

Senator David P. Hinkins proposes the following substitute bill:

MURDERED AND MISSING INDIGENOUS WOMEN AND

GIRLS TASK FORCE

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill creates the Murdered and Missing Indigenous Women and Girls Task Force.

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:

This bill provides a repeal date.



26 **Utah Code Sections Affected:**

27 ENACTS:

28 36-29-107, Utah Code Annotated 1953

29

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

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

32 **36-29-107. Murdered and Missing Indigenous Women and Girls Task Force --**
33 **Creation -- Membership -- Quorum -- Compensation -- Staff -- Vacancies -- Duties --**
34 **Interim Report.**

35 (1) As used in this section, "task force" means the Murdered and Missing Indigenous
36 Women and Girls Task Force created in Subsection (2).

37 (2) There is created a Murdered and Missing Indigenous Women and Girls Task Force
38 consisting of the following nine members:

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

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

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

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

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

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

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

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

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

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

55 (3) A vacancy in a position appointed under Subsection (2)(a), (b), or (c) shall be filled
56 by appointing a replacement member in the same manner as the member creating the vacancy

57 was appointed under Subsection (2)(a), (b), or (c).

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

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

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

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

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

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

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

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

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

75 (8) The task force shall:

76 (a) conduct appropriate consultations with tribal governments on the scope and nature
77 of the issues regarding missing and murdered indigenous women and girls;

78 (b) develop model protocols and procedures to apply to new and unsolved cases of
79 missing or murdered indigenous women and girls, including the best practices for:

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

83 (ii) collecting and sharing data among various jurisdictions and law enforcement
84 agencies; and

85 (iii) better use of existing criminal databases;

86 (c) seek input from multi-disciplinary and multi-jurisdictional persons, including
87 representatives from tribal law enforcement and federal agencies, about how to review cold

88 cases involving missing and murdered indigenous women and girls; and

89 (d) address the need for greater clarity concerning roles, authorities, and jurisdiction
90 throughout the lifecycle of cases involving missing and murdered indigenous women and girls
91 by discussing:

92 (i) best practices in cases involving missing and murdered indigenous women and girls,
93 including best practices related to communication with affected families from initiation of an
94 investigation through case resolution or closure; and

95 (ii) education and outreach campaigns for communities that are most affected by crime
96 resulting in missing and murdered indigenous women and girls to identify and reduce the
97 crime.

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

100 (b) The report shall include a summary of the task force's findings under Subsection (8)
101 and recommendations for improvements in the criminal justice and social service systems for
102 preventing and addressing crimes involving missing and murdered indigenous women and girls
103 in Utah.

104 **Section 2. Appropriation.**

105 The following sums of money are appropriated for the fiscal year beginning July 1,
106 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
107 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
108 Act, the Legislature appropriates the following sums of money from the funds or accounts
109 indicated for the use and support of the government of the state of Utah.

110 ITEM 1

111 To Legislature - Senate

112 From General Fund, One-time \$3,200

113 Schedule of Programs:

114 Administration \$3,200

115 ITEM 2

116 To Legislature - House of Representatives

117 From General Fund, One-time \$3,200

118 Schedule of Programs:

119 Administration \$3,200
120 ITEM 3
121 To Legislature - Office of Legislative Research and General Counsel
122 From General Fund, One-time \$2,800
123 Schedule of Programs:
124 Administration \$2,800
125 The Legislature intends that an appropriation provided under these items be used for
126 expenses relating to the Murdered and Missing Indigenous Women and Girls Task Force as
127 described in Section [36-29-107](#).
128 Section 3. **Repeal date.**
129 Section [36-29-107](#) is repealed on November 30, 2020.