

Part 2

Commission on Criminal and Juvenile Justice

63M-7-201 Creation -- Purpose.

- (1) The State Commission on Criminal and Juvenile Justice is created within the governor's office.
- (2) The commission's purpose is to:
 - (a) promote broad philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah;
 - (b) provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice to achieve those objectives;
 - (c) coordinate statewide efforts to reduce crime and victimization in Utah; and
 - (d) accomplish the duties enumerated in Section 63M-7-204.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-7-202 Composition -- Appointments -- Ex officio members -- Terms -- U.S. Attorney as nonvoting member.

- (1) The commission on criminal and juvenile justice shall be composed of 21 voting members as follows:
 - (a) the chief justice of the supreme court, as the presiding officer of the judicial council, or a judge designated by the chief justice;
 - (b) the state court administrator;
 - (c) the executive director of the Department of Corrections;
 - (d) the director of the Division of Juvenile Justice Services;
 - (e) the commissioner of the Department of Public Safety;
 - (f) the attorney general;
 - (g) the president of the chiefs of police association or a chief of police designated by the association's president;
 - (h) the president of the sheriffs' association or a sheriff designated by the association's president;
 - (i) the chair of the Board of Pardons and Parole or a member designated by the chair;
 - (j) the chair of the Utah Sentencing Commission;
 - (k) the chair of the Utah Substance Abuse Advisory Council;
 - (l) the chair of the Utah Board of Juvenile Justice;
 - (m) the chair of the Utah Council on Victims of Crime or the chair's designee;
 - (n) the director of the Division of Substance Abuse and Mental Health; and
 - (o) the following members designated to serve four-year terms:
 - (i) a juvenile court judge, appointed by the chief justice, as presiding officer of the Judicial Council;
 - (ii) a representative of the statewide association of public attorneys designated by the association's officers;
 - (iii) one member of the House of Representatives who is appointed by the speaker of the House of Representatives; and
 - (iv) one member of the Senate who is appointed by the president of the Senate.
- (2) The governor shall appoint the remaining three members to four-year staggered terms as follows:
 - (a) one criminal defense attorney appointed from a list of three nominees submitted by the Utah State Bar Association;

- (b) one representative of public education; and
- (c) one citizen representative.
- (3) In addition to the members designated under Subsections (1) and (2), the United States Attorney for the district of Utah may serve as a nonvoting member.
- (4) In appointing the members under Subsection (2), the governor shall take into account the geographical makeup of the commission.

Amended by Chapter 39, 2010 General Session

63M-7-203 Executive director -- Qualifications -- Compensation -- Appointment -- Functions.

- (1) The governor, with the consent of the Senate, shall appoint a person experienced in the field of criminal justice and in administration as the executive director of the Commission on Criminal and Juvenile Justice. The governor shall establish the executive director's salary within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.
- (2)
 - (a) The executive director, under the direction of the commission, shall administer the duties of the commission and act as the governor's advisor on national, state, regional, metropolitan, and local government planning as it relates to criminal justice.
 - (b) This chapter does not derogate the planning authority conferred on state, regional, metropolitan, and local governments by existing law.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-7-204 Duties of commission.

The State Commission on Criminal and Juvenile Justice administration shall:

- (1) promote the commission's purposes as enumerated in Section 63M-7-201;
- (2) promote the communication and coordination of all criminal and juvenile justice agencies;
- (3) study, evaluate, and report on the status of crime in the state and on the effectiveness of criminal justice policies, procedures, and programs that are directed toward the reduction of crime in the state;
- (4) study, evaluate, and report on programs initiated by state and local agencies to address reducing recidivism, including changes in penalties and sentencing guidelines intended to reduce recidivism, costs savings associated with the reduction in the number of inmates, and evaluation of expenses and resources needed to meet goals regarding the use of treatment as an alternative to incarceration, as resources allow;
- (5) study, evaluate, and report on policies, procedures, and programs of other jurisdictions which have effectively reduced crime;
- (6) identify and promote the implementation of specific policies and programs the commission determines will significantly reduce crime in Utah;
- (7) provide analysis and recommendations on all criminal and juvenile justice legislation, state budget, and facility requests, including program and fiscal impact on all components of the criminal and juvenile justice system;
- (8) provide analysis, accountability, recommendations, and supervision for state and federal criminal justice grant money;
- (9) provide public information on the criminal and juvenile justice system and give technical assistance to agencies or local units of government on methods to promote public awareness;
- (10) promote research and program evaluation as an integral part of the criminal and juvenile justice system;

- (11) provide a comprehensive criminal justice plan annually;
- (12) review agency forecasts regarding future demands on the criminal and juvenile justice systems, including specific projections for secure bed space;
- (13) promote the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems by:
 - (a) developing and maintaining common data standards for use by all state criminal justice agencies;
 - (b) annually performing audits of criminal history record information maintained by state criminal justice agencies to assess their accuracy, completeness, and adherence to standards;
 - (c) defining and developing state and local programs and projects associated with the improvement of information management for law enforcement and the administration of justice; and
 - (d) establishing general policies concerning criminal and juvenile justice information systems and making rules as necessary to carry out the duties under this Subsection (13) and Subsection (11);
- (14) allocate and administer grants, from money made available, for approved education programs to help prevent the sexual exploitation of children;
- (15) allocate and administer grants funded from money from the Law Enforcement Operations Account created in Section 51-9-411 for law enforcement operations and programs related to reducing illegal drug activity and related criminal activity;
- (16) request, receive, and evaluate data and recommendations collected and reported by agencies and contractors related to policies recommended by the commission regarding recidivism reduction; and
- (17) establish and administer a performance incentive grant program that allocates funds appropriated by the Legislature to programs and practices implemented by counties that reduce recidivism and reduce the number of offenders per capita who are incarcerated.

Amended by Chapter 412, 2015 General Session

63M-7-205 Annual report by the commission.

- (1) The commission shall annually prepare and publish a report directed to the governor, the Legislature, and the Judicial Council.
- (2) The report shall describe how the commission fulfilled its statutory purposes and duties during the year.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-7-206 Election of chair -- Meetings.

The membership of the Commission on Criminal and Juvenile Justice by simple majority vote of those in attendance shall annually elect one of their number to serve as chair. The chair is responsible for the call and conduct of meetings. Meetings shall be called and held at least bimonthly. One of the bimonthly meetings shall be held while the Legislature is convened in its annual session. Additional meetings may be called upon request by a majority of the commission's members.

Renumbered and Amended by Chapter 382, 2008 General Session

63M-7-207 Members serve without pay -- Reimbursement for expenses.

- (1) A member who is not a legislator may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.
- (2) Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

Amended by Chapter 387, 2014 General Session