



Utah Commission
on Criminal and
Juvenile Justice

2004 ANNUAL REPORT

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CCJJ

The Utah Commission on Criminal and Juvenile Justice (CCJJ) was created to:

- Promote broad philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah.
- Provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice.
- Coordinate statewide efforts to reduce crime and victimization in Utah.

Drug Offender Reform Act

For the past several months, CCJJ staff has been intimately involved in the development of the Drug Offender Reform Act (DORA) which will be under consideration by the Utah Legislature during the 2005 General Session. DORA proposes to make significant reforms in the way drug-addicted felons are processed and treated in the Utah justice system.

Fully implemented, DORA will require approximately \$6 million each year over the next three years, for a total of \$16.7 million of new, on-going substance abuse treatment funding. These funds will be used to screen, assess, and treat all felony offenders.

Providing an assessment for offenders who appear to have a drug problem will

assist in placing them into a level of treatment that meets their needs. DORA also includes sufficient funding to provide drug-addicted offenders the appropriate amount of treatment. Placing offenders into the right treatment modality and providing resources sufficient to adequately meet treatment needs will keep many from re-victimizing citizens of our state. In the long-term, it is estimated that DORA will pay for itself in terms of avoided victim losses, theft losses, public assistance costs, and criminal justice system costs. The Utah Substance Abuse and Anti-Violence Coordinating Council (USAAV) will develop guidelines for implementing DORA.

Utah Forfeiture Law

In 2004, the Utah Legislature passed Senate Bill 175 modifying the Utah Uniform Forfeiture Procedures Act. As a result of this action, federal and state asset forfeiture once again became available for use in areas other than the uniform school fund.

Under S.B. 175, federally forfeited assets will be liquidated and allocated to local units of government for specific criminal justice purposes. CCJJ is directed by law to report the distribution of federal forfeiture funds and has created a reporting mechanism that was made available to all law enforcement agencies throughout Utah. This information will in turn be provided to the Utah Legislature.

A second component of S.B. 175 deals with the collection and distribution of state asset forfeiture funds. CCJJ convened a working group to develop a state asset forfeiture grant program along with a balanced allocation formula for these funds. The working group

drafted, and the CCJJ Executive Committee later approved, the State Asset Forfeiture Grant (SAFG) as a means of evaluating and distributing State forfeiture funds. The working group also devised an allocation formula that has one-third of every state forfeiture dollar going to drug treatment programs, one-third to Utah's Byrne funded drug task force projects, and the final one-third to general law enforcement mini-grant projects. Finally, the working group recommended the Utah Chief's and Sheriff's Associations explore the feasibility of developing procedures for a standardized liquidation process for forfeited property.

Extraditions

CCJJ is the designated state agency responsible for coordinating out-of-state fugitive extraditions for state and local law enforcement agencies. Extradition is necessary to bring back fugitives from other states. CCJJ processes between 350 to 400 extraditions annually. During fiscal year 2004, CCJJ coordinated 368 extraditions at a cost of \$217,600.

CCJJ Gets New Executive Director

Governor Jon Huntsman, Jr. appointed Michele Christiansen as the new Executive Director of the Commission on Criminal and Juvenile Justice. For the past seven years, Michele has worked in the United States Attorney's Office as an Assistant United States Attorney. For nearly five years, Michele prosecuted cases involving crimes against children and other violent crime cases for the U.S. Attorney's Office.

Crime In Utah

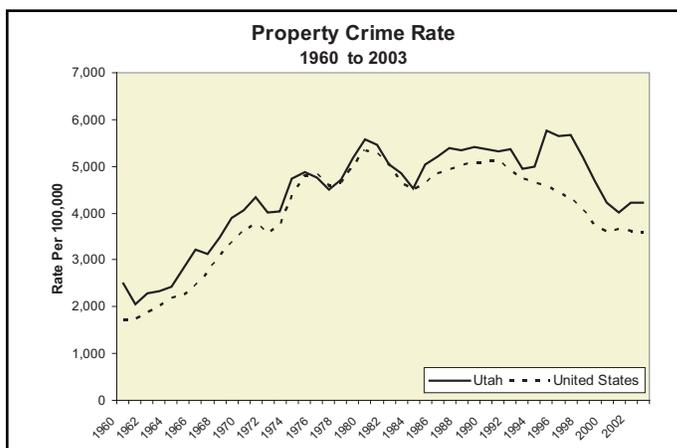
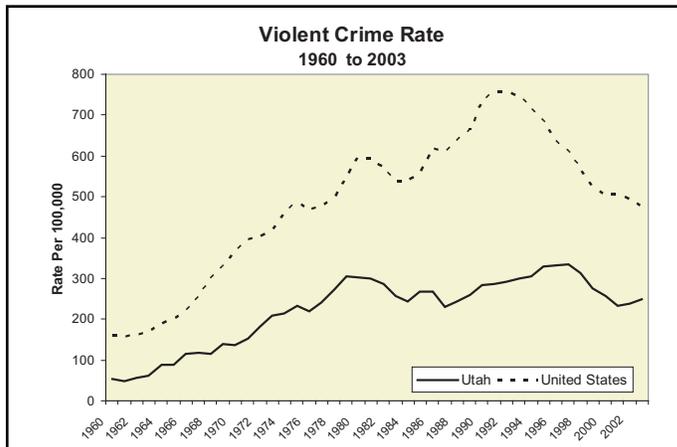
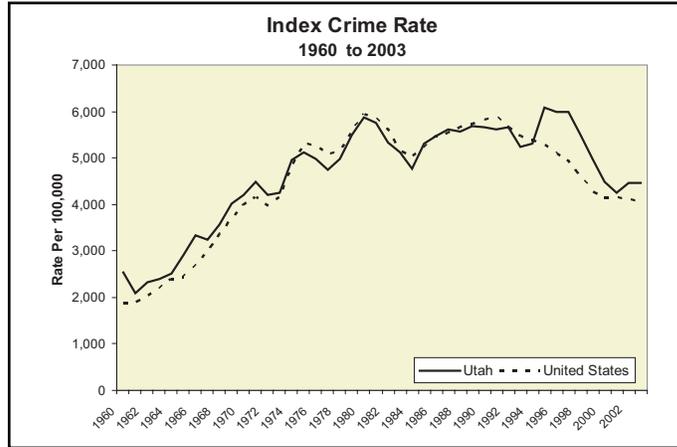
Utah & U.S. Index Crime Rate 1960 to 2003

