



UT Gun Rights Affirmative Agenda

Last Updated: November 4, 2016

Your right to keep and bear arms is better safeguarded when government officials and agents are tightly restrained by a framework of clear and ethical policies. These policies must reinforce due process for those accused of criminal activity, punish those who abuse power, and foster an attitude of respect toward you.

Before such a government can exist, these policies must be defined and then promoted. Toward that objective, UT Gun Rights presents its *Affirmative Agenda* for public input. Share your views at info@utgunrights.com

Protect Gun Owners from State Harassment

1. Eliminate the requirement to obtain a government "license" in order to carry openly or concealed a loaded or unloaded firearm in any area currently authorized to concealed carry "permit" holders.
2. Reform "disorderly conduct" statutes to specifically exempt the mere possession of unholstered or unencased firearms, whether loaded or unloaded.
3. Eliminate immunity for state agents who grossly violate the natural rights of gun owners.
4. Repeal state restrictions on short-barreled rifles and silencers, as is the case with machine guns.
5. Require the county statutory body to review and approve any public lands closure recommended by the state forester.
6. Where firearms are needed for evidentiary purposes in self-defense cases, require police to promptly provide a replacement voucher.
7. Repeal statute enabling cohabitants to steal the firearms of other cohabitants and surrender them to the police.
8. Require that firearms be returned immediately to innocent owners, and provide criminal penalties and agency financial penalties when state agents fail to comply.
9. Restore firearms rights to fit and competent citizens who have completed any imprisonment and/or parole associated with their statutory violations.
10. Abolish the requirement to obtain a "free speech permit" for citizens gathering to peaceably assemble to address grievances on public property.
11. Restrict statute enforcement arrest powers to offenses above infractions.
12. Strengthen Utah's Good Samaritan statute to include a provision that if any government agent is found, by any court or jury, to have used excessive force, any person present who sought in good faith to prevent that agent from exercising that excessive force, through lethal or



non-lethal means, is innocent for that act, and is also not liable for any civil damages or penalties as a result of that act, unless he/she was grossly negligent.

13. Provide criminal penalties for government agents who physically attack, arrest, or prosecute individuals harmlessly acting as audiovisual recording witnesses. Harassment of citizen-observers under farcical "obstructing justice" allegations would no longer be tolerated.

Insulate Utahans from Federal Gun Controls

1. Criminalize the enforcement of any federal gun control or privacy invasion statutes or "executive orders" by state agents. This includes state involvement with any multi-jurisdictional task forces, deputization, records sharing, and other forms of "cooperation".

2. Amend Utah's constitutional definition of "militia" to include ALL adult men and to introduce women (they are currently excluded). Include a stipulation that Utah militia — organized or unorganized — be free to own any firearms useful for militia purposes; including what the Utah National Guard is allowed.

3. Keep the Utah Bureau of Criminal Identification office open 24-hours, so citizens can purchase guns whenever they wish to; thus minimizing the impact of onerous federal "background check" gun controls. The right to buy and sell firearms does not end at 7pm.

4. Grant all qualifying Utah citizens a free "permit" to satisfy onerous federal statutes prohibiting firearms in certain circumstances (and to assist Utahans traveling to other states with concealed carry reciprocity agreements).

5. Criminalize state receipt of federal "forfeiture" proceeds (i.e. ban extortion/bribery mechanisms that fuel abuses such as unjust home invasions and confiscation of private property from innocent owners).



Introduce Ethics to Utah Government

1. Eliminate political action committees and end direct and indirect funding of political issues by corporations. Campaigns must be funded solely by individual campaign committees that may accept funds solely from natural persons who reside in the district. These natural persons will be subject to contribution limits. Use of personal wealth will likewise be prohibited in excess of individual contribution limits. Within a reasonable period after an election, unused campaign funds must be placed in the state's public treasury or be proportionally returned to donors.



