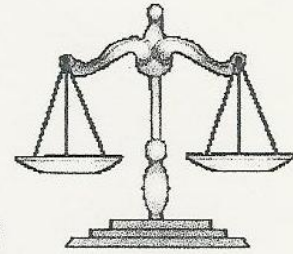


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Justice Reform Consortium



Vol. 5 #2 February 2, 2014

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Electronic Recording of Custodial Interviews

“The electronic recording of police interviews with criminal suspects is an efficient and powerful law enforcement tool. It has been done for years by many police agencies large and small throughout the United States. Their experiences have been uniformly positive.” Sullivan, Thomas P. *Police Experiences With Recording Custodial Interviews*. Northwestern University School of Law – Center on Wrongful Convictions. Number 1, Summer 2004. The Sioux City, Iowa Police Department has been videotaping custodial interviews consistently for twenty-five years, so why is it that some Iowa law enforcement entities represented at the Iowa Capitol, and county attorneys are opposed to [House Study Bill 572](#)?

[HSB 572](#) is a proposal that will require an interview with a suspect at a place of detention, “including the giving of any required warning, advice of the rights of the individual being questioned, and the waiver of any rights by the individual,” to be recorded electronically in its entirety. This requirement applies to any crime and also to delinquent acts.

It is difficult to understand the irony of justifying speed cameras and red light cameras, but perversely hesitating to embrace the accuracy and reliability of videotaping an interview with a suspect.

A subcommittee meeting will be held on this bill during the week of February 3rd. This isn’t the first time legislation dealing with this matter has been discussed in a subcommittee meeting. The issue has been around far too long. We anticipate the opposition; we can’t imagine why. Law enforcement should want the evidence that a videotaped recording can provide.

DOC January Board Meeting

Reported by Jean Basinger

The January Board meeting of the Iowa Board Of Corrections was held at Department of Corrections Central Office following the annual Iowa Corrections Association breakfast on the Hill. All Board members were present. There was an election of a new Chair and Co-Chair. The Rev. Michael Coleman was elected Chair and, to say that he was delighted would be an

understatement. Sheryl Griffith was elected Co-Chair. This is interesting in that her term expires this year.

Once again this month the "earned time" issue was on the agenda and William Hill of the AG's office gave a very clear presentation regarding how "earned time" is currently figured, with several clear examples. The reason for his and the last meeting's presentation on this issue is because the IDOC is expecting legislation that will change who is eligible for "earned time." It is assumed this has to do with Kathlynn's Law, which is now under consideration by the Legislature as introduced by Rep. [Chip Baltimore](#) (R-Boone). The study bill, [HSB 501](#), will eliminate "earned time" for certain sex offenders.

The other item on the agenda was the review of the 6th District Department of Correctional Services Audit and focused on the relationship of the District and the Community Corrections Improvement Corporation. In the document provided to the District, a number of concerns were listed. I believe Latrice Lacy has a fairly accurate list.

Nancy Turner asked why the BOC members had not been made aware of this problem. Director Baldwin's reply indicated that it wouldn't be good if the details got out in the public. Board Chair Rev. Coleman may have attended one of the meetings with the auditors. My observation of John's presentation was that he was trying to distance the DOC from these activities of the District and the Corporation.

The question with which I was left was: how could the IDOC have not known that employees of the Corporation were being treated as state employees? How could they not have known that they were able to enroll in the state insurance plan, etc?

According to a letter from Director Baldwin, "The IDOC will provide any assistance that the 6th District requires and 6th District can bill the IDOC for this financial review."

**From the Legislative Services Agency – Fiscal Division – Fiscal Update,
January 28, 2014.**

<https://www.legis.iowa.gov/docs/publications/FU/2014/24599/24599.pdf>

DEPARTMENT OF CORRECTIONS PREA UNIT

PREA. The Prison Rape Elimination Act of 2003(PREA) is a federal law aimed at eliminating sexual violence in both adult and juvenile facilities. The rules went into effect August 20, 2012, for this federal law. The federal law and rules have many standards that the Department of Corrections (DOC) is required to meet for adult and juvenile offenders. The PREA requires housing separate from the general population for offenders less than 18 years of age sentenced as adults.

PREA UNIT. The DOC created a PREA Unit at the Anamosa State Penitentiary in FY 2014 to house juveniles sentenced as adults. The 31-bed PREA Unit was created using existing space in a vacant housing unit. The PREA Unit opened January 6, 2014, with 13 offenders. Any juvenile offenders sentenced to State prison in the future will be admitted to the reception center at the

Iowa Medical Classification Center at Oakdale for processing, and then transferred to the PREA Unit at the Anamosa State Penitentiary.

Female Offenders. The DOC does not currently have any female offenders under age 18. The DOC indicates that if it does receive a juvenile female offender sentenced to State prison, it will explore placing her out of state.

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TOLEDO JUVENILE HOME CLOSURE

Closure Announced. On December 9, 2013, the Department of Human Services (DHS) announced the closure of the Juvenile Home and Girls State Training School in Toledo by the end of January 2014.

