



# 2019 Iowa Criminal and Juvenile Justice Annual Plan Update

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Completion of this report fulfills the Division of Criminal and Juvenile Justice Planning's (CJJP) Legislative obligations outlined in Iowa Code section §216A.135. Section §216A.135 of the Iowa Code instructs CJJP to develop "a comprehensive five-year plan for criminal and juvenile justice programs" and to provide an annual update of this plan.



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## I. INTRODUCTION

In FY2019, House File 634 was enacted which modified reporting criteria for the Division of Criminal and Juvenile Justice Planning (CJJP). The legislation provides CJJP is to submit a three-year criminal and juvenile justice plan for the state beginning December 1, 2020, with annual updates due December 1<sup>st</sup> thereafter. The three-year plan and annual updates shall include but are not limited to:

- a) Short-term and long-term goals for the criminal and juvenile justice systems.
- b) The identification of issues and studies on the effective treatment and supervision of adult and juvenile sex offenders in institutions, community-based programs, and the community.
- c) Analysis and recommendations of current criminal code provisions.
- d) The effectiveness and efficiencies of current criminal and juvenile justice policies, practices, and services.
- e) Collection of criminal and juvenile justice data.
- f) Recommendations to improve the criminal and juvenile justice systems.

This legislation also merged the Criminal and Juvenile Justice Planning and Advisory Council, Public Safety Advisory Board (PSAB), and the Sex Offender Research Council (SORC) into one entity known as the Justice Advisory Board (JAB). The JAB will work collectively in 2020 to develop a three-year plan and establish long-term goals for the criminal and juvenile justice system.

In the interim, this report serves as an update to long-range five-year plans which were developed in December, 2015. This report will describe these goals and identify current initiatives and projects helping to achieve these long-range system goals.

It is important to note that there is some variation in the timeline of reported information within this report; some based upon state or federal fiscal year, while others are referenced by calendar year.

Some initiatives have associated information which can be found on the CJJP website and are identified within this report with an asterisk (\*). The CJJP website can be found by clicking on the following link: <https://humanrights.iowa.gov/cjip>.

## II. LONG-RANGE GOALS FOR IOWA'S CRIMINAL AND JUVENILE JUSTICE SYSTEM\*

Historically, every five years, CJJP has developed long-range goals for Iowa's justice system. The long-range goals, submitted in December, 2015, were developed with assistance from the Criminal and Juvenile Justice Planning Advisory Council (CJJPAC) and the Juvenile Justice Advisory Council (JJAC). These long-range goals include:

### A. REDUCE VIOLENCE AND PREVENT CRIME

- Five-Year Goal: Continue to utilize best practices while seeking out new strategies that will result in the prevention and/or a reduction in crime and violence.

- B. INCREASE PUBLIC CONFIDENCE IN THE JUSTICE SYSTEM
- Five-Year Goal: Continue to publicize positive aspects and outcomes of the criminal justice system while attempting to increase the system's transparency.
- C. DECREASE MINORITY OVERREPRESENTATION IN THE JUSTICE SYSTEM
- Five-Year Goal: Continue to seek effective strategies to reduce overrepresentation of minorities in the criminal and juvenile justice system, and implement those practices shown to decrease overrepresentation.
- D. EXPAND AND IMPROVE MENTAL HEALTH SERVICES
- Five-Year Goal: Seek to fund state and local mental health services for individuals both in and outside of the criminal justice system.
- E. EXPAND AND IMPROVE SUBSTANCE ABUSE SERVICES
- Five-Year Goal: Seek to fund state and local substance abuse services for individuals both in and outside of the criminal justice system.
- F. EXPAND AND IMPROVE VICTIM SERVICES
- Five-Year Goal: Increase the services available to victims of violent crimes, especially female victims of domestic abuse and/or sexual abuse.
- G. ENSURE APPROPRIATE UTILIZATION OF CORRECTIONAL RESOURCES
- Five-Year Goal: Continue to seek methodologies that will increase the efficacy of the Department of Corrections (DOC) programs, while seeking alternative programs to which offenders can be safely diverted as an alternative to incarceration/detention, thereby expanding available correctional resources.
- H. EXPAND AND IMPROVE INFORMATION SYSTEMS -- PLANNING AND MONITORING
- Five-Year Goal: Continue the Criminal Justice Information System Integration (CJIS) Project, and seek other technological applications that can increase the efficacy of the criminal justice system in a cost efficient manner.
- I. IMPROVE SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR ADULT OFFENDERS
- Five-Year Goal: Continue to seek and develop programs and policies that result in positive outcomes (a reduction in recidivism) for adult offenders.
- J. IMPROVE SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR JUVENILE OFFENDERS
- Five-Year Goal: Continue to seek and develop programs and policies that result in positive outcomes (a reduction in recidivism) for juvenile offenders.

### III. FUNDING TO ADDRESS LONG AND SHORT-TERM CRIMINAL AND JUVENILE JUSTICE SYSTEM GOALS

Breakdowns of State Fiscal Year 2019 appropriations are as follows:

2019 Estimated Grant Awards and Contracts:	\$1,252,474
2019 Actual State Appropriation:	\$1,209,410
2019 Actual Infrastructure and Technology Funds:	<u>\$1,357,980</u>
2019 Annual Awards/Appropriations	\$3,819,864

#### IV. CRIMINAL AND JUVENILE JUSTICE COUNCILS AND BOARDS

The following councils and boards are staffed and maintained by CJJP. Providing staff support for these advisory bodies provides many opportunities for partnerships and collaborations with a myriad of state agencies, the private sector, and community stakeholders.

