

UTAH PROSECUTION COUNCIL MEETING AGENDA

Wednesday, September 16, 2015, 11:30 a.m.
Park City Marriott

Pre-meeting Disclaimer

- I. Welcome and Approval of the minutes from the June 19, 2015 meeting - Steve *Tab A*
- II. UPC Conferences - Bob and Marilyn
 - A. Completed Conferences
 1. UPAA Report - Chris and Marilyn
 - B. Upcoming Conferences and Remainder of Year, *Tab B*
- III. Financial Report - Bob
 - A. Surcharge FY15 and Year to Date, *Tab C*
 - B. Budget Comparison Report, *Tab D*
- IV. Final FY16 Budget - Bob, *Tab E*
- V. Training Committee Report - Steve
- VI. Resource Prosecutors Reports
 - A. Donna: *Tab F*
 - B. Ed *Tab G*
- VII. IT Issues: PIMS / Case Management / Webpage - Ron
- VIII. Utah Prosecutor Policy Advisory Committee (UPPAC) (Best Practices Committee) - Bob *Tab H*
- IX. UPC Employee Status - Bob
- X. AOC's EFLEX Filing - Blake Nakamura
- XI. Horse Soring - Bob, at the request of Susanne Gustin, local defense attorney, *Tab I*
- XII. Proposed 2016 Meeting Schedule
- XIII. Other Business
- XIV. Adjourn

Director's Summary of UPC Agenda Items

- I. Welcome and Approval of the Minutes.
 - A. See the enclosed minutes from the June 18, 2015 meeting. *Tab A*

- II. UPC Conferences - Bob and Marilyn
 - A. Completed Conferences
 1. UPAA: Conference report as well as general UPAA report.
 2. UMPA
 - a. Substance Recap
 - (1) One of best conferences in recent memory.
 - (2) Conducted Wet Lab where several prosecutors volunteered to drink then be taken through FST's.
 - (3) Michael Scott from West Jordan, blew .16. However, he continuously instructed the prosecutors conducting the FST's on him what they were doing wrong. It was rather amusing.
 - b. Administrative Recap
 - (1) Voted to call their President-elect, "Vice President," to indicate that person is more than just a figurehead.
 - (a) President: Tyson Skeen - West Jordan City
 - (b) Vice-President: Ann Boyle, SLDA's office (was elected before it was announced that the Salt Lake City Prosecutor's Officer was becoming part of the SLDA's office)
 - i) This may become problematic now that Ann has been absorbed into the DA's office.
 - ii) Once/if she no longer prosecutes misdemeanors, she would be ineligible to serve in UMPA leadership position.
 - (2) Voted that their president and vice president will serve 2-year terms.
 - (a) This allows them to be more involved, gain a greater understanding of the issues, who the players are, etc.
 - i) Tyson to serve 2 years
 - ii) Ann to serve 4-years
 - (3) Tyson called early in the summer wanting to know exactly what the UMPA president's role and responsibilities were. Other than institutional memory, we couldn't provide him with a lot of details.
 - (4) UMPA has no written bylaws.
 - (5) Tyson will put together working committee to draft by-laws, policies, etc.
 - (a) He's reaching out to past UMPA presidents and those who have been around for awhile for help.

- (6) Will be reaching out to SWAP and UPC to see where they fit, especially in terms of voting, responsibilities, etc.
- (7) One concern or issue they want to address:
 - (a) UMPA president is not voting member of UPC by statute.
 - i) They discussed the possibility of changing that
 - ii) Currently it is UMAA who appoints the city representatives to UPC
 - iii) With this new change in presidency terms, if one of the city reps is the UMPA president, that person will have attended UPC meetings for 4-years:
 - a) 2-years as non-voting Vice President
 - b) 2-years as voting President
 - (b) The municipal representatives on UPC tend to be more senior attorneys who do not regularly attend UMPA conferences, sending junior prosecutors.
 - i) UMPA leadership feels a disconnect from the municipal representatives on UPC.
- (8) When SWAP or UPC make misdemeanor assignments, they can now assign either UMPA's president or vice president.
- (9) President and Vice-President will serve on UPPAC as well.
 - (a) President will be voting member
 - (b) Vice president will be non-voting member
 - (c) Meets Council's concern that UMPA have voice in developing policy

3. Basic

- a. Excellent faculty, as always.
 - (1) Thanks to Sandi Johnson, Josh Player, Troy Little, Matt Bates and Donna Kelly for being full-time faculty and thanks to the offices who let them be gone for a week.
 - (2) Thanks to the rest of the presenters:
 - (a) Ed Berkovich, Ryan Robinson, Trooper Rob Cowart, Kim Gibb, Rick Westmoreland, Branden Miles, and Jeff Gray

B. Upcoming Conferences and Remainder of Year, **Tab B**

- 1. Fall Conference - Agenda included
 - a. September 16-18, 2015, Park City, UT
- 2. Training Committee
 - a. October 12, 13, 2015, Moab, UT
- 3. Civil Conference - Draft agenda included
 - a. October 14, 16, 2015, Moab, UT
- 4. White Collar Crime - Draft agenda included
 - a. November 5, 2015, South Jordan, UT

- 5. County Executive
 - a. November 12, 13, 2015 St. George, UT

- III. FY 15 Financial Report - Bob
 - A. Surcharge Report *Tab C*
 - 1. Monthly totals since last meeting
 - a. June 15: \$46,185.27 June 14: \$49,642.47
 - b. July 15: \$42,471.35 July 14: \$38,807.56
 - c. Have not yet received numbers for August.
 - B. Budget Comparison Report *Tab D*

- IV. Final FY16 Budget, *Tab E*
 - A. Non-lapsing carry over up this year by \$54,894.00
 - B. Train the Trainer
 - 1. \$27,000 budgeted
 - 2. Training committee meets next month and will plan.
 - 3. February or early March 2016
 - C. Final FY16 budget numbers
 - 1. Income: \$1,027,538.40
 - 2. Expenses \$1,021,454.72

- V. Training Committee Report - Steve Garside
 - A.

- VI. UPAA Report - Chris Stevens
 - A. UPAA Conference - June 24-26, 2015

- VII. Resource Prosecutors Reports
 - A. Donna, *Tab G*
 - B. Ed, *Tab H*

- VIII. IT Issues: PIMS / Case Management / Webpage
 - A. PIMS
 - 1. Continue to manage issues as they arise.
 - 2. Number of uses continues to go down.
 - B. Webpage
 - 1. CLE credit
 - 2. Training videos
 - 3. ___ registered members
 - C. Conference management

- IX. Utah Prosecutor Policy Advisory Committee (UPPAC)
 - A. Committee is aware of the Council's concerns and incorporated ideas, suggestions,

concerns as discussed at last council meeting.

1. See Minutes for details of that discussion.
2. See Minutes from UPPAC meeting. **Tab H**

B. Added additional subcommittee to address issue of Sexual Assault

C. By next meeting want to have draft work product for each of the committees.

However:

1. Committee recognized that policies regarding body cameras is probably the hottest topic right now.
2. With the legislative session coming up it was suggested that Committee Chairs begin contacting legislators.
 - a. Get a pulse on where this issue is.
 - b. Let the legislature know prosecutors are just as concerned and want to be part of the discussion as well as solution.
 - c. That we're in a better position to establish policies than for them to dictate unworkable legislation.
3. Contact law enforcement to get them involved since this will have major effect on them.

D. Next meeting is October 22, 2015

X. UPC Employee Status

A. Spence has not returned my e-mail to schedule a meeting so no further discussions have taken place. Based on previous Council guidance, I will operate with the following understanding.

1. UPC employees are also employees of the AG's office.
 - a. Bob, Donna and Ed are Exempt Employees
 - b. Marilyn and Ron are Merit Employees
 - c. However, the AG's office cannot(?) fire any UPC employees
 - (1) Council, with input from AG, can fire Bob
 - (2) Bob can fire, with the approval of the Council and/or input from AG's office, remaining UPC employees.
2. As employees of the AG's office UPC employees are bound by the AG's Official Media Policy.
 - a. Copies of the policy have been provided to all UPC employees with direction to read and study it as well as keep a copy for future reference.
3. Exception to Official Media Policy
 - a. UPC employees do not need the AG's approval, prior approval, to make public statements that are personal in nature or about UPC business.
 - (1) UPC employees must make it clear they are not speaking on behalf of the AG's office on any issue.
 - (2) If a reporter, interviewer, etc. delves into topics affecting the AG's office, UPC employees will refer the person to the

AG's media division and will NOT comment about anything related to the AG's office.

(a) If necessary, UPC employees will terminate the interview if it continues to discuss topics related to the AG's office.

(3) UPC employees will immediately notify the AG's media division and Director, Justice Division when any interviewer asks questions regarding the AG's office.

4. Appearances before legislature

a. Bob, Donna and Ed do not need the AG's approval, prior approval, to testify regarding issues related to UPC matters.

(1) They will state unequivocally they are not testifying on behalf of the AG's office.

(2) However, Bob, Donna or Ed will notify the Director, Justice Division, if they will be testifying before any legislative body.

b. Specific legislation related to Donna or Ed's expertise

(1) Donna and Ed will make it clear they do not represent the AG's office.

(2) If they are requested to appear on behalf of another interested party/group not related to UPC directly, before agreeing, they will notify the Director of UPC.

(3) The Director will confer with the Chair of the Council on non-AG related matters.

(4) Any matters related to, or affecting, the AG's office will be reported up, seeking approval/disapproval, through appropriate channels before any appearance.

B. Employee Incentive Awards

1. Will use AG Office's criteria for recommending award.

a. Any employee can nominate another employee.

2. Who gets to determine which nominated employee gets an award and the amount?

a. Justice Division Directors or the Council?

(1) After nominations are gathered, Justice Directors meet to determine who should receive an award and how much

(a) Determination is based on the right-up, not on who knows whom

(b) Fair process

(2) However, the money "belongs" to the Council

3. The AG's office is concerned with equity amongst its employees

a. i.e. even if UPC budget could accommodate raises for all employees, AG's office would not support such a move.

4. What is the Council's guidance?

XI. AOC's EFLEX Filing

A. Blake Nakamura asked this to be put on the agenda.

- B. He had no materials to provide but simply wanted to bring the issue to the Council's attention and discuss the matter.

