

**MINUTES OF THE  
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**

Wednesday, April 16, 2008 – 9:00 a.m. – Room C415 State Capitol

**Members Present:**

Sen. Jon Greiner, Senate Chair  
Rep. DeMar "Bud" Bowman, House Chair  
Sen. D. Chris Buttars  
Sen. Scott D. McCoy  
Rep. Brad L. Dee  
Rep. David Litvack  
Rep. Rebecca D. Lockhart  
Rep. Curtis Oda  
Rep. Jennifer M. Seelig  
Rep. Kenneth W. Sumsion  
Rep. Stephen H. Urquhart  
Rep. Larry B. Wiley  
Rep. Carl Wimmer

**Members Absent:**

Sen. William "Bill" Hickman  
Rep. Michael T. Morley

**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](http://www.le.utah.gov).

**1. Committee Business**

Chair Bowman called the meeting to order at 9:10 a.m.

Mr. Stewart Smith explained the letter distributed to the committee members from Larry and Joy Brown regarding their daughter who was injured as a pedestrian in a controlled access intersection. Mr. and Mrs. Brown are requesting the law be changed to weight the responsibility in auto/pedestrian accidents in controlled intersections more toward the driver and to require drug and alcohol testing on all drivers when they hit a pedestrian.

Committee members were invited to share their preferences and requests for interim studies with the committee chairs at any time.

**MOTION:** Sen. Buttars moved to approve the minutes of the October 17 and November 14, 2007 meetings. The motion passed unanimously. Sen. McCoy, Rep. Lockhart, Rep. Seelig, Rep. Urquhart, and Rep. Wimmer were absent for the vote.

**2. General Session Summary and 2008 Interim Studies**

Mr. Smith distributed an information sheet and reviewed the session statistics, including committee bills and resolutions that passed. He said the Law Enforcement and Criminal Justice Interim Committee had a 92 percent pass rate on the 12 bills it recommended to the 2008 Legislature. He reviewed the interim studies referred by the Legislative Management Committee to the Law Enforcement and Criminal Justice Interim Committee for 2008. He noted the agency reports to be provided to the Committee this year.

**3. Public Safety Communications Update**

Ms. Carol Groustra, Chief, Communications Bureau, Department of Public Safety, and her colleague

Mr. Adrien Ruiz, Manager, Communications Bureau, discussed critical issues and the need for legislative action relating to public safety communications. She presented a national news clip showing the mishandling of a 9-1-1 call.

Ms. Groustra explained the steady turnover rate and inadequate numbers of dispatchers and the effect on providing dispatcher training. She distributed a request for six additional full-time dispatcher employees, which would cost about \$350,000. She presented graphs showing the increase in population and in service calls, as well as daily vehicle miles traveled. She also addressed the issue of the state radio systems and the upgrades that will be needed in the very near future.

Sen. Buttars stated that the leading issue is compensation for dispatchers and that the problem will not be resolved until that issue is addressed and changed.

Rep. Oda recommended consolidating this issue with several other public safety studies that need attention.

**MOTION:** Rep. Litvak moved that the chairs send a letter to the Executive Appropriations Committee requesting that the issues of dispatchers and training be placed on the Executive Appropriations Committee agenda during the 2008 interim.

Rep. Oda requested that a few other public safety communications issues needing attention be included in the letter. The motion passed unanimously. Rep. Dee, Rep. Lockhart, Rep. Urquhart, and Rep. Wiley were absent for the vote.

#### **4. CCJJ (Commission on Criminal and Juvenile Justice) Issues Update**

Mr. Robert Yeates, Executive Director, CCJJ, addressed issues relating to mentally ill offenders. Mr. Yeates reviewed the impact on Utah's courts, hospitals, prisons, and budgets. He explained that a collaborative group has been convened to review the issues and impacts of this vulnerable population and make recommendations to all government agencies. He reviewed some of the limitations placed on law enforcement officers during an encounter with a mentally ill offender.

Mr. Sim Gill, Salt Lake City Prosecutor, explained that the mentally ill offender is the most expensive population to enter the criminal justice system and he reviewed areas that are impacted. He stated that the group was formed with the idea in mind that as long as mentally ill offenders will be entering the criminal justice system, collaboration is needed to make the best use of the state's resources in the offender's treatment. If they can be medicated appropriately, the numbers reentering the system will decrease. This approach has proven to be true. He called it the "sequential intercept model" and noted that geographical areas will have slightly different needs and a model would have to be adjusted to meet those geographic needs.

Rep. Seelig requested a copy of the data and statistical information presented.

#### **5. Sentencing Inflation Study**

The Utah Sentencing Commission, in cooperation with the Utah Criminal Justice Center at the University of Utah, has completed a study on sentencing inflation and its implications.

Mr. Scott Carver, Director, Utah Sentencing Commission, distributed "2008 Legislative Session Criminal Penalties Changes" and a slide presentation, "Sentence Inflation."

Mr. Michael Tanana, Utah Criminal Justice Center, University of Utah, with Ms. Chris Mitchell, Director of Research, CCJJ, explained the research project they have been involved with regarding the effect of laws on changes in the prison population. They reviewed how specific statute changes have played a significant role in influencing the growing prison population in Utah, such as the increased penalties for DUIs, but also that prison populations can change in the absence of statutory changes, as the incidence of drug possession increases, for example.

#### **6. UDC (Utah Department of Corrections) Issues Update**

Mr. Mike Haddon, Deputy Director, UDC, distributed data and addressed: 1) the opening of the 192-bed facility at Gunnison; 2) correctional officers' salaries, including the cost of training; 3) the protocol for inmate transportation; 4) medical care for inmates; 5) treatment for sex offenders; and 6) Central Utah Correctional Facility West 2, an expansion of the Gunnison facility. He explained the need to attract correctional officers and the use of a full-time recruiter. He also explained "telemedicine" and other efforts they are making to reduce the need to transport inmates.

Mr. Haddon noted that UDC is projecting an \$80,000 medical cost deficit within its Clinical Services and asked the Legislature to help with those needs on an ongoing basis instead of one-time allocations as has been done in the past. He also addressed increasing needs to fund sex offender treatment.

Mr. Haddon explained the Cook-Chill Facility, which would allow UDC to purchase food in bulk and store it for longer periods of time. He also addressed the sex-offender registry and the difficulties in trying to comply with the upcoming online database requirements.

#### **7. Other Items / Adjourn**

**MOTION:** Sen. Greiner moved to adjourn the meeting. The motion passed unanimously. Rep. Dee was absent for the vote.

Chair Bowman adjourned the meeting at 11:37 a.m.