##### Iowa Juvenile Justice Advisory Council (JJAC)\*

The JJAC is responsible for monitoring the condition of juvenile justice within the State of Iowa, making juvenile justice recommendations to the Governor and the legislative body, helping develop and implement the state's three-year plan for juvenile justice, advising on the use of federal funds allocated to the state for juvenile justice efforts, and monitoring Iowa's compliance with the federal Juvenile Justice and Delinquency Prevention Act (JJDP) – now the Juvenile Justice Reform Act (JJRA). The JJAC's three-year plan priorities include:

- Effective and Promising Juvenile Justice System Approach
- Mental Health, Substance Abuse and Trauma
- Disproportionate Minority Contact
- Female Equity

##### The Disproportionate Minority Contact Subcommittee (DMC Sub)\*

Iowa's Disproportionate Minority Contact Subcommittee (DMC Sub) is charged with planning and implementation activities to reduce the overrepresentation of minority youth in the juvenile justice system. That group has been existence for 19 years. DMC is a core requirement of the JJDP Act.

In March 2019 the DMC Sub, working with the JJAC, and Iowa Chief Juvenile Court Officers (CJCO's), submitted its DMC Compliance report based on new data/format required by the federal Office of Juvenile Justice and Delinquency Prevention. The new format requires state and select local jurisdictions to set numeric goals related to five juvenile justice decision points.

Over 2018 and 2019 the Iowa Task Force for Young Woman (ITFYW) and the DMC Sub held a number of joint meetings to better coordinate their efforts. The work on "deep end" girls has provided one opportunity to do so, as the data reveal a remarkable amount of disparity among African-American girls in this group. It is intended that data reports, first for deep end girls and then for deep end boys will be produced to further the joint work of these two sub-committees. The two groups have identified a common interest in pre-charge diversion (see below).

OJJDP approved technical assistance visits related to pre-charge diversion by the Center for Children's Law and Policy (CCLP) to four local jurisdictions (Black Hawk, Johnson, Scott, and Webster) in the summer/fall of 2018. The visits allowed CCLP to learn more about the important local work taking place and to share information regarding national research onto pre-charge efforts. A discussion event in April of 2019 provided the opportunity for the four sites to provide feedback regarding a Pre-Charge Toolkit drafted by CCLP. The JJAC, its DMC

Sub, and its TFYW have approved support for the pre-charge products and will work with the State Court Administrator's Office and the CJCO's to further a pre-charge policy based on the CCLP products.

#### Iowa Task Force for Young Women (ITFYW)\*

As a subcommittee of the JJAC, the ITFYW has been guided by the long-term overall mission of "promoting innovative female responsive techniques through education and advocacy."

During FY2018 and lasting into FY2019, the ITFYW efforts were focused on a complete overhaul of their cornerstone publication, *Female Responsive Protocol for Adolescent Offenders*. When completed, the new publication is intended to be considerably more intersectional. It will bring the experiences and needs of girls of color, girls with disabilities, LGBTQ girls and others to the center.

The ITFYW has additionally, as part of the JJAC process for establishing three-year priority areas, identified the following goals for the current and near future:

**GOAL 1:** Make the experiences and needs of girls who are disproportionately represented in the juvenile justice system (i.e. black, native and LGBT youth) central to the ongoing work of the ITFYW.

**GOAL 2:** Establishment of a specialized setting(s) for serious, violent and chronic offenders as well as systemic measures to reduce the need for such a setting as outlined in the recommendations of the Iowa Girls Justice Initiative report.

**GOAL 3:** Fill the gaps and improve the quality in the continuum of care for girls in both residential and community-based service settings with well-defined options that allow for differential responses based on culture, risk level, development and needs.

**GOAL 4:** Dedicated state funds for equitable treatment of females in the JJ system.

#### Justice Advisory Board (JAB)

In 2019, HF 634 was introduced which merged the CJPAC, PSAB, and SORC into one entity. The three groups held similar membership, and it was believed that the merger of the council would allow for greater efficiencies. The first JAB meeting will occur in fall of 2020 and members will begin review of long-range system goals and identify priorities of interest for the upcoming year. On May 15<sup>th</sup>, 2019 the CJPAC, PSAB, and SORC met for their last meeting as independent entities, jointly. The meeting included discussion regarding the merger of the councils, review of criminal justice legislation passed during the FY2019 session, future research and/or policy interests, and current and proposed research projects. The first meeting of the JAB is expected to occur during the fall of 2020.

Information on the CJPAC, PSAB, and SORC activities occurring in 2019 are described below.

#### Criminal and Juvenile Justice Planning Advisory Council (CJPAC)\*

Per Iowa Code §216A.133, the CJPAC was to serve several functions, some of which included "identify issues and analyze the operation and impact of present criminal and juvenile justice

policy and make recommendations for policy changes” as well as “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.”<sup>1</sup> During SFY 2019, the CJPAC met three times discussing the merger of the councils, the Legislation Monitoring Report, the Annual Plan Update to Long-Range Criminal and Juvenile Justice System Goals, and criminal justice legislative changes.

#### Sex Offender Research Council (SORC)\*

Per Iowa Code §216A.139, CJP was to “establish and maintain a council to study and make recommendations for treating and supervising adult and juvenile sex offenders in institutions, community-based programs, and in the community”.<sup>2</sup> Historically, Iowa’s Sex Offender Research Council (SORC) has studied sex offending trends including, but not limited to, sex charge and conviction rates, sex offender prison admissions and releases, sex offending crime patterns (offender to victim relationship), community supervision efforts, and juvenile sex offenders.

