

**Senator David P. Hinkins** proposes the following substitute bill:

**TASK FORCE ON MISSING AND MURDERED AMERICAN INDIANS**

**AND ALASKA NATIVES**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Angela Romero**

Senate Sponsor: David P. Hinkins

**LONG TITLE**

**General Description:**

This bill creates the Task Force on Missing and Murdered American Indians and Alaska Natives.

**Highlighted Provisions:**

This bill:

- ▶ creates the task force; and
- ▶ specifies duties of the task force.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2021:

- ▶ to the Legislature - Senate as a one-time appropriation:
  - from the General Fund, \$3,200;
- ▶ to the Legislature - House of Representatives as a one-time appropriation:
  - from the General Fund, \$3,200;
- ▶ to the Legislature - Office of Legislative Research and General Counsel as a one-time appropriation:
  - from the General Fund, \$2,800.

**Other Special Clauses:**



26 This bill provides a repeal date.

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **36-29-107**, Utah Code Annotated 1953

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

32 Section 1. Section **36-29-107** is enacted to read:

33 **36-29-107. Task Force on Missing and Murdered American Indians and Alaska**  
34 **Natives -- Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies --**  
35 **Duties -- Interim Report.**

36 (1) As used in this section, "task force" means the Task Force on Missing and  
37 Murdered American Indians and Alaska Natives created in Subsection (2).

38 (2) There is created a Task Force on Missing and Murdered American Indians and  
39 Alaska Natives consisting of the following nine members:

40 (a) one member of the Senate appointed by the president of the Senate;

41 (b) one member of the House of Representatives appointed by the speaker of the House  
42 of Representatives;

43 (c) the following three members, appointed jointly by the president of the Senate and  
44 the speaker of the House of Representatives:

45 (i) a member of a nonprofit organization primarily serving Utah's Native American  
46 community;

47 (ii) a representative of a Utah Native American tribe; and

48 (iii) a representative of a victim advocate organization serving Utah's Native American  
49 population;

50 (d) the director of the Division of Indian Affairs, or the director's designee;

51 (e) the executive director of the Department of Human Services, or the executive  
52 director's designee;

53 (f) the attorney general, or the attorney general's designee; and

54 (g) the commissioner of public safety for the Department of Public Safety, or the  
55 commissioner's designee.

56 (3) A vacancy in a position appointed under Subsection (2)(a), (b), or (c) shall be filled

57 by appointing a replacement member in the same manner as the member creating the vacancy  
58 was appointed under Subsection (2)(a), (b), or (c).

59 (4) (a) The senator appointed under Subsection (2)(a) is a cochair of the task force.

60 (b) The member of the House of Representatives appointed under Subsection (2)(b) is  
61 a cochair of the task force.

62 (5) (a) A quorum consists of five members.

63 (b) The action of a majority of a quorum constitutes an action of the task force.

64 (6) (a) Salaries and expenses of the members of the task force who are legislators shall  
65 be paid in accordance with Section [36-2-2](#) and Legislative Joint Rules, Title 5, Chapter 3,  
66 Legislator Compensation.

67 (b) A member of the task force who is not a legislator:

68 (i) may not receive compensation or benefits for the member's service associated with  
69 the task force; and

70 (ii) may receive per diem and travel expenses incurred as a member of the task force at  
71 the rates established by the Division of Finance in accordance with Sections [63A-3-106](#) and  
72 [63A-3-107](#) and rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and  
73 [63A-3-107](#).

74 (7) The Office of Legislative Research and General Counsel shall provide staff support  
75 to the task force.

76 (8) The task force shall:

77 (a) conduct appropriate consultations with tribal governments on the scope and nature  
78 of the issues regarding missing and murdered American Indians and Alaska Natives;

79 (b) develop model protocols and procedures to apply to new and unsolved cases of  
80 missing or murdered individuals in American Indian and Alaska Native communities,  
81 including the best practices for:

82 (i) improving the way law enforcement investigators and prosecutors respond to the  
83 high volume of the cases, and to the investigative challenges that might be presented in cases  
84 involving female victims;

85 (ii) collecting and sharing data among various jurisdictions and law enforcement  
86 agencies; and

87 (iii) better use of existing criminal databases;

88 (c) seek input from multi-disciplinary and multi-jurisdictional persons, including  
89 representatives from tribal law enforcement and federal agencies, about how to review cold  
90 cases involving missing and murdered American Indians and Alaska Natives; and

91 (d) address the need for greater clarity concerning roles, authorities, and jurisdiction  
92 throughout the lifecycle of cases involving missing and murdered American Indians and Alaska  
93 Natives by discussing:

94 (i) best practices in cases involving missing and murdered American Indians and  
95 Alaska Natives, including best practices related to communication with affected families from  
96 initiation of an investigation through case resolution or closure; and

97 (ii) education and outreach campaigns for communities that are most affected by crime  
98 resulting in missing and murdered American Indians and Alaska Natives to identify and reduce  
99 the crime.

100 (9) (a) On or before November 30, 2020, the task force shall provide a report to the  
101 Law Enforcement and Criminal Justice Interim Committee.

102 (b) The report shall include a summary of the task force's findings under Subsection (8)  
103 and recommendations for improvements in the criminal justice and social service systems for  
104 preventing and addressing crimes involving missing and murdered American Indians and  
105 Alaska Natives in Utah.

106 Section 2. **Appropriation.**

107 The following sums of money are appropriated for the fiscal year beginning July 1,  
108 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for  
109 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
110 Act, the Legislature appropriates the following sums of money from the funds or accounts  
111 indicated for the use and support of the government of the state of Utah.

112 ITEM 1

113 To Legislature - Senate

114 From General Fund, One-time

\$3,200

115 Schedule of Programs:

116 Administration

\$3,200

117 ITEM 2

118 To Legislature - House of Representatives

119	<u>From General Fund, One-time</u>	<u>\$3,200</u>
120	<u>Schedule of Programs:</u>	
121	<u>Administration</u>	<u>\$3,200</u>

122 ITEM 3

123	<u>To Legislature - Office of Legislative Research and General Counsel</u>	
124	<u>From General Fund, One-time</u>	<u>\$2,800</u>
125	<u>Schedule of Programs:</u>	
126	<u>Administration</u>	<u>\$2,800</u>

127 The Legislature intends that an appropriation provided under these items be used for  
128 expenses relating to the Task Force on Missing and Murdered American Indians and Alaska  
129 Natives as described in Section [36-29-107](#).

130 Section 3. **Repeal date.**

131 Section [36-29-107](#) is repealed on November 30, 2020.