



Utah **Policy**  
**Daily**

Where political junkies get their daily fix



## Gang Bill Splits Senate

Feb 07, 2008 by Elizabeth Ziegler

### Some Say It Could Infringe on Constitutional Right to Assembly

(KCPW News) What's the difference between a freedom fighter and a gang member? That's the question Senator Howard Stephenson asked Wednesday, while debating a bill that restricts known gang members from loitering in public.

"If this law had been in effect in 1776, would we still be singing as our national anthem, 'God save the Queen'?" Stephenson asks.

Stephenson says the rebels who freed America from British rule were likely considered a gang at the time. This bill, he says, challenges the same constitutional right to assembly they helped secure. The bill's sponsor, Senator Jon Greiner, says it doesn't limit the right to assemble, but limits who doesn't have the right to assemble -- identified gang members. That's the problem, says Senator Greg Bell, from West Jordan. In order to steer clear of Civil Rights infringements, the Legislature drafts laws against crimes of action, not status, he says.

"The question this group has to answer is," Bell says. "Do we - because a person is this, or identified as that - do we simply say, because of your status, you can't exercise rights that are otherwise available to persons?"

Bell and Stephenson joined eight other Senators Wednesday in voting against the bill. However, it cleared the Senate with 13 "Yes" votes, and it now moves to the House for further consideration. [Click here](#) to listen to the full Senate floor debate on Greiner's proposal.



[Email to a friend](#)

Posted in KCPW Newsroom. Copyright 2008 KCPW



**Add your comment:**