

UTAH PROSECUTION COUNCIL MEETING AGENDA

Friday, January 11, 2019, 12:30 p.m.
5272 College Drive, Murray UT
First-floor Training Room

*Pre-meeting Reminder: The meeting is recorded and the equipment is pretty sensitive.
It does pick up sidebar conversations.*

1. Approval of the minutes from the September 19, 2018 meeting, **Tab A**
2. Financial Report
 - a. Amended FY19 Budget, **Tab B**
 - b. FY19 Budget Comparison Report, **Tab C**
 - c. FY19 Surcharge Report, **Tab D**
3. Training Committee, **Tab E**
4. New County Attorney, **Tab F**
5. UPAAs Report
6. Resource Prosecutor Reports
 - a. Tyson, **Tab G**
 - b. Marlesse, **Tab H**
7. eProsecutor Status
8. 2019 Legislative Session
9. Financial Discussion
10. Challenge the Process
11. Other Business
12. Next meeting
13. Adjourn

Director's Summary of UPC Agenda Items

1. Approval of minutes from September 19, 2018 meeting, *Tab A*
2. Financial Report
 - a. *Amended FY19 Budget, Tab B*
 - 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

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

have normally done for Council meeting to help me as I lead this 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, UCDAAs, 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

Tab A

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
Wednesday, September 19, 2018
Provo Marriott Hotel
100 West 100 North
Provo, Utah**

PENDING MINUTES

UPC : Barry Huntington, Chair, Garfield County Attorney
Haley Christensen, UPAA Co-Chair, Salt Lake County District Attorney's Office
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*)
Ryan Peters, Juab County Attorney
Dave Carlson (designee of Sean Reyes, Utah Attorney General)

EXCUSED: Sim Gill, Salt Lake County District 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

GUESTS: Jeremy Humes, Carbon County Attorney
Robert VanDyke, Kane County Attorney
Scott Sweat, Wasatch County Attorney
James Swink, Cache County Attorney

I. WELCOME AND APPROVAL OF THE MINUTES - JUNE 29, 2018

- A. The Council members were welcomed and the meeting convened.
- B. Steve Garside made the motion to approve the June 29, 2018 minutes with the correction on page 6, first paragraph from "Senator Stephenson to Senator Stevenson." Stephen Foote seconded the motion and it passed unanimously.

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

II. FINANCIAL REPORT

Robert Church gave the following in depth financial report.

A. Basic Prosecutor Course -

1. Bob Church reported that this year's Basic Course was held at the Riverwoods Conference Center/SpringHill Suites instead of the USU University Inn. Two reasons for the change and why expenses were more than in years past: 1) the University Inn was late in sending the invoice in order for the TSRP grant to cover \$7,000 of lodging costs, 2) the University Inn was unresponsive when contacted to renew the 2018 contract.
2. TSRP Expense Reimbursements -
The TSRP financial information is pending.
3. UPC Salaries - not discussed
FINET old and new year numbers for June are not yet available. Bob will update the Council at the next meeting.

B. Final FY18 Surcharge Report

1. June 2018: \$48,471.43 in comparison to June 2017: \$50, 214.84
2. FY18: \$511,483.77 in comparison to FY17: \$511,291.74

C. Final Proposed FY19 Budget

1. The surcharge carry over was \$135,666. It was not as much as anticipated but will be able to add a couple conferences. Next year, the carryover will be smaller as the majority of HB200 funding will have been expended.
2. John R. Justice awarded in the amount of \$36,112.
3. Fall Conference 2018
Because hotel pick up at the Provo Marriott was lower than anticipated there, mostly likely, will be an attrition fee. To date, Fall registration was 119. Council discussed enrollment, location, and timing as to whether to hold the Fall Conference in September and try to coordinate dates with the Judicial Conference or hold it in October. After some discussion, the issue will be addressed at the Training Committee meeting. The Council decided to hold Fall Conference in October as recommended.
4. Civil Conference
Bob asked the Council to seek a \$7,000 reimbursement from SWAP to cover lodging, meals and mileage for all presenters.
5. Additional Training
 - a. Advanced Trial Skills
March 2019. Location choices' Zion's or Moab.
 - b. DV 101 Book Camp (June 16 - 19, 2019) and UPAA Conference (June 19-22, 2019)
The two events will overlap. UPAA Board members have agreed to provide additional support and help with the work load and demands.
 - c. Top Gun
Not enough funding, but Bob will apply for a NACP scholarship.
 - d. Scholarships
UPC will fund 6-7 scholarships to attend NDAA seminars.

D. FY19 Surcharge Receipts

1. July 2018 numbers were at \$40,609.48 in comparison to the July 2017 which

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were \$36,286.88.

Jann Farris made a motion to approve the FY19 budget. Will Carlson, Deputy Salt Lake County District Attorney (*designee of Sim Gill, Salt Lake County District Attorney*) seconded the motion and it passed unanimously.

III. TRAINING COMMITTEE REPORT

In addition to Steve Garside's UPC Training Committee Chairs, report please refer to the Director's Summary for details. The Training Committee met last March. Their next meeting will be October 15-16 in Moab at the SpringHill Suites & Inn. Steve highlighted the following that will be discussed at the next committee to be held in October.

A. Past Conferences

1. Basic Prosecutor Course

Attendance was at 23. It was very well received. The drug dogs were the highlight. The new location had its advantages, plenty of space. The invoice was received in a timely manner and submitted it was submitted in time to be able to reimburse part of the lodging via the TSRP grant. Preference would be to return to the Riverwoods Conference Center.

B. Upcoming Conferences

1. Fall Prosecutors Training Conference - Provo Marriott - Sept. 19-21, 2018 (the District Judicial Educational Conference will be held the same time.)
2. Training Committee Planning Meeting - October 15-16, 2018. To be held at the Moab Springhill Suites & Inn.
 - i. Suggested topics for the Training Committee included: mental health issues the change in the statute.
 - ii. Sentencing probation link.
 - iii. Legislative regarding Proposition 2. Concerns of not being able to prosecute marijuana was mentioned.
3. Civil Conference - October 17-19, 2018 - Moab SpringHill Suites by Marriott.
4. UMPA - November 8-9, 2018 - Moab SpringHill Suites by Marriott
5. County Attorney Executive Seminar - November 15-16, 2018 - St. George Dixie Center.
6. New County Attorney - January 16-18, 2018 - UPC location. All county attorneys are invited to attend.
7. DV101 Boot Camp - June 16 - 19, 2019 - The Riverwoods Conference Center/Logan SpringHill Suites & Inn.

IV. UPAA REPORT

Haley Christensen and Marilyn Jaspersen made the following UPAA report.

- A. Michelle Williams of Layton City Attorney's Office was announced as the newest board member.
- B. There is one open board member position to be filled.
- C. The UPAA Conference held in June was well received. Added a photo booth/area
- D. Seven people took the CUPA exam with three passing it.
- E. UPAA will be opening its own facebook page.
- F. Final budget for UPAA came in under budget by \$77.

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V. RESOURCE PROSECUTORS REPORTS

- A. Tyson Skeen referred the Council to the in depth TSRP report as outlined in the handouts. He reported on his training schedule. Tyson highlighted that he has trained a little over 1700 people which is the most any TSRP has trained in a year. He was selected to be on the National Committee for the Life Savers Conference. He attended NAPC Summer Conference and while attending the TSRP breakout session the group toured a marijuana farm. It was very interesting and informative. He welcomed any feedback on issues that need addressing so he can provide the appropriate training, specifically, in the DUI area or any topic.
- B. Marlesse Jones was excused as she was conducting the advanced HB200 Trauma training. Bob commented on the new HB200 curriculum that has been developed for law enforcement, victim advocates, and prosecutors. It's been well received and has received national attention. The Council was referred to the in depth SADVRP report as outlined in the handouts.

VI. IT ISSUES

- A. eProsecutor
- In addition to the in depth report in the Director's Summary, Ronald Weight and Bob Church reviewed comments as outlined in the Director's Summary. Please refer to the Director's Summary.
1. Grant funding -
 - a. The \$1M received in grant funding has been spent.
 - b. Announcement still pending on the subsequent grant to cover the \$235,000 balance. **Bob will update the council at the next meeting.**
 2. Amended MOA -
 - a. Amended MOA is still pending. It will depend on if the grant will be awarded and he knows the final numbers. **Bob will make update at the next meeting. He reminded the council on** what each jurisdiction could be assessed. At the last meeting it was decided the following if the grant is awarded:
 - i. Jurisdictions bear no cost in terms of the contract, the maximum, yearly per-user fee that could be assessed is \$206.
 - ii. If the grant is not awarded, jurisdictions bear the cost of the remaining balance of the contract, the maximum, yearly per-user fee that could be assessed is \$103.
 3. **Current Project Status -**

Ron indicated that he finalizing some of the fields, adding screens for the civil part. Wasatch County will be the first to begin beta testing. He welcomed any feedback. Ron hopes to do a regional training before it goes live. It was asked if an online tutorial for the legal assistants could be made available. Ron stated he would work on that. He appreciated all planners and committee members hard work in this effort. Absent major issues, it's hoped to begin deployment the first of the year, 2019. Bob indicated that he will continue to seek out grants to help defray costs.

