

UTAH SHERIFFS' ASSOCIATION

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IMMEDIATE RELEASE:
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Some Sheriffs in the state are receiving emails from their constituents concerning House Bill 276 The Utah Public Lands Management Act. We have reviewed the bill with Representative Noel and provide the following information:

1. The bill does not usurp the authority of the Sheriff as the chief law enforcement officer in the county. The law states that "except as provided in Subsections (4)(b) and (c), the local county sheriff is the primary law enforcement authority with jurisdiction on public land to enforce this chapter and rules issued by the director pursuant to Subsection (1).
2. The bill clearly identifies that the DWR has primary law enforcement responsibility only for protected wildlife in the state of Utah. This is current law and was not changed by the language in the legislation. DWR already has primary authority to enforce Title 23 of the Utah Code.
3. The section of the bill which deals with the Division of Land Management Director having authority to employ certified peace officers to enforce the rules under the act is consistent with other existing laws such as those that provide that the Division of the Utah State Park has authority to hire certified peace officers to enforce park rules and regulations in the state parks. It is no different than the authority given to Utah Brand Inspectors to enforce brand laws and trespass as certified peace officers in counties across the state. The authority given in the act is strictly limited to those issues identified in the act i.e. grazing, timber harvesting, permitted rights of ways to private property (not county roads), telecommunications sites etc. The peace officers holding these positions will be required to notify the sheriff when they come into their counties and to work cooperatively with the Sheriff who remains the chief law enforcement officer in the county.

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4. Subsection 4(d) is the key to the Sheriff maintaining **overall law enforcement authority** in the county where he/she is elected to serve. It states "(d). Nothing herein shall be construed as enlarging or diminishing the responsibility or authority of a state certified police officer in performing the officer's duties on public land."

Those who would say that the legislation is a bait and switch are not being truthful. The bill was two years being drafted and was out for review to state agencies and to the Utah Association of Counties and others beginning last year. It passed the legislature in March with no dissenting votes from the republicans in the house or the senate. The bill does not take effect until 100,000 acres of federal land is transferred from the federal government to the state. That will be at least two years and could be even longer, so there is time to clarify the concerns the public may have about the bill and its impacts on county sheriffs.

The Utah Sheriffs Association supports House Bill 276 and Representative Mike Noel. Representative Noel has always been a strong supporter for the office of Sheriff and has fought to keep the office of Sheriff as Chief Law Enforcement official for the county. He has been awarded legislature of the year by Utah Sheriffs on 2 different occasions.



Sheriff Robert Dekker
President Utah Sheriffs Association

