

## LEGISLATIVE INTERIM COMMITTEES -- MAY 2014

| <b>Law Enforcement and Criminal Justice</b>   |  |
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| <b>Bill Title/Subject Matter:</b>   | <b>Department of Public Safety, Issues and Update</b>  |
| Legislator(s) –Sponsor:   |  |
| Interested Parties:   | <b>Commissioner Keith D. Squires</b>   |
| Code Reference:   |  |
| <p><b>Description:</b> Commissioner Squires provided information about the Department and opportunities provided for employees. They provided an update on: cyber crimes in Utah; the appropriated monies from the legislature for trooper salaries; technology and the warrants look-up system.</p> <p><i>[Action: No action; information only.]</i></p>   |  |
| <b>Bill Title/Subject Matter:</b>   | <b>General Policies for Serving Search Warrants</b>  |
| Legislator(s) –Sponsor:   | <b>Sen. Weiler</b>   |
| Interested Parties:   | <b>Commissioner Keith D. Squires</b>   |
| Code Reference:   |  |
| <p><b>Description:</b> Due to recent news events, Sen. Weiler asked DPS to respond to processes used in serving warrants. Commissioner Squires, Col. Fuhr, and Maj. Redd provided an overview of the process in serving search warrants.</p> <p><i>[Action: No action; information only.]</i></p>   |  |
| <b>Bill Title/Subject Matter:</b>   | <b>New Felonies and Enhancements on Existing Punishments</b>   |
| Legislator(s) –Sponsor:   |  |
| Interested Parties:   | <b>Carlene Walker, Chair, Sentencing Commission<br/>Jennifer Valencia, Director, Sentencing Commission</b> |
| Code Reference:   |  |
| <p><b>Description:</b> Ms. Walker and Ms. Valencia provided a report on new felonies and enhancements on existing crimes that have recently been enacted showing the impact on the criminal justice system. A review of the sentencing system is taking place in conjunction with the PEW Research Institute on a review of evidence-based performance and to review potential improvements in the system.</p> <p><i>[Action: No action; information only.]</i></p>   |  |
| <b>Bill Title/Subject Matter:</b>   | <b>Inmate Education Programs Report</b>  |
| Legislator(s) –Sponsor:   |  |
| Interested Parties:   | <b>Craig Burr, Division of Programming, UDOC<br/>Norrie Huntsman, UDOC</b>                                 |
| Code Reference:   |  |
| <p><b>Description:</b> Mr. Burr provided a presentation on education programs at the prison. There are a variety of programs offered to the offenders to learn job skills and vocational credits. Offenders must pay half of the hourly cost of their education. They can pay as they go, pay upfront, or sign a promissory note to be paid five years after release from prison. Offenders must be within five years of release and have a high school diploma to request post-secondary vocational classes. The Department is working with Workforce Services and the ATCs to help offenders find employment upon release from prison.</p> <p><i>[Action: No action; information only.]</i></p> |  |
| <b>Bill Title/Subject Matter:</b>   | <b>Rape Kit Processing</b>   |
| Legislator(s) –Sponsor:   | <b>Rep. Jennifer M. Seelig</b>   |
| Interested Parties:   | <b>Ned Searle, Utah Sexual Violence Council<br/>Donna Kelly, Utah Sexual Violence Council</b>              |

