

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**
Wednesday, October 19, 2005 – 2:00 p.m. – Room W020 House Building

Members Present:

Sen. D. Chris Buttars, Chair
Rep. DeMar "Bud" Bowman, Chair
Sen. Allen Christensen
Sen. Fred J. Fife III
Sen. Mark B. Madsen
Rep. Duane E. Bourdeaux
Rep. D. Gregg Buxton
Rep. LaVar Christensen
Rep. Patricia W. Jones
Rep. Todd E. Kiser

Rep. David Litvack
Rep. Michael T. Morley
Rep. Curtis Oda
Rep. Paul Ray

Staff Present:

Mr. Stewart E. Smith, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Wendy Bangerter, Legislative Secretary

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Bowman called the meeting to order at 2:25 p.m.

MOTION: Sen. Christensen moved to approve the minutes of the September 21, 2005 meeting. The motion passed unanimously with Rep. Bourdeaux, Rep. Christensen, Rep. Kiser, and Rep. Ray absent for the vote.

2. Crime Reduction Assistance Program Report and the Federal Equitable Sharing Report

Ms. Michele Christiansen, Executive Director, CCJJ (Commission on Criminal and Juvenile Justice) and Ms. Doreen Weyland, CCJJ, gave the annual report of the Crime Reduction Assistance Committee. Ms. Weyland distributed and reviewed "Crime Reduction Assistance Program Report" and the "Federal Equitable Sharing Report." They addressed questions from the Committee.

Mr. Richard Ziebarth, CCJJ, explained how they are reducing the number of meth labs in Utah.

Mr. Dave Spattafore, League of Cities and Towns, spoke to the need to keep the drug interdiction and task forces funded and functioning.

3. Privatization of Corrections and Treatment

Mr. Scott Carver, Executive Director, Utah Department of Corrections, spoke to the issue of whether the Utah Legislature should consider privatizing some aspects of corrections. He distributed and reviewed "Privatization Key Points." He noted that the profit motive in private industry could be contrary to the state's mission because the state's mission of incarceration is to empty beds through rehabilitation and the private company makes a profit from filling the beds. He reviewed the differences between Utah and some other states regarding numbers and types of incarcerated population. He noted that many of the improvements being credited to privatization are already being realized in Utah prisons. He cautioned the Legislature that privatization costs and questions need to be answered as to whether money can be saved in operations without giving up security. He

reviewed county jail contracting, which is a benefit to the state program, but emphasized that the state cannot contract away liability if there is an incident in a private facility. He shared some experiences Utah has had with privatization. He recommended that the Legislature venture toward privatization very cautiously.

Rep. Christensen voiced some concerns whether the state can manage the large amount of money and cautioned that it should be studied thoroughly before a decision is made.

Sen. Stephenson informed the Committee of his intent to have legislation drafted to provide Request for Proposals from the private sector that would include motivation to rehabilitate inmates.

Mr. Steve Erickson, Citizens Education Project, spoke in opposition to privatization of prisons. He reviewed past unsuccessful efforts to privatize both in and out of the state. He distributed comments from a visitor from last month's interim meeting.

Ms. Christina Wong, and Mr. DeRae Preston, spoke in opposition to privatization.

Mr. R. Mont Evans, Riverton City Mayor, clarified a point regarding jail liability.

Sen. Buttars asked if the Committee would support hearing a bill requiring expansion of the DNA database for juveniles committing violent sexual felonies.

Michael and Joy Walters, private citizens, related an accident they experienced. They asked that the Legislature consider changing laws regarding safety inspections for the licensing of trailers.

4. Dispatch Services Subcommittee Progress Report

Rep. Paul Ray reported on the first meeting of the Dispatch Services Subcommittee held on October 7, 2005. The Subcommittee visited three dispatch centers to review operations and issues relating to the contracting of state dispatching services to local entities. He explained that the annual dispatch services charges are being increased from \$20,000 to \$200,000 and the Subcommittee is studying whether it would be feasible for the state to take on the dispatch services.

5. Domestic Violence and Dating Violence Amendments

This item was not discussed.

6. Other Items/Adjourn

MOTION: Rep. Ray moved to adjourn the meeting. The motion passed unanimously.

Chair Bowman adjourned the meeting at 4:30 p.m.