

These pending minutes have not been approved by the Utah Prosecution Council and are subject to change until approved and adopted by the Council.

UTAH PROSECUTION COUNCIL MEETING

Friday, January 11, 2019, 12:30 p.m.

5272 College Drive, Murray UT

Third-floor Training Room

Pending Minutes

UPC : Barry Huntington, Chair, Garfield County Attorney
Haley Christensen, UPAA Co-Chair
Robert Cosson, Chief Prosecutor, St. George City Attorney
Jann Farris, Morgan County Attorney
Stephen Foote, Chair-elect, Duchesne County Attorney
Steven Garside, Layton City Attorney
Will Carlson, Deputy Salt Lake County District Attorney (*designee of Sim Gill, Salt Lake County District Attorney*)
Dave Carlson (designee of Sean Reyes, Utah Attorney General)

EXCUSED: Sim Gill, Salt Lake County District Attorney
Ryan Peters, Juab County Attorney
Sean Reyes, Utah Attorney General
Commissioner Keith Squires, Utah Department of Public Safety
Scott Stephenson, Deputy Director of P.O.S.T (*designee of Commissioner Keith Squires*) via telephone

UPC

STAFF: Bob Church, Director
Marilyn Jaspersen, Training Coordinator
Marlesse Jones, Staff Attorney
Tyson Skeen, Staff Attorney
Ronald Weight, IT Director

- 1. WELCOME AND APPROVAL OF SEPTEMBER 19, 2018 MEETING MINUTES**
 - A. The Council members were welcomed and the meeting convened.
 - B. Will Carlson, Deputy Salt Lake County District Attorney (*designee of Sim Gill, Salt Lake County District Attorney*) made the motion to approve the September 19, 2018 minutes. Stephen Foote seconded the motion and it passed unanimously.

2. FINANCIAL REPORT

Robert Church gave the following in depth financial report. Please refer to Directory's Summary for details

- a. *Amended* FY19 Budget
 - i. Specific changes to the budget are highlighted in yellow.
 - ii. Train the Trainer in lieu of Advanced Trial and Cybercrime
 - iii. Ethics Course - Co-sponsored with Layton
 - (1) Spending \$1,000 to co-sponsor this 2-hour Ethics course. We anticipate recouping the cost in registration fees.
 - iv. Conference Materials
 - (1) Handouts, etc., Calendars. I reduced the amount previously budgeted in both of these categories.
 - v. Regional Training
 - (1) I underestimated this amount originally so needed to increase it from \$700 to \$2,000.
 - vi. Postage
 - (1) I was able to decrease this amount by several hundred dollars.
 - vii. Telephone
 - (1) I had to increase this amount by \$1,000 to cover all 5 UPC phones, data plan, etc.
 - viii. Law Clerk
 - (1) There continues be no space for a law clerk.
 - (2) Spence Austin is proposing to meet with several affected departments after the legislative session to discuss what can be done.
 - (3) I don't anticipate having space in the immediate future so have moved the \$20,000 previously budgeted to cover other costs, conferences, etc.
 - (4) NOTE: At today's (January 8, 2019) AG Justice Division meeting, a plan for creating a pool of law clerks that each section could use was discussed. If UPC can participate in this law clerk pool, that would save us needing to find additional space and could reduce the cost of employing a dedicated UPC clerk. I will keep the Council updated on this issue.
 - ix. Employee Incentive
 - (1) I reduced this amount by \$2,000, down to \$3,000.
 - (2) In December, the Council approved employee incentive awards for Marlesse, Marilyn, Ron and Tyson. They ranged in amounts between \$500 and \$750. They were well deserved. Unfortunately, they were well below amounts awarded by the AG's office to their employees for similar achievements.
- b. Projecting Surcharge
 - i. I am very conservative in my estimate on how much the surcharge will actually be. I use a simple formula, using the past 5 years numbers and making an educated guess.

