

LONG-RANGE GOALS FOR IOWA'S CRIMINAL & JUVENILE JUSTICE SYSTEMS

Submitted by

**The Iowa Criminal & Juvenile Justice Planning Advisory Council
and
The Iowa Juvenile Justice Advisory Council**

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INTRODUCTION

Iowa Code Section 216A.135 requires the Criminal and Juvenile Justice Planning Advisory Council (CJJ PAC) to submit a long-range plan for Iowa's justice system to the Governor and General Assembly every five years. The Criminal and Juvenile Justice Advisory Council directed that the 2005 plan be developed with input from the public. A public hearing was held in September 2004, utilizing the Iowa Communications Network at 5 sites across Iowa. Using the information gained, the Council developed new goals and strategies and modified others from the 2000 plan. The 2005 Long Range Goals for Iowa's Criminal and Juvenile Justice Systems, organized as follows, are meant to facilitate analyses and directions for justice system issues and concerns in Iowa:

PLANNING AREAS:

- **VIOLENCE REDUCTION AND CRIME PREVENTION**
- **PUBLIC CONFIDENCE IN THE JUSTICE SYSTEM**
- **MINORITY OVERREPRESENTATION IN THE JUSTICE SYSTEM**
- **MENTAL HEALTH SERVICES**
- **SUBSTANCE ABUSE SERVICES**
- **VICTIM SERVICES**
- **CORRECTIONAL RESOURCES**
- **INFORMATION SYSTEMS -- PLANNING AND MONITORING**
- **SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR ADULT OFFENDERS**
- **SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR JUVENILE OFFENDERS**

The attached plan builds upon work done over the last decade. The first plan developed after the creation of the Division of Criminal and Juvenile Justice Planning in 1986 was issued in 1990 and annually updated through 1994. Since 1992, the CJJPAC has been required to coordinate their planning activities with those of the Iowa Juvenile Justice Advisory Council (JJAC).

In 1995, these two councils developed a new plan consisting of a set of long-range justice system goals to assist policy makers and justice system practitioners as they plan and operate the justice system through the next twenty years. The statutory mandate for such long-range planning required the identification of goals specific enough to provide guidance, but broad enough to be of relevance over a long period of time. The long-range goals adopted by these councils in 1995 covered a wide variety of topics and offered a framework within which current practices could be defined and assessed. Collectively, these long-range goals were 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.

The twenty-year goals established in 1995 were reviewed by the councils in 2000 to assess their current relevance. It was determined that, with a few revisions, the goals established in 1995 should be restated in 2000 with a renewed emphasis on their long-range status. This plan builds upon those issued in 1995 and 2000, continuing much of the emphasis of plans, with some new directions charted as appropriate.

LONG-RANGE JUSTICE SYSTEM GOALS FOR IOWA

No single goal adopted by the CJJPAC and the JJAC and presented below is meant to take precedence over another. Just as the justice system is a complex system of many interrelated and overlapping components, these long-range goals should be viewed collectively as complementary to each other.

Many officials, practitioners and others will need to agree with these goals and work towards them cooperatively. This report, however, is primarily intended to serve as a guide to the Governor and General Assembly as they continue to respond to proposals and to develop initiatives to address immediate justice system issues and concerns. The goals were developed in recognition of much-publicized concerns and debates over crime and delinquency; they are offered to provide the state with a long-range vision with which to view the appropriateness of proposed reactions to current concerns.

It is recommended, as has been stated in the past versions as well, that no justice system policy or program change be made without a documented consideration of the extent to which the change will assist, and not hinder, the state's ability to attain these long-range goals. This recommendation is being reaffirmed through this new report.

Finally, the Councils recommend that all proposals to develop new laws or practices for Iowa's criminal and juvenile justice system should include plans that ensure an even balance between demands on the system and the system's resources and ability to meet the demands. Also, the identification and monitoring of performance measures and other benchmarks for justice system operations and improvements are encouraged as an important part of managing justice system resources.

VIOLENCE REDUCTION AND CRIME PREVENTION

GOAL: TO ESTABLISH IOWA AS THE STATE WITH THE LOWEST VIOLENT AND PROPERTY CRIME RATES IN THE NATION.

