



# MINUTES

## EXECUTIVE OFFICES AND CRIMINAL JUSTICE

### APPROPRIATIONS SUBCOMMITTEE

Tuesday, August 20, 2019 | 1:15 p.m. | 25 House Building

**Members Present:**

Sen. Jacob L. Anderegg, Senate Chair  
Rep. Eric K. Hutchings, House Chair  
Rep. Joel Ferry, House Vice Chair  
Sen. Curtis S. Bramble  
Sen. Lincoln Fillmore  
Sen. Derek L. Kitchen  
Rep. Cheryl K. Acton  
Rep. Kyle R. Andersen  
Rep. James A. Dunnigan  
Rep. Brian S. King  
Rep. Carol Spackman Moss

Rep. Marc K. Roberts  
Rep. Angela Romero

**Members Absent:**

Sen. David G. Buxton  
Sen. Wayne A. Harper  
Sen. Daniel McCay

**Staff Present:**

Ms. Linda Service, Session Secretary  
Mr. Gary R. Syphus, Finance Manager  
Mr. Alexander R. Wilson, Financial Analyst

Note: 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 . 1:15 pm: Call to Order/Approval of Minutes

Senate Chair Anderegg called the meeting to order at 1:24 p.m.

#### 2 . 1:20 pm: Fiscal Note and Budget Item Follow-up Report

Mr. Gary Syphus, Finance Manager, Office of the Legislative Fiscal Analyst (LFA), introduced the LFA presentation which covers a select number of items that have been reviewed and included in the report for potential committee action. Mr. Syphus addressed "H.B. 200 - Sexual Assault Kit Processing Amendments" with recommendations.

##### [2-Issue Brief - 2019 Fiscal Note and Budget Item Follow-Up Report](#)

##### [2b-DPS - HB200 Fact Sheet](#)

A discussion followed with Mr. Jay Henry, Laboratory Director, Department of Public Safety (DPS), responding to questions from several committee members. Topics included: current backlog of unprocessed rape kits; convictions from processed kits; DNA supporting other agencies, putting cases together for prosecution; equipment and staffing needs; and cost of outsourcing vs. processing in-house.

Rep. Romero reminded committee members that in passing H.B. 200, the Legislature decided to continue slowly increasing funding for processing sexual assault kits to reach the goal of \$2.4M

Chair Anderegg asked about the collaboration and effectiveness between the Attorney General's Office and DPS related to Rapid Response DNA Testing. Mr. Henry responded with further clarification from Rep. Romero.

Mr. Alex Wilson, Financial Analyst, LFA, continued the LFA presentation addressing "Fully Fund Current Jail Contract Treatment Rate" and "H.B. 157 - Justice Reinvestment Amendments" with recommendations.

Mr. Wilson responded to a question from Chair Anderegg related to jail reimbursement and contracting. Rep. Hutchings provided further clarification.

Rep. Dunnigan expressed concern regarding the recommendation by LFA to reduce funding for sex offender and substance abuse treatment beds and suggested the funding might be used at the prison for the same purpose.

Rep. King asked if the Utah Department of Corrections (UDC) had been notified of the recommendations from LFA to cut funds to UDC for the sexual offender/substance abuse treatment programs. Their response was included in the report.

In addressing questions from Rep. Hutchings, Mr. Mike Haddon, Executive Director, UDC, expressed his desire that no funds be reduced from the sex offender treatment program. He commented on jail contracting, funds for substance abuse/sex offender treatment, vocational/technical funding rate, cognitive behavioral rate, and looking for innovative ways to get treatment programs out of the prison and into the county jails.

As a follow-up point, Rep. Hutchings explained the importance of screening an individual to validate the need for treatment. He discussed establishing contracting rates and staying within those rates.

Mr. Syphus presented "New Hire Public Safety Dispatchers," "Intelligence-based Policing Personnel," and "S.B. 160 - Cold Case Database" from the report.

Mr. Wilson continued with a review of "Post-secondary Education SUCCESS Framework Pilot Projects," "Victim Advocate," and "Voting Equipment."

Both Rep. Hutchings and Rep. King responded to Mr. Wilson's report on voting equipment.

Mr. Duncan Evans, Budget Manager, Governor's Office of Management and Budget, offered clarification related to voting equipment funds and intent language.

### **3 . 1:50 pm: Rio Grande Funding/Deployment of Funds**

#### [3-DPS - Rio Grande Fact Sheet](#)

Mr. Jess Anderson, Commissioner, DPS, reported on the handout "Utah Department of Public Safety, Operation Rio Grande Reporting."

Rep. Hutchings reminded committee members that when Operation Rio Grande was being considered, it was decided that if issues became apparent in other neighborhoods resources would be available to allow Public Safety to spread out into those neighborhoods.

Mr. Anderson addressed questions from Rep. Dunnigan and Rep. King related to the amount of Public Safety resources devoted to controlling the Rio Grande neighborhood and the issue of dispersion. A discussion followed.

Rep. Romero emphasized that the homeless issue is not only a Salt Lake City issue. The State needs to stay invested. Mr. Anderson continued reviewing efforts related to dispersion.

Rep. Andersen asked the question, " How do we know the increase in homelessness and crime is due to the to the Rio Grande?" Mr. Anderson spoke to that issue.

Sen. Bramble noted the policies of the Salt Lake City Council.

Rep. Dunnigan expressed thanks to the troopers for all their efforts in this endeavor.

Rep. Hutchings explained that the committee has the responsibility to see Public Safety has an appropriate benefits package and salary to attract and retain troopers.

### **4 . 2:10 pm: Pre-Sentence Investigative Reports**

Mr. Wilson introduced "Pre-Sentence Investigation Reports" - study options to minimize the required information and length of the report.

[4-Pre-sentence Investigation Reports Presentation](#)

Mr. Haddon noted that the UDC was a partner in Operation Rio Grande and introduced Mr. Dan Blanchard, Director, Adult Probation and Parole, UDC, who presented an overview of the Department. He commented on workload trends, civilian investigators, revisions and process changes, and ongoing challenges.

House Chair Hutchings assumed the chair.

Mr. Haddon responded to a question from Chair Hutchings related to the possibility that the JRI process could be handicapping those within the agency.

Mr. Blanchard addressed a question from Rep. Ferry regarding workload expectations of civilian investigators. Mr. Haddon provided clarification.

Senate Chair Anderegg resumed the chair.

**5 . 2:30 pm: Accountable Budget Process**

Mr. Syphus reviewed "Lawsuits/Settlements."

[5b-Memo - Lawsuits Settlements Structural Change Option](#)

Mr. Wilson reviewed "Indigent Defense Study."

[5c-Indigent Defense Presentation](#)

Ms. JoJo Liu, Assistant Director, Indigent Defense Commission, appreciated the work and effort of Mr. Wilson preparing the report. She explained that it is an area of growing data capacity with information rapidly expanding. The biggest challenge is collecting reliable data for budgeting and requests.

Mr. Michael Zimmerman, Chair, Indigent Defense Commission, responded to a question from Rep. Hutchings related to "how does one find out what the issues are that need solving?"

Rep. Ferry commented briefly on data collection for the Indigent Defense Commission

**6 . 3:45 pm: Other Business/Adjourn**

Rep. Ferry motioned to adjourn. Senate Chair Anderegg adjourned the meeting at 3:59 p.m.