



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Monday, February 4, 2019 | 2:00 p.m. | 250 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Derek L. Kitchen
Sen. Ann Millner

Members Absent:

Sen. Daniel Hemmert
Sen. Daniel W. Thatcher

Staff Present:

Mr. John Feinauer, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

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

Chair Weiler called the meeting to order at 2:05 p.m.

MOTION: Sen. Hillyard moved to approve the minutes of the January 30, 2019 meeting. The motion passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. L. Hillyard
Sen. D. Kitchen
Sen. T. Weiler

Nays-0

Absent-5

Sen. K. Cullimore
Sen. L. Escamilla
Sen. D. Hemmert
Sen. A. Millner
Sen. D. Thatcher

1 . 1st Sub. S.B. 43 Criminal Provisions Modifications (Mayne, K.)

Sen. Mayne presented the bill with the assistance of Mr. Scott Reed, Attorney General's Office.

Ms. Molly Davis, Libertas Institute, spoke to the bill.

Mr. Steve Burton, Attorney, spoke to the bill.

Mr. Scott Reed, Attorney General's Office, spoke to the bill.

Mr. Reed Richard, Statewide Association of Prosecutors. spoke to the bill.

MOTION: Sen. Hillyard moved to pass 1st Substitute S.B. 43 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Kitchen
Sen. T. Weiler

Nays-0

Absent-4

Sen. K. Cullimore
Sen. D. Hemmert
Sen. A. Millner
Sen. D. Thatcher

2 . H.B. 22 Presentence Investigation and Probation Report Amendments (Hutchings, E.)

Rep. Hutchings presented the bill with the assistance of Dr. Victor Kersey, Director of Programming, Utah Department of Corrections.

Mr. Jim Hudspeth, Deputy Director, Utah Department of Correction, spoke to the bill.

MOTION: Sen. Escamilla moved to pass H.B. 22 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. K. Cullimore
Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Kitchen
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert
Sen. D. Thatcher

3 . H.B. 19 Pretrial Release Amendments (Romero, A.)

Rep. Romero presented the bill.

Mr. Stewart Ralphs, Legal Aid Society of Salt Lake, spoke to the bill.

MOTION: Sen. Escamilla moved to pass H.B. 19 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. K. Cullimore
Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Kitchen
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert
Sen. D. Thatcher

4 . H.B. 20 Human Trafficking Amendments (Romero, A.)

Rep. Romero presented the bill with the assistance of Mr. Dan Strong, Attorney General's Office.

Mr. Tom Ross, Bountiful Chief of Police, Utah Chiefs of Police, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass H.B. 20 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. K. Cullimore
Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Kitchen
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert
Sen. D. Thatcher

5 . H.B. 21 Offender Supervision Amendments (Ray, P.)

Rep. Ray presented the bill with the assistance of Mr. Dan Blanchard, Director, Adult Probation & Parole, Department of Corrections.

MOTION: Sen. Cullimore moved to pass H.B. 21 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. K. Cullimore
Sen. L. Hillyard
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-4

Sen. L. Escamilla
Sen. D. Hemmert
Sen. D. Kitchen
Sen. D. Thatcher

6 . H.B. 40 Amendments to Criminal Provisions (Ray, P.)

Rep. Ray presented the bill.

MOTION: Sen. Millner moved to pass H.B. 40 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. K. Cullimore
Sen. L. Hillyard
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-4

Sen. L. Escamilla
Sen. D. Hemmert
Sen. D. Kitchen
Sen. D. Thatcher

7 . H.B. 35 Custody and Parent-time Revisions (Snow, V. L.)

Rep. Snow presented the bill with the assistance of Stewart Ralphs, Family Law Section, Utah State Bar.

Ms. Laura Bunker, Family Policy Resource, spoke in favor of the bill.

Ms. Ronni Bateman Adams, Volunteer Director, Utah Chapter, Stop Abuse Campaign, spoke in favor of the bill.

MOTION: Sen. Cullimore moved to pass H.B. 35 out favorably. The motion passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. K. Cullimore
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-5

Sen. L. Escamilla
Sen. D. Hemmert
Sen. L. Hillyard
Sen. D. Kitchen
Sen. D. Thatcher

8 . S.B. 47 Placement of Minors Amendments (Fillmore, L.)

Sen. Fillmore presented the bill.

MOTION: Sen. Millner moved to replace S.B. 47 with 1st Substitute S.B. 47. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-4

Sen. D. Hemmert
Sen. L. Hillyard
Sen. D. Kitchen
Sen. D. Thatcher

Ms. Diane Anderson spoke to the bill.

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 47 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore
Sen. L. Escamilla
Sen. D. Kitchen
Sen. A. Millner
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert
Sen. L. Hillyard
Sen. D. Thatcher

Sen. Escamilla assumed the chair.

9 . S.B. 109 Asset Forfeiture Amendments (Weiler, T.)

Sen. Weiler presented the bill with the assistance of Connor Boyak, Libertas Institute.

Mr. Tom Ross, Bountiful Chief of Police, Utah Chiefs of Police, spoke in opposition to the bill.

Ms. Marina Lowe, Legislative Council, American Civil Liberties Union (ACLU), spoke in favor of the bill.

Mr. Gary Giles, Orem Chief of Police, Vice President, Utah Chiefs of Police, spoke in opposition to the bill.

Mr. Jim Bradshaw, Attorney, spoke in favor of the bill.

Mr. Richard Ziebarth, Program Manager, Commission on Criminal and Juvenile Justice (CCJJ), spoke to the bill.

Mr. Dave Carlson, Director, Justice Division, Attorney General's Office, spoke to the bill.

Mr. David Walsh, Deputy Director, Commission on Criminal and Juvenile Justice (CCJJ), spoke to the bill.

Mr. Carroll Mays, Deputy Director, Narcotic Task Force spoke in opposition to the bill.

Mr. Jim Bradshaw, Attorney, spoke to the bill.

Mr. Gary Giles, Orem Chief of Police, Vice President, Utah Chiefs of Police, spoke to the bill.

MOTION: Sen. Weiler moved to pass S.B. 109 out favorably. The motion passed with a vote of 4 - 1 - 3.

Yeas-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. D. Kitchen
Sen. T. Weiler

Nays-1

Sen. L. Hillyard

Absent-3

Sen. D. Hemmert
Sen. A. Millner
Sen. D. Thatcher

MOTION: Sen. Weiler moved to adjourn at 4:35 p.m.