

**REPORT TO THE
UTAH LEGISLATURE**

Report No. 99-07

**A Performance Audit
of
Criminal Justice Planning in Utah**

October 1999

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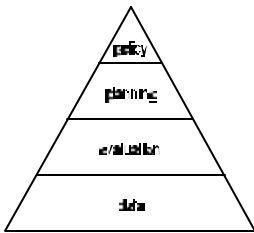
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Digest of A Performance Audit of Criminal Justice Planning in Utah

Chapter I — Criminal Justice Policy Development



The criminal justice system is one of the most expansive and complex systems in the public policy arena. The challenging task of implementing effective criminal justice policy is complicated by the interplay both of government branches—executive, judicial, and legislative—and government levels—federal, state, and local. The system’s challenges cannot be met with quick fixes and simple solutions. Rather, a systemic view—a discussion of how to fix system processes—should drive changes. Because we were asked specifically to review how criminal justice policy is developed in the state, we introduce a framework to facilitate a more systemic view of criminal justice processes and policy development. We refer to this model as the Policy Development Pyramid. Policy development flows up a pyramid whose foundation consists of quality, accessible data, moving next to a level of crime analysis and program evaluation, which feeds a system-wide strategic planning process. Ultimately, this process narrows (as illustrated by the pyramid in the left margin) until a workable list of policy options can be presented to the Legislature.

Chapter II — Criminal Justice Data Can Improve

Criminal justice data must improve to provide a solid foundation for policy development. We reviewed two criminal justice data collection systems which compile data state-wide: crime reporting and criminal history. Although reported crime data is adequate to indicate general crime trends, we have some concerns with the data. The concerns include the use of two data reporting formats, instances of non-reporting, and the use of different crime classifications. In the computerized criminal history (CCH), which is a central repository of data from many sources, we found that some important and required pieces of data, such as arrest information and case dispositions, are often missing from the records. Thus, background checks by criminal justice agencies, private employers, and other users may be affected. We believe improvements in the two data systems are needed to provide policymakers with critical information to understand and respond to crime problems.

Chapter III — Utah May Need Additional Resources Devoted to Evaluation

In addition to improving criminal justice data systems, the Legislature should consider enhancing the state’s ability to evaluate crime and offender data. Existing resources appear adequate to analyze general crime trends

**Chapter IV —
Utah Needs a System-
Wide Criminal Justice
Strategic Plan**

and study “best practices” in the criminal justice system. In fact, much of the work done at these two levels of research has identified programs that the Legislature could now help to implement in Utah, such as problem-oriented policing and crime mapping. More in-depth evaluation of the causes of crime or the effectiveness of Utah’s criminal justice programs, however, may require more resources in the form of data and research personnel. A few states are providing more in-depth program evaluation from various sources to their legislatures who then make direct decisions on program funding. We believe the Legislature in Utah could also benefit from more in-depth program evaluation as it makes criminal justice policy.

Following improvements to criminal justice data systems and evaluation, Utah needs to formalize the data and evaluation into a criminal justice plan in accordance with the Commission on Criminal and Juvenile Justice’s (CCJJ’s) duty “to provide a comprehensive criminal justice plan annually.” Although CCJJ should develop this strategic plan, it should begin not with its own mission but with the mission of the criminal justice system. Similarly, even though CCJJ lacks authority over criminal justice agencies, the plan should advocate actions and policy recommendations for the system as a whole, based on the input of all criminal justice agencies. In our opinion, such a written plan is essential so CCJJ can promote broad philosophical agreement about the objectives of the criminal and juvenile justice system and provide effective policy recommendations to the Legislature. We believe the very process of formalizing a comprehensive criminal justice strategic plan will help further internalize strategic thinking and results-orientation within the criminal justice system.

**Chapter V —
Utah Legislature Has
Policy Options in
Criminal Justice**

The Policy Development Pyramid suggests that criminal justice agencies provide sound policy input to the Legislature by beginning with quality data which is thoroughly evaluated and then incorporated into a strategic planning process. Policy options emerging from this model in the criminal justice system which are presented to lawmakers are to:

- determine whether organizational changes are needed to better assist the Legislature with crime policy development,
- encourage a more comprehensive strategic planning process by amending CCJJ’s statutory duties,
- provide additional funding to analyze crime causes and evaluate the impact of criminal justice programs, and
- enhance oversight of criminal justice data systems, including improved training of data submitters and monitoring of data quality.

Chapter I

Criminal Justice Policy Development

The criminal justice system is one of the most expansive and complex systems in the public policy arena. The challenging task of implementing effective criminal justice policy is complicated by the interplay both of government branches—executive, judicial, and legislative—and government levels—federal, state, and local. Such an expansive system which has complex challenges cannot be improved with simple solutions. Rather, a systemic view—a discussion of how to fix system processes—should drive improvements. Because we were asked specifically to review how criminal justice policy is developed in the state, this chapter introduces one framework to better facilitate a more systemic view of criminal justice processes and policy development. We refer to this model as the Policy Development Pyramid. The pyramid serves as a framework for discussing the following policy development issues in subsequent chapters: criminal justice data, program evaluation, and strategic planning.

Criminal Justice System Is Expansive

Criminal justice in the state of Utah consists of approximately 140 local law enforcement jurisdictions, the state Department of Public Safety, 113 city and county prosecutors' offices, 8 district court regions, 2 appellate courts, 130 justice courts, the state Department of Corrections, and various other governmental and private providers affected by criminal justice. In an effort to promote broad philosophical agreement regarding system objectives and to coordinate all of these various criminal justice entities, the Commission on Criminal and Juvenile Justice (CCJJ) was formed in the Governor's Office in 1983. CCJJ consists of 21 representatives from all aspects of the criminal justice system. Please refer to Appendix A for a complete listing of CCJJ members and staff.

A large percentage of criminal justice agencies are under local jurisdiction control. The Legislature's ability to influence them is limited.

As shown in the above listing, much of the criminal justice system operates under the control of local jurisdictions. This limits the state's role in criminal justice in some ways. State criminal justice agencies can do their best to coordinate with local criminal justice jurisdictions,

Financial costs of criminal justice may approach \$1 billion per year, which does not include the human costs of suffering.

but they tell us the Legislature's ability to influence local criminal justice jurisdictions is limited. Still, we believe the Legislature can improve criminal justice systems in the ways discussed in this report, especially in light of the tremendous costs of criminal justice.

The cost of crime to Utahns is tremendous, but a reliable estimate of the total is not readily available. State appropriated funds for fiscal year 2000 are about \$350 million, and local government expenditures may total a similar amount. Private expenditures for security and legal representation might push the total past \$1 billion per year. Beyond the financial costs of the criminal justice system are the human costs borne by crime victims. The cost of pain and suffering by crime victims, as well as the fear of crime by all residents, are incalculable.

Law Enforcement Seeks to Prevent And Fight Crime. Local, state, and federal money spent in state and local law enforcement goes to support efforts in crime prevention, crime fighting, and maintaining community order. Law enforcement personnel also work closely with the county jails who serve an important pre-sentence function of housing arrested offenders prior to sentencing or acquittal. Following cases where there is sentencing, some offenders may remain in a county jail, be committed to one of the state's correctional facilities, or receive some other form of sentencing.

The *Crime in Utah* report, compiled each year by the Bureau of Criminal Identification (BCI), shows that in 1998 there were 109,185 Part I Crimes reported. Part I crimes include homicide, forcible rape, aggravated assault, robbery, burglary, larceny-theft, motor vehicle theft, and arson.

Prosecution, Defense, and Courts Administer Justice. Public and private funds flow into the justice system as each year thousands of arrest reports are investigated and forwarded to city and county prosecutors. Judges, juries, and other court officials work with prosecutors and defense attorneys toward the final disposition and judgement of an arrest case.

Corrections System Maintains Safety and Treats Offenders. Offenders who are found guilty may enter the correctional system, which consists of probation and parole services, intermediate sanction

Some leadership in criminal justice now suggest that a system-wide review is needed to deal with today's complex problems.

programs, community correctional facilities, county jails, and state prisons. A good number of offenders will enter the correctional system where they will serve sentences and perhaps pass through several portions of the correctional system. Funds spent here pay for the housing and programming costs of offenders at the various stages of corrections.

This brief introduction to the criminal justice system is in no way meant to fully reflect its intricacies. In fact, one member of CCJJ recently commented on just how difficult it is to fully understand the scope of the entire system. Some leadership among law enforcement also point out that the system is currently very burdened to a possible point of overload and that a system-wide review is needed to maximize resources.

Lawmakers Need an Effective Policy Development Process

As we reviewed Utah's contemporary history with criminal justice, we found that the theme of addressing system-wide challenges in criminal justice has spanned many years. For example, in 1961 the Legislature established the predecessor of CCJJ:

In recognition of the urgent need for strengthening the system of criminal justice in Utah, there is hereby created a State Council on Criminal Justice Administration. The purpose of said council is to observe the criminal law in action; and to promote, through research, consultation, and recommendation, more effective law enforcement, prosecution, trial probation, incarceration, parole, and treatment of offenders; and the coordination of all the agencies involved in the total process.

Efforts to make criminal justice more effective have been made for almost 40 years.

Two decades later, the 1982 Governor's Conference on Criminal Justice was convened so that criminal justice recommendations could be given to all branches of government including the Legislature. Several of the findings of that conference still need to be heeded today:

- *To articulate a coherent mission for the criminal justice system;*
- *To identify the major criminal justice system issues;*
- *To examine the role of planning and coordination; [and] . . .*

A question posed by legislators captures the theme of our report: Are we getting all we need to make sound policy decisions for the criminal justice system?

- *To develop strategies for solving . . . prioritized criminal justice issues.*

The findings of this conference pointed to a need for system-wide improvements to criminal justice processes and policy development.

Today, almost another two decades later, similar strategic and policy-making concerns remain. The written audit request we received asked us to evaluate how CCJJ could be more pro-active in assisting the Legislature in setting crime policy. In fact, the following question, posed to us by legislators at the beginning of the audit, captures the theme of our report: Are we getting all we need to make sound policy decisions for the criminal justice system?

Complex System Cannot Be Fixed With Simple Solutions

Simply put, our recommendations for improvement in criminal justice stem from the notion that “quick-fix” solutions will not improve the system over the long run. Lloyd E. Ohlin, an emeritus Professor of Criminology at Harvard Law School captured this conclusion when he stated:

. . . there is now greater understanding that there are no simple explanations, solutions, or panaceas for crime and its control. The crime problem will continue to challenge our creativity and willingness to experiment in a responsible fashion with a variety of different approaches. The simple solution and the quick fix recapitulate past failures rather than map the road to responsible public policy.

A comprehensive review of improving the chronic problems with criminal justice processes is needed, as opposed to “quick-fix” solutions.

Recommendations that Utah implement some of the nation’s best criminal justice practices, so that an immediate impact on crime can be seen, are important. Yet, this approach is more piecemeal—providing only quick solutions to acute problems. A comprehensive review of how to improve the more chronic problems which limit the entire *process* of criminal justice may be more valuable in the long run. Our view is that stakeholders and policy makers at all levels of criminal justice can be most effective in improving the system by addressing some of the more chronic problems in the following criminal justice “process” areas:

- ensuring criminal justice data is accurate and accessible,
- analyzing crime data and evaluating criminal justice programs and policies,
- developing and maintaining a system-wide, comprehensive criminal justice strategic plan, and
- formulating effective criminal justice policy recommendations.

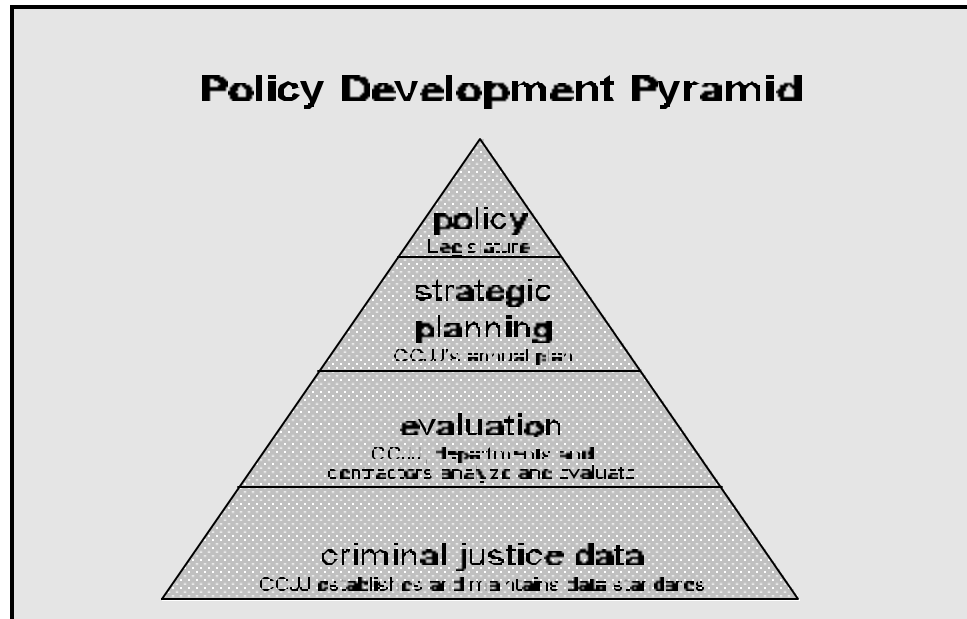
Policy Development Pyramid Helps Analyze Policy-making Process

We suggest the Policy Development Pyramid as a model for improving the following criminal justice processes:

- data collection
 - evaluation
 - strategic planning
 - policy recommendation
-

Many policy development models exist that can facilitate a discussion on how criminal justice stakeholders and lawmakers can improve Utah's criminal justice system. This report follows a framework theme that shows policy making moving up a pyramid whose foundation consists of quality, accessible data, moving next to a level of crime analysis and program evaluation, which feeds a system-wide strategic planning process. Ultimately, this process narrows—as illustrated by the pyramid—until a workable list of policy options can be presented to the Legislature. Our concept of the Policy Development Pyramid is shown in Figure I.

Figure I. The Policy Development Pyramid¹ Illustrates How Policy Stems From Quality Data, Evaluation, and Planning. The pyramid is one of several models that can guide systemic policy development in Utah's criminal justice system.

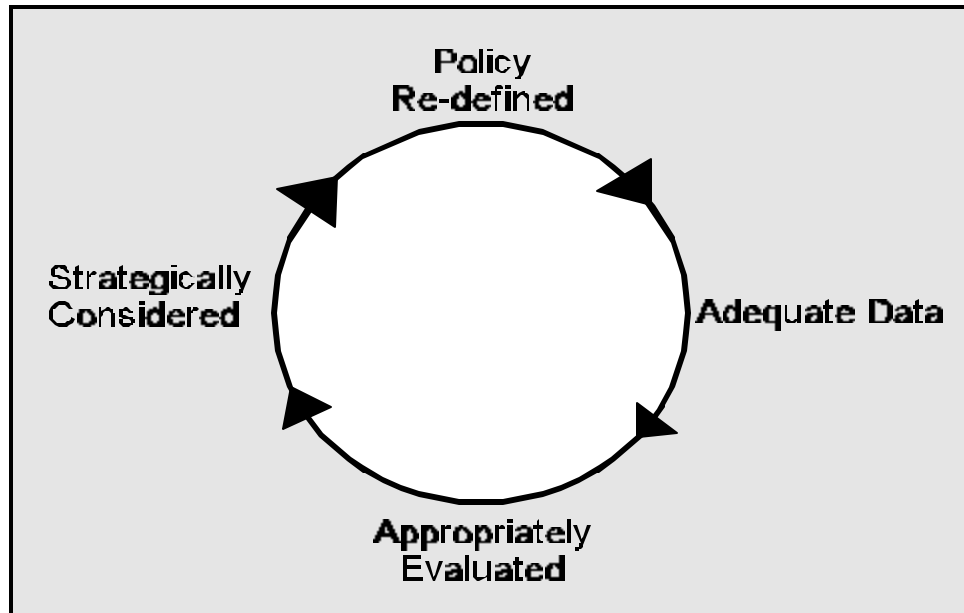


The pyramid, however, is not meant to represent a linear, one-time process. Data, evaluation, and planning move up the pyramid facilitating policy decisions, but policy decisions can also influence future strategic planning, analysis, evaluation, and data development. This dynamic adds to the pyramid, as illustrated by the circular model shown in Figure II.

The pyramid is not meant to represent a linear, one-time process. Policy decisions can also flow down to affect planning, evaluation and data gathering.

¹ The Policy Development Pyramid was developed by the Office of the Legislative Auditor General. Use of the Policy Development Pyramid for commercial purposes requires proper attribution of source.

Figure II. Policy Development is Not a One-Time Linear Occurrence—It Is On-Going. The circular model illustrates the need to continually provide quality data which is appropriately evaluated, strategically considered, and used to redefine policy.



Although this report will provide specific recommendations for improvement to agencies within criminal justice—CCJJ and BCI in particular—the overall focus is to illustrate the need for well-developed policy options for legislators.

Audit Scope & Objectives

We were asked to review the policy development process within the criminal justice system. We grouped several additional audit questions into a list that further constitutes our audit scope and objectives:

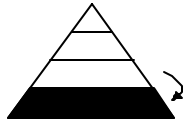
1. What is the overall status of criminal justice data?
2. How complete is evaluation within criminal justice?
3. What is the status of comprehensive strategic planning for the entire criminal justice system?

In this report, we address issues in criminal justice data in Chapter II,

Although we will provide specific recommendations to CCJJ and BCI, the report focus is on the need for well-developed policy options to the Legislature.

criminal justice evaluation in Chapter III, and criminal justice strategic planning in Chapter IV. Chapter V is reserved for criminal justice policy options directed to the Legislature.

