

SENTENCING COMMISSION

MINUTES

Committee:	SENTENCING COMMISSION
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Date:	Thursday, Apr.4, 2002	Time:	12:00 PM	Place:	State Office Building Room 5112
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Members Present	Rep. Cindy Beshear, Paul Boyden, Blake Chard, John Hill, Elizabeth Lindsley, Judge David Mower, Judge Sterling Sainsbury, Sen. Alicia Suazo, Kirk Torgenson, Russ Van Vleet, Chris Mitchell
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Members Excused	Camille Anthony, David Bateman, Judge Judith Billings, Michael P. Chabries, Judge Terry Christiansen, Mary S. Corporon, Rep. Greg Curtis, Dr. Judy Engen, Julie Holbrook, Steven B. Kelly, G. Fred Metos, Joel Millard, John T. Nielsen, Michael Sibbett, Sen. Terry R. Spencer, Rep. Mike Thompson, Judge Robert S. Yeates
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Staff	Ed McConkie, Cliff Butter, Gary Franchina, Ron Gordon, Mike Haddon, Jo Lynn Kruse
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Agenda Item:	Welcome and Approval of Minutes
Notes:	Ed McConkie welcomed everyone and excused John T. Nielsen who had an unexpected meeting. Ed McConkie motioned to accept the January minutes. Rep. Cindy Beshear seconded and it passed unanimously .

Agenda Item:	Recognition and Gratitude to Past Members
Notes:	The following were recognized for their service to the Commission: Julie Holbrook, victims representative, and the late Senator Pete Suazo. Julie served the commission for over five years and is now retiring. A gift was given to Senator Alicia Suazo in appreciation of Senator Pete Suazo's service over the years.

Agenda Item:	Annual Report for 2001 and Update on Sex Offender Sentencing Study – Mike Haddon
Notes:	The 2001 Annual Report was distributed at the last meeting in January. If anyone needs a copy it can be found on our web page at www.sentencing.utah.gov . Time was then turned over to Mike Haddon. We have taken a look at the changes that occurred several years back on elimination of the mandatory minimums for sex offenders. We're approaching this in two different ways. We're looking at data from the courts as well as an interview portion of the analysis. The data portion of the analysis is more or less completed at this stage and a researcher is currently performing a qualitative piece by interviewing prosecutors, finding out ways the new statute is being used. We will bring those two together into one piece at a future date and present it to the commission.

Agenda Item:	Brief Legislative Review – Ron Gordon
Notes:	<p>Ron Gordon gave a summary of the bills on which the Sentencing Commission took a position. Those bills were:</p> <p>HB35 Expungement of Juvenile Records HB 39S2 Statute of Limitations Amendments HB 73 Capital Felony Sentencing Procedures HB 77 Criminal Sentencing – Mitigation Amendments HB 99S1 Consecutive Sentencing HB 154S2 Expansion of DNA Database SB 11 Prohibiting Intimacy with Youth Receiving State Services SB 22 Attempted Murder Amendments SB 26 Serious Youth Offender Amendments</p>

Agenda Item	Trends in State Drug Sentencing – Ed McConkie
Notes:	<p>Ed McConkie read the mission statement of the Utah Sentencing Commission and reminded the commission of position 4 of the philosophical approach, which is that we should be sensitive to resources without making it the driving force.</p> <p>SB 1 Intent Language (2002)</p> <ul style="list-style-type: none"> •It is the intent of the Legislature that CCJJ study the question of how costs can be reduced by further implementing intermediate sanctions, including drug treatment programs, in lieu of incarceration without compromising public safety. •Findings and recommendation are to be reported to the Legislature through progress reports submitted to the Judiciary, Law Enforcement and Criminal Justice Interim Committees, and to the Executive Offices and Criminal Justice Joint Appropriations Subcommittee. <ul style="list-style-type: none"> •Utah’s prison population is growing at a much faster pace than reported crimes. • In the 90’s, Utah has seen a dramatic increase in the number of felony drug offenders sentenced to prison • There has been a coinciding decline in their lengths of stay. <p>Summary</p> <ul style="list-style-type: none"> •Drug sentencing in Utah is changing •Our prison population is changing •As a result, parole decisions, revocations, and programs are reacting

The next meeting is scheduled for Wednesday, September 4, 2002 at noon

Minutes prepared by Jo Lynn Kruse - Executive Secretary CCJJ