

**Utah Prosecution Council Meeting**  
**Wednesday - April 28, 2021, 9:30 a.m.**  
**Virtual and In Person Meeting**

**Approved Minutes**

Present: Stephen D. Foote, UPC Chair, Duchesne County Attorney (Virtual)  
Robert L. Cosson, Co-Chair, St. George City Attorney (In person)  
William Carlson, Deputy Salt Lake County District Attorney (In person)  
*(designee of Sim Gill, Salt Lake County District Attorney)*  
Steven L. Garside, Assistant Layton City Attorney (In person)  
Kathy Locher, UPAAs Chair, Salt Lake County DA's Office (In person)  
Ed Montgomery, City of South Jordan (In person)  
Ryan Peters, Juab County Attorney (In person)  
Dan Burton, Chief Policy Advisor, Utah Attorney General (In person)  
*(designee of Sean Reyes, Utah Attorney General)*  
Yvette Rodier, Deputy West Valley City Attorney (In person)  
Scott Stephenson, Deputy Director of P.O.S.T. (In person)  
Robert Van Dyke, Kane County Attorney (In person)

Excused: Jess L. Anderson, Utah Commissioner of Public Safety  
Jann L. Farris, Morgan County Attorney  
Sim Gill, Salt Lake County District Attorney  
Sean Reyes, Utah Attorney General

- 1. WELCOME AND APPROVAL OF THE MINUTES - JANUARY 11, 2021**
  - a. The Council members were welcomed and the meeting convened.
  - b. Steve Garside made the motion to approve the January 11, 2021. Will Carlson seconded the motion and the motion passed unanimously.
  
- 2. FY21 BUDGET REVIEW**
  - A. Bob Church gave an in depth report on the FY21 budget. Please refer to Director's Summary for additional information. Bob reported that in light of the pandemic, UPC was able to stay under budget by adjusting its training delivery and in some cases canceled conferences such as UPAAs and Basic. During the 2021 legislative session, Bob sought \$24,200 from the EOCJ and asked for an additional \$80,000 the would go towards Train the Trainer, Basic, law clerk, and other services. Both were not approved. For FY22 appropriation, UPC will receive \$670,900 which is \$27,300 less than FY21 appropriation. All in all, UPC is in good shape and will continue to watch the budget closely and make adjustments where necessary. Hearing no further comments or questions, the Council moved to the next item.
  
- 3. 2021 LEGISLATURE OVERVIEW**

- A. Bob Church gave an in depth report on the FY21 budget. Please refer to Director's Summary for additional information. As reviewed and discussed in the Budget Review above, Bob indicated that in seeking additional funding lobbying needs to begin as early as possible.
- B. Performance Measures Required in SB 6  
Bob Church reported that the performance measurements for this year are ready to go. Please refer to Director's Summary for detailed information.
- C. SB 98 Asset Forfeiture. With the passing of this bill UPC and POST are tasked to develop an online asset forfeiture specialist course to be made available to prosecutors and law enforcement to certify them as an asset forfeiture specialist. This course will help them meet the statute requirement. The Council discussed forming an ad hoc committee that would comprise agencies who already handle asset forfeitures. Suggestions from Director Stephens were **Marcus Yokie, TITLE and Christian Newlin, TITLE.** Jeff Buhman, Swap volunteered to help as did Will Carlson, SLCO and Dan Burton, AG. Bob indicated he would reach out to Davis, Weber, and Utah counties as well as their task forces.  
It was suggested to create one curriculum so both prosecutors and law enforcement receive the same training.  
Director Stephens volunteered POST AV and filming studio.  
**Using the \$20K appropriation would be used for course development and possibly seeking a SIAK grant was discussed.** Bob will give an update report at the June meeting.

#### 4. COUNCIL MEMBERSHIP

Please refer to Director Summary for details. A replacement was discussed for Jann Farris as he left Morgan County as its County Attorney. Jann represented Region 1. Bob has reached out to those in Region 1 and has yet to hear back. Bob will be attending the next UCDA meeting and will seek for a replacement with that body. Bob will give an update report at the June meeting. Hearing no further questions or comments, Council moved to the next item.

#### 5. TRAINING COMMITTEE REPORT

Please refer to Director Summary for details. Steve Garside, Training Committee Chair, gave the following report. The training committee meet Tuesday, April 27<sup>th</sup>, yesterday to re-review, make assignments and finalize this year's schedule. Below are the items of interest.

