

CHAPTER 1085DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING
— MISCELLANEOUS CHANGES

S.F. 2036

AN ACT relating to the division of criminal and juvenile justice planning of the department of human rights by making changes to the membership of the council, permitting access to the records of the department of workforce development, and modifying the sex offender treatment and supervision task force.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 216A.132, subsection 1, unnumbered paragraph 1, Code Supplement 2007, is amended to read as follows:

A criminal and juvenile justice planning advisory council is established consisting of ~~twenty-two~~ twenty-three members.

Sec. 2. Section 216A.132, subsection 1, paragraph b, Code Supplement 2007, is amended to read as follows:

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

Sec. 3. Section 216A.136, unnumbered paragraph 1, Code 2007, is amended to read as follows:

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. Notwithstanding any other provision of state law, unless prohibited by federal law or regulation, the division shall be granted access, for purposes of research and evaluation, to criminal history records, official juvenile court records, juvenile court social records, and any other data collected or under control of the board of parole, department of corrections, department of workforce development, district departments of correctional services, department of human services, judicial branch, and department of public safety. However, intelligence data and peace officer investigative reports maintained by the department of public safety shall not be considered data for the purposes of this section. Any record, data, or information obtained by the division under this section and the division itself is subject to the federal and state confidentiality laws and regulations which are applicable to the original record, data, or information obtained by the division and to the original custodian of the record, data, or information. The access shall include but is not limited to all of the following:

Sec. 4. Section 216A.136, Code 2007, is amended by adding the following new subsection: NEW SUBSECTION. 13. Employment records maintained under section 96.11.

Sec. 5. NEW SECTION. 216A.139 SEX OFFENDER RESEARCH COUNCIL.

1. The division shall 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.

2. Members of the council shall include members of the general assembly selected by the legislative council and one representative of each of the following:

- a. The department of corrections.
- b. The department of human services.
- c. The department of public safety.
- d. The state public defender.
- e. The department of public health.
- f. The juvenile court appointed by the judicial branch.
- g. A judicial district department of correctional services.
- h. The board of parole.
- i. The department of justice.
- j. The Iowa county attorneys association.
- k. The American civil liberties union of Iowa.
- l. The Iowa state sheriffs' and deputies' association.
- m. The Iowa coalition against sexual assault.

3. The council shall study the following:

- a. The effectiveness of electronically monitoring sex offenders.
- b. The cost and effectiveness of special sentences pursuant to chapter 903B.
- c. Risk assessment models created for sex offenders.
- d. Determining the best treatment programs available for sex offenders and the efforts of Iowa and other states to implement treatment programs.
- e. The efforts of Iowa and other states to prevent sex abuse related crimes including child sex abuse.
- f. Any other issues the council deems necessary, including but not limited to computer and internet sex-related crimes, sex offender case management, best practices for sex offender supervision, the sex offender registry, and the effectiveness of safety zones.

4. The council shall submit a report, beginning January 15, 2009, and every year thereafter by January 15, to the governor and general assembly regarding actions taken, issues studied, and council recommendations.

5. Members of the council shall receive actual and necessary expenses incurred while attending any meeting of the council and may also be eligible to receive compensation as provided in section 7E.6. All expense moneys paid to the nonlegislative members shall be paid from funds appropriated to the division. Legislative members shall receive compensation as provided in sections 2.10 and 2.12.

6. Vacancies shall be filled by the original appointing authority in the manner of the original appointments.

Sec. 6. 2005 Iowa Acts, chapter 158, section 52, is repealed.

Approved April 16, 2008