



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Tuesday, March 5, 2019 | 8:00 a.m. | 450 State Capitol

**Members Present:**

Rep. Lee B. Perry, Chair  
 Rep. Kim F. Coleman, Vice Chair  
 Rep. Kelly B. Miles  
 Rep. Val K. Potter  
 Rep. Paul Ray  
 Rep. Angela Romero  
 Rep. Mike Schultz  
 Rep. Casey Snider

Rep. Andrew Stoddard  
 Rep. Mark A. Strong

**Members Absent:**

Rep. Sandra Hollins

**Staff Present:**

Mr. John Feinauer, Policy Analyst  
 Ms. An Bradshaw, 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 Perry called the meeting to order at 8:04 a.m.

**MOTION:** Rep. Miles moved to approve the minutes of the March 1, 2019 meeting. The motion passed with a vote of 5 - 0 - 6.

Yeas-5

Rep. K. Miles  
 Rep. L. Perry  
 Rep. V. Potter  
 Rep. P. Ray  
 Rep. M. Strong

Nays-0

Absent-6

Rep. K. Coleman  
 Rep. S. Hollins  
 Rep. A. Romero  
 Rep. M. Schultz  
 Rep. C. Snider  
 Rep. A. Stoddard

**1 . S.B. 162 Corrections Officer Certification Amendments (*Iwamoto, J.*)**

Sen. Iwamoto presented the bill to the committee with the assistance of: Sheriff Rosie Rivera, Salt Lake County Sheriff's Office and speaking on behalf of Utah Sheriffs' Association and Utah Chiefs of Police Association; Major Scott Stephenson, Director, Police Officer Standards and Training; Deputy Chloe Caldwell and Deputy Zechariah Harger, Salt Lake County Sheriff's Office; and Ms. Sabrena Suite-Mangum, Pillows for Prisoners and volunteer in the Salt Lake County Jail.

Mr. Spencer Teerlink, citizen, spoke in support of the bill.

**MOTION:** Rep. Miles moved to pass S.B. 162 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. K. Coleman  
 Rep. K. Miles  
 Rep. L. Perry  
 Rep. V. Potter  
 Rep. P. Ray  
 Rep. A. Romero  
 Rep. M. Schultz  
 Rep. A. Stoddard  
 Rep. M. Strong

Nays-0

Absent-2

Rep. S. Hollins  
 Rep. C. Snider

**2 . H.B. 394 Pawnshop and Secondhand Merchandise Amendments (*Hutchings, E.*)**

Rep. Hutchings presented the bill to the committee with the assistance of Detective Parsons Metzkw, Unified Police Department, and Special Agent Chris Walden, Attorney General's Office. Handouts were provided.

Mr. Dave Davies, Utah Retail Merchants Association, spoke in support of the bill.

Mr. Keith Woodwell, Cash America, spoke in opposition to the bill.

Mr. Mike Katsanevas, Crown Jewelers and Pawn and representing Secondhand Merchandise Advisory Board, spoke in opposition to the bill.

Ms. Staci Larsen, representing Utah coin dealers, spoke in support of the bill.

Mr. Ken Bird, FirstCash Inc, spoke in opposition to the bill.

**MOTION:** Rep. Ray moved to replace H.B. 394 with 1st Substitute H.B. 394. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. K. Coleman  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-1

Rep. S. Hollins

**MOTION:** Rep. Miles moved to pass 1st Substitute H.B. 394 out favorably.

The motion passed with a vote of 9 - 1 - 1.

Yeas-9

Rep. K. Coleman  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard

Nays-1

Rep. M. Strong

Absent-1

Rep. S. Hollins

**3 . H.B. 415 Local Law Enforcement Structure and Governance Amendments (Ray, P.)**

Rep. Ray presented the bill to the committee.

Mr. Jason Groth, ACLU, spoke in opposition to the bill.

Mr. David Newlin, Utahns Against Police Brutality, spoke in opposition to the bill.

Chief Tom Ross, Bountiful City Police Department and representing the Utah Chiefs of Police Association, spoke in support of the bill.

**MOTION:** Rep. Stoddard moved to amend H.B. 415 with Amendment #1. The motion passed with a vote of 9 - 0 - 2.

Amendment 1  
H.B. 415

1. Page 2, Lines 33 through 38:

33 (1) The administration of the police and fire departments shall consist of a chief of  
34 [the] each department and [such] other officers, members, employees and agents [as the board  
35 of commissioners may by ordinance prescribe, and the board of commissioners] as { the  
36 municipal council provides } provided by ordinance or statute .

37 (2) The { municipal council shall appoint the } heads of [such] the police and fire  
38 departments shall be appointed in accordance with Title 10, Chapter 3b, Forms of Municipal Government .

2. Page 2, Line: 55

55 (4) (a) Notwithstanding Sections { 10-2-918 } 10-3-918 and 10-3-919, a municipality may not

3. Page 3, Lines 68 through 72:

68 (b) Nothing in this Subsection (4):

69 (i) limits { a municipal council's } the authority the Utah Code provides over the chief of police;

70 (ii) prohibits the municipal council or mayor from taking a lawful action described in

71 Subsection (4)(a)(ii) that is allowed by law ; or

72 (iii) { limits a municipality's } limits the authority { under Subsection (5) } of a civil service commission  
established in accordance with Title 10, Chapter 3, Part 10, Civil Service Commission .

Yeas-9

Rep. K. Coleman  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-2

Rep. S. Hollins  
Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to pass H.B. 415 out favorably. The motion passed with a vote of 8 - 1 - 2.

Yeas-8

Rep. K. Coleman  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-1

Rep. A. Romero

Absent-2

Rep. S. Hollins  
Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to adjourn. The motion passed with a vote of 9 - 0 - 2.



Yeas-9

Rep. K. Coleman  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-2

Rep. S. Hollins  
Rep. M. Schultz

Chair Perry adjourned the meeting at 9:53 a.m.