

Reprinted

FEB 19 1990

HOUSE FILE 2468
BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

Place On Calendar

(SUCCESSOR TO HSB 795)

Passed House, Date 2/28/90 (p. 701) Passed Senate, Date 3/15/90 (P.1104)
Vote: Ayes 94 Nays 1 Vote: Ayes 44 Nays 0
Approved March 30, 1990

A BILL FOR

- 1 An Act relating to the establishment of the division of criminal
- 2 justice planning and providing an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2468

H-5370

- 1 Amend House File 2468 as follows:
- 2 1. Page 2, by striking lines 2 and 3, and in-
- 3 sserting the following: "representatives shall be ex
- 4 officio members and shall be appointed by the majority
- 5 and minority leaders of the senate and the speaker and
- 6 minority".

By CLARK of Cerro Gordo

H-5370 FILED FEBRUARY 27, 1990

Adopted 2/23 (p. 701)

HF 2468

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1 this project and shall report project plans and findings
 2 annually along with the report required in section 601K.135.
 3 Issues and studies to be considered by the council shall
 4 include, but are not limited to a review of the information
 5 systems available to assess corrections trends and program
 6 effectiveness, the development of an evaluation plan for
 7 assessing the impact of corrections expenditures, a study of
 8 the desirability and feasibility of changing the state's
 9 sentencing practices, a public opinion survey to assess the
 10 public's view of possible changes in current corrections
 11 practices, and the development of parole guidelines.

12 Sec. 6.

13 The term of a member of the council which expires April 30,
 14 1990, shall continue until the effective date of this Act.

15 Sec. 7.

16 Section 6 of this Act, deemed of immediate importance,
 17 takes effect upon enactment.

18 EXPLANATION

19 This bill renames the division of criminal and juvenile
 20 justice planning the division of criminal justice planning.
 21 The council established to direct the activities of the
 22 division is expanded from 13 members to 21 members. The
 23 division is directed to establish and maintain an Iowa
 24 correctional policy project for the purpose of conducting
 25 analyses of major correctional issues affecting the criminal
 26 and juvenile justice system.

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**HOUSE FILE 2468
FISCAL NOTE**

A fiscal note for House File 2468 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2468 renames the Division of Criminal and Juvenile Justice Planning to the Division of Criminal Justice Planning. The duties of the Division are expanded. The Division is directed to establish and maintain an Iowa correctional policy project for the purpose of conducting analyses of major correctional issues affecting the criminal and juvenile justice system. The Council is increased from 13 to 21 members.

Assumptions

1. Expanding the duties for the Division will result in increasing the need for additional resources.
2. Increasing the number of Council members will increase travel and expense costs of Council meetings.
3. One-time costs will be incurred for computer and office equipment.

Fiscal Impact

The Criminal and Juvenile Justice Planning Division estimates that the fiscal impact of House File 2468 is \$205,300 and five FTE positions during FY 1991 and \$190,400 during FY 1992. The costs decrease in FY 1992 due to one-time purchases of equipment during FY 1991. Fewer resources would decrease the scope of the correctional policy project.

Source: Criminal and Juvenile Justice Planning Division (LSB 8319hv, BAL)

FILED FEBRUARY 19, 1990

BY DENNIS PROUTY, FISCAL DIRECTOR

Sen Judiciary 5/2

HOUSE FILE 2468
BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(SUCCESSOR TO HSB 795)

(As Amended and Passed by the House February 28, 1990)

Re Passed House, Date 3/20/90 (p.1334) Passed Senate, Date 3/15/90 (p.1104)

Vote: Ayes 76 Nays 0 Vote: Ayes 44 Nays 0

Approved March 30, 1990

A BILL FOR

1 An Act relating to the establishment of the division of criminal
2 justice planning and providing an effective date.

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

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House Amendments _____

1 Section 1. Section 601K.131, Code 1989, is amended to read
2 as follows:

3 601K.131 DEFINITIONS.

4 For the purpose of this subchapter, unless the context
5 otherwise requires:

6 1. "Council" means the criminal ~~and-juvenile~~ justice
7 planning advisory council.

8 2. "Division" means the division of criminal ~~and-juvenile~~
9 justice planning.

10 3. "Administrator" means the administrator of the division
11 of criminal ~~and-juvenile~~ justice planning.

12 Sec. 2. Section 601K.132, Code 1989, is amended to read as
13 follows:

14 601K.132 COUNCIL ESTABLISHED -- TERMS -- COMPENSATION.

15 A criminal ~~and-juvenile~~ justice planning advisory council
16 is established consisting of ~~thirteen~~ twenty-one members. The
17 governor shall appoint seven members each for a four-year term
18 beginning and ending as provided in section 69.19 and subject
19 to confirmation by the senate as follows:

20 1. Three persons, each of whom is a county supervisor,
21 county sheriff, mayor, city chief of police, or county
22 attorney.