In January, 2019 the SORC issued a report that provided a review of current and historical legislation on sex offenses which also explored trends in data examining the number of sex offenses annually since FY2009. The report indicates that the number of total sex offenders in the prison population have increased by 2.6%. The number of offenders supervised in the community on the special sentence has increased from 100 to 980 from FY2009 to FY2018. Similarly, the population of sex offenders on the Sex Offender Registry have increased by 17.7%.

#### Public Safety Advisory Board (PSAB)\*

The PSAB was created by the legislature in 2010 to provide the General Assembly with an analysis of current and proposed criminal code provisions. The PSAB provides research, evaluation, and data to the General Assembly to facilitate improvement in the criminal justice system in Iowa in terms of public safety, improved outcomes, and appropriate use of public resources. In 2019, the PSAB discussed topics including voting right restoration and council mergers, and also reviewed criminal justice legislation modified during FY 2019 as well as the 2018 PSAB Annual Report.

In December, 2018 PSAB Legislative Recommendations to the General Assembly report, the PSAB continues its support for enactment of anti-racial profiling legislation, modifications to Iowa’s child kidnapping legislation, modifications to Iowa’s robbery mandatory minimum sentence legislation, modifying the special sentence supervision requirements for sex offenders, and implementation of Results First in Iowa’s Corrections and Juvenile Justice Systems.

The PSAB recognized the efforts of the legislature to adopt some of their recommendations regarding modifications to robbery mandatory terms and elimination of certain driving

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<sup>1</sup> <https://www.legis.iowa.gov/docs/code/2018/216A.pdf>

<sup>2</sup> <http://coolice.legis.iowa.gov/cool-ice/default.asp?category=billinfo&service=iowacode&input=216A#216A.139>

sanctions for some offenders. However, the Council continues to support enactment of their full recommendations.

#### Institutional Review Board (IRB)

All federally-funded research must comply with regulations designed to protect human subjects (45 CFR 46) and ensure confidentiality of data (28 CFR 22). IRBs are bodies comprised of members of varied backgrounds with responsibility for safeguarding the rights and welfare of human subjects involved in research. CJP maintains and provides administration for an IRB responsible for review of project protocols for federally-funded research and evaluative studies completed for various state departments. In FY2019 agencies and partners involved included the Iowa Department of Corrections, Iowa Judicial Branch, Juvenile Court Services, Simpson College, Iowa Department of Public Health, Iowa Correctional Institution for Women, and a social work community member. During FY2019, seven research projects seeking new protocol or renewal requests were reviewed and approved by the IRB. In May, 2019 a new IRB Chair was appointed to the Board.

#### Iowa Collaboration for Youth Development (ICYD) Council\*

The ICYD Council is a network of state agencies with the purpose to improve the lives and futures of Iowa's youth by:

- Adopting and applying positive youth development principles and practices at the state and local levels;
- Increasing the quality, efficiency, and effectiveness of opportunities, services, and supports for youth;
- Improving and coordinating state youth policy and programs across state agencies.

One goal of the ICYD is to increase the graduation rate from 89% to 95% by 2020. Several issues prevent youth from graduating from high school and the ICYD Council works to address these issues, both as individual agencies and as a team, to maximize efficiency in state government and make the best use of existing resources. The ICYD Results Team is a sub-committee of the ICYD Council that meets at least quarterly to complete the work of the ICYD Council.

## V. DATA ANALYSIS

### Statistical Analysis Center (SAC)

Iowa Code §216A.136 states “the division shall maintain an Iowa statistical analysis center for the purpose of coordinating with data resource agencies to provide data and analytical information to federal, state, and local governments....” SACs are agencies at the state government level that use data and information across the criminal justice system to conduct objective analyses of statewide policy issues. CJJP is a neutral entity, located within the Iowa Department of Human Rights, ensuring the independence of the Statistical Analysis Center’s research, planning, data coordination and information clearinghouse functions from operational justice system agencies.

During SFY 2019, SAC continued work focused on a cross-agency initiatives and there were also multiple publications and projects completed by SAC staff that are mentioned throughout this report.

### Criminal Justice Information System (CJIS)\*

CJIS is the State of Iowa’s electronic criminal justice data exchange system. CJIS ties together many disparate, legacy criminal justice systems used by state agencies including systems located at the Department of Corrections (DOC), Department of Transportation (DOT), Department of Public Safety (DPS), Department of Natural Resources (DNR), Department of Human Services (DHS), State Courts, County Attorneys, Attorney General, and Secretary of State. The exchange allows for real-time sharing of information associated with traffic citations, criminal complaints, presentence investigations, hearing orders, protective orders, court notices, offender release updates, Notices of Appeal, NICS background checks, ICON inquiries, and sex offender registry updates. CJIS is credited with being one of the most advanced initiatives of its type in the nation and staff have consulted and offered guidance to other states in creating their own CJIS programs.

In a typical month, CJIS performs approximately 400,000 separate information exchanges between these justice agencies. State, counties, and local agencies have come to rely on CJIS for their business practices in order to make their agencies more effective and efficient, and to better serve the public.

CJIS currently performs the following exchanges in a secure, seamless, real-time manner, and will continue to grow in the coming years.

