

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**
Wednesday, May 18, 2005 – 2:00 p.m. – Room W20 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. D. Gregg Buxton
Rep. LaVar Christensen
Rep. Patricia W. Jones
Rep. Todd E. Kiser
Rep. David Litvak
Rep. Michael T. Morley
Rep. Curtis Oda
Rep. Paul Ray

Members Absent:

Rep. Duane E. Bourdeaux

Staff Present:

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

Note: A list of others present and a copy of related materials can be found at www.le.utah.gov or by contacting the committee secretary, Wendy Bangerter, at 538-1032. A recording of the meeting is available from the committee secretary.

1. Committee Business

Chair DeMar "Bud" Bowman called the meeting to order at 2:10 p.m.

MOTION: Rep. Oda moved to approve the minutes of the April 20, 2005 meeting. The motion passed unanimously with Sen. Buttars, Sen. Madsen, Rep. Morley, and Rep. Ray absent for the vote.

Mr. Smith, Policy Analyst, explained that the study items requested by the chairs of the Law Enforcement and Criminal Justice Interim Committee were approved by Legislative Management Committee.

3. Board of Pardons Overview

Chair Bowman expressed deep appreciation for Mr. Michael Sibbett and said how much he would be missed as chair of the Utah Board of Pardons and Parole.

Mr. Michael R. Sibbett, Chair, Utah Board of Pardons and Parole, distributed and reviewed "Utah Board of Pardons and Parole Overview." He also addressed the operations and workload of the Board.

Mr. Jesse Gallegos, Board Member, Utah Board of Pardons and Parole, demonstrated the extent of work that hearing officers and board members must do in preparation for an offender's hearing. He invited the members of the Committee to attend a parole hearing.

Mr. Sibbett expressed hope that the Legislature would give consideration to adding two hearing officers and one support staff in the next budget cycle so the Board can meet the demands of the ever-increasing inmate population. Mr. Sibbett responded to a committee member's question by stating that funding drug treatment

programs, especially recent legislation known as DORA (Drug Offender Reform Act), would do the most, in his opinion, to prevent crime.

Sen. Buttars spoke in favor of the Board receiving additional funds, stating that the Board is the entity that actually controls the inmate population.

Ms. Cheryl Hansen, Utah Board of Pardons and Parole, stated it is becoming more and more difficult to be adequately prepared as she meets to decide the fate of an inmate, due to the increased workload.

4. Mortgage Fraud

Rep. Paul Ray distributed information about mortgage fraud and explained efforts being made to reduce the incidence of it. He expressed appreciation for mortgage officers and realtors for their help in those efforts. He stated his hope that a well-balanced bill will be brought before the Committee for its consideration later in the interim.

Mr. Al Bingham, National City Mortgage, presented information regarding mortgage fraud, how it happens, and what professions have been found to be involved in it.

Mr. John Brown, Director of Enforcement and an investigator for the Utah Division of Real Estate, responded to questions and explained further details of the problem of straw-buying.

Rep. Ray invited any interested parties that would like to participate in the drafting of legislation to call him.

2. Department of Public Safety Overview

Mr. Robert L. Flowers, Commissioner, Department of Public Safety, presented an overview of the mission of the Department of Public Safety and addressed issues facing the department. He also addressed the department's focus on homeland security and changes that might be needed.

Mr. Stuart Smith, Director, Bureau of Forensic Services, Department of Public Safety, responded to questions regarding the work of the crime lab system around the state.

Ms. Nanette Rolfe, Director, Driver License Division of the Department of Public Safety, responded to questions regarding the new driving privilege cards created by 2005 legislation. She explained that because of recent federal law, all persons with driving privilege cards will be required to hold a Social Security card or a current passport. She distributed "REAL I.D. ACT" that explained standards and issuance for driver licenses and ID cards.

5. Other Items / Adjourn

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

Chair Bowman adjourned the meeting at 4:10 p.m.