

**STATEWIDE JAIL DATA AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel W. Thatcher**

House Sponsor: Paul Ray

---

---

**LONG TITLE**

**General Description:**

This bill modifies reporting requirements for county jails.

**Highlighted Provisions:**

This bill:

▶ adds certain data reporting requirements related to inmate population to current county jail reporting requirements.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-22-32**, as last amended by Laws of Utah 2019, Chapter 311

---

---

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

Section 1. Section **17-22-32** is amended to read:

**17-22-32. County jail reporting requirements.**

(1) As used in this section:

(a) (i) "In-custody death" means an inmate death that occurs while the inmate is in the custody of a county jail.



28 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:

29 (A) being transported for medical care; or

30 (B) receiving medical care outside of a county jail.

31 (b) "Inmate" means an individual who is processed or booked into custody or housed in  
32 a county jail in the state.

33 (c) "Opiate" means the same as that term is defined in Section 58-37-2.

34 (2) [A] Each county jail shall submit a report to the Commission on Criminal and  
35 Juvenile Justice, created in Section 63M-7-201, before June 15 of each year that includes[:], for  
36 the preceding calendar year:

37 (a) the average daily inmate population each month;

38 (b) the number of inmates in the county jail's custody on the last day of each month

39 who identify, in whole or in part, as each of the following:

40 (i) Alaskan Native;

41 (ii) American Indian;

42 (iii) Asian;

43 (iv) Black or African American;

44 (v) Hispanic or Latino;

45 (vi) Native Hawaiian or Pacific Islander;

46 (vii) White; and

47 (viii) another race;

48 (c) the number of inmates admitted to the county jail's facility;

49 (d) the number of inmates held in the county jail each month on behalf of each of the

50 following entities:

51 (i) the Bureau of Indian Affairs;

52 (ii) a state or federal prison;

53 (iii) the United States Immigration and Customs Enforcement;

54 (iv) the United States Marshals Service; and

55 (v) another entity;

56 [(a)] (e) the number of in-custody deaths that occurred [during the preceding calendar  
57 year] at the county jail;

58 [(b)] (f) the known, or discoverable on reasonable inquiry, causes and contributing

59 factors of each of the in-custody deaths described in Subsection (2)~~(a)~~(e);

60 ~~(e)~~ (g) the county jail's policy for notifying an inmate's next of kin after the inmate's  
61 in-custody death;

62 ~~(d)~~ (h) the county jail policies, procedures, and protocols:

63 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,  
64 including use of opiates;

65 (ii) that relate to the county jail's provision, or lack of provision, of medications used to  
66 treat, mitigate, or address an inmate's symptoms of withdrawal, including methadone and all  
67 forms of buprenorphine and naltrexone; and

68 (iii) that relate to screening, assessment, and treatment of an inmate for a substance use  
69 or mental health disorder; and

70 ~~(e)~~ (i) any report the county jail provides or is required to provide under federal law  
71 or regulation relating to inmate deaths.

72 (3) The Commission on Criminal and Juvenile Justice shall:

73 (a) compile the information from the reports described in Subsection (2);

74 (b) omit or redact any identifying information of an inmate in the compilation to the  
75 extent omission or redaction is necessary to comply with state and federal law; and

76 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim  
77 Committee and the Utah Substance Use and Mental Health Advisory Council before November  
78 1 of each year.

79 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use  
80 a county jail's policies, procedures, or protocols submitted under this section in a manner or for  
81 a purpose not described in this section.