<u>Information Exchanged</u>	<u>Route of Information exchanged via CJIS</u>	
AG Hearing Order	Judicial	→ Attorney General
Criminal Complaints	Law Enforcement	→ Judicial and County Attorneys
Charge Code Table Updates	CJIS	→ DOT, Judicial, TraCS, & County Attorney
Court Disposition	Judicial	→ DOT
Court Notice	Judicial	→ County Attorneys
DHS Casework	Judicial	→ DHS

Disposition Matching	Judicial	→ DPS
ECCO (citations)	Law Enforcement	→ Judicial
New Felon Information	Judicial	→ Secretary of State of Iowa
Hearing Order	Judicial	→ County Attorneys
NICS (background check)	Judicial	→ DPS (and on to the FBI)
Notice of Appeal	Judicial	→ Attorney General
Offender Query	DPS	→ DOC → DPS
Offender Release	DOC	→ County Attorneys
Order for PSI	Judicial	→ DOC
PSI Report	DOC	→ Judicial
Protective Order	Judicial	→ DPS
Protective Order Served	DPS	→ Attorney General
Sex Offender Update 1	DOC	→ DPS
Sex Offender Update 2	DPS	→ DOC
Traffic Convictions	Judicial	→ DOT
Victim Assignment	DOC	→ County Attorneys
Victim Transfer	County Attorneys	→ DOC

CJIS is currently developing the following additional exchanges:

<u>Information to be Exchanged</u>	<u>Route of Information to be exchanged via CJIS</u>	
Hotfile Queries	Judicial	→ DPS → Judicial
Juvenile Complaints	Law Enforcement	→ Juvenile Court Officers
Public Defender Court Notice	Judicial	→ Public Defender
Return of Service	Sheriffs	→ Judicial
State ID for Foster Care	DHS	→ Juvenile Court
Trial Information	County Attorneys	→ Judicial

#### Iowa Justice Data Warehouse (JDW) Management and Response to Data Inquiries\*

The Iowa Justice Data Warehouse (JDW) is a central repository of key criminal and juvenile justice information from the Iowa Court Information System (ICIS), the Iowa Correctional Offender Network (ICON) system, the Iowa Department of Public Safety, the Department of Transportation, and the Department of Human Services. The JDW is managed by CJJP with the overall mission to provide the judicial, legislative and executive branches of state government, and other entities, with improved statistical and data support information pertaining to justice system activities. In addition to responding to direct requests for information, CJJP maintains two public access portals utilizing data from the JDW to make aggregated adult and juvenile court justice data more readily available.

- The adult court portal is <https://disposedcharges.iowa.gov>
- The juvenile court portal is <https://juvenilecourtstats.iowa.gov>

The JDW is “mission critical” to CJJP and the Department of Correction’s (DOC) functions. CJJP depends on the JDW for its core data functions and they have daily processes in place that

rely on its functionality. Many reports and statistics are derived from the JDW every day for a variety of uses. DOC relies on the JDW to generate statistics on what works to reduce recidivism. DOC is concentrating its efforts on evidence-based practices to successfully manage the offender population while protecting public safety. The JDW is a key element in CJP's overall business and DOC's risk reduction strategies.

In recent years, CJP has expanded the JDW uses to include data for the prison population forecast, child welfare performance measures, foster care notifications, and Department of Transportation (DOT) crash analysis. CJP has also been able to partner with the University of Iowa, DHS, Public Defender, DOT, and others on various projects regarding criminal and juvenile justice. These new connections allow for increased usage and utilization of the data, and have established some collaboration efforts that allow improved workloads and significantly enhanced the data made available to business users, resulting in improved processes and workload efficiencies.

## VI. RESEARCH AND EVALUATIONS

### Statewide Recidivism Reduction (SRR) Adult Reentry Initiative

In October 2014, the Office of Drug Control Policy (ODCP) received three years of federal funding from the U.S. Department of Justice (DOJ) as part of the Second Chance Statewide Recidivism Reduction Grant. ODCP contracted with the Iowa Department of Corrections (DOC) to carry out this initiative and with CJP to provide a process and outcomes evaluation on the effectiveness of the program. The five-year goal is to reduce the recidivism rate of mid- to high-risk parole and probationers from the existing 28% rate (2010 cohort) to 20%.

During 2019, CJP received funding from the Bureau of Justice Statistics (BJS) through Statistical Analysis Center (SAC) funding to conduct a third recidivism analysis provided to the DOC to explore the prison recidivism rates of SRR cohorts established in the first recidivism study for one additional year. The results from historical analysis indicated more tracking time is needed to fully assess the outcomes of the SRR initiative. An additional year of analysis may help provide further outcomes on the initiative.

### Youthful Sex Offender Treatment Program (YSOTP)

In 2015, the Eighth Judicial District of the Iowa Department of Corrections was awarded three years of funding from the U.S. Department of Justice (DOJ) as part of the Smart Supervision: Reducing Prison Populations, Saving Money, and Creating Safe Communities Grant. These funds were utilized to implement a Youthful Sex Offender Treatment Program (YSOTP). This program created a specialized treatment program for sex offenders aged 18-25 who reside in rural areas and have unique needs that often lie outside the scope of recognized treatment standards for adult sex offenders. As part of the award requirements CJP was contracted to perform a process and short-term outcome evaluation of the program. In 2018, the program was awarded a one year no-cost extension. In May 2019, the final evaluation was submitted to the Eighth Judicial District.

### Iowa Partnership for Success (IPFS)

In October 2014, the Iowa Department of Public Health (IDPH) was awarded a five-year grant through the Substance Abuse and Mental Health Services Administration (SAMHSA), Partnerships for Success program, to fund youth alcohol prevention strategies in 12 counties across Iowa. The goal of the program is to prevent or reduce underage drinking and binge drinking among 12 to 20-year-olds. CJP was contracted by IDPH to serve as the evaluator to provide technical assistance and trainings to the funded counties regarding completion of the required federal cross-site performance measurements, review the data for errors and request corrections, participate in advisory council and workgroup meetings, attend required SAMHSA trainings, and lead data collection efforts and analysis. Efforts during 2019 focused on collected data in the final year of the project and working on the final evaluation report expected to be issued in fall 2019.

