



2016 Utah Government Corruption Report

Introduction

This report demonstrates how Utah's culture of political corruption operates, and how gun owners are played for fools. Only a highly-informed community can overcome the manipulation, deception, and fraud underlying this "pay-to-play" society.

UT Gun Rights encourages you to read, analyze, question, confront, and challenge this information. The benefits of such an examination include an increased understanding of human nature and how one can hold one's self, and others, politically accountable.

Thank you to all who contacted UT Gun Rights with information on bills, actions, politicians, agencies, and other organizations.

About UT Gun Rights

UT Gun Rights promotes the right of individuals to keep and bear firearms, responsible and confident firearms ownership and use, and political accountability at the state and local level.

It is your natural right to defend yourself from unjust attacks by any individual, mob, or government. This is self-evident to all but the naïve — and the corrupt politicians and institutions that manipulate them.

For more information about UT Gun Rights, see its "Affirmative Agenda" at www.utgunrights.com.

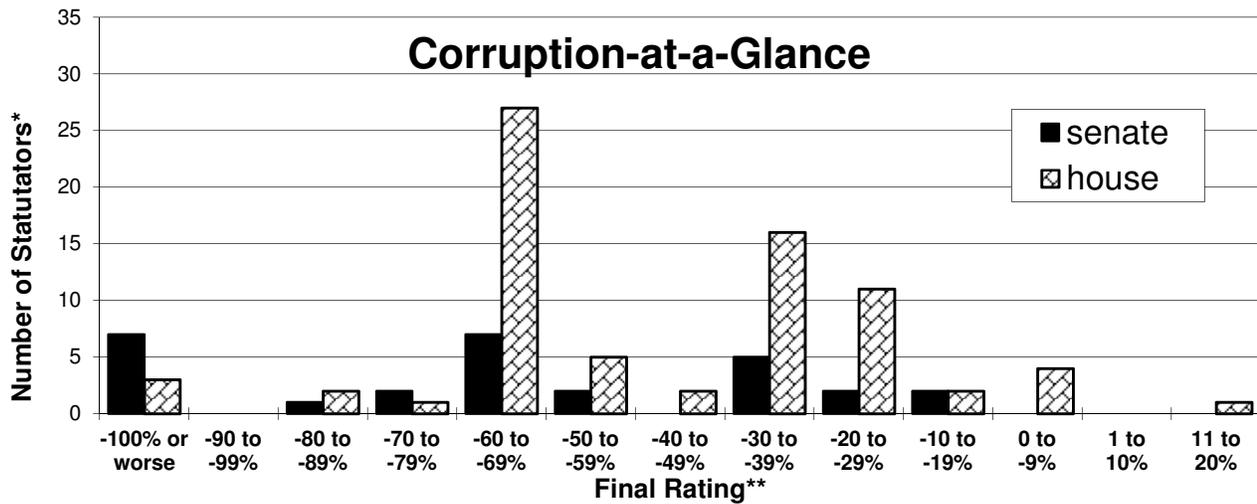
Share this information with others, and sign up for alerts and updates at info@utgunrights.com (also at www.facebook.com/UTGunRights).

Rating Averages

Executive Monarch (governor)	-100%
Senate	-66%
Democrats	-87%
Republicans	-61%
Democrat "leadership"	-83%
Republican "leadership"	-84%
House	-47%
Democrats	-49%
Republicans	-46%
Democrat "leadership"	-47%
Republican "leadership"	-66%

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**Statutator:* The term “legislator” misrepresents the subversive and contemptuous behavior of members of the statutory branch toward natural law. It is critical to distinguish natural law from statute. Natural law represents rules of conduct that are inherently just, unchanging, and beyond human perversion. By contrast, statutes are demands and impositions which frequently undermine and subvert natural law.
 **Rounded to the nearest whole number.

How Statutators are Rated

Many political rating scales mirror the academic world of “A-F” or “0-100%”. An “A” or “100%” indicates perfection or perfect mastery. When a student gets something right, he/she gets points toward perfection, and when he/she gets something partially or completely wrong, fewer (or zero) points are received.

This system might suffice for students who don’t harm others when they make a mistake. When a politician votes harmfully on a significant issue, however, there is a tangible, negative impact on real people.

If, for example, statutators unjustly subject you to imprisonment for exercising your natural rights, he/she is not being neutral, or “less correct”. He/she is dangerous because the consequences of his/her behavior destroy the lives of innocent citizens.

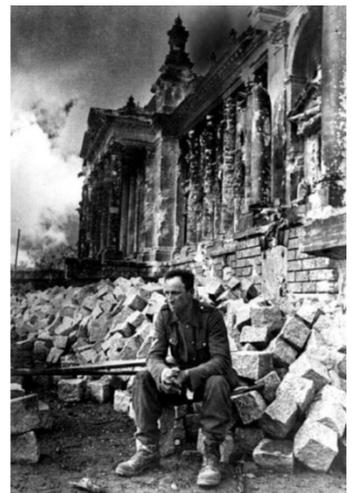
Because of this reality, UT Gun Rights utilizes a positive and negative score for each bill. A “+1” is assessed for every correct vote and a “-1” is assessed for every harmful vote.

In Utah, a constitutional majority (15 of 29 senate statutators and 38 of 75 house statutators) is required for any bill to pass. *This means that “absent/not voting” is equivalent to a “NO” vote.* Therefore, if a statutator was absent/not voting on a *good* bill, he/she receives a “-1” score (italicized so you know that he/she didn’t even show up to vote).

If a statutator was absent/not voting for a *bad* bill, he/she is marked “awol” or “Absent With Out Leave”, receives no score, and that bill is *not* counted in his/her rating. Because he/she failed to cast a public vote, credit cannot be given. Rather than give him/her a zero or negative score, however, UT Gun Rights recognizes that “awol” statutators who “saunter” (i.e. loiter/wander outside the statutory chambers on the public dime) are at least not voting for the *bad* bill.

Because bills require a primary sponsor to move forward in each chamber, each primary house and senate sponsor receives an additional “+1” or “-1” score, depending on whether the bill was *good* or *bad*. Each house or senate rules committee member receives a “-1” score for every *good* bill that fails to pass his/her body. Rules committees enable the house speaker and senate president to dominate the session’s bill agenda.

Finally, a score of “-2” was assigned to the two statutory bullies — the house speaker and senate president — for any bad bill that passed his chamber, and for any good bill that was not enacted into statute. Though not applicable in this report, a “+2” would have been assigned if a *good* bill was successfully enacted. For rationale, see the article, “Two Bullies Steal Your Rights,” on page 12.



There is nothing “neutral” or harmless about destroying freedom.

Senate Ratings

Statutor's Name	Party	District	HB 37	HB 79	HB 276	HB 350	SB 176	SB 214	SB 256	Report Rating	Lifetime Rating
Adams, J. Stuart	R	22	awol	-1	-1	n/a	-1	awol	1	-50%	-58%
Bramble, Curtis	R	16	-1	-2	-1	n/a	-2	-1	-1	-133%	-135%
Christensen, Allen	R	19	-1	1	-1	n/a	-1	-1	1	-33%	-48%
Dabakis, Jim	D	2	-1	-1	1	n/a	-1	-1	-1	-67%	-69%
Davis, Gene	D	3	-1	-1	-1	n/a	-1	-1	1	-67%	-83%
Dayton, Margaret	R	15	-1	1	-1	n/a	-1	awol	1	-20%	-35%
Escamilla, Luz (Robles)	D	1	-1	-1	-1	n/a	-1	-1	-1	-100%	-100%
Fillmore, Lincoln	R	10	n/a	n/a							
Harper, Wayne	R	6	-1	1	-1	n/a	-1	-1	1	-33%	-54%
Henderson, Deidre	R	7	-1	1	-1	n/a	-1	-1	1	-33%	-42%
Hillyard, Lyle	R	25	-1	-1	-1	n/a	awol	awol	-1	-100%	-100%
Hinkins, David	R	27	-1	1	-1	n/a	-1	-1	2	-17%	-46%
Iwamoto, Jani	D	4	-1	-1	-1	n/a	-1	-1	-1	-100%	-100%
Jackson, Alvin	R	14	awol	1	-1	n/a	-1	-1	1	-20%	-20%
Jenkins, Scott	R	20	-1	1	-2	n/a	-1	-1	1	-50%	-50%
Knudson, Peter	R	17	-1	-1	-1	-1	-1	-2	1	-86%	-101%
Madsen, Mark	R	13	-1	1	-1	-1	-1	-1	-1	-71%	-44%
Mayne, Karen	D	5	-1	-1	-1	-1	-1	-1	-1	-100%	-100%
Millner, Ann	R	18	-1	-1	-1	n/a	-1	-1	1	-67%	-67%
Niederhauser, Wayne	R	9	-2	-2	-2	-2	-2	-2	-2	-200%	-200%
Okerlund, Ralph	R	24	-1	-1	awol	n/a	-1	-1	1	-60%	-80%
Shiozawa, Brian	R	8	-1	-1	-1	n/a	-1	-1	-1	-100%	-100%
Stephenson, Howard	R	11	-2	1	-1	n/a	1	-1	1	-17%	-27%
Stevenson, Jerry	R	21	-1	-1	-1	n/a	awol	-1	1	-60%	-68%
Thatcher, Daniel	R	12	-1	awol	-1	n/a	-1	-1	1	-60%	-68%
Urquhart, Stephen	R	29	-1	-1	-1	n/a	-1	awol	1	-60%	-66%
Van Tassell, Kevin	R	26	awol	1	-1	-1	-1	-1	1	-33%	-54%
Vickers, Evan	R	28	-1	1	-1	n/a	-1	-1	1	-33%	-54%
Weiler, Todd	R	23	-1	-1	-1	-1	-1	-1	1	-71%	-73%
Total votes (yeas-nays-absent/not voting)			24-0-5	17-11-1	27-1-1	0-0-0	25-1-3	25-0-4	21-6-2	-66%	-73%



