

## APPROVED THIRD DISTRICT VICTIMS' RIGHTS COMMITTEE MEETING September 10, 2025-PENDING

Committee	Third District Victims' Rights Committee Meeting
<b>Date</b>	September 10, 2025
<b>Time</b>	12:00-2:00 pm
<b>Location</b>	350 E 500 S # 200 Salt Lake City, UT 84111; ZOOM Link: <a href="https://utah-gov.zoom.us/j/86287710268?pwd=UPkUJ2oalx3E8Ky0qKOBICdkq8bp38.1">https://utah-gov.zoom.us/j/86287710268?pwd=UPkUJ2oalx3E8Ky0qKOBICdkq8bp38.1</a>
<b>Members Present</b>	<u>Virtual Attendance:</u> Chief Rich Ferguson, Wendy Isom <u>In-Person Attendance:</u> Rachel Miller, Doug Fawson, Brandon Simmons, Vickie Walker
<b>Staff &amp; Visitors</b>	<u>Staff:</u> Katie Fox <u>Visitors:</u> Gavin Anderson, Brent Huff
<b>Agenda Item</b>	<b>Welcome &amp; Introductions/Establish Quorum - Rachel Miller</b>
<b>Notes</b>	<p>Rachel Miller welcomed everyone to the September District Victims' Rights Committee meeting. A quorum was established.</p> <p><b>Motion:</b> Brandon Simmons makes a motion to approve the July 21, 2025 meeting minutes as presented. Brandon Simmons pointed out one mistake in a sentence. Katie Fox will fix the sentence. Doug Fawson seconds the motion. The motion passes unanimously. None were opposed.</p>
<b>Agenda Item</b>	<b>Follow up Complaints</b>
<b>Notes</b>	<p><b>A. T.M.</b>  The Committee discussed T.M.'s complaint. T.M. 's complaint was filed by their attorney, Brent Miller. Mr. Miller was present in the meeting and was able to provide context for the complaint and answer questions. Gavin Anderson prepared a written response for the Salt Lake District Attorney's Office. Mr. Anderson was also present to address the Committee and answer questions. The defendant had a plea in abeyance agreement that was terminated early due to a request from Adult Probation &amp; Parole that the defendant's probation be terminated early. The court sent notice to the defense and prosecution and terminated the plea in abeyance agreement when they did not hear from either party. Mr. Anderson acknowledged that the AP&amp;P report fell through the cracks in his office. Anderson spoke of how invested in victims' rights and victim issues his office is. Mr. Huff stated that there were a cascade of failures on the part of the criminal justice system. Mr. Huff informed the Committee that judges in the 3rd District Court consistently refused to add victim's attorneys to the case for notification. Mr. Huff spoke of a meeting he and his client had with Sim Gil, and felt like the information given during the meeting was "demonstrably untrue." His client was left with the impression that Mr. Huff could file a motion to have the case reopened, but Mr.Huff told the Committee in his legal opinion this would be a legal impossibility due to doubly jeopardy.</p> <p><b>Motion:</b> Rachel Miller makes a motion to find that there is a violation of T.M.'s right to be treated with fairness, dignity, and respect under the Utah Constitution, Article I, Section 28. The Committee acknowledged that the failure was likely unintentional and symptomatic of systemic problems, however the Committee concluded that there was an impact on the victim that was significant enough to constitute a rights violation. Wendy Isom seconds the motion. Brandon Simmons abstained from voting. The motion passes unanimously.</p> <p><b>Action Items:</b> Rachel Miller will prepare letters to T.M. and the Salt Lake County District Attorney's Office informing them of the Committee's decision. Katie Fox will send the letters and offer resources to T.M.</p> <p><b>B. K.M.</b>  The Committee discussed K.M.'s complaint. The Committee was sent the audio recording of the Change of Plea and Restitution Hearing. K.M. was not present at this meeting, but has previously attended and addressed the Committee. Brandon Simmons listened to the</p>

	<p>recordings and told the Committee that the victim spoke uninterrupted for approximately 24 minutes at the Sentencing Hearing. K.M.'s victim advocate also spoke for an additional 5 minutes. After a review of the Change of Plea hearing, Brandon Simmons confirmed that no limitations had been placed on K.M.'s future sentencing victim impact statement. Brandon Simmons also reported that the victim was notified of the Restitution Hearing date and time during the Sentencing Hearing and was informed that she could attend virtually. The restitution in her case remains open and she could file a request for restitution. The Committee discussed the lack of secure victim waiting areas at the 3rd District Courthouse.</p> <p><b>Motion:</b> Brandon Simmons makes a motion to find that there was not a preponderance of evidence that the victim's right to be heard or right to restitution had been violated. Brandon Simmons also motioned to find that a lack of secure victim-witness waiting area did violate K.M.'s victim's right. Doug Fawson seconds the motion. The motion passes unanimously.</p> <p><b>Action Items:</b> Rachel Miller will prepare letters to K.M. and the Utah Attorney General Office informing them of the Committee's decision. Katie Fox will send the letters and offer resources to K.M. The systemic issue of the lack of secure victim-witness waiting areas was referred to the Victim Services Commission for further discussion and action. Katie Fox will bring this to the director of the VSC.</p>
<b>Agenda Item</b>	<b>New Complaints</b>
Notes	<p><b>A. A.R.</b></p> <p>The Committee discussed A.R.'s complaint. A.R. alleged a violation of their right to be treated with fairness, respect, and dignity, and to be informed of available protections. The specific claim was that a victim advocate discouraged them from filing for Crime Victim Reparations (CVR). The committee's ability to review the case was hampered by the fact that the case file was locked by the lead detective. Discussion centered on whether the advocate's actions constituted a rights violation or an issue of "best practices." Members speculated that the advocate may have been expressing concern that the victim's lack of cooperation with a full protective order could jeopardize a CVR claim. However, without more detail, it was impossible to determine if the advocate's communication was merely cautionary or actively disrespectful and discouraging.</p> <p><b>Motion:</b> Rachel Miller made a motion to hold the matter over and seek more information directly from A.R. before making a determination on whether a rights violation occurred. Wendy Isom seconds the motion. The motion passes. None were opposed.</p> <p><b>Action Items:</b> Rachel Miller will reach out to A.R. and get additional information.</p>
<b>Agenda Item</b>	<b>Other Business</b>
Notes	The Committee discussed new members. Rachel will reach out to a couple of city attorneys to see if they are able to attend now that we are meeting on Wednesdays. Katie will speak with Tom Ross about assisting in getting the sheriffs from Summit or Tooele to respond to our requests to join.
<b>Agenda Item</b>	<b>Public Comment</b>
	Public comment was given during the meeting.
<b>Agenda Item</b>	<b>Adjourn</b>
Notes	<p><b>Motion:</b> Doug Fawson made a motion to adjourn. Vickie Walker seconded the motion. The committee was adjourned.</p> <p>Next Meeting: October 8, 2025 12:00-2:00 pm</p> <p>Zoom link:</p>

	<a href="https://utah-gov.zoom.us/j/86287710268?pwd=UPkUJ2oalx3E8Ky0qKOBICdkq8bp38.1">https://utah-gov.zoom.us/j/86287710268?pwd=UPkUJ2oalx3E8Ky0qKOBICdkq8bp38.1</a>
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