

City Council Announcements

July 13, 2010

A. Information Needed by Council Staff

1. Public Utilities Grant Award

The Department of Public Utilities received the grant for developing a native plant / water wise plant database. In order to move the project along, they are hoping to be able to hire the photographer to take pictures of plants in full color.

Would the Council approve the Department moving forward with a photographer contract, and then reimbursing the costs once the grant money is officially received in a budget opening?

B. For Your Information

1. Attached for your review is the Violence Against Women Act Grant Report.
2. The Utah League of Cities & Towns is seeking nominations to fill six openings in September on the League's 19-member board of directors. The nominations are limited to elected municipal officials. The League will select the six individuals at the organization's annual business meeting in September in Salt Lake City. Terms on the board are for two years, and the board meets quarterly.

According to the League, "Nominations of individuals to serve on the Board or as Second Vice President must be submitted to the League office, in writing, no later than August 15, 2010. Those applying for Second Vice President cannot also apply for the Board of Directors." It should be noted that the terms on the board of Council Members Jill Love and Carlton Christensen will expire in September.

Duties of board members include:

- Maintaining contact with League members within each district
- Reviewing and approving of the League's annual budget
- Participating in board meetings, retreats and conventions
- Establishing ad hoc and blue ribbon committees and appointing members of standing and Legislative Policy Committees.

The board also determines League policy, and ratifies decisions of the Executive Committee and Legislative Policy Committee.


Council staff has attached a copy of the nomination form.

SALT LAKE CITY CORPORATION

SALT LAKE CITY JUSTICE COURT

RALPH BECKER
MAYOR


CITY COUNCIL TRANSMITTAL


David Eyeritt, Chief of Staff

Date Received: 06/07/2010
Date sent to Council: 06/07/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: June 7, 2010

FROM: Mary N. Johnston, City Court Director 

SUBJECT: Violence Against Women Act Grant Reporting Requirement

STAFF CONTACT: Mary N. Johnston, City Court Director (535-7173)

DOCUMENT TYPE: Briefing

RECOMMENDATION: The Salt Lake City Justice Court is required to give two reports on the progress of the grant during the program year to our City Council. This could be in form of a written report or a briefing.

BUDGET IMPACT: No direct impact. This grant which is through the State of Utah Office of Crime Victim Reparations is currently funding an hourly Domestic Violence Clerk and next year will fund a full time Domestic Violence Clerk.

BACKGROUND/DISCUSSION: This is the second of two reporting requirements presented to the City Council. All misdemeanor domestic violence offenses committed within the city limits of Salt Lake City are filed with the Salt Lake City Justice Court. An average of 1,100 misdemeanor domestic violence cases are filed each year and 65 percent involve abuse to female victims. Since intensive case management of offenders' compliance with court-ordered treatment and probation is one of the most effective techniques to prevent further domestic violence against women by changing offender behavior the Justice Court first applied and received this grant in 2003. This grant funded a dedicated domestic violence clerk who collaborates closely with community partners, such as probation supervisors, treatment providers, and the prosecutors' office to track compliance and non compliance of offenders. This clerk's current duties include:

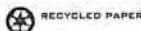
RECEIVED

JUN 07 2010

Salt Lake City Mayor

333 SOUTH 200 EAST, SALT LAKE CITY, UTAH 84111
P.O. BOX 145499, SALT LAKE CITY, UTAH 84114-5499
TELEPHONE: 801-535-6321 FAX: 801-535-6302

WWW.SLCGOV.COM



SCANNED TO: *Mayor*
SCANNED BY: *Pauline*
DATE: *6-7-2010*

- Updating the database with the demographic information of the offender.
- Identifying cases scheduled for probation hearings.
- Contacting treatment providers and requesting treatment compliance reports so that the Domestic Violence Judge has up to date compliance/non compliance information when he is reviewing sentencing conditions.
- Verifying that warrants and no contact orders have been updated accurately on the statewide system.

On July 1, 2010, this position will be full time and funded entirely by this grant. The next report will include a description of the additional duties and achievements

Attachments

VAWA Grant Report – May 2010

Introduction

VAWA's primary purpose is to enhance investigation and prosecution of violent crimes perpetrated against women. To that end, VAWA authorizes grants supporting that purpose and develops federal policy regarding domestic violence issues.

The Salt Lake City Justice Court has had the opportunity to apply for and receive a number of VAWA grants. The purpose of this report is to comply with a requirement of the current grant to inform the Salt Lake City Council of Court activities supported by the grant.