23 2. Two persons who represent the general public and are
24 not employed in any law enforcement, judicial, or corrections
25 capacity.

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

28 The departments of ~~human-rights~~, human services,
29 corrections, and public safety, the division of substance
30 abuse of the Iowa department of public health, the chairperson
31 of the board of parole, the attorney general, the state public
32 defender, and the chief justice of the supreme court shall
33 each designate a person to serve on the council.

34 The chief justice of the supreme court shall appoint two
35 additional members currently serving as district judges. Two

1 members of the senate and two members of the house of
2 representatives shall be ex officio members and shall be
3 appointed by the majority and minority leaders of the senate
4 and the speaker and minority leader of the house of
5 representatives pursuant to section 69.16. Members appointed
6 pursuant to this paragraph shall serve for four-year terms
7 beginning and ending as provided in section 69.19 unless the
8 member ceases to serve as a district court judge or as a
9 member of the senate or of the house of representatives.

10 Members of the council shall receive reimbursement from the
11 state for actual and necessary expenses incurred in the
12 performance of their official duties. Members may also be
13 eligible to receive compensation as provided in section 7E.6.

14 Sec. 3. Section 601K.133, Code 1989, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 7. Maintain an Iowa correctional policy
17 project as provided in section 601K.137.

18 Sec. 4. Section 601K.136, Code 1989, is amended to read as
19 follows:

20 601K.136 STATISTICAL ANALYSIS CENTER.

21 The division shall maintain an Iowa statistical analysis
22 center for the purpose of coordinating with data resource
23 agencies to provide data and analytical information to
24 federal, state, and local governments, and assist agencies in
25 the use of criminal and juvenile justice data. The division
26 of criminal ~~and-jvenile~~ justice planning and the statistical
27 analysis center are considered criminal justice agencies for
28 the purposes of receiving criminal history data.

29 Sec. 5. NEW SECTION. 601K.137 CORRECTIONAL POLICY
30 PROJECT.

31 The division shall maintain an Iowa correctional policy
32 project for the purpose of conducting analyses of major
33 correctional issues affecting the criminal and juvenile
34 justice system. The council shall identify and prioritize the
35 issues and studies to be addressed by the division through

1 this project and shall report project plans and findings
2 annually along with the report required in section 601K.135.
3 Issues and studies to be considered by the council shall
4 include, but are not limited to a review of the information
5 systems available to assess corrections trends and program
6 effectiveness, the development of an evaluation plan for
7 assessing the impact of corrections expenditures, a study of
8 the desirability and feasibility of changing the state's
9 sentencing practices, a public opinion survey to assess the
10 public's view of possible changes in current corrections
11 practices, and the development of parole guidelines.

12 Sec. 6.

13 The term of a member of the council which expires April 30,
14 1990, shall continue until the effective date of this Act.

15 Sec. 7.

16 Section 6 of this Act, deemed of immediate importance,
17 takes effect upon enactment.

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HOUSE FILE 2468

S-5456

- 1 Amend House File 2468, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 6, by striking the words "and
4 juvenile" and inserting the following: "and
5 juvenile".
6 2. Page 1, line 8, by striking the words "and
7 juvenile" and inserting the following: "and
8 juvenile".
9 3. Page 1, line 11, by striking the words "and
10 juvenile" and inserting the following: "and
11 juvenile".
12 4. Page 1, line 15, by striking the words "and
13 juvenile" and inserting the following: "and
14 juvenile".
15 5. Page 1, by striking line 23 and inserting the
16 following:
17 "2. ~~Two-persons~~ One person who represent
18 represents the general public and ~~are is~~".
19 6. Page 1, line 29, by inserting after the word
20 "safety," the following: "the division on the status
21 of blacks,".
22 7. Page 2, line 26, by striking the words "and
23 juvenile" and inserting the following: "and
24 juvenile".
25 8. Page 3, by inserting after line 11, the
26 following:
27 "The division may form subcommittees for the
28 purpose addressing major correctional issues affecting
29 the criminal and juvenile justice system. The
30 division shall establish a subcommittee to address
31 issues specifically affecting the juvenile justice
32 system."

By COMMITTEE ON JUDICIARY
RICHARD VARN, Chairperson

S-5456 FILED MARCH 12, 1990

Adopted as amended by S-487 3/15 (p. 1104)

HOUSE FILE 2468

S-5487

- 1 Amend the Committee amendment, S-5456, to House
2 File 2468 as amended, passed and reprinted by the
3 House, as follows:
4 1. Page 1, by inserting after line 14 the
5 following:
6 "____. Page 1, line 16, by striking the word
7 "twenty-one" and inserting the following: "twenty-
8 two".
9 2. Page 1, by striking lines 15 through 18.