XII. Horse Soring

- A. I had never heard of this before. I received a call from Susanne Gustin, local defense attorney. She got my name from Jannise Macanas in the AG's office. She asked if I knew what "soring" was. I hadn't.
- B. Soring involves use of chemicals or pressure to cause pain to a horse's feet when they touch the ground, resulting in the horse picking its feet up quickly. It is an abusive and prohibited practice illegal under the U.S. Horse Protection Act of 1970. It is most closely associated with the production of a unique high-stepping action of the front legs called "big lick" movement in show ring Tennessee Walking Horses. "Big lick" action is normally created by horseshoes that have added pads and weight, usually combined with additional weighted chains or rollers placed around the pasterns to create dramatic, flashy action of the horse's front legs, desired in the horse show ring. Practitioners of soring believe that the pain associated with this practice exaggerates the "big lick" to a greater degree and gives them a competitive edge over horses that are not treated in this manner. Other breeds that have a past history of soring abuses include the Racking horse and the Spotted Saddle horse. Both criminal and civil penalties can be assessed against individuals who engage in soring. *Wikipedia*
- C. She asked if UPC would be willing to join in writing a letter to Senator Hatch urging him to support Senate Bill 1121, the Prevent All Soring Tactics Act (PAST Act). She wrote him a letter as a concerned citizen. *See Tab I*
 - 1. In 2014, he and Senators Alexander, Rand and McConnell sponsored SB1161, the Horse Protection Amendments Act (HPPA).
 - 2. She argues this bill does not go far enough to prevent soring.
 - 3. Senator Hatch has not yet co-sponsored the new 2015 HPAA bill. She is asking him NOT to co-sponsor the bill.
 - 4. Rather, she asks that he join 45 senators who have agreed to sponsor the 2015 PAST Act.
- D. Council's Guidance

XIII. Appointee to the Justice Court Subcommittee

- A. Needed an immediate fill so held conference call with Stephen Foote and Steve Garside.
- B. Appointed

XIV. Proposed 2016 Meeting Schedule

- A. January 22, 2016 (one week later as Bob will be on military orders 7-15 January, 2016)
- B. April 13 2016
- C. June 10 or 17, 2016
- D. September 14, 2016

XV. Other Business

XVI. Adjourn

Tab A

UTAH PROSECUTION COUNCIL
Friday, June 19, 2015
Morgan Search and Rescue Building
862 East Mahogany Ridge Road
Morgan, Utah

PENDING MINUTES

UPC : Steve Garside, Co-Chair, Layton City Attorney (*designee of Stephen Foote*)
Paul Bittman, Cedar City Attorney (*designee of Chris Stevens*)
Jann Farris, Morgan County Attorney
Barry Huntington, Garfield County Attorney
Kelly Sparks, Deputy Director of P.O.S.T (*designee of Commissioner Keith Squires*)
Scott Sweat, Wasatch County Attorney (*designee of Commissioner Sim Gill*)

EXCUSED: Stephen Foote, Chair, Duchesne County Attorney
Sim Gill, Salt Lake District Attorney
Sean Reyes, Utah Attorney General
Commissioner Lance Davenport, Utah Department of Public Safety
Chris Stevens, UPA Chair, Millard County Attorney's Office
Ronald Weight, IT Director

UPC STAFF: Robert J. Church, Director
Edward Berkovich, Staff Attorney
Donna Kelly, Staff Attorney
Marilyn Jaspersen, Training Coordinator

GUESTS: Matthew Bates, Deputy Summit County Attorney
Paul Boyden, Executive Director, SWAP
Jami Brackin, Deputy Summit County Attorney
Tim Taylor, Deputy Utah County Attorney
G. Mark Thomas, Uintah County Attorney
Ryan Robinson, West Valley City Attorney
James Swink, Cache County Attorney
Kelly Wright, Deputy Salt Lake District Attorney

I. WELCOME AND APPROVAL OF THE APRIL 15, 2015 MEETING MINUTES

- A. The Council members were welcomed and the meeting convened.
- B. The minutes were approved as there were no comments and/or additions.

II. UPC CONFERENCES

In addition to the detailed report in the Director's Summary, Bob Church and Marilyn Jaspersen gave the following report.

- A. Completed Conference
 - 1. Spring Conference: The gross cost of the conference came in at \$24,135.85. After crediting registration fees of \$27,450, the net cost of the conference ended at \$3,314.15 to the good. Attendance for this year was at 346 versus

360 from last year. The low numbers were attributed to less law enforcement attendance. Overall the conference received high marks with the exception of the civility presentation given by Judge Lowe. A few Utah County attorneys felt some of his remarks were misrepresented.

- B. Upcoming Conferences and Remainder of Year
1. Utah Prosecutorial Assistants Association (UPAA) - June 24 - 26, 2015, St. George, UT
 2. Utah Misdemeanor Prosecutor Association (UMPA) - August 6, 7, 2015, Moab, UT
 3. Basic Prosecutor Course - August 17 - 21, 2015, Logan, UT
 4. Fall Prosecutor Training Conference - September 16-18, 2015, Park City, UT
 5. UPC Training Committee Meeting - October 12, 13, 2015, Moab, UT
 6. Government Civil Conference - October 14, 16, 2015, Moab, UT
 7. White Collar Crime - November 12, 2015, South Jordan, UT
 8. County Executive - November 12, 13, 2015 St. George, UT

III. FY 15 FINANCIAL REPORT

Bob Church gave the following financial report highlighting line items. Additional information is included in the Director's Summary.

- A. Surcharge report:
- The surcharge totals seem to be trending down in comparison to last years. Surcharge receipts in April came in at \$57,988.06 and May was at \$51,538.72. The year to date total is \$593,385.28. There was a discussion in developing a strategy in collecting surcharges from Justice Courts as well as to contact POST and see what their strategies is (i.e., HB 85) and mirror them in an attempt to have reliable funding every year.
- B. Comparison Report - Budget vs. Actual
1. PIMS Income: The income amount was under estimated as Bob anticipated more jurisdictions to leave PIMS. To date, however, more than expected jurisdictions were showing. Most likely that trend will not continue.
 2. Conference Materials: This included the new UPC jackets and the Travel Council Calendars which were more expensive than expected.
 3. SVRP Training:
 - a. At \$3,709.76, the total cost of SVRP Training was \$3,209.76 than the \$500 budgeted. Bob explained that Donna was invited to two national DV conferences this year. Bob felt it was important for her to attend in order to stay current on informed trauma response training, lethality assessments, etc.
 - b. Expended 11.6% of budget on Legislative Update training and only 9.8% on Regional Workshops which was used partially to cover SVRP training.
 4. Council Meetings: At \$4,500, the total cost of the meetings was \$6,386.79 leaving an overage \$1,886.79. Next year's budget will be increased to fully cover meals, mileage and lodging expenses.
 5. Training Committee: At \$7,000 budgeted, the total cost of the Training Committee meetings was \$7,964.56 leaving \$964.56 as an overage. Bob will account for the increase in next year's budget.
 6. Out-of-state Travel:
 - a. NAPC: At a total of 108.7% expended. Budgeted \$8,350.00, the

total expenses came to \$9,078.19 leaving an over budget of \$728.19.

Donna acknowledged that these meetings were not as useful for her to attend so she will no longer go to these meetings.

7. Personnel Services: Salary and benefit are at a variable amount due to overlapping between old and new FY year. This should be resolved by next council meeting when Finance close FY15 year end in July.
- C. Detailed Expense Reports for Spring Conference: As shown above under II. A. 1. Hearing no questions, Jann Farris made the motion to approve the FY15 Budget as explained. Paul Bittman seconded the motion and the motion passed unanimously.

IV. FY16 BUDGET

A. The Budget Itself

Bob proposed the FY 16 budget using the same conservative methods as last years.

1. Based on Mark's advice, Bob budgeted for \$574,000. Projected what our FY15 YTD surcharge total would be then add 5% coming to a total of \$593,385.
2. Keeping in mind that Donna's grant reimbursements continue to go down and it is anticipated this downward trend will continue. So, UPC will pay \$28,697.39 of Donna's salary. Also, Ed's grant pays 90% of his total salary. UPC pay \$12,127.33 of Ed's salary.
3. PIMS User Fee income is anticipated to be low in case there are a large number of users who leave PIMS. If the numbers remain relatively the same, this figure will be higher at the end of the FY.
4. FY16 Income
 - a. Surcharge receipts, as stated above, should come in at \$593,385.28 plus 5% of that total (\$28,265.97.)
 - b. Non-lapsing funds comes to an average of \$48,881.00. This amount is based on the last five years.
5. Legislative Update budget was substantially reduced from \$7,000 (last year's budgeted amount) to \$1,500 because of going paperless.
6. Train the Trainer (TtT) will not be in the budget this year. NHTSA will be sponsoring a \$20,000 TtT grant which Bob will apply for.
7. Incentive Awards for UPC staff - \$5,000 was budgeted but maybe used for other expenses as needed.
8. Unusual Prosecution Expense was not included in the budget to date. However, it could be included depending on final numbers at year end.
9. UPPAC line item reflects \$1,000 that would cover mileage, catering, supplies, etc. Bob proposed this amount should the Council approve the creation of this advisory committee.
10. Net Income ended at \$891.53 based upon available current figures.

Hearing no questions, Barry Huntington made the motion to approve the FY16 Budget as explained. Jann Farris seconded the motion and the motion passed unanimously.

- B. If the surcharge remains low: Bob presented possible ways to address budget concerns as outlined in the Director's Summary. The council discussed each suggested item which included looking into no-cost venues, soliciting corporate sponsors to evaluating staff attorney grants should they go away. It was suggested that Donna require all of her travel expenses be covered by those requesting her

training services (i.e., meals, mileage, lodging and airfare.) It was suggested to find out what are Donna's mileage expenses when she travels around the state to train law enforcement. The Regional Legislative Updates should be included in that calculation as well.

V. TRAINING COMMITTEE REPORT

Steve Garside gave the Training Committee Report for Training Committee Chair Steve Garside.

- A. The Training Committee last met in March. Rich Hamp, Deputy Salt Lake County District Attorney's, has expressed a willingness to work with us on training. The Training Committee will be meeting in October for its annual fall planning session in Moab on October 12-13 in conjunction with the Government Civil Practice Conference which will be held October 14-15, 2015 at the Moab Valley Inn.

VI. UPAА REPORT

Marilyn Jasperson gave the UPAА report for Chris Stevens.

- A. The UPAА Conference will be held June 24-26, 2015 at the St. George Courtyard Marriott. Chris will report on the conference at the next meeting.

VII. STAFF ATTORNEY REPORTS:

- A. Ed Berkovich, UPC TSRP and Donna Kelly, SA/DVRP reports were included in the Director's Summary. Ed asked the Council members if they would like to be cc'd on his emails to law enforcement. The Council members agreed that would be appreciated.

