

# MEETING MINUTES

<b>Committee</b>	<b>COMMISSION ON CRIMINAL &amp; JUVENILE JUSTICE</b>
<b>Date</b>	<b>Thursday, October 14, 2010</b>
<b>Time</b>	<b>12:00 p.m. – 2:00 p.m.</b>
<b>Location</b>	<b>State Capitol Complex, Senate Building, Copper Room</b>
<b>Members Present</b>	Gaby Anderson (for Dan Maldonado), Camille Anthony, Judge Judith Atherton, Adam Cohen, Clark Harms, Representative Eric Hutchings, Chief Mike Larsen, Myron March (for Dan Becker), Richard McKelvie, Lohra Miller, Stan Parrish, Attorney General Mark Shurtleff, Greg Skordas, Major Scott Stephenson (for Commissioner Lance Davenport)
<b>Members Excused</b>	Senator Stuart Adams, Carol Lear, Judge Elizabeth Lindsley, Sheriff Lynn Nelson, Tom Patterson, Reed Richards, Carlene Walker
<b>Staff</b>	Mary Lou Emerson, Reg Garff, Ron Gordon, Ben Peterson, Jacey Skinner, Monica Taylor, Dave Walsh, Richard Ziebarth
<b>Agenda Item</b>	<b>Welcome &amp; Approval of Minutes</b>
<b>Notes</b>	<p>Stan Parrish welcomed all present.</p> <p><b>Motion:</b> Greg Skordas made a motion to approve the meeting minutes of August 25, 2010 with one change. The motion was seconded by Clark Harms and passed unanimously.</p> <p><b>Motion:</b> Lohra Miller made a motion to approve the meeting minutes of August 12, 2010. The motion was seconded by Chief Mike Larsen and passed unanimously.</p>
<b>Agenda Item</b>	<b>Title II Grant Approval</b>
<b>Notes</b>	<p>Reg Garff reported grant applications were reviewed and scored individually by seventeen members of the Board of Juvenile Justice. The Board then met as a whole to consider project funding. There is \$255,104 available to fund continuation projects and \$96,596 available for new projects. He reviewed the Title II grant budget recommendations, which includes funding six continuation grants and one new project.</p> <p><b>Motion:</b> Lohra Miller made a motion to approve the Title II grant budget recommendations. The motion was seconded by General Mark Shurtleff and passed unanimously.</p>
<b>Agenda Item</b>	<b>FFY 2010 RSAT Grant Award Recommendations</b>
<b>Notes</b>	<p>Mary Lou Emerson reported a competitive RFP was released and there is \$210,677 available to fund RSAT programs. She said they received five applications and the Review Committee recommends funding only one project, which is the Utah County Division of Substance Abuse/OUT Program Expansion for a total of \$138,270. The Commission discussed options for the remaining \$72,407 and decided that the remaining funds should be released on a new RFP. Mary Lou also mentioned they have up to four years to spend the money and that she is still waiting on applications from the Department of Corrections for FY 08 and FY 09 funding, which the</p>

