

COUNCIL MEMBERS

STEVEN L. GARSIDE, CHAIR

PAUL A. BITTMENN

JANN L. FARRIS

STEPHEN D. FOOTE

SIM S. GILL

BARRY L. HUNTINGTON

SEAN D. REYES

KEITH D. SQUIRES

SCOTT H. SWEAT

CHRISTINE STEVENS

**UTAH PROSECUTION COUNCIL MEETING  
AGENDA**

Wednesday, April 13, 2016, 10:30 a.m.  
Salt Lake County District Attorney's Office

Pre-meeting Reminder: The meeting is recorded and the equipment is pretty sensitive. It does pick up sidebar conversations.

- I. Welcome and Approval of the minutes from the January 8, 2016 meeting - Steve *Tab A*
- II. Report from Matt Lloyd, Council Representative on State Bar Criminal Law Section
- III. Council Elections - Steve
  - A. Chair Elect *Tab B*
- IV. UPC Conferences - Bob and Marilyn
  - A. Completed Conferences
  - B. 2016 Conference Schedule, *Tab C*
- V. Financial Report - Bob
  - A. Surcharge FY16 and Year to Date, *Tab D*
  - B. FY16/Budget Comparison Report, *Tab E*
- VI. Training Committee Report - Steve
- VII. UPAA Report - Chris
- VIII. Resource Prosecutors Reports
  - A. Donna: *Tab F*
  - B. Tyson: *Tab G*
    1. E-filing in DUI's - Paul Bittmann

- IX. IT Issues: PIMS / Case Management / Webpage - Ron and Bob
  - A. Conference Evaluation Innovations
  - B. Electronic Scanners
  - C. Case Management
- X. John R. Justice Grant - Bob
- XI. LEOJ - Bob
- XII. UPPAC - Bob
- XIII. Other Business
- XIV. Closed Door Meeting - Employee Incentive Awards Determination, *Tab H*
- XV. Next meeting: June 10, 2016, location and time TBD
- XVI. Adjourn

## Director's Summary of UPC Agenda Items

- I. Welcome and Approval of the Minutes.
  - A. See the enclosed minutes from the September 16, 2015 meeting. *Tab A*
- II. Report from Matt Lloyd, Council Representative on State Bar Criminal Law Section
- III. Council Elections
  - A. Chair Elect
    1. It wasn't until after last Council meeting that we realized that Jeff Buhman was ineligible to be elected to the Council. Our apologies to Jeff. He attended the meeting as a guest, not as a Council member.
    2. Jeff is in Region II and Scott Sweat is the Council representative for that Region. Scott's term expires in January 2018.
    3. One reason Jeff was nominated and elected is based on the tradition of rotating between large and small counties and cities. However this policy may not be feasible since Council members may all come from small counties, as is the current case.
    4. There are 4 Regions in the state from which County Attorney Council members are chosen. *Tab B.*
    5. By statute, the Chair of SWAP is an *ex officio* member. My understanding is that the Chair of SWAP will always be the Salt Lake County District Attorney. This belief is supported by the fact that Salt Lake is not within any Region. Because of that *ex officio* status, the Chair of SWAP is not eligible to be the Chair or Chair-elect of UPC. (At least not since 1999.)
    6. Therefore, the following Council Members are eligible to be elected as UPC's Chair Elect:
      - a. Jann L. Farris, UPC Region I  
(1) Term expires: June 14, 2017
      - b. Scott H. Sweat, UPC Region II  
(1) Term expires: January 10, 2018
      - c. Barry Huntington, Region III  
(1) Term expires: January 9, 2019
      - d. Stephen Foote, Region IV  
(1) Term expires: November 15, 2017
    7. Guidance from the Council
      - a. Does being Chair-Elect automatically extend one's term of service on the Council?
        - (1) If so, does their 4-year term begin from the date they are elected Chair-Elect?

IV. UPC Conferences - Bob and Marilyn

A. Completed Conferences and Expense Reports.

1. Human Trafficking Conference
  - a. January 28, 29, 2016, Salt Lake County Government Building
  - b. Sponsored by NAG, AG's office.
    - (1) UPC assisted with registration, CLE.
  - c. Other than man hours, no cost to UPC
  
2. Train the Trainers
  - a. February 9-12, 2016, Layton Courtyard Marriott
  - b. Received \$16,000 grant from NHTSA/NAPC
  - c. Budgeted
    - (1) \$27,000
  - d. Spent
    - (1) \$21,985.40
  - e. Students
    - (1) Emery, Dawn, SLDA
    - (2) Howard, Ann Marie, Juab
    - (3) Hunt, Susan, Davis
    - (4) Jeppsen, Brad, WVC
    - (5) Jones, Marlesse, Layton City
    - (6) Lachmar, Barbara, Cache
    - (7) Lloyd, Matt, AG
    - (8) Neill, Rob, SLDA
    - (9) Pead, Sam, Utah
    - (10) Pehrson, Rick, SLDA
    - (11) Peters, Ryan, Utah
    - (12) Sant, Jason, Spanish Fork
    - (13) Schockey, Christine, Council Bluffs
    - (14) Skeen, Tyson, UPC
    - (15) Strong, Daniel, AG
    - (16) Summers, Jake, Orem
    - (17) Telles, Ivy, Summit
    - (18) Williams, Stuart, Clearfield City
  - f. Faculty
    - (1) Bates, Matt
    - (2) Church, Bob
    - (3) Garside, Steve
    - (4) Kelly, Donna
    - (5) Ortiz, Elizabeth, Arizona Prosecuting Attorney's Advisory Council
    - (6) Overton, Kimberly, Chief Resource Prosecutor, North Carolina Conference of District Attorneys

- (7) Reed, Scott
- (8) Thomas, G. Mark
- g. It was a great conference. While some of the students were quite young in terms of years of practice, everyone did well. Students were nominated by their peers and offices. In the future will need to stress to bosses that students need to have, at a minimum, 6-8 years experience.
- h. Instructors were fabulous! Thanks to all of them!
- i. Learned a great deal and will make changes to the curriculum the next time we hold the course.

B. Upcoming Conferences 2016, **Tab C**

1. Spring Conference
  - a. April 14, 15, 2016, Sheraton Hotel
  - b. Our registration numbers are down so far this year.
    - (1) Don't have SLDA's registration yet.
    - (2) Hoping for last minute registrants.
    - (3) Not every one registered has paid yet.
  - c. Memory book and small gift for Laura Dupaix. She put off retirement so she could do this one more time.
2. Regional Legislative Updates
  - a. See attached schedule for dates, times and locations.
3. CJC/DV Conference
  - a. May 16-18, 2016
  - b. Cliff Lodge, Snowbird
  - c. There will be prosecutor specific courses during each breakout session.
  - d. UPC will send out the general conference brochure in addition to one highlighting the prosecutor related courses.
  - e. Please encourage your DV prosecutors to attend.
4. UPAA
  - a. June 22-24, 2016
  - b. Park City Marriott
  - c. Draft agenda set
5. UMPA
  - a. August 4-5
  - b. Bryce, Utah
  - c. Draft agenda set
  - d. Focus on drug related driving. Bringing the TSRP from Colorado to discuss the effects of legalized marijuana and traffic related offenses.
6. Basic
  - a. August 15-19, 2016
  - b. University Inn, Logan, UT
  - c. Draft agenda set
  - d. Will be looking for nominations from offices.

7. Fall Conference
  - a. October 5-7, 2016
  - b. Vernal, Utah
  - c. Draft agenda set
8. Government Civil Practice
  - a. October 19-21, 2016
  - b. St. George, UT
  - c. Planning committee meeting April 25, 2016
    - (1) Send suggestions for topics to me, Marilyn, Kelly Wright
9. County/District Attorney's Executive Seminar
  - a. November 10-11, 2016
  - b. St. George, UT

V. FY 15/16 Financial Report - Bob

- A. Surcharge Report *Tab D*
  1. Monthly totals since last meeting - pretty bleak
 

a.	Dec 15: \$40,811.85	Dec 14: \$46,179.69	-\$5,367.84
b.	Jan 16: \$40,036.65	Jan 15: \$47,485.39	-\$7,448.74
c.	Feb 16: \$40,969.33	Feb 15: \$48,282.88	-\$7,313.55
d.	Mar 16: not available	Mar 15: \$52,186.65	
- B. FY16 Budget/Comparison Report, *Tab E*
  1. We've spent 58% of budget.

VI. Training Committee Report - Steve Garside

- A. Training Committee met March 18, 2016
  1. Firmed up remainder of calendar.
- B. Top 3 choices for Fall 2017 conference for Council to decide upon
  1. Moab
  2. St. George
  3. Springdale

VII. UPAA Report - Chris Stevens

VIII. Resource Prosecutors Reports

- A. Donna, *Tab F*
- B. Tyson: *Tab G*
  1. E-filing issues with DUI - Paul Bittman

IX. IT Issues: PIMS / Case Management / Webpage

- A. On-lin Conference Evaluation
  1. Ron has developed program for on-line evaluations.
  2. Will make brief presentation during Spring to educate everyone on how to complete the process.

3. Right now can only complete the evaluation form at the end of the conference. Ron is working to figure out how to develop a program that allows you to enter, save data, then return later to enter more data.
4. Scores and comments are saved separately from the conference attendee's identification, making the comments truly anonymous.
5. This system will save Marilyn hours/days of having to retype everyone's comments into our conference manager.

B. Case Management

1. Under Jeff Buhman's lead, several jurisdictions met with representatives from Justware/NewDawn and had a phone conference with Karpel. We were able to share a better understanding of what we needed. We also got a better idea of pricing plans and other practical issues.
2. Salt Lake provided me with a copy of their RFP. While it has more needs than what we UPC would need, I think I can tailor it to our needs.
3. I met with State Purchasing to discuss the process. They suggested we try and join with the AG's RFP and provided me a copy. Unfortunately, after reading it and meeting with David Sonnenreich it was determined that UPC would need to proceed on our own.
  - a. Because they are getting a system for multiple agencies their requirements were vastly different than ours. They also wrote into the RFP a lengthy testing process.
4. The AG's RFP closed. They received fewer responses than anticipated. Karpel did not submit a response.
5. In between getting ready for Council meeting, Spring and Regional updates I'm working on the RFP. State purchasing has offered to assist.
  - a. I'm hoping to have a draft by Council meeting.
6. I have been assured that I'll be able to get an extension on the grant time period.

X. John R. Justice Grant

- A. 2016-17 application period now open. Do we want to continue with this grant?
  1. We will only receive approximately \$32,000 this year.
  2. The average award to prosecutors last year was between \$345 and \$500.
    - a. Some got more than that but they were few in number.
    - b. This is due to the large number of prosecutors who apply and the limited amount of funds.
    - c. The grant requires that half the amount go towards prosecutors and the other half to defense counsel.
  3. The average award to public defenders was well over \$1,000 with a few receiving awards of \$2,000.
- B. Managing the grant takes up an incredible amount of time. While I think I have the system down, it seems like there are new requirements each year. I understand the

benefit to public service attorneys it's just that most of the awards are so small that I wonder if it's worth all the time and effort.

- a. Some prosecutors no longer apply due to the small amount of the award.

C. 2017-18 Award

1. DOJ has announced that beginning with this award, grantees will have to provide matching funds. Because there is no money in the budget to match these funds, unless the Council decides otherwise, this will be the last year we participate in this program.

XI. LEOJ

- A. Paul Boyden has agreed to conduct at least one more LEOJ course. Our thanks to him.

XII. Other Business

XIII. Closed-door Session: UPC Employee Incentive Awards, *Tab H*

- A. Unless you ask me to leave, I'll remain in the room. This is the practice of the Justice Division. Section directors remain to advocate for their employees.

XIV. Next Meeting

- A. June 10, 2016, time and location to be determined.
  1. Historic Capitol building in Fillmore?

XV. Adjourn

***Tab A***

**UTAH PROSECUTION COUNCIL**  
**Wednesday, January 8, 2016**  
**Salt Lake District Attorney's Office**  
**111 East Broadway - 4<sup>th</sup> Floor**  
**Salt Lake City, Utah**

**PENDING MINUTES**

UPC : Stephen Foote, Chair, Duchesne County Attorney  
Steven Garside, Chair-Elect, Layton City Attorney  
Paul Bitmenn, Cedar City Attorney  
Jeff Buhman, Utah 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: Jann Farris, Morgan County Attorney  
Sean Reyes, Utah Attorney General  
Commissioner Lance Davenport, Utah Department of Public Safety

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

GUESTS: Paul Boyden, Executive Director, SWAP  
Andy Choate, Assistant United States Attorney, District of Utah  
Greg Ferbrache, Justice Division Director, Utah Attorney General  
John Huber, United States Attorney, District of Utah  
Matt Lloyd, Assistance Attorney General  
Chad Platt, Deputy Salt Lake County District Attorney  
Tyson Skeen, UMPA President, West Jordan City Attorney

**I. CHANGE OF CHAIRMANSHIP**

The Council expressed thanks to Stephen Foote for his leadership the last two years. Steve Garside assumed responsibility as Chair.

