

**UTAH PROSECUTION COUNCIL**  
**Wednesday, October 5, 2016**  
**SpringHill Suites by Marriott**  
**1205 US - 40**  
**Vernal, Utah**

**PENDING MINUTES**

UPC : Steven Garside, Chair, Layton City Attorney  
Barry Huntington, Chair-elect, Garfield County Attorney  
Robert Cosson, St. George City Chief Prosecuting Attorney  
Jann Farris, Morgan County Attorney  
Stephen Foote, Duchesne County Attorney  
Russell Smith, Assistant Utah Attorney General (*designee of Sean Reyes, Utah Attorney General*)  
Scott Stephensen, Deputy Director of P.O.S.T (*designee of Commissioner Keith Squires*) via telephone  
Scott Sweat, Wasatch County Attorney  
Christine Stevens, UPAA Chair, Millard County Attorney's Office

EXCUSED: Sim Gill, Salt Lake District Attorney  
Sean Reyes, Utah Attorney General

UPC STAFF: Bob Church, Director  
Marilyn Jaspersen, Training Coordinator  
Donna Kelly, Staff Attorney  
Tyson Skeen, Staff Attorney  
Ronald Weight, IT Director

GUESTS: Paul Boyden, Executive Director, SWAP  
Jeff Buhman, Utah County Attorney  
Will Carlson, Deputy Salt Lake County District Attorney  
Jared Eldridge, Juab County Attorney  
James Swink, Cache County Attorney  
G. Mark Thomas, Uintah County Attorney  
Robert Van Dyke, Kane County Attorney

**I. WELCOME**

A. The Council members were welcomed and the meeting convened. Robert Cosson was welcomed as the newest council member. Robert replaced Paul Bittmann.

**II. APPROVAL OF THE JUNE 24, 2016 MEETING MINUTES**

Jann Farris moved to approve the minutes from June 24, 2016, seconded by Barry Huntington. The motion passed unanimously.

**III. UPC CONFERENCES**

A. Completed Conferences  
Bob Church gave an in depth report on the following completed conferences. Please refer to the Director's Summary for details.

1. UMPA Summer Conference was held August 4-5, 2016 at Ruby's Inn. The gross cost of the UMPA Conference was \$7,608.65. After adding in registration fees of \$2,775, the net cost of the conference was \$4,833.65. The focus was on drug related driving. Jennifer Knudsen, Colorado TSRP, discussed the effects of legalized marijuana and traffic related offenses. During the business meeting, Jake Summers, prosecutor Orem City, was elected President of UMPA for the next two years. Nick Mills, prosecutor Layton City was elected the president-elect. Both, Jake and Nick, are in the process of selecting an executive representative that will handle legislative issues, including MISLAC. This is a 4-year appointment.
  2. Basic Prosecutor Course was held August 15-18, 2016 at USU University Inn.  
To date, the gross cost of Basic was \$5,815.27. After adding in registration fees of \$975, the net cost of the conference was \$4,833.65. **The invoice from the hotel is still pending.** Bob will give an update financial report at the next meeting. This year AnnMarie Howard, Chief Deputy, Juab County, was the new faculty member. She placed Matt Bates and she did a great job. Ronda Woolston, Salt Lake City Prosecutor's office, was this year's "Golden Kickball" recipient. Ronda will be invited to help plan next year's course as well as speak to next year's class, sharing her perspective after a year of prosecuting.
- B. 2016/17 Conference Schedule  
In addition to the UPC 2016 Training Schedule the following was mentioned:
1. Fall Prosecutor Training Course - October 5-7, 2016, Uintah Conference Center, Logan, Utah. We are looking forward to this year's conference and the dynamic presenters scheduled.
  2. Government Civil Practice Conference - October 19-21-2016, St. George Hilton Garden Inn.
  3. County/District Attorney's Executive Seminar - November 17-18, 2016, Dixie Center, St. George, Utah

#### IV. FINANCIAL REPORT

Bob Church made the following financial report. Additional information is included in the Director's Summary.

- A. Surcharge FY17 and Year to Date:
  1. Monthly totals since last meeting.
    - a. The three months beginning with July 2016 surcharge receipts ended at \$41,366.32 as compared to the 2015 July surcharge receipts that ended at \$42,471.35. August 2016 numbers ended at \$41,134.12 as compared to August 2015 ending the year at \$45,206.29. Sept 2016 **at \$43,522.50 as** compared to 2015 Sept. at \$39,333.45. Overall the budget is in good shape with close monitoring.
- B. FY17 Budget/Comparison Report:
  1. The carryover ended at \$102,519.
  2. The handout did not reflect the CCJJ \$15,000 for domestic violence training grant which has been used for the joint training with the CJC Symposium. Funds are a total pass through. Bob invited questions. Hearing none, he moved to the next item.
- C. Reimbursement from SWAP:
  1. Civil Conferences
    - a. Continuing the discussion regarding SWAP reimbursing UPC for the cost of past Civil Conferences, it was decided to take the matter to the



## **VIII. RESOURCE PROSECUTORS REPORTS**

- A. Donna Kelly referred the Council to the in depth SA/DVRP report as outlined in the handouts. She stated that POST, DPS and UPC are working together on developing an advanced training for sexual assault. She will be part of that training as a sexual assault prosecutor. Donna will also be the keynote speaker at the Judges Conference on lethality assessment.
- B. Tyson Skeen referred the Council to the in depth TSRP report as outlined in the handouts. He indicated that one of his goals was to develop a traffic safety newsletter. He is looking for ways to better train prosecutors. He welcomed any opportunity for training. All he needs is the space in which present. He reported that he has gone to Moab and Layton to participate in their office trainings. He mentioned Combative DUI Cases training which is an up to two hour training and Driver's License Division Hearing training for officers is another. Tyson indicated that he and Donna have considered doing joint trainings as well. He welcomed any other suggestions.

