

UTAH PROSECUTION COUNCIL
Friday, January 9, 2015
Utah Association Counties
Murray, Utah

PENDING MINUTES

UPC : Stephen Foote, Chair, Duchesne County Attorney
Steven Garside, Chair-elect, Layton City Attorney
Paul Bitmann, Cedar City Attorney
Jann Farris, Morgan County Attorney
Sim Gill, Salt Lake District Attorney
Barry Huntington, Garfield County Attorney
Kelly Sparks, Deputy Director of P.O.S.T (*designee of Commissioner Keith Squires*)
Christine Stevens, UPAAC Chair, Millard County Attorney's Office
Scott Sweat, Wasatch County Attorney

EXCUSED: Sean Reyes, Utah Attorney General
Commissioner Lance Davenport, Utah Department of Public Safety

UPC STAFF: Bob Church, Director
Marilyn Jaspersen, Training Coordinator
Edward Berkovich, Staff Attorney
Donna Kelly, Staff Attorney
Ronald Weight, IT Director
Steven Young, UPC Law Clerk

GUESTS: Christopher Allred, Deputy Weber County Attorney
Matt Bates, Deputy Summit County Attorney
Brock Belnap, Washington County Attorney
Paul Boyden, Executive Director, SWAP

Jami Brackin, Deputy Summit County Attorney
Scott Broadhead, Tooele County Attorney
Pat Finlayson, Millard County Attorney
Scott Garrett, Iron County Attorney
Gary Heward, Rich County Attorney / Deputy Weber County Attorney
Brody Keisel, San Pete County Attorney
Mike Olsen, Emery County Attorney
Chad Platt, Deputy Salt Lake District Attorney
Scott Stephenson, Division Director, Dept of Public Safety
G. Mark Thomas, Uintah County Attorney
Kelly Wright, Deputy Salt Lake District Attorney

I. WELCOME AND APPROVAL OF THE SEPTEMBER 10, 2014 MEETING MINUTES

- A. The Council members were welcomed and the meeting convened. Christine Stevens, UPAAC Chair from Millard County was welcomed as a new member of the council. Christine replaces CeCelia Zarbock whose term as UPAAC Chair ended December 31, 2014.
- B. Jann Farris moved to approve the minutes from September 10, 2014, seconded by Paul Bittman. The motion passed unanimously.

II. UPC UPDATE, CURRENT ISSUES, ISSUES TO BE ADDRESSED AND SUMMARY OF EVENTS

Marilyn Jasperson made the following report. Please reference the directory's summary for details.

- A. Completed Conferences:
 - 1. Fall Prosecutor Course: The conference was well received with 94 in attendance. The conference was held September 10-12, 2014 at the St. George Courtyard Marriott. Attendance was slightly down, most likely, because it was held off the Wasatch Front. The conference was budgeted at \$17,000. Expenses came to \$18,152.26. \$6,045.00 were collected in registration fees with a total of \$4892.74 to the good.
 - 2. Government Civil Practice Conference: There was 60 in attendance. The conference was held October 15-17, 2014 at the Zion Park Inn in Springdale, Utah. The conference was budgeted at \$12,000. Expenses came to \$9,585.31. \$4,631.44 were collected in registration fees leaving \$7,046.13 to the good.
 - 3. County Executive Seminar: This event was held November 13-14, 2014 at the St. George Dixie Convention Center. There was \$1,000 budgeted which is to cover travel costs for Bob Church and Marilyn Jasperson who attend this event. \$1096.00 was expended leaving an overage of 96.00.
 - 4. Additionally, the Advanced Trial Skills Course was held November 19-21, 2014 at the Hilton Garden Inn in Sandy, Utah. \$5,050.00 was budgeted with expenses in the amount of \$4,870.00 \$2,025.00 was realized in registration fees leaving \$2,204.42 to the good.
- B. Upcoming Conferences:
 - 1. Newly Elected County Attorney Seminar. Will be held on January 21-23, 2015 at the West Jordan Hampton Inn. All new elected county attorneys were encouraged to attend.
 - 2. Mental Health Conference:
There has been interest in providing training that addresses competency issues of people with mental or intellectual disabilities. The training will be held March 5, 2015 at the Utah State Mental Hospital. More details are forthcoming.
 - 3. Spring Conference:
The annual legislative and case law update conference will be held April 16-17, 2015 at the Salt Lake Sheraton Hotel.
 - 4. Remainder of Year:
 - a. Regional Updates:
The Legislative Regional Update training will hit the road again. Dates and locations are to be determined and will be announced.

- b. National Trauma Conference:
Donna Kelly reported that Utah has received national recognition regarding the Trauma Informed Response training and the protocol she and Det. Boardman developed. She stated that West Valley City implemented the trauma protocol and their prosecution case rates improved from 6% to 70%. Also, Donna and Det. Boardman have been invited to speak on the Trauma Informed Response Protocol at the National Crimes Against Women Conference to be held March 16-18, 2015 in Dallas, Texas.
Because this type of training has been so well received, Donna and Bob suggested holding a national conference on trauma and the criminal justice system with the goal of not only being informative but provide training for potential expert witnesses, along with training law enforcement and prosecutors on the protocol. Their suggestion will be made to the UPC training committee as plans begin for the 2017 training schedule. It was suggested that Bob and Donna be mindful of the proprietary implications of what has been developed here in Utah. Bob will keep the Council apprised as things unfold.
Donna announced the one day training featuring Dr. Rebecca Campbell scheduled for January 7, 2015 on “Trauma Informed Response to Sexual Assault” has been rescheduled.