Achieve and maintain this status by preventing crime and reducing crime levels through:

- Developing and evaluating community-specific crime prevention and early intervention plans and activities involving public officials, service organizations and community coalitions to address:

DOMESTIC VIOLENCE
CHILD ABUSE
SUBSTANCE ABUSE
TEEN PREGNANCY
PARENTING SKILLS AND
FAMILY STABILITY
CITIZEN AND NEIGHBORHOOD
EMPOWERMENT

TRUANCY AND DROPOUTS
MENTAL HEALTH SERVICE NEEDS
CRIMINAL GANG ACTIVITIES AND
YOUTH PARTICIPATION IN GANGS
UNEMPLOYMENT
ECONOMIC OPPORTUNITIES
ILLITERACY
HOMELESSNESS

- Establishing state and local policies and initiatives to assist all of Iowa's youth feel useful, competent and invested in their community.
- Coordination of state, county and local law enforcement efforts that ensures an appropriate sharing of costs, resources and information for crime prevention, criminal investigations and the apprehension of law violators. Specifically, efforts should continue in the development of an integrated criminal justice information systems (CJIS).
- Funding, implementing and evaluating a continuum of sanctions and an array of services for adult offenders, delinquents and their families in their home communities that promote law-abiding behavior, family stability and community responsibility.
- Funding, implementing and evaluating monitoring practices that manage the risks presented by those delinquents and adult offenders providing community service and restitution or receiving community-based sanctions, education, training, counseling and treatment.
- Defining, structuring, implementing and evaluating a limited number of secure and other highly structured treatment facilities for a targeted group of delinquents selected according to their need for specialized services and their risk of re-offending.
- Developing and implementing policies and practices that ensure the availability of jail and prison space to incarcerate habitual serious offenders and violent offenders.

PUBLIC CONFIDENCE IN THE JUSTICE SYSTEM

GOAL: TO ESTABLISH A JUSTICE SYSTEM THAT IS OPERATING EFFICIENTLY, EFFECTIVELY AND EQUITABLY TO ENSURE PUBLIC CONFIDENCE.

Public confidence could be affected through:

- Clarification and appropriate alignment of responsibilities among local, county, state, and federal agencies and the executive and judicial branches of state government.
- Coordination and cooperation among all components of the criminal and juvenile justice system, including law enforcement, courts and correctional systems to ensure a seamless and consistent approach.
- Coordination among the justice system and other social and governmental systems and institutions to ensure that all parties approach prevention, corrections and treatment in a systematic and effective manner.
- Provision of qualified counsel to all indigent defendants in need of these services.
- Accessibility to all justice system buildings and services for individuals with disabilities.
- Improved identification, documentation and reporting of effective policies, programs and sanctions.
- Consistent use of sanctions that hold offenders accountable and provide restitution to their victims and their communities.
- Consistent use of sanctions and offender programming, services and treatment that reduce repeat offending.
- Efforts to build consensus on appropriate sentence lengths, terms of imprisonment and the retributive and punitive nature of other sanctions.
- Improved reporting and increased awareness of the actual volume and nature of crime in Iowa.
- Increased victim supports and participation in the system; extending services and outreach to all crime victims, especially victims of violent crimes, including victims of domestic violence and sexual assault.
- Improved cultural competence throughout the justice system, including the provision of culturally appropriate programming and services for offenders and victims.
- Improved effectiveness for women and girls involved with the justice system through the provision of female responsive programming and services for offenders and victims.
- Continuing to explore automatic restoration of voting rights upon successful completion of all sanctions.

MINORITY OVERREPRESENTATION IN THE JUSTICE SYSTEM

GOAL: TO HAVE ALL ASPECTS OF THE JUSTICE SYSTEM FREE OF BIAS, PERCEIVED BIAS AND DISPARATE TREATMENT OF OFFENDERS, VICTIMS OR WITNESSES.

Bias has been documented within segments of the justice system. It also has been perceived to exist throughout other system components and proceedings. Elimination of bias and the perception of bias can be sought through:

- Increased citizen participation in the system through community and neighborhood crime prevention groups, use of volunteers in system agencies and public participation in the development and review of system policies and activities.
- Increased public awareness of system policies, practices, operations and limitations.
- Appropriate and ongoing training of system officials and agency personnel.
- Provision of qualified counsel to all indigent defendants in need of these services.
- Improved cultural competence throughout the justice system, including the provision of culturally appropriate programming and services for offenders and victims.
- Development and strengthening of state, local and agency policies and practices that ensure equity in offenders' and alleged offenders' exposure and access to the justice system's many and varied types of procedures, sanctions, levels of supervision, services and treatment.
- Development of supervision approaches, treatment programs and other services culturally and environmentally specific and appropriate to meet the needs of persons with diverse cultural backgrounds and life-styles.
- Recruitment and retention of minority persons in all levels of employment and volunteer activities throughout the justice systems.
- Identification and monitoring of statewide, local and agency-specific indicators of bias to enhance public awareness.

