

Years after a spate of questionable Utah in-custody deaths, Utah jail operating standards are now public records

The American Civil Liberties of Utah and the Disability Law Center win a lawsuit for the records that they filed in 2018.

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The public may get a complete look at Utah jail operating standards for the first time, now that the American Civil Liberties Union and the Disability Law Center have won their lawsuit against the Davis County jail.

Utah's ACLU and the law center sued the jail in 2018, after the groups filed open records request for the standards and were denied. The group appealed the decision to the State Records Committee, which upheld the records weren't public, and the groups sued.

While a portion of the standards were uploaded to the Utah Sheriffs' Association's website two years ago, they left out what the advocacy groups believed was vital information. This lawsuit means they get more of the records they wanted, according to the ACLU.

The ACLU didn't return a request for comment about information they hoped to get that was missing from the standards uploaded online, but Davis County Sheriff Kelly V. Sparks said the standards that are already online were missing the research and court decisions that backed up the guidelines.

Sparks declined to comment further on the ruling, and said attorneys were reviewing the decision and may appeal it.

The sheriffs' association document says that "legal and other research information which annotates and supports each standard" were removed in order to protect the "trade secrets and intellectual property" of Gary W. DeLand, who copyrighted the Model Standards for Prison Management in 1996, from which Utah's standards were derived.

Officials with the Utah Sheriffs' Association didn't immediately return The Salt Lake Tribune's request for comment.

In a news release announcing the court victory, the ACLU said, "The ruling means that, despite their copyrighted status, the Utah Jail Standards are still records under the Utah Government Records Access and Management Act, and that the County had no valid basis for withholding the records."

The ACLU sought those standards, as well as audits reports of how the jails complied with the standards, after a rash of county jail deaths attracted attention to conditions inside county jails here. The Tribune learned 24 people had died in Utah jails in 2016; two years earlier, Utah had nation's highest rate of jail inmate fatalities.

"This case has always been a part of larger ongoing efforts to promote transparency and increase accountability for the government in the way they treat people who are incarcerated," said John Mejia, legal director at the ACLU of Utah. "We are encouraged by today's ruling, but our larger fight continues."

As part of the ruling, jail officials will turn over the jail standards to the court, which will review them to redact sensitive information, and then turn them over to the ACLU and Disability Law Center.