

SENTENCING COMMISSION MINUTES – pending approval	
Committee	Utah Sentencing Commission
Date Time Location	Thursday, January 29th, 2026 12 PM – 2 PM Hybrid Zoom Virtual meeting – CCJJ Offices
Members Present	<u>Virtual Attendance</u> : Mike Schoenfeld (for Jared Garcia), Sheriff Mike Smith, Christina Zidow, Chris Yannelli, Judge Keisel, Judge Trease <u>In-Person Attendance</u> : April Graham, Tom Ross, Blake Hills, Michael Dreschel (for Neira Siaperas), David Ferguson, Richard Mauro, Stew Young, Ryan Robinson, Chief Sol Oberg, Pam Vickrey
Staff & Visitors	<u>Staff</u> : Danica Bodley, Dan Strong, Marlesse Jones, Dr. Michele Leslie, Van Nguyen, Katie Fox (virtual), Rachelle Hill (virtual), Adrienne Buhler (virtual), Ken Matthews (virtual) <u>Visitors</u> : Brett Robinson, Felix Espinoza (virtual), Carl Hollan, MayKela Cox (virtual), Brittany Karzen, Steve Burton, Mark Moffat, Dan Burton (virtual), Rebecca Brown (virtual), Raechel Lizon (virtual), Stacie Russell (virtual)
Agenda Item	Welcome and Introductions – Pam Vickrey, USC Chair
Notes	Pam Vickrey welcomes the commission to the January 29th, 2026 Utah Sentencing Commission meeting. The commission reviewed the previous meeting minutes from Thursday, January 22nd, 2026. Motion : Christina Zidow motions for the commission to approve the minutes as presented. Blake Hills seconds the motion. The motion passes.
Agenda Item	2026 Legislative Session Bill Review – Dan Strong, USC Director
Notes	The meeting centered on the Commission's response to several high-profile legislative proposals that may alter the composition of the Commission itself and significantly increase penalties for various offenses. <u>HB274S01 Sentencing Commission Amendments</u> <i>1st sub: ▶ requires the Sentencing Commission to give consideration to certain objectives when determining a recommended sentence or supervision length for the adult sentencing and supervision length guidelines; ▶ requires the Sentencing Commission, before November 1, 2026, to revise and review the adult sentencing and supervision length guidelines for certain offenses; ▶ addresses the factors and information that a sentencing court is required to consider when sentencing an individual</i> Dan Strong noted that the Commission previously voted 12–3 against shifting CSAM guidelines to "presumptive prison" because of the immense fiscal impact on the system and the lack of funding/appropriation from the legislature to support such a shift. The defense bar representatives expressed frustration over a recent legislative hearing where they felt law enforcement and prosecution partners did not defend the collaborative nature of the Commission. Director Tom Ross delivered an impassioned plea for the Commission to remain a collaborative body, regardless of legislative outcomes.

Members argued that removing the defense voice would not necessarily achieve the legislature's goals of harsher punishment but would certainly degrade the quality and balance of the sentencing guidelines.

Judge Trease and other members emphasized that the guidelines are only one factor in sentencing. Judges utilize Pre-Sentence Reports (PSRs), victim letters, and psychosexual evaluations to determine dangerousness. There is concern that HB274S01 (specifically lines 206–210) attempts to "micromanage" judges by telling them which factors they must prioritize, potentially interfering with judicial discretion.

Members raised concerns regarding the ambiguity of the "protection of society" language. Dan Strong noted that while the legislature likely intends this to mean "stiffer penalties," the Commission needs a clearer directive to avoid unproductive arguments during the interim. There is a desire for the legislature to be explicit about which offenses they believe should carry mandatory or presumptive prison sentences rather than using abstract terminology.

Motion: Ryan Robinson motions for the commission to continue to hold on House Bill 274 Sub 1 for further discussion and action. Stewart Young seconds the motion. The motion passed unanimously.

SB0013 Statutorily Required Reports and Presentations Amendments

"►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; ►requires the Sentencing Commission to publish the master offense list and collateral consequence guide CCJJ's website.►Removes the requirement for an annual report submitted to the LECJ Interim Committee: BOPPs recidivism; ►CCJJ prosecutorial data, Pretrial Release Programs Special Revenue Fund, bail and court appearance data, JRI report, JJ report; BCI concealed weapons fees, UDC supervision model►Enacts sunset dates for JJ report. Removes JRI report entirely from CCJJ statute 63M-7-204. Removes Pilot program of competency-based career and technical education grants report, Release data requirements report"

Motion: Stewart Young motions for the commission to support Senate Bill 13. David Ferguson seconds the motion. The motion passed unanimously.

HB0158S01 Unlawful Tracking Amendments

Expands the offense of Unlawful Tracking to include placing tracking devices on personal property or using a tracking application installed on an individual's possessions to track their movement without permission. Also expands the offense by creating a provision whereby a person can revoke previously granted consent to track. Includes exceptions for parents, guardians, and caregivers of vulnerable adults

Motion: Stewart Young motions for the commission to support House Bill 158 Sub 1. Tom Ross seconds the motion. The motion passed unanimously.

SB0133 Offender Registry Amendments

Clarifies when an individual under 18 years old is required to register on the Sex, Kidnap, and Child Abuse Offender Registry.

Motion: Stewart Young motions for the commission to support Senate Bill 133. David Ferguson seconds the motion. The motion passed unanimously.

SB0125 Theft of Service Amendments

Amends, in certain circumstances, when a previous conviction for a theft, robbery, burglary, or fraud may enhance the penalty for the offense of theft of service to a 3F.

Motion: Stewart Young motions for the commission to support Senate Bill 125. David Ferguson seconds the motion. The motion passed unanimously.

SB0184 Post-Conviction Offense Amendments

"Provides that a court may enter a judgment of conviction for a lower degree of offense than established by statute if a defendant, after sentencing, provides substantial assistance in the criminal investigation, arrest, or prosecution of another individual."

This bill creates a mechanism where a prosecuting attorney and a defendant can motion the court for a reduction of charges after the individual is convicted IF that individual provides helpful information to law enforcement which leads to apprehension, arrest, or prosecution of the individual(s) that have provided information on. A substitute will be introduced on the floor to address some stakeholder concerns. Favorably recommended to the Senate unanimously. Collaborative bill with input from prosecutors and defense. Prosecutors have minor technical issues to work out with sponsors.

Motion: Stewart Young motions for the commission to support in concept for Senate Bill 184 for further discussion and action. Ryan Robinson seconds the motion.

HB0136 Unlicensed Driver Amendments

Elevates to class B if person was previous convicted for driving without a license. Requires "quick fingerprinting"

Motion: Tom Ross motions for the commission to support House Bill 136 with providing feedback from the commission to the sponsor. David Ferguson seconds the motion. The motion passed unanimously.

Agenda Item	Public Comment
	Public comment time given but none was spoken.
Agenda Item	Adjourn
Notes	<p>Motion: Ryan Robinson motions for the commission to adjourn. David Ferguson seconds the motion. The motion was unanimously agreed upon.</p> <p>The commission adjourns.</p> <p>Next meeting is scheduled for Thursday, February 5th, 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-xsj</p>

DISCLAIMER

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.