### Statewide Prevention Framework for Prescription Drugs (SPF Rx)

In October 2016, the Iowa Department of Public Health (IDPH) was awarded a five-year grant through the Substance Abuse and Mental Health Services Administration (SAMHSA) to fund a prescription drug (RX) prevention program targeting prescribers and youth aged 12-25 in Iowa. Three high risk counties were selected through an RFP process to receive funding to implement strategies aimed at reducing misuse of prescriptions and raising awareness of the risks. During 2019, CJP created county indicators to measure progress on the project and the counties began implementing their strategies. CJP's ongoing role in the project is to provide technical assistance to the funded counties regarding completion of the required federal cross-site performance measurements, ensure data quality, participate in advisory council and workgroup meetings, attend SAMHSA trainings, and lead data collection efforts and analysis.

### Family Drug Court (FDC)

In summer 2019, the Iowa Judicial Branch contracted with CJP to provide an annual data report for Iowa's family drug courts (FDC). This project began in 2007 when six pilot sites received funding under the federal Regional Partnership Grant (RPG). New courts have since initiated operations across the state and there are currently 12 participating. MOU agreements with IDPH and DHS allow for tracking parents' substance abuse treatment enrollment and their children's' placement outcomes. A statewide report of FDC cohorts and comparison group will be completed and provided to the judicial branch in December 2019.

### Iowa Risk Assessment Revised Validation

In 2019, the DOC contracted with CJP to perform a validation of their Iowa Risk-Revised (IRR) risk assessment. The IRR is utilized to help determine the appropriate level of supervision for parolees or probationers who have been placed on community supervision. The purpose of the validation was to explore the extent to which the instrument predicts risk as well as the predictive power of each assessment question. The final results from this analysis were submitted to the DOC in August, 2019.

### Friends of the Family (FOF) Process Evaluation

In 2019, (CJP) partnered with the Crime Victim's Assistance Division (CVAD) of the State of Iowa, Office of the Attorney General to conduct a process evaluation, evaluability assessment, and create a logic model of a rapid re-housing program offered by Friends of the Family (FOF); a victim services agency. The program offers housing assistance to individuals and families impacted by domestic violence and who are also homeless. Funding for the evaluation has been provided by the Center for Victim Research (CVR) and Justice Research and Statistics Association (JRSA). The results of this project were finalized in August, 2019.

### Violent Crime Analysis

In 2018, CJP was awarded funding from the Bureau of Justice Statistics, State Justice Statistics Program for Statistical Analysis Centers to conduct an analysis of violent crime in Iowa. This study will examine trends in violent charges and convictions by class on the county level as well between rural vs. urban areas. A final report will provide an informative analysis on

trends observed and provide recommendations for the study of crime in Iowa and the reliability of the Judicial Branch case management system data. The final report is due to BJS in the fall of 2020.

### Indigent Defense

The Office of the Iowa State Public Defender and CJJP partnered to conduct a multi-year pilot project to study the impact of client choice in indigent defense. This project was funded by Bureau of Justice Statistics, State Justice Statistics Program for Statistical Analysis Centers in October of 2016 and will continue through September of 2020. This project seeks to determine whether allowing indigent defendants to select their attorney as opposed to random assignment will affect client satisfaction, case outcomes, and/or cost.

### Governor's Traffic Safety Bureau (GTSB)

The main goal of the GTSB grant is to increase awareness regarding traffic safety and the abilities of current data systems to integrate crash and citation information. The most recent projects involve the below:

- Development of data dictionaries for some of the data sources involving citation data
- Review of timeliness of court citation data, looking at the time from citation to disposition.
- Update to the statewide trend report for OWI Blood Alcohol Content (BAC)
- Share citation data with others as projects become available.

### Juvenile Court School Liaison Reports\*

CJJP generates annual reports, both statewide and by judicial district, that contain aggregated data collected by Juvenile Court Services School Liaison (JCSL) staff. JCSL's have been providing services to youth since 1994 and have been reporting data to CJJP since 2000. JCSLs are staffed to provide a link between JCS and the schools in an effort to maintain at-risk youth in the school setting. Data are provided to CJJP through statistical summary forms completed by JCSL staff that are entered into a secure, web-based application by the liaisons and retrieved electronically by CJJP. Service information is submitted and uploaded at the end of the academic year. CJJP provides a statewide annual report as well as reports specific to each judicial district. There are approximately 75 JCSLs providing services to almost 3,000 students.

## VII. JUVENILE JUSTICE SYSTEM

### Juvenile Justice System Improvement (JJSI)

The Juvenile Justice Systems Improvement Grant (JJSI) originally began as the SMART on Juvenile Justice grant in October of 2016. The purpose of the grant is to reduce recidivism, improve outcomes for youth, increase public safety, and reduce racial and ethnic disparities through the development of a comprehensive statewide plan to standardize policies and practices and ensure the quality and effectiveness of services that youth receive.

Year One: A SMART Leadership Team was convened, representing juvenile justice stakeholders from all 3 branches of government. This Leadership Team worked with national partners to identify areas for improvement in Iowa's juvenile justice system, and a comprehensive statewide assessment of the system began.

Year Two: The results of the statewide assessment were announced, and recommendations were provided from national leaders on how to improve areas of concern. The SMART Leadership Team analyzed the recommendations and voted on priorities that should move forward. Smaller working groups were formed to continue the work of the grant.