By MICHAEL E. GRONSTAL

S-5487 FILED MARCH 14, 1990

Adopted 3/15 (p. 1184)

SENATE AMENDMENT TO HOUSE FILE 2468

H-5730

1 Amend House File 2468, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 6, by striking the words "and
4 juvenile" and inserting the following: "and
5 juvenile".

6 2. Page 1, line 8, by striking the words "and
7 juvenile" and inserting the following: "and
8 juvenile".

9 3. Page 1, line 11, by striking the words "and
10 juvenile" and inserting the following: "and
11 juvenile".

12 4. Page 1, line 15, by striking the words "and
13 juvenile" and inserting the following: "and
14 juvenile".

15 5. Page 1, line 16, by striking the word "twenty-
16 one" and inserting the following: "twenty-two"

17 6. Page 1, line 29, by inserting after the word
18 "safety," the following: "the division on the status
19 of blacks,".

20 7. Page 2, line 26, by striking the words "and
21 juvenile" and inserting the following: "and
22 juvenile".

23 8. Page 3, by inserting after line 11, the
24 following:

25 "The division may form subcommittees for the
26 purpose addressing major correctional issues affecting
27 the criminal and juvenile justice system. The
28 division shall establish a subcommittee to address
29 issues specifically affecting the juvenile justice
30 system."

RECEIVED FROM THE SENATE

H-5730 FILED MARCH 15, 1990

House concurred 3/20 (p. 1234)

NSB 795

Judiciary & Law Enforcement

HOUSE FILE 2468
BY (PROPOSED COMMITTEE ON
JUDICIARY AND LAW
ENFORCEMENT BILL BY
CHAIRPERSON JAY)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the establishment of the division of criminal
2 justice planning and providing an effective date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 601K.131, Code 1989, is amended to read
2 as follows:

3 601K.131 DEFINITIONS.

4 For the purpose of this subchapter, unless the context
5 otherwise requires:

6 1. "Council" means the criminal and-juvenile justice
7 planning advisory council.

8 2. "Division" means the division of criminal and-juvenile
9 justice planning.

10 3. "Administrator" means the administrator of the division
11 of criminal and-juvenile justice planning.

12 Sec. 2. Section 601K.132, Code 1989, is amended to read as
13 follows:

14 601K.132 COUNCIL ESTABLISHED -- TERMS -- COMPENSATION.

15 A criminal and-juvenile justice planning advisory council
16 is established consisting of thirteen twenty-one members. The
17 governor shall appoint seven members each for a four-year term
18 beginning and ending as provided in section 69.19 and subject
19 to confirmation by the senate as follows:

20 1. Three persons, each of whom is a county supervisor,
21 county sheriff, mayor, city chief of police, or county
22 attorney.

23 2. Two persons who represent the general public and are
24 not employed in any law enforcement, judicial, or corrections
25 capacity.

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

28 The departments of ~~human-rights~~, human services,
29 corrections, and public safety, the division of substance
30 abuse of the Iowa department of public health, the chairperson
31 of the board of parole, the attorney general, the state public
32 defender, and the chief justice of the supreme court shall
33 each designate a person to serve on the council.

34 The chief justice of the supreme court shall appoint two
35 additional members currently serving as district judges. Two

1 members of the senate and two members of the house of
2 representatives shall be appointed by the majority and
3 minority leader of the senate and the majority and minority
4 leader of the house of representatives pursuant to section
5 69.16. Members appointed pursuant to this paragraph shall
6 serve for four-year terms beginning and ending as provided in
7 section 69.19 unless the member ceases to serve as a district
8 court judge or as a member of the senate or of the house of
9 representatives.

10 Members of the council shall receive reimbursement from the
11 state for actual and necessary expenses incurred in the
12 performance of their official duties. Members may also be
13 eligible to receive compensation as provided in section 7E.6.

14 Sec. 3. Section 601K.133, Code 1989, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 7. Maintain an Iowa correctional policy
17 project as provided in section 601K.137.

18 Sec. 4. Section 601K.136, Code 1989, is amended to read as
19 follows:

20 601K.136 STATISTICAL ANALYSIS CENTER.

21 The division shall maintain an Iowa statistical analysis
22 center for the purpose of coordinating with data resource
23 agencies to provide data and analytical information to
24 federal, state, and local governments, and assist agencies in
25 the use of criminal and juvenile justice data. The division
26 of criminal and juvenile justice planning and the statistical
27 analysis center are considered criminal justice agencies for
28 the purposes of receiving criminal history data.

