

Salt Lake County
Criminal Justice Advisory Council
CJAC Committee
August 14, 2019
Room N2800 - Noon

Executive Committee Members:

Chair Sheriff Rosie Rivera	Salt Lake County Sheriff
Vice Chair Mayor Jenny Wilson	Mayor, Salt Lake County
Judge John Baxter	Salt Lake City Justice Court
Jim Bradley	Salt Lake County Council
Max Burdick	Salt Lake County Council
Chief Craig Burnett	Murray City Police Department, LEADS Chair
Chief Jack Carruth	South Salt Lake City Police Department
Catie Cartisano	Individual with Lived Experience
Karen Crompton	Director, Salt Lake County Human Services
Chief Matthew Dumont	Salt Lake County Sheriff's Office
Scott Fisher	Division Administrator, Salt Lake City Prosecutor's Office
Sim Gill	District Attorney, Salt Lake County
Kele Griffone	Director, Criminal Justice Services
Mike Haddon	Executive Director, Utah State Department of Corrections
Rep. Eric Hutchings	Utah House of Representatives
Judge Mark Kouris	Presiding Judge, Third District Court
Rich Mauro	Executive Director, Salt Lake Legal Defenders Association
Senator Karen Mayne	Utah State Senate
Brendan McCullagh	Judge, West Valley City Justice Court
Jim Peters	State Justice Court Administrator
Mayor Jeff Silvestrini	Mayor, Millcreek City
Peyton Smith	Third District Court Administrator
Pamela Vickrey	Executive Director, Utah Juvenile Defender Attorneys
Tim Whalen	Director, Salt Lake County Behavioral Health Services

CJAC Staff Members:

Noella Sudbury	Director, Criminal Justice Advisory Council
Tucker Samuelsen	Management Analyst
John Krantz	Data Analyst, Information Services
Jacob Smith	Expungement Navigator
Heather Bailey	Grant and Office Coordinator

County Staff and Members of the Public: Lamar Ewell, Joseph White, Adam Vaughn, Isaac Highman, Richard Jaussi, Jon Thelen, Saskia DeVries, Jean Hill, Katherine Fife, Christina Zidow, Wil Carlson, Kim Cordova, Molly Davis, Mike Postma, Sue Crismon, Jeannie Edens, Chris Otto, Robert Sampson, Dan Blanchard, Shawn McMillen, Erin Litvack, Melanie Mitchel, Marla Kennedy

Absent: Rep. Eric Hutchings, Senator Karen Mayne, Jim Peters, Peyton Smith

Excused: Judge Mark Kouris, Judge John Baxter, Councilman Jim Bradley, Mayor Jeff Silvestrini

MEETING CONVENED AT NOON (lunch provided)

Welcome and Introductions

Sheriff Rivera welcomed everyone. Introductions were made around the room.

I. CJAC Business

- **Public Release of Jail Dashboard**

Sheriff Rivera announced that the Sheriff held a press conference to announce the release of the Jail Dashboard to the public. It is updated as of 4 AM every day and can be found on the Sheriff's website: https://slsheriff.org/page_jail_dashboard.php

Sheriff Rivera emphasized her commitment to transparency and hopes the dashboard will start important conversations about alternatives to incarceration. Mayor Wilson thanked Sheriff Rivera, Tucker, and Noella for their hard work on the project.

Noella thanked Sheriff Rivera and Chief Dumont for their help on the dashboard and their support of the project. She explained that this will be an important tool for the public and for CJAC to start having data-driven conversations about what our criminal justice system looks like, what role we are all playing in what we see, and what we can do to address some of the issues we are encountering.

II. Hiring of New Director and Programs Manager

Mayor Wilson reminded everyone that this is Noella's last CJAC meeting. The Mayor stated that she remembers being impressed with Noella all the way back to the first interview. Mayor Wilson stated that in her view, Noella exceeded any expectations anyone had for this position and this role. She thanked Noella for her leadership and dedication to the County.

Noella thanked the Mayor and the rest of the CJAC members. She stated that she has learned so much over the past few years and was so grateful for the support, kindness, commitment, and advice from all the CJAC members. Noella stated that she will miss everyone at Salt Lake County, but she is excited to bring Utah's work on criminal record expungement to other states to improve the possibilities and opportunities for individuals all throughout the nation who are trying to re-enter communities, and get back on their feet.