Domestic Violence Defined

Domestic violence cases filed under Utah law occur when a cohabitant abuses or attempts to abuse another cohabitant. In most cases, a cohabitant is defined as person who is or behaves as though they are the spouse of the other cohabitant; is related by blood to the other cohabitant; or has children in common with the other cohabitant. In a small minority of cases, cohabitant roommates, those who are not in intimate partner relationships and not related by blood are charged with domestic violence. (See Utah Code, 78B-7-102 Cohabitant Abuse Act, attached as Exhibit 1).

“Abuse” means intentionally or knowingly causing or attempting to cause a cohabitant physical harm or intentionally knowingly placing a cohabitant in reasonable fear of imminent physical harm. (*id.*)

During the reporting period from July 1, 2009 to May 31, 2009, 854 domestic violence cases were filed with the Court. The most commonly filed domestic violence charges are Assault, Battery, Domestic Violence in the Presence of a Child and Damage to or Interruption of a Communication Device.

Court Services Provided Under the Grant

In order to ensure victim safety and perpetrator accountability, the domestic violence court performs intensive case management while supervising a defendant's probation. This supervisory function includes live, in-court review hearings during the probationary period, and constant contact and compliance monitoring with the defendant's state licensed domestic violence treatment provider. It also includes ongoing assessment of all cases with active Domestic Violence Protective Orders, cases in which the risk of harm to the victim is elevated due to the defendant's prior domestic violence charges or current non-compliance with the court's orders. In addition, the court also monitors active arrest warrants in domestic violence cases.

The VAWA grant funded domestic violence clerk runs reports once a month from the court's case management system Judicial Enforcement Management System (JEMS), for these active cases and checks each of them on the statewide Bureau of Criminal Investigation (BCI) database to make sure that protective orders and warrants are entered correctly. This review ensures that the courts and law enforcement agencies using the BCI system are getting accurate, up-to-date information. During this reporting period, 46 Domestic Violence Protective Orders were filed.

Prior to live, in-court review hearings, the domestic violence clerk physically prepares the case files for those cases set for hearing. The reviews occur every other Monday afternoon with about 70 cases set on each date. The clerk's review of these cases involves comparing the initial orders of the court to the progress or lack of progress by the defendant in meeting those orders. The clerk contacts the treatment agency, compiling a recent and current hard copy treatment history. The clerk notes compliance and flags critical information for the Judge's attention. The clerk working with information from BCI, treatment providers and other justice partners, compiles a concise summary for each case to enable the judge to review each efficiently and effectively and to determine and implement ongoing orders. Information may include compliance with treatment, fines and community service, new criminal violations and violations of protective orders.

In preparation for the judge's file review, the clerk separates the files by treatment agency. For frequently used agencies, a live staffing by the Domestic Assessment Review Team (DART) comprised of representatives from the treatment agencies, the judge, the Salt Lake City Prosecutor's Victim/Witness Coordinator and the clerk is held the Wednesday preceding the Monday reviews. After separating the files, a DART list is created including defendant name, date of birth, and case number, which is sent to the agencies and the Victim/Witness Coordinator to inform them which defendants are scheduled for review.

During the DART meeting the Judge meets with treatment agency representatives to go over each individual case which is set for review. The judge, with the input of the team, will then decide how to further proceed on each case based on the reports he receives from the representatives.

For infrequently used agencies the clerk makes personal contact with the agency in the week prior to the review in order to obtain hard copy or telephonic updates regarding defendant compliance.

For cases in which the defendant has not yet been assigned a treatment provider, the clerk flags the plea entry order, labels the file as requiring the appointment of an evaluating/treating agency, and submits them to the judge for review prior to the live hearing.

In our ongoing effort to ensure victim safety, every effort is made to ensure that each file has an accurate update which is no less than a week old so that the Judge may take appropriate action immediately.

Grant Funded Court Achievements

The Salt Lake City Justice Court and our justice partners, the Office of the Salt Lake City Prosecutor, the Salt Lake Legal Defender Association, the Salt Lake City Police Department, the state licensed domestic violence treatment providers and victim support agencies have, through VAWA grant funding been able to establish and accomplish a number of specific and general goals in serving victims of domestic violence by and through holding perpetrators of domestic violence accountable for their actions.

An important achievement was the creation of and the ongoing maintenance of the VAWA domestic violence tracking system. This system contains statistical data for domestic violence cases such as sentencing, treatment success/failure rates, numbers of criminal charge (counts) filed as domestic violence and trending information. Prior to the creation of this system, there was simply nothing in place at our court to track this information.

Attached (see Exhibit 2) is a statistical compilation of the caseload in the domestic violence court for the reporting period July 1, 2009 through May 31, 2009. The exhibit documents the demographics of the average offender with statistics taken from the responses to our demographic questionnaire (attached as Exhibit 3). Data collection is anonymous. No names or other personal identifiers are requested or provided. This information is available to the public via the Justice Court website and can be viewed by specified time period. During this reporting period, 353 demographic questionnaires were completed.

