1 **STATEWIDE JAIL DATA AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel W. Thatcher**

5 House Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies reporting requirements for county jails.

10 **Highlighted Provisions:**

11 This bill:

12 ▸ adds certain data reporting requirements related to inmate population to current

13 county jail reporting requirements.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **17-22-32**, as last amended by Laws of Utah 2019, Chapter 311

21

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

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

24 **17-22-32. County jail reporting requirements.**

25 (1) As used in this section:

26 (a) (i) "In-custody death" means an inmate death that occurs while the inmate is in the

27 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        [(c)] (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.