Data forms the base
of the Policy
Development
Pyramid:



We reviewed two
areas where
criminal justice data
can improve:

- crime reporting
(statistics), and
 - criminal history
-

Chapter II

Criminal Justice Data Can Improve

The state's criminal justice data and information systems can be improved. We reviewed two criminal justice data collection systems where data is compiled state-wide: crime reporting and criminal history. Although reported crime data is adequate to indicate general crime trends, we have some concerns with the data. The concerns include the use of two data reporting formats, instances of non-reporting, and the use of different crime classifications. In the computerized criminal history (CCH), which is a repository of data from many sources, we also found that some important and required pieces of data, such as arrest records and dispositions, are often missing from the records because this data is not consistently reported. Both cases raise concerns because users question the validity and reliability of the information since crime reports and offender records are sometimes incomplete. Without complete crime reporting some analysis is inaccurate and this inaccuracy can affect policy decisions. Incomplete criminal history data also affects background checks and weakens prosecutors' abilities to enhance sentences for repeat offenders.

Both the crime reporting and CCH data systems rely on data from many originating agencies. Each of these originating agencies must have their own information systems to meet their own needs. In addition, the crime report data and the criminal history data from each originating agency are collected by the Bureau of Criminal Identification (BCI) and compiled to serve the needs of other users.

We found the two state agencies with responsibility for ensuring the quality of the crime reporting and CCH systems are aware that data problems within these two systems exist. However, these agencies, the Commission on Criminal and Juvenile Justice (CCJJ) and BCI report that in spite of their efforts to encourage prompt and accurate data reporting, they lack authority to resolve problems.

We believe that in order to help remedy data problems, these state agencies, with other stakeholders, should revisit and update the goals,

Good data serves as the foundation for policy development.

Data from crime reports shows aggregate crime trends in the state.

objectives, and recommendations in CCJJ's 1992 Criminal History Record Improvement Plan (CHRIP). CCJJ should also incorporate further technology planning elements we suggest, in order to resolve such known data problems, as part of a comprehensive criminal justice information technology strategic plan. Technology is available to more fully integrate data systems in order to efficiently share data and improve data quality.

Good Data Is Important For Several Reasons

There are many reasons why it is important to have complete and accurate criminal justice data. Data is collected to provide:

- a foundation for sound criminal justice research, strategic planning, and policy development,
- crime reports such as BCI's yearly publication of *Crime in Utah*,
- criminal background checks, and
- research for sentence enhancements.

Data Is the Foundation for Policy Development. In Chapter I we introduced the Policy Development Pyramid whose base-level consists of reliable criminal justice data. When data is incomplete or inaccurate, subsequent program evaluation and strategic planning suffer. Ultimately, lawmakers may not have adequate or accurate information to make policy, allocate budgets, or change statutory requirements. In fact, legislators have expressed to us their concern over getting reliable and complete data with which to make criminal justice policy decisions.

Data Is Needed to Show Crime Status and Trends. Crime reporting data is gathered from local law enforcement jurisdictions throughout the state. It is compiled and categorized as a means of comparison to past years to determine trends in crime. Data is also used to make resource allocation decisions. A complete set of this data is needed in order to make valid comparisons and determine the extent to which specific crimes are rising or falling.

Data Is Needed for Criminal Background Checks. Many agencies are required by law to perform criminal background checks on

Criminal justice data is needed to ensure public safety through criminal background checks and other means.

individuals as a pre-requisite for employment, foster parenting, gun ownership, and a variety of other objectives. Agencies rely on the information in the state's criminal history repository to do so. The data in the CCH is used extensively throughout the criminal justice system. For example, county sheriffs, police departments, and correctional officers use the CCH for investigative purposes, to determine flight risk and other risks to public safety. If the data is incomplete, inaccurate, or inaccessible, these agencies cannot perform their duties effectively.

Sentence Enhancements Depend on Data. Law enforcement and the courts frequently review the criminal history of individuals when filing charges and sentencing. If the criminal history shows repeated convictions for similar offenses, the charges may be "enhanced" which may lead to stricter sentencing being imposed.

State Agencies Have Responsibility but Report They Lack Authority to Ensure Data Quality

The crime reporting and criminal history systems must draw data from many providers to serve the needs of a diverse set of data users. Well over a hundred law enforcement agencies report crime data, and hundreds of law enforcement, prosecution, court, and correctional agencies report criminal history information. With so many agencies providing data, gathering consistent and comparable information is a great challenge. Without reliable data, however, user needs cannot be met. State law assigns two state agencies, CCJJ and BCI, responsibility for making accurate data accessible to authorized users.

Although CCJJ and BCI are responsible to ensure data quality, they report a lack of authority to enforce data standards. As a result, both crime reporting and criminal history systems have some problems with the receipt and quality of required data. The data problems discussed in this chapter are generally well known by state officials, yet the problems persist because the agencies have not been able to eliminate the causes of missing and inaccurate data.

Two Agencies Are Responsible for Quality of Data Systems.

CCJJ and BCI are authorized by statute and charged with the responsibility to establish and maintain the criminal justice information

CCJJ is supposed to promote the development of criminal justice information systems that are consistent with common data standards.

systems. These duties are outlined in **Utah Code** sections for CCJJ and BCI.

According to **Utah Code** 63-25a-104 (12), CCJJ is to:

promote the development of criminal and juvenile justice information systems that are consistent with common standards for data storage and are capable of appropriately sharing information with other criminal justice information systems by:

- (a) developing and maintaining common data standards for use by all state criminal justice agencies;*
- (b) annually performing audits of criminal history record information maintained by state criminal justice agencies to assess the accuracy, completeness, and adherence to standards;*
- (c) defining and developing state and local programs and projects associated with the improvement of information management for law enforcement and the administration of justice; and,*
- (d) establishing general policies concerning criminal and juvenile justice information systems and making rules necessary to carry out the duties under this subsection.*

BCI has the responsibility to maintain and provide access to criminal records.

BCI is charged with the responsibility to “maintain and provide access to criminal records for use by law enforcement agencies.” Criminal history records are needed for many other users, such as private employers, as well. The statute also states that the commissioner of public safety may assist any law enforcement agency in:

- (a) establishing identification and investigation records systems;*
- (b) establishing uniform crime reporting systems;*
- (c) investigating any crime;*
- (d) coordinating the exchange of criminal identification, intelligence, and investigation information among law enforcement agencies; and*
- (e) providing the agencies with equipment, technical assistance, and instruction.*

Finally, the statute says the “division [BCI] shall cooperate with appropriate agencies of any state or nation in developing uniform systems of criminal identification, crime reporting, and information exchange.” To try to make BCI’s data collection task manageable, state

law requires hundreds of criminal justice agencies where the

State agencies do not see that the Utah Code gives them authority to enforce compliance with data submission.

information is originated to submit the data in the form prescribed by BCI.

State Agencies Report They Have No Authority. Both CCJJ and BCI report they cannot require criminal justice agencies to comply with standard procedures. Currently, agencies are not penalized for non-compliance with data submission standards.

CCJJ staff told us one aspect of their job is to discuss criminal data as a group of criminal justice administrators and decide among themselves what information is best to have in the central repository. They informed us that data standards are established for criminal justice agencies participating with data exchange. However, CCJJ staff told us the standards and data fields are not mandatory because they have no authority to tell other jurisdictions what to do. Therefore, CCJJ staff told us compliance with standards is voluntary. They cannot enforce standardization and uniformity between the local agencies because, as a state agency, they have no authority over local law enforcement jurisdictions, prosecutors, or courts. In other words, they can advise agencies on matters of criminal data but can do nothing to force uniform compliance.

BCI supervisors also told us they cannot force local jurisdictions to comply with requirements as stated in the statute. For example, the statute requires the local prosecutor or law enforcement agency to notify the division within 14 working days of any declination action which terminates the investigation or adjudication process after fingerprints have already been taken. Although notification is required by law, BCI feels it cannot force local prosecutors to comply with this mandate.

BCI feels they cannot force agencies to notify them of changes in the status of criminal charges. The law states that every court clerk or magistrate shall notify the division within 30 days of any information pertaining to dispositions, guilty pleas, convictions, dismissals, acquittals, pleas held in abeyance, or probations granted. Part of the problem is that BCI does not know of the status of charges and dispositions unless they are informed by the courts and prosecutors, and they feel they can do nothing to facilitate this reporting within the time as required by the statute.

We believe more can be done at both CCJJ and BCI to ensure better data reporting and standards. For example, CCJJ members could discuss implementation of mandatory reporting requirements and uniform data standards as a pre-requisite for local law enforcement agencies receiving federal grants. BCI could recommend to the Judicial Council that they require justice courts to forward automated data to the criminal history file as a condition of court certification. Both CCJJ and BCI need to communicate the legislative intent that data submission requirements of the **Utah Code** be followed.

In the following two sections, we outline instances where crime reporting data and CCH data are incomplete. In the final section, we suggest a system-wide strategy for improving data systems.

Some Improvements Are Possible with Crime Reporting

Perhaps the most often used litmus test for crime and the effectiveness of the criminal justice system is trend analysis of crime reports. By “crime reports” we refer to the total of all crimes reported from all law enforcement jurisdictions within the state. While trends are indicated by the yearly crime reporting data, several improvements are needed in the system to make the data more reliable and complete. Utah needs to:

- achieve full usage of incident-based reporting by agencies,
- reach 100 percent reporting, and
- obtain consensus on crime classifications.

Not All Agencies Use the Current Standard in Crime Reporting

Most noted of the concerns with crime reporting is the fact that not all of the approximately 140 law enforcement jurisdictions use incident-based crime reporting, the current standard of the FBI. Under the national Uniform Crime Reporting (UCR) system there are two levels of crime reporting detail: summary-based reporting and incident-based reporting, known as the National Incident-Based Reporting System (NIBRS). Most jurisdictions send their crime data to BCI and

Crime reports indicate general trends. But, some are incomplete and not in the current standard format.

Results from the recent state-wide crime reduction conference show that the lack of information sharing is of concern to local law enforcement agencies.

Local law enforcement agencies are not required by state law to submit crime reports.

the FBI using the summary-based format which has existed since the 1920s. However, NIBRS, a more detailed and useful reporting system, is now the preferred standard of BCI and the FBI. Currently, only 47 percent of the state law enforcement jurisdictions have upgraded to NIBRS. CCJJ provides some funding to encourage local jurisdictions to use NIBRS. However, the funding is limited. Overall, having two levels of reporting causes inefficiency and some confusion with the crime reports.

In addition, the recent crime planning process required in 1999 by HB 145 has produced evidence that local law enforcement sees the lack of information sharing as a concern for the state. At the recent Crime Reduction Conference in St. George, the need for improved information sharing was identified as one of the top criminal justice issues in Utah.

Some data sharing is available between agencies which have compatible records management systems. However, we believe that if all localities had NIBRS reporting as part of their records management system, it would improve state-wide data sharing and consistency. If policy makers desire more detail in crime reporting, switching to NIBRS may be an information technology improvement project requiring state funding.

Some Agencies Do Not Submit Crime Reports

In a few cases, BCI receives either incomplete crime reports or does not receive them at all from jurisdictions. Each year about 10 to 15 law enforcement jurisdictions—generally smaller jurisdictions—do not report any crime data to BCI, and a few more do not send in a full 12 months of data. This means that the state is without complete data for the annual *Crime in Utah* report. BCI does not extrapolate for this missing data, so some crime reporting is still unknown to the public. In the case of national statistics, the FBI *does* estimate missing data for its annual *Crime in the United States* report, based on national averages for crimes committed at the population levels of the missing jurisdictions. This methodology may cause FBI crime rates to be overstated. Overall, having two sets of crime numbers creates confusion among decision makers.

Law enforcement agencies do not always agree with FBI classifications for some Part I crimes.

Missing data situations seem to exist because, although the FBI expects all states to submit their compiled crime data for its annual publication, local jurisdictions in Utah have no requirement to submit data to BCI. Although local jurisdictions overwhelmingly support this process and submit data, the compiled figures nonetheless, are incomplete because some jurisdictions do not participate.

Local Law Enforcement Agencies Disagree With FBI on Some Crime Classifications

A final concern with crime reporting data is over the criteria for some crime classifications. Although local law enforcement records clerks are supposed to use FBI criteria when classifying crimes, this does not always occur. State and federal crime reports contain aggregate data on what are termed “Part I” crimes. The eight Part I crimes are homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. In some instances local interpretations differ from FBI criteria for classifications.

For example, in one jurisdiction a records clerk said that the FBI classification for “aggravated assault” includes some wording that should fall under “simple assault.” How the clerk finally classifies the assault crime can affect the crime reports. If the crime in this example were indeed a simple assault but a clerk reported it as an aggravated assault under the FBI criteria, the total aggravated assaults could be overstated. While we did not conduct an extensive review in this area, we nonetheless point it out as a potential area of concern shared by BCI and some local agencies we visited.

Similar problems with incomplete data exist in another state-wide criminal justice data system: the computerized criminal history (CCH), or central repository.

Many Improvements Are Needed with Central Repository

Some evidence shows that criminal justice data sent to the CCH is incomplete and that procedures for submitting data to this central repository are not always followed. The most prevalent illustration of

Over 74,000 final dispositions are not currently in the CCH because they cannot be matched to an arrest.

this problem is the existence of a data “suspense file.” This file consists of over 74,000 dispositions, some of which may never make it to the CCH. This suspense file exists because critical data fields, such as the Offense Tracking Number (OTN), do not always get forwarded through the flow of information, which prohibits some dispositions from being posted. This lack of forwarding data affects the CCH because without those dispositions, entities that deal with security interests, law enforcement, care or custody of children, gun ownership, sentencing, and employment that requires background checks, do not have complete criminal history information. BCI must then research records to ensure an accurate response to the inquiry, which is a time consuming process. Further problems with data completeness occur when the following data does not get forwarded to the CCH: arrest data, prosecutor declinations, dispositions, and correctional data.

Central Repository Gets Data from Many Sources. Everyone working in the criminal justice system needs to know what data must be transferred through the system in order to post criminal information to the CCH. **Utah Code** 53-10-102(8) defines “criminal history record information” as:

information on individuals consisting of identifiable descriptions and notations of:

- (a) arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising from any of them; and*
- (b) sentencing, correctional supervision, and release.*

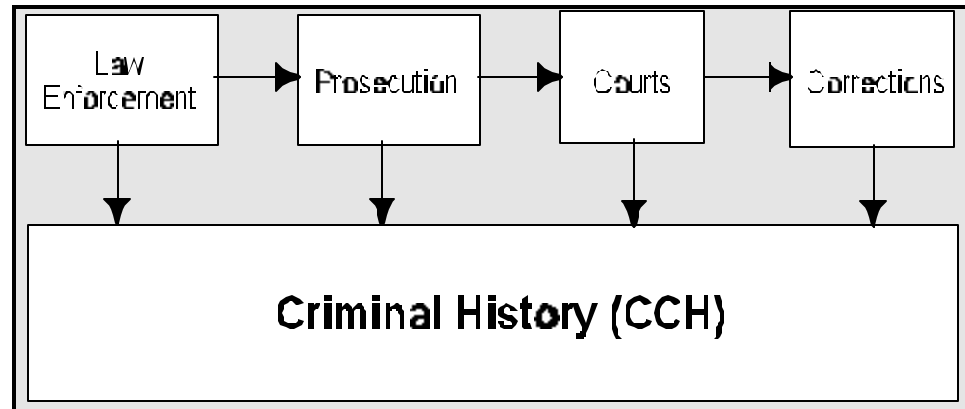
Utah has a central repository which contains offenders' criminal histories.

The CCH is designed to facilitate the exchange of criminal data. A CCH record begins with an arrest and the assignment of an Offender Tracking Number (OTN)—a number which is meant to tie criminal data from the arrest to the final disposition. The arrest record is registered with the state repository with an OTN. As the case is processed through the system, data about the offender and information about the actions taken by each agency are added to the record.

Through each phase of the process, information is added to the CCH until it contains a complete record of criminal history for each offender registered in the database. This criminal history record is then available to other agencies to perform criminal background checks for

employment purposes, criminal investigations, and other criminal research. This data flow process is diagramed in Figure III.

Figure III. Criminal Justice Data Flows to the CCH From Law Enforcement, Prosecution, the Courts, and Corrections.



Suspense File Illustrates Problems With CCH. Although a linking data-flow system is in place, a significant amount of data is still not reaching the CCH. As of July 1999, the suspense file contained 74,236 dispositions not posted to the CCH. The suspense file contains felony and targeted misdemeanor dispositions. Dispositions go to the suspense file when they cannot be matched to arrests. The file contains all types of dispositions, such as convictions, dismissals, and acquittals. Without that information, decision makers that rely on the previous incidents cannot make informed decisions, and individuals can be adversely affected.

For example, if a prosecutor had a DUI case, he would consult the CCH to establish a prior record of DUI. Under the law, DUI penalties can be “enhanced” if previous offenses exist. But, if the offender in this example had disposition data lacking on a prior DUI offense, a prosecutor would be unable to enhance the charges.

We queried the suspense file in order to illustrate the large collection of important data which has not been posted to the central repository. In the first query, we separated dispositions that show a conviction into the different criminal classes: Felony 1, Felony 2, Felony 3, and so forth. That query produced a count of 9,440 felony convictions in the

Several of the dispositions missing from the CCH are felony convictions.

suspense file, as shown in Figure IV. The figure also shows 36,003 Misdemeanor A, B, and C convictions that are targeted because of their serious nature. The targeted misdemeanor crimes can include domestic violence, crimes against women, and crimes against children. While the number of dispositions in suspense may be relatively small compared to the number in the CCH, we believe it is important to link all dispositions to original arrest data. The overall concern is that the suspense file indicates evidence of incomplete offense records in the CCH.

