

HB 308 – CRIME VICTIM AMENDMENTS

This proposed legislation is a key component in providing a process and potential remedies to victims of crime who have reported that their rights under state statute and the Utah Constitution were violated.

Currently, that process in state statute is vague and serves to create more frustration for both victims and those who are trying to help address those concerns.

Relocates Judicial District Victim’s Rights Committee language to its own part located at 63M-7-1001.

- Amends duties of the Crime Victims Council in 63M-7-603.
- Relocates Judicial District Victim’s Rights Committees already existing in state statute under 77-37-5 to enacted statute 63M-7-1001.
 - Clarifies the composition of the victim rights committees.

Creates a committee coordinator position.

- Adds a committee coordinator position to handle:
 - Administrative and victim rights complaint processes including communication between coordinator and victim petitioners, and coordinator and victim rights committee chairs.
 - Open Meetings Act requirements.
 - Minutes and meeting agendas.
 - Committee sponsored training and other responsibilities.

Clarifies crime victim rights complaint process.

- Specifies the process for handling complaints that victim rights under state statute and the Utah Constitution have been violated (77-37 and 77-38).
- Describes what relief a victim may seek for a violation of their rights.
- It clarifies that a defendant convicted of an offense may not bring an action or complaint alleging violation of victim rights.

Requires UOVC provide educational materials to be law enforcement agencies.

Requires all criminal justice agencies establish a policy for addressing a complaint alleging a violation of a victim’s rights.