

Utah Prosecution Council Meeting
Wednesday - January 5, 2022, 9:00 p.m.
Live or via Teams

Approved Minutes

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

Excused: Stephen D. Foote, UPC Chair, Duchesne County Attorney
Jess L. Anderson, Utah Commissioner of Public Safety
Sim Gill, Salt Lake County District Attorney
Sean Reyes, Utah Attorney General

Guests: Stuart Williams, Clearfield City Attorney (In person)

1. **WELCOME AND APPROVAL OF THE MINUTES - SEPTEMBER 22 and DECEMBER 2, 2021**
 - a. The Council members were welcomed and the meeting convened.
 - b. Steven L. Garside (*designee of Stephen D. Foote, UPC Chair, Duchesne County Attorney*) made the motion to approve the September 22 and the December 2, 2021. Ed Montgomery seconded the motion and the motion passed unanimously.

2. **COUNCIL MEMBERSHIP**

With the recent departure of Steve Garside, Layton City, the practice has been to obtain a nomination from UMAA to replace a city attorney. Pending that nomination, Ryan Peters made the motion to approve Stuart Williams, Clearfield City Attorney to replace Steve Garside. Ed Montgomery seconded the motion. The motion passed unanimously. Words cannot express the Council’s gratitude to Steve Garside for his many years of service on the Council. In many respects, the Council would not be what it is today if not for Steve’s service in our behalf.

3. **FY22 BUDGET REVIEW**

- A. Bob Church gave an in depth report on the FY22 budget. Please refer to Director's Summary for additional information. The budget comparison report covers all expenses from July through November. However, revenue numbers are pending and will be accounted for at the next meeting.
- Bob informed the Council that CCJJ grant of up to \$89,897 was awarded. This will go toward reimbursement of Ron's salary.
- Also, the \$16,000 NAPC/NHTSA grant was awarded. This grant will reimburse expenses for Train the Trainer. All in all, this year's budget is in good shape.

4. **2022 LEGISLATIVE ISSUES**

- a. Legislative Fiscal Analyst (LFA) Proposed Reduction/Savings
- Bob Church gave an in depth report on the proposal from Alex Wilson, Legislative Fiscal Analyst (LFA) proposed reduction/savings. Please refer to Director's Summary for additional and supporting information. In summary, Mr. Wilson is proposing UPC be required to raise its registration fees by \$50 this year and then \$50 per year for the next five years. This would result in UPC registration fees being \$425 per conference the end of year six, 2028. Bob indicated that SWAP members were opposed to this proposal. Likewise, Bob asked Council members' guidance on what the response should be. After an in dept discussion the Council's agreed to make a coordinate effort with Criminal Justice Appropriations Subcommittees and the Executive Appropriation Committee as reflected in the director's summary and assignments were made as follows.

Here is the list of last year's subcommittee members and who is assigned to contact them.

Sen. Derrin R. Owens (R), Senate Chair

Rep. Craig Hall, House Chair

Rep. Cheryl K. Acton (R), House Vice Chair

Sen. Curtis S. Bramble (R) -

Sen. Kirk A. Cullimore (R) - *Dan Burton*

Sen. Wayne A. Harper (R) - *Bob Church*

Sen. Don L. Ipson (R) -

Sen. Derek L. Kitchen (D) - *Bob Church/Will Carlson*

Rep. Kera Birkeland (R) - *James Swink*

Rep. Jefferson S. Burton (R) - *Bob Church*

Rep. James A. Dunnigan (R) - *Will Carlson*

Rep. Joel Ferry (R) - *Bob Church*

Rep. Matthew H. Gwynn (R) - *James Swink*

Rep. Carol Spackman Moss (D) - *Bob Church*

Rep. Stephanie Pitcher (D) - *Bob Church / Troy Rawlings*

Rep. Angela Romero (D) - *Marlesse Jones / Will Carlson*

Last years committee members:

Sen. Jerry W. Stevenson (R), Senate Chair - *Bob Church/Steve Garside*

Rep. Bradley G. Last (R), House Chair - *Bob Church*

Sen. Don L. Ipson (R), Senate Vice Chair - *Bob Church*

Rep. Robert M. Spendlove (R), House Vice Chair - *Bob Church*

Sen. J. Stuart Adams (R) - *Steve Garside*

Sen. Kirk A. Cullimore (R) - *Dan Burton*

Sen. Gene Davis (D) - ?

