

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
APPROPRIATIONS SUBCOMMITTEE
Room 25 House Building
February 11, 2015**

Members Present: Sen. Daniel Thatcher, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Rep. Keven J. Stratton, House Vice Chair
Sen. Curtis S. Bramble
Sen. Jani Iwamoto
Sen. Scott K. Jenkins
Sen. Ralph Okerlund
Rep. Rich Cunningham
Rep. Sophia DiCaro
Rep. Curtis Oda
Rep. Angela Romero
Rep. V. Lowry Snow

Members Excused: Rep. Brian S. King
Rep. Merrill F. Nelson

Staff Present: Mr. Gary Syphus, Fiscal Analyst
Ms. Clare Tobin Lence, Fiscal Analyst
Ms. Jennifer Eyring, Committee Secretary

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

Co-Chair Thatcher called the meeting to order at 8:13 a.m.

1. Minutes

No minutes were approved at this meeting.

2. Legislator Budget Requests

Rep. Francis D. Gibson discussed his request for \$350,000 ongoing funding for the Children's Justice Centers. The funding would go towards training for forensic interviewing in Utah, Salt Lake, and Davis Counties, who in turn would help train other counties.

Rep. Mike E. Noel explained the two requests for Jail Contracting: \$250,000 supplemental funding for FY 2015 and \$438,000 ongoing funding for FY 2016. Sheriff Frank Park, Utah Sheriffs' Association, spoke in favor of the jail day rate increase as found in the Governor's budget. Sheriff Rick Eldredge, San Juan County Sheriff, and Lieutenant John Young, San Juan County Jail Commander, spoke about the County's sex offender programming. Sheriff Tracy Glover, Kane County Sheriff, explained the efforts they are making to implement recommendations from the University of Utah evaluation recently performed and added they have incurred additional costs with the implementation.

Rep. Dixon M. Pitcher introduced Mr. Lawrence Flitton, Mayor, Uintah City. Mayor Flitton explained

the request for \$475,000 one-time funding for a new building for the Uintah City Fire Department. Mr. Lee Wohlgemuth, President, Friends of Uintah City Fire Department, explained citizen efforts to raise funds. Mayor Flitton added that a pending FEMA grant is for equipment, but not building costs.

Rep. John Knotwell introduced the request for \$1,100,000 one-time funding for the Salt Lake Valley Fire Authority. Chief Michael Jensen, Fire Chief, United Fire Authority, discussed the request as explained on a handout "2015 Legislative Session Appropriation Request: Public Safety Reporting and Information Management." The funds are to digitize the data collection and management process.

Sen. Stuart J. Adams explained the request for Wasatch Front Regional Council (WFRC)/Mountain Lands Planning Coordinator for \$140,000 one-time funding. The two organizations would each receive \$70,000. Chief Jensen, who also serves as the WFRC Budget Chair, spoke about county and federal funding sources.

Rep. Jack R. Draxler discussed the LeRay McAllister Fund request utilizing handouts: "LeRay McAllister Critical Land Conservation Program" and "LeRay McAllister Funds By County." The Fund has been running for the past four years with no appropriations. Mr. John Bennett, Director, Quality Growth Commission, said that the Fund could be used to help with sage grouse habitat, and that they have done many small conservation or restoration projects on private land. The request is for \$500,000 ongoing funding.

Rep. Brad Dee discussed the request for the 911 Emergency Radio System for \$16,000,000 one-time funding. The funding would upgrade emergency communication equipment to an 800 MHz system and provide improved communication throughout the state, and in particular, complete coverage for remote and rural areas.

Rep. Sandra Hollins introduced Ms. Christina Zidow, CEO, Odyssey House, and Mr. Eric Bjorklund, President, Utah Youth Village. Mr. Bjorklund discussed their work and the request for the Division of Juvenile Justice Services Private Provider Rate Increase for \$298,500 ongoing funding. This amount differs from the listed request of \$234,800 ongoing. Part of their funding also comes from the Department of Child and Family Services. He emphasized that it is difficult to hire and retain experienced therapists at the rate the therapists are paid. Ms. Zidow expressed appreciation for support from the committee.

Sen. Kevin T. Van Tassell explained the request for Court Legal Fees - Endangered Species for \$1,000,000 one-time funding. The funds would be held pending a need to litigate decisions concerning sage grouse conservation. The State is coordinating with surrounding states. He emphasized that if conservation efforts are not found to be sufficiently effective, it could cost the state millions of dollars and hurt jobs.

