



DRAFT MINUTES

EXECUTIVE OFFICES AND CRIMINAL JUSTICE

APPROPRIATIONS SUBCOMMITTEE

Friday, January 31, 2020 | 8:00 a.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. Wayne A. Harper
Sen. Derek L. Kitchen
Sen. Daniel McCay
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

Staff Present:

Gary R. Syphus, Finance Manager
Alexander R. Wilson, Financial Analyst
Linda Service, Committee Secretary

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

1 . 8:00 a.m.: Call to Order/Approval of Minutes

Chair Hutchings called the meeting to order at 8:00 a.m. There were no minutes to approve.

2 . 8:00 a.m.: Indigent Defense Research

Agenda Item 2, Indigent Defense Research, was not heard.

3 . 8:25 a.m.: VOCA Contingency Report

Alex Wilson briefly introduced the Victims of Crime Act (VOCA) grant.

[3-VOCA Contingency Presentation](#)

Gary Scheller, Director, VOCA, introduced Tallie Viteri, Assistant Director and Program Manager for Assistance Grants, who presented a brief overview of the program addressing funding, their purpose, and services provided.

Tallie Viteri, along with Gary Scheller, clarified a question from Chair Hutchings related to the awarding of grants.

Included in her presentation, Tallie Viteri and Gary Scheller responded to questions from Sen. Anderegg and Chair Hutchings. A discussion followed. Topics included: federal pass-through monies, VOCA services - percentages of what is spent on personnel and what is spent on services, and the victim reparations compensation program.

Tallie Viteri continued her presentation discussing a variety of services. She reviewed VOCA funding for Utah, along with responding to questions from Chair Hutchings related to divorce, custody, and federal funds awarded to victims. Gary Scheller provided further clarification.

Rep. Ferry asked if federal funds are expected to continue on the same levels as at present and if not, what steps are being taken to make sure we are not providing services that victims are expecting but funding could be eliminated. Gary Scheller and Tallie Viteri responded.

Rep. Andersen asked what happens to the funds if they are not used in the four years specified. A discussion followed with Gary Scheller and Tallie Viteri.

Sen. Anderegg expressed the need for a funding source to be set up by the Legislature in the event of a decrease in federal funding. A discussion followed with Chair Hutchings, Gary Scheller and Tallie Viteri.

Tallie Viteri presented a brief outline of "History of VOCA Funding in Utah" responding to ongoing questions from Chair Hutchings.

Tallie Viteri continued her presentation addressing the federal portion of the crime victims fund shown on "The Crime Victims Fund-Where We Are at Now" slide. A discussion followed with the Chairs and Gary Scheller. Topics included: (1) needs of crime victims independent of funding; and (2) current VOCA funding for 2019 and 2020.

Tallie Veteri continued her presentation discussing plans to reduce funds.

Gary Scheller responded to Chair Hutchings' questioning related to funding.

Tallie Veteri continued her presentation reviewing the "Statewide Funding Plan for Crime Victim Services" slide. A discussion followed with Chair Hutchings indicating the importance of not duplicating but enhancing services. He asked for clarification of agency deposits and noted the importance of keeping funding levels whole.

Gary Scheller responded to a comment from Rep. Dunnigan related to their funding reserve.

4 . 8:45 a.m.: Commission on Criminal and Juvenile Justice (Base budget ? \$47.63 Million)

Alex Wilson touched on a few brief items related to the Commission on Criminal and Juvenile Justice (CCJJ) budget as follows: factual innocence payments, Salt Lake County jail bed housing, reparations officer and accounting technician.

Kim Cordova, Executive Director, CCJJ, along with David Walsh, Deputy Director, CCJJ, provided an overview of CCJJ highlighting what they do, performance measures, building blocks, and surcharge allocations.

Chair Hutchings asked a question related to the "Factual Innocence Building Block" being in this committee's budget. Alex Wilson responded.

David Walsh spoke to the issue of Factual Innocence.

Kim Cordova resumed her presentation focusing on the Indigent Defense Commission and the state-funded Appellate Office. Chair Hutchings asked for further clarification.

Kim Cordova continued her presentation highlighting the Utah Office for Victims of Crime. Chair Hutchings commented on the need to keep up with cost of living adjustments and market related salary increases for unfilled positions.

David Walsh spoke to the issue of jail reimbursement. Chair Hutchings and Sen. Anderegg discussed jail reimbursement and the need to do a better job reimbursing county jails for daily incarcerations.

Kim Cordova continued by addressing surcharge allocations.

Dr. Jennifer Yim, Executive Director, Judicial Performance Evaluation Commission (JPEC), introduced the Commission noting it evaluates the performance of judges for voters, for public accountability of the judiciary, and for judges themselves. Chair Hutchings asked for clarification.

Rep. Dunnigan asked Dr. Yim to elaborate on the merit selection and retention system in the state.

5 . 9:30 a.m.: Guardian ad Litem (Base budget ? \$9.03 Million)

Gary Syphus delivered the LFA Analyst presentation giving a brief overview of the Base Budget Bill for the Guardian and Litem (GAL).

[5a-GAL 2019 Annual Report](#)

Stacey Snyder, Director, GAL, reported that the purpose of the existence of GAL and Court Appointed Special Advocates (CASA) is to provide legal representation to children. She expressed appreciation to the committee for funding which enabled the agency to decrease case loads thereby increasing representation for children. She reported that the office is working to be able to request reimbursement funds from the federal government for funds spent providing legal representation to children and parents in child welfare proceedings. As an example of the vital role volunteers play in the lives of children, Director Snyder acknowledged the great impact her high school teacher, Rep. Carol Spackman Moss, had on her life.

6 . 10:00 a.m.: Utah Prosecution Counsel (Base budget ? \$1.39 Million)

Alex Wilson delivered a brief introduction to the Utah Prosecution Counsel.

Robert Church, Director, Utah Prosecution Council (UPC), offered the agency presentation. Among others, Director Church highlighted UPC's statutory authority and mandate to provide training, assistance, and continuing legal education for all state prosecutors. As funds are available and budgeted, UPC provides reimbursement for unusual prosecutor expenses, and training and assistance to law enforcement officers.

[6-UPC Presentation and Exhibits](#)

Director Church responded to a question from Chair Hutchings related to treating victims of trauma, including officers and investigators. He then continued his presentation.

Rep. Romero noted she was able to get secure funding for the training piece and she is running a bill to add human trafficking.

Chair Hutchings asked how topics are prioritized. Director Church responded.

7 . 10:25 a.m.: Federal Funds Review

Gary Syphus provided an introduction of Federal Funds. The LFA recommends committee members review and make recommendations for accepting or rejecting the funds.

[7-Issue Brief - EOCJ 2020 and 2021 Federal Funds](#)

Chair Hutchings asked a question related to grants above a certain size needing a legislative review. Gary Syphus stated that any match has to be approved by EAC

8 . 10:35 a.m.: Fees and Internal Service Fund Bill

Agenda Item 8, Fees and Internal Service Fund Bill, was not heard.

MOTION: Rep. Dunnigan moved to adjourn.

House Chair Hutchings adjourned the meeting at 10:50 a.m.