Executive Monarch Rating

Name	Party	HB 37	HB 79	HB 276	HB 350	SB 176	SB 214	SB 256	Report Rating	Lifetime Rating
Herbert, Gary	R	-1	-1	-1	n/a	-1	-1	n/a	-100%	-100%

Legend

- 1 = correct vote
- 1 = harmful vote
- awol = Absent With Out Leave (absent/not voting)
- 1 = harmful absence/not voting
- n/a = not applicable vote
- HB** = house bill
- SB** = senate bill
- 2 or -2** = Indicates primary bill sponsor (must be voted on in that body). The score results from an additional merit of +1 for a good bill or a demerit of -1 for a bad bill.
- 2 or -2** = A -2 is assigned to senate president and house speaker for failing to enact a good bill or for allowing a bad bill to pass his body. Though not applicable in this report, a +2 would be assigned if a good bill is successfully enacted. Italicized if absent/not voting.
- Rating** = Total points divided by the total number of tracked bills for which that statutor was eligible to vote, multiplied by 100%.

Rating Example: Out of the 7 bills tracked, Statutor A voted correctly on 3 bills (+3), voted harmfully on 1 bills (-1), was the senate sponsor of that bad bill (-1), was awol for one bad bill (no score), was harmfully absent for one good bill (-1), and, as a member of the rules committee, failed to advance one good bill (-1) for a final floor vote in his body. His total points are +3 and -4, or -1. He scores -1 / 7 (the 7 bills tracked exempting 1 awol) x 100%, for a Rating of -14%.

See general session bills at www.le.utah.gov.

If you are unsure who your statutors are, see the Contact Officials page at www.UTGunRights.com

House Ratings (A to R)

Statutator's Name	Party	District	HB 37	HB 79	HB 276	HB 350	SB 176	SB 214	SB 256	Report Rating	Lifetime Rating
Anderegg, Jacob	R	6	-1	1	-1	1	-1	-1	-1	-43%	-46%
Anderson, Johnny	R	34	-1	awol	-1	1	-1	awol	n/a	-50%	-63%
Arent, Patrice	D	36	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Barlow, Stewart	R	17	-1	1	-1	1	-1	awol	n/a	-20%	-35%
Briscoe, Joel	D	25	-1	-1	1	1	-1	-1	n/a	-33%	-67%
Brown, Melvin	R	53	-1	1	-1	1	-1	-1	n/a	-33%	-47%
Chavez-Houck, Rebecca	D	24	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Chew, Scott	R	55	-1	1	n/a	1	-1	-1	n/a	-20%	-20%
Christensen, LaVar	R	32	-1	-1	-1	1	awol	-1	n/a	-60%	-43%
Christofferson, Kay	R	56	-1	1	-1	1	-1	-1	n/a	-33%	-54%
Coleman, Kim	R	42	-1	1	n/a	1	-1	-1	n/a	-20%	-20%
Cox, Fred	R	30	-1	1	n/a	1	-1	-1	n/a	-20%	-20%
Cox, Jon	R	58	-1	1	n/a	1	-1	-1	-1	-33%	-33%
Cunningham, Rich	R	50	-1	-1	-1	1	-1	-1	n/a	-67%	-58%
Cutler, Bruce	R	44	-1	-1	n/a	1	-1	-1	n/a	-60%	-60%
Daw, Bradley	R	60	-1	1	n/a	1	-1	-1	n/a	-20%	-20%
Dee, Brad	R	11	-1	-1	awol	-1	-1	-1	n/a	-100%	-79%
DiCaro, Sophia	R	31	-1	-1	-1	1	-1	-1	n/a	-67%	-67%
Draxler, Jack	R	3	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Duckworth, Susan	D	22	-1	-1	-1	1	-1	awol	n/a	-60%	-68%
Dunnigan, James	R	39	-1	-1	-1	1	-1	-1	n/a	-67%	-69%
Edwards, Rebecca	R	20	awol	-1	awol	1	-1	-1	n/a	-50%	-75%
Eliason, Steve	R	45	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Fawson, Justin	R	7	-1	1	n/a	1	-1	-1	n/a	-20%	-20%
Froerer, Gage	R	8	-1	-1	-1	1	-1	-1	-1	-71%	-86%
Gibson, Francis	R	65	-1	1	-1	1	-1	awol	n/a	-20%	-23%
Greene, Brian	R	57	1	1	-1	1	-1	-1	n/a	0%	-7%
Grover, Keith	R	61	-1	1	-1	1	-1	awol	n/a	-20%	-27%
Hall, Craig	R	33	-1	1	-1	1	-1	-1	n/a	-33%	-67%
Handy, Stephen	R	16	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Hawkes, Timothy	R	18	-1	-1	n/a	1	-1	-1	n/a	-60%	-60%
Hemingway, Lynn	D	40	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Hollins, Sandra	D	23	-1	-1	n/a	1	-1	awol	n/a	-50%	-50%
Hughes, Gregory	R	51	-2	-2	-2	-2	-2	-2	-2	-200%	-117%
Hutchings, Eric	R	38	-1	1	-1	1	-1	-1	n/a	-33%	-52%
Ipson, Don	R	75	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Ivory, Ken	R	47	-1	1	-1	1	awol	-1	n/a	-20%	-35%
Kennedy, Michael	R	27	-1	1	-1	1	-1	-1	n/a	-33%	-29%
King, Brad	R	69	-1	-1	n/a	1	-1	-1	-1	-67%	-67%
King, Brian	D	28	-1	-1	1	1	-1	awol	n/a	-20%	-60%
Knotwell, John	R	52	1	1	-1	1	-1	-1	-1	-14%	-20%
Last, Bradley	R	71	-1	-1	-1	1	-1	-1	n/a	-67%	-71%
Lifferth, David	R	2	-1	1	-1	1	-1	-1	n/a	-33%	-42%
McCay, Daniel	R	41	1	1	-1	1	-1	-1	n/a	0%	-25%
McCliff, Kay	R	70	-1	-1	awol	1	awol	-1	n/a	-50%	-75%
McKell, Mike	R	66	-1	1	-1	-1	-1	awol	n/a	-60%	-43%
Moss, Carol Spackman	D	37	-1	-1	-1	1	-1	awol	-1	-67%	-83%
Nelson, Merrill	R	68	awol	-1	-1	1	-1	1	n/a	-20%	-35%
Noel, Michael	R	73	-1	1	-1	1	-1	-1	-1	-43%	-46%
Oda, Curtis	R	14	-2	1	-2	1	-1	-1	n/a	-67%	-71%
Perry, Lee	R	29	-1	-2	-1	1	-1	-1	n/a	-83%	-79%
Peterson, Jeremy	R	9	-1	1	-1	1	-1	-1	n/a	-33%	-67%
Peterson, Val	R	59	1	1	-1	1	-1	awol	n/a	20%	-9%
Pitcher, Dixon	R	10	awol	-1	-1	1	-1	awol	n/a	-50%	-81%
Poulson, Marie	D	46	-1	-1	1	1	-1	-1	n/a	-33%	-67%
Powell, Kraig	R	54	-1	-1	-1	-1	-1	-1	n/a	-100%	-100%
Ray, Paul	R	13	-1	-1	-1	1	awol	-2	n/a	-80%	-61%
Redd, Edward	R	4	-1	-1	-1	1	-1	-1	n/a	-67%	-83%
Roberts, Marc	R	67	-1	1	-1	1	-1	-1	n/a	-33%	-17%
Romero, Angela	D	26	-1	-1	1	1	-1	-1	n/a	-33%	-67%

House Ratings (S to Z)

