

**UTAH PROSECUTION COUNCIL**  
**Wednesday, September 16, 2015**  
**Park City Marriott**  
**1895 Sidewinder Drive**  
**Park City, Utah**

**APPROVED MINUTES**

UPC : Stephen Foote, Chair, Duchesne County Attorney  
Steven Garside, Chair-elect, Layton City Attorney  
Paul Bitmann, Cedar City Attorney  
Jann Farris, Morgan County Attorney  
Sim Gill, Salt Lake District Attorney  
Barry Huntington, Garfield County Attorney  
Kelly Sparks, Deputy Director of P.O.S.T (*designee of Commissioner Keith Squires*)  
Scott Sweat, Wasatch County Attorney  
Christine Stevens, UPAA Chair, Millard County Attorney's Office

EXCUSED:  
Sean Reyes, Utah Attorney General  
Commissioner Lance Davenport, Utah Department of Public Safety  
Donna Kelly, Staff Attorney

UPC            Bob Church, Director  
STAFF:        Marilyn Jaspersen, Training Coordinator  
                 Edward Berkovich, Staff Attorney  
                 Ronald Weight, IT Director

GUESTS:      Paul Boyden, Executive Director, SWAP  
                 Jeff Buhman, Utah County Attorney  
                 Robert Hilder, Summit County Attorney  
                 Blake Nakamura, Deputy Salt Lake County Attorney  
                 Tyson Skeen, UMPA President, West Jordan City Attorney's  
                 G. Mark Thomas, Uintah County Attorney

**I.        WELCOME AND APPROVAL OF THE JUNE 19, 2015 MEETING MINUTES**

- A.        The Council members were welcomed and the meeting convened.
- B.        Jann Farris moved to approve the minutes from June 19, 2015, seconded by Steve Garside. The motion passed unanimously.

**II.       UPC Conferences**

- A.        Completed Conferences
  - 1.        UPAA Report:

Chris Stevens reported that the UPAA Conference held June 24-26, 2015 at the St. George Courtyard Marriott was well received. There was 85 in attendance, three people took the CUPA exam and one person passed. The UPAA FY15 budget ended to the good. Next year the conference will be held on the Wasatch Front.

2. UMPA Report:

Bob Church gave an in depth report of the following completed conferences. Please refer to the Director's Summary for details.

- a. By all accounts, this year's conference received rave reviews.
- b. Administration changes included:
  - (1) The title "President-elect" to "Vice President" to indicate that person is more than a figurehead.
  - (2) Tyson Skeen of West Jordan City Attorney's Office was voted as President.
  - (3) Ann Boyle was elected as Vice-President. This may pose as a problem as she was elected before Salt Lake City Prosecutor's Office became part of the SLDA's office.
  - (4) President and Vice President will service two year terms in their respective office.
  - (5) Besides the planning of the UMPA annual conference, there are no known records of bylaws or written responsibilities and role of the UMPA president, so Tyson will establish a working committee to draft bylaws, policies, etc. He will collaborate with UMAA, SWAP, UPPAC and UPC.

3. Basic Report:

Bob Church reported that this year's Basic Prosecutor Course began on the Sunday night instead of Monday morning with introductions and icebreaker. It was very well received so the faculty felt that this addition be continued to next year.

B. Upcoming Conference and Remainder of Year

1. Fall Conference - September 16-18, 2015, Park City Marriott
2. Government Civil Practice Conference - October 14-16, 2015, Moab Valley Inn
3. White Collar Crime, November - November 12, 2015, Veridian Conference Center, West Jordan, Utah
4. County Attorney Executive Seminar - November 12-14, 2015, Dixie Convention Center, St. George, Utah

### III. FINANCIAL REPORT

Bob Church made the following financial report. Additional information is included in the Director's Summary.

A. Surcharge FY15 and Year to Date:

1. July surcharge receipts ended at \$42,471.35. Last year July surcharge receipts end at \$38,807.56. August and September numbers were not available.

B. Budget Comparison Report:

1. Bob invited questions. Hearing none, he moved to the next item

### IV. FINAL FY16 BUDGET

- A. Non-lapsing carry over is \$54,894.00.