- ii. Historically I have been overly conservative in my estimate on how much we will actually receive. Every year since taking this job the surcharge carry over has been around \$80-100,000. On paper, it looks like a great thing, but it's never been "extra" money. FY18's carryover was as large as it was due to UPC receiving a one-time influx of \$30,000 from the AG's office to be used for DV training.
 - (1) It was a consolation for the office releasing the .5% surcharge without consulting UPC.
 - iii. My concern is if I am less conservative and the surcharge continues to decrease, we may find ourselves in a position of running out of money.
 - (1) Guidance?
- c. FY19 Budget Comparison Report, **Tab C**
- i. Things of note. I'll only comment on categories that have already taken place. We do not have all numbers for all categories yet. And of course, there are still six months left in the FY.
 - (1) Civil Conference. Collected more registration fees than predicted. As noted below, SWAP paid \$3,5000 towards the cost of the conference.
 - (2) Fall Conference. Did not collect as much in registration fees as expected.
 - (3) eProsecutor. This is just pass-through money. Not all has been received and paid.
 - (4) SADVRP Resource Prosecutor. The \$182,000 shown as expense reimbursements is from HB200 funds. They are accounted for in various other expense categories.
 - (5) PIMS revenue little more than predicted.
 - (a) NOTE: Once eProsecutor goes live across the state, if we have 150 users paying \$204 per user, UPC will collect \$30,600.00
 - (6) Basic. Came in slightly under budget.
 - (7) County Executive. Over budget here as I did not factor Marilyn coming down.
 - (8) Fall Conference. Came in well under budget.
 - (9) NAPC Winter. Well over budget. Ended up being a more expensive location. Despite requesting airfare be booked early, reservations were not made until closer to conference after prices had gone up. I have discussed this problem with the AG finance department and they will work on measures so this doesn't happen again.
 - (10) UMPA. Came in under budget.
- d. FY19 Surcharge Report, **Tab D**

- i. Monthly
 - (1) Nov18: \$41,462.63 Nov17: \$37,154.63 Nov12: \$43,461.10
 - (2) Oct18: \$36,553.45 Oct17: \$38,184.71 Oct 12: \$40,738.64
 - (3) Sep18: \$39,099.57 Sep17: \$43,043.04 Sep12: \$43,171.44
- ii. Year End
 - (1) FY18: \$511,483.77 FY17: \$511,291.74
 - (2) We ended FY18 \$192.03 better than we did last year.
- iii. Yearly Totals Since 2008
 - (1) FY16: \$531,893.94
 - (2) FY15: \$559,906.25
 - (3) FY14: \$545,181.19
 - (4) FY13: \$548,082.52
 - (5) FY12: \$581,019.78
 - (6) FY11: \$525,472.59
 - (7) FY10: \$586,900.00
 - (8) FY09: \$588,600.00 10-year high
 - (9) FY08: \$569,000.00
- iv. In the last 10 years we have lost as much as \$77,116.23, the equivalent of Spring, Fall and a law clerk.

3. Training Committee Report

a. Civil

- i. SWAP paid \$3,500 towards the cost of this conference.

b. Train the Trainer

- i. As a staff we went back and looked at the training schedule since our last meeting. We had originally proposed to hold an Advanced Trial Skills and a Cyber Crime conference. However, in looking at the number of prosecutors who have been through Train the Trainer that we would realistically use as trainers, especially for Basic, we realized that we needed to increase our pool of trained trainers. We have been steadily losing our experienced trainers over the last couple of years. Therefore, we determined to cut the Advanced Trial Skills and Cyber Crime and hold Train the Trainer this year.
 - (a) Traditionally we have paid the hotel and per diem costs per student. Offices have paid for mileage. That is our current plan absent other direction from the Council.
- ii. March 18-22, 2019, Springdale, UT
 - (1) We debated back and forth about going to a “destination” location. We wanted to go to a place where people would be willing to go, an incentive if you will.
 - (2) We wanted to get people off the Wasatch Front and away from offices.