MENTAL HEALTH TREATMENT

GOAL: TO PROVIDE APPROPRIATE INTERVENTION AND TREATMENT SERVICES TO MENTALLY ILL OFFENDERS IN THE JUSTICE SYSTEM.

The Department of Corrections estimates that 1 in 5 prisoners has a diagnosis of mental illness. Appropriate treatment, both in community-based settings and in the institutions, can alleviate demands on the prisons, improve outcomes for offenders, reduce recidivism, and provide better long-term protection of the public. Addressing and improving the outcomes for offenders with mental illness should include consideration of the following:

- Expanded use of mental health courts, similar to drug courts, for offenders whose primary problem is mental illness.
- Include identification of mental health issues a routine part of the pre-sentence investigation process and juvenile court intake process.
- Identifying and developing community resources to provide services to defendants with a mental illness.
- Provide a continuum of mental health services to offenders, including services and medication while incarcerated and proper referrals and support services once released into the community.
- Provide appropriate secure placements and or services for jail detainees with mental health diagnoses.
- Provide training to law enforcement personnel and other criminal and juvenile justice personnel to recognize potential mental health issues or problems.
- Provide input to the children's mental health system redesign to ensure that the needs of the increasing population of children with mental health issues in the juvenile justice system are considered.
- Continue to work with juvenile justice systems around the issues of mental health assessment and staff training to improve outcomes for juveniles with mental health issues.
- Establishment of additional mental health supervision/probation programs such as dual/diagnosis/co-occurring/jail release to ensure appropriate treatment and supervision.

SUBSTANCE ABUSE TREATMENT

GOAL: TO PROVIDE APPROPRIATE INTERVENTION AND TREATMENT SERVICES TO OFFENDERS IN THE JUSTICE SYSTEM WITH SUBSTANCE ABUSE PROBLEMS.

About 80% of all prison inmates in Iowa admit to using or abusing alcohol or controlled substances. Adequate diagnosis and treatment of substance abuse problems can lead to reduced recidivism and improved public safety. Addressing and improving the outcomes for offenders with substance abuse problems should include consideration of the following:

- Expanded use of drug courts using research-based approaches and methodologies for offenders with substance abuse problems or co-occurring disorders.
- Identifying and developing community resources to provide services to defendants with substance abuse problems.
- Provide a continuum of substance abuse treatment services to offenders, including services while incarcerated and proper referrals and support services once released into the community.
- Provide treatment alternatives to incarceration, based on accepted criteria and guidelines, when appropriate.
- Support the expansion of drug courts as well as substance abuse treatment services for juveniles at the community and institutional placement levels.
- Support the development of a continuum of services that follow youth with substance abuse issues from the community to placement and from placement back to the community.

Further, the Council supports the following recommendations from the Department of Corrections' study of critical issues specific to substance abuse, as included in "Iowa's Drug Control Strategy, 2004," published by the Governor's Office of Drug Control Policy:

- Criteria should be established on a state-wide basis for success or failure in substance abuse treatment, including treatment absences and tests for continuing drug use.
- Offender monitoring should include regular receipt of progress reports and regular staffing by corrections and substance abuse professionals.
- Establish a system-wide battery of assessment tools for evaluating criminal risk/needs as well as substance abuse needs. Assessment should include addiction severity, type of drug choice and cognitive skill deficits.
- Community and prison substance abuse treatment capacity should be expanded to ensure that waiting time to enter a residential treatment program is no more than fourteen (14) days.
- Substance abuse programs should increase their emphasis on cognitive restructuring issues and methodologies such as increased focus on criminal thinking errors, problem solving, anger management, family violence coping skills and relapse prevention.

VICTIM SERVICES

GOAL: TO ENSURE SERVICES FOR VICTIMS OF CRIME SHOULD BE AN INTEGRAL PART OF THE JUSTICE SYSTEM IN IOWA.

Justice is served when all those affected by crime are considered in the system. Victim services should be a component of criminal justice proceedings. This can be accomplished by:

- Ensure victim supports and participation in the system; extending services and outreach to all crime victims, especially victims of violent crimes as well as victims of domestic violence and sexual assault.
- Ensure that victims of domestic violence have access to emergency shelter 24 hours a day/7 days a week within their counties of residence.
- Ensure that all counties implement all the provisions in current victims' rights legislation.
- Enhancing prison and jail work programs to provide inmates with income with which to make restitution, and strengthening community-based programs' activities to facilitate offender restitution, community service and other forms of victim/community reparation.
- Ensure access to crisis response services for all sexual assault victims.