C. UPC Web Page:

- 1. Ron is in the process of redesigning the UPC web page. He is working to improve its overall appearance, make it more user friendly, and interactive. Improvements also include making it a better resource of information such as being able to access old conference materials. He invited the Council to visit the site and welcomed any input. Beta testing will begin the end of January. It is hoped to launch the final product by April.

D. Logo:

- 1. After reviewing the top three logo designs, the Council agreed to hire a logo designer. Barry Huntington made the motion to authorize Bob to hire a logo designer with a budget of \$500. Steve Garside seconded the motion and the motion passed unanimously. Bob will keep the Council apprized of the product outcome.

E. Council Members and Terms:

- 1. The “Terms of Current UPC Members” was distributed. Barry Huntington, of Region III, term will expire April 4, 2015. Barry was contacted by six of the nine members of Region III and was voted by acclimation to remain on the council.

III. FY 15 FINANCIAL REPORT

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

A. Surcharge Report:

- 1. December surcharge receipts ended at \$46,179.69. An increase of \$10,146.61 from November surcharge receipts. December 2013 surcharge receipts ended at \$37,647.53. The Council discussed if there were other ways to affect UPC’s surcharge collections.

- B. Comparison Report:
 - 1. The Comparison Report through November 2014 which covered Fall Conference, Civil Conference and County Attorney Executive Seminar were reviewed.
- C. PIMS User Fees:
 - 1. PIMS income came in at \$8,858.00. Bob will continue to send out invoices. The fee still remains at \$103 per user for six months or \$206 per user per year.
- D. Detailed Expenditure Report:
 - 1. The Detailed Expenditure Report through November 2014 was reviewed.

IV. PIMS

Ron made the following PIMS report:

- A. PIMS user fees, please see above III. C.1.
- B. Ron continues to make maintenance calls. There have been no changes in PIMS users with the exception of Utah, Weber and Uintah counties.

V. CASE MANAGEMENT

Bob Church made the following case management report. Additional Summary of Events are included in the Director's Summary.

- A. State-wide Case Management Software Purchase:
 - 1. Bob and Blake Nakamura along with representatives from the Attorney General's Office had a second meeting with Rep. Eric Hutchings. Rep. Hutchings is still supportive of appropriating funds for a unified statewide case management system on a one-time basis. However, because the Attorney General's office seems to be taking a different direction, Bob will continue to meet and work with Rep. Hutchings in obtaining funding for county and city prosecutors. Bob indicated he will keep the Council up to date as things develop.
 - 2. Meeting with League of Cities & Towns:
Bob met with Gary Crane, Steve Garside and Roger Tew and discussed the best way to approach the legislature for one-time appropriation to cover the cost of patches compatible with agencies software, in particular, the e-filing patch and duplicating work. The issue is that not all agencies are using the same case management software. Bob will continue to work with the state, counties and cities to help facilitate obtaining a statewide case management software system.
- B. Updating Offense Table:
 - 1. The question was raised as to who should be responsible for updating the offense table. Is UPC to continue maintaining it or is it a SWAP responsibility? This item was tabled and will be address at SWAP.

VI. TRAINING COMMITTEE REPORT

Steve Garside, UPC Training Committee Chair gave the following report.

- A. In addition to the above report under II.B.1-4, the Training Committee will meet March 26, 2015 in Ogden for its annual Spring planning session. There has been a request to add a White Collar Crime Conference to the 2015 schedule and Train the Trainer in 2016. A planning committee has been selected and they will meet sometime in March to set the agenda. Steve will give an updated report at the next council.

VII. CCJJ/PEW Report

Jeff Buhman reported that Utah County just signed a contract with Justware. The contract allows cities to share the data base, costs for licenses, of which the cities reimburse the county. The benefits being shared data, cost savings, and more training available. Justware contracted with a third part to cover e-filing which is part of the contract price.

VIII. UPAA REPORT

Marilyn Jaspersen introduced Christine Stevens as the new UPAA Chair effective January 1, 2015. She will serve as the UPAA Chair for the next two years. Christine gave the following report.

- A. The 2015 UPAA Conference was held at the St. George Courtyard by Marriott on June 24-26.
- B. The UPAA Board elected Kim Lee to remain on the Board for another term. This will be Kim's fifth term. UPAA Board members serve a 4 year term. Also, Haley Christensen was elected as UPAA Co-Chair.

IV. STAFF ATTORNEYS ACTIVITY

Donna Kelly and Ed Berkovich referred the Council to the in depth SA/DVRP and TSRP reports as outlined in the handouts.

X. CLOSED DOOR SESSION

Steve Garside made the motion to close the general meeting of the council for a closed door session. Scott Sweat seconded the motion. The motion passed was unanimously.

XI. NEXT MEETING:

Wednesday, April 15, 2015
10:30 a.m.
Salt Lake District Attorney's Office

V. ADJOURN