Statutator's Name	Party	District	HB 37	HB 79	HB 276	HB 350	SB 176	SB 214	SB 256	Report Rating	Lifetime Rating
Sagers, Douglas	R	21	-1	-1	-1	1	-1	awol	n/a	-60%	-66%
Sandall, Scott	R	1	-1	-1	n/a	1	-1	-1	n/a	-60%	-60%
Sanpei, Dean	R	63	-1	1	-1	1	-1	-1	n/a	-33%	-38%
Schultz, Mike	R	12	-1	1	n/a	1	-1	-1	-1	-33%	-33%
Snow, V. Lowry	R	74	-1	-1	-1	1	-1	awol	n/a	-60%	-80%
Spendlove, Robert	R	49	-1	-1	n/a	1	-1	-1	n/a	-60%	-60%
Stanard, Jon	R	62	-1	1	awol	1	-1	awol	n/a	0%	-38%
Stratton, Keven	R	48	1	1	-1	1	-2	-1	n/a	-17%	-58%
Tanner, Earl	R	43	-1	-1	1	1	-1	-1	n/a	-33%	-52%
Thurston, Norman	R	64	-1	1	n/a	2	-1	-1	n/a	0%	0%
Ward, Raymond	R	19	-1	-1	n/a	1	-1	-1	n/a	-60%	-60%
Webb, R. Curt	R	5	-1	-1	-1	1	-1	awol	n/a	-60%	-68%
Westwood, John	R	72	-1	-1	-1	1	-1	-1	n/a	-67%	-71%
Wheatley, Mark	D	35	-1	-1	-1	1	-1	awol	n/a	-60%	-80%
Wilson, Brad	R	15	-1	1	-1	1	-1	-1	n/a	-33%	-38%
Total votes (yeas-nays-absent/not voting)			67-5-3	41-32-2	63-8-4	72-0-3	70-0-5	58-1-16	0-0-0	-47%	-55%

Summaries of Reported Bills



[HB 37 \(2015\): Gun Control by Bureaucrats](#)

Sponsors: Curtis Oda ("R", house) and Howard Stephenson ("R", senate).

Summary: HB 37 reauthorizes numerous "administrative rules" created by bureaucrats (i.e. unelected officials) that have the same effect as state statute. These include gun controls and other subversions of your natural rights.

Discussion: The Obama regime isn't alone in exercising executive order-type powers. On the state level, bureaucrats are tirelessly sapping the foundations of your natural rights:

"Approximately one half of Utah's codified law is written by state agencies."

Source: "Administrative Rules Affect You!" at www.rules.utah.gov/abtrules.htm

Did you get the significance of that? **Half of Utah's codified statutes were written by people other than your elected statutors.**

HB 37 reauthorizes state agencies to enforce gun control in the form of bureaucratically-generated "administrative rules." These crafty concoctions circumvent the checks and balances that differentiate a republican form of government from that of an elitist oligarchy.

Here's how it works in a nutshell: When statutors and Executive Monarch Herbert impose a statute, bureaucrats get together and "interpret" how government agencies will apply those statutes in the real world.

"...A properly enacted administrative rule has the binding effect of law. Therefore, a rule affects our lives as much as a statute passed by the legislature, restricting individuals AND the agency that issues it."
Source: [ibid](#)

For example, under "administrative rule" [R657-11-14](#), the statutory definition of "spotlighting" (i.e. using a spotlight to hunt, which is illegal) is expanded to make people vulnerable who "...use or cast the rays of any spotlight, headlight, or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife," or who "...use... a spotlight or other artificial light in a field,

woodland, or forest where protected wildlife are generally found...."

In other words, an open carry camper on his way to the outhouse at night while using a flashlight is not only "spotlighting," but must rebut the charge that he is "spotlighting" even if he did not kill, or attempt to kill, any animal. This "administrative rule" makes that camper increasingly vulnerable to being detained, arrested, charged, and convicted of "spotlighting," and having his/her firearms confiscated.



CAN PREVENT SPOTLIGHTING

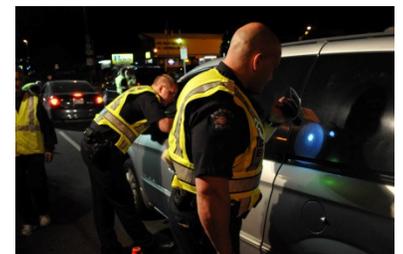
According to "administrative rule" [R501-12](#), foster parents who do not have a concealed carry "permit," and who do not have their firearm on their person, must essentially live in a disarmed, or criminally-vulnerable, home environment.

The only effective check on these "administrative rules" is that the state statutorium (i.e. "legislature") must annually approve or reject them, or a court must strike them down. HB 37 gave blanket approval to ALL of these "administrative rules" — including the gun controls outlined above.

Status: HB 37 passed the house ([67-5-3](#)), the senate ([24-0-5](#)), and was [signed](#) by Executive Monarch Herbert. A "NO" vote is correct.

[HB 79 \(2015\): Flagrant Motorist Harassment](#)

Sponsors: Lee Perry ("R", house) and Curtis Bramble ("R", senate).



Summary: HB 79 allows statute enforcement agents [SEAs] to invasively pull over vehicles wherein one or more passengers APPEAR to not be wearing a seat belt. Such stops put gun owners at increased risk for arrest, prosecution, and imprisonment under new open carry restrictions enacted with the passage of HB 276 in 2014 (this bill summary is also below).

Discussion: Prior to the passage of HB 79, SEAs could only cite drivers for passengers who were

not wearing seat belts if the driver had already been detained for some other "offense" (referred to as a "secondary action").

HB 79 empowers SEAs to pull over any vehicle wherein they *suspect* that some passenger is not wearing a seat belt, now making this a "primary action". Lines 60 and 68-72 of the bill provide that SEAs can conduct such flimsily-based detentions until July 1, 2018.

While offensive enough, this statute is dangerous for gun owners who transport firearms in their vehicles without fully encasing them. This could include rifles stored on gun racks (see HB 276.)

Status: HB 79 passed the house ([41-32-2](#)), the senate ([17-11-1](#)), and was [signed](#) by Executive Monarch Herbert. A "NO" vote is correct.



HB 276 (2014): Violence Against Open Carry Gun Owners

Sponsors: Curtis Oda ("R", house) and Scott Jenkins ("R", senate).

Summary: Did you (or a friend) strap on a rifle for a rally/hearing, or to sell outside a gun show? HB 276 empowers statute enforcement agents to target unholstered open carry gun owners for violent harassment and arrest. Other gun owners will be at increased risk of abuse as well.

Discussion: Statute enforcement agents (SEAs) have enjoyed broad statutory latitude to harass, intimidate, and arrest gun owners in public situations via "disorderly conduct" and other nefarious statutes.

HB 276 attacks gun owners who open carry, and makes things worse with regard to "disorderly conduct" statutes. [Lines 28-38](#) outline current statute (deleted language has strikethrough) and new proposed language (underlined and bolded):

"(1) A person is guilty of disorderly conduct if:

(a) [~~he~~] **the person** refuses to comply with the lawful order of [~~the police~~] **a law enforcement officer** to move from a public place, or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or

(b) intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, [~~he~~] **the person**:

- (i) engages in fighting or in violent, tumultuous, or threatening behavior;
- (ii) makes unreasonable noises in a public place;
- (iii) makes unreasonable noises in a private place which can be heard in a public place; or
- (iv) obstructs vehicular or pedestrian traffic."

HB 276 then adds the following "exclusion":

"(3) The mere carrying or possession of a **holstered or encased** firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the **holstered or encased** firearm was carried or possessed unlawfully or with criminal intent, does not constitute a violation of this section. For purposes of this section, the belief of a reasonable person may not be based on a mistake of law..." ([lines 43-47](#)) [bold added]

You probably noticed that the "exclusion" created above only applies to "holstered" or "encased" firearms. What if you possess a firearm in any other condition in public?

Let's say you, like many other Utahans, strapped on a rifle (loaded or unloaded) to peacefully attend a pro-gun rally or hearing at the state capitol?



In the corrupt world of statutory language, by specifically exempting one thing (carrying a firearm in a holster), other things in that same class are allowed (i.e. the government can prosecute gun owners who carry without a holster).

In other words, because this new "exclusion" specifically EXCLUDES YOU, you are now singled out for extra police scrutiny and potentially violent harassment and arrest.

It is therefore reasonable to read what is — at a minimum — implicitly authorized for prosecution by reversing the language of the exception as follows:

"The mere carrying or possession of a **unholstered or un-encased** firearm, whether visible or concealed, without additional behavior or circumstances that would cause a reasonable person to believe the **un**

holstered or un-encased firearm was carried or possessed unlawfully or with criminal intent, does not constitute a violation of this section."

The language "holstered or encased" was specifically written to exclude firearms that are not encased or holstered. If HB 276 is passed, citizens who desire to safely and peaceably carry rifles in a "public place" may expect to be threatened and possibly violently attacked and arrested by government agents.

People frequently carry unholstered, unencased pistols and rifles in to, and outside of, gun shows as well. Under HB 276, is there any doubt that officials like [former Salt Lake City Mayor Ralph Becker](#) would see such conduct as serving "no legitimate purpose"?

Again, under HB 276 harmless activities and people can be targeted because they are NOT specifically exempted.

HB 276 also introduces nebulous phrases like "reasonable person" with belief in potential "criminal intent" — phrases that are historically abused by police agencies and prosecutors. Innocent gun owners always lose when statute is unclear. What it really means is that if you're carrying a gun around, you will be more vulnerable to harassment, intimidation, physical (and financial) abuse, arrest, and prosecution under HB 276.