Another achievement and ongoing task of the VAWA grant is populating an academic research database through the domestic violence tracking system. Exhibit 4, attached is a research paper, (Kindness, A. et al., Court Compliance as a Predictor of Post adjudication Recidivism for Domestic Violence Offenders, *Journal of Interpersonal Violence*, doi:1177/0886260508322197, 2008) the authors of which used the database for basic information to examine recidivism among domestic violence perpetrators. The study confirms that offenders who display early noncompliance in court cases are more likely to reoffend. The importance of this conclusion to the court is that the judge can better determine the intervals between review hearings conserving judicial and administrative court resources. The importance to domestic violence victims is that information regarding noncompliance can be used for personal safety planning.

CONCLUSION

Through ongoing VAWA grant funding, and in collaboration and cooperation with our justice partners, the Salt Lake City Justice Court has been able to establish a tracking and reporting system which, through continuous and ongoing supervision of domestic violence perpetrators, has made every effort to ensure perpetrator accountability and victim safety in domestic violence cases. The grant has ensured timely and efficient case management as discussed specifically above, but as important, it has helped to create an atmosphere in which domestic violence misdemeanors are treated seriously by all stakeholders from victim and perpetrator, through and including the court, prosecutors, defense attorneys and treatment providers. The grant plays an ongoing, significant and integral role in funding and supporting victim safety in our community.

SLC Justice Courts 333 S 200 E SLC, UT 84111

[+]Feedback

[Statistical Summary](#) [Email Input](#) [Perpetrator Reports](#) [Victim Input](#) [Perpetrator Input](#)

Statistical Information

Select a start and end date to view a statistical summary of Court data

Start Date:	End Date:
Month: <input type="text" value="July"/> Year: <input type="text" value="2009"/>	Month: <input type="text" value="May"/> Year: <input type="text" value="2010"/>
<input type="button" value="Get Stats"/>	

The following statistics apply only to the time frame from July 2009 through May 2010:

The typical demographics for a perpetrator of domestic violence: (Based upon 345 responses.)

Sex: Male	Age: 25 - 34
Income: \$0 - \$19,999	Residency: Rents
Education: GED/High School Diploma	Ethnicity: Caucasian

Percentage breakdowns of demographic information

The typical demographics for a victim of domestic violence:

No data exists for this time frame.

Number of domestic violence cases filed: 854
 Number of arraignments scheduled: 1886
 Number of cases scheduled for arraignment: 1218
 Number of video arraignments scheduled: 404
 Number of cases scheduled for arraignment via video: 332
 Number of failure to appear warrants issued: 818
 Number of failure to comply warrants issued: 192
 Number of review hearings scheduled: 1389
 Number of jury trials scheduled: 372
 Number of bench trials scheduled: 94
 Number of cases acquitted: 11
 Number of cases convicted: No data exists for this time frame.
 Number of cases dismissed with prejudice: 81
 Number of cases dismissed without prejudice: 287
 Number of cases in which the guilty plea was held in abeyance: 316
 Number of plea in abeyance cases which were dismissed with prejudice within this time period: 254
 Number of cases in which the terms of the plea in abeyance were not completed and the conviction was entered within this time period: 42
 Number of cases involving abuse or neglect of the elderly: 0
 Number of counts of domestic violence in the presence of a child: 510
 Number of repeat offenders: 150
 Number of attacks of men on women: 542
 Number of attacks of women on men: 170
 Number of attacks of men on men: 164
 Number of attacks of women on women: 89
 Number of cases in council district #1: 108
 Number of cases in council district #2: 90
 Number of cases in council district #3: 38
 Number of cases in council district #4: 175
 Number of cases in council district #5: 131
 Number of cases in council district #6: 15
 Number of cases in council district #7: 44

The following general stat applies to the court's history and not a specific time frame:

The total number of DV cases that have been appealed: 52

The total number of DV cases currently on probation: 1092

Salt Lake City Justice Court

333 South 200 East, Salt Lake City, Utah 84111 - (801) 535-6300

Please fill out completely. This information is for statistical purposes only.

PLEASE DO NOT WRITE YOUR NAME ON THIS FORM.