(a) We were able to get a good rate at the Holiday Inn Express.

iii. Student Roster

(1)	Bastian, Lance	Utah	Waiting for approval
(2)	Carlson, Will	DA	Confirmed
(3)	Hansen, Matt	Weber	Approved
(4)	Lyons, Nathan	Davis	Waiting for approval
(5)	Miles, Brandon	Davis	Waiting for approval
(6)	Nielson, John	AG	Confirmed
(7)	Rodier, Yvette	WVC	Approved
(8)	Scott, Christine	Utah	Waiting for approval
(9)	Telles, Ivy	Summit	Confirmed
(10)	Walsh, Spencer	Cache	Approved
(11)	Wardle, Blair	Box Elder	Pending trial
(12)	Young, Kelsey	Utah	Waiting for approval

iv. Faculty

(1)	Steve Garside	Layton	
(2)	Bob Church	UPC	
(3)	Tyson Skeen	UPC	
(4)	Marlesse Jones	UPC	
(5)	Josh Player	SLCDA	
(6)	Sandi Johnson	SLCDA	
(7)	AnnMarie Howard	Juab	
(8)	Jared Olsen	Idaho TSRP;	and
(9)	Marilyn Jaspersen	UPC	

c. Government Ethics

i. March 18, 2019, Northridge High School, Layton

ii. Description of the presenter and course.

- (1) Marianne M. Jennings, Emeritus Professor of Legal and Ethical Studies, has taught at the WP Carey School of Business, Arizona State University from 1977 through the present. She has six textbooks and four monographs in circulation in the areas of business ethics, ethical culture, and legal environment. She was director of the Lincoln Center for Applied Ethics from 1995 to 1999. She is a contributing editor of *Perspectives* and *Real Estate Law Journal*. Two of her books have been named *Library Journal's* book of the year. Her books have been translated into three languages. Her book, *The Seven Signs of Ethical Collapse*, was published by St Martin's Press and has been used as both an audit tool and a primer by numerous organizations for creating and sustaining an ethical culture.
- (2) In 2011, she was named one of the Top 100 Thought Leaders by Trust Across America and in 2012, she was named one of the 100

- most influential people in business ethics by *Ethisphere* magazine.
- (3) She served on the board of directors for Arizona Public Service (now Pinnacle West), the owner of the Palo Verde Nuclear Station, from 1987 through 2000. She has served on INPO's advisory council since 2005. In 2015, she was named an affiliated scholar with the Center for the Study of Economic Liberty at Arizona State University. She conducts ethics training and ethical culture assessments for businesses, including Fortune 100 companies, government agencies, professional associations, and nonprofit organizations.

- d. Spring and 2019 Training Schedule, **Tab E**
- i. April 18-19, 2019, Salt Lake Sheraton
 - ii. John Nielsen and Steve Garside (?) will give the case law update.
 - iii. The civility presentation will most likely be given by Federal Magistrate, Brooke Wells. We're waiting on confirmation.
 - iv. The criminal legislative update will be given by Will Carlson, Tyson Skeen and Marlesse Jones.
 - v. The civil update will be given by Jami Brackin.
 - vi. We'll have a presentation on all things marijuana.
 - vii. TED Talk style ethics presentation during lunch on Friday

4. New County Attorney

- a. January 16-18, 2019, College Drive offices, Murray, 1st Floor Training, **Tab F** Room
- b. Agenda is confirmed.
- c. All new County Attorneys have confirmed their attendance.
 - i. Christine Sloan - Grand
 - ii. David Leavitt - Utah
 - iii. Greg Lamb - Uintah
 - iv. Chad Dotson - Iron
 - v. Ryan Peters - Juab
 - vi. Jeremy Humes - Carbon
 - vii. Kevin Daniels - Sanpete
 - viii. Margaret Olson - Summit
 - ix. Ben Willoughby - Rich
- d. All incumbent county attorneys invited to attend.
- e. This years seminar content is longer and has been expanded from 4 years ago as we added additional topics, including:
 - i. Competency/civil commitment
 - ii. Private Property Ombudsmen
 - iii. VIRTRA Shoot and accompanying legal training
 - iv. Managing Critical Incidents

- v. Leadership
 - f. We will provide lunch each day as we needed the time for instruction. It is going to be a long three days for these folks.
 - g. We will be providing them with copies of UAC's County Government in Utah manual. Gavin Anderson has agreed to work on an update to the manual. He originally drafted it but can use help.
 - i. Tim Bodily has updated the tax session already, in preparation for next week's presentation.

- 5. UPAA Report
 - a. There are currently two openings on the board - city and county positions.
 - b. Please encourage your support staff to consider applying for the board.

