

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

MINUTES

Committee:	CCJJ COMMISSION
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Date:	Thursday, February 14, 2008	Time:	12:00 pm-2:00pm	Place:	Capitol Board Room Capitol Building
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Members Present	Judge Judith Atherton, Dan Becker, Pat Berckman (for Holly Martak), Clark Harms, Carol Lear, Dan Maldonado, Lohra Miller, Stan Parrish, Tom Patterson, Mark Payne, Attorney General Mark Shurtleff, Rich Townsend
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Members Excused	Senator Greg Bell, Kay Cornaby, Gary Jorgensen, Chief Mike Larsen, Judge Elizabeth Lindsley, Richard McKelvie, Sheriff Lynn Nelson, Reed Richards, Greg Skordas
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Guests	Wade Faraway, Mike Haddon, Melinda Rogers, Kirk Torgensen
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Staff	Scott Carver, Mary Lou Emerson, Reg Garff, Ron Gordon, Chris Mitchell, Cuong Nguyen, Ned Searle, Monica Taylor, Dave Walsh, Doreen Weyland, Bob Yeates, Richard Ziebarth
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Agenda Item:	Welcome and Approval of Minutes
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Notes:	Stan Parrish welcomed all present and introductions were made. Motion: Dan Becker made a motion to approve the meeting minutes of January 14, 2008. The motion was seconded by Tom Patterson and passed unanimously.
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Agenda Item:	H.B. 109 – Sex Offender Law Amendments
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Notes:	<p>Mike Haddon reported originally H.B. 109 required the Department of Corrections to conduct a very specific assessment on the sex offenders they supervise in the community. Representative Greg Hughes was approached by a group, which indicated they had a tool available that would be very effective in terms of being able to run through the domains of that particular assessment and be able to identify individuals who would likely have a problem, intervene and prevent them from returning to prison. Mike said one of the concerns they had was an assessment tool would be put into statute domain by domain on exactly how the Department of Corrections would have to implement a tool. This would result in only one entity being capable of providing the assessment tool and the funding would be given to one provider. He said they were very concerned with putting an assessment tool this specific into statute and so they met with Representative Hughes and expressed their concerns. Representative Hughes created a substitute bill, which provides a three-year pilot program in Region 3.</p> <p>Mike said another issue they discussed with Representative Hughes was adding the language “such as” when addressing domains in the statute, so other providers could be utilized. This language was not amended on the House floor. Substitute H.B. 109 does require the Department of Corrections to issue an RFP, those responding to the RFP will need to provide a tool which includes all domains and would be a three year pilot program. Mike also said they told Representative Hughes they wouldn’t support the legislation, but wouldn’t oppose it either if the language “such as” was added to the bill.</p>
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	<p>They also told him they would be willing to examine all tools that might be available to look at the sex offender population, but don't want to be required to use this one assessment tool. He mentioned there is a \$500,000 fiscal note attached to the bill.</p> <p>Motion: Dan Becker made a motion to take an opposition position on substitute H.B. 109 – Sex Offender Law Amendments. The motion was seconded by Clark Harms and passed unanimously.</p>
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Agenda Item:	Title V Grant Approval
Notes:	<p>Reg Garff reported Title V grant funding is decreasing and they are down to one project, South Salt Lake City, which created the Granite Park Junior High Afterschool program. Last year this program served approximately 280 students and seems to be doing a good job. He said they have requested \$53,438 which is the entire allocation; no other community is qualified to apply for these funds at this time. Reg also explained this project is up for their final year of continuation and has been reviewed by the Board of Juvenile Justice. The Board recommends the grant for funding with a few minor changes, which include, more programming in the form of teaching and training in conjunction with sports activities.</p> <p>Motion: Lohra Miller made a motion to approve the Title V grant budget recommendation, which includes funding South Salt Lake City. The motion was seconded by Attorney General Mark Shurtleff and passed unanimously.</p>

Agenda Item:	Prescription Drug Investigator
Notes:	<p>Richard Ziebarth reported a couple of weeks ago he presented to the Executive Committee to acquire approval to modify the task force conditions and allow for the metro area task forces to pay for up to one FTE out of grant funds provided by CCJJ. He said the issue they want to address for funding an FTE is prescription drug abuse. Utah leads the nation in non medical use of prescription drugs and has a higher death rate for prescription drugs than for auto accidents. Richard explained Condition 28 was put in place about ten years ago and was designed to not allow grant funding to pay for FTE's in the metro area task forces. He said they would like to lift this Condition for a three-year period and give metro areas the option of hiring a Prescription Drug Investigator. Grant monies in year one would fund 1 FTE, .75 FTE in the second year, and .5 FTE in the third year. Beginning FY 2012, Condition 28 would either be restored or we could entertain letting it continue if we're seeing good results.</p> <p>Motion: Lohra Miller made a motion to approve the suspension of Condition 28 for a three-year period. The motion was seconded by Dan Becker and passed unanimously.</p> <p>Richard also reported they are dealing with severe cuts to the Justice Assistance Grant (JAG) program. He said they are operating on \$2.4 million this year and it will be reduced to \$800,000 in 2008. Richard explained he would like the Commission to send a letter to our congressional delegation encouraging them to restore JAG funding. A letter will be drafted and emailed to Commission members for review and then sent to congressional members.</p>

Agenda Item:	Police Contact Survey
Notes:	Chris Mitchell reported for a number of years the State has been trying to collect information on the race and ethnicity of people who have been involved in arrests, traffic stops, etc. and for a variety of reasons have not been successful. During the last legislative session CCJJ received funding to hire a survey firm to replicate, for Utah, a national survey on police contacts with the public. She said 2,892 participated in the survey statewide and they over sampled in two counties to receive a decent sized minority population in the study. They ended up with almost 1,000 minority respondents and were pleased. Chris reviewed the survey findings with the Commission; a copy was included in the meeting materials. She noted she would also be presenting this information to the Disproportionate Minority Contact Board.

Agenda Item:	Budget Update
Notes:	Dave Walsh discussed the funding priority list from the Executive Office and Criminal Justice Subcommittee could be found in their meeting packets. He explained the Subcommittee would not vote on these priorities until they received revenue figures, which should be released next week. Dave said these revenue figures will drive the order of the priorities and which ones will be funded.

Agenda Item:	Other Business
Notes:	Kirk Torgensen reported they have two issues being discussed at the CCJJ Legislative meeting, which have been addressed. One issue is DNA collection and whether to collect it at the time of booking or leave it how it presently reads in statute and collect it upon conviction. He said they have convinced the sponsor to leave it at collecting upon conviction. The second issue they are working on is defining the term loitering in the statute.

The next Commission Meeting is scheduled for Thursday, April 10, 2008 from 12:00 p.m. to 2:00 p.m., in the Capitol Board Room, Capitol (2nd floor).