



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Friday, March 6, 2020 | 8:00 a.m. | 450 State Capitol

**Members Present:**

Rep. Lee B. Perry, Chair  
 Rep. Kim F. Coleman, Vice Chair  
 Rep. Sandra Hollins  
 Rep. Kelly B. Miles  
 Rep. Val K. Potter  
 Rep. Paul Ray  
 Rep. Casey Snider  
 Rep. Andrew Stoddard

Rep. Mark A. Strong

**Members Absent:**

Rep. Angela Romero  
 Rep. Mike Schultz

**Staff Present:**

John Feinauer, Policy Analyst  
 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 8:10 a.m.

**MOTION:** Rep. Potter moved to approve the minutes of March 4, 2020. The motion passed with a vote of 5 - 0 - 6.

Yeas-5

Rep. S. Hollins  
 Rep. K. Miles  
 Rep. L. Perry  
 Rep. V. Potter  
 Rep. M. Strong

Nays-0

Absent-6

Rep. K. Coleman  
 Rep. P. Ray  
 Rep. A. Romero  
 Rep. M. Schultz  
 Rep. C. Snider  
 Rep. A. Stoddard

Rep. Potter assumed the chair.

**1 . H.B. 453 Law Enforcement Agency Certification Amendments (Perry, L.)**

Rep. Perry presented the bill.

**MOTION:** Rep. Miles moved to pass H.B. 453 out favorably. The motion passed with a vote of 5 - 0 - 6.

Yeas-5

Rep. S. Hollins  
 Rep. K. Miles  
 Rep. L. Perry  
 Rep. V. Potter  
 Rep. M. Strong

Nays-0

Absent-6

Rep. K. Coleman  
 Rep. P. Ray  
 Rep. A. Romero  
 Rep. M. Schultz  
 Rep. C. Snider  
 Rep. A. Stoddard

**2 . H.B. 452 Probation and Parole Violation Amendments (Perry, L.)**

Rep. Perry presented the bill with the assistance of Chad Jensen, Sheriff, Cache County. A handout was provided.

[HB 452 handout](#)

**MOTION:** Rep. Perry moved to amend H.B. 452 with Amendment #1. The motion passed with a vote of 6 - 0 - 5.

Amendment 1  
H.B. 452

1. Page 2, Lines 32 through 36:

32 (1) (a) The department or local law enforcement agency shall ensure that the court is  
33 notified of violations of the terms and conditions of probation in the case of probationers under  
34 the [~~department's supervision,]~~ supervision of the department, the local law enforcement  
35 agency, or the Board of Pardons and Parole {+} in the case of parolees under the department's  
36 supervision{+} when:

2. Page 3, Line 76:

76 that the offender has violated the conditions of probation.

(8) If a probationer supervised by a local law enforcement agency commits a violation outside of the jurisdiction of the supervising agency, the arresting agency is not required to hold or transport the probationer for the supervising agency.

Yeas-6

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. M. Strong

Nays-0

Absent-5

Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard

Marshall Thompson, Director, Sentencing Commission, Commission of Criminal and Juvenile Justice, spoke in support of the bill.

**MOTION:** Rep. Miles moved to pass H.B. 452 out favorably as amended. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. M. Strong

Nays-0

Absent-5

Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard

**3 . H.B. 390 Amendments to Asset Forfeiture (Perry, L.)**

**MOTION:** Rep. Perry moved to replace H.B. 390 with 1st Substitute H.B. 390. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. M. Strong

Nays-0

Absent-5

Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard

Rep. Perry presented the bill and provided a handout.

[HB 390 handout](#)

Brian Redd, Chief Special Agent, State Bureau of Investigation, Department of Public Safety, was invited by Rep. Perry to address the committee.

Jeff Buhman, Statewide Association of Prosecutors and Public Attorneys, spoke in support of the bill.

Sheriff Chad Jensen, Utah Sheriffs Association, spoke in support of the bill.

Will Carlson, Chief Policy Adviser, Salt Lake County District Attorney's Office, asked for additional study on the bill.

Connor Boyack, Libertas Institute, asked for additional study on the bill.

Chief Gary Giles, Orem City Police Department and representing Utah Chiefs of Police Association, spoke in support of the bill.

**MOTION:** Rep. Strong moved to hold 1st Substitute H.B. 390. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. V. Potter  
Rep. M. Strong

Nays-0

Absent-5

Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz  
Rep. C. Snider  
Rep. A. Stoddard

Rep. Coleman assumed the chair.

**4 . H.B. 445 Canine Injury Amendments (*Christiansen, S.*)**

Rep. Steve Christiansen presented the bill with the assistance of Mandy Ringwood, citizen.

Maryann Christensen, Utah Eagle Forum, spoke in support of the bill.

**MOTION:** Rep. Miles moved to table H.B. 445.

**MOTION:** Rep. Ray moved to pass H.B. 445 out favorably.

Rep. Ray's substitute motion to pass H.B. 445 out favorably failed with a vote of 3 - 5 - 3.

Yeas-3

Rep. K. Coleman  
Rep. P. Ray  
Rep. M. Strong

Nays-5

Rep. S. Hollins  
Rep. K. Miles  
Rep. V. Potter  
Rep. C. Snider  
Rep. A. Stoddard

Absent-3

Rep. L. Perry  
Rep. A. Romero  
Rep. M. Schultz

**SUBSTITUTE MOTION:** Rep. Ray moved to return H.B. 445 to the Rules Committee. The substitute motion passed with a vote of 8 - 0 - 3.

Yeas-8

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. V. Potter  
Rep. P. Ray  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-3

Rep. L. Perry  
Rep. A. Romero  
Rep. M. Schultz

**5 . H.B. 459 Financial Exploitation Prevention Act (Andersen, K.)**

Rep. Kyle Andersen presented the bill and provided a handout.

[HB 459 Handout](#)

Machel Andersen, citizen and scam victim, provided testimony at the request of Rep. Andersen.

Jeremy Cunningham, Utah Alzheimer's Association, provided testimony at the request of Rep. Andersen.

**MOTION:** Rep. Perry moved to pass out H.B. 459 favorably.

**SUBSTITUTE MOTION:** Rep. Snider moved to amend H.B. 459 with a verbal amendment.

Rep. Snider withdrew his motion.

**SUBSTITUTE MOTION:** Rep. Perry moved to replace H.B. 459 with 1st Substitute H.B. 459. The substitute motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-4

Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz

**MOTION:** Rep. Perry moved to pass 1st Substitute H.B. 459 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-4

Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz

**MOTION:** Rep. Perry moved to adjourn. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. K. Coleman  
Rep. S. Hollins  
Rep. K. Miles  
Rep. L. Perry  
Rep. C. Snider  
Rep. A. Stoddard  
Rep. M. Strong

Nays-0

Absent-4

Rep. V. Potter  
Rep. P. Ray  
Rep. A. Romero  
Rep. M. Schultz

Chair Coleman adjourned the meeting at 10:00 a.m.