**II. ELECTION OF CHAIR-ELECT**

A. Pursuant to §67-5a-2(5), "The council shall elect by a majority vote one of its members as chair at its first meeting and then annually." Many years ago the Council adopted three resolutions, never memorialized in statute:

1. A person elected as UPC Chair should serve for two years;
  2. Creation of the position of Vice-Chair / Chair Elect, with the intent that the Chair Elect would succeed to the office of Chair upon the end of the previous Chair's term; and
  3. Rotation of the chair so the chair will be held by a member from a large county, followed by a small county, followed by a city.
- B. Jeff Buhman was nominated and voted in as Chair-Elect.

### **III. WELCOME AND APPROVAL OF THE SEPTEMBER 16, 2015 MEETING MINUTES**

- A. The Council members were welcomed and the meeting convened.
- B. Paul Bittmenn moved to approve the minutes from September 16, 2015, seconded by Stephen Foote. The motion passed unanimously.

### **IV. UPC CONFERENCES**

#### **A. Completed Conferences**

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

1. **Fall Conference Report:**  
The Fall Conference was very well received. Total budget was \$24,500. Expended 97.5% of the budget. Net cost of the conference came to \$9,751.93 to the good. Bob stated that there were a few defense attorneys in attendance. He asked the Council's guidance regarding increasing the registration fee of \$150 for public attorneys/employees. After some discussion, Jeff Buhmann made the suggestion in the form of a motion to increase the registration fee for public attorneys/employees from \$150 to \$300 effective Spring Conference 2016. Paul Bittmenn seconded the suggestion in the form of a motion and the Council agreed unanimously.
2. **Government Civil Report:**  
Overall Civil Conference was a great success. Total budget was \$11,000. The gross cost came in at \$11,221.61. After crediting the registration fee, the net cost of the conference was \$3,106.61 to the good.
3. **County Executive Seminar:**  
The discussions had at the seminar proved to be productive and beneficial. John Huber, United States Attorney General, District of Utah and Andy Choate, Assistant United States Attorney General, District of Utah was introduced and they were invited to address the group. Total budget for this event was \$1,500.00, net cost is pending as not all expenses have been accounted for.
4. **White Collar Crime Conference:**  
After several years, UPC and the Salt Lake County District Attorney's Office co-hosted this conference. It was well received even though registration was lower than expected. The AG's office will host this type of conference in the future. Appreciation was expressed to the Salt Lake County District Attorney's Office for procuring the venue at no cost. Total budget was \$3,000. The gross cost came in at \$3,000.64. After crediting the registration fee, the net cost of the conference was \$900.64 to the good.

5. National Association of Prosecutor Coordinators (NAPC):  
Bob and Marilyn attended the Winter 2016 NAPC Conference that was held in Savannah, Georgia. UPC was selected to host its winter 2017 conference in Springdale, Utah.
- B. 2016 Conference Schedule
- In addition to the UPC 2016 Training Schedule the following was mentioned:
1. Human Trafficking - January 28-29, 2016, Salt Lake County Government Building
  2. Train the Trainer - February 8-12, 2015, Layton Courtyard Marriott  
UPC was awarded \$16,000 grant from NAPC.
  3. Spring Conference, April 14-15, 2016, Salt Lake Sheraton  
This will be Laura Dupiax's last case law update. The Council wants Bob to present her with a small token of appreciation for her service.
  4. CJC Symposium/DV Conference - May 16-18, 2016  
This year's conference will have a track designated for prosecutors. Special keynote presentation entitled "Getting the Right One: A Serial Abuser is Convicted of Murder will be given by Staley Heatly and Jeff Case from Texas.

#### V. FINANCIAL REPORT

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

- A. Surcharge FY15/16 Report:
  1. November 2015 surcharge receipts ended at \$40,416.50 as compared to the 2014 November surcharge receipts that end at \$36,033.08. December numbers were not available.
- B. Adjusted FY16 Budget/Comparison Report:
  1. Bob invited questions. Hearing none, he moved to the next item.

#### VI. TRAINING COMMITTEE REPORT

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

- A. Training Committee met October 12-13, 2015 at the Moab Fairfield Inn.
- B. 2015 evaluations were reviewed and ideas were discussed regarding how to better meet training needs for Utah's prosecutors.
- C. As a follow up to the training calendar mentioned above under IV. B
  1. UMPA Summer Conference - August 4-5, 2016 - Ruby's Inn - Bryce, Utah  
Paul Bittmenn was assigned to serve on conference planning committee.
  2. Basic Prosecutor Course - August 15-19, 2016 - USU University Inn, Logan, Utah  
Beginning the course on Sunday was very well received and will become part of the regular agenda. Steve Garside was assigned to represent UPC on the Basic planning committee. Also, a student from the 2015 class will be invited to help with planning the course.

3. The Fall Prosecutors Training Conference agenda was developed. Historically, UPC has tried to hold this conference at the same time as the Judiciary Education Conference. Having been notified that the Judicial Education Conference will be held Oct. 5-7, 2016, nominations were open for a date and location. Sim Gill made the motion to hold the 2016 Fall Prosecutors Training Conference on Oct. 5-7, 2016 in Vernal, Utah. Barry Huntington seconded the motion and the motion passed unanimously.
  4. Government Civil Practice Conference - Oct. 12-14 - location TBD  
Kelly Wright collaborates with UPC in planning this conference.
  5. Advanced Trial Skills Course will be tabled to 2017.  
It was suggested that the focus should be on a specific topic (i.e., DUI, DV) incorporating advocacy skills.
  6. County/District Attorneys - Nov. 9-11, 2016 - St. George Dixie Center
- D. Other training topics mentioned was body cams; first responders; wire tapping; distance training; and make available small training modules.

**VII. UPAA**

Christine Stevens reported that the UPAA conference will be held June 22-24, 2016 at the Park City Marriott. The Board has met and drafted its agenda.

**VIII. RESOURCE PROSECUTORS REPORTS**

- A. Donna Kelly referred the Council to the in depth SA/DVRP report as outlined in the handouts.
- B. New TSRP, Tyson Skeen first day will be January 19, 2016.

**IX. IT ISSUES: PIMS/CASE MANAGEMENT/WEB PAGE**

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

- A. Ron is developing on-line conference evaluations and certificates beginning Spring Conference.
- B. PIMS support continues to decline but Ron will still fix any issues as they arise. PIMS will continue to run as long as the software will support it and as long as Ron is around.
- C. Ron continues work on the web page and any other electronic alternatives.
- D. Conference Management System (CMS):  
Bob referred to the handout that was distributed at the County Executive Seminar. The Council had an in depth discussion regarding the \$500,000 grant. They discussed the RFP process as to individual agency/office RFP's, bundling the RFP's together to get the best price, identifying each city or county agency's need and what would the licencing fee be for each entity, etc. Jared Eldridge, Stephen Foote, Jeff Buhmann and Scott Sweat volunteered to investigate what company could best meet the needs for a statewide system. Their findings will be reported at the next meeting.

**X. EYEWITNESS IDENTIFICATION ISSUES**

In addition to the in depth report in the Director's Summary, Bob Church stated that Kris Hamann, Director, Prosecutor Center for Excellence, found the article and sent it to him. The Deseret News reported that the Rocky Mountain Innocence Project conducted a two-day training with Unified Police in December 2015. Kris Hamann pointed out that some of the facts taught by RMIP have been proven wrong. Bob stated he was forwarding this information to the Council for their review.

**XI. APPOINTEE TO CRIMINAL LAW SECTION OF STATE BAR**

Matt Lloyd, Assistant Utah Attorney General was introduced as the new appointee to the Criminal Law Section of State Bar. One of the bylaws of the criminal law section states that UPC will appoint a Vice-Chair at large to assist the Vice Chair of Continuing Legal Education.

**XII. LEOJ**

This item was tabled for another time.

**XIII. UCDAAs OFFER OF HELP**

Bob reported that James Swink, Cache County Attorney, reached out to him and wanted to know how UCDAAs could be of assistance to UPC. Hearing no comments, he moved to the next item.

**XIV. OTHER BUSINESS**

Wayne Jones, Assistant Utah Attorney General - Strike Force, informed the Council that he is working on a proposal to amend the forgery statute as it pertains to false identification and document tracking. He invited Council members to contact him with any questions and welcomed their feedback.

**XV. NEXT MEETING**

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

**XVI. ADJOURN**

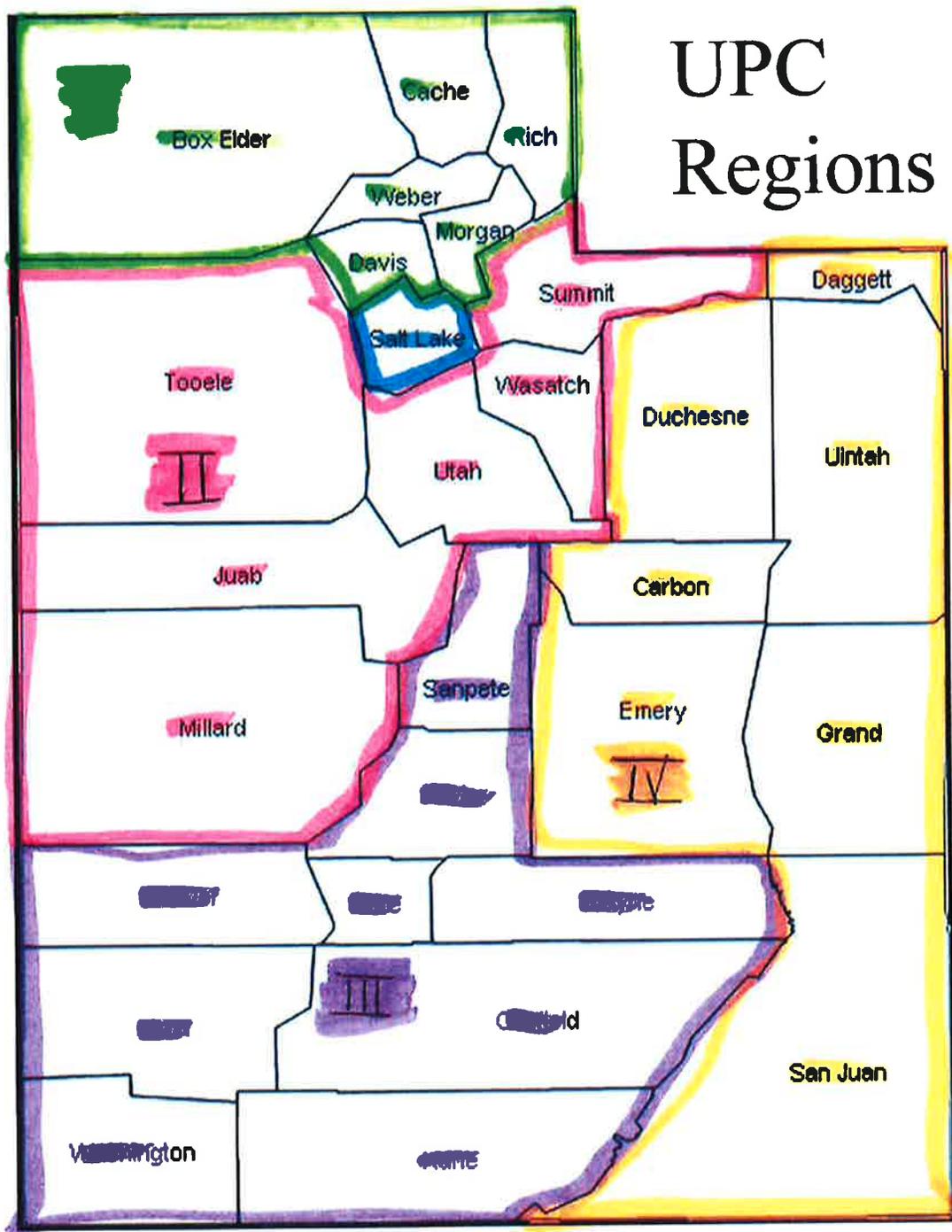
***Tab B***

# TERMS OF CURRENT UPC MEMBERS

<u>Member</u>	<u>Represents</u>	<u>Term Expires</u>
Jann L. Farris	UPC Region I*	June 14, 2017
Scott H. Sweat	UPC Region II**	January 10, 2018
Barry Huntington	UPC Region III***	January 9, 2019
Stephen Foote	UPC Region IV****	November 15, 2017
Steven Garside	City Prosecutors	July 1, 2018
Paul Bittmenn	City Prosecutors	April 9, 2018
Sean D. Reyes Designee:	Attorney General	<i>Ex officio</i>
Sim Gill	Chair, SWAP Board	<i>Ex officio</i>
Keith D. Squires Designee: Scott Stephenson	Commissioner of Public Safety Dept of Public Safety	<i>Ex officio</i>
Christine Stevens	Chair, UPAA Board	<i>Ex officio</i>