VIII. IT Issues: PIMS / CASE MANAGEMENT / WEB PAGE

In addition to the detailed report in the Director's Summary, Bob Church gave the following report in Ron Weight's stead.

- A. PIMS: Ron has indicated that PIMS should be viable for another five years. Bob referred the Council to those jurisdictions who have paid for PIMS during FY14/15.
- B. Case Management: In the interest of time, Bob referred Council members to the Director's Summary.
- C. Webpage: Bob encouraged the Council members to check out the new UPC web page and sign up as a member. He mentioned the Toolbox is up and running and UPC has received quite a few samples but that they need to watermark them as a "Draft" before loading them on the page. Creating a UPC face book page was suggested.

IX. UTAH PROSECUTOR POLICY ADVISORY COMMITTEE (UPPAC)

Bob asked the Council for their approval to establish UPPAC. He directed the Council's attention to his memo outlining its details and involvement of its members. Bob highlighted the areas of focus which would include *Brady/Giglio*, Body Cameras, Officer Involved Shoots and Ethics, develop DV best practices, address 6th amendment issues. It is hoped that this committee will be an effective clearing house and resource to prosecutors around the state as well as recommending policies. There would be no binding authority. It would work closely with representatives from UPC, SWAP, UCDAА, UMPA, etc. which representatives would act as the executive committee. Bob would act as Chair, in a non-voting capacity, until the committee becomes fully functioning. After some discussion, regarding time invested, attendance of extra meetings it was felt that it would be beneficial if Utah was ahead on some of its policies in addressing the mentioned issues. It was suggested that UPPCA would be the appropriate committee to update The Prosecutor Handbook. Scott Sweat made the motion to

approve the creation of UPPAC as proposed and that the committee meet and create a synopsis outlining their role for the Council's review. Barry Huntington seconded the motion and the motion carried with Jann Farris opposing. Jann was concerned that the Council and UPC's time would not be taken away from more pressing issues.

X. CONFERENCE SOFTWARE

Bob informed the Council there is a conference management software available called EventBrite/Eventmobi. Features include e-evaluations, e-certificates, e-payment by credit cards, makes instantaneous registration/evaluation reports, etc. Cost would vary from conference to conference. This software was used at the CJC/DV Conference and might be something for UPC to consider in the future. Barry Huntington made the motion to see if a conference management software would be cost effective. Jann Farris seconded the motion and the motion carried. Bob will give an update report at the next Council meeting.

XI. STATUS OF UPC EMPLOYEES

As outlined in the Director's Summary, a meeting has yet to be scheduled. Bob will continue to try to reach Spence Austin and schedule a meeting. Until then, Bob will table drafting any UPC policy. Bob will keep the Council apprised of his progress.

VII. INTERSTATE COMPACT COUNCIL

Jann Farris made the motion to nominate Dale Eyre to serve on the Interstate Compact Council. Barry Huntington seconded the motion. The motion passed unanimously.

NEXT MEETING:

Wednesday, September 16, 2015
8:30 a.m.
Park City Marriott
1895 Sidewinder Drive
Park City, Utah

IV. ADJOURN

Tab B

2015 Fall Prosecutor Training Conference

"The Visual Trial"

September 16-18, 2015

Park City Marriott Hotel

1895 Sidewinder Drive

Park City, Utah

Agenda

Wednesday, September 16th

1:00 pm Welcome & Administrative

Robert Church
Director, Utah Prosecution Council

1:45 pm The Visual Trial: Using Courtroom Technology to Persuade

This presentation will focus on the unique issues involved in the use of courtroom technology in the prosecution of criminal cases. It is designed to introduce the prosecutor to the many ways to prepare and present digital media during trial. The presentation will briefly address the use of media editing software and then address how presentation software can be used during criminal trials, from evidence presentation, to closing argument. The presentation will then include demonstrations of actual trial technology presentations.

Mark A. Shlifka
Executive Assistant State's Attorney,
Supervisor Trial Technology Unit,
Cook County State's Attorney's
Office

2:45 pm BREAK

3:00 pm-5:20 pm BREAKOUT SESSIONS (Select 3 of the 4 sessions. Each session is 30 minutes with a 15 minute break between each session)

3:00 pm #1 of 4 High-Tech Visuals: Bringing the Crime Scene Into the Courtroom
PowerPoint - Basic to advanced, step by step.

Mark A. Shlifka

3:50 pm #2 of 4 TV & Hardware Basics
Description

David Cole
Chief Deputy
Davis County Attorney

4:40 pm #3 of 4 The Lethality Assessment Protocols (LAP) Save Lives

Domestic Violence Lethality Assessment Protocols (LAP) used by first responders are in your future! Four pilot areas have been chosen to implement this important program: Cache County, West Jordan, Cedar City and Davis County and the goal is to have all Utah law enforcement agencies using the program. This presentation will focus on the basics of the LAP and how to use it to your advantage in court.

Donna Kelly
Sexual Assault/Domestic Violence
Resource Prosecutor,
Utah Prosecution Council

4:40 pm #4 of 4 Advocacy and Law for DUI Blood Draw Cases

This section "follow the blood" from a suspect's vein, through evidence labeling and packaging, intake ("accessioning") at the toxicology lab, and production of the final toxicology report. Aimed at providing prosecutors an overview of this process, it will teach responses to common defense claims in DUI blood draw cases, discuss applicable law and suggest visual methods advocacy.

Ed Berkovich
Traffic Safety Resource Prosecutor,
Utah Prosecution Council

5:20 pm Adjourn

2015 Fall Prosecutor Training Conference

Thursday, September 17th

8:15 am Registration Desk Opens

8:30 am Presenting Expert Testimony - Mechanics & Visual Presentation

Description

Chris Shaw

Deputy Weber County Attorney

Branden Miles

Deputy Weber County Attorney

9:30 am BREAK

9:45 am Cross Examination of the Defense Expert

Description

Chris Shaw

Deputy Weber County Attorney

Letitia Toombs

Deputy Weber County Attorney

10:30 am BREAK

10:45 am Supreme Court Update

Matthew Bates

Deputy Summit County Attorney

A review of opinions from the United States Supreme Court issued after the UPC Spring Conference that are pertinent to the work of prosecutors.

12:00 pm Lunch (on your own)

Robert Stott

1:30pm A Prosecutor's Best Friend

Deputy Salt Lake District

County Attorney

Prosecutors win trials based on evidence. Almost all evidence is introduced through witnesses. Thus, witness preparation and presentation is the most consequential aspect of a successful trial

2:30 am BREAK

2:40 pm F.A.D.E.: Foundation and Admission of Digital Evidence - Examples of Technology Used to Present Digital Evidence at Trial

Branden Miles

Deputy Weber County Attorney

3:40 pm BREAK

3:50 pm Avoiding Icebergs: Brady / Giglio

Mariane O'Bryant

Deputy Utah County Office

How, when, who and what we need to do to comply with Brady/Giglio.

4:50 pm Adjourn

Friday, September 18th

8:15 am Registration Desk Opens

8:30 am Jury Selection Panel

Knowing which potential jurors to eliminate during jury selection can be tricky. The panel will discuss ideas and suggestions they have utilized in trying to find that elusive "perfect juror."

Tim Taylor

Deputy Utah County Attorney

Letitia Toombs

Deputy Weber County Attorney

Brock Belnap

Washington County Attorney

9:00 am BREAK

2015 Fall Prosecutor Training Conference

Friday, September 18th (continued)

9:15 am-11:15 am **BREAKOUT SESSIONS** (Select 3 of the 4 sessions. Each session is 30 minutes with a 15 minute break between each session)

#1 of 4 *Who is Watching the Kids? Our Role as Prosecutors in Juvenile Court*

In light of recent changes, what responsibilities do we have now in dealing with juveniles, families and public and private attorneys.

Ryan Perkins
Deputy Davis County Attorney

#2 of 4 *The Intersection of Military Justice and Civilian Criminal Justice*

This presentation provides prosecutors an overview of the Military Justice system and how it intersects with civilian criminal justice. Several issues are common to civilian prosecution of active duty and reserve military members. Topics include: how a certain conviction might affect career, security clearance, or ability to bear arms; propriety of uniform wear by defendants and witnesses; how to vet defendants' claims as to military duty, experiences, disabilities, etc.; and coordination with JAGs to achieve justice.

Major Aaron Drake
Chief Counsel for the
Utah National Guard

#3 of 4 *Cold Cases Prosecution*

A fascinating look at the advances in DNA technology that improve success in investigation and prosecution of cold cases. We will discuss avoiding land mines, covering lost ground and presenting a solid case, even years after the crime happened.

Donna Kelly
Sexual Assault/Domestic Violence
Resource Prosecutor,
Utah Prosecution Council

#4 of 4 *ICAC: Where's the Evidence?*

Internet Crimes Against Children: The Utah Internet Crimes Against Children Task Force (ICAC) is a multi-jurisdictional law enforcement task force dedicated to protecting children. Digital evidence comes into play in child exploitation cases. As with any evidence-gathering, following proper procedures is crucial and will yield the most valuable data, but often times in ICAC cases, the suspect has cleverly disguised the evidence. This session will show what lengths suspects will take to hide the evidence against them using things like disguised digital media, social sites, on-line storage and encrypted hard-drives.