- a. Spring Conference will be held April 29-30, 2021 at the Salt Lake Sheraton. It will be live on a limited attendance basis, and will be broadcast virtually, and recorded and posted for later viewing. Registration is at 297. Please refer to the attached agenda.
- b. Regional Legislative Update. Schedule is set and available on the UPC website.
- c. UPA Conference is back on the schedule to be held June 23- 25, 2021 at the Provo Marriott. It will be a live in-person event.
- d. Basic Prosecutor Course returns as well and will be held August 22-27, 2021 at the Riverwoods Conference Center/SpringHill Suites & Inn in Logan, Utah.
- e. 2021 Fall Prosecutor Training Conference will be held September 22-24 at the Uintah Conference Center in Vernal, Utah. This conference will also be an in-person event and will be recorded. Theme is "Why We Do What We Do." The agenda is complete with a couple of assignments to be completed. Along the lines of the theme it was discussed prosecutor outreach and how to build better relations with the public such as with the schools. Jeff Buhman was invited to speak on

- Sept. 24<sup>th</sup> how prosecutors can get better involved in the process following up through SWAP. It was suggested
- f. Steve recommended to the Council and explained that for a while there has been discussion of providing a monthly one hour on-line training that would offer an ethics credit. The Training Committee discussed a variety of options and topics where it would be interactive as well. Steve asked for the Council's endorsement.
  - g. Next training committee meeting will be held some time in October 2021.

## 6. RESOURCE PROSECUTORS

Please refer to Director Summary for details.

- a. Marlesse Jones referred the Council to the SADVRP report as outlined in the handouts. She explained her stats tracking method in contrast with how Tyson's report appears. She will continue to track and perhaps change the method of tracking the numbers.  
The Utah Domestic Violence Officer Reference Guide booklet has been updated, is in print, and will be made available shortly. She will better target SLCO as some how the booklets did not reach them.  
Requests for training and assistance has increased.
- B. Tyson Skeen referred the Council to the TSRP report as outlined in the handouts. In lieu of the COVID shut down, requests for assistance increased. Tyson reported a full and active schedule this year! Tyson tried to obtain grant funding to access the link for "Lethal Weapon" which crash reconstruction but was denied funding. This is a topic Tyson wants to bring back to Utah. More to follow.

## 7. UPAA REPORT

Kathy Locher, UPAA Chair, gave the UPAA report.

- a. UPAA has one more board opening. The Board is looking at two candidates. UPAA conference will be held June 23-25, 2021 at the Provo Marriott. It will be an in person event. Agenda is set.

## 8. IT REPORT

Ron Weight and Bob Church gave an in depth report. Please refer to Director's Summary.

- a. HB 288. Ron has been working on making changes within eProsecutor so data gathering and the report will be in line with the statute. First quarter might have some report glitches. Second quarter should be better. He's noticed that some offices seem to be missing some information that is required (i.e., OTN number and dispositions.) Ron will send out a sample report so offices can review what their reports might look like.  
Ron also mentioned that in addition to the HB288 tailored reports can be developed such as for mayors or commissioners as in areas of their budget or regarding cases and how well prosecutors are doing. He welcomed requests for tailored reports.
- b. CCJJ Grant Application. Bob reported that the CCJJ additional grant funding will be for one year instead of for two years. Please refer to Page 4 in the Director's summary for details. Of note, 70% of Ron's salary was made part of the grant. Another item is there are about 19 jurisdictions that are using eProsecutor and JTI quote that \$20K per jurisdiction they would convert their PIMS data over to eProsecutor. If awarded, would be available October 1, 2021.  
Issues with Efiling with courts was discussed.

**9. OTHER BUSINESS**

Please refer to Director Summary for details.

- a. “ Partnering for Justice” training with Moab PD, Grand County Sheriff’s Office. Bob reported that the training went well. It was held March 23-24, 2021. In addition to UPC staff, Agent Derek Coats and Agent Steve O’Camb were part of faculty. Approximately, 60 officers, attorneys, victim advocates and services providers were in attendance. Bob sent an observation memo to the Grand County Attorney. Hopefully, this training was helpful.
- b. Criminal Code Evaluation Task Force. Will Carlson has served on the committee before and would like to again. Steve Garside made the motion to nominate Will Carlson for a second term on the CCETF. Stephen Foote seconded the motion. Hearing no objections, the motion passed unanimously.
- c. Anything else  
Bob made the Council aware that a GRAMA request was sent to him from Fox 13 News Nate Carlisle asking for any email traffic between UPC and county attorneys. Bob referred the GRAMA and docs to the AG’s office. County attorney’s may have received GRAMA requests from Fox 13 News so Bob has forwarded this issue on to Margaret Olsen, Summit County Attorney, UCDA Chair for their handling of it.

**10. NEXT MEETING**

Next meeting: Friday, June 18<sup>th</sup>. Summit County will be hosting.

SWAP at 9:30 a.m.

UPC at 11:30 a.m.

UCDAA at 1:00 p.m.

**11. ADJOURN**