



# MINUTES

## HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE

### STANDING COMMITTEE

LEGISLATURE

Wednesday, January 26, 2022 | 2:00 p.m. | 30 House Building

**Members Present:**

Rep. Ryan D. Wilcox, Chair  
Rep. Jefferson S. Burton, Vice Chair  
Rep. Joel Ferry  
Rep. Matthew H. Gwynn  
Rep. Sandra Hollins  
Rep. Marsha Judkins  
Rep. Kelly B. Miles  
Rep. Angela Romero

Rep. Andrew Stoddard  
Rep. Stephen L. Whyte

**Members Absent:**

Rep. Mike Schultz

**Staff Present:**

John Feinauer, Managing 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](http://www.le.utah.gov).

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

**MOTION:** Rep. Stoddard moved to approve the minutes of the January 21, 2022 meeting. The motion passed with a vote of 7 - 0 - 4.

Yeas - 7

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

Nays - 0

Absent - 4

Rep. J. Ferry  
Rep. M. Judkins  
Rep. K. Miles  
Rep. M. Schultz

**1. H.B. 55 Juvenile Justice Services Amendments (Acton, C.K.)**

Rep. Cheryl Acton presented the bill with the assistance of Brett Peterson, Juvenile Justice Services Director. A handout was provided.

[HB55](#)

Kayley Richards, Commission on Criminal and Juvenile Justice, Juvenile Justice Specialist, spoke in support of the bill.

**MOTION:** Rep. Romero moved to pass H.B. 55 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

**2. H.B. 73 Post Certification Amendments (Stoddard, A.)**

Rep. Stoddard presented the bill to the committee.

Nate Mutter, Law Enforcement Legislative Committee Co-chair and Office of the Attorney General Assistant Chief of Investigations, spoke in support of the bill.

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

Ilana Raskind, resident, spoke in support of the bill.

Rae Duckworth, resident, spoke support of the bill.

**MOTION:** Rep. Romero moved to replace H.B. 73 with 1st Substitute H.B. 73. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

**MOTION:** Rep. Stoddard moved to pass 1st Substitute H.B. 73 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

### **3. H.B. 81 Sexual Solicitation Amendments (*Pulsipher, S.*)**

Rep. Susan Pulsipher presented the bill with the assistance of Pansy Watson, National Center on Exploitation.

Daniel Strong, Sentencing Commission Director, commented on the bill.

Steve Burton, Utah Association of Criminal Defense Attorneys, spoke in support of the bill.

Ryan Holtan, Office of the Attorney General Human Trafficking and SECURE Strike Force Section Director, spoke in support of the bill.

Linda Sanger, Utah PTA, spoke in support of the bill.

Mervyn Arnold, resident, spoke in support of the bill.

**MOTION:** Rep. Romero moved to replace H.B. 81 with 2nd Substitute H.B. 81. 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. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Ferry  
Rep. K. Miles  
Rep. M. Schultz

**MOTION:** Rep. Burton moved to pass 2nd Substitute H.B. 81 out favorably. 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. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. J. Ferry  
Rep. K. Miles  
Rep. M. Schultz

#### **4. H.B. 19 DNA Specimen Analysis Amendments (*Eliason, S.*)**

Rep. Steve Eliason presented the bill with the assistance of Jimmy Higgs, Department of Public Safety Deputy Commissioner. A handout was provided.

[N.M.'s DNA profile](#)

[J.H. DNA profile](#)

William Carlson, Salt Lake County District Attorney's Office, spoke in support of the bill.

**MOTION:** Rep. Miles moved to saunter. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

Chair Wilcox reconvened the meeting.

Steve Burton spoke in opposition to the bill and answered questions from the committee.

Nate Mutter spoke in support of the bill.

Connor Boyack, Libertas Institute, spoke in opposition to the bill.

Brandon Merrill, Utah Homicide Survivors, spoke in support of the bill.

George Bekmezian, resident, commented on the bill.

**MOTION:** Rep. Stoddard moved to pass H.B. 19 out favorably.

**SUBSTITUTE MOTION:** Rep. Ferry moved to go to the next item on the agenda. The substitute motion failed with a vote of 4 - 6 - 1.

Yeas - 4  
Rep. J. Ferry  
Rep. M. Gwynn  
Rep. K. Miles  
Rep. R. Wilcox

Nays - 6  
Rep. J. Burton  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte

Absent - 1  
Rep. M. Schultz

Rep. Stoddard's underlying motion passed with a vote of 9 - 1 - 1.

Yeas - 9  
Rep. J. Burton  
Rep. J. Ferry  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

Nays - 1  
Rep. M. Gwynn

Absent - 1  
Rep. M. Schultz

### **5. H.B. 94 Post Council Membership Amendments (*Winder, M.*)**

Rep. Mike Winder presented the bill to the committee. Scott Stephenson, Peace Officer Standards and Training Director, answered questions from the committee.

Chad Soffe, Woods Cross Police Chief and representing the Utah Chiefs of Police Association, spoke in support of the bill.

Nate Mutter commented on the bill.

Ilana Raskind, resident, spoke in support of the bill.

Rae Duckworth, resident, spoke support of the bill.