HB 276 proponents also ignore that this new "exclusion" does not exist if someone believes that carrying a firearm poses a "hazardous or physically offensive condition," or that "criminal intent" is not specified to only apply to this section of statute.

Whenever someone has a feeling of a "hazardous or physically offensive condition," and believes that gun owners are creating, or contributing to, that situation, HB 276 will make it easier to harass and prosecute them.

Here's the bottom line. If statutors were truly motivated to protect gun owners, their attorneys would insert clear, concise language like the following:

"Carrying a firearm, in and of itself, does not constitute a hazardous or physically offensive condition."

In addition to clear language, there would be a clear penalty for police who blatantly harass such people. There is none. This double-standard is typical amongst gun controllers. Citizens are always punished while police, prosecutors, and

judges may choose to violate statute with government-sanctioned immunity.

Status: HB 276 passed the house ([63-8-4](#)), passed the senate ([27-1-1](#)), and was [signed](#) by Executive Monarch Herbert. A "NO" vote is correct. Also see the article, "2014's Trojan Horse: Lessons for Utah Gun Owners," on page 16.

[HB 350 \(2015\): End Victim Disarmament Zones on Buses](#)



Sponsor:
Norman Thurston
("R", house).

Summary: Eliminates the prohibition (a third degree felony) of carrying a firearm on a bus. Other open and concealed carry statutory restrictions would still apply.

Discussion: It is absurd that Utah citizens must surrender their right to defend themselves and others whenever they board a public bus.

HB 350 was prevented by senate bully Wayne Niederhauser from receiving a final floor vote. See the article, "Two Bullies Steal Your Rights," on page 12 for more information on the dictatorial powers of the senate president and house speaker. In addition to the "-2" score for Niederhauser's pivotal role in killing this bill, each senate rules committee member received a "-1" score for failing to advance it to the floor.

Status: HB 350 passed the house ([72-0-3](#)), and failed to receive a senate final vote. A "YES" vote is correct.

[SB 176 \(2015\): Reaffirm Government Immunity for Abusing Innocent Utahans](#)



Sponsors: Curtis
Bramble ("R", senate)
and Keven Stratton ("R",
house).

Summary: This bill reaffirms state immunity from prosecution for statute enforcement agents (SEAs) who grossly abuse the rights of innocent Utahans.

Discussion: From lines 71-73 and lines 86-88 of the bill:

"A governmental entity, its officers, and its employees are immune from suit, and immunity is not waived, for any injury

*proximately caused by a negligent act or omission of an employee committed within the scope of employment, if the injury arises out of or in connection with, or results from... **assault, battery, false imprisonment, false arrest, malicious prosecution, intentional trespass, abuse of process, libel, slander, deceit, interference with contract rights, infliction of mental anguish, or violation of civil rights.*** [bold added]

SB 176 confirms that SEAs, and their corrupt police unions and other perverse special interests that lobby on their behalf, are given special powers to destroy the lives of innocent gun owners and other citizens.

Status: SB 176 passed the senate ([25-1-3](#)), the house ([70-0-5](#)), and was [signed](#) by Executive Monarch Herbert. A "NO" vote is correct.



SB 214 (2015): Veteran Disarmament Courts

Sponsors: Peter Knudson ("R", senate) and Paul Ray ("R", house).

Summary: SB 214 establishes "veterans courts", modeled directly after "drug courts", which closely resemble courts of the former Soviet Union. These Kangaroo Courts require court dictators (i.e. "judges"), prosecution teams, defense counsels, state agencies, and federal agencies, to closely "collaborate" and "cooperate" as glorified social workers with a political agenda.

SB 214 is designed to further manipulate veterans, strip them of their rights and dignity, and prohibit them from keeping and bearing arms.

Discussion: SB 214 creates special "veterans courts" for those who meet the following criteria:

"Screening criteria for participation in a veterans court program shall **include:**

- (a) a plea to, conviction of, or adjudication for a criminal offense;
- (b) frequent alcohol and other drug testing, if appropriate;
- (c) participation in veteran diversion outreach programs, including substance abuse treatment programs where appropriate; and
- (d) sanctions for noncompliance with diversion and substance abuse programs' requirements." [bold added]

Note that the term "include" does not preclude coercing other participants to participate. In fact, as enacted, SB 214 implies that **veterans may be forced to participate in these "veterans courts"**.

SB 214 requires participating veterans to be subjected to a "collaborative strategy" and "cooperative approach" between an unaccountable* court dictator (i.e. "judge"), prosecution team, defense counsel, corrections agencies, substance abuse treatment "services", and the infamous U.S. Department of Veterans Affairs (VA) "Veterans Justice Outreach Program".

*Note: The Utah governor, without any substantive review or confirmation process, hand-picks all voting members of "judicial nominating commissions." These commissions select judicial candidates, the governor selects his favorite, and his favorite is confirmed by the state senate. The "judicial council" selects court commissioners, who are deemed "quasi-judicial officers of courts of record". Sources: [Utah Constitution, Art. VIII, Sec. 8](#), and state statutes [20A-12-201](#), [78A-5-107](#), [78A-10-103](#), [78A-10-105](#), [78A-10-202](#), and [78A-10-204](#). In order for voters to remove a judge, over 50 percent of them must be sufficiently angry at him/her to vote "no" on his/her judicial retention election. Imagine how many lives a judge can destroy before half the voters voted "no"?

"Veterans courts" are modeled after popularized "[drug courts](#)". According to the [Office of National Drug Control Policy](#), veterans courts "use a hybrid integration of Drug Court and Mental Health Court principles".

These "principles" embrace a political doctrine known as "therapeutic jurisprudence", or "[therapeutic justice](#)".

In 2002, former Utah juvenile court judge, Arthur Christean,

discussed its close relationship to philosophies espoused by the former Soviet Union:

"Therapeutic jurisprudence, and recent legislation influenced by it, appears to share some of the prominent characteristics of Soviet-style law..."

"In the former Soviet Union, courts and judges were expected to implement state policies and demonstrate loyalty to the philosophical premises supporting them. Unlike the United States Constitution, the Constitution of the USSR established the law as an instrument of the state's will—the 'people's will'—not as a limitation upon the state..."

Source: "[Therapeutic Jurisprudence: Embracing a Tainted Ideal](#)," former Utah juvenile court judge Arthur Christean, June 2002.



Consider court dictators (i.e. "judges"), for instance. Ideally, he/she is supposed to act as a referee to assist the jury in determining whether a

statute was violated and whether that statute is reasonable or unreasonable. Less ideally, he/she is currently tasked to determine a sentence based upon a guilty verdict given by the jury (this task should more appropriately reside in the hands of the jury as well).

Under SB 214 “veterans courts”, however, court dictators would be required to surrender any semblance of objectivity. He/she now assumes the mantle of an all-powerful social worker and head of a “clinical team” that pursues a “therapeutic process”. Consider how these “clinical teams” operate in “drug courts” — and inevitably in “veterans courts”:

*“When acting as a member of a clinical team bent on achieving certain outcomes, judges cannot avoid unethical ex parte communications, that is, discussion of the case with one party outside the presence of the other party. Ex parte communications are traditionally a serious ethical breach for judges, but such communications form a regular part of the therapeutic process. Further, **when judges become the central focus of the entire effort as the enforcer of the treatment team’s decisions, rather than an independent adjudicator of the facts and the law, the appearance of bias cannot be avoided. To the defendant, the judge becomes simply ‘one of them.’**” [bold added]*

Source: *ibid.*



In other words, court dictators would be unable to avoid blatant conflicts of interest that would inevitably arise from these inappropriate communications. They would be required to pursue, and achieve, pre-determined social outcomes that may have little, or nothing, to do with the defendant’s alleged crime.

In these compromising environments, the defense counsel would no longer remain focused on defending innocence, in helping the defendant challenge and resist the injustice of absurd statutes, or necessarily to obtain as light a sentence for the defendant as possible. Rather, **the defense counsel would be required by statute to work together with the prosecution and government agencies to make you a more politically-correct person.**

Consider this warning regarding “drug courts” — again from which “veterans courts” are admittedly modelled:

“In many drug courts,’ says Elizabeth Kelley of the National Association of Criminal Defense Lawyers, ‘the defense attorney is asked to forfeit the traditional role of being the zealous advocate of the client, and is asked to be part of the prosecutor or judge as part of ‘treatment.’ Federal drug court guidelines say that defense attorneys are to ‘explain all of the rights that the defendant will temporarily or permanently relinquish,’ and then work with prosecutors ‘to build a sense of teamwork and to reinforce a nonadversarial atmosphere.’”

Source: [“Want to Go to Drug Court? Say Goodbye to Your Rights,”](#) by Mike Riggs, September 17, 2012.

Corrections and substance abuse “experts” — salivating at the potential for increased government employment opportunities, benefits, and retirement — would also “collaborate” and “coordinate” with the court dictator, prosecution, and defense, prior to sentencing; rather than waiting for the sentence to be delivered and performing their function independently.