- 6. Resource Prosecutor Reports
 - a. FYI. In putting together a summary of UPC's events for the annual AGO publication, I asked Marlesse and Tyson to put together a summary of the number of people they've trained, trainings conducted, committees they serve on, etc. Just the number of people trained is impressive.
 - i. Tyson trained 1,711 people, the most ever trained by a Utah TSRP since we've been keeping track of the numbers.
 - ii. Marlesse has trained 1,923 people.
 - (1) NOTE: Didn't know where else to put this. I asked Ron and Marilyn for the same data. Marilyn trained 171 people at three conferences and Ron has provided hands-on, technical training to 36 people.
 - b. Tyson: **Tab G**
 - c. Marlesse: **Tab H**

- 7. IT Issues - eProsecutor
 - a. Grant funding.
 - i. We were awarded the final \$235K grant funds. Grant funds will now cover the entire purchase price of the contract.
 - ii. While the funds have been committed, we haven't actually received the funds. My grant manager says it should come through in the next few weeks.
 - b. Current Project Status
 - i. Ron will provide details on where the project is at.
 - ii. Monday, January 7, 2019, South Jordan and Wasatch County have gone live.
 - iii. Provo City and Juab County are expected to go live later this month.

- 8. 2019 Legislative Session
 - a. UPC Statute

- b. .5% Surcharge, \$70,000 in DV training dollars
 - i. Dan Burton, AGO, has reached out to Rep Hutchings to schedule a meeting with Rep Hutchings, Dan and me.
 - ii. Reed Richards is also going to try to schedule a meeting with Rep Hutchings to discuss the issue.

9. Financial Issues

- a. Increase in registration fees to \$125
 - i. We are still the cheapest date anywhere for CLE training. We continue to get defense attorneys who attend our training because it's so cheap.
 - ii. How does our training compare to national conferences?
 - (1) In most cases, we provide better training; presenters, topics. Marlesse, Tyson, Marilyn and I have been to national conferences and have seen this first hand. We go and bring back topics and materials. In many instances we have someone in the state who is handling the same or similar issue who can then provide the training locally.
 - (a) Of course, there are national presenters we would like to bring in that have eyes on issues that we don't, or who have the 30,000 view that many times is helpful.
 - (b) Some agencies, like Aequitas, will only charge travel expenses. Others charge honorariums.
 - (2) UPC sent 11 prosecutors to NDAA conferences this year. Each one reported the same thing. This is a huge compliment to us. It means we're on the forefront of training, issues and have outstanding trainers.
 - (3) But, generally speaking, we provide HIGH-VALUE training at an extremely LOW cost.
 - iii. CJC charges \$125 for their conferences and no one bats an eye.
 - iv. The 2-day state Bar convention is a \$340 registration fee.
- b. Employee raises
 - i. In the 5 years since I've been Director, Marilyn, Ron and myself have not received any kind of pay raise, other than the minimal COLA's approved by the legislature.
 - ii. Each of these employees have performed exceptionally well, have taken on, in some cases, substantially more responsibilities. Upon request, I can provide a summary of their work and why a raise would be appropriate.
 - iii. There are no funds available this year for any raises but it is an issue I would encourage the Council to consider for FY20.
 - (1) The question will become on how to fund raises. Without raising registration fees, in UPC's current situation, we would have to look at cutting services, conferences.