2. Institute a recall statute whereby the people can, at any time, remove an official from office.

3. Eliminate bribery in the form of meals, trips, events, etc. If an activity is vital to an official's duties, expenses should be approved through the budgetary process. Otherwise, it should be paid for by the official.
4. Ban "exclusive" union "bargaining agreements" for government employees, so that individuals are free to work without being a union member and without being governed by a union contract.
5. Prohibit any government employee (including attorneys and other court officers), current registered lobbyist, or director, shareholder, officer or employee of any pseudo-governmental organization from holding any state electoral office. Spouses or cohabitating partners of such individuals would also be prohibited.
6. Prohibit any elected government official from acting as a paid lobbyist at the state or local level for a period of 5 years after leaving office. These persons would also be prohibited from unelected employment with any state or local government or pseudo-governmental organization for a period of 5 years.
7. Prohibit government employees from holding any paid position with a political campaign or private corporation.
8. Require every "administrative rule" to go through the normal bill process before it attains equal footing with statute. The current practice of combining all proposed administrative rules, regardless whether the subject matter is related, and then approving/reapproving them as one amorphous mass would cease.
9. Prohibit government agencies from hiring or contracting lobbyists or "public relations" corporations.
10. Restrict unelected government employees from initiating contact with elected officials on any bill or statutory issue unless they do so in written form and as part of the public record. Government employees would no longer be allowed to speak at statutory hearings unless their input is specifically requested by an elected official, or unless they do so as private individuals and on their own time.
11. Reduce and standardize fees for GRAMA requests and add criminal penalties for government agents and officials who willfully refuse to comply with GRAMA request requirements.
12. Provide criminal penalties for elected officials and government employees who willfully delete emails using their official government email account.
13. Require police officers to operate cameras at all times while working the street, or while utilizing government vehicles, and make those recordings available to the public.
14. Require elected officials and government agents who participate in their official capacity to record for public record any vote taken on any bill, bill component, candidate, or political issue. Individuals acting on behalf of Utah citizens would no longer be able to hide behind secretive cloak-and-dagger committees like the statutarium's Executive Appropriations Committee and Rules Committee or pseudo-governmental lobbyist organizations like the Utah Law **[sic]** Enforcement Legislative Committee, Utah League of Cities and Towns, Utah Police Chiefs Association, and Utah Sheriff's Association.
15. Require bill sponsors to disclose all individuals and organizations involved in the creation and modification of a bill.
16. Require bill sponsors to show strikeout of statutory verbiage on any bill in which any portion of code is struck.

17. Eliminate state and local tax breaks for all IRS 501(c)(3) corporations, including “think tanks”, churches, other mass media outlets, and their contributors, and extend any other unique statutory or other press privilege or dispensation to every Utah citizen.
18. Cease recognition of media corporations NOT directed by natural Utah citizen residents or that are subsidiaries of other corporations.

Reform Corrupt Courtrooms

1. Require that a citizen be found “beyond a reasonable doubt” and by an impartial jury to be guilty of actual, serious, relevant criminal behavior and/or unfitness before he/she can be permanently denied his/her natural rights. In non-permanent cases, a defendant must be free to appeal to an impartial jury for relief from any juryless court edict.

2. In contrast to less than 12 person juries authorized by the Utah constitution, require the unanimous opinion of 12 impartial jurors to convict a person of any crime.

3. Institute statutory defenses for citizens comparable to those in place for government bureaucrats. Specifically, if there is no criminal intent and no victim, there is no crime, and ignorance of an idiotic statute IS a defense (i.e. “It is a defense to prosecution that...”).

4. Criminalize any judge’s effort to prevent jury members from exercising their power to ignore/negate statute if they deem it necessary to protect a defendant from unjust prosecution, or to prevent defense attorneys from informing the jurors of this power.

5. Empower a supermajority of jurors to remove a judge or court commissioner from a case in their (i.e. the jury’s) courtroom.

6. In cases where defendants have been found guilty and the judge has issued his/her sentence, empower a majority of jurors to increase or lessen the sentence if they deem it appropriate, and even if, by lessening it, minimal sentencing statutes are contradicted.

7. Allow the accused to testify and cross-examine in all grand jury hearings or before a judge for “informations”. Indictments will no longer be automatic, and grand juries will have the option, by majority vote, to publicly recommend disciplinary action against prosecutors they feel have concocted frivolous and/or malicious charges.

