

Sahara Hayes proposes the following substitute bill:

1 **Victim Privacy Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Stephanie Pitcher

2 **LONG TITLE**

3 **General Description:**

4 This bill addresses a crime victim's right to privacy.

5 **Highlighted Provisions:**

6 This bill:

7

- 8 ▶ allows a crime victim to request the use of the victim's initials instead of the victim's
- 9 name in publicly available criminal justice documents under certain circumstances;
- 10 ▶ requires an entity that creates publicly available documents related to the criminal justice
- 11 process to:
 - 12 • provide the name of a victim identified by initials in response to a court order; and
 - 13 • maintain any information about a victim that is necessary to respond to a lawful court
 - 14 order; and
 - 15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22 **77-38-6**, as last amended by Laws of Utah 2023, Chapters 16, 237 and 352

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

25 Section 1. Section **77-38-6** is amended to read:

26 **77-38-6 . Victim's right to privacy -- Option to use victim's initials in publicly**

27 **available criminal justice documents.**

28 (1)(a) The victim of a crime has the right, at any court proceeding, including any

29 juvenile court proceeding, not to testify regarding the victim's address, telephone

30 number, place of employment, or other locating information unless the victim
31 specifically consents or the court orders disclosure on finding that a compelling need
32 exists to disclose the information.

33 (b) A court proceeding on whether to order disclosure shall be in camera.

34 (2)(a) A defendant may not compel any witness to a crime, at any court proceeding,
35 including any juvenile court proceeding, to testify regarding the witness's address,
36 telephone number, place of employment, or other locating information unless the
37 witness specifically consents or the court orders disclosure on finding that a
38 compelling need for the information exists.

39 (b) A court proceeding on whether to order disclosure shall be in camera.

40 (3)(a) Except as provided in Subsection (3)(d), and for an offense occurring on or after
41 July 1, 2026, a victim may request to have the victim's initials rather than the victim's
42 name used in charging documents and any other publicly available filing or
43 document related to the criminal justice process that is created by a prosecuting
44 agency, a court, a law enforcement agency, the Division of Juvenile Justice and
45 Youth Services, the Department of Corrections, the Youth Parole Authority, the
46 Board of Pardons and Parole, or a related entity.

47 (b)(i) For purposes of Subsection (3)(a), a filing or document is publicly available if
48 the filing or document is available to, and accessible by, the general public, even
49 if a member of the public is required to pay a fee to access the filing or document.

50 (ii) For purposes of Subsection (3)(a), a filing or document is not publicly available if
51 the filing or document is made available only to certain parties connected to the
52 proceeding, even if a fee is charged to obtain the filing or document.

53 (c) An entity described in Subsection (3)(a) shall:

54 (i) provide the name of a victim identified by initials in response to a court order; and
55 (ii) maintain any information about a victim that is necessary to respond to a lawful
56 court order.

57 (d) Subsection (3)(a) does not apply to a publicly available filing or document:

58 (i) required for the issuance or enforcement of a criminal protective order described
59 in Title 78B, Chapter 7, Part 8, Criminal Protective Orders, or a criminal stalking
60 injunction described in Title 78B, Chapter 7, Part 9, Criminal Stalking
61 Injunctions; or

62 (ii) created by the Motor Vehicle Enforcement Division described in Section 41-3-104.

63 Section 2. **Effective Date.**

64

This bill takes effect on May 6, 2026.