



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

STANDING COMMITTEE

LEGISLATURE

Monday, February 1, 2021 | 2:00 p.m. | 30 House Building

Members Present:

Rep. Ryan D. Wilcox, Chair
Rep. Jefferson S. Burton, Vice Chair
Rep. Francis D. Gibson
Rep. Matthew H. Gwynn
Rep. Sandra Hollins
Rep. Marsha Judkins
Rep. Kelly B. Miles

Rep. Paul Ray
Rep. Angela Romero
Rep. Mike Schultz
Rep. Andrew Stoddard

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.

Chair Wilcox called the meeting to order at 2:00 p.m.

Rep. Burton assumed the chair.

MOTION: Rep. Miles moved to approve the minutes of January 27, 2021. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. J. Burton
Rep. M. Gwynn
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-4

Rep. F. Gibson
Rep. S. Hollins
Rep. M. Judkins
Rep. M. Schultz

1 . H.B. 62 Post Certification Amendments (Stoddard, A.)

Rep. Stoddard explained the bill to the committee.

Scott Stephenson, Director, Peace Officer Standards and Training (POST), spoke to the bill and answered questions from the committee.

Levy Woodruff, resident, spoke in support of the bill.

Will Carlson, Deputy District Attorney, Office of the Salt Lake County Attorney, spoke in support of the bill.

MOTION: Chair Wilcox moved to replace H.B. 62 with 1st Substitute H.B. 62. The motion passed with a vote of 9 - 1 - 1.

Yeas-9

Rep. J. Burton
Rep. F. Gibson
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-1

Rep. M. Gwynn

Absent-1

Rep. M. Schultz

MOTION: Rep. Romero moved to amend 1st Substitute H.B. 62 with Amendment #1. The motion passed with a vote of 10 - 0 - 1.

Amendment 1
1st Sub. H.B. 0062

1. Page 2, Lines 55 through 56:

55 (j) is { the subject of an open federal civil rights investigation for engaging } found by a court or by a law
56 enforcement agency to have knowingly engaged in biased or
prejudicial conduct against one or more individuals based on the individual's race, color, sex,

Yeas-10

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

MOTION: Rep. Hollins moved to pass 1st Substitute H.B. 62 out favorably as amended.

The motion failed with a vote of 5 - 5 - 1.

Yeas-5

Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. A. Romero
Rep. A. Stoddard

Nays-5

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. P. Ray
Rep. R. Wilcox

Absent-1

Rep. M. Schultz

2 . H.B. 84 Use of Force Reporting Requirements (Romero, A.)

Rep. Romero presented the bill to the committee.

Andrew Riggle, Public Policy Advocate, Disability Law Center, spoke in support of the bill.

Jason Groth, Smart Justice Attorney, ACLU, spoke in support of the bill.

Tom Ross, Interim Executive Director, Commission on Criminal and Juvenile Justice, spoke in support of the bill.

MOTION: Rep. Ray moved to pass H.B. 84 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

3 . H.B. 95 Prison Rape Elimination Act Compliance (Romero, A.)

Rep. Romero presented the bill to the committee with the assistance of: Lilliana Olvera-Arbon, Executive Director, Utah Coalition Against Sexual Assault; Sheriff Chad Jensen, President, Utah Sheriffs' Association; and Chyleen Richey, Deputy Director, Department of Corrections.

MOTION: Rep. Miles moved to replace H.B. 95 with 1st Substitute H.B. 95. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

MOTION: Rep. Miles moved to pass 1st Substitute H.B. 95 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. M. Schultz

4 . H.B. 162 Peace Officer Training Amendments (Romero, A.)

Rep. Romero presented the bill to the committee. Scott Stephenson, Director, POST, answered questions from the committee.

Andrew Riggle, Disability Law Center, spoke in support of the bill.

MOTION: Chair Wilcox moved to replace H.B. 162 with 1st Substitute H.B. 162. The motion passed with a vote of 11 - 0 - 0.

Yeas-11

Nays-0

Absent-0

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

MOTION: Chair Wilcox moved to pass 1st Substitute H.B. 162 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Nays-0

Absent-1

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

Rep. M. Judkins

5 . S.B. 17 Criminal Code Evaluation Task Force Extension (*Mayne, K.*)

Sen. Karen Mayne presented the bill to the committee and distributed a handout.

[Criminal Code Evaluation Task Force Members](#)

MOTION: Rep. Ray moved to pass S.B. 17 out favorably. The motion passed with a vote of 11 - 0 - 0.

Yeas-11

Nays-0

Absent-0

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

6 . H.B. 186 Criminal Nonsupport Amendments (*Stratton, K.*)

Rep. Keven Stratton presented the bill to the committee with the assistance of David Leavitt, Utah County District Attorney.

MOTION: Rep. Stoddard moved to replace H.B. 186 with 1st Substitute H.B. 186. The motion passed with a vote of 11 - 0 - 0.

Yeas-11

Nays-0

Absent-0

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

MOTION: Rep. Gibson moved to pass 1st Substitute H.B. 186 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Nays-0

Absent-1

Rep. J. Burton
Rep. F. Gibson
Rep. M. Gwynn
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

Rep. S. Hollins

7 . H.B. 218 Reporting Requirement Amendments (*King, B. S.*)

Rep. Brian King presented the bill to the committee.

Kaye Lynn Wootton, Medicaid Fraud Control Unit Director, Attorney General's Office, spoke in opposition with the bill.

Carol Verdoia, Child Protection Division Director, Attorney General's Office, spoke to the bill.

Steve Burton, Executive Director, Utah Association of Criminal Defense Lawyers, spoke in opposition to the bill.

MOTION: Rep. Wilcox moved to replace H.B. 218 with 1st Substitute H.B. 218. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Nays-0

Absent-3

Rep. J. Burton
Rep. M. Gwynn
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

Rep. F. Gibson
Rep. S. Hollins
Rep. M. Judkins

MOTION: Rep. Miles moved to pass 1st Substitute H.B. 218 out favorably.

MOTION: Rep. Wilcox moved to hold 1st Substitute H.B. 218.

The substitute motion passed with a vote of 10 - 0 - 1.



Yeas-10

Rep. J. Burton
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. F. Gibson

MOTION: Rep. Wilcox moved to adjourn. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. J. Burton
Rep. M. Gwynn
Rep. S. Hollins
Rep. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-1

Rep. F. Gibson

Chair Burton adjourned the meeting at 4:04 p.m.