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VII. UPC STATUTE

In addition to the Director's Summary, Bob Church indicated the final draft was forwarded to Steve Garside which incorporated the changes requested at the last Council meeting. Please refer to the Director's Summary and under Tab I that include all the requested changes, additions, deletions, etc. from last Council Meeting. Absent any new changes, Steve Garside as a representative he will ask to sponsor this change.

VIII. .5% SURCHARGE

Bob indicated he is hoping to get back the \$78K. He was directed to be involved in the meetings with Senator Christiansen, Rep. Ivory, and Rep. Romero. It was suggested to follow up with Family services as well. He will report back at the next meeting.

IX. VIRTRA TRAINING

Bob Church reported that every slot was filled and everyone had a great time. Included in the Director's Summary are testimonials from participants. Additional slots were opened for October 30 and November 13, 20, and 27.

X. OFFICE MOVE

- A. UPC staff has moved to the 3rd floor at College Drive. Mailing address is:
Utah Prosecution Council
5272 College Drive, Suite 302
Murray, UT 84123
- B. Phone numbers:
Bob - 801.281.1212
Marilyn - 801.281.1208
Tyson - 801.281.1209
Ron - 801.281-1217
Marlesse - 801.281.1213

XI. OTHER BUSINESS

- A. The Attorney General has sponsored a meet and greet luncheon, Thursday, September 20th. All county attorneys are invited.
- B. Sentiments for Dale Eyre were expressed.

XII. NEXT UPC MEETING:

Wednesday, January 11, 2019
8:30 a.m.
UPC - 1st Floor Training Room

XIII. ADJOURN

Tab B

Utah Prosecution Council
AMENDED FY 19 Budget
 July 2018 through June 2019

Jul '18 - Jun 19

Income

CONFERENCE REGISTRATION FEES

| | |
|--------------------------------|-----------|
| Advanced Trial Skills Training | 0.00 |
| Basic Prosecutor | 1,275.00 |
| Civil Conference | 4,800.00 |
| Cyber Crime | 0.00 |
| Domestic Violence | 1,875.00 |
| Ethics | 1,000.00 |
| Fall Conference | 7,000.00 |
| Other Training Event | 0.00 |
| Spring Conference | 20,000.00 |
| UMPA | 2,200.00 |
| UPAA | 0.00 |

Total CONFERENCE REGISTRATION FEES

38,150.00

EXPENSE REIMBURSEMENTS

| | |
|---------------------------------|--------------|
| ePROSECUTOR | 1,235,000.00 |
| John R Justice Grant | 36,112.00 |
| SADVRP RESOURCE PROSECUTOR | 182,000.00 |
| TSRP RESOURCE PROSECUTOR | |
| DPS Traffic Safety Funds - TSRP | 0.00 |
| TSRP - Salary and Benefits | 131,745.85 |
| TSRP - Supplies and Operating | 8,955.00 |
| TSRP - Travel | 18,825.00 |

Total TSRP RESOURCE PROSECUTOR

159,525.85

Total EXPENSE REIMBURSEMENTS

1,612,637.85

PIMS Income

| | |
|----------------|-----------|
| PIMS User Fees | 10,000.00 |
|----------------|-----------|

Total PIMS Income

10,000.00

SCHARGE & NON-LAPSING CARRYOVER

| | |
|-----------------------------|------------|
| DV Training Surcharge Funds | 30,000.00 |
| Monthly Surcharge Receipts | 537,000.00 |
| Non-lapsing Carry Over | 135,666.00 |

Total SCHARGE & NON-LAPSING CARRYOVER

702,666.00

Total Income

2,363,453.85

Expense

ADMINISTRATIVE FEES

| | |
|--------------------------|-----------|
| Administrative fee to AG | 35,700.00 |
| DB Purc (West Law) | 1,600.00 |
| Ins & Bonds | 1,200.00 |

Total ADMINISTRATIVE FEES

38,500.00

CASE MANAGEMENT

| | |
|--------------------------------|--------------|
| eProsecutor Grant Pass-Through | 1,235,000.00 |
| PIMS Support & Installation | |
| Maintenance / Installation | |
| Lodging | 300.00 |
| Meals | 150.00 |
| mileage | 100.00 |

Total Maintenance / Installation

550.00

Total PIMS Support & Installation

550.00

Total CASE MANAGEMENT

1,235,550.00

CONFERENCES

| | |
|-------------------------|-----------|
| ADVANCED TRIAL SKILLS | 0.00 |
| BASIC PROSECUTOR COURSE | 30,000.00 |
| CIVIL CONFERENCE | 15,500.00 |

Utah Prosecution Council
AMENDED FY 19 Budget
 July 2018 through June 2019

| | <u>Jul '18 - Jun 19</u> |
|---|-------------------------|
| CONFERENCE MATERIALS | |
| Handouts, Materials, SWAG | 750.00 |
| Utah Travel Council Calendars | 750.00 |
| Total CONFERENCE MATERIALS | <u>1,500.00</u> |
| COUNTY EXECUTIVE | 900.00 |
| CYBER CRIME | |
| air fare | 0.00 |
| honoraria | 0.00 |
| CYBER CRIME - Other | 0.00 |
| Total CYBER CRIME | <u>0.00</u> |
| DOMESTIC VIOLENCE | 30,000.00 |
| ETHICS | 1,000.00 |
| FALL CONFERENCE | 29,000.00 |
| NATIONAL CONFERENCES (not RP's) | |
| NAPC (not RP's) | |
| NAPC Summer Conference | 2,400.00 |
| NAPC Winter Conference | 2,400.00 |
| Total NAPC (not RP's) | <u>4,800.00</u> |
| NDAAC CONFERENCE (not RP's) | <u>25,000.00</u> |
| Total NATIONAL CONFERENCES (not RP's) | <u>29,800.00</u> |
| NEW COUNTY ATTORNEY TRAINING | 2,000.00 |
| REGIONAL TRAINING (not RP's) | 2,000.00 |
| RESOURCE PROSECUTOR TRAINING | |
| SADVRP TRAINING COSTS | |
| IN STATE TRAVEL | 11,000.00 |
| OUT OF STATE TRAVEL | 11,000.00 |
| SADVRP TRAINING COSTS - Other | 0.00 |
| Total SADVRP TRAINING COSTS | <u>22,000.00</u> |
| TSRP TRAINING COSTS | |
| IN STATE TRAVEL | 3,500.00 |
| OUT OF STATE TRAVEL | 15,000.00 |
| TSRP TRAINING COSTS - Other | 0.00 |
| Total TSRP TRAINING COSTS | <u>18,500.00</u> |
| Total RESOURCE PROSECUTOR TRAINING | <u>40,500.00</u> |
| SPRING CONFERENCE | 30,000.00 |
| TOP GUN | 0.00 |
| Train the Trainers | 30,000.00 |
| UMAA Conference | 500.00 |
| UMPA CONFERENCE | 13,500.00 |
| UPAA Conference | 12,000.00 |
| Total CONFERENCES | <u>268,200.00</u> |
| COUNCIL AND COMMITTEE MEETINGS | |
| Training Committee | 6,500.00 |
| COUNCIL AND COMMITTEE MEETINGS - Other | 4,000.00 |
| Total COUNCIL AND COMMITTEE MEETINGS | <u>10,500.00</u> |
| CURRENT EXPENSES | |
| Annual MCLE Fee | 2,200.00 |
| Donation to UT Journal Crim Law | 2,500.00 |
| Donations UT Cncl Victims Crime | 1,500.00 |
| Dues & Memberships | 2,100.00 |
| Equipment/Supplies-not Data Pro | 1,000.00 |