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

**MOTION:** Rep. Burton moved to amend H.B. 94 with Amendment #1. The motion passed with a vote of 9 - 0 - 2.

Amendment 1  
H.B. 94

1. Page 2, Lines 37 through 41:
  - 37 (c) the executive director of the Department of Corrections or a designated
  - 38 representative; and
  - 39 (d) ~~{14} 15~~ 14 additional members appointed by the governor having qualifications,
  - 40 experience, or education in the field of law enforcement as follows:
  - 41 (i) one incumbent mayor;

2. Page 2, Line 55 through Page 3, Line 59:

55 (viii) one representative of a non-profit civil rights organization that represents  
56 minority populations; and  
57 ~~[(vii) four]~~ (ix) ~~{three}~~ two persons selected at large by the governor.  
58 (4) (a) Except as required by Subsection (4)(b), the ~~{[14] 15}~~ 14 members of the council  
59 shall be appointed by the governor for four-year terms.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

**MOTION:** Chair Wilcox moved to amend H.B. 94 with Amendment #2. The motion passed with a vote of 9 - 0 - 2.

Amendment 2  
H.B. 94

1. Page 2, Lines 52 through 56:  
52 (vii) one current Utah certified law enforcement officer, employed in a non-supervisory  
53 role, ~~{who represents the Utah State Fraternal Order of Police, the Salt Lake Valley Law~~  
54 ~~Enforcement Association, or the Utah Highway Patrol Association}~~ rotated every term ;  
55 (viii) one representative of a non-profit civil rights organization that represents  
56 minority populations; and

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

**MOTION:** Rep. Hollins moved to pass H.B. 94 out favorably as amended. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. J. Ferry  
Rep. M. Schultz

**6. H.B. 124 Forcible Entry Warrant Modifications (Gwynn, M.)**

Rep. Gwynn presented the bill with the assistance of Nate Mutter.

Nate Mutter spoke in support of the bill.

Chad Soffe spoke in support of the bill.

Mike Rapich, Department of Public Safety Colonel, spoke in support of the bill.

Cody Stromberg, Herriman Deputy Police Chief and representing the Utah Peace Officers Association, spoke in support of the bill.

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

Rae Duckworth, resident, spoke support of the bill.

John Park, League of Cities and Towns, spoke in support of the bill.

Kara Cope, resident, spoke in support of the bill.

Leah Hansen, resident, spoke in support of the bill.

**MOTION:** Rep. Miles moved to amend H.B. 124 with Amendment #1. The motion passed with a vote of 10 - 0 - 1.

Amendment 1  
H.B. 124

1. Page 7, Lines 183 through 184:

183 (6) Notwithstanding any other provision of this chapter, an officer may not request a no-knock warrant {may  
not be  
184 granted} if the warrant is solely for a misdemeanor investigation.

Yeas - 10

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

Nays - 0

Absent - 1

Rep. M. Schultz

**MOTION:** Rep. Miles moved to pass H.B. 124 out favorably as amended. The motion passed with a vote of 10 - 0 - 1.

Yeas - 10

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

Nays - 0

Absent - 1

Rep. M. Schultz

**7. H.B. 134 Victims' Rights Revisions (*Rohner, J.*)**

Rep. Judy Weeks Rohner presented the bill with the assistance of George Bekmejian, victim of an armed robbery, William Carlson, and Brandon Merrill.

**MOTION:** Rep. Miles moved to replace H.B. 134 with 1st Substitute H.B. 134. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Miles moved to pass 1st Substitute H.B. 134 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

**8. H.B. 143 DUI Penalty Amendments (*Nelson, M.*)**

Rep. Merrill Nelson presented the bill with the assistance of William Carlson.

Steve Burton spoke in opposition to the bill.

Mark Zesiger, Utah Highway Patrol Lt. Colonel, spoke in support of the bill.

Daniel Strong spoke in support of the bill.

Elizabeth Klc, Utah Substance Use and Alcohol Advisory Council, spoke in support of the bill.

Taryn Hiatt, resident, spoke in support of the bill.

Heather Andrews, Americans for Prosperity Utah, spoke in opposition to the bill.

**MOTION:** Rep. Gwynn moved to pass H.B. 143 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

**9. H.B. 152 Community Correctional Center Revisions (*Musselman, C.R.*)**

Rep. Calvin Musselman presented the bill with the assistance of Dan Blanchard, Department of Corrections, who spoke in support of the bill.

Rep. Burton assumed the chair.

**MOTION:** Rep. Romero moved to replace H.B. 152 with 1st Substitute H.B. 152. The motion passed with a vote of 7 - 0 - 4.

Yeas - 7

Rep. J. Burton  
Rep. J. Ferry  
Rep. M. Gwynn  
Rep. S. Hollins  
Rep. M. Judkins  
Rep. K. Miles  
Rep. A. Romero

Nays - 0

Absent - 4

Rep. M. Schultz  
Rep. A. Stoddard  
Rep. S. Whyte  
Rep. R. Wilcox

**MOTION:** Rep. Romero moved to pass 1st Substitute H.B. 152 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

**10. S.B. 50 Criminal Code Evaluation Task Force Sunset Extension (*Iwamoto, J.*)**

Sen. Jani Iwamoto presented the bill to the committee.

Rep. Wilcox resumed the chair.

**MOTION:** Rep. Hollins moved to pass S.B. 50 out favorably. The motion passed with a vote of 9 - 0 - 2.





Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

**MOTION:** Rep. Stoddard moved to adjourn. The motion passed with a vote of 9 - 0 - 2.

Yeas - 9

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

Nays - 0

Absent - 2

Rep. M. Schultz  
Rep. S. Whyte

Chair Wilcox adjourned the meeting at 5:35 p.m.

NOTE: H.B. 0137 was not discussed in the meeting.