MEMORANDUM

To: Senator Lyle Hillyard, Senate Chair
   Representative Dean Sanpei, House Chair
   Senator Jerry Stephenson, Senate Vice Chair
   Representative Brad Dee, House Vice Chair
   Executive Appropriations Committee

From: Senator Daniel W. Thatcher, Senate Chair
   Representative Eric K. Hutchings, House Chair
   Representative Keven J. Stratton, House Vice Chair
   Executive Offices and Criminal Justice Appropriations Subcommittee

Date: December 13, 2016

Subject: Executive Offices and Criminal Justice Appropriations Subcommittee Meeting Report

The Executive Offices and Criminal Justice (EOCJ) Appropriations Subcommittee met twice during the 2016 interim. The Subcommittee met at the Salt Lake Valley Emergency Communications Center (headquarters of the Utah Communications Authority) and at the Salt Lake County Sheriff’s Office. The subcommittee discussed several issues that were identified in a letter from the Senate President and House Speaker to the subcommittee chairs dated June 21, 2016, and IGG addressed a few additional items. The following sections summarize EOCJ’s interim meetings.

July 14th Meeting

1. **Utah Communications Authority (UCA)** – The Subcommittee took a tour of the Salt Lake Valley Emergency Communications Center including the UCA facilities as the entity was relatively newly assigned to the Subcommittee. Ms. Tina Mathieu, UCA Board Chair, presented on the recent events related to the alleged misuse of public funds and recent changes at UCA such as action relating to the Budgetary Procedures Act. Ms. Mathieu also presented that as a result of these recent events, progress on key priorities such as the long-term strategic plan would be delayed.
2. **Updates** – The Subcommittee was informed of various developments including the (1) final funding status of Subcommittee priorities (2) $2 million Department of Technology Services Justice Reinvestment Project (3) Attorney General Agency Billing Changes, and (4) progress on the formulation of the Indigent Defense Commission – newly created in statute and funded during the 2016 General Session.

3. **Fiscal Note/Budget Item Follow-up Report** – Staff presented relevant portions of the Fiscal Note/Budget Item Follow-up Report originally presented in the Executive Appropriations Committee and specifically reviewed about 8-10 items, including a review of House Bill 348 - commonly referred to as the Justice Reinvestment Initiative (JRI). The Legislature funded about $14 million (in addition to statutory changes) to address recidivism in the adult correctional system. Per the report, the initiative is not yet fully implemented and subsequently, there are funds that went unused during fiscal year 2016. The Subcommittee passed a motion that a list be prepared identifying unobligated savings reflected in the report for possible reallocation in the next General Session.

4. **Internal Controls** – Mr. John Reidhead, Director, Division of Finance presented on internal controls for the State and that these may include accounting controls, system controls, policies, payroll, data warehouse, etc. Specifically, he focused on separation of duties, cash receipts/disbursements and purchasing card (P-Card) usage. Based on the number and content of questions, there was much interest on this issue as it relates to UCA and other entities that are not subject to some of the budget controls that state agencies are subject to. Also, some legislators showed interest in running legislation to make certain entities subject to these financial controls. Per the Chairs request, agencies submitted reports as to the status of their respective agencies financial controls of which some presented during the meeting.

5. **Juvenile Justice Services – Behavioral Health Needs of At-Risk Youths Assessment** - Ms. Susan Burke, Director, Division of Juvenile Justice Services, discussed the Behavioral Health Needs of At-Risk and Juvenile Justice Involved Youths Report. She discussed the alarming increase in the youth suicide rate and some data regarding this trend and the related cost estimate of providing treatment services for the unmet need. The EOCJ Subcommittee Chairs and Social Services Subcommittee Chairs have met/will be meeting to further coordinate this and other items as needed.

**October 20th Meeting**

1. **Criminal Justice Issues** – The Subcommittee met at the Salt Lake County Sheriff’s Office and heard testimony on various issues relating to the youth and adult correctional system. Senator Jenkins reported on his and Co-Chair Hutchings efforts in involving private enterprise to assist in improving the juvenile justice system. The Subcommittee heard testimony on various criminal justice issues relating to the adult correctional system. The Subcommittee heard from Salt Lake County on the following:
   a) The homeless situation in Salt Lake County and specifically on “Project Diversion” which they report has been a success and appreciate the State’s support in their efforts. They mentioned that it was funded one-time from the county and would like to sustain it
long-term. They reported that a receiving center absent treatment is nothing but a frustration;

b) Mr. Scott Carver, Undersheriff, Salt Lake County, explained that aspects of the Justice Reinvestment Initiative at the county level and the Intensive Supervision Probation Program, which is related to JRI and the only one in the state. Mr. Carver stated there needs to be treatment, but treatment needs to be followed by supervision which is how JRI is designed to function; and

c) Mr. Mike Haddon, Deputy Director, Utah Department of Corrections (UDOC), reported on the opening of the “West One” facility in Gunnison and the Subcommittee commented on the likely need for staffing adjustments.

2. Justice Reinvestment Initiative Report – The Subcommittee heard testimony and had lengthy discussion on the Justice Reinvestment Initiative. Ms. Doreen Weyland, JRI Coordinator, Utah Commission on Criminal and Juvenile Justice (CCJJ), and Ms. Sofia Nystroem, Researcher, CCJJ, presented and presented key points in the CCJJ Utah Justice Reinvestment Initiative 2016 Annual Report. Ms. Weyland spoke on the status report highlighting the performance areas that are being tracked, state partners, changes that are taking place, identifying different tools and monitoring changes. Ms. Nystroem defined performance measures in three areas: implementation measures, direct measures, and indirect measures.

Key findings in the report include a reduction in prison population, a leveling off in growth in supervision population, prison recommendations, and treatment impact measures. Ms. Nystroem further presented on drug possession-only offenses, drug free zone enhancement and severity level of traffic cases, and county jail risk and needs screening program. The Subcommittee discussed with CCJJ and others related entities about the risk to reoffend and collection agreements took place. While it is still early, JRI is partially working as designed with fewer lower level offenders being sentenced to prison although there is still unmet treatment need.

3. Recruitment and Retention of Certain EOCJ Agency Positions – Ms. Debbie Cragun, Executive Director, Department Human Resource Management (DHRM), Mr. Benjamin Buys, Finance Director, DHRM, and Mr. Nate Talley, Governor’s Office of Management and Budget, presented on state employee compensation in general and also on specific positions within the state criminal justice system (Highway Patrol Officer, Certified Dispatcher, Correctional Officer, AP&P Officer, and Hearing Officer). Ms. Cragun discussed classification/compensation for State of Utah employees. She discussed the types of compensation increases, targeted funding, structure adjustment, the limitations to the data, and the fact that compensation is an ongoing issue.

4. Salt Lake County Jail Tour – The Subcommittee officially adjourned but for the present subcommittee members, and other members of the public, members of the Sheriff’s Office led the group on a tour of certain parts of the Salt Lake County Jail including the booking and screening area of the jail that was recently affected by JRI.