



MINUTES

HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE

LEGISLATURE

Monday, February 22, 2021 | 8:00 a.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 8:01 a.m.

MOTION: Rep. Gwynn moved to approve the minutes of February 18, 2021. The motion passed with a vote of 6 - 0 - 5.

Yeas-6

Rep. J. Burton
Rep. M. Gwynn
Rep. S. Hollins
Rep. K. Miles
Rep. P. Ray
Rep. R. Wilcox

Nays-0

Absent-5

Rep. F. Gibson
Rep. M. Judkins
Rep. A. Romero
Rep. M. Schultz
Rep. A. Stoddard

1 . H.B. 301 Domestic Violence Training Amendments (*Pierucci, C.*)

Rep. Candice Pierucci presented the bill with the assistance of Chief Special Agent Brian Redd, Bureau of Investigations, Department of Public Safety.

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

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

MOTION: Rep. Miles moved to pass H.B. 301 out favorably.

SUBSTITUTE MOTION: Chair Wilcox moved to replace H.B. 301 with 1st Substitute H.B. 301. The substitute motion passed with a vote of 8 - 0 - 3.

Yeas-8

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

Nays-0

Absent-3

Rep. F. Gibson
Rep. P. Ray
Rep. A. Stoddard

MOTION: Rep. Miles moved to amend 1st Substitute H.B. 301 with Amendment #1. The motion passed with a vote of 8 - 0 - 3.

Amendment 1
1st Sub. H.B. 301

1. Page 2, Lines 44 through 47:
44 (2) ~~{(a)}~~ The department shall develop and offer an online training course in domestic
45 violence issues to all certified law enforcement officers in the state.
46 ~~{(b) All law enforcement officers shall complete the online course within two years after~~
47 ~~being certified as a peace officer.}~~

Yeas-8

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

Nays-0

Absent-3

Rep. F. Gibson
Rep. P. Ray
Rep. A. Stoddard

MOTION: Rep. Miles moved to pass 1st Substitute H.B. 301 out favorably as amended. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

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

Nays-0

Absent-3

Rep. F. Gibson
Rep. P. Ray
Rep. A. Stoddard

2 . H.B. 237 Lethal Force Amendments (Dailey-Provost, J.)

Rep. Jennifer Dailey-Provost presented the bill with the assistance of Rae Duckworth, Black Lives Matter, and Tiffany James, parent.

Aaron James, parent, spoke in support of the bill.

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

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

Bret Webster, resident, spoke in support of the bill.

Darcy Goddard, Chief Policy Advisor, Salt Lake County District Attorney's Office, spoke to the bill.

Marina Lowe, American Civil Liberties Union, spoke in support of the bill.

Taryn Hiatt, American Foundation for Suicide Prevention, spoke in support of the bill.

Tom Ross spoke in support of the bill.

Jeanetta Williams, President, National Association for the Advancement of Colored People - Idaho, Nevada, and Utah, spoke in support of the bill.

MOTION: Rep. Ray moved to replace H.B. 237 with 3rd Substitute H.B. 237. 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. Burton moved to pass 3rd Substitute H.B. 237 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

3 . H.B. 334 Special Needs Training for Law Enforcement Amendments (*Eliason, S.*)

Rep. Steve Eliason presented the bill with the assistance of Cheryl Smith, mother of an autistic child.

Wade Carpenter spoke in support of the bill.

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

Jeanetta Williams spoke in support of the bill.

Bret Webster spoke in support of the bill.

Scott Stephenson, Director, Peace Officer Standards and Training, spoke in the support of the bill.

Chief Ken Wallentine, West Jordan Police Department, spoke in support of the bill.

Sheriff Chad Jensen, President, Utah Sheriffs' Association, spoke in support of the bill.

Tom Ross spoke in support of the bill.

MOTION: Rep. Judkins moved to amend H.B. 334 with Amendment #1. The motion passed with a vote of 10 - 0 - 1.

Amendment 1
H.B. 334

1. Page 2, Lines 48 through 49:

48 (5) The director shall ensure that annual training covers intervention responses for mental illnesses,
49 autism spectrum disorder . and other neurological and developmental disorders. ~~{-mental illnesses-}~~

Yeas-10

Nays-0

Absent-1

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. R. Wilcox

Rep. A. Stoddard

MOTION: Rep. Judkins moved to pass H.B. 334 out favorably as amended. 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. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. R. Wilcox

Rep. A. Stoddard

MOTION: Rep. Ray moved to place H.B. 334 on the Consent Calendar. 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. M. Judkins
Rep. K. Miles
Rep. P. Ray
Rep. A. Romero
Rep. M. Schultz
Rep. R. Wilcox

Rep. A. Stoddard

4 . H.B. 78 Consent Amendments (Romero, A.)

Rep. Romero presented the bill with the assistance of Assistant Professor Julie Valentine, Brigham Young University School of Nursing, and Professor Paul Cassell, University of Utah School of Law.

Rep. Burton assumed the chair.

Daniel Strong, Assistant Attorney General, Attorney General's Office, spoke to the bill.

Cara Tangaro, defense attorney and former prosecutor, spoke in opposition to the bill.

Rep. Wilcox resumed the chair.

Sonya Martinez-Ortiz, Executive Director, Rape Recovery Center, spoke in support of the bill.

Richard Mauro, Executive Director, Salt Lake County Defenders Office, spoke in opposition to the bill.

Michael Zimmerman, former Chief Justice of the Utah Supreme Court, spoke in opposition to the bill.

Jeanetta Williams spoke in support of the bill.

Tom Ross spoke in opposition to the bill.

Crystal Powell, victim rights attorney, spoke in support of the bill.

Nate Mutter, Law Enforcement Legislative Committee, spoke in support of the bill.

Ed Brass, defense attorney, spoke in opposition to the bill.

MOTION: Rep. Judkins moved to replace H.B. 78 with 1st Substitute H.B. 78. 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. Stoddard moved to pass 1st Substitute H.B. 78 out favorably.

Rep. Stoddard's motion to pass 1st Substitute H.B. 78 out favorably failed with a vote of 5 - 6 - 0.

Yeas-5

Nays-6

Absent-0

Rep. S. Hollins
Rep. M. Judkins
Rep. P. Ray
Rep. A. Romero
Rep. A. Stoddard

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

MOTION: Rep. Burton 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 9:57 a.m.