CORRECTIONAL RESOURCES

GOAL: TO ENSURE CORRECTIONAL RESOURCES ARE SUFFICIENT TO MEET CURRENT AND FORESEEABLE NEEDS

The number of Iowa inmates has dramatically increased in the last ten years. Legislation requiring mandatory prison and minimum sentences, law enforcement initiatives, increases in methamphetamine-related offenses, and other factors has stretched Iowa's correctional resources to their intended limits and beyond. A crisis is inevitable unless there is an increase in correctional resources, a reduction in the pressure on correctional resources, or a combination of these. Possible actions include:

- Build additional prisons or expand existing prisons, including providing for sufficient staff.
- Increase corrections staff at existing prisons.
- Explore the provision of less restrictive, medically appropriate placements for medically incapacitated inmates.
- Increase resources for Community Based Corrections and reliance on CBC as an alternative to prison.
- Reform of Iowa's sentencing laws to permit more discretion by judges and the Board of Parole.
- Accelerate placement and release of paroled inmates.

The Council makes no recommendation as to which of these actions are appropriate, either by themselves or in combination. The Council's members include judges, prosecutors, defense lawyers, peace officers, and others with widely differing perspectives on the criminal justice system and, accordingly, opinions on the best approach. However, the Council is unanimous that action must be taken soon to ensure Iowa's correctional resources are sufficient to meet current and foreseeable needs.

The Council does recommend the provision of adequate resources for training, education and treatment services that have been proven effective in reducing recidivism.

Iowa's continuum of corrections sanctions seeks the appropriate level of supervision to meet the needs of public protection and provide sanctions commensurate with seriousness of offenses, while facilitating use of the most cost-effective sanctions and thereby maximizing the return on investment for each corrections dollar spent. The justice system must necessarily operate with the resources it is given. Subjective considerations of justice must be balanced by what we are willing to pay to operate the justice system, lest the sanctions themselves lose their meaning.

INFORMATION SYSTEMS

GOAL: TO ESTABLISH INTEGRATED JUSTICE SYSTEM INFORMATION REPORTING CAPABILITIES AND PROCEDURES TO PROVIDE PRACTITIONERS, OFFICIALS AND POLICY MAKERS WITH THE INFORMATION THEY NEED TO CARRY OUT THEIR RESPONSIBILITIES, INCLUDING EVALUATION AND MONITORING ACTIVITIES, WHILE ASSURING THAT APPROPRIATE SAFEGUARDS PROTECTING PRIVACY SECURITY, AND CONFIDENTIALITY OF INFORMATION ARE IMPLEMENTED.

Information systems to more fully develop, improve and integrate:

- Incident-Based Uniform Crime Reports
- Criminal History Records
- Prosecution Activities and Outcomes
- Iowa Court Information System
- Department of Corrections Information Systems
- Department of Human Services Information Systems
- Division of Substance Abuse and Health Promotion Information Systems
- Criminal Intelligence Information

Information needed from data systems: Case-specific data for

- Investigations and arrests
- Background checks
- Release/custody decisions
- Adult court charging and sentencing decisions
- Juvenile court intake and disposition decisions
- Supervision, service and treatment planning and monitoring
- Program and service eligibility determinations
- Linking and tracking activities involving an individual involved with multiple systems

State, local and program-specific aggregate data for

- Budget development and resource allocation
- Policy & program evaluation and monitoring
- Linking and tracking activities involving programs and groups of individuals involved with multiple systems

Technology:

- Support the use of advanced technologies to maximize efficiency and promote effective and equitable justice services.
- Further develop the capacity of state and local law enforcement bodies to identify and prosecute computer crimes.

Public/Private Information:

- Ensure the accuracy and reliability of data.
- Develop policies and safeguards to ensure the appropriate dissemination of public information and protecting private information.
- Develop policies and safeguards to ensure the appropriate retention of data.
- Develop policies and methodologies to ensure accessibility to public information.
- Develop and implement effective policies to safeguard the security and integrity of criminal and juvenile justice data.

SANCTIONS, SUPERVISION, TREATMENT, AND SERVICES FOR ADULT OFFENDERS

GOAL: TO IMPLEMENT EVIDENCE-BASED SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR ADULT OFFENDERS THAT ARE EQUALLY ACCESSIBLE AND APPLIED CONSISTENTLY ACROSS THE STATE.