Mr. Stewart Ralphs, Director, Legal Aid Society, discussed the request for \$200,000 ongoing funding for And Justice for All/Family Law Matters, as outlined on the handout "And Justice for All." Services are provided to low income, indigent, and people who are representing themselves. He added their services have reduced costs to the Courts by \$1.14 million dollars. Ms. Anne Milne, Director, Utah Legal Services, said their organization works with counties outside Salt Lake by providing clinics and volunteer services to rural and underprivileged people.

Rep. Keven Stratton introduced Chief John King, and Lieutenant Jeff Lougee, Provo City Police, and introduced the request for Police Use-of-Force Training System for \$300,000 one-time funding. Chief King explained the facilities and training. It is planned as a regional facility with training available to agencies statewide. The facility would provide simulative training that would be in addition to training that POST (Peace Officer Standards and Training) provides.

3. Intent Language

Mr. Gary Syphus, Fiscal Analyst, explained the handout "Updated Executive Offices and Criminal Justice Appropriations Subcommittee Intent Language." The committee will vote on intent language in the February 13, 2015 meeting.

4. Non-State Fund Changes

Mr. Syphus said the Non-State Fund Change items will be ready for committee review and voting in the February 13, 2015 meeting.

5. Agency Budget Requests

Attorney General

Mr. Sean Reyes, Attorney General, assisted by Mr. Brian Tarbet, Chief Civil Deputy, reviewed their Building Block requests. Mr. Reyes said they have revised the request for the IT/Case Management System from \$800,000 one-time funding and \$320,000 ongoing funding to \$1,020,000 one-time funding and \$100,000 ongoing funding. This change was made to make it easier to fund the project. Mr. Reyes clarified that the request is not related to a request from the Prosecution Council. The Office is not asking the committee to fund the request for Salary Equity Adjustments for \$1,072,700 ongoing funding, but requested the committee prioritize it in a favorable position, showing support for the need for salary parity increases. Mr. Reyes explained the request for Critical Staffing Needs for \$928,100 ongoing funding. The request includes: GRAMA Attorney and Paralegal - \$267,300; Constitutional Law Attorney - \$148,400; Commercial Enforcement Securities Attorney - \$170,800; and Internet Crimes Against Children (ICAC) Prosecutor - \$170,800. It was emphasized that the Office is too short staffed to fully prosecute all security cases, thus sending the wrong message to those who would commit fraud. Mr. Reyes reiterated that the staff needs are critical.

Mr. Che Arguello, Division Director, stated that they currently are not able to use asset forfeiture to get restitution to victims. They do have other ways to provide restitution, but said there is a gap that the Legislature may want to address.

Mr. Gregory Ferbrache, Division Director, spoke about the need for an additional ICAC prosecutor. He said the volume of cases and the lack of resources allows perpetrators to stay on the streets longer. The ICAC team is transitioning to a mobile lab unit, reducing the time it takes to investigate a case.

Mr. Reyes added that a private donor provided funding for the mobile crime lab which has helped increase efficiency. Efficiency has increased, reducing the backlog, but the number of cases continues to increase and additional personnel are needed to prosecute the cases.

2. Legislator Budget Requests, continued

Co-Chair Hutchings discussed the request for Department of Public Safety Data Storage for \$2,500,000 one-time funding for the management and security of data held by the State.

6. Other Subcommittee Budget Item Considerations

Mr. Syphus explained the updated fee information as found in the draft version of S.B. 8. The committee will vote on fees in the February 13, 2015 meeting.

7. Other Business/Adjourn

Co-Chair Thatcher explained the handout "Draft Executive Offices and Criminal Justice Appropriations Subcommittee, Items for Consideration Ongoing, and One-Time." Items that must be paid, such as the Evans Case Settlements, Factual Innocence Payments, and the Juror/Witness/Interpreter FY2014 shortfall will be placed on a separate list and not prioritized. Committee members were asked to each submit their prioritized ongoing and one-time lists to staff in preparation for voting at the February 13, 2015 meeting.

MOTION: Rep. Oda moved to adjourn. The motion passed unanimously with Sen. Bramble, Sen. Jenkins, Sen. Okerlund, Rep. Romero, Rep. Stratton, and Co-Chair Hutchings absent for the vote.

Co-Chair Thatcher adjourned the meeting at 10:50 a.m.

Sen. Daniel W. Thatcher, Co-Chair

Rep. Eric K. Hutchings, Co-Chair