

**DOMESTIC VIOLENCE OFFENDER TREATMENT BOARD**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: V. Lowry Snow**

Senate Sponsor: Michael K. McKell

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**LONG TITLE**

**General Description:**

This bill creates the Domestic Violence Offender Treatment Board (board).

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates the Domestic Violence Offender Treatment Board within the State Commission on Criminal and Juvenile Justice;
- ▶ establishes the duties of the board; and
- ▶ requires the board to provide a list to the Administrative Office of the Courts of providers certified by the board to provide domestic violence treatment.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**63M-7-701**, Utah Code Annotated 1953

**63M-7-702**, Utah Code Annotated 1953

**63M-7-703**, Utah Code Annotated 1953

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

29 Section 1. Section **63M-7-701** is enacted to read:

30 **Part 7. Domestic Violence Offender Treatment Board**

31 **63M-7-701. Definitions.**

32 As used in this part:

33 (1) "Board" means the Domestic Violence Offender Treatment Board created in

34 Section ~~H→ [63M-7-803:] 63M-7-702.~~ ←H

35 (2) "Commission" means the State Commission on Criminal and Juvenile Justice

36 created in Section ~~63M-7-201.~~

37 Section 2. Section **63M-7-702** is enacted to read:

38 **63M-7-702. Domestic Violence Offender Treatment Board -- Creation --**

39 **Membership -- Quorum -- Per diem -- Staff support -- Meetings.**

40 (1) There is created within the commission the Domestic Violence Offender Treatment  
41 Board consisting of the following members:

42 (a) the executive director of the Department of Corrections, or the executive director's  
43 designee;

44 (b) the executive director of the Department of Health and Human Services, or the  
45 executive director's designee;

46 (c) one individual who represents a state program that focuses on prevention of injury  
47 and domestic violence appointed by the executive director of the Department of Health and  
48 Human Services;

49 (d) the commissioner of public safety for the Department of Public Safety, or the  
50 commissioner's designee;

51 (e) the director of the Utah Office for Victims of Crime, or the director's designee;

52 (f) the chair of the Board of Pardons and Parole, or the chair's designee;

53 (g) the director of the Division of Juvenile Justice Services, or the director's designee;

54 ~~H→ [(h) one judge appointed by the presiding officer of the Utah Judicial Council;~~

55 ~~— [(i) (h) ←H one individual who represents the Administrative Office of the Courts appointed~~  
55a ~~by~~

56 ~~the state court administrator; and~~

57 ~~H→ [(j) nine] (i) ten ←H~~ individuals appointed by the executive director of the  
57a commission, including:

58 (i) the following four individuals licensed under Title 58, Chapter 60, Mental Health

59 Professional Practice Act:

60 (A) a clinical social worker;

61 (B) a marriage and family therapist;

62 (C) a professional counselor; and

63 (D) a psychologist;

64 (ii) one individual who represents an association of criminal defense attorneys;

64a Ĥ→ (iii) one criminal defense attorney who primarily represents indigent criminal  
 64b defendants; ←Ĥ

65 Ĥ→ [(iii)] (iv) ←Ĥ one individual who represents an association of prosecuting attorneys;

66 Ĥ→ [(iv)] (v) ←Ĥ one individual who represents law enforcement;

67 Ĥ→ [(v)] (vi) ←Ĥ one individual who represents an association of criminal justice victim

67a advocates;

68 and

69 Ĥ→ [(vi)] (vii) ←Ĥ one individual who represents a nonprofit organization that provides  
 69a domestic

70 violence victim advocate services.

71 (2) (a) A member may not serve on the board for more than eight consecutive years.

72 (b) If a vacancy occurs in the membership of the board appointed under Subsection (1),  
 73 the member shall be replaced in the same manner in which the original appointment was made.

74 (c) A member of the board serves until the member's successor is appointed.

75 (3) The members of the board shall vote on a chair and co-chair of the board to serve  
 76 for two years.

77 (4) (a) A majority of the board members constitutes a quorum.

78 (b) The action of a majority of a quorum constitutes an action of the board.

79 (5) A board member may not receive compensation or benefits for the member's  
 80 service on the board, but may receive per diem and reimbursement for travel expenses incurred  
 81 as a board member at the rates established by the Division of Finance under:

82 (a) Sections [63A-3-106](#) and [63A-3-107](#); and

83 (b) rules made by the Division of Finance under Sections [63A-3-106](#) and [63A-3-107](#).

84 (6) The commission shall provide staff support to the board.

85 (7) The board shall meet at least quarterly on a date the board sets.

86 Section 3. Section **63M-7-703** is enacted to read:

87 **63M-7-703. Board duties.**

88 (1) The board shall advise and make recommendations to other councils, boards, and  
 89 offices within the commission that address domestic violence.

90           (2) As part of the board's duties under Subsection (1), the board shall:  
91           (a) research standardized procedures and methods for intimate partner and domestic  
92 violence offender evaluation, intervention, treatment, and monitoring that prioritize physical  
93 and psychological safety of the victim;  
94           (b) identify and establish best practice standards for intimate partner and domestic  
95 violence evaluation, intervention, treatment, and monitoring that:  
96           (i) are applicable to the state's needs;  
97           (ii) are based on scientific research to address an individual's intimate partner and  
98 domestic violence risk factors; and  
99           (iii) incorporate evidence-based trauma informed care to enhance the quality and  
100 continuity of intervention and treatment;  
101           (c) disseminate the best practice standards described in Subsection (2)(b) to the entities  
102 described in Subsection (1) to be used in the evaluation, intervention, treatment, and  
103 monitoring of intimate partner and domestic violence offenders; and  
104           (d) establish a training and certification program for public and private providers of  
105 intervention and treatment for intimate partner and domestic violence offenders that requires  
106 the public and private providers to:  
107           (i) comply with the best practice standards described in Subsection (2)(b) to obtain and  
108 maintain certification; and  
109           (ii) participate in annual education or training to maintain certification.  
110           (3) The board shall:  
111           (a) monitor the public and private providers who participate in the training and  
112 certification program described in Subsection (2)(d) to ensure compliance with the best  
113 practice standards and annual education or training described in Subsection (2)(d); and  
114           (b) annually provide a list of the public and private providers who participated in the  
115 training and certification program described in Subsection (2)(d) and are in compliance with  
116 the requirements described in Subsection (2)(d) to the Administrative Office of the Courts as a  
117 resource for judges and commissioners in domestic violence cases.