



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Thursday, February 4, 2021 | 3:40 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 3:47 p.m.

1 . H.B. 193 Intimate Image Distribution Prohibition Amendments (Kwan, K.)

Rep. Karen Kwan presented the bill with the assistance of Ryan Holtan, Internet Crimes Against Children, Utah Attorney General's Office.

Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union, spoke to the bill.

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

MOTION: Rep. Romero moved to replace H.B. 193 with 1st Substitute H.B. 193. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. J. Burton
Rep. M. Gwynn
Rep. S. Hollins
Rep. K. Miles
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-4

Rep. F. Gibson
Rep. M. Judkins
Rep. P. Ray
Rep. M. Schultz

MOTION: Rep. Stoddard moved to pass 1st Substitute H.B. 193 out favorably. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Rep. J. Burton
Rep. M. Gwynn
Rep. S. Hollins
Rep. K. Miles
Rep. A. Romero
Rep. A. Stoddard
Rep. R. Wilcox

Nays-0

Absent-4

Rep. F. Gibson
Rep. M. Judkins
Rep. P. Ray
Rep. M. Schultz

2 . H.B. 59 Law Enforcement Investigation Amendments (Stoddard, A.)

Rep. Stoddard presented the bill to the committee.

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

Chief Wade Carpenter, President, Utah Chiefs of Police, spoke in support of the bill.

MOTION: Rep. Miles moved to replace H.B. 59 with 1st Substitute H.B. 59. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

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

Nays-0

Absent-3

Rep. J. Burton
Rep. F. Gibson
Rep. M. Judkins

MOTION: Rep. Miles moved to pass 1st Substitute H.B. 59 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

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-2

Rep. J. Burton
Rep. F. Gibson

3 . H.B. 74 Municipal Police Oversight Amendments (*Wheatley, M.*)

Rep. Mark Wheatley presented the bill with the assistance of Natalie Pinkney, City of South Salt Lake Council.

Sydni Makemo, Community Outreach Coordinator, ACLU, answered questions from the committee.

Sydni Makemo spoke in support of the bill.

Lex Scott, Black Lives Matter, spoke in support of the bill.

Kathryn Balmforth, resident, spoke in opposition to the bill.

Joe Rummel, resident, spoke in opposition to the bill.

David Newlin, resident, spoke in support of the bill.

Casey Robertson, United Citizens' Alarm, spoke in opposition to the bill.

Ian Adams, Executive Director, Utah State Fraternal Order of Police, spoke in opposition to the bill.

Chief Chad Soffe, Woods Cross City Police Department, spoke in opposition to the bill.

Rebecca McIntosh, resident, spoke in support of the bill.

Rich Willie, counsel for Utah State Fraternal Order of Police, spoke in opposition to the bill.

Gayle Ruzicka, Utah Eagle Forum, spoke in opposition to the bill.

Bliss Tew, Support Your Local Police Committee, spoke in opposition to the bill.

Wade Carpenter, speaking on behalf of the Utah Chiefs of Police and the Utah League of Cities and Towns, spoke in opposition to the bill.

Sharon Anderson, resident, spoke in opposition to the bill.

MOTION: Rep. Romero moved to pass H.B. 74 out favorably.

MOTION: Rep. Ray moved to table H.B. 74.

The substitute motion passed with a vote of 8 - 3 - 0.

Yeas-8

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

Nays-3

Rep. S. Hollins
Rep. A. Romero
Rep. A. Stoddard

Absent-0

4 . S.B. 38 K-9 Policy Requirements (*Thatcher, D.*)

Rep. Pierucci presented the bill. Chief Ken Wallentine, West Jordan Police Department, was available to answer questions from the committee.

MOTION: Rep. Romero moved to pass S.B. 38 out favorably. The motion passed with a vote of 11 - 0 - 0.

Yeas-11

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

Nays-0

Absent-0

5 . H.B. 133 Law Enforcement Recording Release Amendments (*Wheatley, M.*)

Rep. Wheatley presented the bill with the assistance of Lex Scott.

Will Carlson spoke to the bill.

Robert Van Dyke, Kane County Attorney, speaking on behalf of the County Attorneys' Association and the Statewide Association of Prosecutors, spoke in opposition to the bill.

Ian Adams spoke in opposition to the bill.

Joe Rummel spoke in opposition to the bill.

Jeff Buhman spoke in opposition to the bill.

Marina Lowe spoke in support of the bill.

Chad Soffe spoke in opposition to the bill.

Alyce Armstrong, resident, spoke in support of the bill.

Zachary Bess, resident, spoke in support of the bill.

Captain Jay Sube, Ogden City Police Department, speaking on behalf of the Utah Chiefs of Police Association, spoke in opposition to the bill.

Collin Williams, resident, spoke in support of the bill.

Allison Schlichter, resident, spoke in support of the bill.

Sheriff Ryan Arbon, Weber County, and representing the Utah Sheriffs Association and the Utah Council on Victims of Crime, spoke in opposition to the bill.

MOTION: Rep. Gibson moved to hold H.B. 133. 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. Ray moved to approve the minutes of February 1, 2021. 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

Rep. Burton assumed the chair.

6 . H.B. 58 Riot Amendments (*Wilcox, R.*)

Rep. Wilcox presented the bill with the assistance of Ryan Arbon.

Casey Robertson spoke in support of the bill.

Collin Williams spoke in opposition to the bill.

Marina Lowe spoke in opposition to the bill.

Ben Aldana, public defender, spoke in opposition to the bill.

Molly Davis, Policy Analyst, Libertas Institute, spoke in opposition to the bill.

Lex Scott spoke in opposition to the bill.

Jake Siolo, Black Lives Matter, spoke in opposition to the bill.

Jay Rummel spoke in support of the bill.

Robert Van Dyke spoke to the bill.

MOTION: Rep. Stoddard moved to replace H.B. 58 with 1st Substitute H.B. 58. 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. Ray moved to pass 1st Substitute H.B. 58 out favorably. The motion passed with a vote of 9 - 2 - 0.

Yeas-9

Nays-2

Absent-0

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

Rep. S. Hollins
Rep. A. Romero

Rep. Wilcox resumed the chair.

7 . H.B. 228 Jail Photo Distribution Prohibition (*Stratton, K.*)

Rep. Stratton presented the bill with the assistance of David Leavitt, Utah County Attorney.

Lex Scott spoke in support of the bill.

Robert Van Dyke spoke in support of the bill.

Nate Carlisle, Fox13 Utah, spoke in opposition to the bill.

Collin Williams spoke in support of the bill.

Zachary Bess spoke in support of the bill.

Steven Burton, Executive Director, Utah Association of Criminal Defense Lawyers, spoke in support of the bill.

Mike O'Brien, media attorney, spoke in opposition to the bill.

Alyce Armstrong spoke in support of the bill.

Marc Sternfield, Fox13 Utah, spoke in opposition to the bill.

MOTION: Rep. Stoddard moved to replace H.B. 228 with 1st Substitute H.B. 228. 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. Ray moved to pass 1st Substitute H.B. 228 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

MOTION: Rep. Romero moved to adjourn. 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

Chair Wilcox adjourned the meeting at 7:20 p.m.