Utah's index crime rate in 2003 was 4,474 per 100,000, reflecting a modest 0.5% increase over 2002. Since its most recent major peak in 1995, Utah's total index crime rate fell 26.5%, resulting in some of the lowest index crime rates since 1972. Index crimes include murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson.

Over the past 40 years, Utah's index crime rate has paralleled the national index crime rate. During the past nine years, Utah's rate has consistently been higher than the national rate. In the past two years, the gap between Utah's rate and the national rate has marginally widened.

Utah & U.S. Violent Crime Rate 1960 to 2003

Utah's violent crime rate in 2003 was 249 per 100,000, a 4.9% increase over 2002. Since its most recent peak in 1997, Utah's violent crime rate has decreased 25.6%. Utah's 2003 violent crime rate is still one of the lowest rates since



1987. Comparing violent crime rates from 2002 to 2003, murder increased 25.0%, rape decreased 6.9%, robbery increased 8.5%, and aggravated assault increased 6.8%. Because of Utah's very low murder rate, a small change in the number leads to a large percentage change year to year. Today and historically, Utah's violent crime rate is well below the national rate.

Utah & U.S. Property Crime Rate 1960 to 2003

Utah's property crime rate in 2003 was 4,226 per 100,000, a modest 0.2% increase over 2002. Since a peak in 1995, Utah's property crime rate has decreased 26.7%, resulting in one of the lowest rates since 1969. Comparing property crime rates from 2002 to 2003, burglary increased 9.2%, larceny decreased 1.5%, and motor vehicle theft decreased 1.0%.

Utah's property crime rate has been similar to the national rate over the past four decades, with Utah's rate generally higher than the national rate. The large gap between the two rates, beginning in 1995, has narrowed considerably over the past several years. Over the past two years, that gap has begun to widen.

Racial Profiling Data Assessment

During the 2002 Legislative Session, HB 101, titled "Racial Profiling" and sponsored by Representative Duane Bourdeaux, gave CCJJ the responsibility for examining data collected by local law enforcement relating to racial profiling. This bill requires law enforcement is to collect the race and gender of the officer

making the stop, the race of the person stopped, and the purpose of the stop.

In evaluating the data and the collection of data, CCJJ has concluded law enforcement is effectively collecting the data. However, the race of the driver, which is voluntarily provided by the driver upon receiving or renewing a driver license, is available in only half of the stops. This means the primary data element required for analysis is frequently missing. Looking over the past two

years, the reporting of driver race has only marginally improved.

Even if no data was missing, CCJJ has further concluded that it is not possible to determine if racial profiling is occurring using the data elements currently required under HB 101. To view the full research report, "Racial Profiling 2004: Analysis of Data Collection," visit www.justice.utah.gov/Research and follow the link titled "Racial Profiling 2004."

Juvenile Justice Grant Programs

\$290,000

State Crime Prevention and Gang Grants

Three state-wide programs and six communities received funding through the state's crime prevention grant program. A total of \$210,000 was awarded for programs addressing identity fraud, conflict mediation, youth leadership and crime prevention. CCJJ also awarded \$80,000 among six different gang prevention programs.

\$616,000

Title II Formula Grants

The Utah Board of Juvenile Justice awarded federal funds to 18 juvenile justice continuation projects. The disproportionate contact of minority youth in Utah's juvenile justice system remained a high priority and several programs were funded to intervene earlier with minority youth to

divert them from the juvenile justice system. Funding for delinquency prevention projects in rural Utah also remained a high priority.

\$241,000

Supplemental Title II Formula Grants

This one-time supplemental allocation from the Office of Juvenile Justice was awarded after Congress excluded accountability language from the 2004 Appropriations bill. The supplemental brought Utah's allocation for Title II Formula grants up to 2003 levels. The Utah Board of Juvenile Justice awarded federal funds to five new juvenile justice projects focusing on delinquency prevention efforts.