Figure IV. Many convicted felony and targeted misdemeanor dispositions are in the suspense file. Over half the suspense file contains convictions.

| Criminal Class | Count |
|---|----------------------|
| Felony 1 | 335 |
| Felony 2 | 1,808 |
| Felony 3 | 7,295 |
| Felony (unknown degree) | 2 |
| Total Felony Convictions | 9,440 |
| Misdemeanor A | 8,235 |
| Misdemeanor B | 27,706 |
| Misdemeanor C | 62 |
| Total Misdemeanor Convictions | 36,003 |
| Total Felony and Misdemeanor Convictions | <u>45,443</u> |

Suspense File Continues to Grow. The following scenario, where district courts submitted disposition data for April 1999, puts the volume of the suspense file and CCH file in perspective. Last April, the district courts sent 9,854 dispositions to BCI to be posted to the CCH. Dispositions are divided into two categories: (1) felony or targeted misdemeanors, and (2) other misdemeanors. Of the total number of dispositions sent to BCI in April, 3,397 were felony or targeted

misdemeanor dispositions. However, 52 percent of these had to be sent to the suspense file. The “other” misdemeanor dispositions totaled 6,457. Only 28 percent of these were posted to the CCH. The remainder were not sent to the suspense file, like the felony and targeted misdemeanors. Rather, they were posted in a storage file called the “flat file.” A programmer analyst with the Department of Public Safety said that data in the flat file is not researched but remains there indefinitely.

Another suspense file query showed numerous felony dispositions from past years in the suspense file. Dispositions stay in the cumulative suspense file until they are matched to arrest data. Currently, disposition data is in the suspense file back to 1992. As far back as 1995, 479 felony dispositions are in the file. In fact, the count of felony dispositions in the file increased each year from 1995 to 1999 and will continue to grow.

Although researchers work to reduce the size of the suspense file, unmatched data added each month outnumbers the data matched.

BCI uses part-time researchers to try and reduce the size of the suspense file by searching for missing information and data errors on dispositions—data which needs to be posted to the CCH. In April 1999, four researchers posted 1,292 dispositions from the suspense file to the CCH. But during that same month, 1,783 unmatched dispositions went to the suspense file. BCI will unlikely be able to reduce the size of the suspense file and keep ahead of the data errors which feed into the system.

In the remainder of this section we discuss some specific examples that illustrate the CCH has incomplete data. In Figure III, we illustrated the desired flow of data from one criminal justice sub-system to the next and also the flow of data to the CCH. Problems occur when criminal justice sub-systems—law enforcement, prosecution, the courts, and corrections—fail to utilize the OTN or fail to forward data in the way illustrated. Specifically, data problems occur when:

- some arrest data does not reach the CCH,
- many declinations from prosecutors are not sent to BCI,
- some court dispositions are not posted to the CCH, and
- confinement and release data is not included in the CCH.

Some Arrest Data Is Not Posted to the CCH

Not all arrest data gets submitted from law enforcement to the CCH.

Not all arrest data gets submitted from law enforcement to the CCH. We tested this concern by reviewing suspense file dispositions from BCI's criminal history error report. We grouped the data by incident and found that about 389 out of 1,000 incidents (39 percent) in the suspense file had no arrest information. Without matching arrest information, dispositions cannot be posted and must stay in the suspense file.

Arrest information, which includes the fingerprints, is important because fingerprints are the only way a person can be positively identified. Without fingerprints, BCI is unable to attach the arrest with an individual's identity, and, therefore, charges will not appear on the person's record.

The Utah Code requires peace officers to take fingerprints of each arrested individual on forms provided by BCI.

Utah Code 53-10-207(1) defines the fingerprint procedure which should take place pertaining to arrest information. It states that every peace officer shall cause fingerprints of persons arrested to be taken on forms provided by BCI and supply information requested on the forms. The information should then be forwarded without delay to BCI.

However, a trainer at BCI said that some local agency employees do not always know correct procedures. For example, a clerk at one local law enforcement jurisdiction waited until a large stack of arrest cards had accumulated before forwarding them to BCI. The clerk did not know, or did not follow, correct procedure.

We sampled a local law enforcement agency and found arrest data not forwarded to the CCH.

Arrests Missing in Sample From Local Agency. To further test the flow of arrest data, we tracked a sample of arrests from a local jurisdiction through the criminal history system. From this sample of 47, four arrests were not in the CCH repository that should have been.

- In the first incident the offender was issued a citation and given a court date. When the offender ended up in court, he was arrested there and booked into jail. Because a sentence was given at the same time the arrest was made, the jail entered "commitment" on the form that goes to BCI. When BCI received the information of the commitment, the staff may have assumed that the arrest

information was already in the CCH and did not enter the data further. BCI agrees that this scenario is a prime example of a reason why an arrest does not get entered in the CCH.

- Two arrestees were apparently not fingerprinted by the police department. One arrest was for possession of marijuana and the other was for a DUI—both offenses which meet the criteria to be placed in the CCH repository. Both individuals were later convicted, but neither case could be posted to the CCH without the arrest data.
- An offender was arrested for possession of drug paraphernalia, fingerprinted and assigned an OTN. Three months later a justice court convicted the offender, but BCI has no record of the arrest. Either the arrest information did not get sent to BCI, or the information did not get entered into the repository.

Summons May Cause Arrest Data Errors. We were informed by a technician at the Administrative Office of the Courts about how the summons process can sometimes contribute to data errors. When a person is issued a summons, a criminal record on that offender needs to be initiated or updated. That offender should be fingerprinted and an OTN assigned before the court process begins. However, there are times when an offender appears in court without going to a booking agency to get fingerprinted first, which should not occur. But, if this does occur and a case gets adjudicated, the disposition can get forwarded to BCI without a needed OTN.

Utah Code 53-10-207(3) defines the procedure for handling this type of situation. It states that in felony cases where fingerprints have not been taken, the judge shall order the chief law enforcement officer of the jurisdiction or the sheriff of the county to cause fingerprints of each felony defendant to be taken and forward the information without delay to BCI. CCJJ staff report they have recommended that the courts add a statement to the bottom of the summons form to help increase the number of offenders fingerprinted. It states that the person must appear at the jail to be fingerprinted.

Some of the problems with arrest data not reaching the CCH may be eliminated when electronic fingerprint/arrest filing is fully developed

When prosecutors decline to file charges, they need to forward these “declinations” to BCI. This forwarding does not occur like it should.

So few declinations being sent from prosecutors’ offices to BCI may indicate that training has not been effective.

and implemented. Currently in the development process, electronic filing of arrest data will streamline the filing process, minimizing data errors and omissions in transfer of records from the arresting agency to the courts.

Many Declinations Are Not Posted to the CCH

Prosecutors who decline to prosecute arrested individuals often do not forward these “declination” dispositions to the CCH as required by law. Since the arrest data is already in the CCH, the declination information is needed as well. Without the declination information, CCH users do not know if the case is still pending or if the individual may have been exonerated or convicted. Therefore, according to **Utah Code 53-10-207(2)**, if the prosecutor declines to prosecute, BCI must be notified within 14 working days.

BCI employees told us they rarely receive declinations, except from the Salt Lake County prosecutor. The Salt Lake County Prosecutor’s Office sends an electronic transfer of declinations once a month to BCI. Salt Lake County, while notably more populated than other Utah counties, sent in an average of 87 declinations per month to BCI in 1998. In contrast, BCI received an average of 26 declinations a month from all other counties combined in 1998. Many of these were from Carbon County who, like Salt Lake County, appear to send in all declinations. Five counties did not send any declinations to BCI in 1998 at all. Comparing the Salt Lake County total to the few other declinations sent in from the rest of the state validates this area of concern.

This low number of declinations being reported to BCI could be caused by ineffective training and a lack of education and on-going monitoring of the process. We contacted about half of the county prosecutors’ offices to find out why declinations are not being sent to BCI. Several agencies said they did not know they were supposed to send in declinations to BCI. In fact, one agency asked us to identify the procedure so they could start sending in their declinations. Another agency said they used to send declinations to BCI but now send them to the sheriff’s office and to their district court. We contacted their district court who informed us that they just destroy the declination forms; they do not forward them to BCI. This

In addition to receiving on-going training, agencies submitting data need to be monitored and reminded of their responsibility to forward data to the CCH.

prosecutor's office apparently did not understand their responsibility to send in declinations.

According to CCJJ staff, over \$580,000 has been provided to BCI for Criminal History Improvement Program (CHIP) training and research. They say that BCI used some of these funds to present training to law enforcement and criminal justice agencies throughout the state, specifically in 1994, 1997, and 1998. In spite of some efforts to provide training and education on forwarding data to the criminal history file, it appears that prosecutors' offices need to be further monitored and reminded of their responsibility to send declination information to BCI according to the **Utah Code**. More frequent training and follow-up needs also apply to personnel in law enforcement and the courts because data is still inconsistently reported. CCJJ and BCI both say that constant turnover of local records clerks in these agencies affects the training because they are not sure if procedures get passed-on when clerks are replaced. Further discussion about on-going CCH training and monitoring needs are discussed later in this chapter.

The Statewide Association of Prosecutors (SWAP) acknowledges that many prosecutors' offices do not send in declinations. However, they informed us that they are using some federal funding, under the direction of CCJJ, to bring a new state-wide case management system—Prosecutor Dialogue—on-line. This will automate the procedure for forwarding declinations. It will also allow prosecutors to obtain data electronically from local law enforcement, and to electronically file cases in district courts. In both cases, this should increase the chances of an OTN being included with the data.

Some Court Dispositions Are Not Posted to CCH

The concern about missing disposition data is the fact that even though courts are required to submit data, problems still remain.

Courts are required by law to submit disposition data. Still, many dispositions do not get posted to the CCH. **Utah Code** 53-10-208(2) states that:

Every magistrate or clerk of a court responsible for court records in this state shall furnish the division [BCI] with information pertaining to:
(a) all dispositions of criminal matters, including guilty pleas, convictions, dismissal, acquittals, pleas held in abeyance, or probations granted, within 30 days of the disposition and on forms and in the

manner provided by the division.

All types of dispositions, not just declinations need to be posted to the CCH. The suspense file, that has been mentioned earlier, shows the large number of court dispositions that are not posted. Some of the reasons why dispositions are not posted are:

- no arrest information,
- the lack of an OTN and/or other critical data,
- a missing OTN caused by charges preceding an arrest, and
- some arrested offenders failing to appear in court.

Unmatched data can occur when:

- arrest information is missing
 - dispositions lack an OTN
 - charges precede an arrest.
-

As previously mentioned, if the arrest information is not in the CCH, dispositions cannot be matched to the arrest. Arrest information should reach BCI before the disposition. But, sometimes the disposition is sent to BCI before the arrest information so it goes to the suspense file until BCI can match it to the arrest. Also, if the arrest information is in the CCH, but essential data is incorrect, then dispositions are not matched.

Another of the causes of dispositions going to the suspense file, rather than the CCH, is the lack of an OTN and/or other critical data on the disposition. Utah's criminal history database must match the OTN and one other essential data field from the disposition to the arrest information in order to be posted. The other essential data fields are date of arrest, date of birth, state identification number, and first and last name. Matching the disposition to the arrest without the OTN is difficult, so emphasis is placed on the OTN. BCI uses the OTN as the major control number to link arrests to dispositions. A sample of 50 felony dispositions from a county showed that 38 percent or 19 of the court dispositions were lacking OTNs.

A missing OTN can occur on a court disposition when charges are filed before the actual arrest is made. In such cases, charging documents are sent on to the court from a prosecutor's office with the OTN missing. The court sends the disposition of the case on to BCI without an OTN because the court never had an OTN passed on to them from the prosecutor's office.

Unmatched data also occurs when some offenders fail to appear in court.

When offenders are arrested and given a court date but fail to appear in

Because justice courts are not automated, data errors exist which cause information not to be posted to the CCH.

court, incomplete disposition data can occur in the CCH. If offenders do not appear, a warrant is issued. An offender may or may not get brought in on a warrant. The end result when offenders do not appear is an arrest record with no disposition. CCJJ staff report they have worked with law enforcement to educate them on the importance of serving warrants for this and other reasons. Still, the problem of unmatched arrest-to-disposition data is significant.

Errors Caused by Lack of Automated Data System in Justice

Courts. The state district courts are on an automated system which is designed to electronically send dispositions to the CCH once a month. Local justice courts, however, are not automated and must mail their dispositions to BCI. An employee at BCI said that justice courts mail their information on dispositions to BCI within 30 days but that non-automation can cause data errors because the data has to be re-entered by clerks at BCI. When data entry errors occur, information cannot get posted. If justice courts were automated, data errors would be reduced by eliminating the need for data re-entry. The justice courts generally agree that they ought to move to automation.

But, as with the upgrade to the NIBRS for crime reporting mentioned earlier in this chapter, many justice courts lack funding to upgrade to electronic disposition reporting. The state may need to help fund electronic data systems for the justice courts in order to help reduce these data errors.

Confinement and Release Data Is Not in CCH

Only a limited amount of correctional data is summarized to the CCH database. Currently, the CCH does not contain all sentencing, commitment, correctional supervision, or release information. The criminal history record indicates an offender's dollar fine amount, term of confinement and a probation term, but not the location of the confinement. CCJJ staff audited the Utah criminal history system in 1997 and recommended that data fields be added to the CCH to clearly specify the location of jail and prison commitments, as well as the ordered length of stay for each field. Even though these data fields are required by statute and recommended in the CCJJ audit, they have not been added to the CCH.

In addition, the statute requires penal institutions and the state hospital to supply the BCI with information pertaining to parole, termination or expiration of sentence, other releases from confinement during the preceding month, and a photograph taken near the time of release. BCI administrators told us that they do not currently, and have not in the past, collected recent photos of inmates committed to correctional institutions. They have no capacity to store photos and are uncertain of the purpose for this requirement. If BCI believes the

Correctional information on offenders is not yet available to other criminal justice jurisdictions through the CCH.

requirement is unnecessary, they should advise the Legislature to change the code.

BCI did inform us, however, that while this correctional information is not currently part of the CCH, plans are in the works to create a link to the correctional records database, O-TRACK. If this link occurs, it may facilitate communication between BCI and the Department of Corrections. Once BCI and the Department of Corrections link, BCI can answer questions for authorized criminal justice agencies using corrections data through the CCH.

The incomplete status of arrest data, declination and other disposition data, and correctional data to the CCH, as well as incomplete crime reports discussed earlier, serve to illustrate the need for increased system planning and oversight. In the final section of this chapter, we outline suggestions for improving Utah's data systems.

Updated Plan Can Guide Improvements

In order to address data concerns associated with crime reporting and the criminal history repository, CCJJ needs to review efforts to achieve goals and objectives listed in the 1992 Criminal History Record Improvement Plan (CHRIP). The plan and its updates have included many initiatives that have improved data quality, but additional improvements are needed. We believe a comprehensive rewrite of the criminal history plan is needed with a new focus on the on-going monitoring and routine follow-up on data problems. In addition, we believe CCJJ should expand its strategic plan for information technology needs throughout the criminal justice system.

A requirement that CCJJ submit a strategic plan for criminal justice information was recently removed from the Utah Code. We believe it ought to be restored.

In our view, CCJJ also needs to be more pro-active in promulgating an information technology plan throughout the criminal justice system. Until 1999, when the language was removed from the **Utah Code**, CCJJ was required to submit “. . . a strategic plan for the efficient management of information resources.” While some technology initiatives are described in CCJJ's annual report and in federal grant reports, an adequate strategic plan does not exist. We believe this requirement ought to be re-instated so that all criminal justice stakeholders are made aware of criminal justice information

The vision, goals and objectives for criminal history data remain the same today as they were in the 1992 CHRIP.

technology plans and needs.

Existing Plan Has Helped Improve Data Quality

As mentioned, in 1992, CCJJ developed a Criminal History Record Improvement Plan to address the needs of the criminal history repository. At that time, the plan did not address concerns with crime reporting, but subsequent updates of the CHRIP now address crime reporting by including a goal to get more local law enforcement jurisdictions reporting under the NIBRS system.

While formulating CHRIP in the early 1990s, CCJJ used a steering committee to define a vision, goals, and objectives concerning data reporting to the CCH. The vision statement listed below remains the same today.

Produce criminal justice information that is accurate, complete, timely, and secure, which is 98 percent accurate in reporting arrest, dispositions and declinations.

The goals listed in the CHRIP also remain largely the same, as they are listed in the *1999 Strategy Update* of the federal Byrne grant:

- *Improve the process to obtain court dispositions with the correct Offense Tracking Number (OTN).*
- *Regularly obtain prosecutor declinations.*
- *Improve the disposition reporting of old criminal history data.*
- *Produce a complete criminal justice data dictionary.*
- *Include state and local law enforcement in the National Incident-Based Reporting System (NIBRS).*

1992 Plan Addressed Serious Data Problems. Utah's CHRIP was prepared about the same time the state auditor reported serious problems with criminal history records. An early step in the CCJJ data plan was to perform an "assessment of the completeness and quality of criminal justice records." The following table in Figure V, which was re-created from the CHRIP, "describes a repository that failed to meet the minimum disposition reporting rate of 95 percent in each of the last seven years [from 1985 to 1991]."

Figure V. Overall Data Quality in the CCH Until 1991. Prior to 1991, only about half of the arrests in CCH had dispositions.

| Date of Arrest | Number of Arrests | Number of Arrests with Dispositions | Percent with Dispositions |
|----------------|-------------------|-------------------------------------|---------------------------|
| 1991 | 36,512 | 16,873 | 46.2% |
| 1990 | 34,810 | 16,262 | 46.7% |
| 1989 | 32,906 | 15,540 | 47.3% |
| 1988 | 30,711 | 15,523 | 50.5% |
| 1987 | 31,473 | 17,982 | 57.1% |
| 1986 | 30,022 | 18,386 | 61.2% |
| 1985 | 29,947 | 21,228 | 70.9% |
| before 1985 | 281,192 | 145,713 | 51.8% |
| TOTAL | 507,573 | 267,507 | 52.7% |

Source: Utah Criminal History Record Improvement Plan, p. 7.