Cody Tracy
Department of Homeland Security
Jessica Farnsworth
Section Chief Internet Against
Children Task Force

11:15 am **BREAK**

11:30 am *Prosecutorial Ethics: Pitfalls in Discovery and Argument*

A review of cases from describing the ethical rules that prosecutors must follow in the

Matt Bates
Deputy Summit County Attorney

12:30 pm *Adjourn*

Utah Prosecution Council
Statewide Association of Public Attorneys

Government Civil Practice Conference

October 14 - 16, 2015
Moab Valley Inn
711 South Main Street
Moab, Utah

Agenda

WEDNESDAY, OCTOBER 14TH:

12:30 Registration Desk Open
12:45 Welcome and Administration

~~UTAH COUNTIES INDEMNITY POOL BLOCK~~

1:00 Balance of Powers (Conflict of Elected Officials)
[Deputy Term]
~ TBD (Johnny Miller to invite)
2:00 Break
2:10 Governmental Immunity Act Pursuit
~ TBD (Johnny Miller and Gavin Anderson to invite)
3:10 Break
3:20 Police Critical Incidents
~ Jeff Buhman or Troy Rawlings (Kelly Wright to invite)

4:50 Adjourn

Thursday, October 15th:

8:00 Registration Desk Opens

Fast Track

8:30 Main Tax Sale for Contaminated Properties
~ Kelly Wright, Deputy Salt Lake County District Attorney
9:00 Tax Appeals - Land Mines to Avoid
~ Tim Bodily - Deputy Salt Lake District Attorney (Kelly Wright to invite)
9:30 USERA
~ Brad Johnson (Kelly Wright to invite)
~ Ronald Lund - Salt Lake County Health Department
10:00 Break

10:10 Indigent Defendants - A Panel Discussion
~ The Hon. Stephen Roth, Court of Appeals
~ Rich Moraro, Private Defense Attorney
~ Jared Eldridge, Juab County Attorney
~ Kelly Wright, Deputy Salt Lake County District Attorney

11:10 Break

11:20 UAC
~ Adam Trupp, TITLE

12:20 Luncheon Presentation - Lunch Provided
Lawyer's Helping Lawyers
~ TBD (Lynn Creswell to invite)

1:30 Law - Policy OPMA
~ TBD (Johnny Miller to invite)

2:30 Break

2:40 RS 2477 - Land Use City Resource Management
~ Mark Ward (Adam Trupp to invite)

4:20 Adjourn

Friday, October 16th:

8:00 Registration Desk Open

8:30 Cloud - eDiscovery
(Cloud issues, data security, body cams, practicum and policy)
~ Bennett Borden - confirmed

9:30 Break

9:40 Environmental Health Supervisor/Investigator County Investment
~ Alex Huggard - Investigator, Salt Lake County District Attorney's Office
~ Ronald Lund - Investigator, Salt Lake County Health's Office

10:40 Break

10:50 Ethics: Rule 3.6
~ Gavin Anderson, Deputy Salt Lake District Attorney's Office

11:20 Adjourn

NOTE OF APPRECIATION

Utah Prosecution Council and the Statewide Association of Public Attorneys express deep appreciation to the Utah Counties Indemnity Pool, and the Utah Association of Counties for the financial assistance provided by them in the planning and presentation of the 2015 Government Civil Practice Conference. The professional and knowledgeable staffs of these organizations bring important expertise and experience to the conference planning process and to the presentations of the conference agenda. Their financial assistance enables UPC to stretch its training budget. Thank you UCIP and UAC.

Salt Lake District Attorney's Office
Utah Prosecution Council

2015 White Collar Crime Conference:
Fraud by the Numbers

Thursday, November 12, 2015
Viridian Events Center
8030 S. 1825 W.
West Jordan, UT 84088

Draft Agenda

Thursday, November 12th:

- 7:30 Registration
- 8:00 Opening Remarks
--- General Sean Reyes, Utah Attorney General
- 8:15 Keynote - Spoilation: eDiscovery, eDocuments
--- Bennett B. Borden, Partner, DrinkerBiddle
- 9:15 White Collar Tools (Laws and Investigative Plan)
- CASE STUDY: *State v. Marc Jensen*: Investigative Plan, Lessons Learned
--- Tim Taylor, Deputy Utah County Attorney
- 10:00 Break
- 10:15 Investigating White Collar Crime
--- K. Worklund,(sp), Jim Malpede, FBI (Brian to contact)
- 11:00 Prosecuting White Collar Crime
--- Che' Arguello, Assistant Utah Attorney General
- 11:45 Lunch - provided
Luncheon Presentation-
Managing Complex Cases / Document Management
--- David Cole, Criminal Division Chief, Davis County Attorney
- 1:30 Special Victims
--- K.Woolton / Robert Steed (Robert to contact)
- 2:00 Break
- 2:15 Sentencing / Plea Bargaining Panel Discussion
--- Panelists: Judge Barlow (Brian to contact)
Jake Taylor (Brian to contact)
Tim Taylor
Greg Skordus
- 3:15 Break
- 3:30 White Collar Crime Registry
--- David Sonnenreich - David is confirmed but only needs 30 minutes or so for the registry. What additional topics should he speak on, if any?
- 4:30 Closing Remarks
--- Sim Gill, Salt Lake County District Attorney (Dave to contact)
- 4:45 Adjourn

Tab C

Please remember to spend the lessor of the (AMOUNT COLLECTED plus ending fund balance) or the Appropriation To Receive An

Description	Total Surcharge Collected		General Fund		LESA		Total		Prop Count		AG Train		Check Totals
	FY15	Collected	FY15	Collected	FY15	Collected	Allocation	Balance	3%	3%	5%	5%	
July New FY 16	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
August	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
September	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
October	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
November	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
December	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
January	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
February	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
March	0.00	0.00	0.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
April Cor. Alloc				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
April Revised	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
May	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May Cor. Alloc				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May Revised	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
June	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
June Cor. Alloc				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Correct Adjust				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
June Revised	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66
Total YTD	1,487,415.66	30,000.00	30,000.00	41,703.94	1,415,711.72	42,471.35	7,078.56	1,487,415.66	0.00	0.00	0.00	0.00	1,487,415.66

FY 2015 Appropriation		2016 Collections		2015 Collections	
Total Collected Revenue to Approp	30,000.00	617,800.00	614,000.00	78,300.00	78,300.00
Over/(Under) Approp Limitation	30,000.00	13,731,111.11	20,496,666.67	15,680,000.00	(71,221.44)
		(576,196.06)	(572,428.65)		

Description	RS 4107		RS 4108		RS 4109		RS 4110		Total		Total	
	90% surchrg	ST Counts	35% surchrg	JF Counts	60% surchrg	JF Counts	35% surchrg	JF Counts	Surcharge 2015	Collected 2015	Surcharge 2015	Collected 2015
July Old FY 15	3,846.65	481.78	18,250.08	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30	
July New FY 16	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
August	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
September	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
October	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
November	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
December	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
January	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
February	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
March	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
April	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
May	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
June	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		
Total YTD	218,835.33	18,741.86	737,918.80	511,919.67	1,353,382.16	6,107.14	1,359,489.30	1,353,382.16	6,107.14	1,359,489.30		

Criminal Fine Surcharge
Allocation Schedule

Yearly Collection Comparisons

Description	A/C 4:07 St. Clair's		A/C 4:05 St. Clair's		A/C 4:06 St. Clair's	
	35% Sturch	35% Sturch	35% Sturch	35% Sturch	35% Sturch	35% Sturch
Total FY - 2015	3,659,718.47	369,116.53	6,934,842.94	9,361,737.40		
Total FY - 2014	3,458,361.62	256,960.88	9,515,958.43	9,969,459.89		
Total FY - 2013	3,477,219.44	272,318.28	9,815,812.80	9,418,245.80		
Total FY - 2012	3,633,751.61	311,318.07	9,425,156.14	9,437,988.83		
Total FY - 2011	3,592,100.42	381,274.81	8,790,531.74	7,826,225.41		
Total FY - 2010	3,476,779.82	458,829.94	7,398,508.39	6,531,928.30		
Total FY - 2009	3,500,533.58	427,513.65	5,782,692.45	6,169,928.43		
Total FY - 2008	3,799,353.18	492,700.66	5,478,580.39	5,938,168.90		
Total FY - 2007	3,875,029.24	600,659.17	5,478,580.39	5,478,580.39		
Total FY - 2006	3,774,211.02	717,626.35	4,596,718.66	4,596,718.66		
Total FY - 2005	3,494,397.61	807,780.01				
Total FY - 2004	3,503,207.26	694,188.98				
Total FY - 2003	3,843,161.16	777,392.23				
Total FY - 2002	3,952,486.08	859,333.64				
Total FY - 2001	4,209,865.67	775,130.13				
Total FY - 2000	4,213,566.46	886,816.15				
Total FY - 1999	3,787,301.10	1,394,866.37				
	Total 85.00%	Total 35%	Total All			
Total FY - 2015	12,594,558.41	6,084,387.99	19,258,946.39			
Total FY - 2014	12,840,069.02	5,399,061.79	18,779,160.81			
Total FY - 2013	12,993,177.87	5,924,139.45	18,917,317.32			
Total FY - 2012	13,623,211.50	6,393,114.56	20,016,326.06			
Total FY - 2011	13,407,913.22	6,585,481.61	19,993,394.83			
Total FY - 2010	12,895,025.62	6,729,848.12	19,624,873.74			
Total FY - 2009	12,925,689.72	6,697,336.20	19,623,025.92			
Total FY - 2008	13,237,322.01	6,432,439.92	19,669,761.93			
Total FY - 2007	12,665,560.98	6,998,512.15	19,664,073.13			
Total FY - 2006	11,600,436.43	6,684,926.45	18,285,362.88			
Total FY - 2005	10,892,906.00	6,771,259.38	17,664,165.38			
Total FY - 2004	10,135,135.56	5,722,924.83	15,858,060.39			
Total FY - 2003	9,625,853.61	5,438,417.94	15,064,271.55			
Total FY - 2002	10,122,414.51	5,163,486.39	15,285,900.90			

Tab D

Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
Income				
CONFERENCE REGISTRATION FEES				
Advanced Trial Skills Training	0.00	0.00	0.00	0.0%
Basic Prosecutor	1,219.00	975.00	244.00	125.0%
Civil Conference	0.00	4,500.00	-4,500.00	0.0%
Domestic Violence	0.00	0.00	0.00	0.0%
Fall Conference	3,075.00	8,250.00	-5,175.00	37.3%
Sexual Assault Conf	0.00	0.00	0.00	0.0%
Spring Conference	0.00	26,250.00	-26,250.00	0.0%
Train the Trainer	0.00	2,250.00	-2,250.00	0.0%
White Collar	3,150.00	3,200.00	-50.00	98.4%
UMPA	0.00	3,735.00	-3,735.00	0.0%
Total CONFERENCE REGISTRATION FEES	7,444.00	48,160.00	-41,716.00	15.1%
EXPENSE REIMBURSEMENTS				
John R Justice Grant	0.00	32,521.00	-32,521.00	0.0%
Staff Atty DV & SVRP	0.00	37,417.22	-37,417.22	0.0%
VAWA grant for DVRR	0.00	77,647.00	-77,647.00	0.0%
VAWA grant for SVRR	0.00	115,064.22	-115,064.22	0.0%
Total Staff Atty DV & SVRP	0.00	109,145.90	-109,145.90	0.0%
Staff Atty Traffic Safety	0.00	109,145.90	-109,145.90	0.0%
DPS Traffic Safety Funds - TSRP	0.00	109,145.90	-109,145.90	0.0%
Total Staff Atty Traffic Safety	0.00	256,731.12	-256,731.12	0.0%
Total EXPENSE REIMBURSEMENTS	0.00	23,072.00	-23,072.00	0.0%
PIMS Income				
PIMS User Fees	0.00	23,072.00	-23,072.00	0.0%
PIMS Income - Other	0.00	0.00	0.00	0.0%
Total PIMS Income	0.00	23,072.00	-23,072.00	0.0%
SCHARGE & NON-LAPSING CARRYOVER				
Non-lapsing carry over	0.00	105,190.00	-105,190.00	0.0%
Surcharge Receipts	0.00	593,385.28	-593,385.28	0.0%
Total SCHARGE & NON-LAPSING CARRYOVER	0.00	698,575.28	-698,575.28	0.0%
Total Income	7,444.00	1,027,538.40	-1,020,094.40	0.7%
Expense				
ADMINISTRATIVE FEES				
Administrative fee to AG	0.00	15,000.00	-15,000.00	0.0%
Building OS&M	0.00	36,000.00	-36,000.00	0.0%
DB Purc (West Law)	0.00	1,500.00	-1,500.00	0.0%
Ins & Bonds	0.00	1,200.00	-1,200.00	0.0%
Total ADMINISTRATIVE FEES	0.00	53,700.00	-53,700.00	0.0%
Conferences				
Advanced Trial Skills Training	0.00	0.00	0.00	0.0%
Airfare	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Total Advanced Trial Skills Training	0.00	0.00	0.00	0.0%