Background. The Juvenile Home and Training School provides a specialized structured setting to evaluate and treat youth between 12 and 18 years of age, determined by the juvenile justice system to require specialized structured program care, evaluation, and/or treatment due to numerous out-of-home placements, disruptive behavior, and extensive involvement in the system. Males and females judged Children in Need of Assistance (CINA) by the Iowa court system are admitted to the Iowa Juvenile Home. Females judged delinquent are admitted to the State Training School for Girls. At full capacity, the Juvenile Home and Training School can serve 57 youth and employ 114 FTE positions. For FY 2014, the Juvenile Home and Training School has a \$10.5 million General Fund appropriation. When closure started there were 21 girls served on the campus by 93 employees.

Current Funding Status. The Governor is recommending a reduction of \$8.1 million for FY 2015 to reflect the closure of the Toledo facility. The remaining \$789,000 of the FY 2015 operating budget is to be used for maintenance of the grounds, security, and utilities. In addition, \$3.9 million is recommended for placement of CINA and juvenile delinquents and \$1.2 million for education of CINA youth and juvenile delinquents.

Placements. As of January 7, 2014, three youth remained on the Toledo campus. Since July 1, 2013, there have been 46 discharges from the Facility; none were out-of-state placements. Examples of post-Facility placements include group care (Four Oaks, Clarinda Academy, Quakerdale, Children and Families of Iowa, Lutheran Services of Iowa, Hillcrest, and House of Mercy), detention centers (Central Iowa Detention, Linn County Detention, and Scott County Detention), youth shelters (Foundation Two, Four Oaks, Youth Shelter Care of North Central Iowa, and Youth Emergency Shelter and Services), Psychiatric Medical Institution for Children (Four Oaks), foster family homes, independent living, waiver homes (Optimae), mental health institutions (Cherokee Mental Health Institute), and the Eldora State Training School.

Layoffs. Layoffs were effective January 15, 2014. Former employees are eligible to continue to receive support and services through the Iowa Employee Assistance Program and Iowa Workforce Development.

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Click [here](#) to read the Task Force Findings & Recommendations.



Selected links:

In the Sunday *New York Times*: Kristof, Nicholas. **3 Enemas Later, Still No Drugs**
<http://www.nytimes.com/2014/01/26/opinion/sunday/kristof-3-enemas-later-still-no-drugs.html>

New York Times, Kelle, Bill. **America on Probation**
www.nytimes.com/2014/01/27/opinion/keller-america-on-probation.html

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UPCOMING EVENTS

Everyone wants to reduce the gross racial and ethnic disparities in the youth justice system -- but with a problem so big, where can advocates even start?

To help answer that question, National Juvenile Justice Network (NJJN) is hosting a webinar featuring Dana Shoenberg and Tiana Davis from the Center for Children's Law and Policy. During this 90-minute webinar, they'll discuss racial and ethnic disparities in the juvenile justice system and how use of data can help drive reform efforts.

When: Feb. 12, 2014, 1:30 pm – 3:00 pm CST / 2:30 pm - 4:00 pm EST.

To learn more and register: <http://bit.ly/1czcqqd>

Voices to be Heard is a support group for families and children of an incarcerated loved one. The group gathers to support and comfort those who know too well the grief that comes to those left behind when someone they love is incarcerated. The group meets on the first and third Tuesdays of the month at Union Park Methodist Church (East 12th & Guthrie in Des Moines) from 5:30 – 7:00 p.m. The group brings in speakers, performs outreach, provide support groups and leadership classes. It is a good idea to contact Melissa ahead of time because the group provides dinner and a head count is preferred. Contact Melissa at 515/229-2645 for more information.

The next **Friends of Iowa Women Prisoners** meeting is at noon on **Tues., February 18th** at Wesley United Methodist Church, 800 East 12th.

MISSION: To bring together and inform individuals and groups concerned about women in the Iowa correctional system and to act on their behalf.

FIWP Mailing Address: Post Office Box 71272, Clive, IA 50325

Our February 18th presenter will be Marty Ryan who will bring us up to date on the 2014 legislative session.

Bring your lunch. The place and time are consistent throughout the year. The meetings are always held on the third Tuesday of the month, and always held from noon to 1:00 pm at Wesley United Methodist Church located at 800 East 12th Street in Des Moines. The location is a block west of East High School. Please contact [Vi](#) for more information.

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Justice Reform Consortium member organizations: Iowa CURE & Iowa Coalition 4 Juvenile Justice; Friends of Iowa Women Prisoners; Trinity United Methodist Church; Methodist Federation for Social Action; Voices to be Heard; ACLU of Iowa; Social Action Committee, Des Moines Presbytery; Des Moines Chapter of WILPF; American Friends Service Committee; Plymouth Congregational Church, Board of Christian Social Action; Iowa Annual Conference, UMC; Iowa NOW and Des Moines NOW; National Association of Social Workers; Beacon of Life; Citizens for Undoing Racism-War on Drugs Task Force.

This newsletter published by:



Fawkes-Lee & Ryan, Public Policy Advocates <http://iowappa.com/>

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