

Legislative Policy Committee Meeting Minutes

January 11, 2016

Zion's Bank, Salt Lake City

Mayor Hiatt opened by recognizing new elected officials.

The minutes for October 15 and November 16 were approved.

Cameron Diehl said that the ULCT bill tracking system is up and running, and is accessible from the ULCT website. LPC will meet starting Monday February 1 in room W30 for the legislative session. Cameron also announced that Local Officials Day will be on January 27.

Mayor Hiatt introduced the body worn camera issue.

Nick Jarvis stated that the preliminary results from a survey conducted by ULCT said that 2/3 of respondents to the survey are using body worn cameras. 98%+ who use them have a policy governing their use. Of those who aren't using the cameras, 95% are planning on getting body worn cameras. Those who aren't using them said it was mainly because of future legislative impact and upfront costs.

Mayor Hiatt introduced Rep Dan McCay.

Rep. McCay said that he has been working on the bill for two years and has worked in related fields for many years. Cameras are here and here to stay. There is rapid growth and some negative impacts. One main issue is what happens to body camera recordings when the cameras go into a person's home. There are a lot of privacy issues because body cameras will go in places a dash cam does not. Evolving technology makes this a bigger issue than law enforcement policies should cover. He believes that due process should happen before you dissolve rights. There is an element of manipulation built into the body cams. Body cams generally protect the police force from untrue claims. There needs to be regulation that determines when, and if, the cameras can be turned off and on. He represents the voters to the system. There isn't a retention policy on body cam recordings and that could be held against you in court.

Senator Thatcher then addressed the LPC. He agrees with most everything regarding body cams that Rep. McCay said. Senator Thatcher does not think that legislation will be as effective as allowing the organizations to govern themselves. He said that thousands of dollars are a big deal for many areas, and legislation generally has to be revised and changed after the first time, which could be very costly to cities. He believes that POST should set general mandates that requires each agency to have a policy that is available to the public. He lists the reasons he believes we should trust POST, which includes 30 days of public comments, which allows them to revise according to needs and desires. He proposed that GRAMA laws not be changed to avoid additional conflict from the media.

Gary Crane from Layton City asked what makes the state think they can make better decisions than the local governments. Rep McCay claimed POST is a biased body due to its makeup, and that the courts

sometimes need state directives to protect rights. Duty to record needs to be a state standard so that the rights of citizens are protected. Rep. McCay says that officer liability is not in the bill.

Dave Millheim from Farmington asked again if there is any guilt to the officer if the camera is off. Rep. McCay clarified that that was not in last year's, or this years', bill. Dave then asked how this would be paid for. Rep. McCay said there is no mandate in the bill and that he believes there should be state funding for the bill. He said this isn't a great year regarding the budget to push new programs but he thinks it's important to press forward.

Mayor Brent Taylor of North Ogden stated that it is hard to find and retain good employees due to state regulations that could be done locally. He thinks this bill borders on lack of support for the law enforcers. Rep. McCay responded that he thinks that transparency improves the morale of officers.

Clint Anderson, Chief Deputy of Weber County, stated that it sounded like Rep. McCay was bringing the bill back from last year. President of the Chief's Association, Chief Ross, clarified that the bill has changed much in the last few months. Anderson said that there are concerns of when the body cam be turned on and off because the circumstances can change quickly. He suggested that the cams should be turned on, and that the back end of the process should be used to regulate the recordings. He also had concerns with retention length. Rep. McCay said that he believes that compliance with laws should protect the officers. He also said that his bill is to record everything and then determine where records go after.

Mayor Hiatt said that in two weeks a position will be asked for on both body cam bills.

Cameron introduced HB 362 Modifications. He reviewed HB 362 from last year. The five counties affected by the modifications have transit systems and are of the 3rd class. This is Rep. Draxler's bill. Craig Butters stated that the bill has not been numbered. The counties will be able to decide on the percentages. Cache Valley did not get involved with this bill because its transit district didn't affect entire valley. The county must vote to put this on the ballot, but each county will create percentages based on needs.

Shellie Baertsch with Saratogo Springs asked why only the five counties are involved. Craig said that there would be no support if UTA was involved.

Online question from Mayor Wilson from Cedar City asked if the city can decide the percentages. Butters said not with current wording.

Jodi Hoffman spoke on local planning and zoning. Last year was warfare that led to 50ish bills for this year. There is a bill about short term rental regulations, beekeeping, and aesthetics regulations. She quickly overviewed more of the bills for this year. Jodi calls this death by a thousand cuts. Each bill might only affect a few jurisdictions, but combined the bills cause many problems for the cities. Local planning has been done on a local level and Jodi does not think the Legislature can make these decisions. Many bills can lead to property value decreases.

John Hiskey for Sandy City spoke on Sandy's experiences during the Olympics, specifically with family home room rentals. Jodi closed with an encouragement to have everyone pay attention to the bills that come up regarding land use.

Cameron spoke on retirement reform bill issues. He gave an overview of the changes that took place in 2010. He said that it is becoming hard to find qualified recruits for the police departments. An argument has been made that the retirement reform has, in part, been part of that problem. Rep. Cunningham is putting forth bills to make some changes to the 2010 reform. HB 47, HB 50, and HB TBA would create those changes. Cameron requested that LPC decide if the staff should go forward with dialogue with Rep Cunningham.

Lyn Creswell from South Salt Lake commented that this issue is constantly changing, and if LPC backs away now, we won't know what's going on later.

Mayor Tom Dolan of Sandy shared that the main concern is what the costs will be.

Mark Christensen of Saratoga Springs thinks that the decline isn't based on just the retirement issues, and that we should keep an eye on things, but definitely not make any decisions or take a position.

Mayor Hiatt decided that staff would continue following retirement issues and not make any decisions yet.

Meeting adjourned.