

LEGISLATIVE INTERIM COMMITTEES -- SEPTEMBER 2014

Law Enforcement and Criminal Justice	
Bill Title/Subject Matter:	Forfeited Property Report
Legislator(s) –Sponsor:	
Interested Parties:	Doreen Weyland, Commission on Criminal and Juvenile Justice
Code Reference:	UCA §24-4-117(12)
<p>Description: The Commission is required to report annually on the equitable sharing of funds or property reported by Utah law enforcement agencies on federal asset forfeiture cases. The federal equitable sharing funds from federal seizures and forfeitures reported by Utah agencies for the FY 2014 period total \$848,204.44. In addition to the funds received, property consisting of two vehicles and a travel trailer were given to one agency.</p> <p><i>[Action: Information only.]</i></p>	
Bill Title/Subject Matter:	Multi Agency Strike Force
Legislator(s) –Sponsor:	
Interested Parties:	Leo Lucey, Chief, Utah Attorney General’s Office Gregory Ferbrache, Assistant Attorney General
Code Reference:	UCA § 67-5-22.7(6)
<p>Description: Leo Lucy and attorney Ferbrache provided an update on the SECURE strike force. Currently on the strike force there are five investigators from the Attorney General’s office, one UPD detective, one Ogden PD detective; two slots for DPS, one US Marshall, one Park City PD detective, and 2 ICROs.</p> <p><i>[Action: Information only.]</i></p>	
Bill Title/Subject Matter:	Penalty for Traffic Violation Causing Death
Legislator(s) –Sponsor:	Rep. Patrice Arent
Interested Parties:	
Code Reference:	2015FL-0093/014
<p>Description: Amends UCA § 53-3-218; Enacts UCA § 41-6a-531, This bill: Provides that a violation of a provision of the Traffic Code otherwise punishable as an infraction or a class C misdemeanor is a class B misdemeanor if: the person operates a moving motor vehicle; and as a result of the violation, causes the death of another person. Provides that the penalty enhancement does not apply to a violation of using a handheld wireless communication device while operating a moving motor vehicle. Provides that a person is guilty of a separate offense for each victim whose death results from an enhanced violation, whether or not the deaths arise from the same episode of driving. Provides that a judge may order a revocation of a person's driver license for a period of one year if the person is convicted of a traffic violation causing a death.</p> <p>Motion: Rep. Oda made a motion to delete the word “motor” from lines 13 and 40. PASSED. Motion: Rep. Oda made a motion to delete “driving” from line 47 and add “operating a vehicle.” PASSED</p> <p>A request was made to have the Sentencing Commission and CCJJ review this draft legislation prior to the Committee vote. The item will be presented again in October.</p> <p><i>[Action: This draft legislation will be presented again at the October Interim meeting.]</i></p>	
Bill Title/Subject Matter:	Federal 1033 Program
Legislator(s) –Sponsor:	

Interested Parties:	Commissioner Keith Squires, Department of Public Safety Marina Lowe, ACLU Dan Martinez, State Surplus Property Program
Code Reference:	
Description:	A presentation to learn what type of equipment and weapons have been disbursed to law enforcement agencies throughout Utah, how many law enforcement agencies participate in the program, and what mechanisms may be in place to hold local law enforcement accountable for how they utilize the equipment. <i>[Action: Information only.]</i>
Bill Title/Subject Matter:	Gang Issues in Utah
Legislator(s) – Sponsor:	
Interested Parties:	Kris Murphy, Community Outreach Director, Ogden Police Dept. Shane Keyes, Ogden Police Metro Gang Unit
Code Reference:	
Description:	This item will be heard at the October Interim meeting. <i>[Action: Not discussed.]</i>
JUDICIARY	
Bill Title/Subject Matter:	Sentencing Discussion
Legislator(s) – Sponsor:	
Interested Parties:	Kent Hart, Executive Director, Utah Association of Criminal Defense Lawyers Wendy Horlacher, Salt Lake Regional Administrator, AP&P
Code Reference:	
Descriptions:	The Committee wrapped up discussion from the July meeting relating to the current sentencing structure in Utah, including preliminary results that have been released by a recent PEW study regarding prison commitments and prison drivers. <i>[Action: Chair McIff asked staff to pull together all code sections that impose minimum mandatory sentences for discussion during the October Interim meeting. He requests everyone review the language and: consider if it reflects the public policy we want to maintain; if any changes are warranted; and how to make the changes.]</i>
Bill Title/Subject Matter:	Expungement of Administrative Action
Legislator(s) – Sponsor:	
Interested Parties:	Staff
Code Reference:	
Description:	The Committee will continue discussion on the issue of administrative actions related to orders of expungement and whether specified agencies should expunge records related to administrative proceedings connected to expunged convictions, arrests, investigations, or detentions. The Committee will receive a staff presentation on the history of the Utah Expungement Code as well as current state and federal practices related to this topic. <i>[Action: Information only.]</i>
GOVERNMENT OPERATIONS	
Bill Title/Subject Matter:	Campaign Finance Amendments – Draft Legislation
Legislator(s) – Sponsor:	Rep. Brian King
Interested Parties:	
Code Reference:	9/2/14 Draft, 2015FL-0029/002
Description:	Establishes contribution limits for PACs, corporations, labor organizations, and

individuals. Makes it a class B misdemeanor to violate the contribution limits.

[Action: .]