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
Basic Prosecutor Course				
catering	2,647.10	0.00	2,647.10	100.0%
lodging	0.00	0.00	0.00	0.0%
Lodging, students	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	1,070.00	0.00	1,070.00	100.0%
mileage	1,436.20	0.00	1,436.20	100.0%
miscellaneous	228.30	0.00	228.30	100.0%
printing	0.00	0.00	0.00	0.0%
Basic Prosecutor Course - Other	0.00	0.00	0.00	0.0%
Total Basic Prosecutor Course	5,381.50	17,000.00	-11,618.40	31.7%
Civil Training Conference				
catering	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Civil Training Conference - Other	0.00	0.00	0.00	0.0%
Total Civil Training Conference	0.00	11,000.00	-11,000.00	0.0%
Conference Materials				
Handouts, Materials, SWAG	0.00	5,500.00	-5,500.00	0.0%
Utah Travel Council Calendars	0.00	1,700.00	-1,700.00	0.0%
Total Conference Materials	0.00	7,200.00	-7,200.00	0.0%
Domestic Violence				
catering	0.00	0.00	0.00	0.0%
Domestic Violence - Other	0.00	0.00	0.00	0.0%
Total Domestic Violence	0.00	0.00	0.00	0.0%
Executive				
air fare	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
miscellaneous	0.00	0.00	0.00	0.0%
Executive - Other	0.00	1,500.00	-1,500.00	0.0%
Total Executive	0.00	1,500.00	-1,500.00	0.0%
Fall Conference				
air fare	0.00	0.00	0.00	0.0%
audio-visual	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
UPC Brief Cases	0.00	7,500.00	-7,500.00	0.0%
Fall Conference - Other	0.00	17,000.00	-17,000.00	0.0%
Total Fall Conference	0.00	24,500.00	-24,500.00	0.0%
New County Attorneys Training	0.00	0.00	0.00	0.0%
Other Training Event	0.00	0.00	0.00	0.0%

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
Regional Training				
Legislative Update	0.00	0.00	0.00	0.0%
Facilities charge	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Legislative Update - Other	0.00	1,500.00	-1,500.00	0.0%
Total Legislative Update	0.00	1,500.00	-1,500.00	0.0%
Regional Workshops	0.00	0.00	0.00	0.0%
Regional Training - Other	0.00	0.00	0.00	0.0%
Total Regional Training	0.00	1,500.00	-1,500.00	0.0%
Sexual Assault Conf				
catering	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Total Sexual Assault Conf	0.00	0.00	0.00	0.0%
Spring Conference				
audio-visual	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Spring Conference - Other	0.00	26,000.00	-26,000.00	0.0%
Total Spring Conference	0.00	26,000.00	-26,000.00	0.0%
Staff Attorney Training				
SV/DVRP Training Materials	0.00	2,000.00	-2,000.00	0.0%
SV/DVRP workshops	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage/car rental	0.00	0.00	0.00	0.0%
miscellaneous	0.00	0.00	0.00	0.0%
SV/DVRP workshops - Other	0.00	1,500.00	-1,500.00	0.0%
Total SV/DVRP workshops	0.00	1,500.00	-1,500.00	0.0%
SVRP Training beg Jan 2012	0.00	0.00	0.00	0.0%
audio/visual	84.96	0.00	84.96	100.0%
catering	0.00	0.00	0.00	0.0%
SVRP Training beg Jan 2012 - Other	84.96	0.00	84.96	100.0%
Total SVRP Training beg Jan 2012	84.96	0.00	84.96	100.0%
TSRP Training	78.40	0.00	78.40	100.0%
lodging	46.00	0.00	46.00	100.0%
meals	59.68	0.00	59.68	100.0%
mileage/car rental	43.75	0.00	43.75	100.0%
miscellaneous	0.00	0.00	0.00	0.0%
printing	0.00	13,000.00	-13,000.00	0.0%
TSRP Training - Other	0.00	13,000.00	-13,000.00	0.0%
Total TSRP Training	227.83	13,000.00	-12,772.17	1.8%

**Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2015 through June 2016**

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
Staff Attorney Training - Other	0.00	500.00	-500.00	0.0%
Total Staff Attorney Training	312.79	17,000.00	-16,687.21	1.8%
Train the Trainers	0.00	27,000.00	-27,000.00	0.0%
UMPA Summer Conf				
air fare	0.00	0.00	0.00	0.0%
audio-visual	0.00	0.00	0.00	0.0%
catering	674.96	0.00	674.96	100.0%
facilities charge	500.00	0.00	500.00	100.0%
lodging	1,571.28	0.00	1,571.28	100.0%
MCLF fee	0.00	0.00	0.00	0.0%
meals	296.00	0.00	296.00	100.0%
mileage	1,392.81	0.00	1,392.81	100.0%
miscellaneous	0.00	0.00	0.00	0.0%
printing	0.00	6,000.00	-6,000.00	0.0%
Total UMPA Summer Conf - Other	4,435.05	6,000.00	-1,564.95	73.9%
White Collar Crime	0.00	3,000.00	-3,000.00	0.0%
Total Conferences	10,129.44	141,700.00	-131,570.56	7.1%
COUNCIL AND COMMITTEE MEETINGS				
Council and other committees				
catering	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
Total Council and other committees - Other	0.00	6,500.00	-6,500.00	0.0%
Total Council and other committees	0.00	6,500.00	-6,500.00	0.0%
Training Committee				
catering	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
miscellaneous	0.00	8,200.00	-8,200.00	0.0%
Training Committee - Other	0.00	8,200.00	-8,200.00	0.0%
Total Training Committee	0.00	8,200.00	-8,200.00	0.0%
Total COUNCIL AND COMMITTEE MEETINGS	0.00	14,700.00	-14,700.00	0.0%
CURRENT EXPENSES				
Annual MCLF Fee	0.00	2,000.00	-2,000.00	0.0%
Donations to Other Groups	0.00	1,000.00	-1,000.00	0.0%
Dues & Memberships	0.00	2,000.00	-2,000.00	0.0%
Equipment/Supplies-not Data Pro	0.00	5,500.00	-5,500.00	0.0%
IT (Hardware and software requirements for UPC.)				
Hardware	0.00	120.00	-120.00	0.0%
Network Services	149.39	4,700.00	-4,550.61	3.2%
Software	0.00	1,420.00	-1,420.00	0.0%
UPC Website	85.27	1,100.00	-1,014.73	7.8%
Total IT (Hardware and software requirements for UPC.)	234.66	7,340.00	-7,105.34	3.2%
LEOJ Training	0.00	2,000.00	-2,000.00	0.0%
Library & Subscriptions	3,315.00	2,600.00	715.00	127.5%
Miscellaneous	161.64	1,300.00	-1,138.36	12.4%
Miscellaneous Motor Pool	0.00	1,300.00	-1,300.00	0.0%
Postage	0.00	1,700.00	-1,700.00	0.0%
Telephone	225.99	5,600.00	-5,374.01	4.0%
Total CURRENT EXPENSES	3,937.29	32,340.00	-28,402.71	12.2%

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
DATA MANAGEMENT - PIMS PROGRAM				
PIMS committees				
PIMS User Group	0.00	0.00	0.00	0.0%
Catering	0.00	0.00	0.00	0.0%
Mileage	0.00	0.00	0.00	0.0%
Total PIMS User Group	0.00	0.00	0.00	0.0%
UPC Technology Committee				
Catering	0.00	0.00	0.00	0.0%
Mileage	0.00	0.00	0.00	0.0%
Total UPC Technology Committee	0.00	0.00	0.00	0.0%
PIMS committees - Other	0.00	0.00	0.00	0.0%
Total PIMS committees	0.00	0.00	0.00	0.0%
PIMS Programming & Testing				
Phase II	0.00	0.00	0.00	0.0%
Court integration (e-filing)	0.00	0.00	0.00	0.0%
Phase II - Other	0.00	0.00	0.00	0.0%
Total Phase II	0.00	0.00	0.00	0.0%
Phase III	0.00	0.00	0.00	0.0%
PIMS modifications/improvements	0.00	0.00	0.00	0.0%
Software	0.00	0.00	0.00	0.0%
Total PIMS Programming & Testing	0.00	0.00	0.00	0.0%
PIMS Support & Installation				
Maintenance / Installation	0.00	1,200.00	-1,200.00	0.0%
Lodging	0.00	6,500.00	-6,500.00	0.0%
Maintenance & enhancements	0.00	663.00	-663.00	0.0%
Meals	0.00	1,071.00	-1,071.00	0.0%
Mileage	0.00	9,434.00	-9,434.00	0.0%
Total Maintenance / Installation	0.00	1,850.00	-1,700.32	8.1%
Server hosting charges	149.68	0.00	149.68	1.3%
Software	0.00	0.00	0.00	0.0%
Total PIMS Support & Installation	149.68	1,850.00	-1,700.32	1.3%
Total DATA MANAGEMENT - PIMS PROGRAM	149.68	1,850.00	-1,700.32	1.3%
John R Justice Grant	0.00	32,521.00	-32,521.00	0.0%
OTHER IN-STATE TRAVEL	0.00	250.00	-250.00	0.0%
OUT-OF-STATE TRAVEL				
Best Practices	0.00	1,200.00	-1,200.00	0.0%
NAJIS				
Board Meeting	0.00	930.00	-930.00	0.0%
Summer Conference	0.00	1,775.00	-1,775.00	0.0%
Total NAJIS	0.00	2,705.00	-2,705.00	0.0%
NAPC				
NAPC Summer mtg	4,641.00	4,500.00	141.00	103.1%
NAPC Winter mtg	0.00	4,500.00	-4,500.00	0.0%
Total NAPC	4,641.00	9,000.00	-4,359.00	51.6%
NDAA CONFERENCE	0.00	2,500.00	-2,500.00	0.0%
Other out of state travel	0.00	0.00	0.00	0.0%
SVRP Out-of-State Travel	0.00	600.00	-600.00	0.0%
TSRP Out-of-State Travel	0.00	3,000.00	-3,000.00	0.0%
Total OUT-OF-STATE TRAVEL	0.00	19,005.00	-19,005.00	0.0%
Total DATA MANAGEMENT - PIMS PROGRAM	4,641.00	19,005.00	-14,364.00	24.4%

Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul '15 - Jun '16	Budget	\$ Over Budget	% of Budget
PERSONNEL SERVICES				
Director				
base salary	4,976.74	103,542.40	-98,565.66	4.8%
benefits	2,672.42	55,389.84	-52,717.42	4.8%
Incentive Award	0.00	0.00	0.00	0.0%
Total Director	7,649.16	158,932.24	-151,283.08	4.8%
Incentive Award	0.00	7,500.00	-7,500.00	0.0%
IT Director				
base salary	5,555.96	77,854.40	-72,298.44	7.1%
benefits	2,203.36	41,399.62	-39,196.26	5.3%
Incentive Award	0.00	0.00	0.00	0.0%
Total IT Director	7,759.32	119,254.02	-111,494.70	6.5%
Law Clerk I				
base salary	1,328.40	29,161.60	-27,833.20	4.6%
benefits	115.97	2,545.81	-2,429.84	4.6%
Total Law Clerk I	1,444.37	31,707.41	-30,263.04	4.6%
Staff Attorney - DV & SVRP				
base salary	5,128.28	106,163.20	-101,034.92	4.8%
benefits	2,624.38	46,683.01	-44,058.63	5.6%
Incentive Award	0.00	0.00	0.00	0.0%
Total Staff Attorney - DV & SVRP	7,752.66	152,846.21	-145,073.55	5.1%
Staff Attorney - Traffic Safety				
base salary	4,238.00	83,428.00	-79,190.00	5.1%
benefits	1,326.20	37,844.45	-36,518.25	3.5%
Incentive Award	0.00	0.00	0.00	0.0%
Total Staff Attorney - Traffic Safety	5,564.20	121,272.45	-115,708.25	4.6%
Training Coordinator				
base salary	3,430.96	68,619.20	-65,188.24	5.0%
benefits	2,698.99	41,843.19	-39,156.20	6.4%
Incentive Award	0.00	0.00	0.00	0.0%
Total Training Coordinator	6,117.95	110,462.39	-104,344.44	5.5%
Total PERSONNEL SERVICES	36,287.66	701,954.72	-665,667.06	5.2%
UNUSUAL PROSECUTION EXPENSES				
UPAA APPROPRIATION	0.00	0.00	0.00	0.0%
UPPAC	137.47	12,000.00	-11,862.53	1.1%
Catering	117.41	2,000.00	-2,000.00	0.0%
UPPAC - Other	0.00	0.00	0.00	0.0%
Total UPPAC	117.41	2,000.00	-1,882.59	5.9%
Total Expense	55,399.95	1,021,454.72	-966,054.77	5.4%
Net Income	-47,955.95	6,083.86	-54,039.63	-788.3%

Tab E

1:00 PM
 09/08/15
 Cash Basis

Utah Prosecution Council
 FY16 BUDGET
 July 2015 through June 2016

Jul '15 - Jun 16

Income	
CONFERENCE REGISTRATION FEES	
Advanced Trial Skills Training	0.00
Basic Prosecutor	975.00
Civil Conference	4,500.00
Domestic Violence	0.00
Fall Conference	8,250.00
Sexual Assault Conf	0.00
Spring Conference	26,250.00
Train the Trainer	2,250.00
UMPA	3,200.00
White Collar	3,735.00
Total CONFERENCE REGISTRATION FEES	49,160.00
EXPENSE REIMBURSEMENTS	
John R Justice Grant	32,521.00
Staff Atty DV & SVRP	
VAWA grant for DVRP	37,417.22
VAWA grant for SVRP	77,647.00
Total Staff Atty DV & SVRP	115,064.22
Staff Atty Traffic Safety	
DPS Traffic Safety Funds - TSRP	109,145.90
Total Staff Atty Traffic Safety	109,145.90
Total EXPENSE REIMBURSEMENTS	256,731.12
PIMS Income	
PIMS User Fees	23,072.00
PIMS Income - Other	0.00
Total PIMS Income	23,072.00
SCHARGE & NON-LAPSING CARRYOVER	
Non-lapsing carry over	105,190.00
Surcharge Receipts	593,385.28
Total SCHARGE & NON-LAPSING CARRYOVER	698,575.28
Total Income	1,027,538.40
Expense	
ADMINISTRATIVE FEES	
Administrative fee to AG	15,000.00
Building OS&M	36,000.00
DB Purc (West Law)	1,500.00
Ins & Bonds	1,200.00
Total ADMINISTRATIVE FEES	53,700.00
Conferences	
Advanced Trial Skills Training	
Airfare	0.00
catering	0.00
facilities charge	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
printing	0.00
Total Advanced Trial Skills Training	0.00

1:00 PM
09/08/15
Cash Basis

Utah Prosecution Council
FY16 BUDGET
July 2015 through June 2016

	Jul '15 - Jun 16
Basic Prosecutor Course	
catering	0.00
lodging	0.00
Lodging, students	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
miscellaneous	0.00
printing	0.00
Basic Prosecutor Course - Other	17,000.00
Total Basic Prosecutor Course	17,000.00
Civil Training Conference	
catering	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
printing	0.00
Civil Training Conference - Other	11,000.00
Total Civil Training Conference	11,000.00
Conference Materials	
Handouts, Materials, SWAG	5,500.00
Utah Travel Council Calendars	1,700.00
Total Conference Materials	7,200.00
Domestic Violence	
catering	0.00
Domestic Violence - Other	0.00
Total Domestic Violence	0.00
Executive	
air fare	0.00
catering	0.00
honoraria	0.00
lodging	0.00
meals	0.00
mileage	0.00
miscellaneous	0.00
Executive - Other	1,500.00
Total Executive	1,500.00
Fall Conference	
air fare	0.00
audio-visual	0.00
catering	0.00
facilities charge	0.00
honoraria	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
printing	0.00
UPC Brief Cases	7,500.00
Fall Conference - Other	17,000.00
Total Fall Conference	24,500.00
New County Attorneys Training	0.00
Other Training Event	0.00

Utah Prosecution Council
 FY16 BUDGET
 July 2015 through June 2016

	Jul '15 - Jun 16
Regional Training	
Legislative Update	
facilities charge	0.00
lodging	0.00
meals	0.00
mileage	0.00
printing	0.00
Legislative Update - Other	1,500.00
Total Legislative Update	1,500.00
Regional Workshops	0.00
Regional Training - Other	0.00
Total Regional Training	1,500.00
Sexual Assault Conf	
catering	0.00
facilities charge	0.00
honoraria	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
printing	0.00
Total Sexual Assault Conf	0.00
Spring Conference	
audio-visual	0.00
catering	0.00
honoraria	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
printing	0.00
Spring Conference - Other	26,000.00
Total Spring Conference	26,000.00
Staff Attorney Training	
SV/DVRP Training Materials	2,000.00
SV/DVRP workshops	
lodging	0.00
meals	0.00
mileage/car rental	0.00
miscellaneous	0.00
SV/DVRP workshops - Other	1,500.00
Total SV/DVRP workshops	1,500.00
SVRP Training beg Jan 2012	
audio/visual	0.00
SVRP Training beg Jan 2012 - Other	0.00
Total SVRP Training beg Jan 2012	0.00
TSRP Training	
lodging	0.00
meals	0.00
mileage/car rental	0.00
miscellaneous	0.00
printing	0.00
TSRP Training - Other	13,000.00
Total TSPR Training	13,000.00
Staff Attorney Training - Other	500.00
Total Staff Attorney Training	17,000.00
Train the Trainers	27,000.00

1:00 PM
09/08/15
Cash Basis

Utah Prosecution Council
FY16 BUDGET
July 2015 through June 2016

	Jul '15 - Jun 16
UMPA Summer Conf	
air fare	0.00
audio-visual	0.00
catering	0.00
facilities charge	0.00
lodging	0.00
MCLE fee	0.00
meals	0.00
mileage	0.00
miscellaneous	0.00
printing	0.00
UMPA Summer Conf - Other	6,000.00
Total UMPA Summer Conf	6,000.00
White Collar Crime	3,000.00
Total Conferences	141,700.00
COUNCIL AND COMMITTEE MEETINGS	
Council and other committees	
catering	0.00
lodging	0.00
meals	0.00
mileage	0.00
Council and other committees - Other	6,500.00
Total Council and other committees	6,500.00
Training Committee	
catering	0.00
lodging	0.00
meals	0.00
mileage	0.00
miscellaneous	0.00
Training Committee - Other	8,200.00
Total Training Committee	8,200.00
Total COUNCIL AND COMMITTEE MEETINGS	14,700.00
CURRENT EXPENSES	
Annual MCLE Fee	2,000.00
Donations to Other Groups	1,000.00
Dues & Memberships	2,000.00
Equipment/Supplies-not Data Pro	5,500.00
IT (Hardware and software requirements for UPC.)	
Hardware	120.00
Network Services	4,700.00
Software	1,420.00
UPC Website	1,100.00
Total IT (Hardware and software requirements for UPC.)	7,340.00
LEOJ Training	2,000.00
Library & Subscriptions	2,600.00
Miscellaneous	1,300.00
Miscellaneous Motor Pool	1,300.00
Postage	1,700.00
Telephone	5,600.00
Total CURRENT EXPENSES	32,340.00
DATA MANAGEMENT - PIMS PROGRAM	
PIMS committees	
PIMS User Group	
Catering	0.00
Mileage	0.00
Total PIMS User Group	0.00

