

SENTENCING COMMISSION MINUTES – pending approval	
Committee	Utah Sentencing Commission
Date	Thursday, January 15th, 2026
Time	12 PM – 2 PM
Location	Hybrid Zoom Virtual meeting – CCJJ Offices
Members Present	<p><u>Virtual Attendance</u>: April Graham, Blake Hills, Sheriff Mike Smith, Chief Sol Oberg, Chris Yannelli</p> <p><u>In-Person Attendance</u>: Tim Kincaid (for Jared Garcia (UDC)), Tom Ross, David Ferguson, Mark Moffat, Stewart Young, Ryan Robinson, Christina Zidow, Pam Vickrey</p>
Staff & Visitors	<p><u>Staff</u>: Danica Bodley, Dan Strong, Marlesse Jones, Dr. Michele Leslie, Van Nguyen, Chyleen Richey (virtual), Elizabeth Klc, Adrienne Buhler (virtual), Ken Matthews (virtual)</p> <p><u>Visitors</u>: Brittany Karzen, Carl Hollan, Felix Espinoza (virtual), Mark Moffat, Brett Robinson, Steve Burton, Raechel Lizon (virtual), Dan Murray (virtual), Allison Heffernan (virtual)</p>
Agenda Item	Welcome and Introductions – Pam Vickrey, USC Chair
Notes	<p>Pam Vickrey welcomes the commission to the January 15th, 2026 Utah Sentencing Commission meeting.</p> <p>The commission reviewed the previous meeting minutes from Wednesday, December 17th, 2025.</p> <p>Motion: Tom Ross motions for the commission to approve the minutes as presented. Ryan Robinson seconds the motion. The motion passes.</p>
Agenda Item	Review of Legislative Session Procedures and Practices – Dan Strong, USC Director
Notes	<p>The Commission clarified its operational protocols and its strategic relationship with CCJJ for the 2026 session.</p> <p>Strategic Role and CCJJ Alignment Since 2024, the Sentencing Commission no longer takes independent public positions before the legislature. Instead, it funnels recommendations to the CCJJ. The Commission prioritizes bills impacting sentencing, release, or supervision. The Chair communicates the Sentencing Commission's recommendations to the CCJJ for their final vote. If the Commission adopts a firm position (Support/Oppose), the Chair is obligated to reflect that position at CCJJ meetings, even if the Chair personally disagrees. In the absence of a firm recommendation, the Chair exercises discretion but tries to adhere to the values of the commission.</p> <p>CCJJ Position Categories Recommendations follow a standardized hierarchy:</p> <ol style="list-style-type: none"> 1. Priority Support: Essential legislation. 2. Support: General backing. 3. Support in Concept (SIC): Supports the idea but requires technical or language adjustments. 4. Hold: Intermediate position indicating a need for more information or discussion with sponsors. 5. Oppose: Significant disagreement with the bill's fundamentals. 6. Beyond Scope: Legislation unrelated to the Commission's purview. 7. No Position: Within scope, but the Commission is neutral. <p>Meeting Logistics Meetings occur every Thursday from 12:00 PM to 2:00 PM at the CCJJ offices or via Google Meet.</p>

	A simple majority is required. If abstentions outnumber votes in favor, the motion fails. Substitute motions are resolved prior to original motions.
Agenda Item	2026 Legislative Session Bill Review – Dan Strong, USC Director
Notes	<p>The Commission evaluated several bills, focusing on technical corrections, sentencing enhancements, and new criminal classifications.</p> <p><u>SB13 Statutorily Required Reports and Presentations Amendments</u> <i>“Removes the requirement for an annual presentation given to the LECJ Interim Committee from the Sentencing Commission regarding the master offense list and collateral consequence guide.”</i></p> <p>Proposed to reduce reporting burdens. The Commission wishes to ensure that removing public presentation requirements doesn't erode the public face or significance of the Commission's work.</p> <p>Motion: Tom Ross motions for the commission to place a <u>hold</u> on Senate Bill 13 for further discussion and action. Mark Moffat (for Richard Mauro) seconds the motion. The motion passed unanimously.</p> <p><u>SB18 Criminal Offense Modifications (Human Trafficking)</u> <i>“Narrows elements of human trafficking offenses in various ways. Also breaks out the various forms of trafficking that were previously under one code section into individual code sections. Creates new offenses for patronizing victims of trafficking, separate from the offense of trafficking itself. Sponsor made changes to keep “force, fraud, and coercion” elements out of the child sex trafficking statute (consistent with current law).”</i></p> <p>Motion: Mark Moffat (for Richard Mauro) motions for the commission to <u>support</u> Senate Bill 18. Stewart Young seconds the motion. The motion passed unanimously.</p> <p><u>SB30 Human Trafficking, Exploitation, and Smuggling Amendments</u> <i>“The bill refines definitions and penalties, restores—but narrows—the “benefiting from trafficking or smuggling” provision (removing its standalone penalties), and separates labor-based trafficking from sexual-exploitation offenses. Penalties are restructured so that knowing conduct carries higher penalties, while reckless conduct is punished one level lower. The draft removes sexual-conduct terms from labor-trafficking statutes, eliminates newly added patronizing offenses that didn’t fit, and retains only three patronizing offenses (for adults, children, and vulnerable adults). It also adds a penalty when someone is criminally negligent about whether the labor they used involved a trafficked person.”</i></p> <p>Motion: Mark Moffat (for Richard Mauro) motions for the commission to <u>support</u> Senate Bill 30. Stewart Young seconds the motion. The motion passed unanimously.</p> <p><u>SB72 Obscene Animal Abuse Amendments</u> <i>“Prohibits distributing images of animal sexual abuse and “animal crushing.” 3rd Degree Felony for Adults, Class A for 16 and 17 year olds, Class B for individuals under 16 years old.”</i></p> <p>Targets “animal crushing” videos. Concerns were raised regarding potential impacts on agricultural practices and the need for clear intent language to avoid criminalizing accidental distribution.</p>

Motion: Tom Ross motions for the commission to support in concept for Senate Bill 72. Ryan Robinson seconds the motion. The motion passed unanimously.