Utah Prosecution Council
 AMENDED FY 19 Budget
 July 2018 through June 2019

Jul '18 - Jun 19

| | |
|---|--------------|
| IT (Hardware and software requirements for UPC.) | |
| Hardware | 1,200.00 |
| Network Services | 4,800.00 |
| Software | 1,050.00 |
| UPC Website | 1,150.00 |
| Total IT (Hardware and software requirements for UPC.) | 8,200.00 |
| LEOJ Training | 2,000.00 |
| Library & Subscriptions | 3,000.00 |
| Miscellaneous | 750.00 |
| Office Supplies | 2,200.00 |
| Personal Vehicle Mileage | 500.00 |
| Postage | 1,300.00 |
| Telephone | 4,000.00 |
| Total CURRENT EXPENSES | 31,250.00 |
| John R Justice Grant | 36,112.00 |
| OTHER OUT OF STATE TRAVEL | |
| DV Training Surcharge Funds (This is the one time DV18 surcharge AG appropriation.) | 30,000.00 |
| Total OTHER OUT OF STATE TRAVEL | 30,000.00 |
| PERSONNEL SERVICES | |
| DIRECTOR | |
| base salary | 111,529.60 |
| benefits | 61,045.45 |
| Total DIRECTOR | 172,575.05 |
| IT DIRECTOR | |
| base salary | 81,806.40 |
| benefits | 44,609.72 |
| Total IT DIRECTOR | 126,416.12 |
| Law Clerk I | 0.00 |
| STAFF ATTORNEY - SADVRP | |
| base salary | 88,150.40 |
| benefits | 51,742.86 |
| Total STAFF ATTORNEY - SADVRP | 139,893.26 |
| STAFF ATTORNEY - TSRP | |
| base salary | 88,670.40 |
| benefits | 51,942.49 |
| Total STAFF ATTORNEY - TSRP | 140,612.89 |
| STAFF SECRETARY | 0.00 |
| TRAINING COORDINATOR | |
| base salary | 73,361.60 |
| benefits | 46,065.68 |
| Total TRAINING COORDINATOR | 119,427.28 |
| UPC EMPLOYEE INCENTIVE | 3,000.00 |
| Total PERSONNEL SERVICES | 701,924.60 |
| UPAA APPROPRIATION | 12,000.00 |
| UPPAC | 0.00 |
| Total Expense | 2,364,036.60 |
| Net Income | -582.75 |

Tab C

**Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019**

| | Jul '18 - Jun '19 | Budget | \$ Over Budget | % of Budget |
|--|-------------------|---------------------|----------------------|---------------|
| Income | | | | |
| CONFERENCE REGISTRATION FEES | | | | |
| Advanced Trial Skills Training | 0.00 | 0.00 | 0.00 | 0.0% |
| Basic Prosecutor | 1,350.00 | 1,275.00 | 75.00 | 105.9% |
| Civil Conference | 7,400.00 | 4,800.00 | 2,600.00 | 154.2% |
| Cyber Crime | 0.00 | 0.00 | 0.00 | 0.0% |
| Domestic Violence | 0.00 | 1,875.00 | -1,875.00 | 0.0% |
| Ethics | 0.00 | 1,000.00 | -1,000.00 | 0.0% |
| Fall Conference | 6,450.00 | 7,000.00 | -550.00 | 92.1% |
| Other Training Event | 0.00 | 0.00 | 0.00 | 0.0% |
| Spring Conference | 150.00 | 20,000.00 | -19,850.00 | 0.8% |
| UPAA | 2,325.00 | 2,200.00 | 125.00 | 105.7% |
| UPAA | 0.00 | 0.00 | 0.00 | 0.0% |
| Total CONFERENCE REGISTRATION FEES | 17,675.00 | 38,150.00 | -20,475.00 | 46.3% |
| EXPENSE REIMBURSEMENTS | | | | |
| ePROSECUTOR | | | | |
| John R Justice Grant | 447,500.00 | 1,235,000.00 | -787,500.00 | 36.2% |
| SADVRP RESOURCE PROSECUTOR | 36,409.00 | 36,112.00 | 297.00 | 100.8% |
| TSRP RESOURCE PROSECUTOR | 0.00 | 182,000.00 | -182,000.00 | 0.0% |
| TSRP RESOURCE PROSECUTOR | | | | |
| DPS Traffic Safety Funds - TSRP | 0.00 | 0.00 | 0.00 | 0.0% |
| TSRP - Salary and Benefits | 0.00 | 131,745.85 | -131,745.85 | 0.0% |
| TSRP - Supplies and Operating | 0.00 | 8,955.00 | -8,955.00 | 0.0% |
| TSRP - Travel | 0.00 | 18,825.00 | -18,825.00 | 0.0% |
| TSRP RESOURCE PROSECUTOR - Other | 63,347.26 | | | |
| Total TSRP RESOURCE PROSECUTOR | 63,347.26 | 159,525.85 | -96,178.59 | 39.7% |
| Total EXPENSE REIMBURSEMENTS | 547,256.26 | 1,612,637.85 | -1,065,381.59 | 33.9% |
| PIMS Income | | | | |
| PIMS User Fees | 11,330.00 | 10,000.00 | 1,330.00 | 113.3% |
| Total PIMS Income | 11,330.00 | 10,000.00 | 1,330.00 | 113.3% |
| SCHARGE & NON-LAPSING CARRYOVER | | | | |
| DV Training Surcharge Funds | 0.00 | 30,000.00 | -30,000.00 | 0.0% |
| Monthly Surcharge Receipts | 161,187.13 | 537,000.00 | -375,812.87 | 30.0% |
| Non-lapsing Carry Over | 0.00 | 135,666.00 | -135,666.00 | 0.0% |
| SCHARGE & NON-LAPSING CARRYOVER - Other | 42,224.84 | | | |
| Total SCHARGE & NON-LAPSING CARRYOVER | 203,411.97 | 702,666.00 | -499,254.03 | 28.9% |
| Total Income | 779,673.23 | 2,363,453.85 | -1,583,780.62 | 33.0% |
| Expense | | | | |
| ADMINISTRATIVE FEES | | | | |
| Administrative fee to AG | 17,850.00 | 35,700.00 | -17,850.00 | 50.0% |
| Building OS&M | 1,800.00 | 1,600.00 | 200.00 | 50.0% |
| DB Purc (West Law) | 799.98 | 1,200.00 | -400.02 | 50.0% |
| Ins & Bonds | 600.00 | 1,200.00 | -600.00 | 50.0% |
| Total ADMINISTRATIVE FEES | 21,049.98 | 38,500.00 | -17,450.02 | 54.7% |
| CASE MANAGEMENT | | | | |
| eProsecutor Grant Pass-Through | 447,500.00 | 1,235,000.00 | -787,500.00 | 36.2% |
| PIMS Support & Installation | 164.08 | 300.00 | -135.92 | 54.7% |
| Maintenance / Installation | 66.00 | 150.00 | -84.00 | 44.0% |
| Lodging | 1,114.54 | 100.00 | 1,014.54 | 1,114.5% |
| Meals | | | | |
| mileage | | | | |
| Total Maintenance / Installation | 1,344.62 | 550.00 | 794.62 | 244.5% |
| Total PIMS Support & Installation | 1,344.62 | 550.00 | 794.62 | 244.5% |
| Total CASE MANAGEMENT | 448,844.62 | 1,235,550.00 | -786,705.38 | 36.3% |

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019

| | Jul 18 - Jun 19 | Budget | \$ Over Budget | % of Budget |
|--|-----------------|-----------|----------------|-------------|
| CONFERENCES | | | | |
| ADVANCED TRIAL SKILLS | | | | |
| BASIC PROSECUTOR COURSE | | | | |
| audio-visual | 90.00 | 0.00 | 0.00 | 0.0% |
| catering | 3,652.13 | | | |
| facilities charge | 5,859.00 | | | |
| Lodging, students | 17,246.00 | | | |
| meals | 929.00 | | | |
| mileage | 1,735.27 | | | |
| miscellaneous | 91.44 | | | |
| BASIC PROSECUTOR COURSE - Other | 0.00 | | | |
| Total BASIC PROSECUTOR COURSE | 29,802.84 | 30,000.00 | -397.16 | 98.7% |
| CIVIL CONFERENCE | | | | |
| catering | 2,041.58 | | | |
| facilities charge | 9775.84 | | | |
| lodging | 2,906.57 | | | |
| meals | 635.00 | | | |
| mileage | 2,857.73 | | | |
| miscellaneous | 355.78 | | | |
| CIVIL CONFERENCE - Other | 0.00 | | | |
| Total CIVIL CONFERENCE | 9,772.50 | 15,500.00 | -5,727.50 | 63.0% |
| CONFERENCE MATERIALS | | | | |
| Handouts, Materials, SWAG | 349.82 | 750.00 | -401.18 | 46.5% |
| Utah Travel Council Calendars | 847.50 | 750.00 | 97.50 | 113.0% |
| Total CONFERENCE MATERIALS | 1,196.32 | 1,500.00 | -303.68 | 79.8% |
| COUNTY EXECUTIVE | | | | |
| lodging | 609.95 | | | |
| meals | 347.00 | | | |
| mileage | 1,100.91 | | | |
| miscellaneous | 17.27 | | | |
| COUNTY EXECUTIVE - Other | 0.00 | | | |
| Total COUNTY EXECUTIVE | 2,075.13 | 900.00 | 1,175.13 | 230.6% |
| CYBER CRIME | | | | |
| air fare | 0.00 | 0.00 | 0.00 | 0.0% |
| honoraria | 0.00 | 0.00 | 0.00 | 0.0% |
| CYBER CRIME - Other | 0.00 | 0.00 | 0.00 | 0.0% |
| Total CYBER CRIME | 0.00 | 0.00 | 0.00 | 0.0% |
| DOMESTIC VIOLENCE | | | | |
| ETHICS | 0.00 | 30,000.00 | -30,000.00 | 0.0% |
| FALL CONFERENCE | | | | |
| audio-visual | 6,003.62 | | | |
| catering | 11,097.36 | | | |
| facilities charge | 1,172.18 | | | |
| Handouts | 257.63 | | | |
| lodging | 1,615.00 | | | |
| meals | 142.00 | | | |
| mileage | 184.26 | | | |
| printing | 654.67 | | | |
| FALL CONFERENCE - Other | 0.00 | | | |
| Total FALL CONFERENCE | 21,126.72 | 29,000.00 | -7,873.28 | 72.9% |