- B. Train the Trainer
  - 1. Because of the carry over we will be able to hold Train the Trainer. The last one was held in 2011. \$27,000 has been budgeted for this training. It will be held either in February or early March 2016. Also, Bob will apply for grant funding from NAPC.

Bob will give an update report on the FY15 budget at the next meeting.  
Steve Garside made the motion to approve FY16 budget as presented. Barry Huntington seconded the motion. The motion passed unanimously.

**V. TRAINING COMMITTEE REPORT**

Steve Garside, UPC Training Committee Chair gave the following report.

- A. Training Committee will meet October 12-13, 2015 at the Moab Fairfield Inn. Suggested topics for the training committee to consider included GRAMA and discovery, HIPPA issues.
- B. NAAG is bringing a Human Trafficking Training to Salt Lake City on January 28-29, 2016 and there is no cost for this training. It will be held at the Salt Lake County Government complex. The Attorney General's Office and UPC are collaborating with NAAG.

**VI. RESOURCE PROSECUTORS REPORTS**

Donna Kelly and Ed Berkovich referred the Council to the in depth SA/DVRP and TSRP reports as outlined in the handouts.

**VII. IT ISSUES: PIMS/CASE MANAGEMENT/WEBPAGE**

In addition to the in depth report in the Director's Summary, Ronald Weight and Bob Church gave the following PIMS report.

- A. PIMS:  
Ron indicated that even though user numbers continue to decline he is available to address any issues that arise.
- B. Webpage:  
Ron is updating the webpage so users can access and obtain their own MCLE reports instead of contacting Marilyn directly. However, she is still available for any assistance needed. Training videos are also available and can be used for MCLE credit as well. So far, there are 152 registered members.
- C. Conference Management System (CMS):  
There was an exchange regarding the challenges prosecutor offices are facing with their new CMS. Utah County has gone with NewDawn/JustWare and Uintah County has gone with Karpel. Mark Thomas noted that one of the challenges is integrating with the courts and matching each vendor with the courts offense table and AOC EFLEX filing. Blake Nakamura has been meeting with the AOC to address EFLEX issues such as email notifications, summons in particular. Blake's assessment is that there is an automated problem on the AOC's side in populating information and a filter capability on the prosecutor's side. Another problem is that Judges are unable to access the efilng system so paper notifications are sent out which creates confusion. After a lengthy discussion it was decided that Bob and Blake will work together and come up with a list of questions and information to send out all county attorneys. After the information is compiled, the findings will be presented to the county attorneys at the County Attorney Executive Seminar in November in the UPC session.

**VIII. UTAH PROSECUTOR POLICY ADVISORY COMMITTEE (UPPAC)**

Bob referred the Council to the UPPAC minutes handout. He invited comments or questions. Hearing none, he moved to the next item.

**IX. UPC EMPLOYEE STATUS**

Bob state that he has yet to hear back from Spencer Austin. Based on previous Council guidance, he will continue to operate with what is outlined in the Director’s Summary. Bob was advised to maintain the checks and balances with AG’s office according to its policies and procedures, but the council would like to play a role as issues come about (i.e., personnel issues and/or incentive awards, etc.) Bob will update the Council if there is a change or update.

**X. AOC’s EFLEX FILING**

Please refer to Blake Nakamura’s report above VII. C.

**XI. HORSE SORING**

This item was tabled for SWAP to address.

**XII. PROPOSED 2016 MEETING SCHEDULE**

- A. Friday, January 8, 2016  
1:00 p.m.  
Salt Lake District Attorney’s Office  
111 East Broadway - 5<sup>th</sup> Floor Conference Room  
Salt Lake City, Utah
- B. Wednesday, April 13, 2016  
10:30 a.m.  
Salt Lake District Attorney’s Office  
111 East Broadway - 5<sup>th</sup> Floor Conference Room  
Salt Lake City, Utah
- C. Friday, June 10, 2016  
Location TBD
- D. Wednesday, September, 14, 2016  
Hilton Garden Inn  
1731 S. Convention Center Drive  
St. George, Utah  
8:30 a.m.

**XIII. OTHER BUSINESS**

**XIV. ADJOURN**