

SENTENCING COMMISSION MINUTES – PENDING APPROVAL	
Committee	Utah Sentencing Commission
Date Time Location	Thursday, June 18th, 2026 12 PM – 2 PM Hybrid Zoom Virtual meeting – CCJJ Offices
Members Present	<u>Virtual Attendance</u>: Neira Siaperas, Sheriff Chad Jensen, Liliana Olvera-Arbon (for Chief Sol Oberg), Daniel Meza Rincon (JJOC), Chad Dotson, Lance Dean <u>In-Person Attendance</u>: Spencer Turley (for Jared Garcia), April Graham, Tom Ross, Brittany Karzen (for Blake Hills), Mark Moffat (for Richard Mauro), Craig Peterson (for Stewart Young), Ryan Robinson, Christina Zidow, Pam Vickrey, Carl Hollan, Michael Dreschel
Staff & Visitors	<u>Staff</u>: Danica Bodley, Van Nguyen, Dr. Michele Leslie, Katie Fox (virtual), Chyleen Richey (virtual), Bud Powell (virtual) <u>Visitors</u>: Glendon Mitchell, Steve Burton, Albert Cramer (virtual), Felix Espinoza (virtual), Alexandra Allen (virtual), Paige Crandall (virtual)
Agenda Item	Welcome and Introductions – <i>Ryan Robinson, USC Chair</i>
Notes	Pam Vickrey welcomes the commission to the June 18th, 2026 Utah Sentencing Commission meeting. The commission reviewed the previous meeting minutes from Thursday, March 5th, 2026. Motion: Christina Zidow motioned for the commission to approve the minutes as presented. Brittany Karzen (for Blake Hills) seconds the motion. The motion passed.
Agenda Item	Welcome New Commission Members – <i>Dan Strong, USC Director</i>
Notes	The Commission conducted its annual election of officers as required by statute and bylaws. Motion: Craig Peterson (for Stewart Young) motioned for the commission to nominate Ryan Robinson as Chair for the Utah Sentencing Commission. Carl Hollan seconded the motion. The motion passed. Opposition(s): One (1) Opposition; Richard Mauro Motion: Carl Hollan motioned for the commission to nominate Pam Vickrey as Vice Chair for the Utah Sentencing Commission. Craig Peterson (for Stewart Young) seconded the motion. The motion passed unanimously. <u>New Members</u> The Commission welcomed several new members, particularly expanding representation from rural areas: • Sheriff Chad Jensen: Rural County Sheriff representative. • Chad Dotson (Iron County): Rural County Prosecutor (SWAP).

	• Carl Hollan: Voting member for SWAP. • Lance Dean: Rural County Defense representative. • Chief Brad Bishop (PAC): Police Chief representative.
Agenda Item	Department of Criminal Justice Restructure Update – <i>Dan Strong, USC Director</i>
	Effective July 1, 2026, the Commission transitions into the newly formed Department of Criminal Justice (DOCJ), a restructure resulting from the 2026 legislative session. Key Organizational Changes • Leadership Roles: Tom Ross will move to a Commissioner level. Dan Strong has been promoted to Executive Director, assuming Ross's voting seat on the Commission. • Administrative Shift: Dan Strong will oversee most commission boards and councils, while Van Nguyen will serve as Executive Director over the Juvenile Justice side. Elizabeth Klc will serve as Deputy Commissioner over Criminal Justice. • Funding Constraints: The restructure was mandated without additional funding. Consequently, Dan Strong will temporarily manage multiple roles, including Sentencing Commission duties, until a dedicated Director can be hired. • Autonomy: Despite being under the DOCJ umbrella, the Sentencing Commission maintains its statutory authority to own and present guidelines to the legislature, though it will continue to coordinate with the CCJJ (Commission on Criminal and Juvenile Justice).
Agenda Item	Overview of Sentencing Commission Processes – <i>Dan Strong, USC Director</i>
Notes	The Utah Sentencing Commission operates under a structured set of processes mandated by state statute and its own bylaws to establish sentencing standards, advise the government, and review criminal justice policy. <u>Core Work Products (Outputs)</u> Each year, the Commission is statutorily required to establish, maintain, and update several key deliverables: • Sentencing Guidelines: The Commission establishes and maintains the Adult sentencing, supervision, and release guidelines as well as the Juvenile disposition guidelines. While these guidelines were historically updated periodically (e.g., every two years), a legislative bill passed two years prior now requires these updates to occur on an annual basis. • Annual Offense List Report: This report provides a brief summary of every criminal offense that was added, removed, or altered (such as being expanded, enhanced, reduced, or having its elements narrowed) during the preceding legislative session. • Collateral Consequences Guide: First created two years prior, this guide is a compendium of potential consequences of sentencing that occur outside of the direct sentence itself (such as driver's license restrictions or sex offender registry requirements). The Commission must update this guide annually by November. <u>Advisory and Policy Roles</u> The Commission serves a key advisory function across all branches of state government: • Formal Recommendations: It submits formal recommendations regarding its guidelines, offense reports, and the collateral consequences guide to the legislature, governor, and judicial council. • Legislative & Policy Analysis: It provides analysis and recommendations to the Department of Criminal Justice (DCJ) and the Commission on Criminal and Juvenile Justice (CCJJ) regarding proposed legislation or other policy changes impacting sentencing.

