Minutes of the
Law Enforcement and Criminal Justice Interim Committee
Wednesday, September 20, 2017 ● 10:30 a.m. ● 25 House Building

Members Present:
Sen. Don L. Ipson, Chair
Rep. Lee B. Perry, Chair
Sen. Luz Escamilla
Sen. Daniel Hemmert
Sen. Daniel W. Thatcher
Rep. Cheryl K. Acton
Rep. Brad M. Daw
Rep. Sandra Hollins
Rep. Kelly B. Miles
Rep. Paul Ray
Rep. Edward H. Redd

Rep. Angela Romero
Rep. Raymond P. Ward
Rep. R. Curt Webb
Rep. Elizabeth Weight

Members Absent:
Sen. Daniel W. Thatcher
Rep. Cheryl K. Acton
Rep. Brad M. Daw
Rep. Sandra Hollins
Rep. Kelly B. Miles

Sen. Daniel Hemmert
Sen. Luz Escamilla
Sen. Don L. Ipson
Rep. Lee B. Perry
Rep. Paul Ray
Rep. Edward H. Redd

Staff Present:
Mr. John Feinauer, Policy Analyst
Ms. Esther Chelsea-McCarty, Associate General Counsel
Mr. Joshua M. Weber, Legislative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Perry called the meeting to order.

MOTION: Sen. Thatcher moved to approve the minutes. The motion passed with a vote of 12-0-5.

Yeas-12
Rep. B. Daw
Sen. D. Hemmert
Rep. S. Hollins
Sen. D. Ipson
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Sen. D. Thatcher
Rep. R. Ward
Rep. R. Webb
Rep. E. Weight

Nays-0
Absent-5
Rep. C. Acton
Sen. L. Escamilla
Rep. E. Hutchings
Rep. K. Miles
Sen. W. Niederhauser

2. Public Safety Fee Revisions

Sen. Thatcher discussed draft legislation "Public Safety Fee Amendments."

Mr. Brian Judy, Utah State Liaison, National Rifle Association, spoke against the bill's proposed increase in the concealed firearm permit renewal fee.

Mr. Clark Aposhian, Utah Shooting Sports Council, spoke against the bill's proposed increase in the concealed firearm permit renewal fee.
Mr. Joseph Brown, Department of Public Safety, and Ms. Alice Moffat, Bureau of Criminal Identification, explained why the Department of Public Safety supports an increase in fees.

Ms. Moffat explained the particulars of background check fees.

**MOTION:** Sen. Thatcher moved to approve "Public Safety Fee Revisions" (2018FL-0529/004) as a committee bill. The motion passed with a vote of 11-3-3.

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3. Alcohol Abuse Tracking Committee Relocation

Rep. Eliason explained why it is necessary to relocate the Alcohol Tracking Committee from the Department of Public Safety to the Department of Human Services. Kim Gibb, Legislative Liaison, Department of Public Safety, confirmed the department requested the change.

4. Bail Issues

Rep. Ray presented his concerns regarding the planned statewide implementation by the courts of pretrial public safety assessment tools without the consideration of the legislature.

Mr. Brent Johnson, General Counsel, Administrative Office of the Courts, discussed the legal context of the planned implementation at the state level of pretrial public safety assessment tools and provided information concerning the implementation of such tools in other states.

Mr. Jeff Clayton, Executive Director, American Bail Coalition, spoke against the use of pretrial public safety assessment tools.
Mr. Wayne Carlos, Utah Bail Bond Association, spoke against the use of pretrial public safety assessment tools.

Mr. Brett Tolman, former United States Attorney for the District of Utah, spoke in favor of the use of pretrial public safety assessment tools.

Ms. Dion Flannery, Co-chair, Bail Bond Association, spoke against the use of pretrial public safety assessment tools.

**MOTION:** Chair Perry moved to strongly encourage the Utah Courts to hold off the November implementation of pretrial public safety assessment tools at the state level. The motion failed with a vote of 9-5-3.

- Yeas-9
  - Rep. C. Acton
  - Sen. D. Hemmert
  - Rep. S. Hollins
  - Sen. D. Ipson
  - Rep. L. Perry
  - Rep. P. Ray
  - Rep. E. Redd
  - Rep. R. Webb
  - Rep. E. Weight

- Nays-5
  - Sen. L. Escamilla
  - Rep. K. Miles
  - Rep. A. Romero
  - Sen. D. Thatcher

- Absent-3
  - Rep. B. Daw
  - Rep. E. Hutchings
  - Sen. W. Niederhauser

**MOTION:** Rep. Ray moved to approve draft legislation "Alcohol Abuse Tracking Committee Relocation" (2018FL-0257/004) as a committee bill. The motion passed with a vote of 14-0-3.

- Yeas-14
  - Rep. C. Acton
  - Sen. L. Escamilla
  - Sen. D. Hemmert
  - Rep. S. Hollins
  - Sen. D. Ipson
  - Rep. K. Miles
  - Rep. L. Perry
  - Rep. P. Ray
  - Rep. E. Redd
  - Rep. A. Romero
  - Sen. D. Thatcher
  - Rep. R. Ward
  - Rep. R. Webb

- Nays-0

- Absent-3
  - Rep. B. Daw
  - Rep. E. Hutchings
  - Sen. W. Niederhauser
5. Public Safety Peer Counseling


Yeas-14 Nays-0 Absent-3
Sen. L. Escamilla Sen. W. Niederhauser
Sen. D. Hemmert
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles
Rep. L. Perry
Rep. P. Ray
Rep. E. Redd
Rep. A. Romero
Sen. D. Thatcher
Rep. R. Ward
Rep. R. Webb
Rep. E. Weight

6. Law Enforcement Retention and Recruiting

Mr. Jeff Mulitalo, Chief Strategy Officer, Department of Human Resources, presented on national and statewide recruitment and retention trends within law enforcement agencies.

Mr. Scott Stephenson, Director, Utah Peace Officer Standards and Training, presented on the impact of lower recruitment rates on the training process for law enforcement agencies.


Yeas-13 Nays-0 Absent-4
Rep. S. Hollins
Sen. D. Ipson
Rep. K. Miles