DRAFT FOURTH DISTRICT VICTIMS' RIGHTS COMMITTEE MEETING NOVEMBER 3, 2025

Committee	**Fourth District Victims' Rights Committee Meeting**
Date **Time** **Location**	November 3, 2025 1:00-2:00 pm Virtual: https://utah-gov.zoom.us/j/88233404467?pwd=QMqJbxmAOrHyyWB3WWObLBdONJPb2d.1
Members Present	Virtual Attendance: Sandi Johnson, Kevin Thurman, Tom Jindra, Debbie Jacobsen, Lesli Shields
Staff & Visitors	Staff: Katie Fox Visitors: Jim Bradshaw, 2 News, ABC4, Clara Harvey, Thomas, unidentified participants
Agenda Item	**Welcome & Introductions/Establish Quorum**
Notes	Sandi Johnson welcomed the Committee. Sandi Johnson established that a quorum was present.
Agenda Item	**Approve Minutes from 10.06.2025 Meeting**
Notes	Sandi Johnson inquired if everyone had a chance to review the minutes from the previous meeting. **Motion**: Debbie Jacobsen made a motion to approve the minutes from the October 6, 2025 meeting. Kevin Thurman seconded the motion. The motion passed unanimously.
Agenda Item	**Review of Complaints**
Notes	**1. S.K. Complaint** The committee discussed the complaint from S.K., a representative for the deceased P.H. The complaint names the Wasatch County Sheriff's Office, the Wasatch County Attorney's Office, and the Fourth District Court as subjects. The committee reviewed the complaint's allegations under three separate legal authorities for Victim Rights: the Utah Constitution (Article 1, Section 28), Utah Code Chapter 38, and Utah Code Chapter 37. The committee's discussion of alleged violations under Utah Code Chapter 38 focused on the statute's definition of a victim, which members interpreted as being fundamentally tied to a "charged crime or conduct." Committee members reasoned that the only criminal charge formally filed in the matter was for obstruction of justice, a crime that is typically considered victimless. Consequently, S.K. was not legally considered a victim representative under this chapter until October 3, 2025, when the court exercised its discretion to designate P.H. as a victim going forward because the uncharged homicide was an act "closely related" to the filed obstruction of justice charge. As all of the alleged violations detailed in the complaint occurred before this October 3rd ruling, the committee determined that none of the subjects of the complaint had a statutory obligation to the complainant under Chapter 38 during the period in question. The committee applied the same definitional logic to the parallel rights outlined in the Utah Constitution (Article 1, Section 28). They concluded that based on the specific language in the Utah Constitution and because the constitutional definition of a victim mirrored that of Chapter 38, S.K. did not meet the definition for constitutional purposes prior to the court's October 3rd order. In contrast to the previous analysis, the committee noted that Utah Code Chapter 37 contains a broader definition of a victim: "an individual...against whom an offense has been allegedly committed." The committee determined that this definition does not require that criminal charges be formally filed for victim rights to attach. This broader scope led to a different outcome for several of the complaint's allegations. The committee's findings on the specific allegations under Chapter 37 were as follows:

	• Right to be Informed and Receive Explanations (Subsections 77-37-3(1)(b) & (c)): The committee found sufficient prima facie evidence to investigate claims against the Wasatch County Sheriff's Office for allegedly ceasing communication with the family, and against the Wasatch County Attorney's Office for allegedly leaving communications unanswered and failing to explain its decision to decline charges. The committee debated the point at which this duty attaches to a prosecutor's office, acknowledging that practices vary across the state. The decision to move forward reflects a need to gather more information on whether the Wasatch County Attorney's Office had received the case from law enforcement and made a formal decision, thereby triggering its obligations under this chapter. The Fourth District Court was excluded from this finding, as the committee noted it is not defined as a "criminal justice agency" under this specific chapter. • Right to a Secure Waiting Area (Subsection 77-37-3(1)(d)): The committee found that no facts alleged in the complaint were sufficient to support a violation of this right by any of the named parties. • Right to be Treated with Dignity and Respect (Subsection 77-37-1(1)(b)): The committee concluded there was sufficient prima facie evidence to investigate potential violations of this right by the Wasatch County Sheriff's Office and the Wasatch County Attorney's Office. This finding stemmed directly from allegations in the complaint that the criminal justice agencies ceased all communications with the family and the family was viewed as a "threat" rather than as victims. **Motions**: : Sandi Johnson made a motion to find that there was not sufficient evidence alleged in the complaint that would be a possible victim rights violation under Chapter 38 or under the Utah Constitution Article 1, Section 28. Sandi Johnson also motioned to find that there was no violation under 77-37-3 (1)(d), of a secure waiting area for the victim representative in court, and that the Fourth District Court is not defined as a “criminal justice agency” under Chapter 37. Sandi Johnson motioned to move forward with the potential Chapter 37 victims’ rights violations by the Wasatch Sheriff’s Office and the Wasatch County Attorney’s Office. Lesli Shields seconded the motion. The motion passed unanimously. **Action Items**: Sandi Johnson will draft and send formal letters to the Wasatch County Sheriff's Office and the Wasatch County Attorney's Office outlining the process, providing them an opportunity to respond, and inviting them to attend the next meeting. Sandi Johnson will also draft a similar letter to S.K., via their representative, Mr. Bradshaw. Katie Fox will send the letters and coordinate their attendance.
Agenda Item	**Public Comment**
	Jim Bradshaw presented two primary arguments challenging the committee's interpretation of the statutes: • An interpretation that the phrase "charged crime or conduct" in Chapter 38 is broad enough to include the uncharged homicide, and therefore the deceased was "clearly a victim" under that statute regardless of the specific charges filed. • An assertion that the victim's family was not informed about the procedural necessity of filing a motion to be recognized as a victim representative. He stated this lack of information led to months of frustration and delay before their status was formally recognized by the court. He commented that he was appreciative of the committee’s review of his client’s complaint.
Agenda Item	**Schedule Next Meeting and Adjourn**
Notes	Lesli Shields made a motion to adjourn. Tom Jindra seconded the motion. The motion passed unanimously. The committee adjourned. Next Meeting: December 1, 2025, 1:00 pm- 2:00 pm Zoom link: https://utah-gov.zoom.us/j/88233404467?pwd=QMqJbxmAOrHyyWB3WWObLBdONJPb2d.1