Sen. Luz Escamilla (D) - *Bob Church*

Sen. Jani Iwamoto (D) - *Will Carlson*

Sen. Karen Mayne (D) - *Bob Church*
Sen. Ann Millner (R) - *Steve Garside*
Sen. Evan J. Vickers (R) - *Chad Dotson*
Rep. Jennifer Dailey-Provost (D) - *Bob Church*
Rep. Francis D. Gibson - ?
Rep. Brian S. King (D) - *Bob Church*
Rep. Karen Kwan (D) - *Bob Church*
Rep. Jefferson Moss (R) - *Bob Church*
Rep. Val L. Peterson (R) - *Bob Church*
Rep. Mike Schultz (R) - *Steve Garside*
Rep. Andrew Stoddard (D) - *Marlesse Jones*
Rep. Brad R. Wilson (R) - *Steve Garside*

Before contacts are made Bob will draft talking points and send out.

- b. SB35 Expungement Modifications
Expansion to the UPC's statute as shown under 372 to 376 will be required to track and maintain all prosecutor lists. While UPC has been doing that, it's been a challenge keeping up with the small jurisdictions.
- c. 2023 Legislature
In addition to SB35, UPC would like to seek funding to hire a part-time secretary. Bob will be compiling a job description. He will provide that at the next council meeting.

5. **TRAINING COMMITTEE**

Bob gave the training committee report. Please refer to Director's Summary for details.

- a. Train the Trainer (TtT) will be held March 22-25, 2022 at the St. George Hilton Garden Inn. The Council reviewed the confirmed students and reviewed the faculty. Out of state faculty was brought in because UPC is down on its master trainers. Holding TtT is to replenish our master trainers.
- b. Spring Conference will be held April 21-22, 2022 at the Mountain America Expo Center.
- c. Region Legislative Update will be scheduled for the month of May.
- d. Visual Trial Course (Advanced Trial Skills Course) will be held June 7-10, 2022 at College Drive
- e. HB200 Sex Crimes Investigation Course for LEO:
February 7-9, 2022 at P.O.S.T, Draper
March 7-9, 2022 at USU, Logan
Sept. 7-9, 2022 at USU, Richfield
Oct. 3-5, 2022 TBD, Moab
- f. UPA Conference will be held June 22-24, 2022 at the Kanab Convention Center
- g. Basic Prosecutor Course will be held August 21-26 at the Riverwood Conference Center, Logan, Utah
- h. Fall Prosecutor Training Conference will be held September 21-23, 2022 St. George Hilton Garden.
- i. Government Civil Practice Conference is scheduled for October 19-20, 2022 location TBD.
- j. UMPA Conference will be held November 3-4, 2022 at the Kanab Convention Center.
- k. County DA Attorney's Executive Seminar will be held at the St. George Dixie Center, dates TBD.

(Of note, that was not discussed in the meeting. Ed Montgomery was unofficially suggested to replace Steve Garside on the Training Committee. This will item will be included on the next meeting's agenda for the Council's discussion.)

6. UPAА REPORT

As stated above in #5. f.

7. RESOURCE PROSECUTORS

- a. Marlesse Jones SADVRSP. Marlesse referred the Council to the SADVRSP report as outlined in the handouts.
- b. Tyson Skeen TSRP. Tyson Skeen referred the Council to the TSRP report as outlined in the handouts.

8. AOC OFFICE of FAIRNESS AND ACCOUNTABILITY

- a. At the September meeting Jonathan Puente, AOC, Office of Fairness and Accountability presented on the mission and purpose of the Office of Fairness and Accountability (OFA). Che Arguello, Assistant AG has agreed to serve as a UPC appointee.

9. ANNUAL AWARDS

As Bob outlined Director's Summary, the Council discussed the idea of issuing and presenting some kind of recognition awards among our colleagues. The idea was well received. Will Carlson made the motion to move forward with the recognition idea. Ryan Peters seconded the motion. The motion passed unanimously. UPC staff will come up with specific ideas and present them at the next meeting.

10. NEXT MEETING

Next meeting: Wednesday, April 20, 2022 at 10:00 a.m. - College Drive in Murray.

11. ADJOURN