- c. Additional conferences
- i. UPC has its standard repertoire of conferences that our budget can meet. When we start adding additional conferences, we obviously run into budgeting challenges.
 - ii. There are times we must offer additional training, i.e. Train the Trainer. This is a significant cost that strains our budget and staff time.
 - iii. There are areas where additional training needs to take place; “bread and butter” topics, emerging issues, etc., i.e. domestic violence, cyber crime, advanced trial skills, that, absent additional funding, we can’t offer.
 - (1) One option is to hold Basic every other year and in the off year hold a different conference.
 - (a) A challenge to this is course size. We could have as many as 40-50 students (we’ve averaged 22-25 students the last three years) in one course which becomes a logistical and financial challenge.
 - iv. Here is a list of conferences UPC has offered in the past, but not recently. I’m not suggesting we add every conference, nor do we need to, but our current financial situation does not allow us to legitimately consider offering them. Of note, we have tried to give a dedicated conference a theme and address these issues, or offer single sessions on these topics and maybe that’s the way to go versus having a dedicated conference on a topic.
 - (1) Adult Sex Crimes
 - (2) Advanced Trial Skills
 - (3) DUI/DRE
 - (4) Homicide/Violent Crime
 - (5) Visual Trial
 - (6) Juvenile
 - (7) White Collar Crime
 - (8) Mental Health
 - (9) Elder Abuse
 - (10) Human Trafficking
 - v. Should UPC even offer specialty conferences? The SLDA’s office held a violent crime conference last year. We co-sponsored with the AG’s office Human Trafficking two years ago. Do we take the position that we only offer basic training and let other offices and agencies handle specialty topics?
 - (1) If we do that, we will have to establish clear guidelines on how much help UPC can provide. We do have on-line registration services we can provide with little impact on our normal workload. However, if we are asked to prepare brochures, send out notices, book conference locations, catering, etc., we might as well sponsor the conference ourselves.

- (2) Applying for, then tracking and reporting CLE is a big responsibility that requires a significant portion of time.
- d. Basic and Train the Trainer Funding
 - i. Because each of these courses takes a prosecutor out of the office for a week, UPC has paid for hotel and per diem to alleviate any burden on the offices. This is a big chunk of money.
 - ii. Should we continue to do this?
 - e. Change UPC's funding from surcharge funds to dedicated funds.
 - i. Reed Richards and I have preliminarily talked about this. I don't know what the process would be to make this happen but it may be time.
 - ii. Reed is going to bring the issue up with SWAP but the Council needs to be involved in whatever process or action needs to be taken.
 - f. Charge an administrative fee to the JRJ grant
 - i. Up until now, UPC has absorbed the cost of all the work involved in managing this grant.
 - ii. The grant does allow administrative costs to be charged to the grant. If the Council decides to charge the grant, we'll have to look at the requirements and see just how much we can reasonably charge and then document it.
10. "Challenge the Process"¹
- a. The Why?
 - i. I have read a couple books on leadership in 2018. *The Leadership Challenge*, Kouzes & Posner, *Creating Magic, 10 Common Sense Leadership Strategies from a Life at Disney*, Lee Cockerell and *Discover Your True North*, Bill George.
 - ii. I've also attended a couple conferences where leadership was discussed.
 - iii. I've felt like I, UPC's staff and the Council can learn and benefit from examining what we do and why we do it. I feel like we've been running on auto pilot for a long time, and while that's not a bad thing, I've learned it's a good thing to occasionally look at and challenge the process. I also know, that change for change's sake, is not a reason to change.
 - iv. Therefore, I wanted to engage in a conversation and see if we couldn't "challenge the process."
 - v. I've tried to organize my thoughts but apologize if they don't flow very well. I've also written down my thoughts in greater detail than I would have normally done for Council meeting to help me as I lead this

¹ *The Leadership Challenge, How to Make Extraordinary Things Happen in Organizations*, 6th Edition, James M. Kouzes and Barry Z. Posner

- discussion.
- b. Purpose.
 - i. The purpose of this next section is to have a discussion on just what the Council does, what your duties and responsibilities are or should be. To talk about how we can become a better organization and how to provide the best services for our constituents.
 - ii. I want to empower you all so you feel like it is worth your time and effort to be on the Council.
 - iii. We will not answer all these questions or resolve these issues today, but I want to start the thought process and dialogue now.

 - c. What is the Council's role? Clearly that is set out by statute, that we are to train and be a resource to prosecutors.
 - i. Here are our statutory requirements.
 - (1) The Council shall provide training and continuing legal education for state and local prosecutors; and
 - (2) ensure that any training or continuing legal education meets state training and certification requirements;
 - (3) provide assistance to local prosecutors; and
 - (4) as funds are available and as are budgeted for this purpose, provide reimbursement for unusual expenses related to prosecution for violations of state laws. U.C.A. 67-5a-1(2)

 - d. "Provide assistance" is being broadly interpreted.
 - i. Under this definition, UPC created PIMS and UPC is now in the case management business with eProsecutor.
 - ii. UPC manages the John R. Justice grant which benefits public defenders as well as prosecutors.
 - iii. We train law enforcement officers via the regional updates and absorb those costs.
 - (1) The topic-specific training that Tyson and Marlesse do for law enforcement comes from grant and HB200 funds, not UPC's budget.