## **IX. IT ISSUES: PIMS/CASE MANAGEMENT/WEB PAGE**

In addition to the in depth report in the Director's Summary, Ronald Weight and Bob Church gave the following PIMS report.

- A. Conference Registration Innovations:
  - 1. Bar code scanners for conference registration. Ron has developed a way to create bar codes for individual attendees to scan when they attend a conference. It was piloted at the UPAA conference.
- B. Conference App
  - 1. Ron is looking at an App service that will put the conference agenda, materials, speaker bios, etc. into a single app. Hopefully, a test product will be ready for Fall Conference.
- C. PIMS Update
  - 1. Ron indicated that he is still providing support for PIMS users. He stated that e-filing with the courts is no longer available. The courts have changed their procedure or coding to accept e-filing so now documents are not being accepted. In the mean time, Ron is trying to find a solution.
- D. Case Management
  - 1. Bob gave an overview report indicating that he after several drafts of the RFP he received feedback from State Purchasing, State DTS and the CCJJ grant manager.
  - 2. Originally he drafted the RFP with the intent to purchase a system that would allow users to have a read-only access to each other's databases. This is what was discussed with Rep. Hutchings last year. Because the first draft made that a non-negotiable option he had to go back and make changes asking it to be cloud based and server based pricing.
  - 3. With the \$500,000, this will not cover all ongoing costs. It has been agreed that each jurisdiction would be responsible their own ongoing costs.
  - 4. The challenge coming up with the criteria and formula for scoring each product. Part of that criteria would be that UPC only be responsible for the \$500,000 and that each jurisdiction that wants a CMS would be responsible for those ongoing costs. What may happen is that there may need to be several contracts for each jurisdiction and it's unknown if the vendor will be agreeable to that arrangement.
  - 5. The scoring criteria is another challenge in terms of first years' costs and

- compare it to ongoing costs. Based on the AG's experience, Bob adjusted his scoring sheet to reflect total cost versus first year cost. And then there is the question of how many users will there be to accurately score the criteria.
6. Since the grant is \$500,000, he is hoping to come as close as possible to covering costs for those in the system for the first year. If it doesn't, it would be expected that users would make up the difference.
  7. Cloud v. Server Based - This challenge is mainly for the smaller jurisdictions that don't have an adequate server to handle everything.
  8. Bob reviewed with the Council to Director's Summary, page 5, #7 regarding the minimum requirements. Noting that he needed to add that the program needs to integrate with e-citations under paragraph d.
  9. Primary functionality. There are 422 listed tasks the CMS should be able to do.
  10. Bob indicated there needs to be an evaluation committee established. These will be the people who will be responsible for evaluating all bids, sitting through the production demo, scoring each product and making a recommendation. It was suggested that county and city attorneys and assistants / paralegals, as well as IT people to comprise the committee. Jared Eldridge, Stephen Foote, Jann Farris, expressed interest in being on the committee. Tim Allen from Utah County, Layton City IT guy, Chris Stevens, Haley Christensen or Kim Lee were suggested names to be the committee as well. Bob anticipates that a contract can be entered to by spring of 2017.
  11. Bob will keep the Council apprised of what develops and will make an update report at the next meeting.

#### **X. STATUS OF FUNDING FOR DONNA'S POSITION**

In addition to the in depth report in the Director's Summary, Bob Church gave the following report. Due to a clerical error at CCJJ one of the two grants that is used to fund the majority of Donna's salary was not renewed and expired on September 30, 2016. Ned Searle at CCJJ has assured Bob that money would be found to continue to fund Donna's salary. In any event, Bob proposed three steps to find funding for Donna should her grant not be renewed. Bob referred the Council to the Director's Summary, page 7, IX. , F., 1-3. In regards to the AG's office and the \$78,3000 it was suggested that Bob draft an MOU between UPC and the AG's when he meets next with Spence Austin. Bob will give an update report at the next council meeting.

#### **XI. OTHER BUSINESS**

- A. SWAP Reimburse UPC for Civil Conference - Follow up from IV. C.  
Paul Boyden commented that while it's not UPC's mandate to provide civil training UPC has funded the Civil Conference for several years. UPC put the Civil Conference on their training schedule way back when SWAP was SWAPA and there was a crossover of criminal and civil training. But if UPC would like to make a reimbursement request of SWAP would SWAP be willing to reimburse UPC for funding past Civil Conferences in the amount of \$42,437 for 2011 to 2015. Bob stated that he will be billing SWAP for the 2016 Civil Conference expenses. An MOU between UPC and SWAP was suggested outlining what UPC's role and responsibility would be. Also, depending on Donna's grant funding, the funds that have been budgeted for this conference could be deferred toward Donna's salary due to her dwindling grant funding. After an in depth discussion, Barry Huntington made the motion to bring this issue before the SWAP Board. Robert Cosson seconded the motion and motion passed unanimously.

**XII. NEXT MEETING**

Friday, January 20, 2017

10:00 a.m.

UCDA meeting will be at 8:30 a.m.

SWAP meeting will be held at 1:00 p.m.

**XVI. ADJOURN**