

TITLE III
DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING
CHAPTER 30
FUNCTIONS OF DIVISION

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

421—30.1(216A) Definitions. As used in these rules, unless the context otherwise requires:

“*Administrator*” means the administrator of the division of criminal and juvenile justice planning within the department of health and human services.

“*Council*” means an advisory council or board established in Iowa Code chapter 216A, subchapter VIII.

“*Department*” means the department of health and human services.

“*Director*” means the director of the department of health and human services.

“*Division*” means the division of criminal and juvenile justice planning within the department of health and human services.

“*Juvenile justice advisory council*” or “*JJAC*” means the state advisory group described in P.L. 93-415, Section 223(a)(3), and established through executive memorandum to oversee the administration of the Juvenile Justice and Delinquency Prevention Act (JJDP) formula grants in Iowa.

[ARC 6101C, IAB 12/29/21, effective 2/2/22; Editorial change: IAC Supplement 6/28/23]

421—30.2(216A,PL93-415) Functions of the division. The division of criminal and juvenile justice planning is under the direction of an administrator, who reports to the director. The division’s functions include identifying issues to improve the criminal and juvenile justice system through planning, research, data analysis, policy, youth development, and grant administration.

The functions of the division are described in Iowa Code chapter 216A, subchapter VIII.

30.2(1) The division shall provide staff support to the councils and the JJAC and shall assist them with the coordination of their efforts. Additionally, the division shall perform functions consistent with the duties and requirements outlined in Iowa Code chapter 216A, subchapter VIII; the Juvenile Justice and Delinquency Prevention Act, P.L. 93-415; and other relevant federal and state requirements.

30.2(2) The division shall establish and maintain procedures to collect and report all instances of juvenile detention and confinement occurring in the state of Iowa consistent with P.L. 93-415, Section 223(a)(15). The monitoring function shall include the following:

a. The division shall collect relevant self-report information and perform on-site verification of data from jails, police lockups, juvenile detention facilities, state training schools, mental health institutes, locked residential treatment facilities for youth, and other secure facilities.

b. Through written agreement, the jail inspection unit of the department of corrections shall provide the division and the specific jails and lockups with certification of their ability to separate juveniles and adults, consistent with P.L. 93-415, Section 223(a)(12)(A).

c. Through written agreement, the department shall provide information to the division on holdings relative to P.L. 93-415, Section 223(a)(11), in contracted private facilities that the department has the authority to license.

d. Through written agreement, the department shall provide information to the division on holdings relative to P.L. 93-415, Section 223(a)(11), in state institutions that the department administers.

30.2(3) Inquiries shall be directed to the department, the division, the councils, or the JJAC, at Lucas State Office Building, Des Moines, Iowa 50319. Office hours are 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays. The department’s telephone number is (515)242-5655, and its fax number is (515)242-6119. The department’s website is hhs.iowa.gov.

[ARC 6101C, IAB 12/29/21, effective 2/2/22; Editorial change: IAC Supplement 6/28/23]

421—30.3(216A) Functions and activity of the councils. The councils are established by Iowa Code chapter 216A, subchapter VIII, and are charged with the responsibility to identify and analyze justice

system issues of concern; develop and assist others in implementing recommendations and plans for system improvement; and provide for a clearinghouse of justice system information to coordinate with data resource agencies and to assist others in the use of justice system data. The councils shall advise the division on its administration of state and federal grants and appropriations and shall carry out other functions consistent with Iowa Code chapter 216A, subchapter VIII.

[ARC 6101C, IAB 12/29/21, effective 2/2/22]

421—30.4(216A,PL93-415) Functions and activities of the JJAC. The JJAC is established through executive memorandum pursuant to P.L. 93-415 to advise the division on juvenile justice issues; make recommendations to the governor and legislature; review and comment on the division's reporting of Iowa's compliance with the requirements of P.L. 93-415, Sections 223(a)(11), (12), (13), (14) and (23); advise the division on its administration of state and federal grants and appropriations; supervise the division's administration of federal funds received from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) established in P.L. 93-415; and carry out other functions consistent with P.L. 93-415.

[ARC 6101C, IAB 12/29/21, effective 2/2/22]

421—30.5(216A,PL93-415) Council and JJAC meetings.

30.5(1) Notice of meetings of councils and the JJAC shall be published 24 hours in advance of the meeting and will be mailed to interested persons upon request. The notice shall contain the specific date, time, and place of the meeting. Agendas shall be available by mail from the division to any interested persons if requested not less than five days in advance of the meeting. All meetings shall be open to the public unless a closed session is voted by two-thirds of the entire membership or by all members present for one of the reasons specified in Iowa Code section 21.5. Special or electronic meetings may be called by the chairperson upon a finding of good cause and shall be held in accordance with Iowa Code section 21.8. Meetings of councils and the JJAC shall be governed by the following procedures:

a. Persons wishing to appear before a council or the JJAC shall submit the request to the respective council not less than five days prior to the meeting. Presentations may be made at the discretion of the respective chairperson and only upon matters appearing on the agenda.

b. Persons wishing to submit written material shall do so at least five days in advance of the scheduled meeting to ensure that council or JJAC members have adequate time to receive and evaluate the material.

c. At the conclusion of each meeting, the time, date, and place of the next meeting shall be set unless the next meeting was previously scheduled and announced.

d. Cameras and recording devices may be used at open meetings provided they do not obstruct the meeting. The chairperson may request a person using such a device to discontinue its use when it is obstructing the meeting. If the person fails to comply with this request, the presiding officer shall order that person excluded from the meeting.

e. The chairperson may exclude any person from the meeting for repeated behavior that disrupts or obstructs the meeting.

f. Other meeting protocol and procedures consistent with this subrule and Iowa Code chapter 21 may be established by the councils or the JJAC through bylaws approved by a majority of the members subject to the bylaws.

30.5(2) Minutes of council or JJAC meetings are prepared and are available for inspection at the division office during business hours. Upon approval by the respective council or JJAC, the minutes will be posted on the division's website.

30.5(3) The councils or JJAC may form committees to carry out those duties as are assigned by the respective council. Meetings of the committees shall conform to the conditions listed in subrule 30.5(1) governing council and JJAC meetings.

[ARC 6101C, IAB 12/29/21, effective 2/2/22]

These rules are intended to implement Iowa Code chapter 17A; Iowa Code chapter 216A, subchapter VIII; and P.L. 93-415.

[Filed ARC 6101C (Notice ARC 6004C, IAB 10/20/21), IAB 12/29/21, effective 2/2/22]

[Editorial change: IAC Supplement 6/28/23]