[Utah courts are already rabidly anti-gun](#),

and need no additional incentive to pronounce lifetime bans on veteran firearms ownership. They have amply demonstrated their eagerness to collude and conspire with the federal regime to neutralize the perceived threat of combat veterans bearing arms.



In addition to federal funding, the VA will likewise provide “experts” who could furnish these gun control courts with heretofore confidential communications with veteran defendants. The VA would further obscure this mess by dangling carrots in the form of perverse incentives to state and local budgets, and by pressuring veterans to comply.

You, the defendant, would stand very much alone. UT Gun Rights opposes SB 214.

Status: SB 214 passed the senate ([25-0-4](#)), the house ([58-1-16](#)), and was [signed](#) by Executive Monarch Herbert. A “NO” vote is correct.

[SB 256 \(2015\): Carry “Unloaded” Firearms Concealed](#)

Sponsor: David Hinkins (“R”, senate).



Summary: This bill would have “allowed” adults (21 or older) to carry concealed firearms in an

“unloaded” condition without a government concealed carry “permit”. The absurdly offensive “unloaded” requirement essentially means that no bullet is in the chamber or, in the case of revolvers, in a firing position (where a single action may cause the gun to fire).

Adults could have concealed firearms in this “unloaded” condition in areas currently authorized to concealed carry government “permit” holders only (with the exclusion of any school or university grounds).

Clarification Note: Some assumed the “unloaded” condition requirement was removed by a senate floor amendment. The amendment merely removed a redundancy in the bill. The “unloaded” requirement remained, as statute [76-10-504\(2\)](#) remains in effect for those without a government concealed carry “permit”. Notice that lines 86-87 of SB 256 exempt both [76-10-504\(1\) and \(2\)](#) for government concealed carry “permit” holders, but lines 95-96 only exempt [76-10-504\(1\)](#) for those WITHOUT a government concealed carry “permit”.

Discussion: The right to defend one’s self upon private or shared (i.e. public) property, either by possessing a weapon openly or in a concealed fashion, pre-exists government. In other words, it existed naturally and was freely exercised before such enslavement statutes and “permits” were imposed.

As American revolutionary Thomas Paine expressed it,

“Man did not enter into society to become worse than he was before, nor to have less rights than he had before, but to have those rights better secured. His natural rights are the foundation of all his civil rights.”

Source: [Rights of Man, Part I](#), by Thomas Paine in 1791.

Carrying your firearm – concealed or openly – is your right, NOT a bureaucrat-sanctioned privilege.

Government and private organizations and citizens are not restricted from OFFERING training. But restrictions upon natural rights — such as the right to protect one’s self — must be predicated and substantiated by more than the fear that an adult MIGHT abuse them in the future.

Increasing numbers of states (AK, AR, AZ, KS, VT, WY) in general or outright do not require government “permits” and have not suffered any ill effects. Vermont (and therefore AK, AZ, and theoretically OK via reciprocity) [allows 16-year-olds to carry loaded, concealed firearms](#).

It is an absurdity that a person carrying openly becomes a criminal by putting on a windbreaker or jacket. And it is equally absurd for that person to have to keep her firearm in an “unloaded” condition.

Opponents of SB 256 typically argue that allowance for carry of unloaded, concealed firearms is already addressed for those who obediently subject themselves to the Utah “permit” system. In theory, permit information that the state holds should not escape to unauthorized persons.

However, recent events demonstrate a shocking failure of the state in protecting private information held by the state as indicated by the [theft of records involving nearly a million Utahans in 2012](#). As well, the state may change statutes at any time and subject permit holders to violation of privacy [happened in New York state](#).

Finally, it was brought to the attention of gun owners in 2013 in consideration of [HB 317](#) that state government bureaucrats have many escapes from prosecution should they fail to protect private records.

Therefore, you may relent to carry concealed by subjecting yourself to a shameful and degrading invasion of personal privacy by the state and potential public disclosure of your information. Or you may carry concealed without a permit and face arrest, prosecution, and jail time.

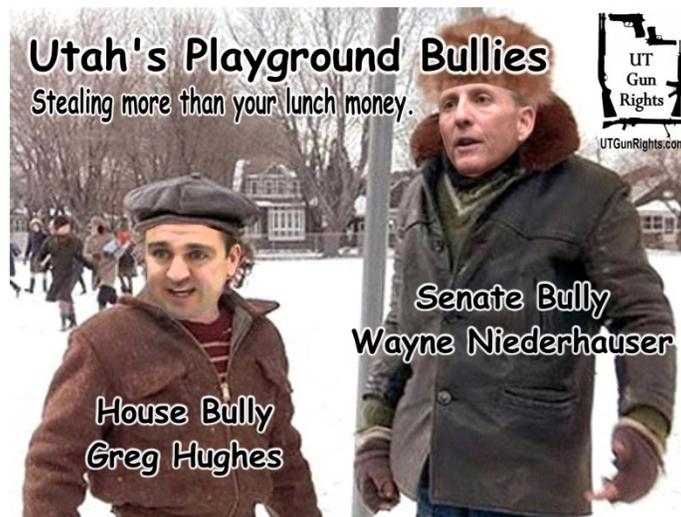
Meanwhile, violent criminals carry knives and loaded firearms concealed ANY TIME THEY CHOOSE.

UT Gun Rights supports this bill as a baby step in the right direction, though it is poorly written and not nearly as comprehensive as it should be. One factor in this decision regards individuals who currently choose to exercise their natural right to carry a concealed firearm — loaded or “unloaded” — without a government “permit”. Under SB 256, it appears that, in most instances, they would be less likely to be molested by SEAs than they are currently.



SB 256 was prevented by house bully Greg Hughes from receiving a final floor vote. See the article, “Two Bullies Steal Your Rights,” on page 12 for more information on the dictatorial powers of the house speaker and senate president. In addition to the “-2” score for Hughes’ pivotal role in killing this bill, each house rules committee member received a “-1” score for failing to advance it to the floor.

Status: SB 256 passed the senate ([21-6-2](#)), and died in Greg Hughes’ hand-picked house rules committee. A “YES” vote is correct.



Two Bullies Steal Your Rights

During recent federal house speaker intrigue, federal congressman Louie Gohmert made a startling public admission [bold added]:

*"It's only when the members of Congress are allowed to have authority and power that they can adequately represent their own constituents. We haven't had that authority under [outgoing Speaker of the House John] Boehner. **Nobody could get a committee they wanted without his okay, or a chairmanship that they wanted without his okay...***

*"If we let our committees run themselves and let the members elect their own committee chairman, for example, and restore power back to the members **instead of having a dictator** — I mean let's face it, **if we're going to have a dictator** of the Republican Party, we've got to have somebody really incredibly good if they're going to make all the decisions for all of us who represent over 700,000 people."*

Source: "[Rep. Gohmert: 'Put Me in Crazy Category,' But I Won't Vote For Paul Ryan](#)," by Cathy Burke, *Newsmax*, 10/23/15.

Gohmert's lamentation of the federal house dictatorship was surprisingly echoed [in a recent editorial](#) by the communist-leaning *Deseret News*:

*"The [federal house] speaker's role has evolved over the years to the point where **he or she has absolute control over the House's agenda**. The speaker determines what issues will be discussed and voted upon, who will have the opportunity to speak on the House floor, and who will serve on all House committees. Contrast this **near-dictatorial authority** with that of the*

Senate majority leader, who has equivalent responsibilities in the Senate but not an equivalent level of power." [bold added]

Source: "[In our opinion: The speaker has near-dictatorial power in the House](#)," editorial board, *Deseret News*, 10/16/15.

Scandals in states like New York have likewise highlighted assembly speakers and senate majority leaders empowered structurally to exercise unchallenged dominance.

*"Under the state's political system, the assembly speaker and the senate majority leader, together with the governor, comprise **the so-called three men in a room who exercise virtually unfettered control over the legislative and budget process in Albany.**"* [bold added]

Source: "[Powerful N.Y. lawmaker collected millions in bribes, prosecutor says](#)," by Joseph Ax, *Reuters*, 11/23/2015.

What most press outlets have not appropriately exposed is that Utah suffers under the same brand of political playground bullying — as seen in New York and at the federal level.

Meet Utah's Playground Bullies

In the final hours before each statutory session ends, hundreds of bills most statutors had never read, let alone understood, were passed in assembly-like fashion. Among these bills were numerous attacks against your natural rights.

This does not happen by accident. Two men, [house speaker Greg Hughes](#) and [senate president Wayne Niederhauser](#), bully the entire statutorium (i.e. "legislature") and run roughshod over your elected officials. They set the agenda and your statutors obediently follow it.

How can this happen? Why do your statutors tolerate such an abusive arrangement? And what can be done to stop it?

They Hold Enormous Power



How do two people exercise such control? As one example, **the house speaker and senate president alone appoint and remove EVERY member of EVERY**

committee. Hughes and Niederhauser are empowered to do this without any review or confirmation process.

