

SENTENCING COMMISSION

MINUTES

Committee:	SENTENCING COMMISSION
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Date:	Wednesday, Jan.30, 2002	Time:	12:00 PM	Place:	Matheson Court House, Conf. Rm. A
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Members Present	Rep. Cindy Beshear, Blake Chard, Judge Terry Christiansen, John Hill, Julie Holbrook, Steven B. Kelly, Elizabeth Lindsley, G. Fred Metos, Joel Millard, John T. Nielsen, Mark Shurtleff, Michael Sibbett, Sen. Alicia Suazo, Rep. Mike Thompson, Russ Van Vleet, Judge Robert S. Yeates
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Members Excused	Camille Anthony, David Bateman, Judge Judith Billings, Paul Boyden, Michael P. Chabries, Mary S. Corporon, Rep. Greg Curtis, Dr. Judy Engen, Judge David Mower, Judge Sterling Sainsbury, Sen. Terry R. Spencer, Kirk Torgenson
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Staff	Ron Gordon, Jo Lynn Kruse, Ed McConkie, Chris Mitchell
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Agenda Item:	Welcome and Approval of Minutes
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Notes:	John T. Nielsen welcomed everyone. John T. Nielsen motioned to accept the November minutes. Mike Sibbett seconded and it passed unanimously .
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Agenda Item:	Recognition and Gratitude to Past Members
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Notes:	Recognized for their service to the Commission are Rep. Greg Curtis and Rep. Neal Hendrickson.
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Agenda Item:	Welcome to New Members
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Notes:	The late Senator Suazo is replaced by his wife, Senator Alicia Suazo. Rep. Mike Thompson and Rep. Cindy Beshear replace Rep. Curtis and Hendrickson. Senator Spencer is relatively new and will not be able to attend today's meeting.
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Agenda Item:	Crime Victim Survey – Shedding Light
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Notes:	Ed McConkie drew attention to the annual report and crime victim survey. It was distributed to the appropriations sub-committee this week. The crime victim survey is the first of its kind in Utah and was conducted through CCJJ, funded with a federal grant. The survey will continue as funding allows and will help us in our respective professions and our work on the Commission. One of the findings was that domestic violence is extremely under-reported as well as sexual assaults. Survey participants felt it was a highly personal crime. We can gain a fuller picture with this information than with only our statistical analysis of reported crimes, which shows a significantly different picture.
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Agenda Item	Positions on Selected Bills – Ron Gordon
Notes:	<p>The first bill discussed by Ron Gordon is SB 64, Criminal Code Amendments (hate crimes). The penalty enhancement is the same as the enhancement that was in the bill sponsored by the late Senator Pete Suazo. This current bill itemizes the groups to be protected by the legislation which is the more common approach to hate crimes across the country. That is the major change from the Sentencing Commission's version of the last couple of years. It also enhances the penalty by one degree and the Executive Committee recommended a position of support.</p> <p>A general discussion ensued about hate crimes penalty enhancements and the possibility of such a bill passing. Senator Alicia Suazo stated she is amenable to an amendment. Judge Yeates motioned that we support SB 64 as presently constituted. Steven Kelly seconded. Mike Sibbett offered sub motion that the Sentencing Commission supports the concept of needing hate crimes legislation and that SB 64 is the framework for that. Judge Yeates withdrew his original motion. Rep. Cindy Beshear seconded the substitute motion. Rep. Thompson voted no.</p> <p>HB 99 Consecutive Sentencing clarifies when judges should consider consecutive sentencing versus concurrent sentencing and that this decision should be clearly stated on the judgment and commitment order.</p> <p>Mike Sibbett motioned to support draft 3 and was seconded by Judge Christiansen. Motion carried except for 2 no votes by Fred Metos and John Hill. The Executive Committee supports this bill in concept. Joel Millard motioned to support, Judge Yeates seconded and it passed unanimously.</p>

The next meeting is scheduled for Wednesday, April 3, 2002 at noon

Minutes prepared by Jo Lynn Kruse - Executive Secretary CCJJ