

Second Judicial District Victims' Rights Committee

Minutes of Meeting held May 22, 2024

The meeting was held at the Weber-Morgan Children's Justice Center. Online ZOOM LINK:
<https://utah-gov.zoom.us/j/85664565277>

Attendance:

Reed Richards, chair – City Attorney Rod Layton - CJC Director
Chris Allred – County Attorney Lisa Frazier - Victim Advocate
Corey Stark– Sheriff Christine Watters - Citizen
Kelly Bennett- City Police
Rachelle Hill-VSC staff

Excused:

Phill Reese, Gary Heward, Barbara Noriega

RECORDING:

https://utah-gov.zoom.us/rec/share/BnDqbv9upByV4CjgXiiToO9VmgQmsy0sBiRhjg9x2iRIbd5dO_6QPC0y-P_NnfRI.4--ta5FAOh-tz-Ck

Passcode: P3UdF.ND

1. Welcome and introductions: Reed
2. Approval of minutes of 12-6-2023
 Moted by: Kelly Bennett
 2nd by Rod Layton
3. Legislative changes affecting Committee: Reed Richards and Rachelle Hill reviewed the updated statue, and flowchart created by the VSC. Christine had some questions about agencies creating a policy for addressing a complaint. Rachelle also let them know that when a violation has been alleged that a copy of the complaint must be sent to the subject. Discussed potential members.

4. Review of complaints

- a. H.N. This complaint alleges that their rights have been violated because the case has not been filed. Prosecution has discretion. The committees cannot force prosecution. The committee has had discussions with agencies to ensure that the subjects have heard from the complainant. The complaint has been provided with resources and options.
 - i. Motion: Kelly Bennett made a motion to close the case and send a notification to the complainant. Rod Layton 2nd the motion
 - ii. ACTION: Rachelle will send a letter to the complainant letting them know that the case has been closed with the committee finding no violation. Remind the complainant of the other options available

- b. S.T. This complaint alleges that their rights have been violated because law enforcement has not pressed charges against the perpetrator. Law Enforcement has discretion. The committees can not force LE to press charges.
 - i. Motion: Kelly Bennett made a motion to close the case and send a notification to the complainant. Rod Layton 2nd the motion
 - ii. ACTION: Rachelle will send a letter to the complainant letting them know that the case has been closed with the committee finding no violation.

- c. J.P. This complaint alleges that their rights have been violated because when the case was transferred she no longer had access to services. The court did send a letter for notification. There is not a victim advocate in the mental health court. The committee did provide the complaint with resources and services.
 - i. Motion: Kelly Bennett made a motion to close the case and send a notification to the complainant. Rod Layton 2nd the motion
 - ii. ACTION: Rachelle will send a letter to the complainant letting them know that the case has been closed with the committee finding no violation. but letting the complainant know that she helped the committee identify a gap and they will work towards looking at this issue statewide. And reminding her about resources available.

- d. A.K. This complaint alleges that their rights have been violated. The committee can not sustain if there is a victim rights violation yet as the case is still active. The committee has been in contact with the subject to ensure that they know that the complainant is concerned. And have provided the complainant with resources.

- i. Motion: Kelly Bennett made a motion to close the case at this time because the case is still active and send a notification to the complainant. Rod Layton 2nd the motion
 - ii. ACTION: Rachelle will send a letter to the complainant letting them know that the case has been closed with the committee finding no violation at this time because the case is still active. And reminding her about SA resources available.

- e. R.B. This complaint alleges that their rights have been violated due to the investigation and charges. The committee can not sustain if there is a victim rights violation yet as the case is still under investigation. The committee will make recommendations
 - i. Motion is that the committee does not see a victim violation but has some suggestions that they will pass along to the LE and prosecution.
 - ii. Action: Chris will reach out with suggestion to the LE agency

- f. B.P. This complaint alleges that the order of protection has not been enforced. There was some question about service of the order. Prosecution and Law Enforcement have the discretion and have felt like charges were not in the best interest of justice in this case. Follow up is needed with the prosecutor.
 - i. Motion was Chris will ask the prosecution to review to see if there is a prosecutable violation
 - ii. ACTION: Chris will take another look at the case to make sure that the proper action has been taken.

- g. K.C. This complaint alleges that her rights were violated because charges were not filed in her case. This is an older case so more information is needed to see what occurred years ago.
 - i. Motion to hold the case until more information is provided.
 - ii. ACTION: Lisa will reach out to provide some information about compensation and resources. Chief will contact Bountiful PD to see if the case can still be filed, was there a CODE R exam.

5. Adjourn