Criminal history data reporting has improved but much more needs to be done to meet user needs.

CCH Data Has Improved. In the original record improvement plan of 1992, CCJJ identified some reasons for incomplete or inaccurate records, such as inadequate training of local criminal justice agency personnel, a lack of data standards, and problems with court data management. Over the years, some improvement has been made in these and other areas, which is reflected by the overall disposition reporting rate rising to 63 percent in 1996. This is shown in Figure VI.

Figure VI. Overall Data Quality in the CCH From 1992 to 1996.

By 1996, disposition reporting rose to 63 percent showing improvement from the original reporting in the Criminal History Record Improvement Plan. Still, the percentage is well below the desired rate.

| Date of Arrest | Number of Arrests | Number of Arrests with Dispositions | Percent with Dispositions |
|----------------|-------------------|-------------------------------------|---------------------------|
| 1996 | 51,549 | 32,660 | 63.4% |
| 1995 | 51,845 | 33,563 | 64.7% |
| 1994 | 45,159 | 31,660 | 70.1% |
| 1993 | 41,546 | 27,664 | 66.6% |
| 1992 | 37,123 | 23,938 | 64.5% |
| TOTAL | 227,222 | 149,485 | 65.8% |

CCJJ's emphasis has been on improving the reporting of felony dispositions. For 1995, the year with the most complete data, those crimes that are considered felonies have a 95 percent disposition rate; crimes considered possible felonies have a 67 percent rate; and crimes considered misdemeanors have 48 percent rate. Researching felony and targeted misdemeanor dispositions has boosted the accuracy of felony records.

Still, the overall capture of disposition data to the CCH is well below the 95 percent goal of CHRIP. Like most states, Utah has not yet reached that goal. In fact, a 1997 survey of states showed that most states report that under 80 percent of arrests in five selected past years have final dispositions in their criminal history repositories.

CCJJ has provided funding and assistance on many initiatives to improve the CCH, but more work is needed.

CCJJ has funded and provided assistance on many initiatives that have contributed to improved data quality such as continued funding for CCH training and research, and help in developing the courts' automated system, CORIS, to name a few. While these initiatives have helped improve the CCH, additional steps are needed to meet the

objective of a criminal justice information system that is accurate, complete, timely, and secure.

Comprehensive Rewrite Of 1992 Plan Is Needed

We believe it is time for a comprehensive review and rewrite of the existing CHRIP. The plan was originally completed in 1992 and has been updated in summary form in the federally required Byrne program reports. However, since much of the material included in the Byrne reports is identical to prior reports, we do not feel it reflects a comprehensive plan review. Given the many changes that have occurred since 1992, a thorough review is warranted. Many of the plan elements may remain unchanged, but others need to be reconsidered. Some of the issues we feel deserve review include:

- effectiveness of the information systems governance structure,
- adequacy of routine monitoring and follow-up of data errors,
- reconsideration of plan goals, and
- independence of audits of the CCH system.

The current governance structure that deals with information technology may not be adequate.

Governance Structure Should Be Reviewed. CCJJ should review the effectiveness of its governance structure for criminal justice information. According to the CHRIP, a permanent coordinating steering committee was established with representatives from a number of criminal justice agencies. CHRIP said “the central focus of this committee will be the problems of data quality, specifically in the criminal history files and generally throughout the criminal justice system.”

We do not believe the steering committee is operating as originally intended. CCJJ staff have told us that the CCJJ Executive Committee now acts as the overall criminal justice steering committee for information systems issues and that there is also an existing information technology subcommittee which deals with some coordination and oversight of criminal justice information systems. However, since our review of CCJJ minutes reveals no discussion of this specific role for the Executive Committee, or the information technology subcommittee, its creation or its membership, we believe the roles needs to be reviewed. An effective governance structured is

especially important to evaluate issues such as justice court information technology planning which is discussed later.

As mentioned, we did not find any formal documentation of information system governance. According to federal guidance, the governing body should “provide continuous oversight of the implementation of the plan and institute modifications to it, as necessary.” In addition, the governing body’s membership should be described in the plan and “any changes in membership should be noted in the annual [plan] updates.” However, we could not find any records of changes in the original steering committee or of a governing body activities.

Other states have more formalized governing structures for criminal justice information technology issues.

Some states have established more formal governance structures. For example, the Florida Legislature statutorily created a “Criminal and Juvenile Justice Information Systems Council.” Similarly, the Ohio Governor appointed a “Criminal Justice Information Systems Policy Group.” Washington has established a Justice Information Network with the stated goal of “the total sharing of data from all computer systems servicing the justice community.” Memorandums of understanding among state and local governments have established a formal governance structure including a “Criminal Justice Act Executive Committee” and a “Justice Information Committee.” Minutes from the meetings of both committees are posted on the Internet.

A more formalized governance board for Utah’s criminal information systems could help provide the impetus needed to achieve data quality goals. It could also provide the additional authority that CCJJ staff report they need because more visible backing to data decisions carried out by the staff could be seen.

With the existing problems in crime reporting and CCH data compliance, it is unclear if the current governance structure is accomplishing essential data system goals. We believe the information systems governance needs to be bolstered and reviewed in connection with the recommendation to add several elements to CCJJ’s existing strategic planning process for criminal justice information technology.

Better monitoring and follow-up of data submission is needed.

Monitoring and Follow-up of Data Problems Is Needed. On-

going monitoring of data submissions with routine follow-up of errors can help prevent future problems. The monitoring of data submissions may lead to procedural changes or identify training needs. For example, we found that some agencies were unaware of the need or procedure to forward data to the CCH. In addition, although BCI has management reports showing wide disparity among courts in the accuracy of their data, little follow-up appears to occur. Finally, when BCI corrects suspense file errors they do not routinely evaluate why the error initially occurred or take steps to prevent suspense file entries.

As mentioned earlier in this chapter, our contact with several county prosecutors' offices showed that many were unaware of their responsibility to forward declinations to the CCH. However, these agencies we talked with showed a willingness to forward data after learning this duty. CCJJ should re-examine its own training methods and those used at BCI. CCJJ should also encourage BCI trainers to initiate more monitoring and follow-up reminders to all those who submit CCH data.

A concern described in the CHRIP was that "individual courts receive little feedback about the accuracy and completeness of the data they have sent." We found such data is routinely available at BCI, and that data quality from different courts varies widely. For example, a recent report from the Department of Public Safety showed that one district court office had OTNs on only 47 percent of dispositions submitted (452 of 972) while another was at 94 percent (764 of 816). Partly as a result of the difference, only 11 percent of the first court's dispositions were automatically added to the CCH compared to 28 percent of the second court's. The remaining dispositions either went into the suspense file or the flat file depending on the level of the charge involved. However, there is no routine follow-up with courts about data problems.

Improved training and monitoring efforts should focus more on error prevention.

Even when suspense file dispositions are manually researched, the information is not routinely used to prevent future errors. In the 1997 update of the CHRIP, CCJJ lists one way in which the overall disposition reporting rate can improve by correcting problems that lead to dispositions being sent to the suspense file. The text reads:

One aspect of researching dispositions going into suspense is to identify

BCI says that they do not have enough staff to routinely identify why specific data submission errors occur.

CCJJ should review some of the goals and objectives listed in the 1992 CHRIP.

process problems and pass the information on to training staff so that corrective action can be taken in a timely fashion with the other criminal justice agencies.

However, when we discussed the need to identify specific process problems with BCI staff that oversee the suspense file, they said there was not enough research staff to accomplish such a goal. We believe BCI and CCJJ need to increase efforts in finding process errors that lead to dispositions going to the suspense file. While following up on the causes of errors may reduce the number of suspense file cases researched in the short run, it can improve data in the long run by preventing future errors.

Plan Goals Should Be Reviewed. Given the changes that have occurred since CHRIP was prepared, its goals and objectives merit a reconsideration. Certainly, many of the goals and objectives remain valid, but others may have diminished in importance. For example, two goals that may need review are:

- *Improve the disposition reporting of old criminal history data.*
- *Produce a complete criminal justice data dictionary.*

Both these goals were included in the 1992 CHRIP and its 1999 update. While both these goals continue to have value, they should be evaluated to determine if other goals are now more important.

The goal to improve the disposition reporting of *old* criminal history data stems, in part, for a concern that data was so bad when CHRIP was prepared that old data should be researched. The emphasis on researching old data helped raise the percentage of old cases that had dispositions. For example, Figure V showed that when CHRIP was prepared, only 46 percent of 1991 arrests had dispositions. Now that figure is 63 percent, demonstrating a significant improvement in the CCH. However as discussed above, we think the program's focus needs to move from correcting old errors to preventing new errors through additional monitoring and follow-up of current data submissions.

The goal to produce a complete criminal justice data dictionary is intended to aid in data collection and improve data quality. According

CCJJ should consider having an external auditor make regular reviews of data submission to the CCH.

to CHRIP, “lack of common data standards for identification, offense codes or common procedures for handling forms continues to cause confusion and data losses throughout the criminal justice system.” We discuss this goal because the problem description and implementation plan remain unchanged in the 1999 Byrne grant report from the 1992 CHRIP. However, CCJJ staff report that the data dictionary has been produced and is being used. Without questioning the importance of the data dictionary goal, we feel the CHRIP must be updated to reflect the current situation.

Adequacy of CCH Audits Should Be Reviewed. As part of CCJJ’s review of the CHRIP goals and objectives, they should examine the criminal history audit function to ensure audits are adequate, independent, and regularly performed. In connection with the duty to promote the development of criminal justice information systems, CCJJ is mandated to perform audits of the CCH. **Utah Code** 63-25a-104(12)(b) states that CCJJ should be:

annually performing audits of criminal history record information maintained by state criminal justice agencies to assess the accuracy, completeness, and adherence to standards

Although CCJJ has performed some internal audits of the CCH—one recently having been reported to the CCJJ members in April, 1999—the audits have not been annual, as required by the **Utah Code**.

CCJJ also needs to review whether the audit function could be made more adequate and more independent by contracting with an auditor. Because CCJJ directly oversees data standards and CCH data submission goals, they may benefit from an independent review of their progress with these, and other criminal justice information goals.

As part of a routine internal control audit in 1997, the state auditor reviewed CCJJ’s 1995 criminal history audit and stated some concern with the methodology and scope. The state auditor noted that CCJJ staff, at that time, may have been overlooking serious problems in the CCH because they audit

only those locations where the system has undergone system changes, recent training was provided, or CCJJ feels their audit dollars have

the most impact.

We believe contracting with an external auditor would add independence and audit expertise to the audits of the criminal history repository.

In addition to reviewing portions of the CHRIP as discussed in this section, CCJJ should consider further improvements which would expand its current plan. This is discussed in the remaining portion of this chapter.

Comprehensive Technology Needs Should Be Incorporated Into Plan

A review of technology needs which is broader than the CHRIP is also needed in Utah.

The national movement in criminal justice information systems is to increase sharing capabilities beyond existing criminal history files. To do so, federal research consultants believe that states need to go through a state-wide strategic planning process for criminal justice information systems, beyond what has been written in respective criminal history improvement plans such as Utah's CHRIP. At the federal level, SEARCH is a non-profit organization that offers technical assistance to state and local justice agencies that need help in planning for, acquiring, developing, upgrading, or integrating automated information systems. SEARCH gives assistance at no-cost to the requesting agency because it is supported by grants from the U.S. Department of Justice, Office of Justice Programs.

We believe some of the planning elements highlighted by SEARCH could benefit Utah. For example, CCJJ could compile costs estimates of what it would take to fix CCH data system problems, as well as cost estimates for further integrating Utah's criminal justice information systems. They could also more fully incorporate the technical plans for criminal justice information systems, that are currently reviewed by the state's Chief Information Officer (CIO), into its strategic plan. Finally, CCJJ could more pro-actively assist local criminal justice agencies in their development of criminal justice data automation plans. Such a need currently exists at the state justice courts.

CCJJ Could Use SEARCH for Planning Assistance. We view SEARCH as a largely untapped resource that CCJJ could use to assist

The Legislature needs to see a strategic plan that contains a cost estimate of integrating the entire system. Currently, Utah's information systems are funded "piecemeal."

Technical plans for criminal justice information technology systems, currently with the state CIO, should be incorporated into CCJJ's plan.

with criminal justice information systems planning through federal grants. As mentioned, SEARCH provides full-scale integration planning. It also contracts with the Office of Justice Programs to provide technical assistance on criminal history improvement plans. As mentioned, Utah has a criminal history record improvement plan (CHRIP), but SEARCH points out that this is only one aspect of a larger strategic plan which is needed for all criminal justice information systems.

CCJJ Should Estimate the Full Costs of Integrating Criminal Justice Information Systems. In our view, one of the most helpful features listed by many states on the SEARCH website is the summary of funding needs for criminal justice information systems. For example, the state of Alaska introduced its strategic plan by stating its funding needs in order to "build a modern, integrated criminal justice information network that will dramatically improve public safety." This summary of funding needs is important because it gives Alaska's policy makers an idea of what it will take to achieve better criminal justice data integration. More information about Alaska and other states' summaries of criminal justice information technology needs can be accessed on the SEARCH Internet site at: www.search.org.

A similar document of summarized funding needs could assist lawmakers in Utah. One legislator agreed with us that Utah has, to date, been funding the criminal justice data systems in a "piecemeal" manner. CCJJ staff say the development is piecemeal because the Legislature does not provide enough funding. Regardless of what legislators decide, they still need to see an estimate of what it may cost to fix data systems that feed the CCH and to fund uniform and integrated systems in the future. Legislators need this information so that all policy options are known to them.

CCJJ Could Incorporate Technical Plans Submitted to the State CIO. Currently, the state's CIO has the responsibility to receive technology plans from individual state agencies, including all criminal justice agencies. One such on-going project plan is for the Department of Corrections' operations system, O-TRACK. The project plan shows that one function of O-TRACK is to enable communication between Corrections and other state and federal agencies. CCJJ could incorporate this information for criminal justice into a broader state-

wide information technology plan to help ensure this communication occurs.

CCJJ Should Lead-Out in Justice Court Automation. Another way CCJJ could improve its existing planning efforts is to assist criminal justice agencies as they identify and solve criminal justice information technology problems. The lack of automation in the approximately 130 justice courts is another such existing data problem, of which CCJJ is aware.

Earlier in the chapter we discussed the need to automate the justice courts' data systems to improve the accuracy of data submitted to the CCH. The state court administrator recently suggested to the Judicial Council that a strategic plan be formulated prior to proceeding with judicial court data automation. He said this plan should reflect "the work and interests of all affected parties." The state court administrator further suggested the Legislature become involved by sanctioning a study group or some other means for determining the course of providing "uniform automated information sharing of justice court data, and the manner in which such services will be funded and maintained." Instead, the Judicial Council opted to have the state court administrator approach CCJJ to apply for a planning grant to fund a justice court automation plan prior to coming before the Legislature. We agree with the Judicial Council and suggest that CCJJ lead-out and help formulate a strategic plan for justice court automation as part of a larger strategic plan for criminal justice information technology.

Recommendations:

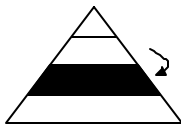
1. We recommend that CCJJ expand on current planning efforts by creating and widely distributing a more formal and comprehensive strategic plan for information technology within the criminal justice system. This plan should reflect the input of criminal justice data users and suppliers. We recommend CCJJ incorporate the following CHRIP revisions and technology additions to the plan:
 - training and on-going data monitoring, data standards, OTN tracking, goal revision, and other needs as identified in the original CHRIP of 1992,
 - a review of the current governing structure of criminal justice information technology to determine if it is meeting the needs for long-range planning in criminal justice

- information technology,
 - more regular and independent audits of the CCH,
 - an estimate of the full cost of technology needs for Utah's criminal justice data systems,
 - coordination with the state CIO on technical plans for criminal justice data systems, and
 - enhanced assistance to criminal justice agencies with data automation planning.
2. We recommend that CCJJ determine whether statutory changes are needed to enable it to bring criminal justice agencies into compliance with common data standards. Changes to the **Utah Code** that CCJJ feels are needed should be submitted to the Legislature for its consideration.
 3. We recommend that BCI study the reasons why criminal justice entities are not sending in the required data to the CCH. BCI should inform these agencies of the outlined data submission requirements in the **Utah Code** and provide the training and reminders needed to improve compliance with statutory requirements.
 4. We recommend that BCI perform a feasibility and cost study of bringing all local law enforcement agencies in compliance with one crime reporting system (NIBRS) and present it to the Legislature.
 5. We recommend that BCI determine whether statutory changes are needed to enable it to obtain crime statistics and required offender data from criminal justice agencies. Changes to the **Utah Code** that BCI feels are needed should be submitted to the Legislature for its consideration.

Please refer to Chapter V for further data recommendations addressed directly to the Legislature.

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Evaluation is the 2nd
tier of the Policy
Development
Pyramid:



Chapter III

Utah May Need Additional Resources Devoted to Evaluation

In order to more fully evaluate the success of criminal justice programs and maximize its investment of criminal justice dollars, the Legislature may need to consider appropriating additional funds for evaluation of crime and offender data. Utah can perform trend analysis from crime reports and study the implementation of “best practices” in the criminal justice system with existing resources. In fact, much of the work done at these two levels of research has identified programs that the Legislature could now help to implement in Utah, such as problem-oriented policing and crime mapping. However, more in-depth evaluation of Utah’s criminal justice programs may require more resources in the form of data and research personnel. The benefit of this in-depth evaluation is that it identifies programs and practices that are effective in preventing crime and reducing offender recidivism.

