

Salt Lake County DA will not prosecute curfew violations after May 30 protest

By Graham Dudley, KSL.com

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10PM: Salt Lake County DA will not prosecute curfew violations after May 30 protest

SALT LAKE CITY — The Salt Lake County District Attorney's Office and the Salt Lake City Prosecutor's Office announced Thursday they will not pursue charges against Utahns arrested for violating curfew or failing to disperse after the protest-turned-riot of May 30.

The offices said they made that decision "as a matter of fairness, as a practical resource management consideration, and consistent with this office's commitment to criminal justice reform."

The move comes after similar decisions by law enforcement agencies across the country, including New York, Dallas, San Francisco and Denver.

The May 30 protests resulted in a variety of charges and arrests. Several Utahns have been arrested in connection with upending a police car; a man was arrested for threatening protesters with a bow and arrow; and other acts of vandalism and property damage have resulted in charges.

The offices said they are screening both felony and misdemeanor charges related to the day, and will continue to pursue cases involving injury to persons or "unlawful riot."

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"Public safety is the first priority of the Salt Lake County District Attorney's Office," said District Attorney Sim Gill. "We must also acknowledge that public safety includes protecting the constitutional rights of Salt Lake County residents, especially when the exercise of those rights does not involve injury or harm to people or property."

Gill said the move is a resource issue, as well as a fairness issue, since many of those who broke curfew that night weren't aware that it had been enacted.

"This is what justice is," he told KSL TV. "Justice is a measured approach. It's a balanced approach.

"In no way should this be taken as a license for future action. In no way should it be taken as a usurpation of the mayor's authority."

The statement echoed an earlier statement from the Northern Utah chapter of Black Lives Matter and the ACLU of Utah, which are both based in Salt Lake City. The organizations praised Salt Lake City Mayor Erin Mendenhall's lifting of the curfew after only a few days, after it "caused harm to Black, Brown, refugee and immigrant communities who are already overpoliced and disproportionately affected by the current pandemic."

"The city's curfew was the wrong approach for several reasons," reads a portion of the June 4 statement by the organization. "By picking and choosing the kinds of activities that were allowed, the curfew ended up targeting only free speech, assembly, and other protest activities. People who have cars to drive, people who feel comfortable talking to police, and people who can assume they won't be targeted by law enforcement did not consider the curfew a big deal.

"Residents of the predominantly white or otherwise insulated neighborhoods of Salt Lake City felt free to violate the curfew order without risk of arrest and freely enjoyed the very public spaces that the curfew forbade. We know this is not how everyone experiences a city-wide curfew."

Gill's office has declined to charge close to three dozen demonstrators. Prosecutors will ask judges to dismiss the charges without prejudice, or that they could be brought back at a later date.

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