

Ken Ivory proposes the following substitute bill:

Ritual Abuse Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: Jen Plumb

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses ritual abuse.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ requires current sexual assault and sexual abuse training for law enforcement officers to
9 include training on sexual assault committed during a ritual and the impact of that

10 conduct on the victim;

11 ▶ creates an aggravating factor for certain offenses committed against an individual under
12 18 years old if the offense was committed as part of a ritual;

13 ▶ contains a coordination clause to coordinate a substantive change between this bill and
14 S.B. 24, Child Abuse and Torture Amendments, by adding the crime of child torture,
15 which is newly created in S.B. 24, to the list of offenses that qualify for the aggravating
16 factor created in this bill; and

17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 This bill provides a coordination clause.

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53-10-908**, as last amended by Laws of Utah 2023, Chapter 158

25 ENACTS:

26 **76-3-203.19**, Utah Code Annotated 1953

27 **Utah Code Sections affected by Coordination Clause:**

28 **76-3-203.19**, Utah Code Annotated 1953

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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-10-908** is amended to read:

53-10-908 . Law enforcement -- Training -- Sexual assault, sexual abuse, and human trafficking.

(1) The department and the Utah Prosecution Council shall develop training in trauma-informed responses and investigations of sexual assault and sexual abuse, which include, but are not limited to, the following:

- (a) recognizing the symptoms of trauma;
- (b) understanding the impact of trauma on a victim;
- (c) responding to the needs and concerns of a victim of sexual assault or sexual abuse;
- (d) delivering services to victims of sexual assault or sexual abuse in a compassionate, sensitive, and nonjudgmental manner;
- (e) understanding cultural perceptions and common myths of sexual assault and sexual abuse;
- (f) understanding how perpetrators of sexual assault and sexual abuse can use sexual assault and sexual abuse during a ritual, as that term is defined in Section 76-3-203.19, and the impacts of that sexual assault and sexual abuse on a victim; and
- ~~(f)~~ (g) techniques of writing reports in accordance with Subsection (5).

(2)(a) In accordance with Section 53-6-202, the department and the Utah Prosecution Council shall offer the training in Subsection (1) to all certified law enforcement officers in the state.

(b) The training for all law enforcement officers may be offered through an online course, developed by the department and the Utah Prosecution Council.

(3) The training listed in Subsection (1) shall be offered by the Peace Officer Standards and Training division to all persons seeking certification as a peace officer.

(4)(a) The department and the Utah Prosecution Council shall develop and offer an advanced training course for officers who investigate cases of sexual assault or sexual abuse.

(b) The advanced training course shall include:

- (i) all criteria listed in Subsection (1); and
- (ii) interviewing techniques in accordance with the curriculum standards in Subsection (5).

(5) The department shall consult with the Utah Prosecution Council to develop the specific

63 training requirements of this section, including curriculum standards for report writing
 64 and response to sexual assault and sexual abuse, including trauma-informed and
 65 victim-centered interview techniques, which have been demonstrated to minimize
 66 retraumatizing victims.

67 (6) The Office of the Attorney General shall develop and offer training for law enforcement
 68 officers in investigating human trafficking offenses.

69 [~~(7) The training described in Subsection (6) shall be offered to all law enforcement officers
 70 in the state by July 1, 2020.~~]

71 [~~(8) (7) The training described in Subsection (6) shall be offered by the Peace Officer
 72 Standards and Training division to all persons seeking certification as a peace officer, in
 73 conjunction with the training described in Subsection (1) [beginning July 1, 2021].~~]

74 [~~(9) (8) The Office of the Attorney General, the department, and the Utah Prosecution
 75 Council shall consult with one another to provide the training described in Subsection (6)
 76 jointly with the training described in Subsection (1) as reasonably practicable.~~]

77 *The following section is affected by a coordination clause at the end of this bill.*

78 Section 2. Section **76-3-203.19** is enacted to read:

79 **76-3-203.19 . Aggravating factor for an offense committed against a child or**
 80 **minor as part of a ritual.**

81 (1) As used in this section:

82 (a) "Offense against a child or minor" means an offense that is:

83 (i) child abuse as described in Section 76-5-109;

84 (ii) aggravated child abuse as described in Section 76-5-109.2;

85 (iii) abuse or neglect of a child with a disability as described in Section 76-5-110;

86 (iv) child abuse homicide as described in Section 76-5-208;

87 (v) kidnapping as described in Section 76-5-301, if committed against an individual
 88 under 18 years old;

89 (vi) child kidnapping as described in Section 76-5-301.1;

90 (vii) aggravated kidnapping as described in Section 76-5-302, if committed against
 91 an individual under 18 years old;

92 (viii) human trafficking of a child as described in Section 76-5-308.5;

93 (ix) unlawful sexual activity with a minor as described in Section 76-5-401;

94 (x) sexual abuse of a minor as described in Section 76-5-401.1;