Mayor Wilson stated that Salt Lake County will hire a new director and that she hoped to post the position the following week. She stated the County will do a national search and hopes to have good local candidates as well. The Mayor stated that like last time, a representative from CJAC, the Sheriff, the Council, and someone from the D.A.'s office will be asked to serve on the selection committee.

III. June Expungement Day Presentation (Jake Smith)

Jake presented a PowerPoint presentation on the June Expungement Day event. The event was held on June 26th and 63 volunteer attorneys and approximately 50 community partners served 348 individuals. The presentation outlined some of the survey data collected from participants.

The group engaged in a discussion about the event and the survey data. The Mayor stated that she would like to hold these events at least twice per year.

IV. CJAC Work Group Reports

- **CATS Work Group (Noella)**

Noella reported that the CJAC CATS work group met on August 9th. She explained that in order to do a cross-agency study of the CATS program, Salt Lake County policy requires a formal data analysis proposal to be prepared and presented to a HIPPA Review Committee. Noella stated that she prepared that proposal based on conversation and questions from work group members, and the Review Committee met on August 5th to review the proposal. Noella reported that the Review Committee approved the study subject to a few data security adjustments, which have been made. Noella reported that an MOU has been executed among the Jail, Behavioral Health and CJAC to move forward with this study. John Krantz will continue to lead the work group and move the analysis forward. Noella thanked Odyssey House for their support.

Tim Whalen stated that while the Review Committee process will allow for analysis of county data, it will not allow for analysis of state-owned data. Tim explained that starting in November 2017, most of the CATS participants were able to enroll in Targeted Adult Medicaid (TAM), which became the payer for their treatment. Tim explained that he has approached the State Division of Substance Abuse and Mental Health to see if he can obtain at least aggregate data for those on TAM. The Attorney General's office is currently reviewing that request.

Noella thanked Tim for that update and stated that data sharing issues like this are not unique to Salt Lake County. She explained that the regulations are still new and ever changing, and communities across the country are struggling with this too. Noella then stated that while difficult, it is important to navigate through these rules, because if we don't, we won't know whether our programs are achieving the types of outcomes we want, and our system will not improve. Noella stated that while aggregate information is helpful, you can learn so much more by looking at people across systems.

Noella stated that she looks forward to the completion of the CATS study and hopes that this is just one of many studies CJAC decides to pursue, using the new Salt Lake County Review Committee process.

- **Expungement Work Group – Noella Sudbury**

Noella stated that Judge Baxter had a conflicting meeting and asked her to provide a report on his behalf. She stated that the Expungement Work Group met and had a terrific meeting. During the meeting there was robust conversation about feedback from the last event, and the plans for the next event, which is tentatively set for November 1. Noella stated that the likely location for the event will be the Mountain America Expo Center in Sandy. Some of the advantages are that the space is free to the County, close to public transit, has plenty of parking, and is more central to those coming from the south end of the State. Noella also stated that the Expo is much larger than the Law and Justice Center. This is important because the feedback from the last event was that there was not enough space.

Judge McCullagh stated that the group also discussed the importance of pre-screening and triage. He stated that unfortunately, many of those waiting in line to speak with an attorney, are not eligible and it would be great for them to know that before they arrive. Noella stated that she agrees that pre-screening would be helpful, but with the number of people contacting the county, the only way to do this effectively would be to get the data in a different format. It isn't feasible to look up hundreds of records through Court Xchange.

Sue Crimson asked whether Utah Legal Services still provides expungement services. Noella stated that they do, but they only have one person assigned. Noella further explained that Jake collaborates closely with Utah Legal Services and sends clients their way if they are eligible for their services. Sue suggested Jake could work with existing clinics to do pre-screening.

Joseph White stated that an attorney came to talk to Mentor Works clients about expungements and answer their questions and that it would be great to have more engagement like that. Jake stated that CJAC amended their grant application to increase his number of hours and that he hopes to work with the recovery community to educate them about the criminal record expungement process.

Catie Cartisano shared that when she was looking to expunge her record, she was able to prescreen herself online. She knew she met the criteria and thought that if the criteria was advertised and shared with participants that many of them could determine whether they were eligible. Noella stated that this was a good suggestion.

