

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

MINUTES

Committee:	CCJJ COMMISSION
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Date:	Thursday, June 14, 2007	Time:	12:00pm-2:00pm	Place:	East Capitol Building Governor's Board Room
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Members Present	Judge Judith Atherton, Senator Gregory Bell, Paul Boyden (for Lohra Miller), Kay Cornaby, Clark Harms, Judge Elizabeth Lindsley, Holly Martak, Dan Maldonado, Debra Moore (for Dan Becker), Stan Parrish, Mark Payne, Commissioner Ed Phillips (for Commission Scott Duncan), Scott Reed (for Attorney General Mark Shurtleff), Reed Richards, Greg Skordas, Robyn Williams (for Tom Patterson), Bob Yeates
Members Excused	Representative Eric Hutchings, Gary Jorgensen, Chief Mike Larsen, Carol Lear, Richard McKelvie, Sheriff G. Lynn Nelson
Guests	Lynn Brasher, Craig Burr, Chuck Diviney, Representative Jack Draxler, Richard Fowles, Jeff Galli, Ben Leishman, Diane Stewart, Gary Syphus, Gary Wixom
Staff	Scott Carver, Mary Lou Emerson, Reg Garff, Ron Gordon, Jennifer Hemenway, Chris Mitchell, Monica Taylor, Russ Van Vleet, Dave Walsh, Christine Watters, Doreen Weyland, Richard Ziebarth

Agenda Item:	Welcome and Approval of Minutes
Notes:	Stan Parrish welcomed all present and introductions were made. Motion: Ed Phillips made a motion to approve the meeting minutes of April 12, 2007. The motion was seconded by Greg Skordas and passed unanimously.

Agenda Item:	Adult Protective Services
Notes:	Diane Stewart reported that what they hope to gain from presenting today is to increase awareness and build new relationships and partnerships. Chuck Diviney reported that we are getting older. He said that 50 percent of baby girls born in 2001 will live to be 100 years of age. We have over 150 centenarians in the State of Utah and we see that number increasing. Chuck also reported that 95 percent of all vulnerable adults live in their own home; many people think that they live in care centers or facilities. He mentioned that 75 percent of their case referrals come from those individuals who are living in their own home. Exploitation and fraud in our nation costs us \$450,000 billion annually and they have watched their referrals grow from 12 percent 5 years ago to 26 percent currently. The National Center on Elder Abuse has identified from a survey that only one in ten elders ever report abuse, neglect, or exploitation; many times because of fear, lack of knowledge, or incapacity. Chuck said that another very sad factor is that 68 percent of the perpetrators in their cases are family members. When looking at these statistics they have put together very specific goals for their agency this year. One of their goals is to build rapport with community agencies in order to increase knowledge and awareness within our community and for our vulnerable adults. In terms of building community partners they want to assist and help people understand what abuse is and identify resources that are available.

Agenda Item:	Offender Re-Entry Data
Notes:	Jeff Galli reported that the Office of Education put a lot of effort into the two prison sites and to the county jails throughout the state. They developed a recidivism reduction model in 1992 with the legislature, which is a collaborative model. He said that the high school graduations