 - e. But what else does/should the Council do?
 - i. Do we have a mission statement? Yes. But it has not been updated since it was drafted in 1990.
 - ii. Do we have a vision? Do we need one?
 - iii. Do we have 5-year, 10-year goals? Do we need them?

 - f. Boards and committees.
 - i. UPC staff attends SWAP, SWAPLAC, UCDA - which we need to, but it

- is not within the “strict” definition of what the statute says.
- ii. Tyson, Marlesse and I are on boards and committees that deal with our areas of expertise, and are given assignments related to those boards and committees.
 - iii. Devil’s advocate: How does UPC staff members attending these other meetings, actively participating, help train prosecutors? When questions arise that deal directly with these other organizations, should UPC not refer the person to the appropriate organization? Unless an assignment from a committee deals directly with training, should we decline?
 - (1) Personally speaking, the answer is “no.” But it is probably time to develop written guidelines and policies for the benefit of UPC staff and the Council.
- g. Best Practices
- i. A few years ago UPC began a committee to work on developing “best practices” for prosecutors but due to time commitments and other distractors, it has become a non-functioning committee.
 - ii. More and more, offices are recognizing that best practices need to be adopted in specific areas. SWAP’s *Brady/Giglio* Best Practices Working Group has come up with a proposed practice. This is not binding on any single office, in fact, Salt Lake, Utah, Davis and other counties already have their own practice.
 - iii. I so appreciate SWAP undertaking this project as UPC has not had the time or resources. Should we encourage SWAP to continue developing best practices, even create a standing “best practices” working committee?
 - (1) My vote is “yes.” But if they don’t, is that something UPC should assume?
 - iv. Or, should “best practices” come from the Utah Prosecution Council?
- h. Some of this discussion is being driven by how UPC is generally perceived by the prosecutors in the state, other state agencies, and organizations. A widely held misperception is that UPC is the “reigning” prosecutorial voice in the state
- i. Our very name suggest some oversight over prosecutorial matters.
 - ii. UPC is the most visible of prosecutor organizations - SWAP, SWAPLAC, MISLAC, UCDA, UMPA.
 - (1) Yet none of those organizations report to UPC and we have no authority over them.
 - (2) The fact that we attend these meetings may lend to the impression that UPC has some involvement or “responsibility”.
 - iii. If this is not the perception the Council wants to project, is there anything we can or should do to dispel that perception?
 - (1) One suggestion. UPC is who prosecutors see at all state

conferences. We can start building into conference agendas time for each prosecutor organization to report on what that organization is doing.

- (a) It would put a face to each organization and make prosecutors aware of these other organizations.
 - (2) Another suggestion. When I am asked to send out information or forward information, I can begin asking the requesting organization to draft the actual content of the e-mail, specifically identifying the organization.
 - (a) Or do I provide organizations my e-mail lists and have them send out their own information?
- iv. Finally, UPC staff work for the Council, while being AGO employees. It is a unique relationship that is confusing at best. Many people, legislators in particular, don't know anything about "the Council" and believe, or assume, we are rank and file employees of the AGO.
 - (1) Are any efforts needed to establish the Council's individual identity? And if so, how?
 - (2) UPC staff generally do not have a lot of interaction with legislators. SWAP was intentionally created to be the prosecutor voice on the hill. However, there are specific situations where UPC staff have worked with individual legislators on specific issues, testified before committees, worked bills, etc. UPC's and the AGO's strict policy is to notify the AGO chain of command and specifically identify ourselves as employees of UPC and that we do NOT speak for the AG's office.
 - (a) In a perfect world, it would be nice if we did not have to do that and maybe there's no way of getting around it.
- i. What are the responsibilities of each Council Member? How do you know what those responsibilities are? Do you have a specific assignment on the Council?
 - i. Assign Council member to each of the various organizations/committees. As you sit on those committees, you should be acknowledged as specifically representing the Council.
 - (1) If so, then we should start receiving committee reports during Council meeting.
 - ii. I don't feel like we're using, to their full potential, the law enforcement member or UPAA chair. Am I wrong? If we're not taking advantage of their potential, what can we do?
 - (1) Devil's advocate: Do we even need them on the Council?
 - iii. Do you feel like you have ownership in your position on the Council or is this just a quarterly meeting that's on your calendar that you have to attend?