Region I*	Region II**	Region III***	Region IV****
Stephen Hadfield Box Elder County	Jared Eldridge Juab County	Von Christiansen Beaver County	Gene Strate Carbon County
James Swink Cache County	Patrick Finlinson Millard County	Barry Huntington*** Garfield County	Chad Woolley Daggett County Attorney
Troy Rawlings Davis County	Robert Hilder Summit County	Scott Garrett Iron County	Stephen Foote**** Duchesne County
Jann Farris* Morgan County	Scott Broadhead Tooele County	Robert C. Van Dyke Kane County	Mike Olsen Emery County
Gary Heward Rich County	Jeff Buhman Utah County	Scott Burns Piute County	Andrew Fitzgerald Grand County
Chris Allred Weber County Attorney	Scott Sweat** Wasatch County	Brody Keisel Sanpete County	Kendall Laws San Juan County
		Dale Eyre Sevier County	G Mark Thomas Uintah County
		Brock Belnap Washington County	
		LeEllen McCartney Wayne County	

# UPC Regions



Region I

Region III

Salt Lake

Region II

Region IV

***Tab C***

# ***2016 TRAINING SCHEDULE***

## **UTAH PROSECUTION COUNCIL**

January 28-29	Human Trafficking	Salt Lake County Building
February 8-12	Train the Trainer	Layton Courtyard Marriott
April 14-15	SPRING CONFERENCE <i>Legislative and case law updates, civility/professionalism and more</i>	Sheraton Hotel Salt Lake City, UT
April & May	REGIONAL LEGISLATIVE UPDATES	23 Locations around the state
May 16-18	CJC/DV CONFERENCE For anyone who has a role in DV or Child Abuse Cases	Cliff Lodge Snowbird Resort
June 22-24	UTAH PROSECUTORIAL ASSISTANTS ASSN. ANNUAL CONFERENCE <i>Training for para-legals and secretarial staff in prosecutor offices</i>	Park City Marriott
August 4-5	UTAH MISDEMEANOR PROSECUTORS ASSN. SUMMER CONFERENCE <i>Training for city prosecutors and others who carry a misdemeanor case load</i>	Ruby's Inn Bryce, UT
August 15-19	BASIC PROSECUTOR COURSE <i>Trial advocacy and substantive legal instruction for new prosecutors</i>	University Inn Logan, UT
October 5-7	FALL PROSECUTORS TRAINING CONFERENCE <i>The annual CLE and idea sharing event for all Utah prosecutors</i>	Uintah Conference Center Vernal SpringHill Suites
October 19-21	GOVERNMENT CIVIL PRACTICE CONFERENCE <i>Training designed specifically for government civil attorneys from counties and cities</i>	Hilton Garden Inn St. George, UT
November 10-11	COUNTY/DISTRICT ATTORNEYS' EXECUTIVE SEMINAR <i>An opportunity for all county/district attorneys to discuss common issues</i>	Dixie Center St. George, UT

Utah Prosecution Council

# 2016 Spring Conference

Thursday and Friday

April 14-15, 2016

Sheraton Hotel

150 West 500 South

Salt Lake City

## Agenda

### Thursday, April 14<sup>th</sup>:

- 9:00 Welcome and Administrative  
~ Bob Church - Director, Utah Prosecution Council
- 9:10 Case Law Update  
~ Laura Dupaix – Assistant Utah Attorney General, Criminal Appeals Division  
~ Matthew Bates – Deputy Summit County Attorney
- 10:30 Break
- 10:45 Case Law Update – Continued
- 12:00 Lunch - on your own
- 1:30 Case Law Update – Continued
- 2:45 Break
- 3:00 Case Law Update – Continued
- 3:50 Break
- 4:00 The Ethics of Releasing Police-Captured Video Recordings  
~ Ken Wallentine - Special Agent, Utah Attorney General Investigation Division  
*With the proliferation of body worn cameras, some even linked with dash cameras, what are the legal and ethical implications of obtaining video recordings from police agencies and then disseminating the recording through the discovery process? Who controls the release? Who controls distribution outside the discovery process? What role does the prosecutor have in the discussion of releasing video recordings when the media is clamoring?*
- 5:00 Adjourn

Friday, April 15<sup>th</sup>:

- 8:30 2016 Legislative Update  
~ Paul Boyden - Executive Director, Statewide Association of Prosecutors  
Deputy Salt Lake District Attorney  
~ Chad Platt – Chair, SWAP Legislative Affairs Committee  
Deputy Salt Lake District Attorney &  
~ Steven Garside – Assistant Layton City Attorney
- 9:40 Break
- 9:50 2016 Legislative Update – Continued
- 11:00 Break
- 11:10 Perspectives on Federal Prosecution in Utah  
~ The Hon. John Huber - United States Attorney, District of Utah  
*US Attorney John Huber will offer the ultimate insider look into federal prosecution in Utah. He will discuss sources for cases, best practices of federal law enforcement agencies, prosecution philosophy, and office priorities and goals for his term of service. John greatly values his office's partnerships with state court prosecutors, and is always looking for creative ways to better serve and protect our communities.*
- 12:10 Luncheon Presentation (Lunch Provided)  
“Thru Others Eyes - A Civility Presentation”  
~ Josh Player - Deputy Salt Lake District Attorney  
*An entertaining trip through the Rules of Professionalism and Civility to remind us all to be kind to others.*
- 2:00 Adjourn

**Conference materials maybe accessed at**  
**[www.upc.utah.gov](http://www.upc.utah.gov)**

## 2016 Regional Legislative Update

DAY & DATE	TIME	CITY	COUNTIES INVITED	LOCATION
Tuesday, 4/26/2016	9:30 A.M.	Ogden	Weber & Morgan	Training Room A&B, Weber County SO, 721 W. 12th Street, Ogden 84404
Tuesday, 4/26/2016	1:30 P.M.	Farmington	Davis & Morgan	Training Rm - Davis Co S.O., 800 W State Street, Farmington
Wednesday, 4/27/2016	9:00 A.M.	Provo	Utah	Utah County Health & Justice Building, Rooms 1600, 1601, 151 S University Ave, Provo
Wednesday, 4/27/2016	1:00 P.M.	Nephi	Juab	Juab Co Sheriff's Conference Room, 425 W Sheep Lane Dr, Nephi
Thursday, 4/28/2016	9:30 A.M.	Tooele	Tooele	Tooele City Council Chambers, 90 N Main Street, Tooele - in City Office
Monday, 5/2/2016	9:30 A.M.	Manti	Sanpete	Sanpete Co Public Safety Complex, Training Room, 1500 S Hwy 89, Manti
Monday, 5/2/2016	2:00 P.M.	Richfield	Sevier, Wayne & Piute	Sevier Co Sheriff Dept. Training Room - 835 E 300 N, Richfield
Tuesday, 5/3/2016	9:00 A.M.	Panguitch	Garfield & Piute	County Commission Chambers, Garfield Co Courthouse, 55 S Main, Panguitch
Tuesday, 5/3/2016	1:30 P.M.	Kanab	Kane	Kane County Commission Chambers, 67 N Main Street, Kanab
Wednesday, 5/4/2016	9:00 A.M.	St. George	Washington	Washington Co Sheriff's Training Facility, 620 S 5300 W, Hurricane
Wednesday, 5/4/2016	2:00 P.M.	Cedar City	Iron	Festival Hall, 105 N. 100 E. Cedar City Iron County Attorney's office
Thursday, 5/5/2016	9:00 A.M.	Beaver	Beaver	Beaver Co Public Safety Facility, 2160 S 600 W, Beaver
Thursday, 5/5/2016	2:00 P.M.	Fillmore	Millard	4th District Court Room, Public Safety Building, 765 S Hwy 99, Fillmore
Monday, 5/9/2016	10:00 A.M.	Logan	Cache & Rich	Cache County Sheriff's 3rd Floor Training Room 3, 1225 W 200 N, Logan

DAY & DATE	TIME	CITY	COUNTIES INVITED	LOCATION
Monday, 5/9/2016	2:00 P.M.	Brigham City	Box Elder	Brigham City Emergency Services Center, 442 W Forest, Brigham City
Tuesday, 5/10/2016	9:30 A.M.	Park City	Summit	Sheriff's Training Room, 6300 N Silver Creek Rd, Park City
Tuesday, 5/10/2016	1:30 P.M.	Heber	Wasatch	Wasatch Co Sheriff's Search & Rescue Building, 1361 S Hwy 40, Heber
Tuesday, 5/31/2016	9:00 A.M.	Vernal	Daggett & Uintah	Uintah County Sheriff's Training Room 641 E 300 S, 2nd Floor, Vernal
Tuesday, 5/31/2016	2:00 P.M.	Duchesne	Duchesne	Duchesne County Sheriff, Emergency Operation Conference Room, 21554 W. 9000 S. Duchesne
Wednesday, 6/01/2016	9:00 A.M.	Price	Carbon	7th Judicial District Court, Conference Room, 149 E 100 S, Price
Wednesday, 6/1/2016	1:30 P.M.	Castle Dale	Emery	Sheriff's Training Room, 1850 N 550 W, Castle Dale
Thursday, 6/2/2016	9:00 A.M.	Moab	Grand	Moab City Center, 217 E. Center St. Moab
Thursday, 6/2/2016	2:00 P.M.	Monticello	San Juan	Sheriff's Public Safety, Training Room, 297 S. Main Street, Monticello

# 2016 Utah Children's Justice Symposium/ Utah Prosecution Council Domestic Violence Conference

UPC is happy to announce that this year's CJC Symposium/UPC Conference will be offering prosecution focused presentations specifically designed for prosecutors. Below is a summary of the featured presentations. To register for the conference, please go to the Utah CJC Program Website: [Utah CJC Program Website](#) We look forward to seeing you at the 2016 Symposium. If you have any questions or need additional information, please don't hesitate to contact Laura Seklemian at [lsekleman@utah.gov](mailto:lsekleman@utah.gov) or by phone at 801-281-1238.

## **Thinking Outside the Box with Domestic Violence Prosecution**

~ Tyson Skeen and Marlesse Jones

Domestic Violence cases are unlike any other cases we prosecute, so why do we handle them the same as everything else? This session will feature the "Hot List" system of handling DV cases developed by the West Jordan City Attorney's Office as well as other ideas on how to think outside the box. Learn from two experienced DV misdemeanor prosecutors about some of the unique challenges that go along with domestic violence prosecution - how to deal with them.

## **Fitting Square Pegs into Round Holes: Working Effectively with Child and Adolescent Victims**

~ Craig Barlow and Donna Kelly

Preparing kids and teens for participation in the criminal system can be a daunting task. Two veteran prosecutors with a combined total of 50 years of experience in handling special victim cases share lessons they have learned along the way in prosecuting these challenging cases.

## **Challenging Victim? No Victim? Experts to the Rescue!**

~ Mariane O'Bryant and Allissa Black

This presentation will focus on how using experts can strengthen your case when victims are difficult, absent, or just don't appear to make sense. An experienced prosecutor and DV expert witness will focus on who to use as an expert witness, including officers and advocates **who** may already be your witnesses, and how to use them to support your victim and bolster your case.

## **Practical Considerations for the Use of Body Worn Cameras in Domestic Violence Cases**

~ John Wilkinson-Aequitas

The use of law enforcement body-worn cameras (BWC) can provide helpful evidence in domestic violence cases. They may also adversely impact victim privacy or safety. This presentation will discuss many of the issues prosecutors and allied professionals must consider when BWC's are used in domestic violence investigations, including the implications of deactivating a BWC during the investigation, expectations of privacy, safety issues, discovery the defense, redaction, orders prohibiting distribution and freedom of information act requests.

