

Utah lawmaker takes aim at rioters with bill critics say goes too far

by Daniel Woodruff, KUTV
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SALT LAKE CITY (KUTV) — A Utah lawmaker has proposed a bill that would crack down on rioting.

State Sen. David Hinkins (R-Ferron) told 2News he filed the bill after seeing violent [protests in Salt Lake City](#) last year and in Washington, D.C. this month.

“We’re a land of laws,” Hinkins said. “If we can’t enforce our laws, where are we at?”

[Senate Bill 138](#) takes aim at rioters, toughening penalties and allowing some rioters to be held without bail. The bill also removes liability for injuring or killing someone while trying to flee a riot, and it would hold cities and other local governments liable if they don’t aggressively protect private property.

2News asked Hinkins if that provision targeted Salt Lake City. Utah’s capital city was [criticized for its response](#) to riots last summer.

No,” Hinkins said. “It’s nationwide. I mean, we’re turning into a third-world country.”

Salt Lake City Mayor Erin Mendenhall was still reviewing the bill late Thursday and had no comment, a city spokesperson said.



State Sen. David Hinkins (R-Ferron) (KUTV)

Several bills dealing with rioting have been filed this legislative session. The one from Hinkins, critics say, is the mother of them all.

“It just seems incredibly punitive and problematic on a whole host of different fronts,” said Marina Lowe with the ACLU of Utah.

Lowe said rioting is too vaguely defined in Utah.

We definitely shouldn’t be doubling down and enhancing penalties that give a lot of discretion for prosecutors to decide that in one instance they think somebody is just protesting and in another somebody is rioting,” Lowe said.

2News asked Hinkins if he believed his bill was in danger of infringing on freedom of speech or freedom of assembly.

"I guess that's why we have the process," Hinkins responded. "This is where I'm starting. It's probably going to change a lot. May get added to, subtracted from. But this is how the process works."

The bill would also keep convicted rioters from collecting any state benefits like unemployment. No hearing on the bill has been scheduled yet. The legislative session run



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