**Utah Prosecution Council
 FY16 BUDGET
 July 2015 through June 2016**

	<u>Jul '15 - Jun 16</u>	
UPC Technology Committee		
Catering	0.00	
Mileage	0.00	
<u>Total UPC Technology Committee</u>		0.00
PIMS committees - Other		0.00
<u>Total PIMS committees</u>		0.00
PIMS Programming & Testing		
Phase II		
Court integration (e-filing)	0.00	
Phase II - Other	0.00	
<u>Total Phase II</u>		0.00
Phase III		0.00
PIMS modifications/improvements		0.00
Software		0.00
<u>Total PIMS Programming & Testing</u>		0.00
PIMS Support & Installation		
Maintenance / Installation		
Lodging	1,200.00	
Maintenance & enhancements	6,500.00	
Meals	663.00	
mileage	1,071.00	
<u>Total Maintenance / Installation</u>		9,434.00
Server hosting charges		1,850.00
Software		0.00
<u>Total PIMS Support & Installation</u>		11,284.00
Total DATA MANAGEMENT - PIMS PROGRAM		11,284.00
John R Justice Grant		32,521.00
OTHER IN-STATE TRAVEL		250.00
OUT-OF-STATE TRAVEL		
Best Practices		1,200.00
NAJIS		
Board Meeting	930.00	
Summer Conference	1,775.00	
<u>Total NAJIS</u>		2,705.00
NAPC		
NAPC Summer mtg	4,500.00	
NAPC Winter mtg	4,500.00	
<u>Total NAPC</u>		9,000.00
NDAA CONFERENCE		2,500.00
Other out of state travel		0.00
SVRP Out-of-State Travel		600.00
TSRP Out-of-State Travel		3,000.00
<u>Total OUT-OF-STATE TRAVEL</u>		19,005.00
PERSONNEL SERVICES		
Director		
base salary	103,542.40	
benefits	55,389.84	
Incentive Award	0.00	
<u>Total Director</u>		158,932.24
Incentive Award		7,500.00

1:00 PM
09/08/15
Cash Basis

Utah Prosecution Council
FY16 BUDGET
July 2015 through June 2016

	Jul '15 - Jun 16
IT Director	
base salary	77,854.40
benefits	41,399.62
Incentive Award	0.00
Total IT Director	119,254.02
Law Clerk I	
base salary	29,161.60
benefits	2,545.81
Total Law Clerk I	31,707.41
Staff Attorney - DV & SVRP	
base salary	106,163.20
benefits	46,663.01
Incentive Award	0.00
Total Staff Attorney - DV & SVRP	152,826.21
Staff Attorney - Traffic Safety	
base salary	83,428.00
benefits	37,844.45
Incentive Award	0.00
Total Staff Attorney - Traffic Safety	121,272.45
Training Coordinator	
base salary	68,619.20
benefits	41,843.19
Incentive Award	0.00
Total Training Coordinator	110,462.39
Total PERSONNEL SERVICES	701,954.72
UNUSUAL PROSECUTION EXPENSES	0.00
UPAA APPROPRIATION	12,000.00
UPPAC	2,000.00
Total Expense	1,021,454.72
Net Income	6,083.68

Tab F

Tab G

Agenda

TSRP Advisory Board Meeting – Sep. 2, 2015

- Ed's report:
- Responded to 41 requests for assistance (RFAs) from prosecutors, law enforcement, and administrative office of the courts. The work involved to respond to these ranges from a five-minute consultation to spending multiple hours on a project.
- Taught "DUI Street Law / Cops in Court / Report Writing" to the following:
 - June 5 – Garfield Co. SO (8 attendees)
 - June 11 – Logan PD (14 attendees)
 - July 6 – Sevier Co. SO (9 attendees)
 - August 24 – Tooele Co. SO (7 attendees)
 - August 26 – Tooele Co. SO (14 attendees)
- Pursuant to NAPC/NHTSA cooperative mini-grant (TOXE), taught or co-taught with Nghia Nguyen "Biologic Evidence Handling for Law Enforcement" as follows:
 - June 5 – Garfield Co. SO (8 attendees)
 - June 18 – Grand Co. SO (22 attendees)
 - June 18 – San Juan Co. SO (20 attendees)
 - July 14 – Morgan Co. SO (12 attendees)
 - August 4 – Vernal PD (23 attendees)
 - August 20 – Wasatch Co. SO (16 attendees)
 - Note: (1) This grant closed on July 31. Thus, in August I spent considerable time preparing the reimbursement request / final report, which was approved. Further TOXE training activities will be carried out under regular TSRP activities. (2) Early statistics from UBFT indicated the biological sample rejection rate has been reduced from 18-23% to 3.8%. Law enforcement have responded to our cross-disciplinary training efforts.
- Posted 6 postings re traffic-related matters on UPC prosecutor forum.

- Taught “Uncooperative Drivers at Traffic Stops / Cops in Court” to DMV enforcement officers on July 8 (28 attendees). The uncooperative drivers presentation was also taught as an add-on to many of the trainings above.
- Taught “Legislative Traffic Update” as follows:
 - June 1 – Weber Co. MATF (20 attendees)
 - June 2 – Utah Co. MATF (23 attendees)
 - June 3 – Davis Co. MATF (17 attendees)
 - June 4 – SL Co. MATF (17 attendees)
 - June 10 – WVC PD (25 attendees)
- Taught “Misdemeanor Odds and Ends” including DUI/traffic safety subjects and advocacy at Utah Misdemeanor Prosecutors Assoc. annual meeting in Moab on August 6 - 7 (53 attendees)
 - At UMPA we put on an SFST wet lab where UHP dosed up prosecutor drinkers under controlled conditions for 2.5 to 3.0 hours while the other UMPA attendees were being taught the SFSTs and other DUI related subjects. After that prosecutors practiced administering the SFSTs on the dosed-up drinkers. Participation and learning in this section was excellent.
- Taught “Basic DUI Law and Advocacy” at UPC’s Basic Prosecutor Course in Logan on August 19 (17 attendees)
 - Also, coordinated to have UHP Trooper Robert Cowart teach SFSTs and Intoxilyzer 8000 there, and coordinated to have Kim Gibb, DLD, teach DL issues there (both of which were separate sessions from mine).
- Participated in NAPC/TSRP cross examination defense expert project at Portland from July 21-24. This was externally funded.
- During June I spent considerable time responding to LE questions that arise when UPC does its regional legislative updates. These are an excellent source for training ideas.

- During July I performed considerable work coordinating a research visit from the Traffic Injury Research Foundation (TIRF) which culminated on August 12. TIRF wanted to further study Utah's E-warrant system and the TOXE training activities carried out per the NAPC/NHTSA mini grant. The Utah participants were: Nghia Nguyen, UBFT; Chelsey Burns and Alan Leidig, BCI/DTS; Chad Platt, SL CO DA's office; Officer Tom Wind, SLCPD; Edward Berkovich, TSRP. The TIRF researchers / statisticians were Steve Brown and Ward Vanlaar.
- During July I spent considerable time coordinating the CO, UT and WY co-mentoring and materials development and sharing to be carried out at NHTSA Region 8 in Denver on October 28 – 29. This will be externally funded.
- At request of Todd Hoose (NHTSA) and Gina Espinosa-Salcedo (NHTSA Region 8), I submitted a proposal to present at Lifesavers 2016 about some of the cooperative partner-agency projects we have undertaken with the TSRP, HSO, UHP, UBFT and DLD.
- Various meetings/conferences attended: MATF, UPC, SWAP, NAPC Chicago (including TSRP breakout).
- Open discussion
- Set next meeting

UTAH IMPROVES DUI TEST SUBMISSION RATE FROM 77 TO 96%

By Edward A. Berkovich

In the months before January 2015, the Utah Bureau of Forensic Toxicology (UBFT) was rejecting 18-23% of DUI blood and urine samples submitted by law enforcement. The reason was the samples did not meet UBFT's submission criteria for labeling, sealing, initialing, dating and delivery. This caused inefficiencies, including delays in getting final test results to prosecutors and driver license hearing officers; mismatched case numbers for re-submitted samples, causing further delays; duplicated work by both submitting law enforcement agencies and UBFT accessioning personnel, which increased labor costs per sample. It also led to chain-of-custody challenges by defense counsel.

The rejection rate did not signify a lack of conscientiousness or skill on the part of Utah's certified law enforcement phlebotomists and other law enforcement personnel who package blood and urine evidence. Rather, UBFT submission criteria had evolved over time, and blood and urine kits from vendors still contained different instructions. Thus, there was not a uniform, clearly communicated set of instructions for law enforcement.

In January 2015, Utah applied for and was granted an NAPC/NHTSA Cooperative Mini Grant for \$3,995.98 to fund statewide training to fix this problem. Working together, personnel from UBFT, the Utah Highway Safety Office (UHSO), the Utah Highway Patrol (UHP), and the Utah Prosecution Council (UPC) conceived a four-part, one-hour class to take to law enforcement training rooms statewide.

Part one was an eight-minute video, filmed and edited by the work group, showing a UHP trooper correctly labeling, sealing, initialing, dating (LSID) and packaging empty blood and urine evidence kits in their various submission modes. Part two was a short PowerPoint lecture and discussion showing common submission errors to be avoided. In part three, exemplar boxes containing LSID-correct blood and urine kit component parts were distributed to attendees. The exemplar boxes, which also included a copy of the training video on a jump drive and a Sharpie marker, were left with law enforcement attendees – one per agency trained – for future reference.

Part four was lecture about DUI blood draw law and related subjects. The instructors were a forensic toxicologist and the TSRP. Importantly, at each training, direct contact information – including mobile phone numbers and email addresses – was exchanged to facilitate future communication and problem avoidance.

From late January to mid-July 2015, 467 DUI blood and urine evidence packaging personnel were trained at 24 locations statewide, including some hospital employees and private contractors who conduct DUI blood draws for law enforcement. Attendance ranged from three officers in a rural county to 43 in a multi-agency setting. Though conducting trainings across Utah necessitated substantial travel, the project was completed under budget. Cost savings were achieved by adding this training onto others previously scheduled UPC regional trainings, making long day trips when possible, and UBFT's paying the mileage for its forensic toxicologist. Significantly, early statistical reporting from UBFT indicates the sample rejection rate is down from 18-23% to 3.8%. Put another way, UBFT has gone from returning one in five samples to returning just less than one in 25.



Exemplar Box Contents



While the grant period is closed, this training is now “on the shelf” and available as needed for spot trainings, to be conducted under regular TSRP activities. The materials and procedures developed are of course available to any state's prosecutor coordinator or TSRP who would like to adapt and improve them for use in their home state.