Chief Sol Oberg has left the meeting.

SB99 Emergency Reporting Offense Amendments

"Expands the offense (class B misd.) of emergency reporting abuse to include conduct in which an actor contacts an emergency response service when the actor knows, or reasonably should know, that no actual or perceived emergency exists."

Data indicates 2 million non-emergency calls were placed to 911 in 2024. However, the Commission remains wary of criminalizing citizens who call the wrong number for legitimate issues, such as reporting road blockages or noise disturbances.

Motion: Ryan Robinson motions for the commission to support in concept for Senate Bill 99. David Ferguson seconds the motion. The motion passed unanimously.

***Tom Ross has left the meeting (Elizabeth Klc will act as designee).
Blake Hills has left the meeting (Brittany Karzen will act as designee).***

SB92 Prosecution Amendments

"Amends the prohibition on a subsequent prosecution, creating an exception allowing a subsequent homicide prosecution if an individual was previously prosecuted for an offense resulting in bodily injury to an individual and the individual later died as a proximate result of the injury, if the death occurred after the original prosecution resulted in a conviction, dismissal, or acquittal."

The proposed amendment to Section 77-27-9 would prevent the Board of Pardons from granting parole to those convicted of attempted murder if the victim subsequently dies, until a 15-to-25-year threshold is met. Concerns remain regarding how an offender would challenge a Medical Examiner's autopsy findings at the Board level, which traditionally is a court function.

Motion: Mark Moffat (for Richard Mauro) motions for the commission to hold on Senate Bill 92 for further discussion and action. Christina Zidow seconds the motion. The motion passed unanimously.

HB123 Sex Offender Registration Amendments

"Clarifies that an individual who has committed an offense in another jurisdiction that would require the individual to register on this state's Sex, Kidnap, and Child Abuse Offender Registry is required to register in this state."

Motion: Christina Zidow motions for the commission to support in concept. Stewart Young seconds the motion. The motion passed unanimously.

Chief Sol Oberg has joined the meeting.

SB23 Airborne Chemicals Amendments

"Creates 3F when owner or operator of an aircraft use or authorize the use of the aircraft in the state with the intent to cause solar geoengineering."

The Commission expressed uncertainty regarding the scientific reality of the problem and the necessity of a third-degree felony for such acts.

Motion: Stewart Young motions for the commission to hold Senate Bill 23 for further discussion and action. Ryan Robinson seconds the motion. The motion passed unanimously.

SB27 Assault or Threat of Violence Amendments

"Separates into two statutes the offenses of assault or threat of violence against a peace officer and assault or threat of violence against a military service member in uniform and includes family members. Creates Class A misdemeanor, 3F for subsequent offense, and 2F if dangerous weapon is used."

The debate over SB27 highlighted the tension between expanding protections for law enforcement families and avoiding over-criminalization. Proponents cited instances of officers being harassed at home, while opponents expressed concern that the statute might sweep up family members of suspects making emotional, non-credible threats during high-stress arrests.

Motion: Ryan Robinson motions for the commission to support Senate Bill 27. Stewart Young seconds the motion. The motion passed.

Support(s): Eleven (11) Supports; Stewart Young, Ryan Robinson, Sheriff Mike Smith, Christina Zidow, Chief Sol Oberg, Chris Yannelli, Pam Vickrey, Tim Kincaid (for Jared Garcia), April Graham, Elizabeth Klc (for Tom Ross), Brittany Karzen (for Blake Hills)

Opposition(s): Two (2) Oppositions; David Ferguson, Mark Moffat

SB32 Child Abuse Homicide Corrections

"Corrects a technical error in the child abuse homicide statute by removing child torture from the child abuse homicide section, since torture involves intentional or knowing conduct and—like aggravated child abuse with intentional or knowing conduct—belongs solely in the murder statute, not the reckless-conduct child abuse homicide statute. Because child torture is a higher-level offense than aggravated child abuse, it was never intended to appear in the reckless category. The bill also includes an immediate effective date to ensure the correction takes effect as soon as the Legislature passes it."

Motion: Ryan Robinson motions for the commission to support Senate Bill 32. Stewart Young seconds the motion. The motion passed unanimously.

Agenda Item	Public Comment
	Time for public comment was given but no comment was addressed.
Agenda Item	Adjourn
Notes	<p>Motion: Stewart Young motions for the commission to adjourn. The motion was unanimously agreed upon.</p> <p>The commission adjourns.</p> <p>Next meeting is scheduled for Thursday, January 29th, 2026 from 12 PM - 2 PM.</p> <p>Location: <u>Anchor Location:</u> CCJJ Conference Room, E. Senate Building</p> <p>Google Meet Link: https://meet.google.com/ccd-sbnq-xsi</p>
DISCLAIMER	<p>Please note that these meeting minutes have been primarily generated or assisted by an artificial intelligence (AI) tool. These notes have been edited by staff to ensure accuracy and completeness.</p>