Year Three: Smaller Working Groups have been tackling the identified priorities of the grant. When possible, these Working Groups have gone beyond planning to enact change. In areas where immediate action is not feasible, the groups are focused on creating a tangible plan for future progress.

The progress of the five working groups is as follows:

**Governance Working Group:** This team worked under the leadership of State Court Administrator Todd Nuccio to consider adding a high-level administrative position and additional support staff to lead a unified juvenile justice system with consistent policies and practices throughout the state for detention, assessment, diversion, and services. State Court Administration is currently seeking to hire a Director of Juvenile Court Services. In addition, this team worked with DHS to gather information regarding the possible transition of state-allocated graduated sanctions funds from DHS to State Court Administration.

During the 2019 session, legislation was passed concerning the transfer of graduated sanctions, court-ordered services, group foster care, and detention home funds from DHS to another entity for fiscal management and oversight. This work has been taken up by a new Working Group prescribed by the legislature, with a final report due to the Governor and General Assembly in December 2019.

**Detention Working Group:** This team is working to revise and correct the Detention Screening Tool (DST) to ensure accurate scoring. Revisions and corrections have been submitted to Judicial Branch Information Technology (JBIT), and a JBIT has provided a demonstration of preliminary fixes and improvements. This team will also develop statewide policy for use of the DST and create a plan for roll-out and training for consistent and

meaningful use of the tool across all districts. There has been verbal consensus on draft DST policy, and a written draft is currently underway.

**IDA Policy Working Group:** This team developed a statewide policy for the use of the Iowa Delinquency Assessment (IDA) and submitted the policy to the Chief Juvenile Court Officers in March 2019. Staff and technical assistance providers with this team are now actively planning trainings utilizing an Inter-rater Reliability model to promote consistent use of the IDA across districts.

**Racial and Ethnic Disparities Working Group:** The standing Disproportionate Minority Contact (DMC) Subcommittee serves as this Working Group. This Working Group is supporting and assessing local juvenile diversion programs in four (4) Iowa communities with an eye towards recommending a statewide policy for diversion and keeping kids out of the juvenile justice system. This Working Group is also assessing existing implicit and explicit bias trainings for juvenile justice partners.

**Deep-End Girls and Extension of Juvenile Court Jurisdiction Working Group:** The standing Iowa Task Force for Young Women serves as this Working Group. This Working Group was instrumental in the creation of the Iowa Girls' Justice Initiative (IGJI) Report in 2017, which explored and made recommendations on the lack of services for girls deep into the juvenile justice system; this group will lend its expertise to the statewide comprehensive planning for this problem. This Working Group is also exploring the merit of extension of juvenile court jurisdiction beyond the age of 18.

#### Juvenile Reentry Systems (JReS)

In the fall of 2015, CJP was one of three jurisdictions awarded competitive funding for a reentry implementation grant. In the fall of 2018, Iowa learned that it would receive a no-cost extension on the grant through September of 2019. An update regarding the extension-related activities is provided below. Iowa's effort, known as Juvenile Reentry Systems (JReS), seeks a 50% recidivism reduction for delinquent youth returning from the State Training School for Boys (STS) and from three group care settings (Forest Ridge, Four Oaks, and Woodward Academy). CJP staffs a diverse Juvenile Reentry Task Force (JRTF) which has developed and is implementing a comprehensive statewide juvenile reentry action plan. Key JRTF members include: judges, private youth serving agencies, STS, local school officials, the State Aftercare Services Network (IASN), system youth, and multiple state departments --- State Court Administration (SCA), JCS, Education (DE), Human Services (DHS), Workforce Development (IWD), Vocational Rehabilitation Services (IVRS), , and Health (DPH).

There are many JReS implementation activities including: newly developed re-entry policy products for JCS, IWD, and IVRS; expansion of Youth Transition Decision Making Team meetings; efforts with the Office of the Chief Information Officer (OCIO) to develop a web application to assist with outcomes and performance measures for the Youth Transition Decision Making (YTDM) model; local school district surveys providing information on youth returning from placement; a universal referral form for youth entering group care, and

integration of available services and supports. As a result of the work Iowa now supports a newly established reentry structure for its juvenile justice system youth.

As a result of the recently approved grant extension, CJJP IS expand its work to new placement settings (Clarinda Academy, Family Resources, Lutheran Services in Iowa, Young House, and Youth homes of Mid-American) in the Spring/Summer of 2019). That work has included coordination of efforts with JCS, DE, IASN/DHS, IWD, and IVRS to finalize reentry-related policies and training for the new placement settings and state partners in the expanded jurisdictions.

#### Iowa Juvenile Detention Screening Tool (DST)

The Iowa DST is a predictive tool to measure risk to re-offend, in an effort to objectively determine the need for secure confinement of youth. CJJP staffs the DST Working Group, collects screening data, and provides analysis and validation of the DST. The tool has been utilized in various forms in multiple counties since mid-2009 and was most recently validated in 2014. An automated version of the tool is used statewide and CJIS is in a current partnership with Judicial Branch Information Technology (JBIT) to make corrections and improvements to the automated tool. The DST Working Group has recently completed drafting statewide policy for the use of the tool. CJJP is partnering with the Crime and Justice Institute (CJI) to develop a plan for roll-out and training on the updated tool and policy. The various agencies and partners involved in this initiative include SCA, JCS, law enforcement, and detention center staff and CJJP.

#### Juvenile Justice Decision Matrix (JJDM)

This instrument is a form of structured decision-making intended to assist juvenile justice system officials in determining the most appropriate level of supervision and type of service for youth based on historical Iowa data, thereby maximizing recidivism reduction.