	• Neutral Position on Bills: Following a statutory shift two years prior, the Sentencing Commission no longer takes direct public "up or down" votes to support or oppose proposed legislation. Instead, it reviews bills, summarizes discussions, provides feedback and suggestions for improvement, and votes on recommendations that are carried over to the CCJJ, which then takes formal legislative positions. • Government Assistance: The Commission provides training and responds to inquiries regarding the guidelines for all three branches of government. <u>The Three-Tiered Meeting Process</u> To manage its workload and build consensus, the Commission utilizes three distinct types of meetings: 1. Subcommittees: These are standing, permanent groups (such as the Adult Guidelines Subcommittee and the Juvenile Guidelines Subcommittee) that meet periodically. They include Commission members and external stakeholders to provide subject-matter expertise. These meetings are not open to the public, and no formal decision-making or votes occur here; they are strictly for discussion and product-distilling. 2. Working Groups: These are time-limited or goal-limited groups formed to address specific, short-term issues, such as a particular question from a legislator or a complex topic arising from the legislative session. Like subcommittees, they do not make official decisions and their meetings are not public. 3. Commission Meetings: These are fully public meetings of the entire Commission. Agendas, minutes, and recordings are published, and all official decision-making and voting must occur during these meetings. <u>Annual Guidelines Approval Timeline</u> The annual approval process follows a strict statutory schedule: • Before October 31: The Commission must present its recommended guidelines updates to the legislative interim committees for Law Enforcement and Judiciary, as well as to CCJJ. (Note: Under the recent agency restructure, the Sentencing Commission directly owns the guidelines and does not require CCJJ's formal approval before presenting them to legislative committees, though they still present them to maintain cooperation.) • After January 1: The Utah State Legislature votes on the recommended guidelines via a concurrent resolution. • Session Adjustments: To allow for flexibility, a rule clarified that the legislature can authorize and approve additional guidelines changes during the session or after January 1, even after the formal October deadline, in response to real-time legislative feedback
Agenda Item	Annual Offense List Report – Dan Strong, USC Director
Notes	Dan Strong presented the 2026 Annual Offense List Report for the Commission's review and approval. This report is a statutorily mandated annual deliverable that briefly summarizes every criminal offense created, expanded, enhanced, reduced, or eliminated during the preceding legislative session. Director Strong noted that due to a statutory shift, the Commission is no longer required to maintain the massive master list of all state offenses, which had historically been a significant administrative burden. Instead, the Administrative Office of the Courts (AOC) maintains the statewide master offense table. Director Strong publicly thanked Mike Dreschel and his team at the courts for doing the lion's share of the data extraction work, as well as Van Nguyen and Liz Klc for maintaining the legislative tracker used to compile the final report.

The 2026 legislative session resulted in the following substantive changes (excluding technical recodifications):

- **Added Offenses (44 total):** 1 First-Degree Felony, 5 Second-Degree Felonies, 11 Third-Degree Felonies, 10 Class A Misdemeanors, 13 Class B Misdemeanors, 2 Class C Misdemeanors, and 2 Infractions.
- **Removed Offenses (7 total):** 1 Third-Degree Felony, 2 Class A Misdemeanors, 2 Class B Misdemeanors, 1 Class C Misdemeanors, and 1 Infraction.
- **Other Penalties:** 2 offenses were enhanced, 7 were reduced, 5 had their elements expanded, and 5 had their elements narrowed or reduced.

Director Strong highlighted House Bill 24 (regarding traffic offenses) to illustrate the judgment calls required during categorization. The bill reduced speeding in a school zone from a Class C misdemeanor to an infraction at lower speeds, and careless driving from a Class C misdemeanor to an infraction. Director Strong counted this three ways: as a reduction for school zone speeding, a reduction for careless driving, and a narrowing of Class C elements. He chose not to count it as an "added" offense because the underlying conduct was already illegal.