## **Witness Intimidation and Forfeiture by Wrongdoing**

~ John Wilkinson-Aequitas

This presentation explores the ways in which batterers intimidate and control victims, effective investigation and documentation of both intimidation and intimidation crimes, charging and trying the intimidator, and strategies to hold these offenders accountable, including the use of the doctrine of forfeiture by wrongdoing in order to introduce an unavailable victim's out-of-court statements.

## **The Prosecutor's Domestic Violence Tool Kit**

~ Donna Kelly

The Utah Prosecution Council has developed an exciting new resource for Utah Prosecutors: a DV Toolkit. This practical session will explain each tool and how it may be used. A thumb drive and a foam cork board universal exhibit will be handed out to each prosecution office to make your DV trials run more smoothly and your presentations at trial more powerful.

## **Saving Lives through Lethality Assessment**

~ Donna Kelly and Maggie Bale

Lethality Assessment Protocols (LAP) saves lives. This presentation will focus on what we have learned from the four pilot sites in Utah that have used the LAP beginning in September 2015. Learn about the law enforcement lethality screen and how to use it as a guide for all criminal justice professionals.

# Utah Children's Justice Symposium/ Utah Prosecution Council Domestic Violence Conference 2016

## 2016 Symposium Agenda

Monday, May 16, 2016

10:00 am – 6:00 pm

**Registration and Information**

Symposium Registration Table, Cliff Lodge Ballroom Lobby

**General Session**

12:00 Noon – 2:00 pm

Cliff Lodge Ballroom

**Welcome and Opening Remarks**

**Sean Reyes, Utah Attorney General**

**Keynote Sexual Exploitation of Children: Lots for Us to Consider**  
**Chris Newlin**

In early 2015, the NCAC conducted a survey of CACs in the U.S. to learn more about the presence of cases involving Commercial Sexual Exploitation of Children, and procedures being utilized to respond to these cases. The data collected will be presented, and there will be an open discussion of current practices, what is working, what is not working, and what training and resources are needed in the field to support CACs challenged by this growing issue. Additionally, attendees will be challenged to identify the practice areas where the CAC model does and does not work well for responding to CSEC, and also to identify new opportunities for multidisciplinary collaboration to meet the needs of these affected individuals.

**Announcements** Tracey Tabet, Utah Children's Justice Center Program

2:00 pm – 2:15 pm

**Break** (no food)

2:15 pm - 3:45 pm

**Breakout Session 1**

1. **Chris Newlin**

Cliff Lodge Ballroom

**The Effects of Childhood Exposure to Domestic Violence**

Children in the United States are very likely to experience various and numerous childhood victimizations, and one of the more common is exposure to domestic violence. The media has covered numerous high-profile cases of domestic violence where children were present, but the impact on children is rarely mentioned. This presentation will highlight the high incidence of children's exposure to domestic violence and put this in the context of additional adverse childhood experiences to which they may be exposed with specific focus on the particularly damaging effects of this exposure. As a result of this presentation, increased detection of interpersonal violence will lead to improved service delivery for all children. Learning Objectives: Participants will recognize the prevalence and impact of domestic violence exposure experienced by children. Participants will develop a framework of understanding exposure to domestic violence as one form of many adverse childhood experiences children may have (polyvictimization). Participants will identify tools for increased detection of domestic violence in child abuse cases.

2. Hildegard Koenig      *Cultural Considerations When Working with Victims of Child Abuse*  
This presentation will focus on the best practices for working with victims of child abuse from underserved communities. It will include information regarding considerations that should be taken into account in terms of recognizing, responding to and understanding cultural differences.
  
3. Tyson Skeen and Marlesse Jones and Prosecution Focus      *Thinking Outside the Box with Domestic Violence Prosecution*  
Domestic Violence cases are unlike any other cases we prosecute, so why do we handle them the same as everything else? This session will feature the "Hot List" system of handling DV cases developed by the West Jordan City Attorney's Office as well as other ideas on how to think outside the box. Learn from two experienced DV misdemeanor prosecutors about some of the unique challenges that go along with domestic violence prosecution - and how to deal with them.
  
4. Doug Goldsmith      *Impact of Trauma on Children: Child Abuse and Exposure to DV*  
Over the past decade we have become painfully aware of the incidence and impact of trauma on young children. The Adverse Childhood Experiences (ACES) research has pointed to life-long emotional and physical consequences of exposure to trauma in childhood. This presentation will probe further into the social-emotional consequences of exposure to violence including actual changes to the brain and body's hormonal system as a result of such exposure. Most importantly, we will discuss what can be done from a system perspective to minimize the impact of trauma and help children and families develop resilience and hope for a better future. *(Repeated in BO2)*
  
5. Craig Barlow and Donna Kelly and Prosecution Focus      *Fitting Square Pegs into Round Holes: Working Effectively with Child and Adolescent Victims*  
Preparing kids and teens for participation in the criminal system can be a daunting task. Two veteran prosecutors with a combined total of 50 years of experience in handling special victim cases share lessons they have learned along the way in prosecuting these challenging cases.
  
6. Karen Hansen, MD      *Clinical Questions, Research Answers*  
This presentation goes over a variety of clinical questions that have come up in the medical work up of possible child abuse. It briefly outlines the published research specifically designed to provide an evidence base with which to answer these questions. Examples will include bruises in infants, sentinel injuries, retinal hemorrhages in accidental head trauma, and intracranial bleeding with minor trauma, among others. Although this presentation is oriented to the medical professional, professionals in other fields are welcome.
  
7. Tonya Murray      *Twisted Trauma--Is it worth straightening out?*  
Have you been told you're a bit twisted? Or that you have a twisted sense of humor? How do we learn to not only survive but also thrive in a world full of vicarious trauma? In this session, we will combine common resiliency techniques with high performance strategies to change our mindset and increase our quality of life.

3:45 pm – 4:00 pm

**Break**

**4:00 pm – 5:30 pm**

**Breakout Session 2**

1. Chris Newlin  
Cliff Lodge Ballroom      *Grooming: Making you see what I want you to see and believe*  
The investigation of child abuse is challenging, and the pursuit of evidence associated with the grooming of children, caregivers, and the community environment provides opportunities for investigators to pursue additional evidence. This workshop will provide an overview of research related to grooming and propose a new framework for the concept of grooming which could dramatically modify current investigatory practices, in addition to enhancing current forensic interviewing efforts. Learning Objectives: Attendees will develop a framework for classifying grooming behaviors by those who abuse children. Attendees will review recently published research on grooming related to child abuse and related content. Attendees will identify new opportunities for identifying corroborative evidence based on this new "grooming" information.
  
2. Hildegard Koenig      *Interacting and Responding to Individuals with Disabilities*  
This session will focus on communicating with people with different disabilities. In addition to general communication strategies and approaches, the presentation will also include information about hidden disabilities, myths and misperceptions related to disabilities and those who have them, and communication in terms of victim response.

3. Mariane O'Bryant and Alissa Black  
**Prosecution Focus**  
*Challenging Victim? No Victim? Experts to the Rescue!*  
The presentation will focus on how using experts can strengthen your case when victims are difficult, absent, or just don't appear to make sense. An experienced prosecutor and DV expert witness will focus on **who** to use as an expert witness, including officers and advocates who may already be your witnesses, and how to use them to support your victim and bolster your case.
4. Doug Goldsmith  
*Impact of Trauma on Children: Child Abuse and Exposure to DV*  
(Repeat – See Description in BO1)
5. Sarah Houser  
*Juvenile Perpetrators – Trauma Focused Response*  
The session will focus on using a trauma-centered approach when working with juvenile perpetrators.
6. Tonya Murray  
*Facility Dogs – Not Your Average K-9*  
It's a no-brainer – mans' best friend can help those we serve. This session will cover how facility dogs help not only victims of abuse but also our multidisciplinary teams. We will discuss if dogs are a fit for your discipline, why you need them professionally trained, where to find "the one," the costs involved, best practices, and a bunch of other information that will dot the "I's" and cross the "T's" related to having a facility dog. As a bonus, you'll get to meet Kona, the Uintah/Daggett CJC's MVP!  
(Repeated in BO4 – Tuesday, 3:15 pm)
7. Chelsea Smith  
*Strategies for Effective Interviewing of Children with Disabilities*  
This presentation will focus on helping our most vulnerable victims have a voice. Learn tools and techniques to enhance your skills when interviewing verbal and non-verbal victims.

## Tuesday, May 17, 2016

7:00 am – 8:15 am  
Cliff Lodge Ballroom

### **Breakfast**

(Provided for registered Symposium Participants and guests with tickets)

7:30 am – 5:30 pm

### **Registration and Information**

Symposium Registration Table, Cliff Lodge Ballroom Lobby

8:30 am – 10:00 am  
Cliff Lodge Ballroom

### **Keynote** What You Do Matters: Lessons from the Holocaust **Elizabeth Ortiz**

Each of you plays a key role in insuring that crime victims are treated fairly and that justice is sought on their behalf. Every day you make split second decisions that may impact someone's life. *What You Do Matters: Lessons From The Holocaust* is about how important those everyday decisions we make are, and how it is imperative that we avoid even the smallest deviation from our core values, as that can lead us down a very slippery slope. The presentation begins with the period in German history when Hitler was first appointed Chancellor – a time when the German police were focusing on regular police duties. We then look at the progression over the next nine years as Hitler rises to power and becomes dictator – and the police go down a slippery slope and morph from protectors of the people to enforcers of Nazi ideology. We discuss personal responsibility, about the importance of making the right choice, each and every day, even when there may be pressure for you to conform to behavior that you know in your heart is wrong. We will learn about Holocaust survivor Gerda Weissman Klein – her incredible tale of not only surviving but also devoting her life to sharing the lessons from the Holocaust. Gerda has proclaimed all of you “Guardians of Freedom”, as you are the ultimate defenders and protectors of our rights and freedoms. You insure that our victims are treated fairly. You help seek justice. You are a Guardian of Freedom.

10:00 am – 10:05 am

**Announcements** Tracey Tabet, Utah Children's Justice Center Program

10:05 am – 10:15 am

**Break**

1. Donna Kelly and Justin Boardman  
*From Report to Court for Law Enforcement: Maximizing Effectiveness and Minimizing Stress*  
The How To's of writing bullet-proof domestic violence and sexual assault police reports. This fast-paced and interactive workshop will prepare investigators for being effective witnesses in court. Officers will be "volunteered" from the audience to do role-playing of testifying based upon the report they have written, including both direct and cross exam.
2. Tonya Murray  
*Facility Dogs--Not Your Average K-9*  
It's a no-brainer that man's best friend can help those we serve. This session will cover how they help not only victims of abuse but also our teams. We will discuss if dogs are a fit for your discipline, why you need them professionally trained, where to find "the one", the costs involved, best practices, and a bunch of other information that will dot the "I's" and cross the "T's". As a bonus, you'll get to meet Kona, the Uintah/Daggett CJC's MVP!
3. John Wilkinson  
Presented by Aequitas  
*Prosecution Focus*  
*Practical Considerations for the Use of Body Worn Cameras in Domestic Violence Cases*  
The use of law enforcement body-worn cameras (BWC) can provide helpful evidence in domestic violence cases. They may also adversely impact victim privacy or safety. This presentation will discuss many of the issues prosecutors and allied professionals must consider when BWC's are used in domestic violence investigations, including the implications of deactivating a BWC during the investigation, expectations of privacy, safety issues, discovery by the defense, redaction, orders prohibiting distribution and freedom of information act requests.
4. Karen Vadino  
*Bake at 350° for One Hour: Building and Maintaining a Working Multidisciplinary Team*  
No one person – one agency – one school – one community possesses all the tools and resources necessary to provide everything to everybody. However, when all work together, each contributing those services at which they excel, programs and the services they provide are more substantial, effective, solid and sufficient. This also makes it more likely that those in need will receive a full complement of services while no one entity is depleted. This can make a difference on numerous levels. Sounds good, but it is not as easy as it sounds. The problem is cohesion. There is no magic spell for blending various personalities, work environments, purposes, goals, etc. into an effective working group. This workshop will explore the ingredients for effective teams and the recipe for combining them successfully.
5. Brooks Keeshin, MD  
*Difficult Diagnosis: Accurately diagnosing emotional and behavioral conditions in children with known trauma*  
This presentation will focus on common emotional and behavioral challenges seen in children who have experienced a wide range of traumas. Special attention will be given to effectively differentiating posttraumatic stress symptoms from other common childhood disorders.
6. Scott Mourtgos  
*Child Interviews for First Responders*  
While the ideal environment for interviewing a child is at a CJC, it is recognized and understood that first responders do not always have this luxury due to time restrictions and other limiting circumstances. Furthermore, first responders often interact with children during investigations that will never result in a CJC interview (i.e., family fights, misdemeanor child abuse cases, child endangerment cases, etc.) Recognizing this, Sgt. Mourtgos with the Salt Lake City Police Department created a training curriculum for first responders on how to interview children in the field, in a forensically sound manner. This breakout session will present the information provided to first responders in the Salt Lake City Police Department for properly interviewing children in the field, examine the difference these interviews can make in actual cases where first responders conducted interviews, and provide direction for departments and agencies who wish to provide this type of training to its front line workers.
7. Heidi Nestel  
*Understanding and Accessing Victims' Rights*  
This presentation will focus on victims' rights. It will include education regarding victims' rights as specifically related to Utah Law, definitions of victims' rights and the associated responsibilities, resources available regarding victims' rights, and specific information related to understanding and accessing these rights.

