

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

Wednesday, July 15, 2015 – 1:15 p.m. – Room 450 Capitol Building

Members Present:

Sen. Todd Weiler, Senate Chair
Rep. Don L. Ipson, House Chair
Sen. Luz Escamilla
Sen. Daniel W. Thatcher
Rep. Brad M. Daw
Rep. Sandra Hollins
Rep. Kay L. McIff
Rep. Curtis Oda
Rep. Edward H. Redd
Rep. Angela Romero
Rep. Earl D. Tanner
Rep. Raymond P. Ward
Rep. R. Curt Webb

Members Absent:

Pres. Wayne L. Niederhauser
Rep. Paul Ray
Rep. Marc K. Roberts

Staff Present:

Mr. Nathan W. Brady, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Lori Rammell, Legislative Assistant

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 Weiler called the meeting to order at 1:19 p.m. Rep. Ray was excused from the meeting.

MOTION: Rep. Webb moved to approve the minutes of the June 17, 2015, meeting. The motion passed unanimously. Sen. Escamilla, Rep. Daw, Rep. McIff, Rep. Redd, and Rep. Ward were absent for the vote.

2. Use of Force by Law Enforcement - Training

Officer Scott Stephenson, Director, Peace Officers Standards and Training, outlined the current Peace Officers Standards and Training (POST) regimen, the annual review of the curriculum, and the process for approval by the POST Council of changes to the curriculum. He outlined portions of the current curriculum, including

- community relations,
- conflict resolution,
- crisis intervention response,
- mental health crises, and
- managing excited delirium.

Director Stephenson responded to questions from the committee concerning ongoing officer training in these areas. He continued by explaining POST field training and the performance evaluation process.

Colonel Daniel Fuhr, Superintendent, Utah Highway Patrol, distributed "Utah Highway Patrol Trooper Training Summary" and explained the additional training that individual police departments require, beyond the POST training. He said all law enforcement officers are required to complete a minimum of 40 hours of continuing education each year.

Sergeant Kotter, Utah Highway Patrol, explained the Highway Patrol's 200 hours of in-house training, including vehicle training and defensive tactics training. He described the classroom portion of the training

and the scenario-based training, as well as the mandatory daily training bulletin. Sergeant Kotter responded to questions from the committee.

Colonel Fuhr and Director Stephenson responded to questions from the committee concerning the sufficiency of the training for officers on the use of force and alternatives to the use of force.

Rep. Oda reported on the discussions by the Administrative Rules Review Committee regarding the issue.

Chief Tom Ross, Bountiful City Police, and President, Utah Chiefs of Police Association, described his process, as a police chief, in hiring people to become police officers. He explained how officers' differing personalities, strengths, and weaknesses affect their crisis intervention training experiences.

All of the law enforcement presenters responded to questions from the committee regarding the adequacy of crisis intervention training and the availability of funds for this training at both the local department level and the state level.

3. Elimination of Four Statutorily Required Annual Reports

Mr. Brady presented draft legislation, "Law Enforcement and Criminal Justice – Statutory Reports Repeal" (2016FL-0236/003), which would eliminate the following four statutorily required annual reports:

- Law Enforcement Operations Account
- Law Enforcement Services Account
- Drug Offender Reform Act
- State Inmates in County Jails

MOTION: Rep. McIff moved that draft legislation "Law Enforcement and Criminal Justice – Statutory Reports Repeal" be approved as a committee bill. The vote in favor was unanimous. Sen. Escamilla and Rep. Webb were absent for the vote.

4. Disaster Recovery for Local Governments

Rep. Oda presented draft legislation "Disaster Recovery for Local Governments" (2016FL-0035/005) and explained that this draft legislation would establish a loan program to local government entities for the purpose of providing emergency disaster services.

Mr. Jim Buchanan, retired from the Brigham City Emergency Management Department, explained the importance of local governments having funds for local emergencies and being able to apply for additional Federal Emergency Management Agency (FEMA) funds. He responded to questions from the committee regarding mutual aid between municipalities.

Mr. Jona Whitesides, Bureau Chief, Preparedness Bureau, Department of Public Safety, reviewed Utah's six declared disasters in the past 10 years, and emphasized the importance of the counties and cities building their own resources through this proposed loan program.

Ms. Judy Watanabe, Deputy Director, Utah Department of Emergency Management, stated that this loan program allows a buy-in for local municipalities to have sufficient funds to apply for FEMA funds.

Rep. Oda explained that the governor has discretion to assist small communities, but a disaster that's large enough for FEMA to get involved requires matching funds. This loan program, he stated, will help the state access these federal funds.

MOTION: Rep. Oda moved that draft legislation "Disaster Recovery for Local Governments" be adopted as a committee bill. The vote in favor was unanimous. Rep. Ipson was absent for the vote.

5. Emergency Services Loan Account Amendments

Rep. Oda presented draft legislation "Emergency Services Account Loan Amendments" (2016FL-0097/004) and explained that this draft legislation would authorize the Division of Emergency Management to provide short-term loans to state agencies for the purpose of providing emergency services to a member state of the Emergency Management Assistance Compact. Rep. Oda responded to questions concerning the length of the short-term loans and the minimum account balance required by the legislation.

Mr. Buchanan explained the consequences in Colorado of the lack of an emergency services loan account, including a delay in deployment of the National Guard during an emergency.

MOTION: Rep. Ipson moved that draft legislation "Emergency Services Account Loan Amendments" be adopted as a committee bill. The vote in favor was unanimous.

6. Adjourn

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

Chair Weiler adjourned the meeting at 3:12 p.m.