Sex:

- Male Female

Age:

- 18 - 24 25 - 34
 35 - 44 45 - 54
 55 - 64 65+

Annual Household Income:

- \$0 - \$19,999
 \$20,000 - \$29,999
 \$30,000 - \$39,999
 \$40,000 - \$49,999
 \$50,000 - \$59,999
 \$60,000 - \$69,999
 \$70,000 - \$79,999
 \$80,000 +

Residency:

- Own my home
 Rent
 Live with family/friend
 Shelter/Other

Highest Level Of Education Completed:

- Did not complete High School
 GED/High School Diploma
 Technical/Trade School
 Some College
 Associate's Degree
 Bachelor's Degree
 Master's Degree

Ethnicity:

- Black or African American
 American Indian or Alaska Native
 Asian
 Native Hawaiian or Pacific Islander
 Hispanic or Latino
 Caucasian
 Other

Juzgado Menor de Salt Lake City
333 South 200 East, Salt Lake City, Utah 84111 - (801) 535-6300

Por favor complete este formulario. Esta información es para fines estadísticos únicamente.

POR FAVOR NO ESCRIBA SU NOMBRE EN ESTE FORMULARIO.

Sexo:

- Hombre Mujer

Edad:

- 18 - 24 25 - 34
 35 - 44 45 - 54
 55 - 64 65+

Ingreso Económico Anual del Hogar:

- \$0 - \$19,999
 \$20,000 - \$29,999
 \$30,000 - \$39,999
 \$40,000 - \$49,999
 \$50,000 - \$59,999
 \$60,000 - \$69,999
 \$70,000 - \$79,999
 \$80,000 +

Residencia:

- Dueño de vivienda propia
 Alquilo o rento
 Vivo con parientes o amigos
 Albergue/ Otro

Mayor Nivel Alcanzado en Educación:

- Secundaria Incompleta
 GED/ Diploma de Secundaria
 Escuela Técnica / Vocacional
 Estudios Terciarios Incompletos
 Título de Técnico Superior
 Título de Bachiller Universitario/
Licenciado
 Título de Maestría

Grupo Étnico:

- Negro o Afro-Americano
 Amerindio o Natural de Alaska
 Asiático
 Natural de Hawaii o de las Islas del
Pacífico
 Hispano o Latino
 Caucásico
 Otro



2010 Recommendations for Nominations and Elections to the Utah League of Cities and Towns Board of Directors

ULCT board members are an integral part of our organization, they determine policy, review and adopt yearly League budgets, ratify decisions of the Executive Committee and Legislative Policy Committee, establish ad hoc and blue ribbon committees, ratify presidential appointments of members, and maintain close contact with League member within their district.

Your nomination of an elected official will be greatly appreciated and beneficial to your community and by all municipalities.

Upcoming issues the Board of Directors will face include:

- 1) The need to provide for intensive infrastructure needs with limited resources.
- 2) Dealing with greater urbanization in areas that were, until the last ten years, rural.
- 3) The realization that many of our communities have become growth-dependant. What will we do when businesses fail and taxes diminish? What will happen as business licenses, development fees, and other growth-related fees cease to be major sources of revenue?

Please submit nominations to the League office, in writing, no later than August 15, 2009. After nominations have been received, all nominees will be asked to fill out a questionnaire and submit a personal photo. Additionally, all candidates will be asked to provide a 5 minute address to the Board of Directors Nominating committee on the opening Wednesday of the ULCT Annual Conference (September 15, 2010). Mayor Scott Harbertson of Farmington, and ULCT 2nd Vice President, will chair the Nominations Committee. If you have questions or concerns, contact Lincoln Shurtz at the League office at (801) 328-1601 or (800) 852-8528

SEE ATTACHED NOMINATION FORM

2010

**RECOMMENDATIONS FOR NOMINATION AND ELECTION TO THE
UTAH LEAGUE OF CITIES AND TOWNS**

BOARD OF DIRECTORS

SECOND VICE PRESIDENT

Name of Person Recommended

Elected Position Currently Held

Street Address

City/State

Zip

Business Phone

Fax

Email Address

Please list positions held or experience that may be helpful to the individual in serving in this capacity for the Utah League of Cities and Towns:

1. _____
2. _____
3. _____
4. _____
5. _____

This form is vital to the committee in helping them learn more about each candidate and their participation with the League. ***Please complete this form and submit it with a photo and any other pertinent information*** (i.e. resume) ***that may be helpful to the Utah League of Cities and Towns Nominations Committee in making its selection*** (attach additional sheets if necessary).

Is this individual aware of being nominated to this position?

Yes

No

Signature of elected official making recommendation

Position

City

Phone

Date

Send nominations to:

**UTAH LEAGUE OF CITIES &
TOWNS
NOMINATIONS COMMITTEE
50 S 600 E, STE 150
SALT LAKE CITY UT 84102**

E-mail: lshurtz@ulct.org

DEADLINE: AUGUST 15, 2010