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019

| | Jul 18 - Jun 19 | Budget | \$ Over Budget | % of Budget |
|--|-----------------|------------------|-------------------|---------------|
| NATIONAL CONFERENCES (not RP's) | | | | |
| NAPC (not RP's) | | | | |
| NAPC Summer Conference | 642.40 | | | |
| Airfare | 581.75 | | | |
| Lodging | 108.26 | | | |
| Mileage | 182.99 | | | |
| Misc | 104.00 | | | |
| Per Diem | 500.00 | | | |
| Registration Fee | 0.00 | | | |
| Total NAPC Summer Conference - Other | 2,117.40 | 2,400.00 | -2,400.00 | 0.0% |
| NAPC Summer Conference | | | | |
| Total NAPC Winter Conference | 2,399.60 | 2,400.00 | -2,400.00 | 0.0% |
| NAPC Winter Conference | | | | |
| Airfare | 981.70 | | | |
| Lodging | 352.00 | | | |
| meals | 197.35 | | | |
| Mileage | 15.00 | | | |
| Misc | 250.00 | | | |
| Registration | 0.00 | | | |
| Total NAPC Winter Conference - Other | 4,195.65 | 2,400.00 | 1,795.65 | 174.8% |
| Total NAPC Conference | 6,313.05 | 4,800.00 | 1,513.05 | 131.5% |
| Total NAPC (not RP's) | 110.03 | 25,000.00 | -23,452.80 | 0.0% |
| NDA CONFERENCE (not RP's) | 1,138.30 | 25,000.00 | -23,452.80 | 6.2% |
| Ground Transportation | 46.87 | | | |
| Lodging | 252.00 | | | |
| Misc | 0.00 | | | |
| Per Diem | 1,547.20 | | | |
| Total NDA CONFERENCE (not RP's) - Other | 7,860.25 | 29,800.00 | -21,939.75 | 26.4% |
| NEW COUNTY ATTORNEY TRAINING | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| REGIONAL TRAINING (not RP's) | 41.00 | 2,000.00 | -1,959.00 | 2.1% |
| Legislative Update | | | | |
| mileage | 41.00 | | | |
| Total Legislative Update | 41.00 | 2,000.00 | -2,000.00 | 0.0% |
| REGIONAL TRAINING (not RP's) - Other | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Total REGIONAL TRAINING (not RP's) | 41.00 | 2,000.00 | -1,959.00 | 2.1% |
| RESOURCE PROSECUTOR TRAINING | | | | |
| SADVRP TRAINING COSTS | | | | |
| IN STATE TRAVEL | | | | |
| Airfare | 594.60 | | | |
| Car Rental | 705.02 | | | |
| Catering | 32.91 | | | |
| Equipment and Supplies | 53.37 | | | |
| Gas / Mileage | 647.63 | | | |
| Lodging | 69.50 | | | |
| Meals | 66.00 | | | |
| Misc | 42.00 | | | |
| IN STATE TRAVEL - Other | 0.00 | 11,000.00 | -11,000.00 | 0.0% |
| Total IN STATE TRAVEL | 2,211.03 | 11,000.00 | -8,788.97 | 20.1% |

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019

| | Jul 18 - Jun 19 | Budget | \$ Over Budget | % of Budget |
|---|-----------------|------------|----------------|-------------|
| OUT OF STATE TRAVEL | | | | |
| Airfare | 2,289.60 | | | |
| Gas / Mileage | 1,333.83 | | | |
| Lodging | 2,460.10 | | | |
| Meals | 756.00 | | | |
| Misc | 186.79 | | | |
| OUT OF STATE TRAVEL - Other | 0.00 | | | |
| Total OUT OF STATE TRAVEL | 7,026.32 | 11,000.00 | -11,000.00 | 0.0% |
| SADV RP TRAINING COSTS - Other | 0.00 | 11,000.00 | -3,973.68 | 63.9% |
| Total SADV RP TRAINING COSTS | 9,237.35 | 22,000.00 | -12,762.65 | 42.0% |
| TSRP TRAINING COSTS | | | | |
| IN STATE TRAVEL | | | | |
| Gas / Mileage | 330.54 | | | |
| Lodging | 657.37 | | | |
| Meals | 217.00 | | | |
| IN STATE TRAVEL - Other | 0.00 | | | |
| Total IN STATE TRAVEL | 1,204.91 | 3,500.00 | -3,500.00 | 0.0% |
| OUT OF STATE TRAVEL | | | | |
| Airfare | 552.40 | | | |
| Conference Registration Fees | 1,995.00 | | | |
| Gas / Mileage | 186.37 | | | |
| Lodging | 1,912.23 | | | |
| Misc | 637.42 | | | |
| OUT OF STATE TRAVEL - Other | 0.00 | | | |
| Total OUT OF STATE TRAVEL | 5,285.42 | 15,000.00 | -15,000.00 | 0.0% |
| TSRP TRAINING COSTS - Other | 0.00 | 15,000.00 | -9,714.58 | 35.2% |
| Total TSRP TRAINING COSTS | 6,490.33 | 18,500.00 | -12,009.67 | 35.1% |
| Total RESOURCE PROSECUTOR TRAINING | 15,727.68 | 40,500.00 | -24,772.32 | 38.8% |
| SPRING CONFERENCE | 0.00 | 30,000.00 | -30,000.00 | 0.0% |
| TOP GUN | 0.00 | 0.00 | 0.00 | 0.0% |
| Train the Trainers | 0.00 | 30,000.00 | -30,000.00 | 0.0% |
| UMPA Conference | 0.00 | 500.00 | -500.00 | 0.0% |
| UMPA CONFERENCE | | | | |
| audio-visual | 210.00 | | | |
| catering | 1,120.00 | | | |
| facilities charge | 796.00 | | | |
| lodging | 2,000.00 | | | |
| meals | 479.00 | | | |
| mileage | 2,709.62 | | | |
| miscellaneous | 771.59 | | | |
| UMPA CONFERENCE - Other | 0.00 | | | |
| Total UMPA CONFERENCE | 8,085.21 | 13,500.00 | -13,500.00 | 59.9% |
| UPAA Conference | | | | |
| miscellaneous | 654.67 | | | |
| UPAA Conference - Other | 0.00 | | | |
| Total UPAA Conference | 654.67 | 12,000.00 | -12,000.00 | 5.5% |
| Total CONFERENCES | 96,142.32 | 268,200.00 | -172,057.68 | 35.8% |
| COUNCIL AND COMMITTEE MEETINGS | | | | |
| Council and other committees | -229.57 | | | |
| catering | 596.16 | | | |
| mileage | 366.59 | | | |
| Total Council and other committees | | | | |

Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019

| | Jul 18 - Jun 19 | Budget | \$ Over Budget | % of Budget |
|---|-----------------|------------|----------------|-------------|
| Training Committee | | | | |
| lodging | 1,332.38 | | | |
| meals | 660.00 | | | |
| mileage | 2,291.56 | | | |
| miscellaneous | 560.00 | | | |
| Training Committee - Other | 0.00 | | | |
| Total Training Committee | 4,833.94 | 6,500.00 | -6,500.00 | 0.0% |
| COUNCIL AND COMMITTEE MEETINGS - Other | 0.00 | 4,000.00 | -4,000.00 | 0.0% |
| Total COUNCIL AND COMMITTEE MEETINGS | 5,200.53 | 10,500.00 | -5,299.47 | 49.5% |
| CURRENT EXPENSES | | | | |
| Annual MCLE Fee | 0.00 | 2,200.00 | -2,200.00 | 0.0% |
| Donation to UT Journal Crim Law | 0.00 | 2,500.00 | -2,500.00 | 0.0% |
| Donations UT Crim Victims Crime | 0.00 | 1,500.00 | -1,500.00 | 0.0% |
| Dues & Memberships | 2,226.00 | 2,100.00 | 126.00 | 106.0% |
| Equipment/Supplies-not Data Pro | 2,512.99 | 1,000.00 | 1,512.99 | 251.3% |
| IT (Hardware and software requirements for UPC.) | | | | |
| Hardware | 1,280.89 | 1,200.00 | 80.89 | 105.1% |
| Network Services | 498.32 | 4,800.00 | -4,301.68 | 10.4% |
| Software | 1,252.95 | 1,050.00 | 202.95 | 119.3% |
| UPC Website | 0.00 | 1,150.00 | -1,150.00 | 0.0% |
| Total IT (Hardware and software requirements for UPC.) | 3,012.16 | 8,200.00 | -5,187.84 | 36.7% |
| LEOJ Training | 0.00 | 2,000.00 | -2,000.00 | 0.0% |
| Library & Subscriptions | 121.22 | 3,000.00 | -2,878.78 | 4.0% |
| Miscellaneous | 1,035.97 | 750.00 | 285.97 | 138.1% |
| Office Supplies | 453.56 | 2,200.00 | -1,746.44 | 20.6% |
| Personal Vehicle Mileage | 94.72 | 500.00 | -405.28 | 18.9% |
| Postage | 266.03 | 1,300.00 | -1,033.97 | 20.5% |
| Telephone | 1,547.06 | 4,000.00 | -2,452.94 | 38.7% |
| Total CURRENT EXPENSES | 11,269.71 | 31,250.00 | -19,980.29 | 36.1% |
| John R Justice Grant | 0.00 | 36,112.00 | -36,112.00 | 0.0% |
| OTHER IN-STATE TRAVEL | | | | |
| Gas / Mileage | 175.20 | | | |
| Total OTHER IN-STATE TRAVEL | 175.20 | | | |
| OTHER OUT OF STATE TRAVEL | | | | |
| DV Training Surcharge Funds (This is the one time DV18 surcharge AG appropriation.) | 20,374.43 | 30,000.00 | -9,625.57 | 67.9% |
| Total OTHER OUT OF STATE TRAVEL | 20,374.43 | 30,000.00 | -9,625.57 | 67.9% |
| PERSONNEL SERVICES | | | | |
| DIRECTOR | | | | |
| base salary | 43,753.92 | 111,529.60 | -67,775.68 | 39.2% |
| benefits | 23,985.51 | 61,045.45 | -37,059.94 | 39.3% |
| Total DIRECTOR | 67,739.43 | 172,575.05 | -104,835.62 | 39.3% |
| IT DIRECTOR | | | | |
| base salary | 31,506.81 | 81,806.40 | -50,299.59 | 38.5% |
| benefits | 17,406.49 | 44,609.72 | -27,203.23 | 39.0% |
| Total IT DIRECTOR | 48,913.30 | 126,416.12 | -77,502.82 | 38.7% |
| Law Clerk I | 0.00 | 0.00 | 0.00 | 0.0% |
| STAFF ATTORNEY - SADVRP | | | | |
| base salary | 34,243.04 | 88,150.40 | -53,907.36 | 38.8% |
| benefits | 19,984.39 | 51,742.86 | -31,758.47 | 38.6% |
| Total STAFF ATTORNEY - SADVRP | 54,227.43 | 139,893.26 | -85,665.83 | 38.8% |

**Utah Prosecution Council
Comparison Report - Budget vs. Actual
July 2018 through June 2019**

| | Jul '18 - Jun '19 | Budget | \$ Over Budget | % of Budget |
|------------------------------------|-------------------|---------------------|----------------------|------------------|
| STAFF ATTORNEY - TSRP | | | | |
| base salary | 34,104.00 | 88,670.40 | -54,566.40 | 38.5% |
| benefits | 20,164.05 | 51,942.49 | -31,778.44 | 38.8% |
| Total STAFF ATTORNEY - TSRP | 54,268.05 | 140,612.89 | -86,344.84 | 38.6% |
| STAFF SECRETARY | | | | |
| TRAINING COORDINATOR | | | | |
| base salary | 27,686.96 | 73,361.60 | -45,674.64 | 37.7% |
| benefits | 18,676.54 | 46,065.68 | -27,389.14 | 40.5% |
| Total TRAINING COORDINATOR | 46,363.50 | 119,427.28 | -73,063.78 | 38.8% |
| UPC EMPLOYEE INCENTIVE | 250.41 | 3,000.00 | -2,749.59 | 8.3% |
| Total PERSONNEL SERVICES | 271,762.12 | 701,924.60 | -430,162.48 | 38.7% |
| UPAA APPROPRIATION | 0.00 | 12,000.00 | -12,000.00 | 0.0% |
| UPPAC | 0.00 | 0.00 | 0.00 | 0.0% |
| Total Expense | 874,818.91 | 2,364,036.60 | -1,489,217.69 | 37.0% |
| Net Income | -95,145.68 | -582.75 | -94,562.93 | 16,327.0% |

X

Tab D

FY 2019

Criminal Fine Surcharge

Please remember to spend the lesser of the (AMOUNT Collected) or (Budgeted funding func

| Description | Total Surcharge Collected | Total Before Allocation | Pros Council 3% Obj 7959 | Check Totals |
|--------------------|---------------------------|-------------------------|--------------------------|--------------|
| July Adjustments | | | | |
| July New FY 19 | 1,384,999.30 | 1,353,649.30 | 40,609.48 | 1,384,999.30 |
| Total YTD | 1,384,999.30 | 1,353,649.30 | 40,609.48 | 1,384,999.30 |
| August Adjustments | | | | |
| August | 1,407,494.78 | 1,333,848.45 | 40,015.45 | 1,407,494.78 |
| Total YTD | 2,792,494.08 | 2,687,497.75 | 80,624.93 | 2,792,494.08 |
| September | 1,340,416.56 | 1,303,319.16 | 39,099.57 | 1,340,416.56 |
| Total YTD | 4,132,910.64 | 3,990,816.91 | 119,724.50 | 4,132,910.64 |
| October | 1,255,374.15 | 1,218,448.35 | 36,553.45 | 1,255,374.15 |
| Total YTD | 5,388,284.79 | 5,209,265.26 | 156,277.95 | 5,388,284.79 |
| November | 1,421,628.20 | 1,382,087.79 | 41,462.63 | 1,421,628.20 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| December | 0.00 | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| January | 0.00 | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| February | 0.00 | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| March | 0.00 | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| April | 0.00 | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |
| April Cor. Alloc. | | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |
| April Revised | | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| May | 0.00 | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |
| May Cor. Alloc. | | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |
| May Revised | | 0.00 | 0.00 | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | 197,740.58 | 6,809,912.99 |
| June | 0.00 | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |
| June Cor Alloc | | 0.00 | 0.00 | 0.00 |
| Correct Adjust | | | | |

THROUGH NOVEMBER OF 2018

TOTALS THROUGH NOVEMBER OF: YEAR END TOTALS FOR UPC IN:
 FY19=\$197,740.58 FY19 = \$197,740.58
 FY18=\$196,151.32 FY18 = \$511,483.77
 FY17=\$204,344.62 FY17 = \$511,291.74
 FY16=\$213,077.06 FY16 = \$531,893.94

12 MONTH EXT. THRU JUNE OF 2019
 THRU: JULY: \$487,313.76
 AUG: \$483,749.58
 SEPT: \$478,898.00
 OCT: \$468,833.85
 NOV: \$474,577.39
 DEC: \$
 JAN: \$
 FEB: \$
 MAR: \$
 APR: \$
 MAY: \$
 JUNE: \$

BUDGETED: \$537,000.00
 APPROPRIATED: \$727,300.00

TOTAL YTD STATE COURT RECEIPTS \$1,057,724.53
 TOTAL YTD JUSTICE COURT RECEIPTS \$2,506,898.84

FY 2019

Criminal Fine Surcharge

| | | | | |
|--------------|--------------|--------------|---------------------|--------------|
| June Revised | | 0.00 | | 0.00 |
| Total YTD | 6,809,912.99 | 6,591,353.05 | Allocation Schedule | 6,809,912.99 |

FUND Fd 1255
LINE ITEM DGAA

FY2019 Approp 542,000.00
 Total Collected Revenue to Approp 18,066,666.67
 Over/(Under) Approp Limitation (344,259.42)