12:00 noon – 1:15 pm

Cliff Lodge Ballroom

**Lunch**

(Provided for registered Symposium Participants and guests with tickets)

1:30 pm – 3:00 pm

Cliff Lodge Ballroom

**Keynote The Chandler Rapist: Inside the Hunt for a Serial Child Rapist  
Chris Pérez and Gary Minor**

Examine the hunt for a serial child rapist who terrorized Phoenix and Central Arizona. Santana Batiz-Aceves preyed upon young girls, ages 11-15. He watched them, waited until their parents left and then viciously attacked them in their homes. A unique offender, Aceves eluded police, at times almost hiding in plain sight. Participants will learn from best practices employed by case agents and prepare themselves for potential offenders in their communities. This case study will detail the successful collaborative and innovative efforts by the Chandler Police Department and the FBI to capture a child rapist in the Phoenix metropolitan area. This case study will enlighten participants to the full capabilities of a successful partnership of a multi-disciplinary, multi-front strategy to identify and capture a serial child rapist. Using unconventional tactics and in collaboration with the Federal Bureau of Investigations' National Center for the Analysis of Violent Crime (NCAVC) Behavioral Analysis Unit (BAU III), detectives built a framework for the case. This case framework included a multi-phase approach that included detailed behavioral profiles, geographic profiles, layered media strategies and victim focused safety plans.

3:15 pm – 4:45 pm

**Breakout Session 4**

1. Staley Heatly and  
Jeff Case

**Investigating Family Violence Cases: From Dispatch to Disposition**

The ability to collect evidence in a family violence case diminishes with each passing hour after the initial call for assistance. This presentation will emphasize the critical importance of a thorough initial investigation in the prosecution of family violence cases. The presenters will discuss various techniques for gathering evidence from the scene that can be used to successfully prosecute a family violence case even if the victim is a reluctant or non-cooperating witness.

2. Jill Sabin Smart

**Dog Poo Cookie: A Victim's Perspective**

This presentation will discuss the perspective of sexual abuse victims and their families in response to abuse and the discovery of abuse. Often the comments and varied emotions of victims are confusing to professionals and this presentation is aimed at providing insight into a victim's perspective.

3. John Wilkinson  
Presented by Aequitas  
**Prosecution Focus**

**Witness Intimidation and Forfeiture by Wrongdoing**

This presentation explores the ways in which batterers intimidate and control victims, effective investigation and documentation of both intimidation and intimidation crimes, charging and trying the intimidator, and strategies to hold these offenders accountable, including the use of the doctrine of forfeiture by wrongdoing in order to introduce an unavailable victim's out-of-court statements.

4. Karen Vadino

**Time Management: An Oxymoron**

Can things like stress, conflict and time really be managed? If so, why are so few of us ever successful at managing them effectively? It seems as though the more time we have the more we need, and the more we hurry, the more behind we get. If you can spare the time, and even more so if you can't, you need to attend this workshop where we will discuss some methods for managing your time. Discussion will include prioritizing, goal setting and sabotage. Objectives: 1) Participants will be able to recognize the behaviors that interfere with effective time management; 2) participants will be able to analyze their time management and organizational skills; and 3) participants will be able to identify some practical methods for managing their time.

5. Janet Fine

**The Evolving Role of the Victim Advocate: Keeping Up with the Times**

The array of victim advocacy services and the roles of Victim Advocates have evolved and expanded since the early days of the Victims Movement and the CAC Movement. The role of Advocates in general and on multidisciplinary teams has continued to grow in scope and complexity, requiring increased understanding and recognition of victim advocacy as a unique and central discipline unto itself. The newly revised and updated National Children's Alliance Accreditation Standards, that will become effective in 2017, underscore this need and help clarify this critical role. Participants will discuss the import of these changes, the

strengths and challenges of delivering victim services within the context of multidisciplinary teams, and identify strategies for enhancing this professional practice.

6. Tonya Murray

Facility Dogs – Not Your Average K-9  
(Repeat – See Description under BO2)

7. Donna Kelly  
**Prosecution Focus**

The Prosecutor's Domestic Violence Tool Kit  
The Utah Prosecution Council has developed an exciting new resource for Utah Prosecutors: a DV Toolkit. This practical session will explain each tool and how it may be used. A thumbdrive and a foam core board universal exhibit will be handed out to each prosecution office to make your DV trials run more smoothly and your presentations at trial more powerful.

5:30 pm – 7:30 pm  
Cliff Lodge Ballroom

Children's Justice Center Program Reception: Celebrating 25 Years of CJsCs in Utah

## Wednesday, May 18, 2016

7:00 am – 8:15 am  
Cliff Lodge Ballroom

**Breakfast**  
(Provided for registered Symposium Participants and guests with tickets)

7:30 am – 1:00 pm

**Registration and Information**  
Symposium Registration Table, Cliff Lodge Ballroom Lobby

8:30 am – 10:00 am  
Cliff Lodge Ballroom

**Keynote** Getting the Right One: A Serial Abuser is Convicted of Murder  
Staley Heatly and Jeff Case

This case study will examine the investigation and subsequent conviction at trial of Tommy Castro, a serial abuser of women and children, for murdering his girlfriend's 5-year-old daughter. You will hear how prosecutors overcame the many obstacles they faced, including the fact that the abused girlfriend initially gave a false confession to having committed the crime herself. The presenters will discuss how they educated the jurors on domestic violence, overcame the false confession, used the testimony of Castro's prior victims, and obtained a life sentence for the real killer.

10:00 am – 10:05 am

**Announcements**

10:05 am – 10:30 am

**Break: We have added some extra time to this break to facilitate the Hotel Room Check-Out policy.**

10:30 am – 12:00 pm

**Breakout Session 5**

1. Staley Heatly and  
Jeff Case  
Cliff Lodge Ballroom

The Use of Body Cams: The Texas Experience  
A thorough initial investigation of family violence cases is dramatically increased with the use of body worn cameras. The presenters will discuss various methods, including the use of body worn cameras, to gather evidence at the scene that can be used to successfully prosecute a family violence case even when a victim does not participate in the prosecution.

2. Chantel Harvey

Listen Linda Listen: The Interview with a Preschooler  
This presentation will focus on interviewing preschool age children. It will provide information to better understand and overcome challenges faced when interviewing this age group.

3. Donna Kelly and  
Maggie Bale  
**Prosecution Focus**

Savings Lives through Lethality Assessment  
Lethality Assessment Protocols (LAP) save lives. This presentation will focus on what we have learned from the four pilot sites in Utah that have used the LAP beginning in September 2015. Learn about the law enforcement lethality screen and how to use it as a guide for all criminal justice professionals.

4. Joseph Osmond,  
Randy Austin,  
Jason Beutler,  
Peter Schofield, and  
Swen Swenson      *LDS Bishops' Help Line – Update and Other Issues*  
The LDS Church provides a 1-800 helpline for LDS clergy when they learn about child abuse. The helpline is meant to facilitate reports to authorities, protect children, and prevent further abuse. In this presentation, attorneys from Kirton McConkie (the LDS Church's law firm) will provide an overview of the helpline and answer questions. Attendees are also welcome to contact the LDS Church's legal counsel in the future if they have questions or concerns
  
5. Kathy Ockey      *A House Divided: When the person who abused and the person who was victimized are in the same immediate family*  
This presentation will focus on the magnitude of the sexual abuse problem, most specifically *intra-familial abuse*. Participants will come to understand the dynamics of intra-familial abuse and the impact of intra-familial abuse on the victim, perpetrator and other family members. The presentation will also review potential interventions and ways of assisting families to move ahead safely.
  
6. Janet Fine      *Assessment of the Family's Needs: An Essential Role of the Victim Advocate*  
The comprehensive, coordinated response of multidisciplinary teams and Children's Justice Centers is dedicated to ensuring that children and families are able to pursue and achieve safety, healing and justice. A critical first step in that process is a careful and thorough assessment of the family's needs. Victim Advocates play a critical role in conducting assessments in collaboration and coordination with other team members. Through a holistic, family-focused and trauma-informed lens, this workshop will explore core victim needs and desired outcomes that inform the assessment process, follow-up and coordinated case planning; and discuss opportunities for macro level assessments that advance improvements in service delivery.
  
7. Kristine Campbell, MD      *Managing Uncertainty in the Recognition of and Response to Child Maltreatment*  
Within a multi-disciplinary response to suspected child maltreatment, uncertainty may take many forms and have many consequences, anticipated or not. Understanding and communicating uncertainty within and between our professional silos may improve our efforts to improve child and family well-being in these difficult cases. This will be an interactive discussion between the presenter and the audience.

12:00 pm

**Adjourn**

***Utah Prosecutorial Assistants Association***

***June 22-24, 2016***

***Park City Marriott  
1895 Sidewinder Drive  
Park City, Utah***

***“THEME”***

***Agenda***

*Wednesday, June 22<sup>th</sup>:*

*12:30 Registration Desk Open*

*1:00 Welcome and Administrative*

*~ Christine Stevens, Chair - Utah Prosecutorial Assistants Association*

*~ Marilyn Jasperson - Training Coordinator, Utah Prosecution Council*

*1:15 Keynote Speaker - “All Stressed Up and No One To Choke”*

*~ Karen Vadino - MSW, LPCC, OCPSII*

*This presentation is designed to help participants recognize stressors, become aware of their own personal stress level and discover some healthy, effective methods to reduce stress. Time management and humor are discussed as methods for effective stress management. A personal stress level assignment and plan for healthy stress management will be the outcome of the training.*

*2:45 Break*

*3:00 Legislative Update (Working Title)*

*~ Chad Platt - Deputy Salt Lake County District Attorney, Chair, SWAP-LAC*

*[DESCRIPTION]*

*4:15 Adjourn*

*4:30 UPAA Study Group*

Thursday, June 23<sup>rd</sup>:

8:15            *Registration Desk Open*

8:30            *View from the Prosecutor's Desk*

~ Donna Kelly - UPC Staff Attorney, Sexual Assault/Domestic Violence Resource Prosecutor  
[DESCRIPTION]

10:00          *Break*

10:15          *Body Cams (Working Title)*

~ Tyson Skeen - UPC Staff Attorney, Traffic Safety Resource Prosecutor  
[DESCRIPTION]

12:00          *Lunch Provide*

*Luncheon Presentation - "Laughing Just for the Health of It"*

~ Karen Vadino - MSW, LPCC, OCPSII  
*Humor and laughter are essential ingredients for healthy selves and healthy relationships. Understanding and accepting ourselves can provide a bridge to connecting with others. Laughter and humor impact on our lives in many ways. This workshop will explore that impact and provide opportunities for us to examine our own sense of humor. We will determine strategies for adding more humor into our lives.*

1:30            *Brody Young Case*

~ Presenter TBD  
[DESCRIPTION]

2:45            *Break*

3:00            *Gun Safety (Part 1)*

~ John Herndon, Title  
[DESCRIPTION]

3:45            *Break*

4:00            *Concealed Weapons Course (Part 2)*

~ John Herndon, Title  
[DESCRIPTION]

5:00            *Adjourn*

5:15            *CUPA Test*

Friday, June 24th:

