

****Outside Scope****

Dear *****,

Thank you for taking the time to file a complaint with the Prosecutor Conduct Commission (PCC). The PCC has been tasked with receiving, initiating, investigating, and hearing complaints of professional misconduct by a prosecuting attorney.

Professional misconduct is defined in law as CONDUCT committed in the course of a prosecution of a felony offense, class A misdemeanor offense, or a class B misdemeanor offense THAT purposefully, knowingly, or recklessly VIOLATED a clear and unambiguous legal obligation or professional standard for a prosecuting attorney AND IMPACTED, or reasonably could have impacted, the substantive DUE PROCESS RIGHTS of an individual.

The complaint you filed has been found to not meet one or more of these statutorily mandated criteria and therefore must be dismissed. As part of our standard process, we will notify the prosecutor and their employer of this complaint and its closure.

There may be other avenues where your concerns could be heard. These include, but are not limited to, the following:

- The prosecutor's employer.
- The Utah State Bar.
- The Victim's Rights Committee within the court district where the criminal case was based. These committees only investigate situations where a victim's rights have allegedly been violated.
- The Judicial Conduct Commission. This commission ONLY investigates situations where a judge is believed to have violated a legal obligation or standard.

While there is no formal appeals process, you may contact PCC Director Bud Powell directly at 385-441-8393 or via email at budpowell@utah.gov. Alternatively, you are welcome to attend our next regularly scheduled PCC meeting to provide public comment.

Respectfully,

PCC Staff