- j. What more can or should we be doing at Council meeting?
 - i. Council Committee reports from SWAP, UCDA, etc?
 - ii. Leadership training. Many of you have talked about wanting more leadership training. This would be a great place to do that but we don't have time, or have not made the time.

- k. How can Council Meeting be improved?
 - i. I will draft a more detailed Director's Summary of the Agenda items so that not every agenda item has to be discussed, absent questions.
 - ii. Then, we could focus on important issues as opposed to trying touch on every issue.

- l. Council Book
 - i. I want to put together a Council Book that answers these questions, defines and outlines your roles and responsibilities, establishes policies, procedures, UPC staff responsibilities, addresses Best Practices, etc.
 - ii. It will be a good resource for new Council Members to become oriented to their role.
 - iii. I can't do this on my own. I do have samples from other states but I want this to be your book that meets your/our needs.

- m. Council Retreat
 - i. Like the SWAP board last summer, I would propose having a Council retreat later this summer where you/we can discuss these and other issues.
 - (1) It needs to be off the Wasatch Front so you won't be as distracted by your office.
 - (2) Agenda items would include:
 - (a) Mission Statement
 - (b) Vision Statement
 - (c) Short and Long-term Goals
 - (d) Council Book
 - (e) UPC staff policies/procedures
 - (f) Leadership training
 - (g) Team building exercises
 - (h) Invite specialty speakers

- 11. Other
 - a. NDAA Veteran's Committee
 - i. I was invited to be on this committee to address how veterans interact with the criminal justice system, whether as a defendant in a case or a veteran

- prosecutor.
 - ii. NDAA is taking a closer look at ways to assist veterans, including the creation or expansion of specific treatment court programs or wellness issues for veteran prosecutors.
 - iii. We had our first conference-call meeting on January 8, 2019. The committee is composed of elected and deputy district attorneys who all have prior enlisted or officer service. Most are JAG officers but several served in non-legal specialties. Each branch of the service is represented.
 - iv. The agenda covered these issues:
 - (1) Veteran's courts. NDAA will conduct a survey of all 50 states to determine how many jurisdictions have Veteran's courts and what services are being provided. One goal will be to increase the partnership between the court and VA programs.
 - (2) Allow veteran JAG officers leaving active duty to waive into a state's jurisdiction. While it sounds good in principle, there are "arrogant" states that would not support such a proposition. Rather, it was discussed about developing policies where states would give credit for military service or create an alternative bar exam for experienced veterans.
 - (3) Financial incentives for veteran JAG officers to go into public service - prosecutor or public defense. The John R. Justice program is not a good option for this as it is underfunded. Instead, look at the 10-year service loan forgiveness program and change the wording to include military service with prosecutor or public defense work.
- b. Orem ALJ
- i. With the Council's approval, I applied for and was hired to be Orem's ALJ. This will only require a few hours each month. I will be hearing appeals to their nuisance ordinance, which I actually drafted 12 years ago.
 - ii. I will schedule any hearings on my days off or take annual leave.
 - iii. I will not let it interfere with my full-time responsibilities and if it does, I have a 30-day termination clause in my contract with the City.
- c. GRAMA Issues
- i. A former employee noticed that the written minutes from the October 18, 2015 Council Meeting said that a recording was made using "Freeconferencecall.com" and asked for a copy. I had forgotten that. I went into the program and found the recording.
 - ii. I provided the recording to the AG's GRAMA officer who redacted portions of the recording. The redacted recording was provided to the

former employee.

- iii. An appeal has been filed with the state records committee wanting an unredacted copy. The AG's office will obviously handle the appeal but I will attend the hearing (not scheduled yet) and report back.

12. Next Meeting

- a. Wednesday, April 17, 2019, 8:30 a.m.
- b. Location TBD - UAC, SLCDA
 - i. AG College Drive training room being used that day.

13. Adjourn