The creation of a Decision Matrix has evolved based on the work of an advisory team which was seated to establish protocols for the Decision Matrix and to oversee a pilot of the tool in 2019 to determine its validity. That pilot process is currently underway in two local jurisdictions and will yield data that will allow for validation of this Iowa specific tool. Additional local jurisdictions may be folded into the pilot process in order to assure a sufficient volume of data is able to be collected.

#### Standardized Program Evaluation Protocol (SPEP)

The SPEP is a diagnostic tool that is used to evaluate juvenile justice services and determine the likely effectiveness of services for delinquent youth in terms of recidivism reduction when compared to an extensive delinquency service research base.

The grant that originally supported this and the Decision Matrix effort has ended, but CJJP has sought other funding sources in order to allow this important work to continue. The current strategy for the SPEP involves the creation of a statewide inventory of all community-

based services used for youth in the juvenile justice system. This allows all judicial districts to be “SPEP ready” and will maximize utility within other ongoing system improvement work.

Additionally, CJJP has restructured the way it manages the federal Title II funding that passes through and out to all eight judicial districts to fund services for youth. The SPEP is now a required part of that funding structure. This is one of the ways that CJJP has sought to institutionalize and sustain the use of the SPEP.

#### Juvenile Detention Alternative Initiative (JDAI)\*

Since 2006, Iowa has participated in the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative (JDAI). This national technical assistance initiative involves key reform principles including leadership engagement, data utilization, implementation of a juvenile detention screening instrument, use of alternatives to detention, efforts to affect DMC, etc. As a result of Casey Foundation and other support, JCS have been piloting an electronic version of the DST on the judicial state-level case management system. That pilot identified a number of functionality issues. A team of juvenile justice system officials is reviewing the implementation and functionality of the DST. Utilization/implementation policy for the DST is also being drafted. The DST evaluation effort is being coordinated with national consultants assisting Iowa’s JJSI project (described above).

Other key activities related to JDAI include: reducing the use of detention for low risk delinquents, while increasing the availability of detention alternatives; the provision of state and local data; and the engagement of local officials in planning efforts related to DMC and detention reform.

#### Federal Juvenile Justice and Delinquency Prevention Act as reauthorized through the Juvenile Justice Reform Act (JJRA)\*

For the first time in 16 years the JJDPA was reauthorized in 2018 by the enactment of the Juvenile Justice Reform Act (JJRA). The core requirements of the JJDPA remain intact, and are expanded by the JJRA. CJJP is Iowa’s official implementing agency for the JJRA, Public Law 115-385, Enacted December 21, 2018. As previously noted, the JJAC is a governor-appointed board advising CJJP regarding JJRA implementation. The JJRA contains core protections relating to secure holds for youth, facility monitoring requirements, and the processing of minority youth in the delinquency system.

To remain in compliance with the JJRA, Iowa’s legislature will need to enact legislation addressing youth under adult court jurisdiction and awaiting trial. To be detained in a county jail these youth must be provided a hearing to determine whether the youth, facilities, and public safety are better served by the youth being detained in the county jail rather than in a juvenile detention facility. This new state legislation must be enacted by December 2021 for help Iowa maintain compliance with the JJDPA. CJJP, working with the JJAC and other juvenile justice system officials will seek to introduce a bill for compliance during the 2020 legislative session.

On behalf of Iowa, CJJP develops and submits a comprehensive three-year juvenile justice plan as a requirement and annual updates of its participation in JJRA. Submission of the three-year plan (with annual updates) and associated monitoring efforts are required for Iowa's receipt of JJRA block grant, Title II, funding. The majority of Title II dollars are distributed to Iowa's eight judicial district Juvenile Court Services (JCS) offices via a child population formula. Other efforts supported with JJRA funds include:

- Effective and Promising Juvenile Justice System Approaches
- Mental Health, Substance Abuse and Trauma
- Disproportionate Minority Contact
- Female Equity

#### Juvenile Compliance Monitoring

To maintain compliance with three of the four core requirements (deinstitutionalization of status offenders, jail removal, and sight and sound separation) of the federal JJDP/JJRA, CJJP gathers pertinent data from law enforcement agencies and youth service providers (both private and public) across Iowa. In addition to this data collection and review, CJJP annually visits one-third of the facilities to perform data verification and facility reviews. CJJP must also perform on-site facility reviews of a sample of certain law enforcement agencies and youth service providers to determine the secure capacity of these agencies. An annual report is due to the federal Office of Juvenile Justice and Delinquency Prevention by the end of February.

#### Prison Rape Elimination Act (PREA)

The federal Prison Rape Elimination Act (PREA) addresses the prevention and elimination of sexual abuse and harassment of inmates detained in detention and correctional facilities for both adults and juveniles. Failure to comply with the mandates set forth by this act results in a reduction of federal funds received by the state through the Department of Justice. For CJJP, any reduction would affect the Title II funds received through the JJDP. The State of Iowa is responsible for ensuring that all detention and correctional programs under the operational control of the Governor through the Department of Corrections (DOC) and the Department of Human Services (DHS) meet the mandates set forth by PREA. This includes all state prisons, state farms, community correction programs and the State Training School for Boys in Eldora. Facilities under the operational control of the DOC and the DHS have completed audits for PREA compliance and will continue to complete additional audits on a three-year cycle.

#### National Youth in Transition Database (NYTD)

The National Youth in Transition Database (NYTD) is a federal requirement that mandates the Iowa Department of Human Services (DHS) collect outcome information on youth in foster care or other out-of-home placement. DHS contracts with CJJP to collect the outcome information and conduct a survey of youth in foster care or other out-of-home placement at age 17, also referred to as the baseline population. CJJP tracks these youth as they age and conducts a follow-up survey with a sample of youth at ages 19 and 21, also referred to as the follow-up population. Outcomes are derived from the survey which includes 24-27 questions that measure youth across six domains - educational attainment, financial self-sufficiency,

access to health insurance, experience with homelessness, and positive connections with adults.

