



MINUTES

LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE

LEGISLATURE

Tuesday, June 16, 2020 | 9:00 a.m. | 25 House Building

Members Present:

Sen. Keith Grover, Chair
Rep. Lee B. Perry, Chair
Sen. Don L. Ipson
Sen. Kathleen Riebe
Sen. Daniel W. Thatcher
Sen. Evan J. Vickers
Rep. Kim F. Coleman
Rep. Sandra Hollins
Rep. Kelly B. Miles
Rep. Val K. Potter
Rep. Marie H. Poulson

Rep. Paul Ray
Rep. Angela Romero
Rep. Jeffrey D. Stenquist
Rep. Mark A. Strong

Members Absent:

Rep. Mike Schultz

Staff Present:

John Feinauer, Policy Analyst
Esther D. Chelsea-McCarty, Associate General Counsel
Chelsea Grant, Associate General Counsel
Tracey Fredman, Administrative Assistant

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

1 . Committee Business

Chair Perry called the meeting to order at 9:03 a.m.

MOTION: Sen. Vickers moved to approve the minutes of the November 20, 2019, meeting. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. K. Coleman
Sen. K. Grover
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles
Rep. L. Perry
Rep. V. Potter
Rep. M. Poulson
Rep. P. Ray
Sen. K. Riebe
Rep. A. Romero
Rep. J. Stenquist
Rep. M. Strong
Sen. E. Vickers

Nays-0

Absent-2

Rep. M. Schultz
Sen. D. Thatcher

2 . Staff overview

[2a - OPMA Training](#)

[2b - Law Enforcement and Criminal Justice Study Items](#)

[2c - Law Enforcement Legislation List](#)

John Feinauer, Policy Analyst, Office of Legislative Research and General Counsel, briefed committee members on the updates made to the Open and Public Meetings Act regarding electronic meetings during emergencies.

John Feinauer invited committee members to view online and to review the interim study items list that was approved by the Legislative Management Committee.

Chelsea Grant, Associate General Counsel, Office of Legislative Research and General Counsel, discussed issues related to the State v. Bowden case, as a potential additional study item.

Chair Perry indicated that Correctional Facility Placement was another item to be add to the interim study item list.

MOTION: Rep. Ray moved to add to the interim study item list: (a) issues related to the State v. Bowden case; and (b) Correction Facility Placement. The motion also included approval of the interim study items list, as amended. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Coleman
Sen. K. Grover
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles
Rep. L. Perry
Rep. V. Potter
Rep. M. Poulson
Rep. P. Ray
Sen. K. Riebe
Rep. A. Romero
Rep. J. Stenquist
Rep. M. Strong
Sen. D. Thatcher
Sen. E. Vickers

Nays-0

Absent-1

Rep. M. Schultz

MOTION: Rep. Miles moved to allow committee chairs to open committee bill files based on items on the interim study items list. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Coleman
Sen. K. Grover
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles
Rep. L. Perry
Rep. V. Potter
Rep. M. Poulson
Rep. P. Ray
Sen. K. Riebe
Rep. A. Romero
Rep. J. Stenquist
Rep. M. Strong
Sen. D. Thatcher
Sen. E. Vickers

Nays-0

Absent-1

Rep. M. Schultz

3 . Testing for COVID-19

[3a - Draft Legislation, Public Safety Worker Protection Amendments, V7](#)

Sen. Karen Mayne discussed provisions of draft legislation "Public Safety Worker Protection Amendments."

Rep. Eric K. Hutchings clarified the pandemic-related nature of the amendments proposed by the legislation and responded to committee members' questions.

Mike Brown, Chief of Police, Salt Lake City, spoke in favor of the legislation and commented on specific pandemic-related difficulties being faced by police officers.

Colonel Michael Rapich, Utah Highway Patrol, spoke in support of the legislation and reported incidents that have endangered officers when making an arrest.

MOTION: Sen. Riebe moved to recommend draft legislation, "Public Safety Worker Protection Amendments" (2020S5-0011/007), as a committee bill.

