

Representative Val K. Potter proposes the following substitute bill:

EDUCATION GRANT PROGRAM FOR INDIVIDUALS IN

THE JUSTICE SYSTEM

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val K. Potter

Senate Sponsor: Lyle W. Hillyard

Cosponsors:

Edward H. Redd

Mike Winder

Carl R. Albrecht

John R. Westwood

Eric K. Hutchings

LONG TITLE

General Description:

This bill creates a pilot grant program for education programs for individuals in the justice system.

Highlighted Provisions:

This bill:

▶ addresses the duties of the State Commission on Criminal and Juvenile Justice;

▶ provides for a pilot grant program to facilitate participation in a qualifying

education program by certain individuals in the justice system; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



24 **Utah Code Sections Affected:**

25 AMENDS:

26 **63M-7-204**, as last amended by Laws of Utah 2017, Chapter 330

27 ENACTS:

28 **63M-7-209**, Utah Code Annotated 1953



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **63M-7-204** is amended to read:

32 **63M-7-204. Duties of commission.**

33 (1) The State Commission on Criminal and Juvenile Justice administration shall:

34 (a) promote the commission's purposes as enumerated in Section **63M-7-201**;

35 (b) promote the communication and coordination of all criminal and juvenile justice
36 agencies;

37 (c) study, evaluate, and report on the status of crime in the state and on the
38 effectiveness of criminal justice policies, procedures, and programs that are directed toward the
39 reduction of crime in the state;

40 (d) study, evaluate, and report on programs initiated by state and local agencies to
41 address reducing recidivism, including changes in penalties and sentencing guidelines intended
42 to reduce recidivism, costs savings associated with the reduction in the number of inmates, and
43 evaluation of expenses and resources needed to meet goals regarding the use of treatment as an
44 alternative to incarceration, as resources allow;

45 (e) study, evaluate, and report on policies, procedures, and programs of other
46 jurisdictions which have effectively reduced crime;

47 (f) identify and promote the implementation of specific policies and programs the
48 commission determines will significantly reduce crime in Utah;

49 (g) provide analysis and recommendations on all criminal and juvenile justice
50 legislation, state budget, and facility requests, including program and fiscal impact on all
51 components of the criminal and juvenile justice system;

52 (h) provide analysis, accountability, recommendations, and supervision for state and
53 federal criminal justice grant money;

54 (i) provide public information on the criminal and juvenile justice system and give

55 technical assistance to agencies or local units of government on methods to promote public
56 awareness;

57 (j) promote research and program evaluation as an integral part of the criminal and
58 juvenile justice system;

59 (k) provide a comprehensive criminal justice plan annually;

60 (l) review agency forecasts regarding future demands on the criminal and juvenile
61 justice systems, including specific projections for secure bed space;

62 (m) promote the development of criminal and juvenile justice information systems that
63 are consistent with common standards for data storage and are capable of appropriately sharing
64 information with other criminal justice information systems by:

65 (i) developing and maintaining common data standards for use by all state criminal
66 justice agencies;

67 (ii) annually performing audits of criminal history record information maintained by
68 state criminal justice agencies to assess their accuracy, completeness, and adherence to
69 standards;

70 (iii) defining and developing state and local programs and projects associated with the
71 improvement of information management for law enforcement and the administration of
72 justice; and

73 (iv) establishing general policies concerning criminal and juvenile justice information
74 systems and making rules as necessary to carry out the duties under Subsection (1)(k) and this
75 Subsection (1)(m);

76 (n) allocate and administer grants, from money made available, for approved education
77 programs to help prevent the sexual exploitation of children;

78 (o) allocate and administer grants funded from money from the Law Enforcement
79 Operations Account created in Section 51-9-411 for law enforcement operations and programs
80 related to reducing illegal drug activity and related criminal activity;

81 (p) request, receive, and evaluate data and recommendations collected and reported by
82 agencies and contractors related to policies recommended by the commission regarding
83 recidivism reduction;

84 (q) establish and administer a performance incentive grant program that allocates funds
85 appropriated by the Legislature to programs and practices implemented by counties that reduce

86 recidivism and reduce the number of offenders per capita who are incarcerated;

87 (r) oversee or designate an entity to oversee the implementation of juvenile justice
88 reforms; [~~and~~]

89 (s) make rules and administer the juvenile holding room standards and juvenile jail
90 standards to align with the Juvenile Justice and Delinquency Prevention Act requirements
91 pursuant to 42 U.S.C. Sec. 5633[-]; and

92 (t) allocate and administer grants, from money made available, for pilot qualifying
93 education programs.

94 (2) If the commission designates an entity under Subsection (1)(r), the commission
95 shall ensure that the membership of the entity includes representation from the three branches
96 of government and, as determined by the commission, representation from relevant stakeholder
97 groups across all parts of the juvenile justice system, including county representation.

98 Section 2. Section **63M-7-209** is enacted to read:

99 **63M-7-209. Pilot program of competency-based career and technical education**
100 **grants.**

101 (1) As used in this section:

102 (a) "Certificate program provider" means a technical college that provides
103 competency-based career and technical education.

104 (b) "Commission" means the State Commission on Criminal and Juvenile Justice.

105 (c) (i) "Competency-based career and technical education" means career and technical
106 education that will result in appropriate licensing, certification, or other evidence of completion
107 of training and qualification for specific employment.

108 (ii) "Competency-based career and technical education" includes services provided
109 under Section [53B-2a-106](#).

110 (d) "Qualifying education program" means a program overseen by a city or county
111 prosecutor office to provide for an individual obtaining:

112 (i) a high school diploma or a Utah high school completion diploma as defined by rule
113 made by the State Board of Education in accordance with Title 63G, Chapter 3, Utah
114 Administrative Rulemaking Act; or

115 (ii) competency-based career and technical education.

116 (e) "Service area" means the area listed in Section [53B-2a-105](#) for a technical college.

117 (f) "Technical college" means the same as that term is defined in Section 53B-1-101.5.

118 (2) In accordance with this section, the commission shall establish a pilot grant
119 program for fiscal year 2019 that funds the costs of two employees who:

120 (a) are located in different prosecutor offices that operate in areas that have proximity
121 to a technical college; and

122 (b) oversee a program that provides for participation in a qualifying education program
123 by an individual who is convicted of, pleads guilty to, or pleads no contest to a misdemeanor or
124 third degree felony:

125 (i) as an alternative to incarceration;

126 (ii) for a reduction of fines or court fees;

127 (iii) for a two-step conviction reduction under Section 76-3-402; or

128 (iv) for a combination of the actions described in Subsections (2)(b)(i) through (iii).

129 (3) As a condition of participating in a qualifying education program under this section,
130 an individual shall:

131 (a) comply with the requirements of the plea agreement entered into by the individual,
132 the prosecutor, and the court; and

133 (b) work with a financial aid officer for a qualifying education program and pay the
134 tuition for the competency-based career and technical education charged by the certificate
135 program provider.

136 (4) The commission will structure and administer the grant pilot program consistent
137 with other grant program requirements that the commission administers.

138 (5) The commission shall compile a report regarding this grant pilot program based on
139 performance measures and provide the report by no later than November 30, 2020, to the Law
140 Enforcement and Criminal Justice Interim Committee, and the related appropriations
141 subcommittee.