

OFFICE ON DOMESTIC AND SEXUAL VIOLENCE

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: V. Lowry Snow

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Office on Domestic and Sexual Violence and the Domestic Violence Offender Task Force within the State Commission on Criminal and Juvenile Justice.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Office on Domestic and Sexual Violence within the State Commission on Criminal and Juvenile Justice;
- ▶ requires the executive director of the commission to appoint a director of the office;
- ▶ creates the Domestic Violence Offender Task Force within the commission; and
- ▶ requires the office, in consultation with the task force, to coordinate statewide resources and policies for reducing instances of domestic and sexual violence.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63M-7-701, Utah Code Annotated 1953



- 28 [63M-7-702](#), Utah Code Annotated 1953
- 29 [63M-7-703](#), Utah Code Annotated 1953
- 30 [63M-7-704](#), Utah Code Annotated 1953
- 31 [63M-7-801](#), Utah Code Annotated 1953
- 32 [63M-7-802](#), Utah Code Annotated 1953
- 33 [63M-7-803](#), Utah Code Annotated 1953
- 34 [63M-7-804](#), Utah Code Annotated 1953



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

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

38 **Part 7. Office on Domestic and Sexual Violence**

39 **63M-7-701. Title.**

40 This part is known as the "Office on Domestic and Sexual Violence."

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

42 **63M-7-702. Definitions.**

43 As used in this part:

44 (1) "Commission" means the State Commission on Criminal and Juvenile Justice
45 created in Section [63M-7-201](#).

46 (2) "Office" means the Office on Domestic and Sexual Violence created in Section
47 [63M-7-703](#).

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

49 **63M-7-703. Office on Domestic and Sexual Violence -- Creation -- Appointment of**
50 **director.**

51 (1) There is created the Office on Domestic and Sexual Violence within the
52 commission.

53 (2) The executive director of the commission shall appoint a director of the office.

54 Section 4. Section **63M-7-704** is enacted to read:

55 **63M-7-704. Office duties -- Rulemaking.**

56 The office shall:

57 (1) provide leadership and generate unity for the state's ongoing efforts to reduce and
58 eliminate the impact of rape, sexual assault, and intimate partner and domestic and sexual

59 violence through comprehensive and evidence-based prevention, intervention, and treatment;

60 (2) coordinate with advisory councils within the commission focused on domestic and
61 sexual violence to create, disseminate, implement, and recommend statewide policies to
62 address intimate partner and domestic and sexual violence;

63 (3) collaborate and partner with public and private partners to perform the duties
64 described in this section using a multidisciplinary approach;

65 (4) facilitate planning for a balanced continuum of intimate partner and domestic and
66 sexual violence prevention, intervention, treatment, and justice services;

67 (5) in consultation with the Domestic Violence Offender Task Force created in Section
68 63M-7-803;

69 (a) establish and promote the use of best practice standards that are based on the best
70 practices identified by the Domestic Violence Offender Task Force under Subsection
71 63M-7-804(2)(b);

72 (b) disseminate the best practice standards described in Subsection (5)(a) to be used in
73 the evaluation, intervention, treatment, and monitoring of intimate partner and domestic and
74 sexual violence offenders; and

75 (c) establish an accreditation program for public and private providers of intervention
76 and treatment for intimate partner and domestic and sexual violence offenders that requires the
77 public and private providers comply with the best practices described in Subsection (5)(a); and

78 (6) make rules in accordance with Title 63G, Chapter 3, Administrative Rulemaking
79 Act, to implement this part.

80 Section 5. Section **63M-7-801** is enacted to read:

81 **Part 8. Domestic Violence Offender Task Force**

82 **63M-7-801. Title.**

83 This part is known as the "Domestic Violence Offender Task Force."

84 Section 6. Section **63M-7-802** is enacted to read:

85 **63M-7-802. Definitions.**

86 As used in this part:

87 (1) "Commission" means the State Commission on Criminal and Juvenile Justice
88 created in Section [63M-7-201](#).

89 (2) "Task force" means the Domestic Violence Offender Task Force created in Section

90 [63M-7-803](#).

91 Section 7. Section **63M-7-803** is enacted to read:

92 **63M-7-803. Domestic Violence Offender Task Force -- Creation -- Membership --**
93 **Quorum -- Per diem -- Staff support -- Meetings.**

94 (1) There is created the Domestic Violence Offender Task Force within the
95 commission consisting of the following members:

96 (a) the executive director of the Department of Corrections, or the executive director's
97 designee;

98 (b) the executive director of the Department of Human Services, or the executive
99 director's designee;

100 (c) the executive director of the Department of Health, or the executive director's
101 designee;

102 (d) the director of the Office for Victims of Crime, or the director's designee;

103 (e) one judge appointed by the presiding officer of the Utah Judicial Council;

104 (f) one individual who represents the Administrative Office of the Courts appointed by
105 the state court administrator; and

106 (g) nine individuals appointed by the executive director of the commission, including:

107 (i) a clinical social worker, a marriage and family therapist, a professional counselor,
108 and a psychologist licensed under Title 58, Chapter 60, Mental Health Professional Practice
109 Act;

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

111 (iii) an individual who represents an association of prosecuting attorneys;

112 (iv) an individual who represents law enforcement;

113 (v) an individual who represents an association of criminal justice victim advocates;

114 and

115 (vi) an individual who represents a nonprofit organization that provides domestic
116 violence victim advocate services.

117 (2) (a) A member may not serve on the task force for more than eight consecutive
118 years.

119 (b) If a vacancy occurs in the membership of the task force appointed under Subsection

120 (1), the member shall be replaced in the same manner in which the original appointment was

121 made.

122 (c) A member of the task force serves until the member's successor is appointed.

123 (3) The members of the task force shall vote on a chair and co-chair of the task force to
124 serve for two years.

125 (4) (a) A majority of the task force members constitutes a quorum.

126 (b) The action of a majority of a quorum constitutes an action of the task force.

127 (5) A task force member may not receive compensation or benefits for the member's

128 service on the task force, but may receive per diem and reimbursement for travel expenses

129 incurred as a task force member at the rates established by the Division of Finance under:

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

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

132 (6) The commission shall provide staff support to the task force.

133 (7) The task force shall meet at least quarterly on a date the task force sets.

134 Section 8. Section **63M-7-804** is enacted to read:

135 **63M-7-804. Task force duties.**

136 (1) The task force shall advise and make recommendations to the Office on Domestic
137 and Sexual Violence created in Section [63M-7-703](#).

138 (2) As part of the task force's duties under Subsection (1), the task force shall:

139 (a) research standardized procedures and methods for intimate partner and domestic
140 violence offender evaluation, intervention, treatment, and monitoring that prioritize physical

141 and psychological safety of victims; and

142 (b) identify best practices for intimate partner and domestic and sexual violence
143 evaluation, intervention, treatment, and monitoring applicable to the state's needs that:

144 (i) are based on scientific research to address an individual's intimate partner and
145 domestic violence risk factors; and

146 (ii) incorporate evidence-based trauma informed care to enhance the quality and
147 continuity of intervention and treatment.