Input Section

| Description | 2018 Collections | |
|----------------|-------------------------------------|-------------------------------------|
| | RS 4107 St Courts 90% surchrg | RS 4110 JP Courts 35% surchrg |
| July Old FY 18 | 2,146.37 | - |
| July New FY 19 | 168,765.76 | 533,152.77 |
| Total YTD | 170,912.13 | 533,152.77 |
| August | 214,841.96 | 525,691.58 |
| Total YTD | 385,754.09 | 1,058,844.35 |
| September | 199,096.08 | 492,381.14 |
| Total YTD | 584,850.17 | 1,551,225.49 |
| October | 276,597.55 | 433,965.92 |
| Total YTD | 861,447.72 | 1,985,191.41 |
| November | 196,276.81 | 521,707.43 |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| December | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| January | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| February | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| March | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| April | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| May | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |
| June | | |
| Total YTD | 1,057,724.53 | 2,506,898.84 |

**FY 2019
Criminal Fine Surcharge
Allocation Schedule**

Yearly Collection Comparisons

| Description | A/C 4107 St Courts | | A/C 4110 JP Courts | |
|----------------------------|-----------------------|---------------------|-----------------------|-------------|
| | 85/90% surchrg | 85/90% surchrg | 35% surchrg | 35% surchrg |
| Total FY - 2019 - YTD | 1,057,724.53 | 2,506,898.84 | | |
| Total FY - 2018 | 2,897,546.14 | 6,256,621.52 | | |
| Total FY - 2017 | 3,240,179.11 | 5,904,759.76 | | |
| Total FY - 2016 | 3,381,103.38 | 5,958,374.18 | | |
| Total FY - 2015 | 3,659,715.47 | 6,295,271.45 | | |
| Total FY - 2014 | 3,458,361.62 | 5,680,080.91 | | |
| Total FY - 2013 | 3,477,219.44 | 5,651,821.17 | | |
| Total FY - 2012 | 3,633,751.61 | 6,081,796.49 | | |
| Total FY - 2011 | 3,592,100.42 | 6,204,206.80 | | |
| Total FY - 2010 | 3,476,779.82 | 6,271,018.18 | | |
| Total FY - 2009 | 3,500,533.58 | 6,269,822.55 | | |
| Total FY - 2008 | 3,799,353.18 | 5,939,739.26 | | |
| Total FY - 2007 | 3,875,029.24 | 6,397,852.98 | | |
| Total FY - 2006 | 3,774,211.02 | 5,967,300.10 | | |
| Total FY - 2005 | 3,494,397.61 | 5,963,479.37 | | |
| Total FY - 2004 | 3,503,207.26 | 5,028,735.85 | | |
| Total FY - 2003 | 3,843,161.16 | 4,661,025.71 | | |
| Total FY - 2002 | 3,952,486.08 | 4,304,152.75 | | |
| Total FY - 2001 | 4,209,865.67 | 3,737,992.45 | | |
| Total FY - 2000 | 4,213,566.46 | 3,141,456.21 | | |
| Total FY - 2019 YTD | 4,220,221.26 | 35% of Total | 38.03% | |
| Total FY - 2018 | 10,909,509.53 | | 37.44% | |
| Total FY - 2017 | 11,399,265.08 | | 35.18% | |
| Total FY - 2016 | 12,036,565.61 | | 34.23% | |
| Total FY - 2015 | 12,594,558.41 | | 34.60% | |
| Total FY - 2014 | 12,840,099.02 | | 31.63% | |
| Total FY - 2013 | 12,993,177.87 | | 31.32% | |
| Total FY - 2012 | 13,623,211.50 | | 31.94% | |
| Total FY - 2011 | 13,407,913.22 | | 32.94% | |
| Total FY - 2010 | 12,895,025.62 | | 34.29% | |
| Total FY - 2009 | 12,925,689.72 | | 34.13% | |
| Total FY - 2008 | 13,237,322.01 | | 32.70% | |
| Total FY - 2007 | 12,665,560.98 | | 35.59% | |

**FY 2019
Criminal Fine Surcharge
Allocation Schedule**

| | | |
|-----------------|---------------|--------|
| Total FY - 2006 | 11,600,436.43 | 36.56% |
| Total FY - 2005 | 10,892,906.00 | 38.33% |
| Total FY - 2004 | 10,135,135.56 | 36.09% |
| Total FY - 2003 | 9,625,853.61 | 36.10% |
| Total FY - 2002 | 10,122,414.51 | 33.78% |
| Total FY - 2001 | 10,148,034.57 | 30.78% |
| Total FY - 2000 | 9,692,146.85 | 29.36% |

Tab E

Utah Prosecution Council

2019 Spring Conference

Thursday and Friday

April 18-19, 2019

Sheraton Hotel

150 West 500 South

Salt Lake City

DRAFT Agenda

Thursday, April 18th:

- 9:00 Welcome and Administrative
~ Bob Church - Director, Utah Prosecution Council
- 9:10 Case Law Update
~ ~ John Nielsen - Assistant Solicitor General, Criminal Appeals Division,
Utah Attorney General's Office
~ Steve Garside – Assistant Layton City Attorney
- 10:30 Break
- 10:45 Case Law Update – Continued
- 12:00 Lunch - on your own
- 1:30 Case Law Update – Continued
- 2:45 Break
- 3:00 Case Law Update – Continued
- 3:50 Break
- 4:00 Ethics / Civility
~ (1st Choice) Brooke Wells (Federal Magistrate) [Janise to contact]
~ (2nd Choice) Dee Benson
- 5:00 Adjourn

Friday, April 19th:

- 8:30 2019 Legislative Update
~ Will Carlson - Deputy Salt Lake District Attorney
~ Tyson Skeen - Traffic Safety Resource Prosecutor, Utah Prosecution Council
~ Marlesse Jones - Sexual Assault/Domestic Violence Resource Prosecutor,
Utah Prosecution Council
~ Jami Brackin – Deputy Summit County Attorney
- 9:40 Break
- 9:50 2019 Legislative Update – Continued
- 11:00 Break
- 11:10 Marijuana Presentation
~ Colleen McGee - Deputy Salt Lake County District Attorney
- 12:10 Luncheon Presentation (Lunch Provided)
Ted Talks (Ethics Presentations)
Ethics of Negotiation
~ Spencer Walsh - TITLE
Dealing Ethically with Officers
~ Kelsey Young - TITLE
Unethical Opponents
~ Blair Wardle - TITLE
BACK UP
Top 10 Ethics Mistakes
~ Sheri D. Fleming (Utah State Bar) - TITLE [Janice to contact]
- 1:40 Closing Remarks - Why We Are Prosecutors!
~ Bob Church - Director, Utah Prosecution Council
- 2:00 Adjourn

Conference materials maybe accessed at
www.upc.utah.gov

FY19 PROPOSED TRAINING SCHEDULE

| | | |
|---------------------------|---|---|
| January 11 | COUNCIL MEETING | 5272 College Dr., Murray |
| January 16-18 | NEW COUNTY/DISTRICT ATTORNEYS SEMINAR <i>For all newly elected county/district attorney's.</i> | 5272 College Dr. Murray, UT |
| <i>March 20-22</i> | <i>Train the Trainer</i> <i>By invitation only.</i> | <i>Springdale</i> |
| April 17 | COUNCIL MEETING | Sheraton SLC Hotel |
| April 18-19 | SPRING CONFERENCE <i>Legislative and case law updates, civility/professionalism and more</i> | Sheraton SLC Hotel Salt Lake City, UT |
| April & May | REGIONAL LEGISLATIVE UPDATES | 23 Locations |
| May 15-17 | CJC/DV CONFERENCE <i>For anyone who has a role in DV or Child Abuse Cases</i> | Cliff Lodge Snowbird Resort |
| June 7 | COUNCIL MEETING | TBD |
| June 16-20 | <i>DV 101 Bootcamp</i> <i>For prosecutors</i> | Riverwoods Conf. Ctr. Logan, UT |
| June 19-21 | Utah Prosecutorial Assistants Assn. Annual Conference <i>Training for para-legals and secretarial staff in prosecutor offices</i> | Riverwoods Conf. Ctr. Logan, UT |
| August 18-23 | BASIC PROSECUTOR COURSE <i>Trial advocacy and substantive legal instruction for new prosecutors</i> | TBD Logan, UT |
| October 2 | COUNCIL MEETING | St. George |
| October 2-4 | FALL PROSECUTORS TRAINING CONFERENCE <i>The annual CLE and idea sharing event for all Utah prosecutors</i> | TBD St. George, UT |
| October 14-15 | TRAINING COMMITTEE | Moab, UT |
| October 16-18 | GOVERNMENT CIVIL PRACTICE CONFERENCE <i>Training designed specifically for government civil attorneys from counties and cities</i> | SpringHill Suites & Inn Moab, UT |
| November 7-8 | UTAH MISDEMEANOR PROSECUTORS ASSN. SUMMER CONFERENCE <i>Training for city prosecutors and others who carry a misdemeanor case load</i> | TBD |
| November 14-15 | COUNTY/DISTRICT ATTORNEYS' EXECUTIVE SEMINAR <i>An opportunity for all county/district attorneys to discuss common issues</i> | Dixie Center St. George, UT |

