



MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Friday, February 19, 2021 | 8:00 a.m. | 110 Senate Building

Members Present:

Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Derek L. Kitchen
Sen. Jerry W. Stevenson
Sen. Daniel W. Thatcher

Members Absent:

Sen. Todd D. Weiler, Chair

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.

Acting Chair Kennedy called the meeting to order at 8:13 a.m.

MOTION: Sen. Kitchen moved to approve the minutes from February 17, 2021. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen

Nays-0

Absent-4

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

1 . S.B. 196 Law Enforcement Agency Disclosure Amendments (*Iwamoto, J.*)

Sen. Jani Iwamoto explained the bill with Scott Stevenson, Director, Utah POST, Ian Adams, Executive Director, Utah FOP, Cameron Diehl, Executive Director, Utah League of Cities and Towns.

Chad Soffe, Chief of Police, Woods Cross City, Utah Chiefs of Police Association, spoke in favor of the bill.

Nate Mutter, Assistant Chief of Investigations, Utah Attorney Generals Office, Vice Chair, Law Enforcement Legislative Committee, spoke in favor of the bill.

Ryan Arbon, Utah Sheriffs Association, spoke to the bill.

Rae Duckworth, Vice President, Black Lives Matter Utah, spoke in favor of the bill.

Brett Webster, citizen, spoke in favor of the bill.

MOTION: Sen. Kitchen moved to pass S.B. 196 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. D. Thatcher

Nays-0

Absent-1

Sen. T. Weiler

2 . 1st Sub. H.B. 58 Riot Amendments (*Wilcox, R.*)

Rep. Ryan Wilcox explained the bill.

Bret Webster, citizen, spoke in opposition to the bill.

Rae Duckworth, Vice President, Black Lives Matter Utah, spoke in opposition to the bill.

Natasha Cadet, citizen, spoke in opposition to the bill.

Nate Mutter, Assistant Chief of Investigations, Attorney General's Office, Vice Chair, Law Enforcement Legislative Committee, spoke to the bill.

Jace Burbidge, citizen, youth educator, spoke in opposition to the bill.

Ryan Arbon, Sheriff, Weber County, spoke in favor of the bill.

Chad Soffe, Chief of Police, Woods Cross City, Utah Chiefs of Police, spoke to the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 58 out favorably. The motion passed with a vote of 3 - 1 - 3.

Yeas-3

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Thatcher

Nays-1

Sen. D. Kitchen

Absent-3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

3 . 1st Sub. H.B. 64 Factual Innocence Payments Amendments (*Wheatley, M.*)

Rep. Mark Wheatley explained the bill with the assistance of David Hawkins, citizen.

Rae Duckworth, Vice President, Black Lives Matter Utah spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 64 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

4 . 1st Sub. H.B. 80 Data Security Amendments (*Brooks, W.*)

Rep. Walt Brooks explained the bill.

Jacey Skinner, Executive Vice President of Public Policy and General Counsel, Salt Lake Chamber, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to replace 1st Substitute H.B. 80 with 2nd Substitute H.B. 80. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

MOTION: Sen. Thatcher moved to pass 2nd Substitute H.B. 80 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

5 . H.B. 88 Diversion Fees Amendments (Stoddard, A.)

Rep. Andrew Stoddard explained the bill.

MOTION: Sen. Thatcher moved to pass H.B. 88 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. K. Cullimore
Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-3

Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

6 . 3rd Sub. H.B. 158 Juvenile Interrogation Amendments (Judkins, M.)

Rep. Marsha Judkins explained the bill.

Rae Duckworth, Vice President, Black Lives Matter Utah, spoke in favor of the bill.

Natasha Cadet, citizen, spoke in favor of the bill.

MOTION: Sen. Kitchen moved to pass 3rd Substitute H.B. 158 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

7 . 1st Sub. H.B. 167 HIV Testing Amendments (Judkins, M.)

Rep. Judkins explained the bill.

Susan Chasson, Sexual Assault Nurse Examiner Program Manager, Utah Coalition Against Sexual Assault, spoke to the bill.

MOTION: Sen. Kitchen moved to pass 1st Substitute H.B. 167 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

8 . H.B. 143 Driver License Suspension Amendments (*Maloy, A.C.*)

Rep. Cory Maloy explained the bill with the assistance of Molly Davis, Policy Analyst on Criminal Justice, Libertas Institute.

David Ferguson, Public defender, spoke in favor of the bill.

Ed Montgomery, Chief Prosecutor, South Jordan City, spoke in opposition to the bill.

Steve Garside, Assistant Attorney, Layton City, spoke in opposition to the bill.

Craig Chambers, President, Utah Municipal Prosecutors Association, spoke in opposition to the bill.

Tyson Skeen, Traffic Safety Resource Prosecutor, State of Utah, spoke to the bill.

Adam Pomeroy, Deputy Attorney, Utah County, spoke in favor of the bill.

Robert Brown, President, Mothers Against Drunk Driving, spoke in opposition to the bill.

Kevin Greene, Deputy State Director, Americans for Prosperity Utah, spoke in favor of the bill.

Jason Groth, Smart Justice Attorney, ACLU Utah, spoke to the bill.

MOTION: Sen. Thatcher moved to pass H.B. 143 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler

MOTION: Sen. Thatcher moved to adjourn at 9:49 a.m. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. M. Kennedy
Sen. D. Kitchen
Sen. D. Thatcher

Nays-0

Absent-4

Sen. K. Cullimore
Sen. L. Escamilla
Sen. J. Stevenson
Sen. T. Weiler