



# MINUTES

## SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Thursday, February 21, 2019 | 8:00 a.m. | 250 State Capitol

**Members Present:**

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

Sen. Daniel W. Thatcher

**Members Absent:**

Sen. Ann Millner

**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](http://www.le.utah.gov).

Chair Weiler called the meeting to order at 8:09 a.m.

**MOTION:** Sen. Hillyard moved to approve the minutes of the February 19, 2019 meeting. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner

**1 . S.B. 175 Gang Awareness Day (Mayne, K.)**

Sen. Mayne presented the bill with the assistance of Mr. Ekify, Unified Police Department, Board Member, Gang and Ms. Andrea Atencio-Valdez, Program Manager, Gang Free, Unified Police Department.

**MOTION:** Sen. Cullimore moved to amend S.B. 175 with Amendment #2. The motion passed with a vote of 5 - 0 - 3.

Amendment 2  
S.B. 0175

1. Page 1, Lines 1 through 3:
  - 1 GANG AWARENESS {~~DAY~~} WEEK
  - 2 2019 GENERAL SESSION
  - 3 STATE OF UTAH
  
2. Page 1, Lines 11 through 14:
  - 11 This bill:
  - 12 ▶ designates Gang Awareness {~~Day~~} Week;
  - 13 ▶ reorganizes commemorative days and periods chronologically; and
  - 14 ▶ makes technical and conforming changes.
  
3. Page 2, Lines 56 through 58:
  - 56 (h) Constitution Day, on September 17;
  - 57 (i) Gang Awareness {~~Day~~} Week, on the third {~~Monday~~} week in September;
  - 58 (j) POW/MIA Recognition Day, on the third Friday in September;

Yeas-5

Sen. K. Cullimore  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner

Ms. Nicole Cottle, Assistance City Manager, West Valley City, spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to pass S.B. 175 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner

**2 . 1st Sub. H.B. 83 Statute of Limitations Modifications (Snow, V. L.)**

Rep. Snow presented the bill.

**MOTION:** Sen. Hillyard moved to pass 1st Substitute H.B. 83 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner

**MOTION:** Sen. Hillyard moved to place 1st Substitute H.B. 83 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. A. Millner

**3 . H.B. 68 Court Commissioner Amendments (Miles, K.)**

Rep. Miles presented the bill.

**MOTION:** Sen. Hillyard moved to pass H.B. 68 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. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

**4 . S.B. 103 Victim Targeting Penalty Enhancements (Thatcher, D.)**

Sen. Thatcher presented the bill with the assistance of Ms. Marian Lowe, American Civil Liberties Union (ACLU) and Mr. Sim Gill, District Attorney, Salt Lake County.

**MOTION:** Sen. Thatcher moved to adopt 4th Substitute S.B. 103. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. A. Millner

Mr. Jay Jacobson, President, United Jewish Federation of Utah, spoke in favor of the bill. Mr Jacobson brought a letter from the United Jewish Federation that was distributed to the committee.

[United Jewish Federation of Utah](#)

Mr. LaVar Christensen spoke in opposition to the bill.

Mr. Troy William, Executive Director, Equality Utah, spoke in favor of the bill.

Ms. Gayle Ruzicka, Utah Eagle Forum, spoke in opposition to the bill.

Mr. Steve Klemz, Pastor, Zion Evangelical Lutheran Church, Salt Lake City, spoke in favor of the bill.

Ms. Debra Coe, Chair, LGBT Suicide Prevention Work Group, spoke in favor of the bill.

Rabbi Avremi Zippel, Program Director, Chabad Lubavitch of Utah, spoke in favor of the bill.

Mr. Connor Boyack, President, Libertas Institute, spoke in opposition to the bill.

Mr. Paul Boyden spoke in favor of the bill.

Ms. Wendy Garvin spoke in favor of the bill.

Ms. Jean Hill, Government Liaison, Catholic Diocese of Salt Lake City, spoke in favor of the bill.

Ms. DeAnn Kettenring, Health Commission, Utah Parent Teacher Association, spoke in favor of the bill.

Mr. Shane Siwik spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to pass 4th Substitute S.B. 103 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. D. Hemmert  
Sen. L. Hillyard  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. A. Millner

**5 . S.J.R. 8 Joint Resolution Amending Rules of Evidence - Victim Selection (*Thatcher, D.*)**

**MOTION:** Sen. Thatcher moved to replace S.J.R. 8 with 2nd Substitute S.J.R. 8. 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. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

**MOTION:** Sen. Thatcher moved to pass 2nd Substitute S.J.R. 8 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. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

**MOTION:** Sen. Hillyard moved to adjourn. 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. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. D. Hemmert  
Sen. A. Millner

Chair Weiler adjourned the meeting at 9:50 a.m.