29 Sec. 5. NEW SECTION. 601K.137 CORRECTIONAL POLICY
30 PROJECT.

31 The division shall maintain an Iowa correctional policy
32 project for the purpose of conducting analyses of major
33 correctional issues affecting the criminal and juvenile
34 justice system. The council shall identify and prioritize the
35 issues and studies to be addressed by the division through

1 this project and shall report project plans and findings
2 annually along with the report required in section 601K.135.
3 Issues and studies to be considered by the council shall
4 include, but are not limited to a review of the information
5 systems available to assess corrections trends and program
6 effectiveness, the development of an evaluation plan for
7 assessing the impact of corrections expenditures, a study of
8 the desirability and feasibility of changing the state's
9 sentencing practices, a public opinion survey to assess the
10 public's view of possible changes in current corrections
11 practices, and the development of parole guidelines.

12 Sec. 6.

13 The term of a member of the council which expires April 30,
14 1990, shall continue until the effective date of this Act.

15 Sec. 7.

16 Section 6 of this Act, deemed of immediate importance,
17 takes effect upon enactment.

18 EXPLANATION

19 This bill renames the division of criminal and juvenile
20 justice planning the division of criminal justice planning.
21 The council established to direct the activities of the
22 division is expanded from 13 members to 21 members. The
23 division is directed to establish and maintain an Iowa
24 correctional policy project for the purpose of conducting
25 analyses of major correctional issues affecting the criminal
26 and juvenile justice system.

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HOUSE FILE 2468

AN ACT

RELATING TO THE ESTABLISHMENT OF THE DIVISION OF CRIMINAL JUSTICE PLANNING AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 601K.131, Code 1989, is amended to read as follows:

601K.131 DEFINITIONS.

For the purpose of this subchapter, unless the context otherwise requires:

1. "Council" means the criminal and juvenile justice planning advisory council.
2. "Division" means the division of criminal and juvenile justice planning.
3. "Administrator" means the administrator of the division of criminal and juvenile justice planning.

Sec. 2. Section 601K.132, Code 1989, is amended to read as follows:

601K.132 COUNCIL ESTABLISHED -- TERMS -- COMPENSATION.

A criminal and juvenile justice planning advisory council is established consisting of thirteen twenty-two 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, each of whom is a county supervisor, county sheriff, mayor, city chief of police, or county attorney.

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

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

The departments of human-rights, human services, corrections, and public safety, the division on the status of blacks, the division of substance abuse of the Iowa department of public health, the chairperson of the board of parole, the attorney general, the state public defender, and the chief justice of the supreme court shall each designate a person to serve on the council.

The chief justice of the supreme court shall appoint two additional members currently serving as district judges. Two members of the senate and two members of the house of representatives shall be ex officio members and shall be appointed by the majority and minority leaders of the senate and the speaker and minority leader of the house of representatives pursuant to section 69.16. Members appointed pursuant to this paragraph shall serve for four-year terms beginning and ending as provided in section 69.19 unless the member ceases to serve as a district court judge or as a member of the senate or of the house of representatives.

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

Sec. 3. Section 601K.133, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Maintain an Iowa correctional policy project as provided in section 601K.137.

Sec. 4. Section 601K.136, Code 1989, is amended to read as follows:

601K.136 STATISTICAL ANALYSIS CENTER.

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, and assist agencies in the use of criminal and juvenile justice data. The division of criminal and juvenile justice planning and the statistical analysis center are considered criminal justice agencies for the purposes of receiving criminal history data.

Sec. 5. NEW SECTION. 601K.137 CORRECTIONAL POLICY PROJECT.

The division shall maintain an Iowa correctional policy project for the purpose of conducting analyses of major correctional issues affecting the criminal and juvenile justice system. The council shall identify and prioritize the issues and studies to be addressed by the division through this project and shall report project plans and findings annually along with the report required in section 601K.135. Issues and studies to be considered by the council shall include, but are not limited to a review of the information systems available to assess corrections trends and program effectiveness, the development of an evaluation plan for assessing the impact of corrections expenditures, a study of the desirability and feasibility of changing the state's sentencing practices, a public opinion survey to assess the public's view of possible changes in current corrections practices, and the development of parole guidelines.

The division may form subcommittees for the purpose addressing major correctional issues affecting the criminal and juvenile justice system. The division shall establish a subcommittee to address issues specifically affecting the juvenile justice system.

Sec. 6.

The term of a member of the council which expires April 30, 1990, shall continue until the effective date of this Act.

Sec. 7.

Section 6 of this Act, deemed of immediate importance, takes effect upon enactment.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2468, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 30, 1990

TERRY E. BRANSTAD
Governor