- 8:15            *Registration Desk Open*
- 8:30            *Clearfield Case Study / Rape Kit / Cold Justice*  
                  ~ Presenter TBD  
                  [DESCRIPTION]
- 10:00          *Break*
- 10:15          *Thru Others Eyes - Civility Presentation*  
                  ~ Josh Player - Deputy Salt Lake District Attorney  
                  [DESCRIPTION]
- 11:30          *Closing Remarks and Adjournment*

Utah Misdemeanor Prosecutors Association  
2016 UMPA Summer Conference  
August 4-5, 2016  
Ruby's Inn  
ADDRESS  
City, State

## DRAFT Agenda

### Thursday, August 4th

- 7:45 Registration Desk Open
- 8:15 Welcome and Administration
- 8:30 How Many Nannograms Too Many?  
~ Colorado TSRP
- 10:00 Break
- 10:10 DRE  
~ Tyson Skeen, Traffic Safety Resource Prosecutor  
~ Nghia Nguyen, Forensics Scientist  
~ Trooper Jason Marshall, Utah Highway Patrol
- 11:30 UMPA Lunch Meeting (Lunch Provided)
- 1:00 DV Tool Box / Non-Victim Witnesses  
(To include in discussion:  
- 911, Jail Calls  
- Medical Records  
- Closing Argument (Donna's CA at DV trial w/ D Wayment)  
~ Donna Kelly, Sexual Assault / Domestic Violence Resource  
Prosecutor, UPC  
~ Marlesse Jones, Assistant Layton City Attorney
- 2:00 Break

2:10 DV Perspective – Case Study  
~ Donna Kelly, Sexual Assault / Domestic Violence Resource  
Prosecutor, UPC  
~ Marlesse Jones, Assistant Layton City Attorney  
~ Rachelle Hill, West Valley City Victim Services Coordinator  
(801-963-3460)

3:10 Break

3:20 Lethality – Cop – Cedar DV Coalition  
~ Donna Kelly, Sexual Assault / Domestic Violence Resource  
Prosecutor, UPC

### Friday, August 5<sup>th</sup>

8:00 Registration Desk Open

8:30 Odds & Ends  
(To include in discussion – Jury nullification, make cases  
compelling, burden of proof, lessons learned  
~ Amy Jones, Deputy West Valley City Prosecutor)

9:30 Break

9:40 Voir Dire  
(To include in discussion: CSI, Prosecutor/Cop backlash, asking  
questions–getting the Judge to allow, elephant in the room)  
~ Jake Summers, Orem City Prosecutor

10:40 Break

10:50 Practical Ethics  
(To include in discussion: Left/right boundaries, specific examples,  
prosecutor error/misconduct  
~ Dawn Emery, Deputy Salt Lake County District Attorney)

12:00 Adjourn

Utah Prosecution Council

# Fall Prosecutors Training Conference “THEME” (CCH to suggest)

October 5 - 7, 2016

TownePlace Suites by Marriott  
1219 US-40  
Vernal, Utah

## Agenda

Wednesday, October 5<sup>th</sup>:

- 8:30 Utah Prosecution Council meeting
- 10:30 SWAP Board meeting
- 12:30 Registration Desk Open
- 1:00 Welcome and Administrative  
~ Robert Church - Director, Utah Prosecution Council
- 1:10 The Anatomy of a Mass Homicide Prosecution  
~ George Brauchler, District Attorney for the Eighteenth Judicial District of the State of Colorado
- 3:10 Break
- 3:20 Mental Health (Practical Approach: Competency)  
~ Nancy Cohn [Janise to invite]
- 4:20 Break
- 4:30 Mental Health Statute  
~ CCH [Rich to invite]
- 5:30 Adjourn

Thursday, October 6<sup>th</sup>:

- 8:30 Mental Health Defense & Expert  
~ CCHorton [Rich to invite]
- 9:30 Break

9:40 Breakout Sessions

9:40	<i>Guilty and MI &amp; Attorneys</i> ~ CCH	<i>Extreme Emot. D.</i> ~ Fred Burnester (confirmed) ~ Anna Rossi (confirmed)	<i>Restitution</i> ~ Ross
10:40	<i>Break</i>	<i>Break</i>	<i>Break</i>
10:50	<i>Guilty and MI &amp; Attorneys</i> <i>Repeat</i>	<i>Extreme Emot. D.</i> <i>Repeat</i>	<i>Restitution</i> <i>Repeat</i>

11:50 Lunch – on your own

1:20 IV Am. - Electronic Searches  
~ Ann Rozycki, Assistant Utah Attorney General [Bob to invite]

2:50 Break

3:00 Witness/ Int. Victim / Social Media (45 minutes)  
~ John Wilkinson (Donna to invite)

3:45 Eye Witness - New Case Law/ Cautionary Instruction  
~ Fred Burmerster (Confirmed 11-19-15)

4:30 Adjourn

6:00 Poster Hour

Friday, October 7<sup>th</sup>:

8:15 Registration Desk Open

8:30 I<sup>st</sup> - CJC Presentation  
CJC requested training to educate prosecutors/cops on what CJC does  
(OR 2<sup>nd</sup> - Protect/Make the Record)  
~ TBD (Bob will follow up on the CJC -invite Davis-Troy/Iron-Troy/San Pete - Brody to speak about their programs.  
Janise will follow up with Drew ??? on the Protect/Make the Record)

9:30 Break

9:40 SCOTUS Update  
~ Matthew Bates – Deputy Summit County Attorney

10:40 Break

10:50 Cultural Sensitivity Awardness  
~ UPC to invite presenter  
Janise will forward ppt for UPC review and the approval from the Bar.

11:50 Adjourn

***Tab D***



FY 2015  
Criminal Fine Surcharge  
Allocation Schedule

Yearly Collection Comparisons

Description	A/C 4:07 St Courts		A/C 4:08 St Courts		A/C 4:09 JP Courts		A/C 4:10 JP Courts	
	53% Surcharge	35% Surcharge						
Total FY - 2015	3,659,715.47	369,116.53	8,934,942.94	6,295,271.45	5,680,080.91	3,163.96	3,163.96	3,163.96
Total FY - 2014	3,458,361.62	258,980.88	9,381,737.40	5,651,821.17	6,081,796.49	3,163.96	3,163.96	3,163.96
Total FY - 2013	3,477,219.44	272,318.28	9,515,958.43	6,081,796.49	6,204,206.80	3,163.96	3,163.96	3,163.96
Total FY - 2012	3,633,751.61	311,318.07	9,989,459.89	6,204,206.80	6,271,018.18	3,163.96	3,163.96	3,163.96
Total FY - 2011	3,582,100.42	381,274.81	9,815,812.80	6,271,018.18	6,269,822.55	3,163.96	3,163.96	3,163.96
Total FY - 2010	3,476,779.82	458,829.94	9,418,245.80	6,269,822.55	5,939,739.26	3,163.96	3,163.96	3,163.96
Total FY - 2009	3,500,533.56	427,513.65	9,425,166.14	6,269,822.55	5,939,739.26	3,163.96	3,163.96	3,163.96
Total FY - 2008	3,799,353.18	492,700.66	9,437,968.83	6,397,852.98	5,967,300.10	3,163.96	3,163.96	3,163.96
Total FY - 2007	3,875,029.24	600,659.17	8,790,531.74	5,967,300.10	5,963,479.37	3,163.96	3,163.96	3,163.96
Total FY - 2006	3,774,211.02	717,626.35	7,826,225.41	5,028,735.85	4,661,025.71	3,163.96	3,163.96	3,163.96
Total FY - 2005	3,494,397.61	807,780.01	7,398,508.39	5,028,735.85	4,661,025.71	3,163.96	3,163.96	3,163.96
Total FY - 2004	3,503,207.26	694,188.98	6,631,928.30	4,661,025.71	4,304,152.75	3,163.96	3,163.96	3,163.96
Total FY - 2003	3,843,161.16	777,392.23	5,782,692.45	4,304,152.75	3,737,992.45	3,163.96	3,163.96	3,163.96
Total FY - 2002	3,952,486.08	859,333.64	6,169,928.43	3,737,992.45	3,141,456.21	3,163.96	3,163.96	3,163.96
Total FY - 2001	4,209,865.67	775,130.13	5,938,168.90	3,141,456.21				
Total FY - 2000	4,213,566.46	896,816.15	5,478,580.39					
Total FY - 2015	12,594,558.41	6,654,387.98	19,258,946.39	34,637%				
Total FY - 2014	12,840,099.02	5,939,061.79	18,779,160.81	31,637%				
Total FY - 2013	12,993,177.87	5,924,139.45	18,917,317.32	31,327%				
Total FY - 2012	13,623,211.50	6,393,114.56	20,016,326.06	31,946%				
Total FY - 2011	13,407,913.22	6,595,481.61	19,993,394.83	32,946%				
Total FY - 2010	12,895,025.62	6,729,848.12	19,624,873.74	34,296%				
Total FY - 2009	12,925,689.72	6,697,336.20	19,623,025.92	34,133%				
Total FY - 2008	13,237,322.01	6,432,439.92	19,669,761.93	32,706%				
Total FY - 2007	12,665,560.98	6,998,512.15	19,664,073.13	35,597%				
Total FY - 2006	11,600,436.43	6,894,926.45	18,295,362.88	36,567%				
Total FY - 2005	10,892,906.00	6,771,259.38	17,664,165.38	38,339%				
Total FY - 2004	10,135,135.56	5,722,924.83	15,858,060.39	36,096%				
Total FY - 2003	9,625,853.61	5,438,417.94	15,064,271.55	36,106%				
Total FY - 2002	10,122,414.51	5,163,466.39	15,285,900.90	33,786%				
Total FY - 2001	10,148,034.57	4,513,122.58	14,661,157.15	30,786%				
Total FY - 2000	9,692,146.85	4,028,272.36	13,720,419.21	29,366%				

# *Tab E*

## Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul '15 - Jun '16	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
<b>CONFERENCE REGISTRATION FEES</b>				
Advanced Trial Skills Training	0.00	0.00	0.00	0.0%
Basic Prosecutor	1,369.00	975.00	394.00	140.4%
CJVI Conference	3,325.00	4,500.00	-1,175.00	73.9%
Domestic Violence	0.00	0.00	0.00	0.0%
Fall Conference	9,150.00	8,250.00	900.00	110.9%
Sexual Assault Conf	0.00	0.00	0.00	0.0%
Spring Conference	4,275.00	26,250.00	-21,975.00	16.3%
Train the Trainer	0.00	0.00	0.00	0.0%
UMIPA	3,150.00	3,200.00	-50.00	98.4%
White Collar	2,100.00	3,735.00	-1,635.00	56.2%
<b>Total CONFERENCE REGISTRATION FEES</b>	<b>23,369.00</b>	<b>46,910.00</b>	<b>-23,541.00</b>	<b>49.8%</b>
<b>EXPENSE REIMBURSEMENTS</b>				
John R. Justice Grant	0.00	31,819.00	-31,819.00	0.0%
NAPC grant - Train the Trainers	0.00	0.00	0.00	0.0%
Staff Atty DV & SVRP	18,302.53	37,417.22	-19,114.69	48.9%
VAWA grant for DVRR	18,388.72	77,647.00	-59,258.28	23.7%
VAWA grant for SVRR	36,691.25	115,064.22	-78,372.97	31.9%
<b>Total Staff Atty DV &amp; SVRP</b>	<b>50,313.50</b>	<b>109,145.90</b>	<b>-58,832.40</b>	<b>46.1%</b>
Staff Atty Traffic Safety	50,313.50	50,313.50	0.00	46.1%
DPS Traffic Safety Funds - TSRR	87,004.75	256,029.12	-169,024.37	34.0%
<b>Total Staff Atty Traffic Safety</b>	<b>137,318.25</b>	<b>256,029.12</b>	<b>-118,710.87</b>	<b>34.0%</b>
<b>Total EXPENSE REIMBURSEMENTS</b>	<b>137,318.25</b>	<b>256,029.12</b>	<b>-118,710.87</b>	<b>34.0%</b>
<b>PIMS Income</b>				
PIMS User Fees	56,547.00	23,072.00	33,475.00	245.1%
PIMS Income - Other	19,364.00	0.00	19,364.00	100.0%
<b>Total PIMS Income</b>	<b>75,911.00</b>	<b>23,072.00</b>	<b>52,839.00</b>	<b>329.0%</b>
<b>SCHARGE &amp; NON-LAPSING CARRYOVER</b>				
Non-lapsing carry over	0.00	105,190.00	-105,190.00	0.0%
Surcharge Receipts	334,894.89	593,385.28	-258,490.39	56.4%
<b>Total SCHARGE &amp; NON-LAPSING CARRYOVER</b>	<b>334,894.89</b>	<b>698,575.28</b>	<b>-363,680.39</b>	<b>47.9%</b>
<b>Total Income</b>	<b>521,179.64</b>	<b>1,024,586.40</b>	<b>-503,406.76</b>	<b>50.9%</b>
<b>Expense</b>				
<b>ADMINISTRATIVE FEES</b>				
Administrative fee to AG	10,000.00	15,000.00	-5,000.00	66.7%
Building OS&M	2,388.00	36,000.00	-33,612.00	6.6%
DB Purc (West Law)	1,001.36	1,500.00	-498.64	66.8%
Ins & Bonds	781.52	1,200.00	-418.48	65.1%
<b>Total ADMINISTRATIVE FEES</b>	<b>14,170.88</b>	<b>53,700.00</b>	<b>-39,529.12</b>	<b>26.4%</b>
<b>Conferences</b>				
Advanced Trial Skills Training	0.00	0.00	0.00	0.0%
Airfare	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
<b>Total Advanced Trial Skills Training</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>

