

S-5358

1 Amend House File 2531, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 46, after line 5 by inserting:

4 <DIVISION
5 PUBLIC SAFETY ADVISORY BOARD
6 Sec. _____. DEPARTMENT OF HUMAN RIGHTS — DIVISION
7 OF CRIMINAL AND JUVENILE JUSTICE PLANNING. There is
8 appropriated from the Iowa comprehensive petroleum
9 underground storage tank fund established in section
10 455G.3 to the department of human rights for the
11 fiscal year beginning July 1, 2010, and ending June
12 30, 2011, the following amount, or so much thereof as
13 is necessary, to be used for the purposes designated,
14 notwithstanding section 455G.3, subsection 1:

15 For the division of criminal and juvenile justice
16 planning, including salaries, support, maintenance,
17 miscellaneous purposes, and for not more than the
18 following full-time equivalent positions for the public
19 safety advisory board established in section 216A.133A:
20 \$ 140,000
21 FTEs 2.00

22 Sec. _____. Section 216A.131, Code 2009, is amended
23 by adding the following new subsection:

24 NEW SUBSECTION. 1A. "Board" means the public
25 safety advisory board.

26 Sec. _____. Section 216A.132, Code 2009, is amended
27 to read as follows:

28 **216A.132 Council established — terms —**
29 **compensation.**

30 1. A criminal and juvenile justice planning
31 advisory council is established consisting of
32 twenty-three members.

33 a. The governor shall appoint seven members each
34 for a four-year term beginning and ending as provided
35 in section 69.19 and subject to confirmation by the
36 senate as follows:

37 (1) Three persons, each of whom is a county
38 supervisor, county sheriff, mayor, ~~city chief of~~
39 ~~police, or county attorney nonsupervisory police~~
40 officer, or a chief of police of a department with less
41 than eleven police officers.

42 ~~(2) Two persons who represent the general public~~
43 ~~and are not employed in any law enforcement, judicial,~~
44 ~~or corrections capacity.~~

45 ~~(3) (2)~~ Two persons who are knowledgeable about
46 Iowa's juvenile justice system.

47 (3) One person who represents the general public
48 and is not employed in any law enforcement, judicial,
49 or corrections capacity.

50 (4) One person who is either a crime victim, or who

1 represents a crime victim organization.

2 b. The departments of human services, corrections,
3 and public safety, the division on the status of
4 African-Americans, the Iowa department of public
5 health, the chairperson of the board of parole, the
6 attorney general, the state public defender, and the
7 governor's office of drug control policy, and the chief
8 justice of the supreme court shall each designate a
9 person to serve on the council. The person appointed
10 by the Iowa department of public health shall be from
11 the departmental staff who administer the comprehensive
12 substance abuse program under chapter 125.

13 c. The chief justice of the supreme court shall
14 appoint two additional members currently serving
15 as district judges designate one member who is a
16 district judge and one member who is either a district
17 associate judge or associate juvenile judge. Two
18 members of the senate and two members of the house of
19 representatives shall be ex officio members and shall
20 be appointed by the majority and minority leaders
21 of the senate and the speaker and minority leader
22 of the house of representatives pursuant to section
23 69.16 and shall serve terms as provided in section
24 69.16B. The chairperson and ranking member of the
25 senate committee on judiciary shall be members. In
26 alternating four-year intervals, the chairperson and
27 ranking member of the house committee on judiciary
28 or of the house committee on public safety shall be
29 members, with the chairperson and ranking member of the
30 house committee on public safety serving during the
31 initial interval. Nonlegislative members appointed
32 pursuant to this paragraph shall serve for four-year
33 terms beginning and ending as provided in section 69.19
34 unless the member ceases to serve as a district court
35 judge.

36 d. The Iowa county attorneys association shall
37 designate a person to serve on the council.

38 2. Members of the council shall receive
39 reimbursement from the state for actual and necessary
40 expenses incurred in the performance of their official
41 duties. Members may also be eligible to receive
42 compensation as provided in section 7E.6.

43 Sec. ____. Section 216A.133, subsection 1, Code
44 2009, is amended to read as follows:

45 1. Identify issues and analyze the operation and
46 impact of present criminal and juvenile justice policy
47 and make recommendations for policy changes, including
48 recommendations pertaining to efforts to curtail
49 criminal gang activity.

