

**COMMISSION ON CRIMINAL AND JUVENILE JUSTICE**

**MINUTES**

<b>Committee:</b>	<b>CCJJ COMMISSION</b>
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<b>Date:</b>	Thursday, April 12, 2007	<b>Time:</b>	12:00pm- 2:00pm	<b>Place:</b>	East Capitol Building Governor's Board Room
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<b>Members Present</b>	Gaby Anderson (for Dan Maldonado), Judge Judith Atherton, Dan Becker, Senator Greg Bell, Kay S. Cornaby, Curt Garner (for Keith Hamilton), Carol Lear, Judge Elizabeth Lindsley, Richard McKelvie, Sheriff G. Lynn Nelson, Stan Parrish, Tom Patterson, Mark Payne, Commissioner Ed Phillips (for Commissioner Scott Duncan), Chad Platt (for Lohra Miller), Reed Richards, Attorney General Mark Shurtleff, Bob Yeates
<b>Members Excused</b>	Representative Eric Hutchings, Gary Jorgensen, Chief Mike Larsen, Holly Martak, Gregory Skordas
<b>Staff</b>	Scott Carver, Julie Christenson, Reg Garff, Ned Searle, Monica Taylor, Russ Van Vleet, Dave Walsh, Doreen Weyland, Richard Ziebarth

<b>Agenda Item:</b>	<b>Welcome and Approval of Minutes</b>
Notes:	Stan Parrish welcomed all present.  <b>Motion:</b> Dan Becker made a motion to approve the meeting minutes of February 8, 2007. The motion was seconded by Reed Richards and passed unanimously.

<b>Agenda Item:</b>	<b>Welcome of New Commission Members</b>
Notes:	Stan Parrish recognized Mark Payne from the Division of Substance Abuse and Mental Health and Carol Lear from the State Office of Education as new members of the Commission.

<b>Agenda Item:</b>	<b>Staff Changes</b>
Notes:	Bob Yeates reported that Diane Ngatuvai took employment at the University of Utah Moran Eye Center. CCJJ is now down to two assistants. Bob mentioned that they are going to try not to hire someone to replace Diane right now and see how it goes with just having two assistants for the time being. He also mentioned that Monica Taylor would now be the contact person for the Commission.

<b>Agenda Item:</b>	<b>DORA Update</b>
Notes:	Mary Lou Emerson reported that S.B. 50 - Drug Offender Reform Act (DORA) passed unanimously in the Senate and House. When DORA is implemented fully and effectively the hope is that it is not only going to reduce substance abuse but also reduce crime and the burden on the prison population. Specifically, DORA provides for the early identification of offenders with drug problems. The statute requires that beginning July 1 <sup>st</sup> of this year all offenders convicted of a felony will be ordered by the court to participate in a screening and if appropriate an assessment to look at the degree or the extent of their drug problem. The statute also requires that the pre-sentence investigation report that is prepared for the court will include the findings of the screening and

	<p>assessment, and if the assessment indicates that treatment is needed, a recommendation for substance abuse treatment for that offender. Another key aspect of DORA is that we know there are offenders with drug problems but the resources have been very scarce. DORA will provide for more readily available treatment resources.</p> <p>S.B. 50 appropriates \$8 million for the coming fiscal year and starting in FY09 \$9 million a year on-going. This accounts for about half of what was estimated to fully fund the statewide implementation of DORA; the full request was for \$16.7 million. Senator Chris Buttar has indicated that if we are going through the \$8 million quickly during the first six months of the fiscal year, he is prepared to go in for a supplemental appropriation. What this funding will be used for is to expand the treatment options for offenders with drug problems both in the community and in correctional facilities. It will also provide community-based supervision through AP&amp;P agents that are necessary to help those offenders who are being treated in the community to be successful in the treatment process.</p> <p>Mary Lou also reviewed the key responsibilities for the Utah Substance Abuse and Anti-Violence Coordinating Council (USAAV), which will be shared between USAAV and CCJJ. One of the responsibilities is to provide ongoing oversight of the implementation and functions of DORA; to accomplish this a state-level DORA Steering Committee has been created. At the last Executive Committee meeting Lohra Miller volunteered to represent the Commission on the Steering Committee. A Research and Evaluation Subcommittee and a Fiscal Oversight Subcommittee have also been formed under the Steering Committee.</p>
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<b>Agenda Item:</b>	<b>Racial Profile Studies</b>
Notes:	Julie Christenson reported that a bill passed in 2002 which mandated that certain data be collected by law enforcement during a traffic stop and also required CCJJ researchers to report on racial profiling every year to the legislature. There have been a lot of issues with the data collection and so in the last legislative session \$45,000 was allocated to CCJJ to conduct a study on racial profiling. She said they will be conducting the study this year and will report to the legislators in 2008. Julie also mentioned that they would be sending out the survey instrument for persons to review before it goes into effect.