Pamela Vickrey stated that while many people can make an eligibility determination for themselves, others cannot and are very quick to throw their hands up. Pam stated that one of the great things about these events is that individuals are able to sit and speak with someone about their eligibility, and if they are not eligible, talk about options to become eligible.

Noella stated that she thinks there is a spectrum—some people don't even know what their criminal record looks like or how to access it, others know what to do and can make the eligibility determination for themselves.

Intersection of Homelessness/Criminal Justice (Jean Hill)

Jean Hill provided the update on behalf of the CJAC Work Group focused on the intersection between homelessness and criminal justice. She thanked John Krantz for his data presentation and stated that through looking at data, the work group has learned that there is a significant population cycling through both systems and never cycling out. Jean stated that the group is particularly interested in tackling the needs of the 92 individuals who have spent more than 300 days in both the homeless service system and in the Salt Lake County Jail. The next step is to pursue data sharing agreements to dig into this further.

Jean stated that in addition to continuing the data conversation, one of the group's priorities is to focus on jail release planning. Jean stated it is important to find better ways to get individuals into services faster, connect them to the new resource centers, and to avoid incarceration in the first place, or continued homelessness on the way out of incarceration, wherever possible.

Jean stated that since Lana is gone and Noella is leaving, the Salt Lake Valley Coalition to End Homelessness needs a new representative on the Safety and Legal Rights Committee.

V. Pre-Prosecutorial Diversion Program Update

Mike Postma, Supervisor over the Pre-File Diversion Program at the DA's Office reported on the start of the pre-prosecutorial diversion pilot program. He stated that they began the program 2 weeks ago and are trying to identify people with a low risk to recidivate, who have very minimal criminal history, and only minor criminal charges. Study will show the more you drag them in the criminal system the worse they are He said the pilot is intended to keep these individuals out of the criminal justice system all together.

Program eligibility is determined by the DA's screening unit. They can also consider referrals from CJS. Once someone is deemed eligible for the program, the DA's office sends a letter outlining what is going on. A support staff will contact the individual to make sure defense attorney lines are not crossed. There is no charge for the program.

In response to a question about programming, Kele Griffone stated that program participants do a 6-week journaling class focused on behavior change. If they complete the class successfully, charges will not be filed.

The group then engaged in a conversation about restitution, and whether individuals with restitution owing could participate in the program. Judge McCullagh commented that there shouldn't be any restitution owing if there is no case filed, and asked whether what the DA's office meant was whether there is a foreseeable issue of restitution. Melanie Mitchell asked whether restitution could be handled through a stipulated civil judgement. Mike Postma stated they hadn't considered that.

Judge McCullagh asked what happens when an individual bails out of jail. Mike Postma stated that the bail issue is one the DA's office has not addressed and that they would need to look at that.

Noella asked how many people have been found eligible so far. Mike reported that only 8-10 individuals, fewer than they thought, but that he hopes there will be a lot more.

Mike Postma also stated that pre-file diversion is just one component, and that the DA's office also hopes to file some cases and then divert and more actively use plea in abeyance agreements.

Pamela Vickrey stated that she is happy the DA's office is pursuing this and that it is a step in the right direction. She stated that Pittsburgh and DC have great diversion models and have seen a lot of success.

Mayor Wilson stated that she is excited about the program, but that the community response has been mixed. She emphasized this is a pilot and that it is important that the community understands that we are not turning a blind eye to crime, just dealing with it in a different manner.

Dave Delquadro asked whether this is similar to what Utah County is doing. Mike Postma said he wasn't sure what Utah County was doing.

VI. Partner Roundtable/Announcements

Chief Dumont stated the Medication Assisted Treatment program has started in the jail. Tim Whalen asked whether they could have a press event to announce this exciting program. The Sheriff and Mayor expressed interest in doing this and agreed to try to identify a good time.

The Sheriff reminded everyone of the next Expungement Day on November 1st.

With no further business or announcements, the meeting adjourned at 1:26pm

***Minutes available via CJAC website www.cjac.slco.org or by request to the CJAC Grant & Office Coordinator, Heather Bailey (385) 468-7092.