

ACLU of Utah, Disability Law Center file suit over Davis County Jail standards

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SALT LAKE CITY — The [American Civil Liberties Union of Utah](#) and the [Disability Law Center](#) have filed a lawsuit against Davis County and the Utah State Records Committee in an [effort to make jail standards for the Davis County Jail publicly available](#).

The origin of the ACLU and DLC lawsuit — filed May 21 in Farmington’s 2nd District Court — started in October 2017 when the organizations submitted a public-records, or GRAMA, request to obtain a copy of the Davis County Jail’s operating standards.

In December, the request was mostly denied by Davis County, and officials said the jail standards were the property of Gary DeLand, a former director of the Utah Department of Corrections who wrote, copyrighted and sold the jail standards to counties around Utah and other states.

The two organizations appealed the decision to the [Utah State Records Committee](#), and in April the committee ruled in favor of keeping the jail standards secret.

The Records Committee sided with the county's argument that it does not possess the standards and the audits because they are housed in a proprietary computer software system owned by a consultant for the [Utah Sheriffs' Association](#).

The lawsuit is the next step in the process, according to a press release from the ACLU. "Having exhausted the administrative appeals process, the ACLU of Utah and DLC filed a lawsuit last week to let the courts decide the issue," the Wednesday press release said. Both organizations are seeking access to the standards in light of a recent uptick in deaths reported in Utah jails.

Seven people died in Utah's county jails in 2017, down sharply from a record 25 the year before, according to [previous Standard-Examiner reporting](#).

David Reymann, an attorney representing both the ACLU of Utah and the DLC, told the Standard-Examiner in December 2017 that his clients have chosen to make their stand starting with Davis County. The Davis County Jail had six deaths in 2016: four suicides, a traumatic injury and an apparent medication-related incident.

The Standard-Examiner last year requested 2016's jail death records from Utah's 29 counties. Twenty-three deaths were reported. Two more jail-related deaths were discovered with additional record requests to the Weber and Davis counties sheriff's offices. Those two deaths had not been counted because the inmates died later at hospitals, not in the jails.

Earlier this year, the Utah Sheriffs' Association announced it would post the guidelines used by sheriff's offices to run the county jails, following two years of controversy over a spate of jail standards were posted after DeLand scrubbed them of sections that explained to jail officials the legal rationale for particular standards. DeLand, who has marketed similar jail standards in other states, considered the rationale sections to be his trade secrets.

The [Utah Department of Corrections](#), which used a version of the DeLand standards for its own operations, "was receiving pressure to go a different way with standards," the sheriffs' association said in March. The same month, Utah Legislature passed a law requiring jails to report deaths that occur within their facilities, a requirement that county jails did not have to disclose to the public.

On Jan. 28, the UDOC announced that the sheriffs' association and the department would work together to create a next-generation set of standards for use by all of Utah's prisons and jails.

Read about the Standard-Examiner's previous coverage on jail deaths in Northern Utah:

[Dying in Jail: Investigating Northern Utah jail deaths](#)

[Northern Utah Jail death archives](#)

[Database for Northern Utah jail deaths](#)