A few states are providing this in-depth level of program evaluation from various sources to their legislatures who then make direct decisions on program funding. We believe the Legislature in Utah could benefit from more in-depth program evaluation as it makes policy for the criminal justice system.

Evaluation builds on
quality data and
feeds strategic
planning.

This chapter addresses the second level of the policy development pyramid: how information is analyzed, evaluated, and interpreted to help guide a strategic planning process and subsequent policy recommendations. Evaluation builds on the foundation level of good quality, accessible data which was discussed in Chapter II. It also provides input to a system-wide strategic planning process which is discussed in Chapter IV. The evaluation of information takes place in many ways and on many levels.

CCJJ has statutory
duties to provide
analysis and
evaluation for the
criminal justice
system.

CCJJ Provides Analysis and Evaluation But Has Limited Resources

Conducting criminal justice research is one of the main statutory

responsibilities of the Commission on Criminal and Juvenile Justice (CCJJ). Among several duties outlined in **Utah Code 63-25a-104**, CCJJ is to:

- study, evaluate, and report on the status of crime in the state and the effectiveness of criminal justice policies, procedures, and programs that are directed toward the reduction of crime in the state;
- study, evaluate, and report on policies, procedures, and programs of other jurisdictions which have effectively reduced crime;
- identify and promote the implementation of specific policies and programs the commission determines will significantly reduce crime in Utah; and
- promote research and program evaluation as an integral part of the criminal and juvenile justice system.

Research exists on many levels:

- analysis of crime trends,
 - study of best practices, and
 - in-depth program evaluation.
-

CCJJ has done some criminal justice research at different levels of detail. It has provided trend data from crime reports forwarded from law enforcement jurisdictions and conducted grant monitoring visits to these jurisdictions. It has also identified some “best practices” that have appeared successful in other jurisdictions, such as crime mapping, and New York City’s Crime Control Model.

On a limited basis, CCJJ has also done some more involved evaluation of programs and policies that are currently being used within the state’s criminal justice system. CCJJ’s *1997-1998 Annual Report* outlines evaluation of programs operating in the state, such as Drug Court, Sex Offender Treatment, and Day Reporting Centers, some of which were performed by researchers at the University of Utah, through a contract with CCJJ. The annual report also outlines policies CCJJ is currently monitoring or tracking for effectiveness. These policies include the Juvenile Sentencing Guidelines, the Adult Sentencing Guidelines, and the Serious Youth Offender Law.

According to CCJJ staff, it has not been until recently that they have tried to focus on more in-depth program evaluations, which is the evaluation of programs using scientifically recognized standards and methodologies, including repeated tests under similar and different social settings. CCJJ staff are seeking for a system-wide focus,

Program evaluation
by CCJJ may be
hampered by limited
resources.

although other tasks frequently impact their ability to do so.

Additional Program Evaluation Would Be Valuable. Despite current efforts, CCJJ staff acknowledge that they need to increase their program evaluation efforts. One instance which illustrates this realization came a few years ago when a lack of bed space for high-level juvenile offenders was identified. To deal with the shortage, some juvenile offenders were being sent to work camps. Unfortunately, CCJJ and others realized they did not really know whether these work camps were effective in treating and holding these juveniles. This event was one that led CCJJ staff to recognize their need of additional evaluation and research on the effectiveness of programs.

We believe CCJJ may be hampered in its program evaluation partially due to its limited resources. CCJJ has only two full-time research staff and two other staff members that help on an as-needed basis. Also, CCJJ undertakes several research duties which are not necessarily reflected in the list of duties in the **Utah Code**. CCJJ researchers are called upon to assist in ad hoc research when criminal justice issues, such as the current gun control debate, suddenly surface. This non-separation of day-to-day tasks from evaluation efforts creates difficulties in expanding program evaluation. This aspect of separation of duties for CCJJ is addressed in further detail in Chapter V.

As it seeks to expand criminal justice research, particularly on the level of program evaluation, CCJJ can continue to look to the federal government and other states who provide examples of criminal justice “best practices” and examples of program evaluation. These efforts can serve as models for Utah. The remainder of this chapter discusses three ways that evaluation can be enhanced to help direct strategic planning and policy decisions:

- analysis of Utah crime reporting data,
- study and implementation of successful best practices of other jurisdictions, and
- evaluation of criminal justice program outcomes in Utah.

Analyzing Crime Data Can Help Identify Problems and Target Resources

Analysis of crime reporting data is limited because the data set is incomplete and has some inaccuracies.

Analyzing Utah crime data is an important component of CCJJ's research duties. This analysis is being performed by CCJJ but on a somewhat limited basis because access to quality data is limited. As more law enforcement agencies submit more detailed crime reports, a better understanding of crime is possible. Also, crime data can be used to target state resources, such as Maryland has done.

Greater NIBRS Use May Improve Crime Analysis. As discussed in Chapter II, the National Incident-Based Reporting System (NIBRS) produces more detailed data that may paint a more useful picture of what is really occurring in the state. For example, with the Uniform Crime Reporting system summary reports, a criminal episode could contain several crimes (e.g. a homicide, with a car theft, kidnaping and aggravated assault all committed in one episode) but only the "highest" crime would be counted (the homicide). However, under NIBRS, this same episode would report all four crimes. With more NIBRS information available as jurisdictions switch over from the summary-based crime reports to NIBRS, more effective responses to crime can be generated because a truer picture of actual criminal activity can be seen.

Crime Data Drives Maryland's "HotSpot" Initiative. Thorough analysis of good quality data allows members of the criminal justice community to target high crime areas and then formulate strategies to combat that crime. For example, the state of Maryland has developed the HotSpot Communities Initiative, which is a state-wide effort that systematically targets high-crime and at-risk neighborhoods with an aggressive array of law enforcement and prevention actions. The determination of what may be designated as a HotSpot Community first comes from local jurisdictions mapping and identifying geographic areas where there is a disproportionate amount of crime or fear of crime, and where community residents are ready to fight back. This analysis allows local jurisdictions to construct a local strategy and coordinate resources that focus on solving crime-related problems within that community.

National studies present “What Works” (Best Practices) in criminal justice programs.

Studying National Successes Can Identify Best Practices

Studying programs that have proven successful in other parts of the country is the first step to importing effective programs to Utah. The federal government recently conducted a systematic review of evaluation studies to identify the effectiveness of specific programs throughout the country. We used this federal research as a starting point to respond to the Legislature’s request to identify best practices in crime fighting, such as community policing, problem-oriented policing, and crime mapping. We believe these are programs the Legislature can promote throughout the state as effective ways to reduce crime and improve criminal justice.

National Research Identifies “What Works” in Criminal Justice

The federal government is very interested in ascertaining which programs have proven effective in reducing crime and recidivism. In 1996, a federal law required the U.S. Attorney General to provide Congress with an independent review of the effectiveness of state and local crime prevention programs funded by the U.S. Department of Justice. The National Institute of Justice selected the University of Maryland’s Department of Criminology and Criminal Justice to perform the ensuing 1997 study entitled “Preventing Crime: What Works, What Doesn’t, What’s Promising.”

As the title indicates, the study identified programs that are effective against crime, programs that are not, and programs that have some promise of working. One of the “promising” programs identified in the federal study is community policing, which we discuss in more detail in the next section. The remaining findings of the “What Works” study are summarized in Appendix B.

Deciding “what works” in the prevention of crime, or determining “best practices,” calls for a rigorous means of determining which programs have had a demonstrated effect on the reduction of crime and delinquency. In the federal study, researchers sought evaluations of programs that had an *impact* on crime, not just evaluations of the *implementation* of programs.

Recent national findings about which criminal justice programs “work” should cause policy makers to take a closer look at certain programs.

We were asked to examine best practices in criminal justice. A few include:

- community policing,
 - problem-oriented policing, and
 - crime mapping.
-

Unfortunately, among the researchers’ key findings was that in-depth program evaluation is lacking in criminal justice. They found that

very few crime prevention studies have been evaluated using scientifically recognized standards and methodologies . . . [hence] there is minimally adequate evidence to establish a provisional list of what works, what doesn’t, and what’s promising.

This conclusion and the more detailed findings of the federal study challenge criminal justice researchers and policy makers to re-think existing practices. In fact, the central conclusion of the “What Works” report is that the current development of scientific evidence is inadequate to the task of policy making. It also raises the question of whether program evaluation is helping to identify where funding should go. Some philosophies and programs which are working or showing promise are discussed in the next section.

Best Practices Exist in Crime Fighting

CCJJ and many law enforcement jurisdictions in Utah have been researching approaches used in other states to find best practices (what works) in crime fighting. In this same light, we were asked to research best practices. Overall, we find that there is a policing movement away from reactive patrolling to a more pro-active, problem-solving approach which involves the community on a greater level. Some of these techniques are currently being used in Utah jurisdictions. This section highlights three best practices in law enforcement that appear to have an effect on reducing crime:

- crime control, as developed under New York City Police Department’s Crime Control Model,
- crime mapping, and
- problem-oriented policing.

General Movement Has Been to Community Policing. Recent years have seen many changes in how law enforcement performs its role. One widespread change is that police officers are adopting a more community-oriented policing and problem-solving philosophy. This departs from the traditional approach to law enforcement over

There has been a general movement toward more pro-active community policing and problem-solving philosophies.

The NYPD CompStat data reporting system give more accurate and timely data. The process also holds officers more accountable for their work.

the last ten to twenty years. One prominent law enforcement official describes this traditional philosophy using **The Three R's**:

- **Reactive policing**—the ability of police respond to calls,
- **Random patrols**—policing city streets randomly, not targeted and
- **Reactive investigation**—focusing on crime-solving after it has occurred.

The community-oriented policing and problem solving approach, also known by the acronym COPPS, merges the three R's with a more pro-active philosophy described with **The Three P's**:

- **Partnership,**
- **Problem solving,** and
- **Prevention.**

Under the new philosophy, partnerships are being formed with law enforcement and all members of the community and neighborhood. The focus of these partnerships is on solving the causes of crimes, not necessarily the responses to crime. Partnership and problem solving then lead to prevention of crime and crime victimization.

Perhaps the most well-known model which has emerged from these pro-active principles is the Crime Control Model of the New York City Policy Department (NYPD).

NYPD's Crime Control Model and CompStat Have Been Successful. NYPD has adopted a new approach to crime fighting through their Crime Control Model and a computerized system of relentless reporting called "CompStat." A key component of this model is giving greater authority to precinct commanders to fight problems and crimes that are specific to their jurisdictions. It also involves holding commanders more accountable for crime reduction in their precincts.

The precinct commanders meet monthly with police headquarters, specialized units, all the super chiefs in the departments, the police commissioner, probation, parole, and District Attorney representatives to discuss what has and has not been working in their precincts. For

several hours, they work on crime issues and respond to such questions as: Why is crime up? Why is it down? What's happening? What are we going to do about it? In the CompStat meeting process, precinct commanders know they will be held accountable for progress in their precincts and that they should be prepared to answer specific questions.

The New York Crime Model and CompStat process is centered around four main principles:

1. ***Accurate and timely intelligence—***

The likelihood of an effective police response to crime increases proportionally as the accuracy of this criminal intelligence increases. Officers must have accurate knowledge of when particular types of crimes are occurring, how and where the crimes are being committed and who the criminals are.

2. ***Effective tactics—***

Effective tactics are prudently designed to bring about the desired result of crime reduction, and they are developed after studying and analyzing the information gleaned from accurate and timely crime intelligence. To be effective these tactics must be comprehensive, flexible and adaptable to the shifting crime trends that are identified and monitored.

3. ***Rapid deployment of personnel and resources—***

Once a tactical plan has been developed, an array of personnel and other necessary resources are promptly deployed. All members of the law enforcement team must bring their expertise and resources to bear in a coordinated effort.

4. ***Relentless follow-up and assessment—***

An on-going process of follow-up and assessment is essential to insure desired results. Determining what measures have been successful against specific crimes or offenders allows effective responses to similar problems in the future. It also allows re-deployment of resources after a particular problem is solved.

A brief example of how a few principles of this model are used can be seen as New York City Transit Police analyzed the relationship between reduced fare evasion (in public transportation) and arrests for more serious offenses. Fare evaders were being arrested for carrying weapons and other violations and checked for open warrants. Data showed rigid enforcement of fare evasion quickly led to arrests of

people carrying weapons and entering facilities to commit other crimes. The data analysis allowed Transit Police to modify tactics as soon as new patterns of criminal activity began.

An important part of New York City's Crime Control Model also includes a constant and thorough analysis of crime data. Data from all areas of law enforcement in the city is analyzed by computer and a weekly report, called a "CompStat Report," is generated. The CompStat Report captures crime, complaint, and arrest activity at the precinct, patrol borough, and city-wide levels. It presents a concise summary of these and other important performance indicators. These data are presented in week-to-date, prior 30 days, and year-to-date formats, with comparisons to previous years' activity. Law enforcement personnel can easily discern emerging and established crime trends as well as deviations and anomalies, and they can easily make comparisons between commands.

Crime Mapping is Used to Track High Crime Areas. Another best practice which has been emerging in crime fighting is called crime mapping. This practice occurs when law enforcement jurisdictions set up data systems to enter data on where crimes occur. Officials can then target resources to areas where crimes appear to be occurring most often. This crime mapping process is a component of Maryland's HotSpot Communities Initiative discussed earlier in the chapter.

The Salt Lake City Police Department has used crime mapping to solve apparent pattern crimes.

The Salt Lake City Police Department (SLCPD) has done some crime mapping which illustrates the process. In the summer of 1998, a rash of burglaries broke out in several southwest Salt Lake construction sites. SLCPD's crime analyst was asked by a sergeant to put together a crime map that indicated when and where these burglaries occurred. The map indicated that these burglaries were occurring at a certain time of day and in certain geographic areas. Police patrols were given the map information and told to be especially watchful for suspicious people at certain construction sites at certain times of the day.

Soon, officers observed a suspicious individual and his vehicle at a construction site during the predicted time frame. When the individual did not leave the construction site, the officers detained him and found burglary tools in his vehicle. They also discovered the man

Crime mapping is a best practice that identifies high areas of crime.

South Salt Lake Police Department uses problem-oriented policing to respond to crime challenges in the community.

had a history of burglaries, and they arrested him for suspicion of burglary. The officers were not able to implicate him in the previous burglaries, but after he was arrested, the burglaries of construction sites stopped.

In areas where there are high-crime hot spots, such as those described above, extra police patrols can be implemented. This practice is identified in the federal research as a “What Works” practice.

Problem-Oriented Policing is Used in South Salt Lake. Problem-Oriented Policing is a best practice that has emerged from the writings of well-known law enforcement consultant, Professor Herman Goldstein. The “What Works” research confirms problem-oriented policing as a possible best practice by concluding that “ ‘problem-solving’ analysis unique to the crime situation at each location. . .” shows promise.

Many jurisdictions, including the South Salt Lake Police Department (SSLPD), have implemented Professor Goldstein’s problem-solving principles through the police SARA model. SARA stands for **S**canning, **A**nalysis, **R**esponse, and **A**ssessment. This SARA philosophy emphasizes the formation of partnerships between law enforcement and all members of the community in a coordinated effort to fight crime and solve problems.

Officials at SSLPD use SARA as part of the department’s mandate to have at least two “community contacts” per day. While on their regular patrols, South Salt Lake officers are expected to initiate contact with community members to inquire about potential or existing community problems. If officers find a problem that needs to be addressed—such as a community member identifying a drug house—they fill out a “SARA Problem-Solving Sheet” which calls for the following analysis:

- **Scan.** Officers give a description of the problem or challenge facing the community.
- **Analyze.** Officers analyze the problem and come up with proposed strategies such as increased education, prevention awareness, or increased enforcement efforts.
- **Respond.** Officers respond to the problem and utilize

community resources.

- **Assess.** Officers continually assess the success of their strategies in weekly meetings with sergeants. SARA is used until the problem is solved.

(Please refer to Appendix C for a copy of South Salt Lake Police Department's "SARA Problem-Solving Sheet.")

The deputy chief at South Salt Lake says the SARA model gets officers thinking more specific and provides them with a tracking system for the challenges they encounter. It also emphasizes accountability as officers' SARA sheets are reviewed regularly. Finally, it mobilizes the community to help police solve problems.

Policy Makers Could Help Promote Selected Techniques

The Legislature could help promote best practices. It could facilitate crime mapping on the regional level and recommend more POST training in community policing and problem-solving.

To some degree, the Legislature could help promote these best practices in Utah. While community policing, problem-oriented policing, crime mapping and other concepts are being embraced on a limited basis in some local Utah jurisdictions, lawmakers could champion the concepts on a state-wide level.

Crime Mapping Could Work on a Regional Level. Legislators could work with law enforcement officials in larger urban regions such as Salt Lake, Utah, Davis and Weber Counties to determine if crime mapping could work at the regional level. The Legislature could help fund a regional crime mapping center where data could come from surrounding cities and be analyzed to determine crime hot spots. This regional mapping approach might be more effective than a local jurisdiction approach because criminals often commit crime in several different jurisdictions in close proximity. A regional mapping center would track these crimes and alert all jurisdictions involved. This regional tracking would allow the involved jurisdictions to cooperate and coordinate their efforts in fighting crime. Such a crime mapping center is similar in concept to the existing metro gang and drug task forces in Utah.

Further evidence of a need for regional crime mapping is supported by the Salt Lake City Police Department. Their crime analyst reported that some jurisdictions in Salt Lake County already have some form of

crime mapping. However, each jurisdiction has its own programs for mapping, which are not necessarily compatible with other jurisdictions. For example, each police department may use different coordinates for their maps, and crime incidents may have different notations and codes. Because of these differences, the police departments have a difficult time sharing information electronically and linking to other systems. A regional mapping center would alleviate this problem since it could gather and report standard data across all jurisdictions, and systems would essentially be linked.

