaluation criteria and  
6 procedures and performance measures. In addition to criteria  
7 for the development of the facility, the department shall  
8 establish criteria for alternative truancy prevention programs  
9 for students who meet the criteria for placement, but who are  
10 not placed in the facility.

11 2. Criteria established for the selection of students  
12 shall include designation of the official or officials in each  
13 public school district and in each accredited nonpublic school  
14 with responsibility for initially determining which students  
15 are eligible for placement at the facility, and shall provide  
16 those officials with objective criteria for making that  
17 initial determination. Eligibility criteria established for  
18 students shall include, but are not limited to, consideration  
19 of the following:

20 a. The student is at least 13 years of age but not yet 17  
21 years of age.

22 b. The student has, without reasonable excuse, failed to  
23 attend school as required by the attendance policy of the  
24 school district or, if the student attends an accredited  
25 nonpublic school, by the attendance policy adopted by the  
26 authorities in charge of the accredited nonpublic school.

27 c. The student has committed delinquent acts which have  
28 resulted in intervention by law enforcement.

29 d. Involvement of the department of human services with  
30 the student.

31 3. A student who meets the criteria for placement at the  
32 facility for chronically truant children shall either be  
33 placed at the facility or in a program at the accredited  
34 nonpublic school or in the public school district that is  
35 specifically designed to meet the needs of chronically truant

1 children. If a student who is enrolled in a public school is  
2 placed at the facility, the public school district shall pay  
3 an amount equal to the cost per pupil, plus any weightings or  
4 special education costs to the authorities in charge of the  
5 facility.

6 4. Programs designed to meet the needs of chronically  
7 truant children at an accredited nonpublic school or in a  
8 public school district shall at least meet the education,  
9 counseling, and training requirements established for programs  
10 at the facility for chronically truant children. A program  
11 established in a public school district which is designed to  
12 meet the needs of chronically truant children may be a program  
13 for dropout prevention under section 257.38.

14 EXPLANATION

15 This bill requires the department of human services to  
16 establish a boot camp academy pilot project for juvenile  
17 offenders in this state. The department is required to work  
18 with the department of corrections, the division of criminal  
19 and juvenile justice planning of the department of human  
20 rights, and the governor's alliance against substance abuse in  
21 developing the project and is required to consider the  
22 experiences of other states and current youthful offender  
23 programs in developing project criteria. The boot camp  
24 academy program is required to contain an educational  
25 component, a mental health and substance abuse treatment  
26 component, a nonmilitaristic discipline component, proper  
27 diet, exercise, self-esteem building, an internal sanctioning  
28 structure, an aftercare plan, and an evaluation component.  
29 Program participants will be determined by the juvenile court.  
30 The department is required to develop objective criteria for  
31 the court to consider in determining whether placement in a  
32 boot camp academy is appropriate for a particular individual.  
33 The division of criminal and juvenile justice planning is  
34 required to annually monitor a report on the success of any  
35 boot camp academy that is established and, in cooperation with

1 the department, conduct a comprehensive report of the program  
2 for submission on January 15, 1998.

3 The bill also requires the department of education to  
4 establish a pilot project for the establishment of a 200-bed  
5 facility for truant juveniles who are 13 through 16 years of  
6 age and whose attendance records, delinquent acts, and  
7 involvement with the department of human services causes them  
8 to be eligible for placement at the facility. If the student  
9 placed at the facility was attending a public school, the cost  
10 per pupil plus any special weightings is to be paid to the  
11 facility. A student who is eligible to be placed at the  
12 facility may be placed in a program designed for chronically  
13 truant children instead of being placed in the facility. A  
14 program for chronically truant children in a public school  
15 district may be a program eligible for funding as a dropout  
16 prevention program under section 257.38.

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