50 Sec. ____. Section 216A.133, Code 2009, is amended

1 by adding the following new subsections:
2 NEW SUBSECTION. 8. Determine members of the public
3 safety advisory board pursuant to section 216A.133A.
4 NEW SUBSECTION. 9. Coordinate with the
5 administrator to develop and make recommendations to
6 the department director pursuant to section 216A.2.
7 NEW SUBSECTION. 10. Serve as a liaison between the
8 general public and the division.
9 NEW SUBSECTION. 11. Establish advisory committees
10 to study special issues.

11 Sec. . NEW SECTION. 216A.133A **Public safety**
12 **advisory board**
13 **— duties.**

14 1. A public safety advisory board is established
15 whose membership shall be determined by the criminal
16 and juvenile justice planning advisory council and
17 shall consist of current members of the council. Any
18 actions taken by the board shall be considered separate
19 and distinct from the council.

20 2. The purpose of the board is to provide the
21 general assembly with an analysis of current and
22 proposed criminal code provisions.

23 3. The duties of the board shall consist of the
24 following:

25 a. Reviewing and making recommendations relating
26 to current sentencing provisions. In reviewing such
27 provisions the board shall consider the impact on all
28 of the following:

29 (1) Potential disparity in sentencing.

30 (2) Truth in sentencing.

31 (3) Victims.

32 (4) The proportionality of specific sentences.

33 (5) Sentencing procedures.

34 (6) Costs associated with the implementation
35 of criminal code provisions, including costs to
36 the judicial branch, department of corrections, and
37 judicial district departments of correctional services,
38 costs for representing indigent defendants, and costs
39 incurred by political subdivisions of the state.

40 (7) Best practices related to the department of
41 corrections including recidivism rates, safety and
42 efficient use of correctional staff, and compliance
43 with correctional standards set by the federal
44 government and other jurisdictions.

45 (8) Best practices related to the Iowa child death
46 review team established in section 135.43 and the Iowa
47 domestic abuse death review team established in section
48 135.109.

49 b. Reviewing and making recommendations relating to
50 proposed legislation, in accordance with paragraph "a",

1 as set by rule by the general assembly or as requested
2 by the executive or judicial branch proposing such
3 legislation.

4 c. Providing expertise and advice to the
5 legislative services agency, the department of
6 corrections, the judicial branch, and others charged
7 with formulating fiscal, correctional, or minority
8 impact statements.

9 d. Reviewing data supplied by the division, the
10 department of management, the legislative services
11 agency, the Iowa supreme court, and other departments
12 or agencies for the purpose of determining the
13 effectiveness and efficiency of the collection of such
14 data.

15 4. The board may call upon any department, agency,
16 or office of the state, or any political subdivision
17 of the state, for information or assistance as needed
18 in the performance of its duties. The information or
19 assistance shall be furnished to the extent that it is
20 within the resources and authority of the department,
21 agency, office, or political subdivision. This section
22 does not require the production or opening of any
23 records which are required by law to be kept private
24 or confidential.

25 5. The board shall report to the legislative
26 government oversight committee all sources of funding
27 by December 1 of each year.

28 6. Membership on the board shall be bipartisan
29 as provided in section 69.16 and gender balanced as
30 provided in section 69.16A.

31 7. Meetings of the board shall be open to the
32 public as provided in chapter 21.

33 8. Members of the board shall receive reimbursement
34 from the state for actual and necessary expenses
35 incurred in the performance of their official duties.
36 Members may also be eligible to receive compensation as
37 provided in section 7E.6.

38 Sec. _____. Section 216A.135, unnumbered paragraph 1,
39 Code 2009, is amended to read as follows:

40 Beginning in 1989, and every five years thereafter,
41 the division shall develop a twenty-year criminal
42 and juvenile justice plan for the state which shall
43 include ten-year, fifteen-year, and twenty-year
44 goals and a comprehensive five-year plan for criminal
45 and juvenile justice programs. The five-year plan
46 shall be updated annually and each twenty-year plan
47 and annual updates of the five-year plan shall be
48 submitted to the governor and the general assembly by
49 ~~February~~ December 1.

50 Sec. _____. APPOINTMENTS TO CRIMINAL AND JUVENILE

1 JUSTICE PLANNING ADVISORY COUNCIL. The applicable
2 provisions of chapter 69 shall apply to vacant
3 positions on the criminal and juvenile justice planning
4 advisory council occurring on or after July 1, 2010.>

KEITH A. KREIMAN