<b>Agenda Item:</b>	<b>DUI Arrest Processing</b>
Notes:	Chad Platt reported that LEADRS stands for the Law Enforcement Advanced DUI Reporting System. This system is already in place in Texas and is being utilized in Georgia and Oklahoma and there are a lot of other states that are looking at implementing the technology. This system deals specifically with the arrest process when an officer pulls someone over for a DUI. Chad said that they have been working on a statewide electronic search warrant program and that is coming together well. The goal in the next year would be to implement both, the electronic search warrant program and LEADRS. It takes 3-4 hours to complete a DUI arrest. LEADRS uses an internet site and pop up screens to fill in information, which would then automatically populate the other five or six forms required for a DUI arrest and prosecution. Because this is on the internet the prosecutor is able to access the information immediately. Art Brown with MADD is very supportive of this system. Based on 2002 national averages LEADRS would save officers

	<p>21,000 hours and each state \$346,000 annually.</p> <p><b>Motion:</b> Commissioner Ed Phillips made motion to support LEADRS. The motion was seconded by Reed Richards and passed unanimously.</p>
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<b>Agenda Item:</b>	<b>Mental Health Criminal Justice Initiative</b>
Notes:	<p>Dan Becker reported that he and Judge Atherton recently had an opportunity to meet with Bob Yeates and Chief Justice Durham to discuss the interface of the criminal justice system with those in the community who have mental health problems. The nature of the conversation was that there are a lot of encouraging and promising efforts on the way in dealing with this population. These initiatives are localized within particular communities, but the issues that these persons with mental health problems are trying to address aren't limited to individual jurisdictions, they are statewide issues. They would like to propose that there be an initiative to examine issues relating to mental health and the criminal justice system in a more comprehensive way. To improve the response for people who are afflicted with mental health issues by law enforcement, prosecution, adjudication process, sentencing and confinement would be the goal of the initiative. Their idea is to pull together people who would have an interest in these areas and look for best practices and evaluate particular programs that are in existence. Dan also said that they thought that the Commission on Criminal and Juvenile Justice would be a good convener of such an effort</p> <p><b>Motion:</b> Dan Becker made a motion to have CCJJ establish a Study Committee to examine mental health issues as it relates to the criminal justice system. The motion was seconded by Commissioner Ed Phillips and passed unanimously.</p> <p>Dan Becker suggested that the Executive Committee put together a proposed list of members for this committee and bring it back to the full commission for approval. Judge Elizabeth Lindsley reported that an issue that is raised in the Juvenile courts is that we also have children that are mentally ill that are not competent but we have no way of dealing with them. There are no competency evaluations for them and this issue should also be addressed by this new committee.</p> <p>Mark Payne mentioned that the mental health system is built around Medicaid and if you don't have Medicaid you can't get services and people end up in the ER. Mark said that they received an appropriation from the legislature this year and it will be used specifically for those persons who don't have Medicaid.</p>

<b>Agenda Item:</b>	<b>Interim Committee Agenda Issues or Studies</b>
Notes:	<p>Bob Yeates reported that the interim committees are starting to meet April 18<sup>th</sup> and asked the Commission to let him know of any items that need to be studied for the upcoming year.</p>

<b>Agenda Item:</b>	<b>Pro Tem Board of Pardons Selection Update</b>
Notes:	<p>Stan Parrish reported that the Executive Committee met and did a screening of the Board of Pardons Pro Tem candidates and narrowed them down to eleven. He said that they would be interviewing these individuals and asked the Commission to get any comments they may have to Bob Yeates regarding any of the candidates. They include:</p> <ol style="list-style-type: none"> <li>1. Charles Bruder</li> <li>2. Jim Cross</li> <li>3. Jay Fidel</li> <li>4. Kristen Hansen</li> <li>5. Lloyd Hansen</li> <li>6. Chet Loftis</li> <li>7. Lana Morris</li> <li>8. Richard Oldroyd</li> <li>9. Darwin Poulsen</li> <li>10. Donald Smith</li> <li>11. Rhonda Stewart</li> </ol>

<b>Agenda Item:</b>	<b>JAG and State Task Force Grant Budget</b>
Notes:	<p>Richard Ziebarth reviewed the 2007 JAG and Utah State Task Force Grant Budget Plan with the Commission.</p> <p><b>Motion:</b> Dan Becker made a motion to support/approve the 2007 Budget Plan. The motion was seconded by G. Lynn Nelson and passed unanimously.</p>

<b>Agenda Item:</b>	<b>Other Business</b>
Notes:	<p>Bob Yeates reported that CCJJ would like to propose that we use the Law and Justice Center as the venue to hold the annual Commission meeting on October 12, 2007 and asked if there were any objections to this location. No objections were raised.</p>

**The next Commission Meeting is scheduled for Thursday, June 14, 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.**