Strategies that have been documented as effective can help address such concerns as 1) deterring offenders and potential offenders from engaging in future criminal behavior; 2) protecting the public and managing offender risks in a cost-effective manner using the least restrictive measures; 3) providing adult offenders with requirements and opportunities to make reparation and restitution to their victims; and 4) providing adult offenders with the opportunity to maintain, regain or achieve the capacity to remain in, or return to, the general population as law abiding, contributing citizens.

Achieving this goal will involve the continuation or development of a variety of activities and initiatives:

- Determining the relative deterrent effects of various sanctions comprising Iowa's corrections continuum, and determining how such deterrent effects vary for people with different backgrounds, education and skill levels, impulse control and rational-thinking capacities, ties to family and community, etc.
- Establishing or strengthening risk assessment and risk management procedures for all stages of justice system decision-making.
- Defining, structuring and supporting the use of intermediate sanctions and improving offender assessment and monitoring tools to help court, parole, and correctional officials select and provide sanctions, supervision, treatment and other services that are appropriate to offenders' needs and the public safety risks they present.
- Ongoing review and improvement of the ability of prisons and jails to serve as deterrents, to incapacitate habitual repeat offenders and violent predators, and to provide treatment and services needed by incarcerated offenders who will be returning to the general population to increase their skills and capacities to be law-abiding, contributing citizens.
- Expanding current capacity to evaluate the effectiveness of sanctions, supervision and monitoring procedures, offender treatment and other services.
- Enhancing prison and jail work programs to provide inmates with income with which to make restitution, and strengthening community-based programs' activities to facilitate offender restitution, community service and other forms of victim/community reparation.
- A systematic approach to re-entry from prison to community-based corrections should be developed and implemented, beginning with incarceration through to release.

SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR JUVENILE OFFENDERS

GOAL: TO ADMINISTER SANCTIONS, SUPERVISION, TREATMENT AND SERVICES FOR JUVENILE OFFENDERS THAT ARE EQUALLY ACCESSIBLE (to the degree possible) ACROSS THE STATE, CULTURALLY COMPETENT, GENDER RESPONSIVE AND HAVE BEEN DOCUMENTED AS EFFECTIVE.

Components of such a system would address the following:

- Deter juvenile offenders and at risk children from engaging in future criminal behavior.
- Ensure community safety and manage offender risks in a cost effective manner using least restrictive, therapeutic, appropriate measures of the graduated sanction programs (adolescent monitoring and outreach, life skills, school based services and supervised community treatment).
- Provide juvenile offenders with the requirement and opportunity to do community service to make restitution to their victims and communities.
- Ensure that juvenile offenders receive the protection, training, discipline, basic living necessities and care and treatment guaranteed all children in Iowa, including substance abuse and mental health treatment.

The action plan for achieving these goals will involve the continuation or development of a variety of activities and initiatives:

1. Determining the relative deterrent effects that sanctions with different conditions, intensities and time periods have on children and youth (group placement and treatment facilities, State Training School, probation monitoring and programming, intensive supervision, community service, restitution, waivers to adult court, etc.) and determining how such deterrent effects vary between boys and girls and among children and youth with different backgrounds, education and skill levels, impulse control and thinking capacities, ties to family and community, etc.
2. Establishing or strengthening risk assessment and risk management procedures for all stages of juvenile justice decision making.
3. Defining, structuring and supporting the use of a range of community-specific early intervention services and dispositional options and improving assessment and monitoring tools to help the court and human service officials select and provide supervision, treatment and other services to juveniles and their families that are gender responsive, least restrictive and otherwise appropriate to the needs of juveniles and to the public safety risks they present.
4. Expanding current capacities to evaluate the effectiveness of sanctions, supervision and monitoring procedures, treatment and other services to juveniles and their families.
5. Continuing the financial support of the juvenile court-school liaison programs for Iowa's middle and high schools with the goal of expanding these programs to every middle and high school in the state to prevent

delinquency, truancy, and other problems and to increase the sharing of information and resources across agencies, and to promote safe and productive school environments.

6. Strengthening services in cases involving community placement and supervision services through the restoration of the Juvenile Victim Restitution Fund to facilitate restitution, community services and other forms of victim/community reparation.
7. Providing initial, ongoing and coordinated training for the system's many officials and practitioners to facilitate system improvements and to encourage more effective cross training of system components.
8. Providing training and technical assistance to communities to assist in the identification of community risk and protective factors as well as the impact of system redesign related to juvenile delinquency and court ordered programs to respond appropriately to the needs of children, youth and families.