Baseline surveys were completed in FFY2017. CJJP met federal compliance by surveying 90% of the baseline population and providing a required data report highlighting the outcomes<sup>3</sup>. In FFY2018, CJJP surveyed the 21 year-old follow-up population and again met federal compliance by surveying over 60% of those youth. A data report summarizing the information collected from the 21 year-old follow-up population is available on Iowa NYTD's website<sup>4</sup>. In FFY2019, CJJP surveyed the 19 year-old follow-up population and again met federal compliance by surveying over 60% of those youth. A data report summarizing the information collected from the 19 year-old follow-up population will be available in December, 2019. CJJP began the fourth round of NYTD surveys on October 1, 2019, and are obtaining the outcomes from a new baseline (17 year-old) population.

In addition to collecting survey results from these populations of youth, Iowa NYTD has also engaged youth through the following outreach activities:

- Hosting annual Creative Expressions Art Contests which invite all Iowa youth up to age 24 who have experienced foster care or other out-of-home placement to submit a work of art that captures the given theme of the contest.
- Partnering with local agencies to host the Iowa NYTD Expressive Creations Showcase and display the submitted art entries out in the community.
- Implementing an annual Youth Voice Project which began in November, 2018. The project asks youth to share one improvement they would like in Iowa's Juvenile Justice and/or Foster Care System. Results from the FFY2019 Talking Wall are available upon request.
- Collaborating with CJJP, the Juvenile ReEntry Systems Task Force, Achieving Maximum Potential (AMP), the Iowa Department of Public Health, the Boys' State Training School, and other state agencies to distribute and update the Iowa Youth Resources Website<sup>5</sup>. The site features seven videos and other resources designed to help youth who are transitioning to adulthood. The videos focus on employment, education, housing, medication, and other resources.
- Continuing to strengthen our ongoing partnerships with the Iowa Foster Care Youth Council, AMP, the Iowa Aftercare Network, and other local and state communities across Iowa as opportunities present themselves.

Overall, NYTD strives to promote youth voice by ensuring youth complete the survey and find additional creative ways for the youth voices to positively be heard.

## VIII. CODE MANDATED RESPONSIBILITIES

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<sup>3</sup> <https://sites.google.com/a/iowa.gov/national-transition-youth-database-nytd/annual-report/17-year-old-annual-reports>

<sup>4</sup> <https://sites.google.com/a/iowa.gov/national-transition-youth-database-nytd/annual-report/21-year-old-annual-report>

<sup>5</sup> <https://sites.google.com/a/iowa.gov/dhr-youth-services/>

### Correctional, Minority, and Fiscal Impact Statements

Iowa Code §2.56<sup>6</sup> provides that in cooperation with the Legislative Services Agency (LSA), CJP will submit correctional impact statements that examine proposed legislation for impact on the correctional system. Correctional impact statements also address the expected effect of a bill on minority populations. During SFY 2019, CJP was asked to prepare and provided 137 correctional impact analyses to LSA. CJP also provides fiscal impact analysis to determine revenue costs for prospective bills.

### Monitoring the Impact of Legislation\*

CJP issued its first state Legislation Monitoring Report in February 2002, covering the first six months' impact of SF 543 (which enacted a number of sentencing changes) on the justice system. Monitoring of the correctional impact of this bill was at the request of several members of the Legislature. Since then, the Criminal and Juvenile Justice Planning Advisory Council (CJJPAC) has requested that CJP monitor the correctional impact of enacted legislation of particular interest. Completion of this report fulfills the Council's legislative obligations outlined in Iowa Code §216A.133. This section of the Code instructs the CJJPAC, a council staffed by CJP, to examine and provide analysis of criminal and juvenile justice policy and "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."

### Prison Forecast\*

CJP collects and analyzes data in an effort to project Iowa's prison population and provides an annual forecast to the Department of Corrections, as well as the Legislative Services Agency and Department of Management. Iowa Code §216A.137 mandates that CJP "maintain an Iowa correctional policy project for the purpose of conducting analyses of major correctional issues affecting criminal and juvenile justice."<sup>7</sup> The report analyzes current offender behaviors and system policies and practices to predict the growth of Iowa's prison population. The report is not a predictor of future prison populations, but a forecast of the population if the current policies, sentencing laws, and offender behaviors remain constant. The report also provides suggested actions that could reduce the prison population. A report will be submitted to the General Assembly by December, 2019.

### Criminal and Juvenile Justice System Plans\*

Iowa Code §216A.135 instructs CJP to develop long-range criminal and juvenile justice goals. CJP has utilized the Criminal and Juvenile Justice Planning Advisory Council (CJJPAC) and the Juvenile Justice Advisory Council (JJAC) to coordinate planning activities. The long-range goals cover a wide variety of topics and offer a framework to define and assess current practices. Collectively, these long-range goals are meant to provide a single source of direction to the complex assortment of practitioners and policymakers whose individual concerns and decisions collectively define the nature and effectiveness of Iowa's justice system. As previously mentioned, HF 364 enacted in FY2019 modifies the criteria of this report from five-year system goal recommendations to three-year recommendations.

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<sup>6</sup> <https://www.legis.iowa.gov/docs/code/2.56.pdf>

<sup>7</sup> <https://www.legis.iowa.gov/docs/code/216A.pdf>