Tab F

NEW COUNTY ATTORNEY SEMINAR

Wednesday, Thursday & Friday
January 16-18, 2019
5272 College Drive, 1st Floor Training Room
Murray, UT 84123

AGENDA

Wednesday, January 16th:

- 7:30 Registration Desk Open - Continental Breakfast
- 7:55 Welcome
~ Robert Church, Director Utah Prosecution Council (UPC)
- 8:00 Governor's Welcome and Question and Answer
~ Ron Gordon, General Counsel to Governor Herbert, State of Utah
- 8:15 The United States Attorney for the District of Utah and The Utah Attorney General – Two People You Want to Get to Know
~ US Attorney's Office
~ Andrew Choate, Executive Assistant
~ Dave Backman, Criminal Chief
~ John Mangum, Civil Chief
~ Attorney General's Office
~ Spence Austin, Chief Criminal Deputy
~ Brian Tarbet, Chief Civil Deputy
~ Ric Cantrell, Chief of Staff
~ Dan Burton, Chief of Policy and Legislative Affairs
~ Leo Lucey, Director, Investigations Division
- 9:00 ICEBREAKER
- 9:15 BREAK
- 9:30 Attorney General Special Units and Resources
~ David Carlson, Director, Justice Division
~ Carol Verdoia, Director, Child Protection Division

~ Tom Bruner, Director, Criminal Appeals Division

- ~ Robert Steed, Director, Medicaid Fraud Unit
- ~ Janise Mcanas, Section Director, Special Prosecution
- ~ Daryl Bell, Section Director, Insurance Fraud
- ~ Shelley Coudreaut, Section Director, Internet Crimes Against Children

- 10:15 GRAMA and The Utah Open Meetings Act
~ Lonny Pehrson, GRAMA Officer, Utah Attorney General Office
- 11:00 BREAK
- 11:15 Civil Overview ~ Who's Your Client?
~ Gavin Anderson, Deputy Salt Lake District Attorney
- 12:15 LUNCH - Provided
Press Relations: The Press Really Is Listening to What You Say
~ Ric Cantrell, Chief of Staff, Utah Attorney General
- 1:30 Personnel/HR Issues
~ Jami Brackin, Deputy Summit County Attorney
- 2:45 BREAK
- 3:00 Introduction to the Laws and Rules of Land Use Planning and CIVLAC
~ Jami Brackin, Deputy Summit County Attorney
- 4:00 ICEBREAKER
- 4:10 Tax Issues: Tax Commission, Centrally Assessed, Legislation, Locally Assessed
~ Tim Bodily, Senior Civil Attorney, Salt Lake County District Attorney
- 5:10 ADJOURN

Thursday, January 17th:

- 8:00 Registration Desk Open - Continental Breakfast
- 8:15 Competency/Civil Commitments
~ Ben VanNoy, Deputy Utah County Attorney
~ Pona Sitake, Deputy Utah County Attorney
- 9:00 Districts: Service, RDA's, etc
~ J. Craig Smith, SMITH HARTVIGSEN, PLLC
- 9:30 BREAK
- 9:40 Private Property Ombudsmen
~ Christina Sloan, Grand County Attorney
- 10:00 Juvenile Prosecutions
~ Chris Yannelli, Deputy Utah County Attorney
- 10:30 Screening, Charging, Plea Negotiations
~ Josh Player, Deputy Salt Lake County District Attorney
- 11:15 BREAK
- 11:30 Special Prosecution Functions
Extraditions, Detainers, Executive Agreements
~ Cynthia Poulson, Assistant Utah Attorney General
~ Amanda Montague, Assistant Utah Attorney General
~ Marshall Thompson, Utah Sentencing Commission
- 12:15 LUNCH - Provided
VIRTRA Overview and Practical Exercise
~ Will Fowlke, Training Specialist, Investigations, Utah Attorney General's Office
- 1:45 Alphabet Soup – What do all the Acronyms Mean? What Does Each Agency Do?
CJC, Children Justice Centers, Tracey Tabet, Director, Utah Attorney General's Office
NDAA, National District Attorney's Association, Sim Gil, Executive Board Member, Salt Lake County District Attorney
SWAP, Statewide Association of Prosecutors and Public Attorneys, James Swink, Chair, Cache County Attorney
SWAPLAC, SWAP Legislative Action Committee, Will Hains, Assistant Solicitor General, Utah Attorney General's Office
UAC, Utah Association of Counties, Adam Trupp, Chief Executive Officer

UCDAA, Utah County and District Attorney's Association, Rob Van Dyke, President, Kane County Attorney

BREAK

UCIP, Utah Counties Insurance Pool, Johnnie Miller - Chief Executive Officer

UMPA, Utah Misdemeanor Prosecutor Association, Nic Mills, Chair, Kaysville City Attorney

UPAA, Utah Prosecutorial Assistants Association, Staff, Haley Christiansen, Chair, Utah County Attorney's Office

UPC, Utah Prosecution Council, Robert Church - Director

4:00

BREAK

4:10

Managing Critical Incidents: Officer Involved Shootings

~ Jeff Hall, Chief Criminal Deputy, Salt Lake County District Attorney's Office

5:10

ADJOURN

Friday, January 18th:

- 8:00 Registration Desk Open - Continental Breakfast
- 8:15 Police-Prosecutor Relations
~ Brad Jeppsen, West Valley City
- 9:00 Misdemeanors Matter
~ Tyson Skeen, Traffic Safety Resource Prosecutor, UPC
- 9:30 BREAK
- 9:40 Victim/Witness/Trauma Informed
~ Marlesse Jones, Sexual Assault/Domestic Violence Resource
Prosecutor, (SADVPR) UPC
- 11:20 BREAK
- 11:30 Values Matter: Lessons in Leadership
~ Robert Church, Director, UPC
- 12:30 LUNCH - Provided
ETHICS: "A Case Study in Prosecution Misconduct – Pre-trial Publicity, Rule
3.6. and the Duke Lacrosse Team."
~ Gavin Anderson, Salt Lake County Deputy District Attorney
- 2:00 Roundtable Discussion – Issues of Common Concern
~ Moderator: James Swink, Cache County Attorney
~ Panel: Chris Allred, Weber County Attorney
Margaret Olson, Summit County Attorney
Rob Van Dyke, Kane County

ADJOURN

Tab G

October-December 2018 TSRP Report

Trainings Attended/Conducted:

- October 18, 2018 – Police In-Service Training, Grand County Agencies, Moab, UT
 - **4 hours instruction**
 - **20 law enforcement attendees**
- October 31, 2018 – Police In-Service Training, Price PD, Price, UT
 - **4 hours instruction**
 - **5 law enforcement attendees**
- November 8-9, 2018 – Utah Misdemeanor Prosecutor Conference, Moab, UT
 - Presented Trends in Drug-Impaired Driving
 - **1 hour presentation**
 - **43 prosecutor and 1 law enforcement for 44 total attendees**
- November 19, 2018 – “From Safety Recommendation to Law: Lessons Learned from Utah’s 0.05 BAC Legislative Journey” – Webinar
 - Selected as one of 5 panelists to present about the effects on law enforcement and prosecutors with the passing of this law
 - **2 hour webinar**
 - **239 registered participants**
- December 3-5, 2018 – National Association of Prosecutor Coordinators Winter Meeting, Phoenix, AZ
 - Presented about Utah’s law enforcement phlebotomy program and also our e-Warrant system
 - **1-hour training**
 - **15 attorney attendees**
- December 18-19, 2018 – Prosecutor and Toxicologist Guide to Effective Communication in Impaired Driving Cases, Lakewood, CO
 - Attended conference to be able to bring this training to Utah at a future date

Upcoming Trainings:

- January 16-18, 2019 - Newly Elected County Attorney Seminar, Murray, UT
- January 29-30, 2019 – Colorado River Law Enforcement Association Annual Conference, Laughlin, NV
- March 19-22, 2019 – Train the Trainer, Springdale, UT

Current Projects:

- Updating Utah TSRP Training Curriculum

Meetings Attended:

- October 10, 2018 - .05 Taskforce Meeting, Taylorsville, UT
- October 15-16, 2018 – UPC Training Committee meeting, Moab, UT
- October 24, 2018 – UPC Staff Meeting, Murray, UT
- November 6, 2018 – MADD Law Enforcement Appreciation Luncheon, Murray, UT
- November 13, 2018 – Multi-Agency Task Force Meeting, Orem, UT
- November 15, 2018 - .05 Webinar Practice Session, Murray, UT
- November 15, 2018 - .05 Task Force Meeting, Taylorsville, UT
- November 19, 2018 – SWAP-LAC Meeting, Murray, UT
- December 6, 2018 – Multi-Agency Taskforce Meeting, West Valley City, UT
- December 11, 2018 – Alcohol and Drug Fee Committee Meeting, Sandy, UT
- December 13, 2018 – UPC Staff Meeting, Murray, UT

Other Notables:

- Attended a Utah Supreme Court oral argument regarding the constitutional provision of consistent verdicts.
- Selected as a panelist on a national webinar discussing Utah’s .05 BAC law with over 200 registered participants and made available to unlimited amount of people after the recording.
- Selected by the Alcohol and Drug Fee Committee to serve as chair of the committee. This committee awards hundreds of thousands of dollars in equipment and training to law enforcement agencies around the state each year for impaired driving enforcement purposes.