95 (xi) rape as described in Section 76-5-402, if committed against an individual under
 96 18 years old;

- 97 (xii) rape of a child as described in Section 76-5-402.1;
 98 (xiii) object rape as described in Section 76-5-404.2, if committed against an
 99 individual under 18 years old;
 100 (xiv) object rape of a child as described in Section 76-5-402.3;
 101 (xv) forcible sodomy as described in Section 76-5-403, if committed against an
 102 individual under 18 years old;
 103 (xvi) sodomy on a child as described in Section 76-5-403.1;
 104 (xvii) forcible sexual abuse as described in Section 76-5-404, if committed against an
 105 individual under 18 years old;
 106 (xviii) sexual abuse of a child as described in Section 76-5-404.1;
 107 (xix) aggravated sexual abuse of a child as described in Section 76-5-404.3;
 108 (xx) aggravated sexual assault as described in Section 76-5-405, if committed against
 109 an individual under 18 years old;
 110 (xxi) unlawful kissing of a child as described in Section 76-5-416.2; or
 111 (xxii) unlawful kissing of a minor as described in Section 76-5-416.4.
 112 (b) "Ritual" means an event or act, or a series of events or acts:
 113 (i) marked by specific actions, specific gestures, ceremonial objects, ceremonial
 114 clothing, religious texts, or specific words; and
 115 (ii) designed to commemorate, celebrate, or solemnize a particular occasion or
 116 significance in a religious, cultural, social, institutional, or other context.
 117 (2) For a defendant convicted of an offense against a child or minor, it is an aggravating
 118 factor if the sentencing court finds that the defendant committed the offense as part of,
 119 or to facilitate, a ritual or a training or practice to perform a ritual.
 120 (3) When sentencing a defendant convicted of an offense against a child or minor subject to
 121 the aggravating factor described in Subsection (2), the sentencing court shall consider
 122 the aggravating factor and include the aggravating factor in the judgment of commitment.
 123 (4) In determining the length of imprisonment for a defendant imprisoned for a conviction
 124 of an offense against a child or minor subject to the aggravating factor described in
 125 Subsection (2), the Board of Pardons and Parole shall consider the aggravating factor.

126 **Section 3. Effective Date.**

127 This bill takes effect on May 7, 2025.

128 **Section 4. Coordinating H.B. 66 with S.B. 24.**

129 If H.B. 66, Ritual Abuse Amendments, and S.B. 24, Child Abuse and Torture

130 Amendments, both pass and become law, the Legislature intends that, on May 7, 2025,

131 Subsection 76-3-203.19(1), enacted in H.B. 66, be amended to read:

132 "(1) As used in this section:

133 (a) "Offense against a child or minor" means an offense that is:

134 (i) child abuse as described in Section 76-5-109;

135 (ii) child torture, as described in Section 76-5-109.4;

136 (iii) aggravated child abuse as described in Section 76-5-109.2;

137 (iv) abuse or neglect of a child with a disability as described in Section

138 76-5-110;

139 (v) child abuse homicide as described in Section 76-5-208;

140 (vi) kidnapping as described in Section 76-5-301, if committed against an

141 individual under 18 years old;

142 (vii) child kidnapping as described in Section 76-5-301.1;

143 (viii) aggravated kidnapping as described in Section 76-5-302, if committed

144 against an individual under 18 years old;

145 (ix) human trafficking of a child as described in Section 76-5-308.5;

146 (x) unlawful sexual activity with a minor as described in Section 76-5-401;

147 (xi) sexual abuse of a minor as described in Section 76-5-401.1;

148 (xii) rape as described in Section 76-5-402, if committed against an individual

149 under 18 years old;

150 (xiii) rape of a child as described in Section 76-5-402.1;

151 (xiv) object rape as described in Section 76-5-404.2, if committed against an

152 individual under 18 years old;

153 (xv) object rape of a child as described in Section 76-5-402.3;

154 (xvi) forcible sodomy as described in Section 76-5-403, if committed against

155 an individual under 18 years old;

156 (xvii) sodomy on a child as described in Section 76-5-403.1;

157 (xviii) forcible sexual abuse as described in Section 76-5-404, if committed

158 against an individual under 18 years old;

159 (xix) sexual abuse of a child as described in Section 76-5-404.1;

160 (xx) aggravated sexual abuse of a child as described in Section 76-5-404.3;

161 (xxi) aggravated sexual assault as described in Section 76-5-405, if committed

162 against an individual under 18 years old;

163 (xxii) unlawful kissing of a child as described in Section 76-5-416.2; or

164 (xxiii) unlawful kissing of a minor as described in Section 76-5-416.4.

165 (b) "Ritual" means an event or act, or a series of events or acts:
166 (i) marked by specific actions, specific gestures, ceremonial objects,
167 ceremonial clothing, religious texts, or specific words; and
168 (ii) designed to commemorate, celebrate, or solemnize a particular occasion or
169 significance in a religious, cultural, social, institutional, or other context."