Sources: "The general duties of the Speaker are to:... appoint the members of committees..." ([House Rules 1-3-102. Duties of the speaker](#)) and "The general duties of the president are to:... appoint the members of committees..." ([SR1-3-102. Duties of the president](#))

Consider the vast implications of this incredible power. No bill may be voted on in the house or senate without going through a committee. Hughes and Niederhauser each control a "rules committee" that can prevent or allow a bill from going to a committee to be heard.

Should a bill survive a committee hearing, it is again "prioritized" by the same rules committee for any floor action. As a result, bills live or die almost entirely upon the calculated orders of these two bullies.

Previous House Bully Becky Lockhart candidly admitted her power to the press:

"I empower [house] committee chairs..."

[bold added]

Source: "[Bill banning enforcement of federal gun laws 'stuck in limbo'](#)," by Lisa Riley Roche, *Deseret News*, February 22, 2013.

Lockhart's successor, Hughes, likewise empowers the chairs of each house committee because he appoints and fires them at his will alone, as does Niederhauser for every senate committee. And these hand-picked chairs [control each committee agenda](#).

Hughes' and Niederhauser's powers are so extreme, no specific provision exists in the house or senate rules to fire these bullies before their two-year terms are over. Akin to an elected despotism, these bullies lord over each body, trade political favors, and sell your rights; **all while pretending that decisions are made by the will of the majority.**

As if neutering your elected officials weren't enough, these two bullies also have enormous influence on how vast sums of money are distributed in Utah political races. Niederhauser is

the first officer listed for the "[Utah Republican Senate Campaign Committee](#)". Hughes is the first officer listed for the "[Utah Republican House Campaign Committee](#)" and has established the "[Hughes Leadership PAC](#)". Both have significant influence with other PACs and also with the Utah Republican Party, of which they are automatically voting members of its exclusive "[Executive Committee](#)".



Both bullies are enabled by a spider web-like network of corruption. Corporations and elitists desirous to advance their agendas must "pay to play" in Utah's capitol. For a partial who's-who list, see Niederhauser's [2014 disclosure report](#) (and [2010-13 reports](#)), and Hughes' [2014 disclosure report](#) (and [2010-13 reports](#)).

They Abuse & Manipulate People

As a demonstration of their power, Hughes' hand-picked rules committee held a secretive meeting and actively prevented the press from



attending. Hughes' obedient rules committee chairman Mike Noel demonstrated well the prevailing attitude of contempt for the rule of law and public access.

Utah Political Capitol reported the following:

*"...Reporters were puzzled as to where the Rules Committee would be meeting to conduct the mandatory business prior to getting the procedural amendments approved. When the location was eventually determined, **press representatives from several media outlets were not allowed access to the area where Rep. Mike Noel (Republican - Kanab) was conducting the meeting... a clear violation of 'open meeting' requirements in the state law.***

"Lisa Roche of the Deseret News told Noel, 'Mr. Chairman, may I just make a protest here; we were kept out in the hallway and not allowed in here... I don't know why that was but it was really frustrating. We were kept out in the hallway by the communications director and not allowed in. When there's a meeting in the part of the [Capitol] that we don't have access to, we need someone to make sure that we can get

here.' Her concerns were met with incredulous, non-verbal responses but no apologies or explanations until Rep Noel said, 'Well that's unfortunate, did you have some questions about the bill?' ...**he agreed**

to address her concerns but not until after he had adjourned the meeting."

[bold added]

Source: "[Utah House Rules Committee Receives Media Protest After Closed Meeting](#)," Michael Orton, *Utah Political Capitol*, March 9, 2015.

Even Utah's gun-control-favoring media appeared annoyed at their first-hand taste of the abuse gun owners have experienced for many years. It is obvious how flagrantly these bullies defy statute and any semblance of fair play.

In 2013, Senate Bully Wayne Niederhauser's stooge, John Valentine* pushed through a fraudulent "procedural reform" to expand Niederhauser's domination of the entire statutory process, by *de facto* eliminating one of the only mechanisms for senate statutors to act independently. See UT Gun Rights' 2013 threat assessment, "[SR 1: Crushing Resistance in Monarch Niederhauser's Senate](#)".

*Note: Valentine recently retired from the state senate, and was [unanimously confirmed by Niederhauser's senate to head of the Utah Tax Commission](#).

Their Agenda is Gun Control



Niederhauser also participated in the [infamous deception regarding HB 76 in 2013](#), wherein officials kept their anti-gun agenda from becoming full public

knowledge. After promising gun owner activists he would stand firm, Niederhauser [voted against holding a veto override session for HB 76](#). For more information, see the article, "[HB 76: Political Theater for Suckers](#)."

This report highlights a nearly identical bill, SB 256: Carry "Unloaded" Firearms Concealed, which languished in Niederhauser's senate until March 9 (the session ended March 12), and then died in Hughes' house without a final vote. Compare the snail's pace of SB 256 with the lightning passage of gun control bills highlighted in this report.

Niederhauser has an abysmal -200% lifetime rating. Hughes has a -117% lifetime rating. Neither bully is a friend to gun owners.

They Intimidate Those Who Resist

Those who attempt to fight these two bullies are often intimidated into compliance.

Consider the following incident that took place on January 27, 2015, described by the *Salt Lake Tribune*:

"When the floor vote took place on HB74, 74 House members voted for the bill and one member registered a 'no' vote. Those votes are displayed on an electronic board at the front of the chamber.

"The one 'no' vote came from Rep. Norm Thurston, R-Provo, a freshman who took Lockhart's place in District 64.

"Glances from around the room quickly darted in Thurston's direction. Some colleagues mentioned to him that a 'no' vote on that issue was ill-advised. Thurston, who already made news by proposing a bill to allow gun totes to carry firearms on TRAX and buses, didn't budge.

"A funny thing then happened.

"**Hughes**, who as speaker controls the board, did not close the vote. He instead kept it open and **glared down at Thurston**.

"Two minutes went by. Three minutes. Four minutes. **Hughes did not look away**.

"Finally, Thurston blinked.

"**He changed his vote to 'yes,'** and Romero's bill went to the Senate with, eventually, a unanimous nod from the House." [bold added]

Source: "[Rolly: New Utah House speaker wins staredown as freshman blinks on rape bill](#)," by Paul Rolly, *Salt Lake Tribune*, February 12, 2015.

This statutor was **publicly bullied to change his vote** by the one man who could make or break his political career. Statutors like Thurston are bullied to believe that "resistance is futile."



This indoctrination was also evident in a recent procedural tiff between Democrats and Republicans surrounding Gary "[BB Gun Background Checks](#)" Herbert's health care "initiative". Democrats wanted to bypass Hughes'

unfriendly committees, bring the bill directly to the floor, and debate it openly. During the emotional back-and-forth that ensued, statutor Jake Anderegg was quoted as follows:

*"We have **a process** up here that we follow, and that process vets and weeds out both good and bad legislation," said Rep. Jake Anderegg, R-Lehi. 'If this body really chooses to ignore **our processes** and bring this back, why did we hold it in committee to begin with?' He said it wastes time with a week left in the session."* [bold added]

Source: "[Dems force Healthy Utah vote in House, igniting fight with GOP](#)", by Lee Davidson, Salt Lake Tribune, March 6, 2015.

Notice that Anderegg, a relative newcomer (elected in 2012), already refers to house procedures as "a process" and "our processes". He does not refer to it as "the process" based upon rules that are fair and equitable. Anderegg has been brainwashed to confuse Hughes' Soviet-style hand-picked committee sham with something just and legitimate.

The drama evident in this procedural tiff also demonstrated that minority Democrats are only interested in confronting "the way things are done around here" when it goes against their core agenda. Democrat house minority leader Brian King shared this when the debate ended:

"King said, 'I don't know if there will be retribution' to Democrats, 'but I would hope not.' He added he has had a good working relationship with GOP leaders. 'I hope it continues, but if it doesn't — that's the price you pay in politics on something as important as this.'"

Source: [ibid](#).

He "hopes" there won't be "retribution"? He has a "good working relationship" with his supposed opposition who regularly quell debate and dictate terms with an iron fist?

Why weren't King and his Democrats ready to "pay the price" and fight against this fraudulent process a long time ago? Are we to believe that Herbert's health care initiative was the first time something came along that was important enough to oppose the blatant bullying?

Bullies Who Never Grew Up

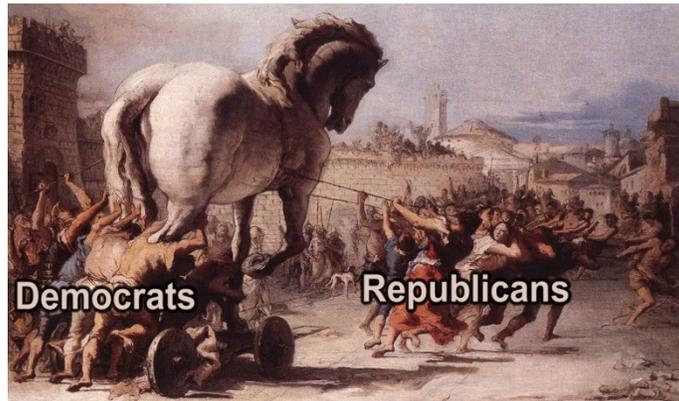
If Hughes and Niederhauser tried this sort of nonsense on a school playground, parents of affected children would have them expelled,



would immediately alter the rules that empowered them to be bullies, and would adorn the grounds with "Hazing Will Not Be Tolerated" signs. Why should it be any different in Utah's capitol?