\$138,000

Title V Delinquency Prevention Grants

The Title V program currently involves the communities of Springville and Delta City. To receive funding, communities were required to form a Prevention Policy Board, conduct a thorough risk and

resource assessment, and develop a three-year action plan. Funded activities include after-school recreation, life-skills and vocational training. This year's award reflects a \$126,000 reduction from 2002 funding levels. (There was no federal allocation for Title V in 2003.)

Serious Habitual Offender Comprehensive Action Program (SHOCAP)

Three communities continue to maintain SHOCAP to improve the identification and tracking of serious juvenile offenders; Salt Lake County, Davis County and Logan City. SHOCAP works to share information and direct available resources to juveniles in the justice system who are both chronic and serious offenders. It allows agencies to work together to provide intensive supervision to ensure compliance with court orders and encourage productive behaviors. This supervision also helps these youth to remain crime free. Funding to support SHOCAP has come from JABG and local resources.

Utah Byrne Grant

In 2004, Utah received from the U. S. Department of Justice \$4.4 million in formula funding for the Edward Byrne Memorial Grant Program (Byrne). This program is administered by CCJJ. Approximately \$2.2 million of the funds awarded in the 2004 Byrne formula grant were used to support Utah's 19 drug and gang task forces projects serving 27 of Utah's 29 counties.

Drug interdiction efforts by these task forces resulted in 3,780 arrests and removed the following:

- ♦ 45 kilograms of cocaine - estimated street value \$3.6 million
- ♦ 53 kilograms of methamphetamine - estimated street value \$4.8 million
- ♦ 1,396 kilograms of marijuana - estimated street value \$3.7 million

Utah's Byrne funded drug task forces also located and dismantled 119 meth labs and made 402 public drug education presentations in 2004. Utah's 2004 Byrne grant also

supported projects including: mental health court, drug treatment, internet crimes and ID theft, homeland security, crime labs, forensic training, criminal justice technology projects, and numerous law enforcement equipment projects.

Utah LLEBG Grant

In 2004, Utah received from the U.S. Department of Justice \$150,734 for the Local Law Enforcement Block Grant (LLEBG). Nearly all LLEBG funds were passed through to local law enforcement agencies. The State of Utah allocated these funds in 20 mini-grants each between \$5,000 to \$7,500 to rural law enforcement for projects including equipment, officer over-time, and supplies.

RSAT Grant

The federal Residential Substance Abuse Treatment grant (RSAT) allows state and local correctional facilities to provide intensive substance abuse treatment for inmates.

\$596,700

Juvenile Accountability Block Grant (JABG)

Utah's 2004 award reflects a \$1,210,238 reduction from 2003 funding levels. Due to the unstable nature of the JABG grant, funds are being retained at the state level for programs and activities that will not require on-going new appropriations of federal and/or state dollars. The state will spend funds to continue the work on the re-engineering of Utah's Juvenile Justice Information System (\$196,911) that was initiated in FY98. By the end of this grant cycle, the principle components of Utah's new Juvenile Justice Information System should be complete and in use. Again, this year Utah allocated additional resources to placements for Utah's most delinquent youth and SHOCAP programs.

Last year the program funded 172 treatment slots in jails in Salt Lake, Davis and Weber counties. An additional 96 treatment slots were funded at the Gunnison prison. Funding for RSAT was partially restored by Congress for Fiscal Year 2005 after being eliminated in Fiscal Year 2004.

Utah's Justice Data Integration Efforts

Information systems contribute to every aspect of homeland security and consistently have proven themselves invaluable to law enforcement. Utah's information technology is among the most advanced in the country. Our state has been a leader in the coordination of its information systems' development and in the development of communication strategies to share this information with our federal, state and local partners. Primarily this technology develops a "web" of information, where data is available to those who need it, when it is needed.

Data applications already integrated into Utah's Integrated Criminal Justice Information System (UCJIS) include:

Driver's License

It contains data on each licensed driver. Base data from this system includes name, address, physical description, and picture. The Department of Public Safety provides this data. Over 130 Justice Courts and the State District Court provide data on violations to the Department of Public Safety.

Criminal History

The criminal history database contains arrest, disposition, demographic, and correctional data. This data set produces the "RAP" sheet.

Statewide Warrants/ Protective Orders

This database includes arrest warrants, court orders for lack of appearance, orders to "show cause" and protective orders.

Department of Corrections

O-TRACK, our offender data, is available through the UCJIS system. It provides information on probationers and parolees, including supervising agent and recent offender photograph.

Court Administrator's Office

Court filings are included, which provides Utah's criminal justice community with invaluable insights into pending cases for each offender.

Jail Connect

This gives law enforcement access to bookings from all Utah jails, including arrest information and booking photographs. It also allows local law enforcement agencies to issue a "watch" to check for new bookings. Finally, this application provides justice personnel the ability to check recent jail bookings at 24, 48 and 72 hour booking intervals.

Local Law Enforcement Data

The system provides access to local law enforcement record management system's data.

Utah Commission on Criminal and Juvenile Justice

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