Finally, while NAPC/NHTSA Cooperative Mini Grants provide relatively modest sums, they are invaluable when used to implement focused, single-purpose solutions to a state's challenges related to DUI/traffic safety enforcement. For further information about the activities described above, please contact the author at eberkovich@utah.gov.

The Utah Team: Nghia Nguyen, Forensic Toxicologist; Edward Berkovich, TSRP Utah; Gambrelli Layco, Former UBFT Director; Sgt. Christian Newlin, UHP; Helen Knipe, UHSO.

Tab H

Utah Prosecutor Policy Advisory Committee (UPPAC)
Minutes from Tuesday, August 11, 2015

1. Executive Counsel
 - a. In attendance:
 - i. Mark Thomas
 - ii. AnnMarie Howard
 - iii. Julia Thomas
 - iv. Matt Bates
 - v. Bob Church
 - vi. Marilyn Jaspersen
 - b. Excused
 - i. Marlesse Jones
 - ii. Ryan Robinson excused
 - (1) Brad Jeppsen came in Ryan's place
 - c. Advisory Members
 - i. James Swink and Ann Boyle excused.
 - d. Thursdays are the only days no one has a conflict with.
2. Reviewed the Council's concerns and issues regarding the formation of UPPAC. Bob wasn't aware that Matt is a member of SWAP so all prosecution groups are represented per the Council's request.
 - a. Matt will report to SWAP regarding UPPAC's meetings, issues.
 - b. Mark will report to UCDA
 - c. Tyson will report to UMPA
 - d. Bob will report to the Council
3. UMPA
 - a. Presented UMPA's decision to go to 2-year terms for their president and president elect.
 - b. Tyson Skeen, West Jordan, is UMPA president.
 - i. 2 years to serve
 - c. Ann Boyle, SLC, is president elect.
 - i. 4 years total to serve.
4. Terms of service
 - a. Briefly discussed the terms of service for EC members. It was unanimously agreed to put off determining the length of service for 2 years to allow UPPAC to get its feet on the ground.
5. General Questions and Issues Discussed
 - a. The policies and procedures developed by UPPAC will be disseminated in several different ways.
 - i. "Single sheet" policy papers.
 - (1) Address specific issue, giving guidance and suggestions on what to do, etc.

- ii. Training
 - (1) Present at major conferences; Spring, Fall, UMPA, so that prosecutors across the state are aware of what UPPAC is recommending.
 - iii. Include in Prosecutor Deskbook, when it gets re-edited and re-issued.
 - b. Presenting findings to the Council.
 - i. The hope is that the Council will recognize that each sub-committee has spent time researching the issues and coming up with the best recommendations possible. The sub-committee's will then present their findings and recommendations to the EC.
 - ii. The EC will then discuss and vet the proposals so that by the time the Council reviews the policies and procedures recommended, they will recognize the time and effort that has gone into the proposals and be willing to support the EC.
 - iii. The EC and subcommittees need to be aware that one size does not fit all and take that into consideration.
 - c. Involvement with Law Enforcement
 - i. Some of the policies and procedures developed necessarily involve law enforcement.
 - ii. It will be up to each subcommittee to reach out and include law enforcement to get their input and buy-in.
 - d. Term for the subcommittees
 - i. Some subcommittees may be permanent committees due to constant issues a particular topic faces.
 - ii. Others may be in existence until policies and procedures are developed that go dormant until another need arises.
6. Sub-committee's
- a. Sexual Assault
 - i. AnnMarie brought up Donna Kelly's request to have a sexual assault subcommittee. She's very interested in that.
 - ii. Julia is also interested in this topic.
 - iii. Bob explained Donna's request, that at least one of the victim advocacy groups has requested that best practices be developed in this area.
 - iv. AnnMarie and Julia will chair this committee.
 - (1) They will reach out to Donna and the VA groups as their subcommittee.
 - b. Officer Involved Shootings
 - i. Committee chairs will be Matt Bates and Marlesse Jones
 - ii. Issues discussed:
 - (1) The challenges faced when multiple jurisdictions are involved.
 - (a) AnnMarie shared the difficulties faced with the Grundwald case. Had law enforcement officers from Juab and Utah

counties, UHP, and the cities. No one knew what to do or who had what responsibilities.

- (2) Involve law enforcement agencies in the development of best practices.
- (3) Developing policies and protocols to cover the kinds of issues being faced.

c. Body Cameras

- i. Ryan Robinson still chairing this committee.
- ii. As Bob reviewed his notes of his discussion with James Swink, this was an area of interest. James will co-chair this committee with Ryan.
- iii. Issues discussed:
 - (1) This is a time sensitive issue as the legislature has already tabled the topic once. This committee needs to get working now.
 - (2) Ryan should facilitate communication with the legislative subcommittee working on this issue and a representative from SWAP, the League of Cities and Towns or from our committee.
 - (a) The purpose of the communication is to let the legislature know we are taking an active role on this issue.
 - (b) Someone from one of our groups (SWAP, League, UPPACX) should start attending the legislative's subcommittee meetings.
 - (c) As a committee member(s) develops the expertise in this area, they should testify in front of the legislative subcommittee. This will let the legislature know we are basing recommendations on current research and sound policy principles.
 - (d) Create "evidence based" legislation.
 - (3) When are cameras on or off?
 - (4) Redaction issues?
 - (5) Storage issues?
 - (6) Mark raised issue of watching all the footage from every officer, not only for prosecutors but for defense counsel.
 - (a) If defense counsel fails to review every tape, does that raise the issue of ineffective assistance.
 - (7) Julia suggested we include defense counsel in the discussion at some point. Since they will have definite opinions on the issue, it would be helpful to have their input now rather than later.
 - (a) Matt disagreed. He's been involved in other committees where defense counsel were involved and it created additional problems.
 - (b) Julia still felt that at some point in the process, defense counsel input should be sought.
 - (c) A decision was not reached. Should be something the subcommittee discusses.

d. *Brady/Giglio*

- i. Mark is still the chair.
 - ii. Realizing James' interest in body cameras, Bob moved Ann to this committee to work with Mark.
- e. Ethics
 - i. Tyson Skeen expressed interest in working on the Ethics committee.
 - ii. He'll work with Bob
- 7. How often to meet and how to meet.
 - a. Mark suggested that the EC meet on a regular schedule, quarterly.
 - b. Subcommittees will meet as needed.
 - c. This related to the discussion that the body camera subcommittee has a more urgent time schedule than some of the other subcommittees.
 - d. The EC recognizes that with potential members located all over the state, conference calling, skype, etc. will be necessary.
 - e. Bob will also send out periodic e-mails checking with subcommittees, seeking reports, input, etc. and will forward to the EC.
- 8. Soliciting subcommittee members
 - a. Bob will send out an e-mail blast as well as a message on the forum seeking volunteers.
 - b. Explain the purpose of UPPAC and the subcommittees.
 - c. Will seek volunteers for the subcommittees.
 - d. Will name the subcommittees but not the chairs.
 - e. He'll then forward the names of the volunteers to each of the chairs. The chairs will then select from those volunteers.
- 9. By-laws
 - a. Bob will reach out to other states that have this type of committee to get copies of their by-laws.
 - b. Want to keep them general, so room to grow and develop.
 - c. Want to look at how other committees set up terms of service, selection of members, etc.
- 10. Administrative assistance
 - a. Marilyn will approach the UPAA (Utah Prosecutor Assistant's Association) board to see if a board member is interested in acting as an administrative assistant to the EC.
 - i. Take notes
 - ii. Prepare minutes
 - iii. Handle other administrative matters, etc.
 - b. Will not be a major time commitment but will free up Bob and Marilyn's time to focus on Council matters.
 - c. This volunteer will work with Marilyn.
- 11. Next meeting
 - a. Thursday, October 22, 2015, 1:00 p.m.
 - i. Late lunch.

Tab I

Susanne Gustin

ATTORNEY AT LAW

WELLS FARGO CENTER
299 SOUTH MAIN STREET, 13TH FLOOR
SALT LAKE CITY, UTAH 84111
PHONE (801) 535-4343
FAX (801) 536-3300

August 27, 2015

Senator Orrin Hatch
8402 Federal Building
125 South State Street
Salt Lake City, UT 84138

Re: Horse Soring

Dear Senator Hatch:

I am writing to ask you to support Senate Bill 1121, the Prevent All Soring Tactics Act ("PAST" Act)

For starters, I am not an animal rights' activist. In fact, despite being a lifelong Utah resident, I have never written a letter to any of my representatives. The other night however, I viewed a video that an undercover investigator from the Humane Society posted online. Trainers for Thorsport Stables ("Thorsport") are seen soring horses for next week's "Big Lick" events in Shelbyville, Tennessee.

I was disturbed to the point that I did not sleep the rest of the night. What I saw and heard was "horrific." A trainer is heard on tape saying something to the effect of "let's diesel him," referring to the practice of putting diesel and other caustic chemicals on horses' front legs to get them to do the exaggerated gait seen in "Big Lick" events. One of the owners of Thorsport is present and says, "he [the horse] knows what's coming" as the trainer is bringing in the toxic concoction. Because of the excruciating pain, the horse collapses onto the floor of the stable. Forty minutes after application of the chemicals, he is still screaming in pain. This was edited out of the video because it was determined to be too upsetting to viewers.

Despite those in the industry who repeatedly assure the public that only a few "bad apples" engage in such practices, this is not the case, as Thorsport is considered to be a respectable and highly-regarded stable in Tennessee.

Because I could not sleep two nights ago, I did some research and discovered that you co-sponsored Senate Bill 1161 in 2014, titled the Horse Protection Amendments Act ("HPAA") of 2014, along with Senators Lamar Alexander, Paul Rand and Mitch McConnell. Unfortunately, for forty-five years, the HPAA has been ineffective in protecting horses due, in part, to inspections that are conducted by non-USDA inspectors and penalties that are so light, offenders view citations for violating the HPAA as significant as receiving a parking citation.

correct

I did notice that you have not yet co-sponsored the new 2015 HPAA bill, which I am sure you will be asked to do by your colleagues. In light of the new information that shows that soring is employed even by "respectable" and "responsible" stables such as Thorsport, I implore you to *not* co-sponsor the HPAA of 2015. Instead, I ask that you add your name to the 45 senators who have already agreed to co-sponsor the 2015 PAST Act.

Thank you for your careful consideration of this matter. I believe that the vast majority of your constituents in Utah would applaud your efforts to end this barbaric practice.

Sincerely,

A handwritten signature in cursive script that reads "Susanne Gustin". The signature is written in black ink and is positioned below the word "Sincerely,".

Susanne Gustin