The political buck stops with these bullies for failing to advance positive gun owner bills, and for every gun control bill enacted. Until citizens oppose their power, and statutors follow their lead, your rights will continue to be undermined.

People like you must take concerted political action. For ideas on how to reclaim your rights, see UT Gun Rights' article, "[What You Can Do](#)".



2014's Trojan Horse: Lessons for Utah Gun Owners

During the 2014 statutory session, UT Gun Rights warned that HB 276, "Violence Against Open Carry Gun Owners", would put open carry gun owners at significant risk. From the ["threat briefing"](#):

"Did you (or a friend) strap on a rifle for a rally/hearing, or to sell outside a gun show? If HB 276 passes, unholstered open carry gun owners will be targeted for violent harassment and arrest. Other gun owners will be at increased risk of abuse as well."

Despite objections detailed in the threat briefing, HB 276 passed and was celebrated by various organizations as a "win" for Utah gun owners. Unfortunately, gun owners were betrayed by these organizations — again.

HB 276 Handlers Repeatedly Reveal Their Intent

UT Gun Rights' threat briefing also included the following assertion:

"The language 'holstered or encased' was specifically written to exclude firearms that are not encased or holstered. If HB 276 is passed, citizens who desire to safely and peaceably carry rifles in a 'public place' may expect to be threatened and possibly violently attacked and arrested by government agents."

Organizations like the [Utah Shooting Sports Council](#) and [GoUtah!](#) publicly disagreed with this assessment.

These organizations ignored the question-answer discussion on the senate floor wherein HB 276 handlers again admitted the real agenda. Beginning at 00:40:45 of the [senate recording](#), statutor Jim Dabakis ("D") asked the following:

"So, my question is, a mother with 2 or 3 children gets on a UTA bus or a train and somebody gets on with a legal AK-47 and they're full of combat uniforms and they've got a mask on and they've got a backpack, and the children are frightened. [The] children are very frightened and the woman with the children and the family is also very frightened. Does this in any way preclude that person from getting on the bus? Or does this allow that person to brandish an AK-47 in a way that is not aimed at anybody?"

HB 276 senate sponsor Scott Jenkins ("R") replied:

"Well it allows that person to comply with the same law that exists today. So, yes, the weapons that they could carry before they can carry now. What this does is this speaks to the right of the individual who has the weapon with him. So it doesn't change any of what you just said." [bold added]

Statutor Dabakis:

*"So, if I may do a follow-up mister president. So, this bill doesn't address the fear, concern, bordering on very serious concern, of this woman and her children getting on the bus with somebody in combat fatigues and carrying an AK-47. **That was perfectly legal and will continue to be perfectly legal.**"* [bold added]

Senate sponsor Jenkins: ***"Yes, that's correct."*** [bold added]

Statutor Dabakis: *"Thank you."*

At this point, house statutor Curtis Oda ("R") and senate statutor Curtis Bramble ("R") approached Jenkins and corrected him. Jenkins then modified his previous answer:

"Yeah, that's true. **They** [Oda and Bramble] **just reminded me, this law has to do with a weapon that is holstered and an AK-47 isn't holstered.**" [bold added]

Statutator Jim Dabakis: "**That a real big holster?**" [bold added]

Senate sponsor Scott Jenkins:

"Real big one. But, it doesn't prevent an officer of the law who was riding there from going up and talking to this individual, and saying, 'Hey, you're kind of out for a hunt, huh? What are you doing?' That would not prevent him from doing that." [bold added]

What did Jenkins mean by that? Prior to HB 276, while disorderly conduct statute was sufficiently vague to be abused by police on the street, it was technically legal to open carry an AK-47 in public without a holster. According to Jenkins, under HB 276 they would now need a "real big holster".

Would this bill impact the safety of a gun owner who chose to open carry an unencased rifle or not? Did Jenkins even comprehend what he was talking about and what he was sponsoring?

If Jenkins was clueless, his pushers and handlers were not so naïve. Senate statutator and "friendly amender" to HB 276, Mark Madsen ("R"), further clarified Jenkins' admission beginning at 00:44:22 of the [same senate recording](#):

"Thank you, mister president. I'd like to just briefly explain my vote and in doing so add a little bit to the conversation that took place. **If it was an AK-47 it would have to be encased. So it would have to be carried in a case. So the idea that it could be brandished is not something that should be concerned about.** And also if somebody was dressed in a way, it says in the absence of any other element the possession of a gun alone does not give rise to being sequestered by law enforcement. But anything else, if they're dressed suspiciously, if they're dressed in combat, or if they're dressed like a thug, or if they're dressed... any other element would then enable the law enforcement to engage that person and even detain them. But it says in the absence of any other elements. So, that's one of the reasons **I'm very comfortable with this because it has to be holstered or encased** and because any other element would trigger the additional scrutiny of law enforcement and would not prohibit them from engaging that person. So I just wanted to give my

colleague from Salt Lake [referring back to statutator Dabakis] that information so he can reverse his vote if he wants to. I vote aye." [bold added]

In other words, Madsen was "very comfortable" because open carry rifle owners must now "encase" them. At 00:36:40 of the subsequent [house recording](#), house sponsor Curtis Oda stated the following in his support that the house concur with the senate's amendments to HB 276:

"The language actually cleaned a lot of things up and it makes it a lot clearer on intent."

Contrary to supporters' claims, the intent had been quite clear to those paying attention. Oda, who also chaired the house committee that approved HB 276, revealed the following before it passed that hearing:

"Furthering the question, Representative Merrill Nelson (Republican - Grantsville) asked, **'If we have someone come into a legislative hearing, carrying a rifle, is that disorderly conduct?'** To which Oda replied, 'If they do it to make that kind of a political statement, and they're trying to raise concern, it very well could be. **This bill does not prevent a situation like that from being considered to be that.**" [bold added]

Source: "[Oda Says Firearms in Public Do Not Constitute Disorderly Conduct](#)," Michael Orton, Utah Political Capitol, March 11, 2014.

Keep in mind that, in 2013, open carry gun owners did come into hearings, and attended rallies, with rifles slung on their backs. As UT Gun Rights had warned, the previous sponsor of HB 276, statutator Paul Ray ("R"), was unhappy with that open expression of rights, and more forcefully declared of the bill:

"So if someone is carrying a gun around in their hand they can be cited. **This bill really clarifies things** and gives them an outline to go by of **[sic]** in this situation you can write a ticket and in this situation you can't. **If they strap a rifle onto their back** and walk into JC Penney, **you can be cited for disorderly [conduct], WHICH YOU OUGHT TO BE.** But if you have your handgun holstered then you are ok." [bold and bold caps added]

Source: "[Proposed bill to further define open carry laws](#)," by Mary Richards, KSL.com, Jan. 3, 2014.

Speaking of his nearly identical bill in 2013, Ray shared the following:

"Rep. Paul Ray, R-Clearfield, sponsor of HB268, said **if the bill [HB 268 in the 2013 session] had been law during last week's so-called 'Gun Day' at the Legislature, a man who brandished an assault rifle next to a child at a committee hearing could have been cited.**"

"This is a disorderly conduct bill. **This bill is not about allowing people to open carry,**' Ray said." [bold added]

Source: "Gov. Gary Herbert says he doesn't like 'constitutional carry' bill," Lisa Riley Roche, Deseret News, Feb. 28 2013.



HB 276's handlers repeatedly and consistently revealed their intent to initiate an unjustified attack on open carry gun owners. Citizens in states like [Michigan](#), [Texas](#), [Washington](#), and elsewhere openly carry rifles to their state capitols and elsewhere as a form of peaceful political awareness, and to remind the government that it is subordinate to the people.

By passage of HB 276, the state of Utah and its anti-gun collaborators have established by force that people here are subordinate to government.

"Everybody's Good With This"?

In the final hours of the session, and without time for the public to fully assess them, so-called "friendly" amendments to HB 276 were proposed and passed that only worsened the bill. According to the previously-cited senate floor recording, at 00:39:45, senate statutor and "friendly amender" Mark Madsen stated:

"I'm supposed to tell everybody [to] disregard all the 'no amendment' alerts you've been getting from the NRA and from [Utah] Shooting Sports Council. I'm here to tell you that this is an acceptable amendment to the NRA and [Utah] Shooting Sports Council. We've worked with them. But they had sent out that 'no amendment' language or warning to everybody and I guess they trusted me to

be the bearer of the nullification of those alerts. So **everybody's good with this. The gun community's good with this,** and so I would urge your support." [bold added]

Indeed, many supposedly representing the gun owner community did support this gun control bill, including:

- [GoUtah!](#)
- [Libertas Institute](#),
- [National Rifle Association \(NRA\)](#),
- [Utah Grassroots](#),
- [Utah Gun Exchange](#), and
- [Utah Shooting Sports Council \(USSC\)](#).