Director Strong provided historical context, showing that the number of added and removed offenses has remained highly consistent over the last three years. However, defense attorney Steve Burton pointed out that while the total number of offenses was stable, the 2026 session actually saw the highest number of bills containing penalty increases or enhancements since tracking began in 2015/2016.

Director Strong shared the following historical numbers for added vs. removed offenses:

- 2025: 44 added / 8 removed
- 2024: 42 added / 6 removed (with 11 enhancements)
- 2023: 17 added / 0 removed
- 2022: 12 added / 0 removed
- 2021: 33 added / 2 removed
- 2020: 120 added / 6 removed (noting that counting methods may have differed, such as counting individual subheadings)

The presentation sparked a substantive discussion on the evolving role of the Commission: The Legislative Shift: CCJJ Commissioner Tom Ross observed that these numbers align with a broader legislative trend. He noted that around 2015, the legislature was focused on reductions and reform, but has since shifted. Commissioner Ross argued that the Commission must listen to and work within the direction set by the legislature ("the voice of the people"), using its expertise to inform them of the pros and cons of certain paths rather than trying to shut down legislative intent.

Steve Burton raised concerns about a major statutory change: the report is no longer presented directly to the House Law Enforcement Committee. It is now only submitted to CCJJ and posted online. Steve expressed worry that because the formal reporting process to legislators has been removed, critical feedback regarding the cumulative effect of penalty enhancements is no longer reaching the people who write the laws.

Director Strong explained that during the legislative session, the state removed reporting requirements for approximately 20 different groups to clear up committee agendas. The Commission opted for a neutral position on that bill rather than fighting to remain on the reporting list. Both Director Strong and Commissioner Ross emphasized that despite the loss of a statutory obligation, any Commission member can (and should) still share this report directly with interested legislators to help inform policy.

	Motion: At the conclusion of the discussion, Mark Moffat (for Richard Mauro) made a motion to approve the 2026 Annual Offense List Report, which was seconded by Tom Ross. The Commission voted unanimously to approve the list for publication.
Agenda Item	Report on House Bill 274 Guidelines Process – Dan Strong, USC Director
Notes	HB 274 directs the Commission to revise guidelines for felony person and sex offenses. The bill mandates that the Commission give primary consideration to the protection of society and secondary consideration to rehabilitation, deterrence, and victim impact. The Adult Guidelines Subcommittee is currently weighing two distinct approaches to reformatting the sentencing matrices: <u>Board of Pardons and Parole (BOPP) Proposal:</u> • Consolidate existing forms from nine down to three. • Add "policy scoring" based on specific aggravating/mitigating factors or statutory enhancements. • Increase the number of rows at the top of matrices to ensure higher scores reflect realistic lengths of stay consistent with current Board practices. • Align guideline "floors" with statutory mandatory minimums to prevent misleading recommendations. • <u>Statewide Association of Prosecutors (SWAP) Proposal:</u> • Increase the number of forms or columns to better target specific offense categories. • Create offense-specific scoring (e.g., removing points for entering treatment in drug cases or weighting prior DUIs more heavily on specific matrices). • Enable the judiciary to make formal findings of aggravation or mitigation that "carry through" to the Board of Pardons and Parole. <u>Challenges to Consensus</u> • Scoring Complexity: Concerns persist regarding scoring factors beyond criminal history. Historical legal concerns (case law from 2014) regarding findings that impact sentences were noted as a potential litigation risk. • Resource Impacts: Large-scale changes to formatting have unpredictable impacts on state resources and prison capacity. • Software Modernization: Implementation is constrained by the current modernization of UDC and Board of Pardons software systems.
Agenda Item	Public Comment
Notes	Public comment time was given but none was spoken.
Agenda Item	Adjourn
Notes	Motion: Mark Moffat motioned for the commission to adjourn. April Graham seconded the motion. The motion was unanimously agreed upon. The commission adjourns. Next meeting is scheduled for Wednesday, September 2nd, 2026 12:00 PM - 2 :00 PM Location: <u>Anchor Location</u>: DOCJ Conference Room Google Meet Link: TBD

DISCLAIMER	Please note that these meeting minutes have been primarily generated or assisted by an artificial intelligence (AI) tool. These notes have been edited by staff to ensure accuracy and completeness.
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