**Utah Prosecution Council  
Comparison Report - Budget vs. Actual  
July 2015 through June 2016**

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
<b>Basic Prosecutor Course</b>				
catering	2,755.66	0.00	2,755.66	100.0%
facilities charge	2,090.00	0.00	2,090.00	100.0%
lodging	10,343.31	0.00	10,343.31	100.0%
lodging, students	0.00	0.00	0.00	100.0%
MCLE fee	310.50	0.00	310.50	100.0%
meals	1,120.00	0.00	1,120.00	100.0%
mileage	1,631.97	0.00	1,631.97	100.0%
miscellaneous	370.39	0.00	370.39	100.0%
printing	0.00	0.00	0.00	0.0%
<b>Basic Prosecutor Course - Other</b>	0.00	17,000.00	-17,000.00	0.0%
<b>Total Basic Prosecutor Course</b>	18,621.83	17,000.00	1,621.83	109.5%
<b>Civil Training Conference</b>				
catering	1,045.96	0.00	1,045.96	100.0%
facilities charge	1,050.00	0.00	3,345.52	100.0%
lodging	3,345.52	0.00	735.00	100.0%
MCLE fee	735.00	0.00	771.00	100.0%
meals	771.00	0.00	3,782.50	100.0%
mileage	3,782.50	0.00	719.33	100.0%
miscellaneous	719.33	0.00	0.00	0.0%
printing	0.00	11,000.00	-11,000.00	0.0%
<b>Civil Training Conference - Other</b>	0.00	11,000.00	-11,000.00	0.0%
<b>Total Civil Training Conference</b>	11,449.31	11,000.00	449.31	104.1%
<b>Conference Materials</b>				
Handouts, Materials, SWAG	3,834.81	5,500.00	-1,665.19	69.7%
Utah Travel Council Calendars	1,125.00	1,700.00	-575.00	66.2%
<b>Total Conference Materials</b>	4,959.81	7,200.00	-2,240.19	68.9%
<b>Domestic Violence</b>				
catering	0.00	0.00	0.00	0.0%
<b>Domestic Violence - Other</b>	0.00	0.00	0.00	0.0%
<b>Total Domestic Violence</b>	0.00	0.00	0.00	0.0%
<b>Executive</b>				
air fare	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	154.00	0.00	154.00	100.0%
meals	92.00	0.00	92.00	100.0%
mileage	200.42	0.00	200.42	100.0%
miscellaneous	248.25	0.00	248.25	100.0%
Executive - Other	0.00	1,500.00	-1,500.00	0.0%
<b>Total Executive</b>	694.67	1,500.00	-805.33	46.3%
<b>Fall Conference</b>				
air fare	375.00	0.00	375.00	100.0%
audio-visual	600.00	0.00	600.00	100.0%
catering	4,381.00	0.00	4,381.00	100.0%
facilities charge	5,066.83	0.00	5,066.83	100.0%
honoraria	400.00	0.00	400.00	100.0%
lodging	8,096.09	0.00	8,096.09	100.0%
MCLE fee	1,666.50	0.00	1,666.50	100.0%
meals	1,000.00	0.00	1,000.00	100.0%
mileage	1,254.27	0.00	1,254.27	100.0%
printing	0.00	0.00	0.00	0.0%
UPC Brief Cases	1,487.56	7,500.00	-6,012.44	0.0%
Fall Conference - Other	0.00	17,000.00	-17,000.00	0.0%
<b>Total Fall Conference</b>	24,327.25	24,500.00	-172.75	98.3%
<b>New County Attorneys Training</b>	0.00	0.00	0.00	0.0%
<b>Other Training Event</b>	0.00	0.00	0.00	0.0%

## Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul '15 - Jun '16	Budget	\$ Over Budget	% of Budget
<b>Regional Training</b>				
Legislative Update	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Legislative Update - Other	0.00	1,500.00	-1,500.00	0.0%
Total Legislative Update	0.00	1,500.00	-1,500.00	0.0%
Regional Workshops	0.00	0.00	0.00	0.0%
Regional Training - Other	0.00	0.00	0.00	0.0%
Total Regional Training	0.00	1,500.00	-1,500.00	0.0%
<b>Sexual Assault Conf</b>				
catering	0.00	0.00	0.00	0.0%
facilities charge	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
Spring Conference	0.00	26,000.00	-26,000.00	0.0%
Total Sexual Assault Conf	0.00	26,000.00	-26,000.00	0.0%
<b>Spring Conference</b>				
audio-visual	0.00	0.00	0.00	0.0%
catering	0.00	0.00	0.00	0.0%
honoraria	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
MCLE fee	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage/car rental	0.00	0.00	0.00	0.0%
miscellaneous	0.00	0.00	0.00	0.0%
SVIDVRP workshops	0.00	1,500.00	-1,500.00	0.0%
Total SVIDVRP workshops	0.00	1,500.00	-1,500.00	0.0%
<b>Staff Attorney Training</b>				
SVIDVRP Training Materials	0.00	2,000.00	-2,000.00	0.0%
SVIDVRP workshops	0.00	0.00	0.00	0.0%
lodging	0.00	0.00	0.00	0.0%
meals	0.00	0.00	0.00	0.0%
mileage/car rental	0.00	0.00	0.00	0.0%
miscellaneous	0.00	0.00	0.00	0.0%
Total Staff Attorney Training	0.00	2,000.00	-2,000.00	0.0%
<b>SVRRP Training beg Jan 2012</b>				
audiovisual	0.00	0.00	0.00	0.0%
catering	84.96	0.00	84.96	100.0%
Total SVRRP Training beg Jan 2012	84.96	0.00	84.96	100.0%
<b>TSRP Training</b>				
catering	174.00	0.00	174.00	100.0%
lodging	157.53	0.00	157.53	100.0%
meals	76.00	0.00	76.00	100.0%
mileage/car rental	1,203.00	0.00	1,203.00	100.0%
miscellaneous	561.91	0.00	561.91	100.0%
printing	0.00	0.00	0.00	0.0%
TSRP Training - Other	92.00	13,000.00	-12,908.00	0.7%
Total TSRP Training	2,264.44	13,000.00	-10,735.56	17.4%

## Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
Staff Attorney Training - Other	84.00	500.00	-416.00	16.8%
Total Staff Attorney Training	2,433.40	17,000.00	-14,566.60	14.3%
Train the Trainers				
audio-visual	260.00			
catering	2,218.60			
facilities charge	3,996.42			
lodging	6,893.48			
meals	998.00			
mileage	2,944.10			
Misc (Miscellaneous)	4,845.35			
Train the Trainers - Other	0.00			
Total Train the Trainers	22,155.95	27,000.00	-27,000.00	0.0%
UMPA Summer Conf				
air fare	0.00	0.00	0.00	0.0%
audio-visual	0.00	0.00	0.00	0.0%
catering	886.64	0.00	886.64	100.0%
facilities charge	500.00	0.00	500.00	100.0%
lodging	1,895.04	0.00	1,895.04	100.0%
MCL E fee	555.00	0.00	555.00	100.0%
meals	359.00	0.00	359.00	100.0%
mileage	1,869.48	0.00	1,869.48	100.0%
miscellaneous	0.00	0.00	0.00	0.0%
printing	0.00	0.00	0.00	0.0%
UMPA Summer Conf - Other	0.00	6,000.00	-6,000.00	0.0%
Total UMPA Summer Conf	6,055.16	6,000.00	65.16	101.1%
White Collar Crime				
catering	1,488.75			
miscellaneous	1,511.89	3,000.00	-3,000.00	0.0%
White Collar Crime - Other	0.00			
Total White Collar Crime	3,000.64	3,000.00	0.64	100.0%
Total Conferences	93,708.02	141,700.00	-47,991.98	66.1%
COUNCIL AND COMMITTEE MEETINGS				
Council and other committees				
catering	558.48	0.00	558.48	100.0%
lodging	0.00	0.00	0.00	0.0%
meals	206.00	0.00	206.00	100.0%
mileage	996.93	0.00	996.93	100.0%
Council and other committees - Other	0.00	6,500.00	-6,500.00	0.0%
Total Council and other committees	1,761.41	6,500.00	-4,738.59	27.1%
Training Committee				
catering	522.11	0.00	522.11	100.0%
lodging	3,488.00	0.00	3,488.00	100.0%
meals	911.00	0.00	911.00	100.0%
mileage	3,243.53	0.00	3,243.53	100.0%
miscellaneous	10.00	0.00	10.00	100.0%
Training Committee - Other	0.00	8,200.00	-8,200.00	0.0%
Total Training Committee	8,174.64	8,200.00	-25.36	99.7%
Total COUNCIL AND COMMITTEE MEETINGS	9,936.05	14,700.00	-4,763.95	67.6%
CURRENT EXPENSES				
Annual MCL E Fee	0.00	2,000.00	-2,000.00	0.0%
Donations to Other Groups	0.00	1,000.00	-1,000.00	0.0%
Dues & Memberships	700.00	2,000.00	-1,300.00	35.0%
Equipment/Supplies-not Data Pro	3,177.18	5,500.00	-2,322.82	57.8%

## Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul 15 - Jun 16	Budget	\$ Over Budget	% of Budget
<b>IT (Hardware and software requirements for UPC.)</b>				
Hardware	0.00	120.00	-120.00	0.0%
Network Services	1,217.27	4,700.00	-3,482.73	25.9%
Software	1,281.32	1,420.00	-138.68	90.2%
UPC Website	627.42	1,100.00	-472.58	57.0%
<b>Total IT (Hardware and software requirements for UPC.)</b>	<b>3,126.01</b>	<b>7,340.00</b>	<b>-4,213.99</b>	<b>42.6%</b>
<b>LEOJ Training</b>				
Library & Subscriptions	0.00	2,000.00	-2,000.00	0.0%
Miscellaneous	3,369.00	2,600.00	769.00	129.6%
Miscellaneous Motor Pool	2,626.02	1,300.00	1,326.02	202.0%
Postage	0.00	1,300.00	-1,300.00	0.0%
Telephone	488.12	1,700.00	-1,211.88	28.7%
	4,335.65	5,600.00	-1,264.35	77.4%
<b>Total CURRENT EXPENSES</b>	<b>17,821.98</b>	<b>32,340.00</b>	<b>-14,518.02</b>	<b>55.1%</b>
<b>DATA MANAGEMENT - PIMS PROGRAM</b>				
<b>PIMS committees</b>				
PIMS User Group	0.00	0.00	0.00	0.0%
Catering	0.00	0.00	0.00	0.0%
Mileage	0.00	0.00	0.00	0.0%
<b>Total PIMS User Group</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>UPC Technology Committee</b>				
Catering	0.00	0.00	0.00	0.0%
Mileage	0.00	0.00	0.00	0.0%
<b>Total UPC Technology Committee</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>PIMS committees - Other</b>				
<b>Total PIMS committees</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>PIMS Programming &amp; Testing</b>				
Phase II	0.00	0.00	0.00	0.0%
Court integration (e-filing)	0.00	0.00	0.00	0.0%
Phase II - Other	0.00	0.00	0.00	0.0%
<b>Total Phase II</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Phase III</b>				
PIMS modifications/improvements	0.00	0.00	0.00	0.0%
Software	0.00	0.00	0.00	0.0%
<b>Total PIMS Programming &amp; Testing</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>PIMS Support &amp; Installation</b>				
Maintenance / Installation	90.38	1,200.00	-1,109.62	7.5%
Lodging	0.00	6,500.00	-6,500.00	0.0%
Maintenance & enhancements	44.00	663.00	-619.00	6.6%
Meals	123.36	1,071.00	-947.64	11.5%
mileage	257.74	9,434.00	-9,176.26	2.7%
<b>Total Maintenance / Installation</b>	<b>1,315.84</b>	<b>1,850.00</b>	<b>-534.16</b>	<b>71.1%</b>
<b>Server hosting charges</b>				
Software	0.00	0.00	0.00	0.0%
<b>Total PIMS Support &amp; Installation</b>	<b>1,573.58</b>	<b>11,284.00</b>	<b>-9,710.42</b>	<b>13.9%</b>
<b>Total DATA MANAGEMENT - PIMS PROGRAM</b>				
John R Justice Grant	1,573.58	11,284.00	-9,710.42	13.9%
OTHER IN-STATE TRAVEL	31,819.00	31,819.00	0.00	100.0%
OUT-OF-STATE TRAVEL	0.00	250.00	-250.00	0.0%
Best Practices	0.00	1,200.00	-1,200.00	0.0%