SUBSTITUTE MOTION: Rep. Miles moved to amend draft legislation, "Public Safety Worker Protection Amendments" (2020S5-0011/007), by deleting lines 40 through 46. The substitute motion passed with a vote of 12 - 3 - 1.

Yeas-12

Rep. K. Coleman
Sen. K. Grover
Rep. S. Hollins
Rep. K. Miles
Rep. V. Potter
Rep. M. Poulson
Rep. P. Ray
Rep. A. Romero
Rep. J. Stenquist
Rep. M. Strong
Sen. D. Thatcher
Sen. E. Vickers

Nays-3

Sen. D. Ipson
Rep. L. Perry
Sen. K. Riebe

Absent-1

Rep. M. Schultz

4 . Choke Hold Prohibition

[4a - Draft Legislation, Peace Officer Amendments, V4](#)

Rep. Hollins discussed the background and provisions of draft legislation, "Peace Officer Amendments."

Sen. Luz Escamilla spoke in support of the legislation and the importance of safe interactions between law enforcement officers and the community.

Sen. Vickers briefed committee members about the discussions that took place in preparation for drafting the legislation.

Chief Brian Gwilliam, Lone Peak Police Department, Utah Chiefs of Police, spoke in support of the legislation.

Cameron Diehl, Executive Director, Utah League of Cities and Towns, texted a message that Chair Perry read to the committee stating support of the legislation from the Utah League of Cities and Towns.

MOTION: Sen. Vickers moved to recommend draft legislation, "Peace Officer Amendments" (2020S5-0009/004), as a committee bill. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. K. Coleman
Sen. K. Grover
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles
Rep. L. Perry
Rep. V. Potter
Rep. M. Poulson
Rep. P. Ray
Sen. K. Riebe
Rep. A. Romero
Rep. J. Stenquist
Rep. M. Strong
Sen. D. Thatcher
Sen. E. Vickers

Nays-0

Absent-1

Rep. M. Schultz

5 . Correctional Facility COVID Protocols

[5a - Presentation, Covid-19 Response and Protocols \[UDC\]](#)

[5b - Resolution Language Proposal, Public Safety for Victims Resolution](#)

Chyleen Richey, Deputy Director, Department of Corrections, reported on the department's initial response to the COVID-19 pandemic which focused on prevention and containment.

Chief Matt Dumont, Chief Deputy, Salt Lake County Jail, reported on efforts to prevent the spread of COVID-19 among incarcerated individuals and staff.

Will Carlson, Chief Policy Advisor, Justice Division, Salt Lake County District Attorney's Office, addressed resolution language being proposed regarding Public Safety for Victims Resolution.

Sen. Jani Iwamoto indicated that support for the resolution language being proposed has been received from several entities, including the Utah Domestic Violence Coalition, the YWCA, and the Utah Commission on Criminal and Juvenile Justice.

Michael Drechsel, Legislative Liaison, Administrative Office of the Courts, commented on the diligence with which the courts have addressed the current public health situation while maintaining critical services.

Sara Wolovick, attorney, ACLU Utah, commented on the state's role in enforcing preventative measures in county jails through the Inmate Placement Program.

6 . Peer Support Programs

This item was not discussed.

7 . Fraud

This item was not discussed.

8 . Master Offense List

This item was not discussed.

9 . Other items/Adjourn



MOTION: Sen. Ipson moved to adjourn the meeting. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

- Rep. K. Coleman
- Sen. K. Grover
- Rep. S. Hollins
- Sen. D. Ipson
- Rep. K. Miles
- Rep. L. Perry
- Rep. V. Potter
- Rep. M. Poulson
- Rep. P. Ray
- Sen. K. Riebe
- Rep. A. Romero
- Rep. J. Stenquist
- Rep. M. Strong
- Sen. D. Thatcher
- Sen. E. Vickers

Nays-0

Absent-1

- Rep. M. Schultz

Chair Perry adjourned the meeting at 12:25 p.m.