	<p>Commission has already approved awarding.</p> <p><b>Motion:</b> Lohra Miller made a motion that the remaining \$72,407 RSAT funds be reopened for new applications and to have Mary Lou contact the Department of Corrections and notify them that they have 30 days to submit their applications or both years of funding will be rolled into the new competitive RFP. The motion was seconded by General Mark Shurtleff and passed unanimously.</p> <p><b>Motion:</b> Lohra Miller made a motion to approve the RSAT grant budget recommendations, which includes funding the Utah County OUT Program Expansion. The motion was seconded by Greg Skordas and passed unanimously.</p>
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<b>Agenda Item</b>	<b>JAG RFP</b>
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<b>Notes</b>	<p>Richard Ziebarth reminded the Commission that they approved the 2010 JAG Evidence Based Programs RFP in August. He is proposing they amend purpose area 6 and 7 to narrow down the focus of the RFP to incorporate a single purpose area, which would be alternatives to incarceration programming. He said this modification will focus the few remaining discretionary resources available to CCJJ on our most critical area of concern. The purpose will include cost saving technology solutions (electronic monitoring) as part of an evidence based alternatives to incarceration project. The state agency or agencies applying for these funds will be required to work with the University of Utah and the CCJJ research team to identify a credible evidenced based program (EBP). Once a project is selected, the recipient agency will continue working with the U of U to assure fidelity in the implementation of the EBP and to develop an outcome evaluation that follows the project from start to finish.</p> <p>Discussion. Ron Gordon reported there are three ways they could approach this if the Commission approves these changes, 1) have the Commission identify the one program to use, 2) have the Commission compile a list of options, or 3) leave it open ended and work with the Criminal Justice Center to review the research the applicants submit. Reg Garff suggested they make it more clear in purpose area six that the focus is on alternatives to incarceration for adults.</p> <p><b>Motion:</b> Camille Anthony made a motion to approve the amended RFP recommendations, narrowing the purpose areas, with technology included and to give CCJJ staff the flexibility to determine the best route they think makes the most sense in putting out the RFP and dealing with responses they receive. The motion was seconded by Clark Harms and passed unanimously.</p>
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<b>Agenda Item</b>	<b>SORNA</b>
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<b>Notes</b>	<p>Ron Gordon reported the Commission has been dealing with the Sex Offender Registration Notification Act (SORNA) for a couple of years now and have been dealing with other forms of SORNA for a long time. The final compliance deadline for the most recent version is July 2011. Ron said the Commission has stated many times that it is not interested in complying just for the sake of complying and changes will be made only if they are in the best interest of Utah. He also reported Governor Herbert would like to present recommendations to the Commission for consideration, but is not quite ready. Ron suggested that the Commission have another teleconference meeting to discuss this issue when the Governor is ready with his recommendations. Lohra Miller asked if the penalties for not complying were the same. Ron said they are the same and they could lose up to ten percent of JAG grant</p>
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	<p>funding if they are not in compliance. Jacey Skinner reported the problem they have is they haven't given them any direction as to what substantial compliance really means. They don't know if it means substantial compliance with the act as a whole or if it means substantial compliance with each individual section of the act. She said there may be some room for negotiation, they just don't know quite yet where that is and are working on getting some clarification.</p>
<b>Agenda Item</b>	<b>Electronic Citations</b>
<b>Notes</b>	<p>Ron Gordon reported the Administrative Office of the Courts have a proposed new Rule which states that citations issued on or after July 1, 2012 shall be filed electronically. Myron March reported the Rule is open for comment and they have received one comment so far, the comment period ends on October 19<sup>th</sup>. He said there was a case study from the National Center for State Courts that looked at three states, Missouri, Iowa, and Utah talking about electronic citations and their overall recommendation was to move in that direction. Myron said some of the benefits of electronic citations include 1) elimination of data entry by clerks, 2) fewer data errors, 3) real time transfer of citations from law enforcement to the courts, 4) capture of information once at a point of entry, 5) reduction of storage for paper citations, and 6) ease of access for judges and others. Chief Mike Larsen said the Chief's Association is on board with all of the objectives of the Rule but are concerned with the costs associated. Camille Anthony said will there be an issue using the word "shall" when it comes to disasters/cyber attacks when computers can't be accessed. Ron suggested CCJJ submit a comment with concerns raised.</p> <p><b>Motion:</b> Lohra Miller made a motion to have the Commission submit a comment stating that CCJJ supports and agrees with the goals of the Rule and as identified some concerns 1) how are local governments going to pay for hardware and records management, 2) should there be an exception for emergencies during which citations would not be able to be filed electronically, and 3) what happens if a local agency doesn't meet the implementation deadline. Also note that CCJJ will look for funding sources though right now none have been identified. The motion was seconded by Camille Anthony and passed unanimously.</p>
<b>Next Meeting</b>	<b>The next meeting is scheduled for Thursday, December 9, 2010 from 12:00 p.m. to 2:00 p.m., at the State Capitol Complex, Senate Building, in the Copper Room.</b>