COPPS and SARA Could Be Taught at POST. With jurisdictions like South Salt Lake adopting forms of community-oriented policing and problem solving, officers trained with such policing skills are sought at a premium to work in local police departments. The Legislature, as the body which approves police officer training standards, could work with the Peace Officer Standards and Training (POST) Academy to require more COPPS training. Processes such as the SARA problem-solving model could be incorporated into the POST curriculum also.

We are aware that POST is currently undergoing a curriculum review by the Weber State University Department of Criminal Justice. We spoke with the Weber State professor involved and found that he may indeed be recommending more hours of community-policing training in the POST curriculum.

Because best practices in New York are so closely tied to a single chain of command, importing them into Utah poses challenges.

Importing NYPD Crime Models Poses Questions. While the concepts of Crime Control and CompStat are considered best practices—like problem-oriented policing and crime mapping—they may not transfer well to the state-level. Crime Control and CompStat depend highly on the chain of command of one single law enforcement entity: the New York City Police Department. A further review of Crime Control and CompStat principles used in Utah would need to involve a look at the use of well-coordinated inter-local agreements within urban regions such as the Salt Lake valley and Ogden region. Such a review was beyond the scope of this audit.

These examples illustrate the need to implement best practices which seem to be working in other areas of the county. What follows with the implementation of these programs—and other existing criminal

justice programs in Utah—is a thorough evaluation of whether they

are working. This level of evaluation requires good data and adequate research resources.

Evaluating Program Outcomes Requires Good Data and Adequate Resources

As shown in Chapter II, the availability of accurate and complete data is essential in many aspects. It allows researchers to perform in-depth evaluations of programs. Without accurate program evaluations, wise policy decisions cannot be made. However, even if good data is provided and quality programs are implemented, Utah must have adequate resources to perform evaluations on its programs. Some states are making efforts to use program evaluation to more closely tie funding to program outcomes and thus maximize their evaluation dollars.

Utah Contracts for Some Program Evaluation

Utah has some in-depth program evaluation through CCJJ and a contract with the U of U.

In Utah, some program evaluation is done by CCJJ and criminal justice departments, and some is contracted to other organizations. CCJJ has a contract with the University of Utah and Dr. Russ Van Vleet of the Department of Social Work. He and his staff have performed evaluations on a number of programs, including Day Reporting Centers, intermediate sanctions, and prevention programs. The contract to provide this level of research is costly, totaling around \$90,000 per year, with CCJJ, Adult Corrections, Youth Corrections, and the Department of Social Work each paying a quarter of the total amount. CCJJ staff say that type of program evaluation provided by the university contract represents some of the best state money spent for criminal justice research.

Some States Are Trying to Base Program Funding on Outcomes

Other states, like Florida and Washington, use in-depth program evaluation to base criminal justice funding decisions on outcomes.

Some states are using more involved program evaluation, such as that provided by the university contract, to determine which programs get funded based on outcomes. Two examples are Florida and Washington. The state of Florida has established an accountability

board in juvenile justice with a major responsibility to evaluate programs for juvenile offenders. The state of Washington has a public policy institute that also evaluates programs and then determines which might be beneficial for use in its state criminal justice system.

Florida Ranks Juvenile Justice Programs With an Index. The state of Florida has a Juvenile Justice Accountability Board (JJAB) which performs a yearly, detailed evaluation and ranking of programs provided to juvenile offenders. This evaluation is done under its broad mandate to measure, evaluate, and report on the outcomes of youth referred to the Department of Juvenile Justice. This process calls for a detailed analysis of the *impact* of the programs and the effect, if any, they have had on the juveniles. In the end, the JJAB identifies for their Legislature the high-performing and low-performing programs in juvenile justice.

This procedure is important because the Florida Legislature invests huge dollars in juvenile justice. The most current reports from JJAB estimate that Florida invests about \$640 million in their Department of Juvenile Justice (DJJ) in 1999. JJAB's belief is that "Legislators and the citizens they represent should expect a significant return on their investment."

To guide its evaluation tasks, the JJAB adopted guiding principles. Among these principles is the belief that program performance should be measured and that the DJJ staff and contract program providers should be held accountable for program performance.

To assist the DJJ in measuring performance, the board developed a standard methodology for evaluating the outcomes of all programs such as juvenile half-way houses. The crux of the methodology is a program performance index which combines and weights a juvenile offender's:

- recidivism,
- offenses during supervision,
- escapes or absconds, and
- Quality Assurance scores.

From these measures, index scores are calculated. For example, if the

Florida uses a performance index to rate programs.

The Florida Juvenile Justice Accountability Board has a budget of \$750,000 to evaluate programs for the Department of Juvenile Justice, which has a budget of \$640 million.

The state of Washington provides detailed cost-benefit analyses to show tax-payers' return on criminal justice dollars spent.

Utah needs quality, in-depth evaluation at different levels to guide policy makers.

measures were used to evaluate half-way houses and scores varied significantly, lessons could then be learned from the half-way houses with high scores. Half-way houses receiving low scores could be identified for improvement.

While this method of detailed program evaluation is not without price, the Florida Legislature has seen benefits. The JJAB did not have figures on how much individual program evaluation projects cost, but the board's total annual operating budget is around \$750,000. For this money, the JJAB has created, over the years, a substantial body of empirical data, evaluation and recommendations that are available to support the development of public policy. Policy makers in Florida get a practical framework where this information can be used to make judgements about overall effectiveness of programs and related budgetary decisions.

Washington Performs Cost-Benefit Analysis. The state of Washington's Institute for Public Policy (the institute) is similar to Florida's JJAB in that it performs detailed program evaluation for the state's criminal justice system. We reviewed some of their research projects and found detailed evaluation such as cost-benefit analyses.

For example, in their recent review of how crime reduction programs could benefit Washington state, the institute concluded that "some programs not only work, they also save more money than they cost." The institute's report showed a table summarizing the dollar savings to taxpayers for several criminal justice programs.

The expense of evaluation services from Washington's institute is reported to the Legislature according to project contract. For the current biennium, evaluation projects for criminal justice amount to about \$900,000, which makes up about 50 percent of the institute's contracts. This is a large expense to Washington, but it provides evaluation that appears to identify cost savings to the state.

The point illustrated by Florida's JJAB, Washington's Institute for Public Policy, and through the general themes of this chapter is that quality, in-depth evaluation at all levels needs to be available for policy makers. Evaluation—along with good data and planning techniques discussed in the next chapter—will assist legislators in making more

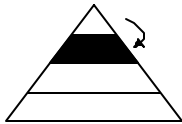
informed decisions when allocating scarce public funds in criminal justice.

Recommendation:

1. We recommend CCJJ review whether the state's existing evaluation efforts are adequate to fulfill criminal justice strategic planning needs (discussed in Chapter IV). If additional resources are needed, CCJJ should describe how they would be used in a strategic plan and approach the Legislature for funding.

Please refer to Chapter V for recommendations directed to the Legislature on ways to bolster Utah's criminal justice evaluation efforts.

Planning is the 3rd
tier of the Policy
Development
Pyramid:



CCJJ is required to
produce a
“comprehensive
criminal justice plan
annually.”

Utah needs a
system-wide
strategic plan for
criminal justice,
which incorporates
the steps of
achieving quality
data and evaluation.

Chapter IV

Utah Needs a System-Wide Criminal Justice Strategic Plan

Utah needs to formalize its criminal justice planning in accordance with the Commission on Criminal and Juvenile Justice’s duty “to provide a comprehensive criminal justice plan annually.” Such a written plan is essential so CCJJ can promote criminal justice philosophies that are known and accepted by all stakeholders. A plan also increases compatibility of processes and technology used in the system, while reducing effort wasted on ineffective programs. We believe the very process of formalizing a comprehensive criminal justice strategic plan will also help further internalize strategic thinking and results-orientation within criminal justice at the state level.

A comprehensive (system-wide) criminal justice strategic planning process is the natural “next step” to policy development tasks of compiling accessible and adequate data and appropriately evaluating it thoroughly—tasks which were discussed in Chapters II and III. We acknowledge that CCJJ does have some strategic plans such as the plan to distribute federal Byrne grant funds. However, we advocate a more encompassing process which outlines the strengths, problems, resources, and potential within the criminal justice system and proposes system-wide solutions. In this process, CCJJ could give consideration to strategic planning principles which we compiled from experts in the field of strategic planning, from the Governor’s planning guide and from the 1993 Results Act of Congress. The message from these sources is to focus less on *inputs* to the system and more on *outputs* and results.

Barriers which inhibit this planning process may need to be addressed first. These include possible changes to CCJJ’s organizational placement, clarification of CCJJ’s role as the state’s comprehensive criminal justice strategic planner, and a bolstering of CCJJ resources. A complete discussion of these recommendations to address “barriers” is provided in Chapter V of this report.

CCJJ Could Promote Philosophical Agreement in Criminal Justice Through Strategic Planning

We believe that in order for CCJJ to better accomplish its purposes of promoting criminal justice philosophy and coordinating the separate functions within the criminal justice system, its chief duty must be to produce and maintain a criminal justice plan. In short, CCJJ needs to produce a comprehensive criminal justice strategic plan for Utah which includes the following elements:

A criminal justice strategic plan should include:

- Mission
 - Goals/Objectives
 - Review of System
 - Strategic Action Plan
 - On-going policy recommendations
-

- a **Mission Statement** which incorporates a vision and guiding philosophies for criminal justice, as well as mandated duties,
- a list of general **Goals** and more specific **Objectives**,
- a current review of the **Condition of the System**—a “snapshot of now,”
- an **Action Plan** outlining criminal justice strategies, and
- **Policy Recommendations** and on-going plan-monitoring, revision and analysis.

While CCJJ has been a planning body which continues to prioritize system-wide needs through the budget process and by advocating specific legislation, planning efforts still could better encompass the entire criminal justice system in the form of a comprehensive strategic plan. CCJJ staff told us that the strategic planning process through the *Utah Tomorrow* legislative committee, currently acts as the system-wide strategic plan for criminal justice. However, we note that *Utah Tomorrow* does not involve local law enforcement and does not have action plans to accomplish listed objectives. At the recent Crime Reduction Conferences in Salt Lake City and St. George, local criminal justice agencies gave input which should greatly contribute to future comprehensive planning by CCJJ.

A past legislative audit pointed out CCJJ's weaknesses in long-range planning.

In 1991 the Office of the Legislative Auditor General performed a Sunset Audit of the CCJJ and concluded that “the commission appears to lack consensus on the long-range objectives of the criminal justice system.” The audit subsequently recommended that CCJJ implement more long-range planning.

CCJJ could fulfill this revisited recommendation by formalizing a criminal justice plan. They could accomplish this, first, by articulating

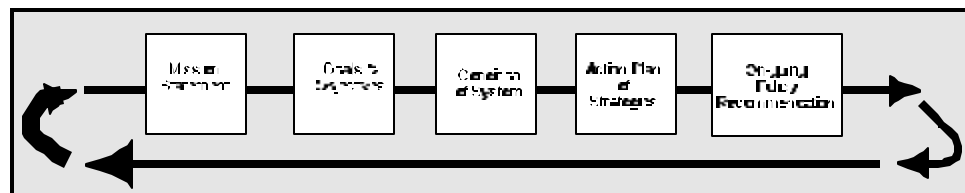
a criminal justice mission and by making criminal justice philosophies known. Then, they would incorporate key elements of strategic planning by analyzing the strengths, weaknesses, opportunities, and threats within the separate parts and within the whole of the criminal justice system.

Strategic Planning will assist CCJJ in accomplishing other needs as well. A comprehensive criminal justice strategic plan does the following:

1. Makes known a common mission and philosophies.
2. Helps to further internalize the practice of strategic thinking in the very act of producing the plan.
3. Promotes implementation of goals and strategies by including action plans.
4. Becomes a formalized, comprehensive information base that policy makers can ultimately reference.

We reviewed “how to” strategic planning documents from Utah, other states, the federal government, and academia and compiled a proposed list of strategic planning principles, or steps, that CCJJ could use as minimum requirements in a comprehensive criminal justice strategic plan, graphically illustrated in Figure VII.

Figure VII. Current research recommends core steps in strategic planning. The arrows illustrate the on-going process.



Sources: Bryson, John. *Strategic Planning for Public and Nonprofit Organizations*. Utah Governor's Office of Planning and Budget. "Planning, Measuring & Reporting: GOPB's Guidelines to State Agencies, May 1994." United States General Accounting Office (GAO). "Critical Issues for Improving Federal Agencies' Strategic Plans." Wells, Stuart. *Choosing The Future: The Power of Strategic Thinking*.

The most valuable part of a “plan” is the process.

However, the plan is not the most important aspect of strategic planning. Rather, it is the on-going process of planning which

becomes most helpful *if* the planning process emphasizes end results.

As the noted management guru Peter Drucker summarized, “Plans are worthless, but planning is invaluable.”

CCJJ Can Use Elements of Strategic Planning in a Comprehensive Criminal Justice Plan

The elements outlined in Figure VII become the basis of a comprehensive criminal justice strategic plan. They are recommended as a starting point from which CCJJ could then build and customize a plan. The elements are consistent with an overall federal and state movement in the 1990s toward performance-based management. On the federal level, Congress enacted the Government Performance and Results Act of 1993 (“the Results Act”) as a means to:

The national movement is toward performance-based management which focuses on strategic planning and its outcomes.

shift the focus of government decision making and accountability away from a preoccupation with the activities that are undertaken . . . to a focus on the results of those activities

On the state level, the Governor has recently promoted planning as a way to move government to a new level of efficiency and effectiveness, calling for state workers to become a “generation of planners.” In our view, the new chairperson of the CCJJ also communicated this point when he said that a plan needs to be reduced to writing.

Recently, a member of the Utah Supreme Court charged CCJJ to do more to reduce inconsistencies and duplications among local and state agencies and to help make stronger statewide criminal justice policies. Our recommendation is that this can best be accomplished through a more formalized process of strategic planning.

CCJJ has been given a charge to help make stronger state-wide criminal justice policies. This begins by articulating a mission and vision for criminal justice.

Strategic Planning Maps a Vision of Success for the Future. The Governor’s Office of Planning and Budget defines **strategic planning** as:

a long-term, future oriented process of assessment, goal setting, and decision-making that maps an explicit path between the present and a vision of the future, that relies on careful consideration of an organization’s capabilities and environment, and leads to priority-based resource allocation.

The lieutenant governor challenged CCJJ to have a continual vision of asking, “What can Utah do?” in criminal justice.

Strategic planning is more than the natural tendencies of organizations to merely forecast trends and react to the environment. It is a process that centers around questions such as, “Where do we want to be in five years?” and “What kind of organization do we want to be?”

There is clear consensus that CCJJ has laid a solid groundwork of coordination in the criminal justice system where a planning process can now take place. This process begins by facilitating a discussion of Utah’s criminal justice vision and philosophies and then making each known through a mission statement. The goal here is to get all stakeholders working in a unified direction in order to maximize combined efforts.

CCJJ Could Facilitate and Disseminate a Criminal Justice Mission Statement

One of the two principal purposes of CCJJ is to promote broad philosophical agreement within the criminal justice system. CCJJ has, over the years, achieved a high level of coordination among the sub-systems of criminal justice. However, in our opinion, a more formalized effort to synthesize various philosophies through a criminal justice mission statement still remains to be done. The lieutenant governor communicated this need when she recently encouraged CCJJ to “have a continual vision, not of just solving the problems that are brought to it, but a vision of saying — What can Utah do?” Capturing this vision in a mission statement and disseminating it throughout criminal justice acts as the crucial first-step to strategic planning.

Mission Statement Reflects the Vision of Criminal Justice. The Governor advocates and defines “vision” through his GOPB document, “Planning, Measuring & Reporting.” **Vision** is

an inspiring picture of a preferred future. A vision is not bound by time, represents global and continuing purposes, and serves as a foundation for a system of strategic planning. A statewide vision depicts an ideal future for the people of Utah and the contributions that state government can make to that end.

The *Utah Tomorrow* plan does list a vision for criminal justice, but local law enforcement are not represented in the process.

CCJJ has a unique mission in that it acts as the “gate-keeper” of the mission statement for the entire criminal justice system.

Some may argue that CCJJ cannot mandate “mission.” But, it can *advocate* such and facilitate system-wide consensus.

As mentioned, we recognize the efforts of the *Utah Tomorrow* strategic planning committee and also CCJJ’s role in formulating a state vision which includes a subordinate vision statement for the justice system to

protect our society by supporting a justice system that allows Utahns to enjoy a quality lifestyle consistent with the rights and liberties guaranteed under the United States and Utah Constitutions.

But again, *Utah Tomorrow* represents the efforts of state government and does not involve local jurisdictions. Without input from local law enforcement, a major element of the criminal justice system is left out of the state-wide planning process. Because of this situation, we envision CCJJ as the care-taker of the criminal justice mission statement who would incorporate the views of all levels of the criminal justice system, including local law enforcement. At this point, it is unclear to us whether the criminal justice system rallies around a common mission and governing philosophies. When the vision and philosophies are clear and communicated through a mission statement, strategic planning can begin.

Maintaining the Mission of the Criminal Justice System is Part of CCJJ’s Role. In short, when it comes to developing and maintaining a mission statement, CCJJ has the challenge of providing leadership at two levels:

1. CCJJ is responsible for its own agency mission statement, which it has written. (See below.)
2. CCJJ is responsible to facilitate a mission statement for the entire criminal justice system.

Some may argue that CCJJ cannot enforce a mission or a vision for criminal justice, but as part of its duty to promote general philosophy and system coordination, it can *advocate* a shared mission.

GOPB defines **Mission** as an agency’s reason for existence. The definition continues:

[The Agency Mission] succinctly identifies what the agency does, and why and for whom it does it. A mission statement reminds everyone—the public, the Governor, Legislators, the Courts, and

agency personnel—of the unique purpose promoted and served by the agency.