8. Enable the accused to select any counsel of his choosing, to include persons unlicensed by, or unaffiliated with, the Utah State Bar Association (i.e. someone that can help that he/she might be able to better afford).

9. Eliminate jail “bookings” except for felony offenses, and fully and promptly reimburse defendants found innocent.

10. End the Executive Monarch’s (i.e. “governor’s”) monopolistic power over the judicial nomination process. Empower the house to nominate judicial candidates, the Executive Monarch to select from those candidates, and the senate to ratify or reject the final candidate.

11. Empower a majority of jurors to throw out a case if, by “preponderance of evidence,” they determine that the defendant has been subject to “selective prosecution”. The government



cannot be allowed to pick some for prosecution while ignoring others who might, or should be, subjected to it on the same terms.

12. Restore the power of the grand jury to conduct investigations and issue presentments against government officials and agents suspected of malfeasance, misfeasance, and nonfeasance.

13. Criminalize any judge's effort to prohibit evidence regarding the loss, or suppression, of potentially-relevant state evidence.

14. Require courtrooms to be conducted in plain English that can be understood by the common citizen, rather than obscure legalese.

15. Require courtrooms to provide video recordings on the Internet of all cases, save for the testimony of minors where appropriate.

End Dictatorial Power in the House and Senate

1. Empower the entire body of the house and senate to annually elect all committee members, rather than allowing the house speaker and senate president to merely appoint them.

2. Empower the house/senate to remove the speaker/president at any time by a constitutional majority vote of that body.

3. Empower a simple majority to bring any bill to the floor during the annual statutory session; regardless of its status.

4. Empower a simple majority of house statutors to start, and govern, an impeachment process for any state official.

5. Require house and senate and their committee agendas to be approved by a majority of the body.

6. Allow each house and senate statutor two bills each session that go to the house and senate floors for a recorded vote — notwithstanding any adverse committee report, action, or inaction. Any amendments for final recorded votes must be approved by the sponsor.

7. Automatically place a one-year sunset on any enacted bill that bypasses a committee hearing in the house and/or senate.

8. Require full conflict of interest disclosure for statutors and executive branch officials and employees. Complete federal and state tax returns must be placed on the internet. Employment of family members (mother, father, wife, husband, domestic partner, son, daughter, extended family, and all in-laws) must be fully disclosed and updated as changes occur.

9. Restore the one senator per county structure, so that counties can again be represented directly — as federal senators represent their respective state in the federal government.



Secure Utah's Voting Process from Fraud

1. Require all voting ballots to be in paper form and be publicly hand-counted and carefully controlled by citizen election judges at local voting locations. This process would be monitored by independent citizen poll watchers and conducted in public view.
2. Require that all counted ballot boxes be officially sealed at the voting location and in the presence of the same local citizen election judges, poll watchers, and public.
3. Require all absentee ballots to list the name, address, signature, and date of the individual voting for security and auditing purposes.
4. Separate state and local elections from federal elections (where proof of citizenship can no longer be demanded) and require verification of eligibility to vote.
5. Prohibit persons from voting who have not formally renounced citizenship with any foreign nation, or who serve in any official capacity, or are employed by, any foreign government.
6. Audit election participants to verify eligibility to vote and aggressively prosecute those who vote fraudulently.



Shield Utahans from Foreign Invasions

1. Prohibit access to state and local welfare programs by any individual who cannot provide proof of citizenship, including food stamps, housing assistance, tuition, medicine, and other non-lifesaving medical treatment.
2. Require proof of citizenship or legal residence for any form of driver license/permit, bank account, or college entrance.
3. Require any individual seeking employment to verify citizenship with the state of Utah and provide that proof of verification to the employer before he/she can be hired.
4. Provide criminal penalties for corporate officers and other individuals who knowingly harbor or conceal illegal aliens.
5. Create a state public database of every illegal alien identified in Utah, to include his/her picture, last known whereabouts, suspected or known country of origin, full criminal record, and any outstanding warrants.
6. Require the state to publish an annual report documenting every crime (murder, rape, theft, etc.) committed by illegal aliens in Utah.