Not "everyone" in the "gun community" supported HB 276, however, and neither was UT Gun Rights the only public opponent. Many concerned citizens contacted statutors and the above organizations to argue against HB 276 on the grounds that it was a gun control bill and a betrayal of their open carry brothers and sisters.

Ironically, there were no "nay" votes to Madsen's amendment in the senate. And for its final passage, many traditionally anti-gun Republicans and Democrats jumped on board to ensure its overwhelming passage ([27 yeas, 1 nay, 4 absent/not voting](#)).

Citizens who interacted with statutors reported that these "friendly" amendments were added to make the bill even more palatable to anti-gun organizations like the secretive [Utah Law \[sic\] Enforcement Legislative Committee](#), which reversed its earlier position and publicly supported the final bill.

Even the notorious [Utah League of Cities & Towns \(ULCT\)](#), a United Nations-like conglomerate that [zealously pursues gun control](#), was conspicuously neutral on HB 276. Consider this from the ULCT's "[2014 General Legislative Session](#)" wrap-up:



"**After negotiations with the Utah Police Chiefs Association, Utah Sheriffs Association, the Utah Attorney General's Office, and ULCT, we came to a consensus on this legislation.** As such, we don't expect future legislation." [bold added]

Are you comforted that three organizations publicly exposed for supporting gun control (see "[Utah Police Chiefs Overwhelmingly Support Gun](#)



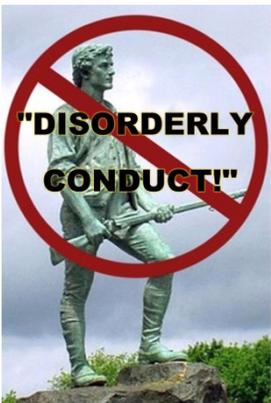
Control,” and, “[Why Did Utah’s Sheriffs Oppose HB 76?](#)”) all shared a secretive kumbaya moment over a supposed gun rights bill?

Could it be that the ULCT doesn’t expect future bills on this issue because these committed gun control advocates got what they expected from HB 276?

Statutator Fred Cox Confesses

Referencing HB 276: “Violence Against Open Carry Gun Owners”, Fred Cox (“R”) wrote in his [“2015 Voter Questionnaire”](#):

“There is a proposal to allow an individual who can legally ‘Open Carry’ a firearm to cover that firearm with a coat or otherwise conceal that they are carrying a firearm, without a concealed carry permit. A similar bill was vetoed by the Governor in 2013. **What did pass in 2014 was a law to require individuals that do ‘Open Carry’, to have the firearm in a holster or case.**” [bold added]



This is precisely the attack UT Gun Rights outlined. Unholstered open carry gun owners will now be targeted for violent harassment and arrest. Other gun owners will be at increased risk of abuse as well.

Are you still feeling confident in the judgement, opinions, and behavior of supposed “gun rights champions” who sponsor and support such gun control?

Are you impressed by the prowess of National Rifle Association (NRA) and Utah Shooting Sports Council (USSC) attorneys who boldly proclaimed:

“A concern that has been raised with the above language [of HB 276] is that since it explicitly exempts holstered and encased firearms from disorderly conduct it would imply that the carrying of un-encased or un-holstered firearms is disorderly conduct. **Both our [USSC] and NRA’s legal counsel has looked at this and determined that this is not the case.**” [bold added]

Sources: [USSC Alert for Mar. 6, 2014](#). See UT Gun Rights’ original [threat briefing](#) for more information.

Distrust & Verify versus Lazy Trust

False friends pretend to oppose your enemies, and will sometimes put on a good show to maintain favor with you. But in moments of political crisis and at other times, they will serve their true masters and act in direct contradiction to their public speeches and statements.

Such betrayal can seem baffling, because many people can’t imagine anyone being so manipulative and deceitful. Can they possibly be THAT two-faced and corrupt — while wearing their Sunday-best attire?

And therein lies a vital lesson for Utah gun owners; one that UT Gun Rights will repeatedly attempt to convey. It is important to remain apprehensive about those who tell you things you want to hear.

It is unwise to accept any individual or organization as *the* authority on a bill or issue. All humans are fallible, and any person or group of persons might, at any time, make significant errors or even purposely attempt to mislead you.

These cautions also apply to UT Gun Rights, and it has set strict [organizational policies](#) to encourage you to continuously scrutinize the information provided and reach your own conclusions.

YOU are solely responsible to examine the evidences and opinions, and to determine the facts and your course of political action. As American revolutionary Thomas Paine [expressed it](#):



“Those who are not in the representation, know as much of the nature of business as those who are... Every man is a proprietor in government, and considers it a necessary part of his business to understand. It concerns his interest, because it affects his property. He examines the cost, and compares it with the advantages; and above all, he does not adopt the slavish custom of following what in other governments are called LEADERS...”

Are you content to be “led” by various organizations professing your best interests? **Or will you create your own political agenda and carefully scrutinize all the information you receive?**

In creating your agenda, consider how an ethical and legitimate government would operate. UT Gun Rights has created its [“Affirmative Agenda”](#) for your review and critique.



Bloomberg's Busy Bees

Curtis Oda Collaborates with Gary "BB Gun Background Checks" Herbert

Gun control commando and former New York mayor Michael Bloomberg, co-founder of [Mayors Against Illegal Guns](#) and similar enterprises, enjoys plenty of support amongst Utah's wanna-be elitists.

Last session, house statutor Curtis Oda publicly withdrew his watered-down bill, HB 260, which was similar to SB 256 (Carry "Unloaded" Firearms Concealed) highlighted in this report. Oda made the following excuse:

*"The thing is, **why expend the effort** if he's [Executive Monarch Gary Herbert] just going to veto it?... And at this point **there's no way to know if we're going to have the votes for an override**, so I think the general conclusion is, let's try to work it out..."*

"Let's put it this way: The governor has asked for everyone to get together to talk. Let's look not only at [constitutional carry] but a couple other things..."

*"**We've got all the stakeholders on our side**, as far as the firearms community, saying, 'If we can come to an agreement and get something good done, even if it takes another year, let's do it.'" [bold added]*

Source: "[Governor cuts deal to avert showdown on gun issue](#)," by Robert Gehrke, *Salt Lake Tribune*, Feb 10, 2015.

Was anyone surprised at his surrender? Oda received a -67% (that's **minus**) on this report. He sponsored [SB 120: Turning the State Forester into a Monarch](#) (in 2013), and HB 276: Violence Against Open Carry Gun Owners and HB 37: Gun Control by Bureaucrats (both highlighted in this report).

Rather than push statutors to toughen up and put their votes where their big mouths are, Oda prefers to collaborate with Herbert, who received a -100% on this report, [publicly endorsed background checks for BB guns](#) (yes, you read that correctly), and [worked via secretive "back channels"](#) to prevent officials from being held accountable on a nearly identical bill in 2013 (HB 76).



Imagine the wonderful results gun owners can expect from this special beehive of backroom deals. Will they be joined by "firearms community" stalwarts like Utah Shooting Sports Council (USSC) chairman, Clark Aposhian, [who appeared to secretly facilitate opposition to HB 76 in 2013?](#)



Awards for Abysmal Performance

A.W.O.L. Ninja Award



Rather than vote their conscience and publicly reveal their position, some statutors vanished like the wind during critical votes. Many were downright crafty at avoiding accountability, and therefore require special illumination.

Nine senate and house statutors, all "Republicans", disappeared for two final bill votes of those highlighted in this report. However, two of these stealth-masters harmfully disappeared for a good bill (HB 350).

Therefore, the 2016 A.W.O.L. (Absent With Out Leave) Ninja Award is a two-way tie to **Brad Dee**, house district 11, and **Mike McKell**, house district 66.

Curtis bRamble Award for Bad Bill Sponsorship

While every statutor performed horribly, two statutors sponsored more gun control and gun owner harassment bills than any others. **Curtis Bramble** ("R"), senate district 16, and **Curtis Oda** ("R"), house district 14, each sponsored two bad bills highlighted in this report.



Bramble, after whom this award was named, also received a **-133%**

rating. Only Senate Bully Wayne Niederhauser and House Bully Greg Hughes rated worse.

[Bramble was born and raised in Barack Obama's gangster playtown of Chicago](#), and now perpetrates gun control schemes — consistent with the location of his upbringing — from the supposedly "conservative" counties of Utah and Wasatch. Apparently any gun-controlling carpet-bagger can be re-elected in his district.



The French Army Award

How did Utah's supposed "gun rights champions" fare?

So poorly, they each amply deserve *The French Army Award* for meritorious disservice in leading from the rear.

Here are this year's recipients, in order of embarrassment (i.e. from abysmal to more abysmal):

Brian Greene: house district 57: **0%**

Ken Ivory, house district 47: **-20%**

Curtis Oda, house district 14: **-67%**

Mark Madsen, senate district 13: **-71%**

With French commandos like these, who needs enemies? As U.S. General George S. Patton allegedly put it: *"I'd rather have a division of Germans in front of me, than a French one behind me."*