	<p>and college commencements at the prisons are very important to the offenders and their families. Jeff also mentioned that as part of the recidivism reduction model the State Office of Education is mandated to report yearly on recidivism data. When this presentation is made to the Executive Appropriations Committee they will particularly talk about funding issues, because it is effecting their programs. He reported that this last year they wanted to look at the parolee population and developed a questionnaire for them to complete. They wanted to see what kinds of jobs parolee's had, where they are living and what their financial obligations are. They think the information they collected is helpful in terms of what they should be doing to manage these offenders.</p> <p>Richard Fowles reported that for many years the Office of Education looked at what they call censor data and only saw the negative outcomes of parolee's rehabilitation. He said that his research is directed from three public policy perspectives and is certainly an economic perspective. All studies sort of embrace and support the idea that an in-prison program reduces the likelihood that an offender would return to prison. They wanted to look at whether educational programming in fact enhances the prospect of the offender going out and getting a job with benefits. After being convicted of a felony there might be a very high labor market barrier and even if you have a lot of education or experience coming out of prison you may still not be able to find an adequate job providing adequate benefits to survive without coming back to prison. The amount of restitution that the parolee pays is a big predictor of whether or not the person will return to prison.</p>
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Agenda Item:	VOCA Grants
Notes:	<p>Christine Watters reviewed the Victim of Crime Act (VOCA) grant award recommendations, which includes funding 25 competitive grant applications totaling almost \$800,000 and 51 continuation grants totaling slightly over \$2.5 million.</p> <p>Motion: Reed Richards made a motion to approve the Victim of Crime Act grant award recommendations. The motion was seconded by Holly Martak and passed unanimously.</p>

Agenda Item:	Funding for Inmate Education
Notes:	<p>Dave Walsh reported that this money is distributed to the Board of Education, Department of Corrections, and Higher Education through the Board of Regents. The issue that has been raised is that because of funding issues Utah State University has suspended their education program. He said that there are two dilemmas, first a lot of the universities and other education programs have been carrying deficits over the past two years and have taken money from other places in their budgets to fund these programs. Secondly, one of the sources that they had hoped to rely on was the telephone surcharge that was legislatively enacted a couple of years ago. They were expecting to receive one million dollars a year to help supplement budgets across the system and have received about \$750,000. Dave said that there is an educational committee as well as others working on these issues.</p>

Agenda Item:	Mental Health Criminal Justice Membership
Notes:	<p>Debra Moore reviewed the proposed membership for the Mental Health Criminal Justice Committee. Paul Boyden made a recommendation to add a designee from the Statewide Association of Prosecutors.</p> <p>Motion: Debra Moore made a motion to approve the proposed membership list for the Mental Health Criminal Justice Committee with the addition of a designee from the Statewide Association of Prosecutors. The charge being to identify issues that arise when the mentally ill interface with our criminal justice system and to make recommendations for improvement by examining the relevant data, models, policies, protocols and resources available for addressing these issues throughout the state in both urban and rural context. Also approve the plan that the Committee will meet over an 18 month period through November 2008. The motion was</p>

seconded by Clark Harms and passed unanimously.

Agenda Item:	U of U Criminal Justice Contract for FY08
Notes:	<p>Dave Walsh reported that this contract is between the Department of Corrections, Juvenile Justice Services, Commission on Criminal and Juvenile Justice, and the University of Utah Criminal Justice Center. He said the money is provided to the Criminal Justice Center for research and studies on the criminal justice system. This contract was amended to require a board or staff of the Criminal Justice Center report as requested and at least annually to the Commission regarding the data collected, project status, and finds of the research.</p> <p>Motion: Dan Maldonado made a motion to approve the contract as amended and send it for signature. The motion was seconded by Reed Richards and passed unanimously.</p>