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|                                   |                         | <b>Greg Butler, Chief of Police, Woods Cross</b><br><b>Jay Henry, Department of Public Safety</b>  |
|                                   | Code Reference:         |  |
|                                   | <b>Description:</b>     | Rep. Seelig presented information on the 2,000 sexual assault evidence packets that have not been processed in Utah. Most sex offenders are serial offenders and should be targeted as they commit the majority of the crimes with multiple victims. The stakeholders have committed to work together to develop solutions to this problem. Mr. Searle and Ms. Kelly provided information on the work group's progress to date and the issues they will be working on for the near future. Chief Butler and Mr. Henry provided some insight on the investigative phases of sexual crimes and the lab testing resources.<br><br><i>[Action: No action, information only.]</i> |
| <b>Bill Title/Subject Matter:</b> |                         | <b>Restoration of Civil Rights to Certain Non-Violent Felons</b>   |
|                                   | Legislator(s)—Sponsor:  | <b>Rep. Oda</b>  |
|                                   | Interested Parties:     | <b>Jennifer Valencia, Director, Utah Sentencing Commission</b>   |
|                                   | Code Reference:         |  |
|                                   | <b>Description:</b>     | Rep. Oda would like to start the conversation on restoring civil rights to first-time offenders who have changed their lives to become a valuable part of the community. Ms. Valencia provided a presentation on this subject, indicating the Sentencing Commission would like to see an evidence-based approach to this issue. The Committee will wait for the PEW report to determine further action.<br><br><i>[Action: No action, information only.]</i>   |
| <b>JUDICIARY</b>                  |                         |  |
| <b>Bill Title/Subject Matter:</b> |                         | <b>Expungement of Administrative Records</b>   |
|                                   | Legislator(s)—Sponsor:  |  |
|                                   | Interested Parties:     | <b>Todd Kiser, Commissioner, Utah Insurance Department</b><br><b>Scott Stephenson, Director POST</b><br><b>Francine Giani, Executive Director, Department of Commerce</b><br><b>Ann S. Williamson, Executive Director, Department of Human Serv.</b><br><b>Brenda Hales, Deputy Superintendent, Utah State Office of Education</b><br><b>Kim Gibb, Records Bureau Chief, Driver License Division</b>   |
|                                   | Code Reference:         |  |
|                                   | <b>Descriptions:</b>    | The committee will study administrative actions related to orders of expungement and whether specified agencies should expunge records related to administrative proceedings connected to expunged convictions, arrests, investigations, or detentions. Various agencies provided information, concerns, and challenges regarding this issue.<br><br><i>[Action: Sen. Mark Madsen made a motion to open a bill file to look at clarity and conflict with the expungement code. PASSED]</i>   |
| <b>HEALTH AND HUMAN SERVICES</b>  |                         |  |
| <b>Bill Title/Subject Matter:</b> |                         | <b>Regulation of Electronic Cigarettes &amp; Other Tobacco Produces</b>  |
|                                   | Legislator(s) –Sponsor: | <b>Rep. Paul Ray</b>   |
|                                   | Interested Parties:     |  |
|                                   | Code Reference:         |  |
|                                   | <b>Description:</b>     | Staff prepared draft comments to recently proposed federal regulations that would “deem” certain products to be within the scope of the U.S. Food and Drug Administration’s regulatory authority under the Family Smoking Prevention and Tobacco Control Act (2009). Rep. Ray requested a letter to the FDA from the Committee regarding the proposals on restricting flavored juices and sales to minors; age restrictions on sales of e-cigarettes; and nicotine addiction warning labels. The FDA is  |

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|                                   | uncertain about the authority to regulate the liquid that does not contain nicotine. Items to consider in Utah’s letter may include: e-juice restrictions, cartridges, age restrictions, and to encourage scientific study on e-cartridges as a cessation program.<br><br><i>[Action: Rep. Cosgrove made a motion to have a Committee- letter drafted to the FDA that the Committee Chairs will sign. PASSED]</i> |
| <b>Bill Title/Subject Matter:</b> | <b>Prescription Drug Abuse – Controlled Substance Database</b>  |
| Legislator(s) –Sponsor:           |   |
| Interested Parties:               | <b>Division of Occupational and Professional Licensing<br/>Utah Food Industry Association<br/>Utah Retail Merchants Association<br/>Utah Pharmacy Association</b>   |
| Code Reference:                   |   |
|                                   | <b>Description:</b> The Committee was briefed on the state’s study and potential implementation of real-time reporting to and access of the state’s controlled substance database.<br><br><i>[Action: No action, information only.]</i>   |
| <b>Bill Title/Subject Matter:</b> | <b>Drug and Alcohol Abuse – Recovery Residences</b>   |
| Legislator(s) –Sponsor:           | <b>Rep. Michael S. Kennedy</b>  |
| Interested Parties:               | <b>Utah Substance Abuse Advisory Council<br/>Brent Kelsey</b>   |
| Code Reference:                   |   |
|                                   | <b>Description:</b> The committee was briefed on the study to be conducted by USAAV’s Recovery Residences and Substance Abuse Treatment Committee (regarding HB 211). It is anticipated some legislation will be presented in November.<br><br><i>[Action: No action, information only.]</i>  |

#### EDUCATION

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| <b>Bill Title/Subject Matter:</b> | <b>Impact of Corrections Education on Recidivism</b>  |
| Legislator(s) –Sponsor:           |   |
| Interested Parties:               | <b>Craig Burr, Division Director of Programming, Department of Corrections</b>  |
| Code Reference:                   |   |
|                                   | <b>Description:</b> Mr. Burr provided a presentation on post-secondary efforts in the Department of Corrections. There are a variety of programs offered to the offenders to learn job skills and vocational credits. Offenders must pay half of the hourly cost of their education. They can pay as they go, pay upfront, or sign a promissory note to be paid five years after release from prison. Offenders must be within five years of release and have a high school diploma to request post-secondary vocational classes. The Department is working with Workforce Services and the ATCs to help offenders find employment upon release from prison.<br><br><i>[Action: No action; information only.]</i> |

#### GOVERNMENT OPERATIONS

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| <b>Bill Title/Subject Matter:</b> | <b>Grand Jury Reform</b>  |
| Legislator(s) –Sponsor:           | <b>Rep. James A. Dunnigan</b>   |
| Interested Parties:               | <b>Paul Boyden, Chad Platt; Statewide Association of Public Attorneys</b>   |
| Code Reference:                   |   |
|                                   | <b>Description:</b> The Committee was tasked with conducting “a thorough review of the policy suggestions set forth in the House Special Investigative Committee Final Report.” The committee discussed the |

recommendations on reform of grand jury statutes.

*[Action: No action, information only.]*