



# MINUTES

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

LEGISLATURE

Friday, January 29, 2021 | 2:00 p.m. | 110 Senate Building

**Members Present:**

Sen. Todd D. Weiler, Chair  
Sen. Kirk A. Cullimore  
Sen. Luz Escamilla  
Sen. Michael S. Kennedy  
Sen. Derek L. Kitchen

Sen. Jerry W. Stevenson  
Sen. Daniel W. Thatcher

**Staff Present:**

Kristina King, Policy Analyst  
Rachel Boe, 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.

**MOTION:** Sen. Kennedy moved to approve the minutes. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. T. Weiler

Nays-0

Absent-4

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. J. Stevenson  
Sen. D. Thatcher

### 1 . H.B. 44 CCJJ Reporting Requirements (*Miles, K.*)

Rep. Miles explained the bill.

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

**MOTION:** Sen. Thatcher moved to pass H.B. 44 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-2

Sen. K. Cullimore  
Sen. J. Stevenson

### 2 . S.B. 117 Human Smuggling Amendments (*Escamilla (Robles), L.*)

[S.B. 117 Human Smuggling Amendments](#)

Sen. Escamilla explained the bill with the assistance of Daniel Strong, Associate Attorney General, State of Utah.

Jeff Buhman, Executive Director, Statewide Association of Prosecutors, spoke in favor of the bill.

Sheri Mattle, Safety Commissioner, Utah PTA, spoke in favor of the bill.

**MOTION:** Sen. Escamilla moved to pass S.B. 117 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. K. Cullimore

Sen. Kitchen assumed the chair.

**3 . S.B. 84 Indigent Defense Transcripts Amendments (Weiler, T.)**

[Indigent Defense Transcript Amendments](#)

Sen. Weiler explained the bill with the assistance of Joanna Landau, Director, Utah Indigent Defense Commission, and Adam Trupp, Assistant Director, Utah Indigent Defense Commission.

Mark Moffat, Criminal Defense Lawyer, spoke in favor of the bill.

Phoebe Moorhead, Utah Court Reporters Association, spoke in opposition to the bill.

Katie Harmon, Certified Court Reporter, Noteworthy Reporting, spoke in opposition to the bill.

**MOTION:** Chair Weiler moved to pass S.B. 84 out favorably. The motion passed with a vote of 5 - 2 - 0.

Yeas-5

Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-2

Sen. K. Cullimore  
Sen. D. Kitchen

Absent-0

Sen. Weiler assumed the chair.

**4 . S.B. 124 Parole Amendments (McKell, M.)**

Sen. Mckell explained the bill.

Jeff Buhman, Attorney, spoke in favor of the bill.

**MOTION:** Sen. Thatcher moved to move on to the next agenda item. The motion passed with a vote of 7 - 0 - 0.

Yeas-7

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-0

**5 . S.B. 126 Sentencing Commission Requirements (Thatcher, D.)**

Sen. Thatcher explained the bill.

**MOTION:** Sen. Thatcher moved to amend S.B. 126 with Amendment #1. The motion passed with a vote of 6 - 0 - 1.

Amendment 1  
S.B. 126

1. Page 4, Lines 110 through 114:

- 110 (d) The commission shall(~~annually~~):  
111 (i) present the updated guide described in Subsection (6)(a)(iii) annually to the Law  
112 Enforcement and Criminal Justice Interim Committee; and  
113 (ii) identify and recommend legislation on collateral consequences to the Law  
114 Enforcement and Criminal Justice Interim Committee.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. T. Weiler

Nays-0

Absent-1

Sen. D. Thatcher

Mark Moffat, Criminal Defense Lawyer, spoke in favor of the bill.

Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union of Utah, spoke in favor of the bill.

**MOTION:** Sen. Thatcher moved to pass S.B. 126 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. T. Weiler

Nays-0

Absent-1

Sen. D. Thatcher

**MOTION:** Sen. Thatcher moved to reconsider action on S.B. 124. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Stevenson

**6 . S.B. 124 Parole Amendments (McKell, M.)**

**MOTION:** Sen. Thatcher moved to replace S.B. 124 with 1st Substitute S.B. 124. The motion passed with a vote of 6 - 0 - 1.



Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. J. Stevenson  
Sen. T. Weiler

Nays-0

Absent-1

Sen. D. Thatcher

**MOTION:**

Sen. Thatcher moved to pass S.B. 124 1st Substitute out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Stevenson

**MOTION:**

Sen. Thatcher moved to adjourn at 3:06 p.m. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. K. Cullimore  
Sen. L. Escamilla  
Sen. M. Kennedy  
Sen. D. Kitchen  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Stevenson