Agenda Item:	Grant Award Process and Grant Review
Notes:	<p>Richard Ziebarth reported that they had a discussion based on problems they ran into last year in regards to how the Commission approves grants and how that can interact with the review committees that study the grants in depth and score them. He said they have come up with a solution that they think will work and the Executive Committee has reviewed and approved this plan. The hope of this “Procedures for Competitive Grant Review” document is to give the Commission an opportunity to review these grants in a way that is fair to the grantees.</p> <p>Richard said the way this process works is that the Review Committee studies and scores the grants and makes funding decisions. Their final funding recommendation comes before the Commission for approval. Next, if the Commission does not support the outcome of the review committee it will then go to an Internal Review Committee, which will consist of two or more Commission members. This Committee will re-evaluate the grant application(s) and adjust the scores if necessary. The award decisions of this Committee will then be approved by the CCJJ Executive Committee and their decision will be final. A concern was raised that the way this reads is that the Executive Committee has to approve the decisions. The Commission discussed this and decided to change the verbiage to read “subject to approval by the Executive Committee of CCJJ.” Another change that was made was to add that a representative of the initial grant review committee have the opportunity to also be included on the Internal Review Committee along with one CCJJ staff member and two or more members of the Commission.</p> <p>Motion: Holly Martak made motion to approve the amended “Procedures for Competitive Grant Review” document. The motion was seconded by Reed Richards and passed unanimously.</p> <p>Richard Ziebarth reviewed the State Crime Prevention grants and the recommendations for funding, which included funding eight grants and allocating the entire \$200,000.</p> <p>Motion: Senator Greg Bell made a motion to approve the funding recommendations for the State Crime Prevention grants. The motion was seconded by Clark Harms and passed unanimously.</p> <p>Richard Ziebarth explained that the funding formula splits the forfeiture money three ways, one-third goes to established drug task forces, one-third goes to the drug court program, and one-third goes to competitive grants for state and local law enforcement agencies. He said that this year instead of awarding smaller grants to each of the 19 task forces, he put the forfeiture funds the state task force funds and the JAG federal funds together to come up with a \$2.5 million drug task force funding formula. The funding formula was used to divide these funds into the three different areas. He recommended that rather than put these competitive applications before a review committee this year, since they didn’t receive enough applications that the Commission allow him to fund all 13 competitive law enforcement grants as they are.</p> <p>Motion: Clark Harms made a motion to fund all 13 competitive law enforcement grants as they are. The motion was seconded by Paul Boyden and passed unanimously.</p>

	<p>Richard Ziebarth reported that he has taken out the surplus money from 2005 and 2006 JAG and the reason he has taken it out is that there is a high likelihood they are going to have some money come back this year and for management purposes he is closing out all of their old grants on schedule. This is because he now has new money coming in for 2007 JAG as well as state and asset forfeiture funds to fund these task forces this year that will need to be redistributed. He reviewed the budget outline for the 2007 JAG.</p> <p>Motion: Scott Reed made a motion to approve the 2007 JAG budget outline recommendations. The motion was seconded by Holly Martak and passed unanimously.</p>
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Agenda Item:	Review of Title II Grants and Gang Mini-Grants
Notes:	<p>Reg Garff reviewed the Title II grant recommendations. He reported that 17 members of the Board of Juvenile Justice reviewed these six different grant programs.</p> <p>Motion: Reed Richards made a motion to approve the Title II grant recommendations. The motion was seconded by Holly Martak and passed unanimously.</p> <p>Reg Garff reviewed the state Gang Mini-Grant recommendations, which included funding four grants. He reported that this grant went through a new review committee and that the four they are recommending for funding are the four top scoring applications.</p> <p>Motion: Clark Harms made a motion to approve the Gang Mini-Grant recommendations. The motion was seconded by Mark Payne and passed unanimously.</p>

Agenda Item:	New Federal Guidelines for Implementation of the Adam Walsh Act
Notes:	<p>Chris Mitchell reported that the federal guidelines for the Adam Walsh Act are now available and for more information they can visit this website: www.ojp.usdoj.gov/smart/guidelines.htm.</p>

Agenda Item:	Other Business
Notes:	<p>Mary Lou Emerson presented a recommendation for awarding the 2007-08 federal Residential Substance Abuse Treatment (RSAT) grant funding to Davis and Weber Counties, in the same proportions as previous RSAT grant funds have been awarded to these same subgrantees. The rationale behind the recommendation is the continued decline in federal RSAT funds (over a 70 percent cut in the past two years), which does not allow for the start-up of new programs, and only limited support for continuation of current programs.</p> <p>Motion: Clark Harms made a motion to approve the RSAT grant recommendation. The motion was seconded by Paul Boyden and passed unanimously.</p>

The next Commission Meeting is scheduled for Thursday, August 9, 2007 from 12:00 noon to 2:00 p.m., in the Governor's Board Room, on the second floor of the State Capitol Complex East Building.