## Utah Prosecution Council Comparison Report - Budget vs. Actual July 2015 through June 2016

	Jul '15 - Jun '16	Budget	\$ Over Budget	% of Budget
<b>NAJIS</b>				
Board Meeting	1,554.89	930.00	624.89	167.2%
Summer Conference	2,042.70	1,775.00	267.70	115.1%
<b>Total NAJIS</b>	3,597.59	2,705.00	892.59	133.0%
<b>NAPC</b>				
NAPC Summer mtg	5,223.90	4,500.00	723.90	116.1%
NAPC Winter mtg	3,806.16	4,500.00	-693.84	84.5%
<b>Total NAPC</b>	9,030.06	9,000.00	30.06	100.3%
<b>NDAA CONFERENCE</b>				
Other out of state travel	1,968.01	2,500.00	-531.99	74.7%
SVRP Out-of-State Travel	0.00	0.00	0.00	0.0%
TSRP Out-of-State Travel	1,055.90	600.00	455.90	176.0%
<b>Total OUT-OF-STATE TRAVEL</b>	2,000.00	3,000.00	-1,000.00	66.7%
<b>PERSONNEL SERVICES</b>	17,551.56	19,005.00	-1,453.44	92.4%
<b>Director</b>				
base salary	65,250.48	104,561.00	-39,310.52	62.4%
benefits	34,715.21	55,785.42	-21,070.21	62.2%
Incentive Award	0.00	0.00	0.00	0.0%
<b>Total Director</b>	99,965.69	160,346.42	-60,380.73	62.3%
<b>Incentive Award</b>	0.00	7,500.00	-7,500.00	0.0%
<b>IT Director</b>				
base salary	50,699.96	78,249.60	-27,549.64	64.8%
benefits	26,261.59	41,553.16	-15,291.57	63.2%
Incentive Award	0.00	0.00	0.00	0.0%
<b>Total IT Director</b>	76,961.55	119,802.76	-42,841.21	64.2%
<b>Law Clerk I</b>				
base salary	11,626.19	29,536.00	-17,909.81	39.4%
benefits	820.60	2,578.49	-1,757.89	31.8%
<b>Total Law Clerk I</b>	12,446.79	32,114.49	-19,667.70	38.8%
<b>Staff Attorney - DV &amp; SVRP</b>				
base salary	63,568.32	106,163.20	-42,594.88	59.9%
benefits	31,967.49	46,663.01	-14,695.52	68.5%
Incentive Award	0.00	0.00	0.00	0.0%
<b>Total Staff Attorney - DV &amp; SVRP</b>	95,535.81	152,826.21	-57,290.40	62.5%
<b>Staff Attorney - Traffic Safety</b>				
base salary	36,405.44	84,760.00	-48,354.56	43.0%
benefits	17,325.59	38,360.76	-21,035.17	45.2%
Incentive Award	0.00	0.00	0.00	0.0%
<b>Total Staff Attorney - Traffic Safety</b>	53,731.03	123,120.76	-69,389.73	43.6%
<b>Training Coordinator</b>				
base salary	43,266.39	68,619.20	-25,352.81	63.1%
benefits	25,990.83	41,843.19	-15,852.36	62.1%
Incentive Award	0.00	0.00	0.00	0.0%
<b>Total Training Coordinator</b>	69,257.22	110,462.39	-41,205.17	62.7%
<b>Total PERSONNEL SERVICES</b>	407,898.09	706,173.03	-298,274.94	57.8%
<b>UNUSUAL PROSECUTION EXPENSES</b>	0.00	0.00	0.00	0.0%
<b>UPAA APPROPRIATION</b>	137.47	12,000.00	-11,862.53	1.1%

**Utah Prosecution Council  
 Comparison Report - Budget vs. Actual  
 July 2015 through June 2016**

	Jul '15 - Jun '16	Budget	\$ Over Budget	% of Budget
UPPAC				
Catering	272.58			
Mileage	304.17	2,000.00	-2,000.00	0.0%
UPPAC - Other	0.00			
Total UPPAC	576.75	2,000.00	-1,423.25	28.8%
Total Expense	595,193.38	1,024,971.03	-429,777.65	58.1%
Net Income	-74,013.74	-384.63	-73,629.11	19,242.8%

## Utah Prosecution Council Net Cost of Conference Train the Trainer

	Train the Trainers (Conferences)	Total Conferences	TOTAL
Income	0.00	0.00	0.00
Expense			
Conferences			
Train the Trainers			
audio-visual	260.00	260.00	260.00
catering	2,218.60	2,218.60	2,218.60
facilities charge	3,996.42	3,996.42	3,996.42
lodging	6,893.48	6,893.48	6,893.48
meals	880.00	880.00	880.00
mileage	2,891.55	2,891.55	2,891.55
Misc (Miscellaneous)	4,845.35	4,845.35	4,845.35
Total Train the Trainers	21,985.40	21,985.40	21,985.40
Total Conferences	21,985.40	21,985.40	21,985.40
Total Expense	21,985.40	21,985.40	21,985.40
Net Income	<b>-21,985.40</b>	<b>-21,985.40</b>	<b>-21,985.40</b>

# *Tab F*

Donna Kelly, SA/DV Resource Prosecutor  
Report to the Utah Prosecution Council  
January through March 2016

During this quarter, I had the opportunity to do some things I have not done thus far in my four years with UPC.

The most exciting news I can report is that the research on the Trauma Informed Victim Interview (TIVI) protocol that I wrote is now finished. I am currently working on an article with Professor Julie Valentine, who did a research project on the TIVI for her doctoral dissertation. The article should be finished in the next month or so and we will be looking to get it published. The numbers are significant: the overall rate of increase in prosecutions in Salt Lake County went from 6 per cent to 24 per cent. Isolating the cases in which a TIVI was done, the prosecution rate went from 6 per cent to 89 per cent. I consider this to be an amazing success!

I was invited to speak at an international conference at the End Violence Against Women Conference which was held in March in Washington, D.C. This was an honor, since the invitations to this conference are extended to those doing important work against sexual assault and domestic violence. I presented on the TIVI, with 84 attendees in the breakout session.

I was invited to speak to legislators and other community leaders on the Cost of Sexual Violence in Utah study that was released this January. There were 80 attendees.

I participated as a faculty member for UPC for the Train the Trainer week long course in February.

A Salt Lake County Deputy DA requested my assistance at a jury trial that took place in February. It was a DV case in which the victim did not testify. I handled the two expert witnesses and did the closing argument. The defendant was convicted of an F3 aggravated assault, which was the highest charge that was sent to the jury. This was a great experience for me and I would like to do this more around the state with other prosecutors. I have already had a request to present this case as a case study at a conference this fall.

The training events and numbers for this quarter are as follows:

Lethality Assessment, Dept of Corrections	22 officer attendees
Trauma Informed Response to SA – Utah County	32 attendees
Cost of Sexual violence in Utah	80 community leaders
Child Abuse Council	20 medical community attendees
Eastern Utah DV Conference	119 multidisciplinary attendees
Train the Trainer UPC	24 (?) prosecutors
Trauma Informed Interviewing – WVC PD	15 police officers
Lethality Assessment – Iron County	16 community leaders
Sexual Violence Conference	16 multidisciplinary attendees
End Violence Against Women International Conf	84 attendees

***Tab G***

## UPC Quarterly TSRP Report January-March 2016

### Trainings Attended/Conducted:

- January 27, 2016 – The Definitive DUI, West Jordan, UT
  - Was introduced as TSRP, but did not present
  - All-day training on basics of DUI
- February 8-12, 2016 – Train the Trainer, Layton, UT
  - Student at TtT for one week intensive training on proper instructor principles, conducted by UPC
- March 8-11, 2016 – TSRP Mentoring Session, Meridian, Idaho
  - Worked with Jared Olson for 2.5 days, learning TSRP program
- March 15, 2016 – Palestinian Group
  - 1.5 hours total – UPC training for Palestinian contingent
    - 3 prosecutors/ 3 law enforcement
- March 14-18, 2016 – DRE School, Sandy, UT
  - Observation throughout the week
- March 21-25, 2016 – DRE School, Sandy, UT
  - Observation throughout the week
- March 18, 2016 – DRE Case law Update, Sandy, UT
  - 50 minutes – DRE Case law update
    - 21 law enforcement students
    - 4 DRE instructors

### Upcoming Trainings:

- April, 3-5, 2016 – Lifesavers National Conference, Long Beach, CA
- April 14-15, 2016 – UPC Spring Conference, Salt Lake City, UT
- April 26-28, 2016 – Legislative Update, Weber, Davis, Utah, Juab, Tooele Counties

### Current Projects:

- Updating Utah TSRP Training Curriculum
- Working with Idaho TSRP to create SFST Review Handout supplement to the updated 2015 NHTSA SFST Manuals, making it Utah specific.

### Meetings Attended:

- January 26, 2016 – UHSO Staff Meeting, Salt Lake City, UT
- January 26, 2016 – Toxicology Lab w/Nghia Nguyen, Salt Lake City, UT
- January 28, 2016 – Meeting w/ Kim Gibb, Salt Lake City, UT
- February 1, 2016 – E-Warrant Review Board, Salt Lake City, UT
- February 3, 2016 – Met w/BL Smith, Region 3 Training Coordinator, Sandy, UT
- February 4, 2016 – UMPA By-laws meeting, Salt Lake City, UT
- February 24, 2016 – Meeting w/ Amy Nace at DLD, Salt Lake City, UT

- February 25, 2016 – POST Region 3 Training Committee, West Jordan, UT
- March 1, 2016 – UHSO Strength Finders Workshop, Salt Lake City, UT
- March 2, 2016 – DLD Hearing Observation, Draper, UT
- March 2, 2016 – UMPA Conference Planning Meeting, Salt Lake City, UT
- March 4, 2016 – SWAP-LAC Meeting, Salt Lake City, UT
- March 7, 2016 – MATF Meeting, Ogden, UT
- March 8, 2016 – MATF Meeting, Orem, UT
- March 16, 2016 – Train the Trainer faculty meeting, Salt Lake City, UT
- March 18, 2016 – UPC Training Committee, Salt Lake City, UT
- March 23, 2016 – E-Warrant Review Board, Salt Lake City, UT
- March 29, 2016 – Alcohol and Drug Fee Committee, Sandy, UT
- March 30, 2016 – TSRP Advisory Board, Salt Lake City, UT
- March 30, 2016 – Teleconference NLTC regarding Prosecuting Drugged Driver Course, Salt Lake City, UT

**Other Notables:**

- Completed legislative summaries for seven new or amended laws from this year's legislative session in preparation for UPC's Spring Conference and subsequent Regional Legislative Updates around the state.

**Technical Assistance Provided:**

<b>MONTH</b>	<b>TECHNICAL ASSISTANCE</b>	<b>TRAINING PROVIDED</b>	<b>NUMBER OF PARTICIPANTS</b>	<b>CLASS HOURS</b>
<b>October 2015</b>	N/A	N/A	N/A	N/A
<b>November</b>	N/A	N/A	N/A	N/A
<b>December</b>	N/A	N/A	N/A	N/A
<b>January 2016</b>	8	0	0	0
<b>February</b>	7	0	0	0
<b>March</b>	17	2	31	2.5
<b>April</b>				
<b>May</b>				
<b>June</b>				
<b>July</b>				
<b>August</b>				
<b>September</b>				
<b>TOTALS</b>	<b>32</b>	<b>2</b>	<b>31</b>	<b>2.5</b>