Technical Assistance Provided:

| MONTH | TECHNICAL ASSISTANCE | TRAINING PROVIDED | NUMBER OF PARTICIPANTS | CLASS HOURS |
|---------------------|-----------------------------|--------------------------|-------------------------------|--------------------|
| October 2018 | 62 | 2 | 25 | 8 |
| November | 69 | 2 | 283 | 3 |
| December | 45 | 1 | 15 | 1 |
| January 2019 | | | | |
| February | | | | |
| March | | | | |
| April | | | | |
| May | | | | |
| June | | | | |
| July | | | | |
| August | | | | |
| September | | | | |
| TOTALS | 176 | 5 | 323 | 12 |

Tab H

October – December 2018 SA/DV Quarterly Report

TRAININGS ATTENDED/CONDUCTED:

- October 2, 2018 - Trainer – HB200 First Responder Training, Sandy PD
 - o 2 hr training – 16 officers trained
- October 2, 2018 - Trainer – HB200 First Responder Training, Duchesne SO
 - o 2 hr training – 19 officers and 3 victim advocates trained
- October 9, 2018 - Trainer – HB200 First Responder Training, Sandy PD
 - o 2 hr training – 18 officers trained
- October 10, 2018 – Trainer – Tooele SART Training (condensed HB200 curriculum)
 - o 1 hr training – 7 trained (1 atty, 1 atty staff, 5 advocates)
- October 11, 2018 – Trainer – P.O.S.T. Trauma in DV 101 Curriculum incl trauma training
 - o 1.5 hr training – 60 +/- officer cadets trained
- October 12, 2018 - Trainer – HB200 First Responder Training, Murray PD (3 sessions)
 - o 2 hr training – 46 officers trained
- October 15-16, 2018 Attendee - UPC Staff Training Committee Planning Meeting
- October 17, 2018 - Trainer – HB200 First Responder Training, Murray PD (2 sessions)
 - o 2 hr training – 23 officers trained
- October 22, 2018 - Trainer – HB200 First Responder Training & DV Training, Clearfield PD
 - o 2 hr training – 46 officers trained
- October 23, 2018 – Trainer – Utah Co Dispatch Center – Neurobiology Trauma & DV
 - o 1.5 hr training – 42 dispatchers trained
- October 29-Nov 2, 2018 Attendee – NDAA DV Prosecution Conference, Long Beach CA
- November 6, 2018 - Trainer – HB200 First Responder Training, SoSLC PD
 - o 2 hr training – 30 officers and 1 advocate trained
- Nov 8-9, 2018 – Presenter/Attendee – Neurobiology of Trauma in DV cases - UMPA, Moab UT
 - o 1 hr training – 46 attorneys and 1 coordinator trained
- November 13, 2018 - Trainer – HB200 First Responder Training, SoSLC PD
 - o 2 hr training – 26 officers and 2 advocates trained
- November 13, 2018 - Trainer – HB200 First Responder Training, WVC PD
 - o 2 hr training – 42 officers and 1 advocate trained
- November 14, 2018 - Trainer – HB200 First Responder Training, WVC PD
 - o 2 hr training – 41 officers trained
- November 15, 2018 - Trainer – HB200 First Responder Training, WVC PD
 - o 2 hr training – 37 officers and 1 advocate trained
- November 16, 2018 - Trainer – HB200 First Responder Training, Cottonwood Hts PD
 - o 2 hr training – 18 officers trained
- November 20, 2018 – Trainer – HB200 First Responder Training, Hurricane PD
 - o 2 hr training – 11 officers trained
- November 26, 2018 – Trainer – HB200 First Responder Training, Iron County SO
 - o 2 hr training – 25 officers trained
- November 27, 2018 – Trainer – HB200 First Responder Training, Hurricane PD
 - o 2 hr training – 11 officers trained
- November 28, 2018 - Trainer – Neurobiology of Trauma, HAFB Commander/Supervisors

- 1 hr training – 78 military leadership trained
- November 30, 2018 - Trainer – HB200 First Responder Training, Cottonwood Hts PD
 - 2 hr training – 12 officers trained
- December 3-5, 2018 – Attendee – NAPC Winter Training Conference, Phoenix
- December 6, 2018 – Trainer – HB200 / Trauma for SWAVO, Provo UT
 - 1 hr training – 70 advocates +/-
- December 6, 2018 – Trainer – HB200, Lone Peak PD
 - 2 hr training - 21 officers trained
- December 10, 2018 – Trainer – HB200, WVC PD (2 sessions)
 - 2 hr training – 73 officers and 1 advocate trained
- December 11, 2018 – Trainer – HB200, UHP Cadets at P.O.S.T
 - 2 hr training - 28 officers trained
- December 18, 2018 – Trainer – HB200, Washington City PD
 - 2 hr training – 22 officers trained

COMMITTEES / MEETINGS ATTENDED

- October 10, 2018 - SAKI Case Review
- October 11, 2018 - UCVC
- October 17, 2018 – DPS re HB200 Curriculum review
- October 17, 2018 – ERPO proposed statute review (@Capitol)
- October 22, 2018 – MDTIC
- October 25, 2018 – UofU Research, Rod Hopkins re MDTIC
- November 5, 2018 – Court Clerk Trauma Training
- November 7, 2018 – HAFB HB200 Curriculum review
- November 14, 2018 – SAKI
- November 29, 2018 – Restoring Ancestral Winds
- December 7, 2018 – UCVC Conference Committee meeting
- December 11, 2018 – Sexual Assault Bench Book
- December 12, 2018 – Advanced HB200 Curriculum review

ASSISTANCE PROVIDED

- Assistance and support was provided to the following based on independent contact (not in conjunction with trainings):
 - **Attorneys 10**
 - **Police Officer 2**

UPCOMING EVENTS/TRAININGS/CONFERENCES FOR NEXT QUARTER, AS SET TO DATE:

- January 7, 2019 – Trainer – HB200, West Jordan PD
 - 2 hr training
- January 10, 2019 – Trainer – HB200, West Jordan PD
 - 2 hr training
- January 10, 2019 – Trainer – HB200, Farmington PD
 - 2 hr training
- January 14, 2019 - Trainer – HB200, West Jordan PD

- 2 hr training
- January 15-17, 2019 – Attendee - Sexual Assault Case Training, Burien WA
- January 23, 2019 - Trainer – HB200, West Jordan PD
 - 2 hr training
- January 28, 2019 – Attendee – Sexual Assault Kit Initiative Training, Phoenix AZ
- January 31, 2019 - Trainer – HB200, West Jordan PD
 - 2 hr training
- February 25, 2019 – Facilitator/Trainer – HB200 Advanced Investigations Training, P.O.S.T.
 - 24 hr training
- March 20-22, 2019 – Faculty/Trainer – Train the Trainer

LONG TERM AND ONGOING PROJECTS AND IDEAS

- Develop Regional Trainings for Prosecution – SAKI/Crime Lab/UPC
- HB200
 - 3 Day Curriculum revision and trainings
 - Neurobiology script to add to POST Sex Assault online training
 - Provide training to prosecution throughout the state re prosecuting these cases
 - Establish training locations and dates for 2 hr training throughout the state on a regular rotating schedule
- Establish training locations and dates for 3 day training throughout the state on a rotating schedule
 - Regional Training – piggyback with SBI/DPS?
- DV 101 Boot Camp in June 2019
- Revise SA Investigation and Prosecution Manual and publish on UPC Website
- Evidence Training – Short trainings on individual rules/issues at trial advocacy level
- Increase involvement and make #StartByBelieving Campaign a statewide movement in support of improved trauma informed response

OTHER NOTES / COMMENTS:

As is evident from above, this quarter has been consumed by HB200 First Responder Training. It continues to be very well received with feedback being positive and appreciative of receiving the information. This effort will continue into the next quarter but to a lesser degree as the primary focus of time will be to revise and upgrade the HB200 Advanced Sex Crimes Investigation curriculum.