CCJJ's Mission Statement Mirrors Its Statutory Mandates. We see CCJJ's "reason for existence" communicated in its own mission statement and envision a similar statement to be developed for the criminal justice system. In 1995, the commission drafted its mission statement with subsequent goals and objectives. Quite often in public organizations, mission statements are clear because they are statutorily defined. This is the case with CCJJ as its mission statement encompasses the two statutory purposes listed in **Utah Code 63-25a-101**:

The Commission on Criminal and Juvenile Justice's purpose is to promote broad philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the function of the various branches and levels of government concerned with criminal and juvenile justice to achieve those objectives.

The lack of a common criminal justice philosophy was identified as a system weakness over 15 years ago.

One year before the Legislature created CCJJ, the 1982 Governor's Conference on Criminal Justice concluded that the state had no common criminal justice system philosophy. The proposed solution to this problem was to adopt a criminal justice mission statement. The Steering Committee of the conference did obtain agreement and adopted a mission statement that criminal justice "minimize crime and ensure justice." Expanded mission principles from the Steering Committee also included coordination, prevention, sanctions, rehabilitation, victim rights, due process, professionalism, management, and public involvement.

We do not know if CCJJ has championed or maintained this specific mission statement over the years, but, some would argue that a criminal justice mission statement has been updated and it is found in the *Utah Tomorrow* document. Regardless, the overall direction of criminal justice needs to be promulgated to all stakeholders.

As part of the system-wide planning process, CCJJ can compile goals and objectives used by the sub-systems of criminal justice and align them with the system mission.

CCJJ Should Compile Criminal Justice Goals and Objectives

As part of the comprehensive planning process, CCJJ can compile the goals and objectives used by the sub-systems of criminal justice. Some goals and objectives (and even agency mission statements) may need to be revised following the process of reaching an agreed-upon system-wide mission statement.

Goals and **objectives** in this context are defined by GOPB, just as were the definitions of vision and mission:

***Agency Goals** are the general ends toward which agencies direct their efforts.*

***Objectives** are clear targets for specific action. More detailed than goals, objectives have shorter time frames and may state quantity. An objective is achievable, measurable and sets forth the direction for strategies.*

This process is not intended to become a “micro-managing” of specific objectives within criminal justice sub-systems. Goals and objectives are most likely gathered at each separate agency level. In the strategic planning process, agencies are encouraged to align the specific goals and objectives with the overall mission of criminal justice. Much of this already takes place, but revision may be needed throughout the strategic planning process. CCJJ may have to help resolve conflicting goals and objectives, as well.

We recognize that some criminal justice agencies, such as Corrections, already have existing goals and objectives. CCJJ also has several goals and objectives which are listed in the strategic plan for disseminating the Byrne Grant monies. In addition, such documents as *Utah Tomorrow* list goals and objectives from several areas of criminal justice, but we reiterate the need for a process that involves *all* criminal justice agencies.

A comprehensive review of all criminal justice sub-systems is needed to ascertain current strengths, weaknesses, opportunities, and threats.

Strategic Plan Should Include a Comprehensive Review of All Criminal Justice Sub-Systems by CCJJ

Before strategies based around a common mission and the compiled list of goals and objectives can be formulated, all stakeholders in the criminal justice system need a solid understanding of the strengths, weaknesses, opportunities and threats of each criminal justice sub-system and the entire system as a whole. In strategic planning theory, this understanding is commonly referred to as a “SWOT analysis,” which is one portion of the Harvard Policy Model taught since the 1920s. It is an analysis of an organization’s **S**trengths, **W**eaknesses, **O**pportunities, and **T**hreats (“threats” being forces often beyond direct control, such as the economy, that may threaten an organization or system).

This type of analysis constitutes a proposed third step in strategic planning: compiling a review of the condition of the criminal justice system. Two strategic questions posed by private sector strategist, Dr. Stuart Wells, in his book *Choosing The Future, The Power of Strategic Thinking*, summarize the focus of this planning step:

- What seems to be happening?
- What possibilities do we face?

This review of the system, or “snapshot of now,” includes information on the strengths and weaknesses of local law enforcement, prosecution systems, the courts, and corrections. It also lists the problems faced by the criminal justice system. One local law enforcement official suggested that this component of strategic planning should include common measurements of each sub-system of criminal justice to determine such things as response rates and available capacities. This portion of the strategic plan also identifies factors beyond stakeholders’ control (“threats”), such as constitutional limits to criminal justice and the condition of the state and local economy.

State planning efforts stemming from federal funds in the 1970s included a “snapshot of now” review of the entire criminal justice system.

Law Enforcement Planning Agency is an Example of Providing a “Snapshot of Now.” In the 1970s, the federal government provided substantial planning money for states through the Law Enforcement Assistance Administration (LEAA). The purpose was to help state and local governments improve law enforcement and reduce crime.

During this time, the agency receiving these LEAA funds—the Law Enforcement Planning Agency (LEPA)—produced the federally-required comprehensive plan for criminal justice. This plan was disseminated throughout the state through planning regions. Regional planners worked with the local associations of governments (AOGs) to implement the plan.

A strength of the on-going LEPA plan was its section on “Existing Systems”, which reviewed all criminal justice agencies and other criminal justice resources. Existing systems were categorized as:

- state, county and local police,
- the Utah judiciary,
- prosecution and defense,
- corrections, and
- college and university law enforcement education.

In the plan, each agency had listed its organizational structure, activities, resources, size, and manpower. This information then fed into a multi-year plan, which listed strategies for achieving the overall LEPA goal to “reduce crime.” This comprehensive inventory of the system set boundaries for proposed strategies in the action plan. A review of related systems—such as government’s provision of human services and private sector criminal justice services—and a review of community resources could also be added to this section of the plan.

CCJJ Facilitates Criminal Justice Strategies Through an Action Plan

The crucial step in strategic planning is moving the goals and objectives to action. This step facilitates an answer to a third strategic question, “What are we going to do about it?” (which is Dr. Stuart Well’s final question connected with the two questions posed earlier). CCJJ can facilitate this through the presentation of an action plan. An action plan outlines the strategies for achieving goals and objectives under the criminal justice mission. CCJJ and the criminal justice agencies can also tie goals, objectives, and strategies directly to budgeting and legislation as recommended in GOPB’s “Guidelines to State Agencies.” In “Guidelines”, the definition of **strategies** is given as

The crucial step to strategic planning is to answer the question, “What are we going to do about it?” by outlining an Action Plan of strategies.

Strategies can show ways to leverage resources to overcome existing system weaknesses.

The distribution of federal grant money in criminal justice should be tied to furthering the overall mission of criminal justice.

... methods to achieve goals and objectives. Formulated from goals and objectives, a strategy is the means of transforming inputs into outputs, and ultimately outcomes, with the best use of resources. A strategy reflects budgetary and other resources.

CCJJ can influence the implementation of strategies through its existing involvement in the budgetary process. CCJJ's director of programs and budget also serves as GOPB's budget officer for the following criminal justice agencies: Department of Corrections, Administrative Office of the Courts, and Division of Youth Corrections. Further, CCJJ can influence the process by assuring that the federal grant dollars they distribute to local jurisdictions will support the overall strategies of the system-wide strategic plan.

CCJJ Can Continually Offer Policy Recommendations to the Legislature

The final suggested strategic planning step is to recommend successful strategies in criminal justice to lawmakers. CCJJ staff told us they have been given feedback that their work with legislation is "outstanding." They can build on this feedback by recommending policy which emerges from strategic planning. This step will assure that future policy recommendations will be representative of the entire criminal justice system—having been born of the strategic planning process.

Policy recommendations to lawmakers culminate the strategic planning process—a process which should be on-going.

Just as shown in the Policy Development Pyramid in Chapter I, CCJJ can deliver criminal justice data, evaluation, and strategic planning which carries the weight of the entire criminal justice system and its stakeholders to the Legislature. As was noted at a recent CCJJ retreat, CCJJ's potential is to act not only as a forum for brokering financial issues, but for policy and jurisdictional issues as well.

Of course, this strategic planning process really does not have an end; it is a continual process toward achieving desired results. Step number five points this out by advocating the need for continual review of the first four strategic planning elements: criminal justice mission statement, goals and objectives, the condition of existing systems, and an action plan of strategies.

CCJJ Can Build on Existing Planning

Although we agree that CCJJ has been a planning body, the goal is to build an improved system-wide process. CCJJ can utilize successful existing activities such as the budget prioritizing process and prioritizing proposed legislation during session in a broader strategic planning effort. The process of administering the Crime Reduction Plan from HB 145 (1999 session), however, seems to represent the best genesis for state-wide, comprehensive criminal justice strategic planning.

Current Crime Reduction Plan Can Begin a More Comprehensive Effort

In the 1999 general session, the Legislature passed HB 145, which calls for a planning conference to aid state and local criminal justice agencies with crime reduction planning. It also provides incentive funding for law enforcement agencies to create or implement Crime Reduction Plans.

We applaud the progress which CCJJ and local law enforcement agencies have made toward accomplishing this task by surveying stakeholders within the system to ask about the most pressing concerns in criminal justice and summarizing these issues at the recent Crime Reduction Conferences in Salt Lake City and St. George. We see this process as an impetus to comprehensive criminal justice planning which will more formally include other portions of the criminal justice system: the courts, the Board of Pardons, prosecution and defense, the Department of Corrections and other social service agencies such as Human Services' Division of Substance Abuse and local treatment providers. CCJJ staff recently commented that they view the "crime plan" which is emerging from the survey process as a means to develop the vision and goals of criminal justice and also as a way to discuss the "nuts and bolts" of criminal justice. We agree with this view which represents ownership of a more formalized system-wide planning process.

This comprehensive movement was illustrated at a recent meeting where CCJJ staff were updating Utah police chiefs and sheriffs on the Crime Reduction Plan, prior to the conference in St. George. The

CCJJ's current efforts with the crime plan required by HB 145 (1999 session) are a good impetus to system-wide strategic planning.

Consensus is forming within criminal justice agencies that accountability needs to be increased at the system level of criminal justice.

meeting began with discussion centered around law enforcement needs and concerns. One participant expressed a view that the planning effort is really not going to be complete until it involves a comprehensive look at the entire criminal justice system.

Discussion at a recent CCJJ board meeting echoed this notion. CCJJ's executive director pointed out that the process of HB 145 has been pushing some stakeholders within the criminal justice system to reach the conclusion that greater accountability is needed at every level of criminal justice in order for criminal justice to perform better as a system. Now is an opportune time to move ahead while the crime reduction processes outlined in HB 145 are facilitating strategic thinking.

In summary, over the course of the audit we inquired about criminal justice planning in meetings with several past and present stakeholders within the criminal justice system and CCJJ itself. Their conclusions were clear: Utah needs to do more system-wide criminal justice planning. This system-wide plan has always been a statutory duty of CCJJ and has been accomplished in various forms over the years but, in our opinion, it has been in a piecemeal fashion. Our view is that planning now needs to rise to a top priority for CCJJ. Further, our view is that the process of comprehensive strategic planning—following a minimum set of principles—can move Utah to an improved level of planning by providing a framework to accomplish a unified mission.

Our view is that establishing and following a strategic planning process ought to be a top priority for CCJJ.

To review, the strategic planning steps are to:

1. Adopt a common criminal justice mission statement which reflects the unifying vision and philosophies of criminal justice.
2. Compile a list of agency goals and objectives which are aligned with the overall mission of criminal justice.
3. Document the condition of the existing criminal justice system with an inventory of resources, strengths, weaknesses, opportunities, and internal/external threats.
4. Develop an action plan of strategies to fulfill the goals and objectives.
5. Submit policy recommendations to the Legislature while continually monitoring, revising, and analyzing the

We envision criminal justice stakeholders agreeing upon and then owning a strategic planning process.

comprehensive plan to assure it remains a helpful tool for achieving desired results.

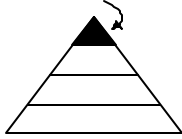
Although we suggest some steps to strategic planning, we do not claim to be prescribing an exact strategic planning process for CCJJ and other criminal justice agencies. We recognize that the process will need to be customized to meet Utah's unique challenges. We see the process as a constructive way to discuss the future direction of Utah's criminal justice system and as an effective means to provide policy information for the Legislature. We envision criminal justice stakeholders coming together to agree on a system-wide planning *process* and taking responsibility for the resulting plan and the continuing planning process—a concept that is suggested in strategic planning.

Recommendations:

1. We recommend CCJJ prepare and present a formal system-wide criminal justice strategic plan to the Legislature, the Governor, and the Judicial Council on an on-going basis.
2. We recommend CCJJ recognize its need to be responsible for the overall mission of the criminal justice system.
3. We recommend CCJJ approach the Legislature if additional resources are needed for criminal justice strategic planning.

Please refer to Chapter V for further recommendations directed to the Legislature concerning ways to facilitate CCJJ's duties through organization placement and other means.

Policy recommendations form the top tier of the Policy Development Pyramid:



Chapter V

Utah Legislature Has Policy Options in Criminal Justice

One way the Legislature can improve the criminal justice system is by strengthening the process whereby data, evaluation, and planning are compiled to provide policy advice. The model introduced in Chapter I of this report, the Policy Development Pyramid, suggests that criminal justice agencies provide sound policy input to the Legislature by beginning with quality data which is thoroughly evaluated and then incorporated into a strategic planning process. Policy options which emerge from this model in the criminal justice system are presented to lawmakers for debate and further action. While this model represents only one of many types of information available to the Legislature, we believe a better policy development process from the criminal justice system will benefit lawmakers. This chapter contains specific discussion and recommendations to the Legislature concerning ways it may improve the entire process by enhancing the levels of data collection, evaluation and planning in the criminal justice system.

Legislature Can Strengthen Criminal Justice and Its Policy Development Process

It is the responsibility of state agencies and legislative staff to maintain the first three tiers of the pyramid:

- data,
 - evaluation, and
 - planning.
-

The Legislature uses data, evaluation, and planning to effect criminal justice policy whether the information is received through executive branch agencies, the Governor's Commission on Criminal and Juvenile Justice (CCJJ), the Legislative Fiscal Analyst, Legislative Research & General Counsel, legislative committees, task forces, or the general public. But specifically, we believe it is the role of state agencies and legislative staff to maintain the first three tiers of the criminal justice policy pyramid: 1–data, 2–evaluation, and 3–planning. Then it becomes the Legislature's prerogative to ratify or veto the policy options presented. In this chapter, we present specific ways which the Legislature may facilitate improvement in criminal justice data, evaluation, and planning. Such improvements should help the Legislature establish new policies and provide additional resources that can reduce crime and save taxpayers dollars.

There is no single “right-way” to effect positive change and improvement in the criminal justice system. However, through the course of our study we have identified some suggestions which include a review of the organizational placement of CCJJ, legislative encouragement for system-wide criminal justice strategic planning, increased program evaluation, and a strategic plan for criminal justice information technology which would include a discussion of compliance to data standards and reporting requirements for criminal justice agencies. Suggestions also include fiscal considerations in strengthening data systems.

While this chapter discusses ways to improve CCJJ, we do not discount the valuable function that it has served. The CCJJ members we interviewed uniformly related how helpful it is for representatives of various criminal justice agencies to come together to discuss issues. The benefit in coordination of the criminal justice system is unquestioned. Nonetheless, we feel the policy development role of CCJJ can be improved. The role of CCJJ has been questioned for some time. For example, in 1990 the Legislative Fiscal Analyst

strongly suggested that the Legislature review the mission and purposes on the Commission and establish a policy direction for its growth and activities.

In this chapter we suggest the role of CCJJ to provide strategic planning and policy recommendations to the Legislature should be reviewed.

Legislature Should Review the Organizational Placement of CCJJ

This audit resulted from legislative concern about the adequacy of the information available to make criminal justice policy decisions. Specifically, our audit request letter expressed a concern about reporting inconsistencies regarding the state’s progress in reducing crime and victimization. Legislators said these reporting inconsistencies make effective policy and appropriation decisions difficult, if not impossible.

Several Options Exist For Legislature to Improve Criminal Justice Policy Input. There are several options for the Legislature in

Criminal justice policy information could come from a more independently placed CCJJ or from a crime advisor in the legislative branch.

addressing this concern which involves the organizational placement of CCJJ and the use of a crime policy advisor in the legislative branch. Currently, CCJJ is a part of the Governor's Office. But, one option for improving the level of information given to the Legislature would be to make CCJJ a more independent criminal justice planning and evaluation body. Removing CCJJ from the Governor's Office may give it more ability to focus on data, evaluation, and planning—while other duties like extraditions and constituent services could remain in the Governor's Office. While other states' equivalents of CCJJ appear to have no real common organizational placement, a few states do have more independent criminal justice commissions with more succinct missions to evaluate and plan.

However, we have been told by CCJJ staff that leaving them under the Governor gives them the full backing of the Governor when carrying out their roles of promoting broad philosophical agreement and coordination within the criminal justice system. Staff also emphasize that having CCJJ directly under the Governor strengthens the coordinative and budgetary ties to state criminal justice agencies like the Department of Corrections and the Department of Public Safety.

If the Legislature decides CCJJ should remain in the Governor's Office but still feels it needs more independent policy input, then a new legislative crime policy advisor may be needed. A legislative crime policy advisor would, to a certain extent, duplicate the capability that already exists in CCJJ. The situation is not unlike the Legislature and Governor each having their own budget analysts. However, crime policy, like budget policy, is so important that the duplicate analysts may be warranted. These options are discussed in more detail in the remainder of this section.

The organizational placement of other states' equivalents of CCJJ varies. Some reside in executive branch agencies, some in the attorney general's office, and some are independent.

