

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**
Wednesday, May 16, 2007 – 2:00 p.m. – Room W020 House Building

Members Present:

Sen. Jon Greiner, Senate Chair
Rep. DeMar "Bud" Bowman, House Chair
Sen. D. Chris Buttars
Sen. William (Bill) Hickman
Sen. Scott D. McCoy
Rep. Brad L. Dee
Rep. David Litvack
Rep. Rebecca D. Lockhart
Rep. Michael T. Morley
Rep. Curtis Oda
Rep. Jennifer M. Seelig
Rep. Kenneth W. Sumsion
Rep. Larry B. Wiley

Members Absent:

Rep. Paul Ray
Rep. Carl Wimmer

Staff Present:

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

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

1. Committee Business

Chair Jon Greiner called the meeting to order at 2:20 p.m.

MOTION: Sen. Buttars moved to approve the minutes of the April 18, 2007 meeting. The motion passed unanimously. Sen. McCoy, Rep. Morley, and Rep. Oda were absent for the vote.

2. Department of Corrections Update

Mr. Tom Patterson, Executive Director, UDC (Utah Department of Corrections) introduced Ms. Robyn Williams, Deputy Director of Operations, and Mr. Mike Haddon, Deputy Director of Administration. He distributed and reviewed UDC's response to department changes being made in response to a legislative audit. He also discussed priorities and issues that UDC recommends for legislative action. He expressed appreciation for legislative support and indicated that UDC would be needing more funding support for healthcare costs, a parole violator center, correctional officer salaries, and expansion of infrastructure of the Gunnison Prison.

Mr. Haddon explained the need for funding to increase the number of prison beds, even though a reduction in bed space is anticipated when DORA (Drug Offender Reform Act) is fully implemented.

Questions and committee discussion followed.

3. Time Frame for Discussing Sex Offender Registry Amendments

Mr. Haddon reviewed a document previously distributed, "Sex Offender Registry Updates." He indicated that if Utah does not implement the Adam Walsh Act, the state will realize a reduction in federal funding. He stated that sex offenders shop to find states with the lowest registration requirements and move to that state. He described the tiered approach to the classification of sex offenders in the Adam Walsh Act. He reviewed the current status of Utah in relation to the Adam Walsh Act. The registry creates a nationwide system for tracking violators as they move from state to state.

Mr. Patterson stated that sex offender treatment was one of UDC's priorities when requesting funding from the Legislature during the 2007 General Session, but it was not funded.

Questions and committee discussion followed.

4. State Inmates in County Jails

Mr. Derek Byrne, Office of the Legislative Fiscal Analyst, explained the difference between prison contracting and jail reimbursement. He addressed the history and outlook for jail contracting and jail reimbursement in FY 2008. He distributed and reviewed "Jail Program Actions Undertaken by the 2007 Legislature" and "Jail Reimbursement—History, Statutory Requirements, Comparisons with other States, Trends, and Funding Alternatives." He said that if the average cost per day remains the same, a \$12 million increase will be needed in order to keep the contract rates the same. He explained that the counties make up the difference when the funding is short.

Mr. Brent Gardner, Utah Association of Counties, clarified that reimbursements are made on state prisoners who are contracted for and housed in county jails.

5. Update on Concealed Firearms Amendments (H.B. 39, 2007)

Rep. Curtis Oda explained 2007 General Session, H.B. 39 "Concealed Weapons Fees Amendments" and the BCI (Bureau of Criminal Identification) funding issues.

MOTION: Rep. Oda moved to encourage the Commissioner of the Department of Public Safety to prioritize the backlog of concealed weapon permit applications so that Utah citizens' applications are addressed first, followed by the applications from citizens from other states, and then those of foreign nationals. The motion passed unanimously. Rep. Dee, Rep. Litvack, and Rep. Morley were absent for the vote.

Committee discussion followed.

Mr. Joe Brown, DPS (Department of Public Safety) Finance, explained the funding situation, including the appropriation to fund the concealed weapon permit program in dedicated credits, the reduction of General Fund money, the BCI's use of money from other areas in DPS's General Fund, and their need to replace that money.

Mr. Mike Sibbitt, a member of the Honorary Colonel within DPS said he has been given the task to sort out these financial issues. He said that BCI is a complicated division within DPS with many other services they are responsible for besides weapons permits. He will be studying priorities, structure, and funding and will be reporting back to this interim committee.

6. Other Items/Adjourn

MOTION: Rep. Bowman moved to adjourn the meeting. The motion passed unanimously. Sen. Hickman, Rep. Dee, Rep. Litvack, Rep. Morley, and Rep. Seelig were absent for the vote.

Chair Greiner adjourned the meeting at 4:03 p.m.