Organizational Placement in Other States Varies. According to the Justice Research and Statistics Association (JRSA) in the U.S. Department of Justice, the organizational placement of criminal justice commissions similar to Utah's CCJJ varies greatly from state to state. Criminal justice commissions are in public safety departments, attorney generals' offices, and state-owned universities; some are quasi-independent research entities. Although comprehensive data on the organizational placement of criminal justice commissions was not readily available, JRSA plans to compile data later this year. JRSA's

executive director believes a discussion of the organizational placement and overall purpose of criminal justice commissions is very beneficial.

Since nation-wide data was unavailable, we contacted a few states, including those surrounding Utah, and found that criminal justice commissions are placed in various agencies. As mentioned above, these organizations in the surrounding western states are placed in such agencies as law enforcement, public safety, the attorney general's office, and the district attorney's council. Two commissions are stand-alone executive branch agencies. Of the states we contacted, Utah is the only one whose CCJJ is located directly in the Governor's Office.

Different Organizational Placements Have Advantages. As we see different organizational placement of states' criminal justice commissions, we realize that no one specific placement is correct for all commissions. However, different organizational placements have different advantages. For example, Arizona's Criminal Justice Commission and the Texas Criminal Justice Policy Council are stand-alone agencies. The staff in those two states believe their independence is an advantage. They have representation from all members in the criminal justice community, but they are not housed in one specific agency. Arizona believes that one disadvantage of having a state criminal justice commission placed within an existing agency is that agency then has a distinct advantage over other commission entities. Arizona says this is one reason they prefer to remain independent.

Some states say criminal justice commission placement within an existing agency avoids duplication of service.

On the other hand, Colorado's Division of Criminal Justice is satisfied with their placement in an existing agency. This division is housed in the Department of Public Safety where many of the state's crime fighting organizations are located. They sought to have consolidation and coordination among a large number of organizations involved in the criminal justice planning process. Placement in the Department of Public Safety seemed to be the answer for them. Colorado claims this allows them to avoid duplication of services.

Finally, some states have their criminal justice commissions housed in the Attorney General's Office. States with this structure reported to us that this organizational placement is viewed as a neutral location where staff can carry out their duties without severe political repercussions or the appearance of a conflict of interest. The following table in

Figure VIII summarizes the organizational placement of the states we contacted.

Figure VIII. Organizational Structure Varies. Other states' criminal justice commissions are located in many different agencies or are stand-alone agencies. Utah's commission is in the Governor's Office. Each placement has advantages and disadvantages.

| State | Organizations Housing Criminal Justice Commissions | | | |
|----------|--|---------------------------|--------------------------------|-------------------------------------|
| | Governor's Office | Attorney General's Office | Within Executive Branch Agency | Stand-alone Executive Branch Agency |
| UTAH | x | | | |
| Arizona | | | | x |
| Colorado | | | x | |
| Hawaii | | x | | |
| Idaho | | | x | |
| Kentucky | | | x | |
| Montana | | x | | |
| Nevada | | | x | |
| Texas | | | | x |
| Wyoming | | x | | |

The Texas Criminal Justice Policy Council is an independent commission whose main objective is to provide impartial information so that policy makers have data from which to make decisions.

Independent Criminal Justice Commission has Advantages. Utah could benefit by CCJJ being placed outside of the Governor's Office similar to Arizona and Texas. Making CCJJ an independent agency could increase the confidence legislators and other policy makers place in the objectivity of the criminal justice information provided. Our own research shows that many states, in addition to those contacted above, have been turning to Texas as a model for improving the nature of their criminal justice commissions. The Texas Criminal Justice Policy Council is an independent agency charged with giving impartial

research to the Legislature and the Governor. The Texas council executive director told us that its main objective is to assure that all policy makers have adequate and accurate data from which to make decisions. Their mission statement is

To generate through research, planning and evaluation the knowledge needed by the Governor and Legislature to develop and monitor policies for improving the effectiveness of the adult and juvenile criminal justice systems.

The council's executive director is currently working with many other states who are bolstering an independent research focus. Kentucky is one such state that recently put in place a criminal justice commission structure whose chief role is to foster planning and evaluation.

The Kentucky Criminal Justice Council, although residing in an executive branch agency, is still one-step removed from the Governor. It was created to be a neutral provider of long-range planning and system policy recommendations. The council's mission statement reads similar to that of the Texas council:

To provide the Governor and the Kentucky General Assembly with recommendations to guide decision-making and policy development on issues involving law enforcement, the courts and corrections and through research, planning and evaluation, to reduce crime, and improve the fair administration of justice in the Commonwealth of Kentucky.

The Kentucky Criminal Justice Council was created to be a neutral provider of long-range planning for criminal justice.

CCJJ could be divided by functions. One office could remain under the Governor and perform gubernatorial duties. Another more independent office could oversee data, evaluation, and strategic planning for criminal justice.

CCJJ Could be Divided According to Duties. One option to help Utah increase its evaluation and planning in criminal justice is to divide CCJJ into two offices. One office could remain under the Governor and respond to gubernatorial needs—such as day-to-day constituent services, extraditions, judicial nominations, and consultation in criminal justice policy. Another more independent office could be formed to house the duties of criminal justice data gathering, evaluation, and strategic planning. At the same time, resources to improve data quality, program evaluation, and criminal justice planning could be increased. This office could also house the distribution of federal grant funds based on the intent that they be tied to the overall criminal justice strategic plan and further the mission of criminal justice. CCJJ staff believe, however, that organizational location have no relationship

to the quality of data, evaluation, and planning that is provided. They say that the organizational debate has been repeatedly raised since CCJJ's creation and the decision has been that there is no logical alternative to CCJJ's placement in the Governor's Office.

On the contrary, separating duties could allow for a heightened look at data, evaluation, and planning. Like the Texas Crime Commission or the Kentucky Criminal Justice Commission, an independent CCJJ can take care of its strategic duties of—

- promoting criminal justice philosophies,
- coordinating agency objectives,
- planning a strategic action of compiled objectives,
- evaluating programs,
- distributing federal and state funding, and
- integrating data.

The Texas Legislature receives a “big picture” review of criminal justice each biennium.

Texas incorporates the above elements into a system-wide report called *The Big Picture in Juvenile and Adult Criminal Justice*. This report, updated each biennium, tells the Texas State Legislature what the state did to enhance alignment with generally-held criminal justice philosophies. For example, the report states that the state of Texas was able to successfully reform the adult and juvenile justice system by closing the prison revolving door, increasing prison punishments, having a correctional system with adequate capacity, creating a tier of correctional facilities for the specific purpose of rehabilitation, and increasing the severity of juvenile punishments.

The report also gives policy recommendations for the future. The executive director of the Texas Criminal Justice Policy Council actually recommended that this “big picture” requirement be added to his list of duties because of the importance of summarizing and promulgating philosophies and policies in criminal justice.

Having CCJJ in its current placement gives it the backing of the Governor in carrying out criminal justice decisions.

CCJJ in the Governor's Office Still has Advantages. Leaving CCJJ in the Governor's Office has its advantages, too. Under the Governor, the CCJJ staff may have a quicker response to emerging crime issues such as the current gun control debate. CCJJ's current placement also allows state-level criminal justice agencies to better integrate budgetary needs with the Governor's criminal justice goals. In short, we were

The Legislature could have its own crime policy advisor within the legislative branch.

Whatever structure the Legislature chooses for CCJJ should facilitate impartial criminal justice policy recommendations.

told that criminal justice decisions carry the weight of the Governor. CCJJ staff have told us that removing them from the Governor's Office would weaken their ability to carry-out its dual function of promoting broad philosophical agreement throughout the criminal justice system and coordinating among the different levels and branches of government.

Legislature May Benefit By Having Its Own Crime Policy

Advisor. The Legislature could make no change to CCJJ's placement. Instead, legislators could create a crime policy advisor within the legislative branch. While this option may appear duplicative—given that CCJJ already provides criminal justice information—it may serve to strengthen legislators' confidence in the data and advice they receive. This option is somewhat analogous to the current existence of two state-level budget offices: the Governor's Office of Planning and Budget and the Legislative Fiscal Analyst's Office. Under this scenario of two budget offices, the executive and legislative branches can each rely on fiscal advice from within their own governmental branch. Similarly in criminal justice, the Governor and Legislature would each have criminal justice advice from within their respective governmental branches.

In summary, while there are advantages to housing CCJJ in the Governor's Office, we believe the Legislature should consider making CCJJ a more independent agency. Changing the organizational placement of CCJJ may increase stakeholders' confidence that they received impartial criminal justice policy evaluation and recommendations. An independent CCJJ should also allow for the system-wide promotion of criminal justice philosophies and coordination of all criminal justice agencies through a system-wide plan. Alternatively, the Legislature could obtain more independent policy input without changing CCJJ's organizational structure by having its own crime policy advisor.

Legislature Can Encourage a Strategic Planning Process

Another way that the Legislature can increase its policy development resources is to encourage the development of a system-wide strategic plan for criminal justice. As discussed in Chapter IV, CCJJ is charged

The Legislature could more formally encourage CCJJ to provide a system-wide criminal justice strategic plan on a regular basis.

with providing a comprehensive, annual criminal justice plan. CCJJ's annual reports have provided a useful review of its activities, but they do not appear to fulfill the intent of the statutory requirement. We believe the Legislature could receive better policy advice from a strategic plan that adopted a more system-wide orientation. As mentioned in Chapter IV, the crime planning legislation of 1999 HB 145 has been a solid beginning to a system-wide criminal justice strategic planning effort.

In addition to improving the policy input CCJJ provides the Legislature, a more comprehensive strategic plan would help CCJJ fulfill its purpose of promoting a common criminal justice philosophy. The Legislature could clarify whether CCJJ is responsible for the system-wide mission statement for criminal justice. Our view, articulated in Chapter IV, is that CCJJ should promulgate a criminal justice mission statement as part of its already-existing duties to promote common criminal justice philosophies and coordinate the system. Publishing a mission statement can facilitate debate about system objectives and analysis of strategic alternatives.

A few barriers may still hamper CCJJ's planning efforts, such as its small staff and the unclear organizational lines to its "sister" commissions:

- Sentencing Commission,
- Utah Substance Abuse & Anti-Violence Coordinating Council,
- Crime Victims Reparations,
- Utah Crime Victims Council, and
- Utah Board of Juvenile Justice.

Lines of authority are unclear between CCJJ and other criminal justice commissions like the Sentencing Commission.

Although the statutes give the executive director of CCJJ line authority over the individuals who staff the sister commissions, it is still unclear which board subordinates to which. CCJJ did seek to better coordinate these commissions by placing members of each sister commission on the CCJJ. Still, the chair of CCJJ told us that their ability to strategically plan was hampered by the vague organizational relationships of the different commissions. Clarifying the relationships could serve to join the several different planning efforts, that currently exist in the sister commissions, into a system-wide strategic plan.

The Legislature may need to provide more resources for criminal justice program evaluation.

Legislature Can Fund More Criminal Justice Evaluation

Resources to provide in-depth evaluation of Utah's criminal justice programs are very limited. This type of evaluation, which moves beyond crime trend analysis and the study of criminal justice best practices, is more costly because it is much more time consuming and involves more detailed study. Furthermore, compiling best practices from other jurisdictions does not guarantee that such programs implemented in Utah will work without more detailed evaluation. Implementation of best practices may require more funding for program evaluation, either through agency employees or contracts, such as the existing contract with the University of Utah Department of Social Work. For example, an increase in funding of \$100,000 for policy evaluation could more than double the current contract with the University of Utah, or it could pay for two additional researchers for CCJJ's staff.

Legislature Can Emphasize Oversight and Compliance in Criminal Justice Data Systems

The Legislature could hold those entities who are required to submit criminal history data more accountable. They could require submission of crime reports.

In the area of criminal justice data, the Legislature may need to hold criminal justice entities more accountable for submitting criminal history and crime report data. In Chapter II we discussed that although criminal justice agencies are *required* to submit certain data elements to the computerized criminal history (CCH) file, incomplete data, due to non-compliance by agencies, is still a significant problem.

The problems with aggregate crime statistics are different in that local law enforcement jurisdictions are *not* required to submit crime reports to BCI. Although most jurisdictions do submit crime reports, the *Crime in Utah* publications, over the years, have had incomplete data and the FBI has had to estimate data for non-reporting jurisdictions when compiling Utah's crime figures for national publication.

Finally, despite the existence of some data objectives, some data standards, and planning efforts that need to be updated, the information systems in criminal justice are still developed in a somewhat "piecemeal" approach. An accounting to the Legislature by CCJJ, BCI, and the several reporting criminal justice agencies—along

The Legislature could restore a requirement to CCJJ's code which called for a strategic plan for criminal justice information technology.

with proposed solutions through strategic planning—may re-emphasize the need for system-wide cooperation with criminal justice data.

This accounting could come in the form of a more-widely promulgated strategic plan for criminal justice information technology. In fact, the Legislature could restore a requirement for criminal justice information technology strategic planning back to the CCJJ statute, which was removed in the 1999 session. Although a strategic plan would no doubt point out the hefty price tag of a more integrated criminal justice data system, the Legislature should have this as a fully-presented policy option. Such options that would rely on state funding include:

- requiring incident-based reporting systems (NIBRS) for criminal justice agencies,
- giving computerized records management to justice courts, and
- providing additional training personnel at BCI and researchers to match disposition data from the ever-growing suspense file.

Recommendations:

1. We recommend the Legislature determine whether organizational changes are needed to better assist it with crime policy development. The Legislature could consider options such as:
 - making CCJJ a more independent organization, or
 - creating a crime policy advisor in the legislative branch.
2. We recommend the Legislature review **Utah Code** 65-25a-104(10) which states that CCJJ “provide a comprehensive criminal justice plan annually.” The Legislature should consider amending the statute to clarify whether the criminal justice plan ought to be:
 - strategic in nature, as recommended in Chapter IV,
 - inclusive of the “sister” commissions in the comprehensive strategic planning effort,
 - presented annually or bi-annually, and
 - completed and presented by a certain date prior to legislative session, such as November 1 (each year, or

every-other year).

3. We recommend the Legislature review whether additional staff is needed to provide thorough criminal justice evaluation, system-wide criminal justice planning, and information technology strategic planning.
4. We recommend the Legislature consider re-instating CCJJ's requirement to include a "strategic plan for the efficient management of information resources," which was recently removed from **Utah Code** 65-25a-104(10).
5. We recommend the Legislature consider providing more information technology funding for criminal justice data systems like local law enforcement's need for incident-based reporting systems (NIBRS) and justice courts' need for automated filing. The Legislature could further tie funding of such systems to data reporting.

Appendices

Appendix A

The Make-up of the 21 Member Commission on Criminal and Juvenile Justice (CCJJ) Represents Stakeholders From Many Aspects of the Criminal Justice System. It includes representatives from the Legislature, federal, state, and local criminal justice agencies, affiliated non-criminal justice state agencies (i.e. Education, Human Services), Attorney General's Office, judiciary, courts, prosecution, defense, and the citizenry. The commission also has a 16-member staff (listed on page 85).

CCJJ Executive Committee Members

Chairman Doug Bodrero
Citizen Representative

Vice Chair Gary Dalton
Director, Division of Youth Corrections

Craig Dearden
Commissioner of Public Safety

H.L. "Pete" Haun
Executive Director, Department of Corrections

Dan Becker
Utah Court Administrator

District Attorney David Yocom (3rd District)
Statewide Association of Prosecuting Attorneys

CCJJ Members

Representative Afton Bradshaw
Utah State Legislature

Georgia Block
Utah Public Education

Chief Richard W. Hendricks (Logan)
Utah Chiefs of Police Association

Sheriff Mike Spanos (Wasatch County)
Utah Sheriff's Association

Chairman Mike Sibbett
Board of Pardons and Parole

Gregory G. Skordas
Utah Bar Association

Judge Joseph Anderson (3rd District
Juvenile Court)
Utah Juvenile Courts

Chairman Ronald N. Vance
Utah Board of Juvenile Justice

Jan Graham
Utah Attorney General

Acting Chairman Leon PoVey
Utah Substance Abuse & Anti-Violence
Coordinating Council (USAAV)

Chairman John T. Nielsen
Utah Sentencing Commission

Senator Joseph Hull
Utah State Legislature

Judge Sandra Peuler (3rd District Court)
Utah Chief Justice Designee

Richard McKelvie
U.S. Attorney's Office

Marilyn Sandberg
Crime Victims Representative

CCJJ Staff

S. Camille Anthony
Executive Director

Mary Lou Bozich
USAAV Council Coordinator

Susan Burke
Juvenile Justice Specialist/
Anti-Violence Coordinator

Marvin Dodge
Grant Program Manager

Ron Gordon
Staff Attorney

Jennifer Hemmenway
Information Analyst

Mike Haddon
Director of Research/Data

Justin Jones
Grants Monitor

Edward S. McConkie
Sentencing Commission Director

Chevan Nanyakkara
Information Analyst

Diane Ngatuvai
Secretary

Carma Parker
Secretary

Briant Smith
Budget/Accounting Officer

Helen Stromberg
Administrative Assistant/Extradition Coordinator

David Walsh
Director of Programs/Budget

Richard Ziebarth
Information Analyst

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Appendix B

The following three tables are summaries taken from the 1997 “Preventing Crime: What Works, What Doesn’t, What’s Promising?” federal study to Congress:

| What Works? | |
|--|--|
| <ul style="list-style-type: none"> • For infants: Frequent home visits by nurses and other professionals • For preschoolers: Classes with weekly home visits by preschool teachers. • For delinquent and at-risk preadolescents: Family therapy and parent training. • For schools: <ul style="list-style-type: none"> —Organizational development for innovation. —Communication and reinforcement of clear, consistent norms. —Teaching of social competency skills. —Coaching of high-risk youth in “thinking skills.” | <ul style="list-style-type: none"> • For older male offenders: Vocational training. • For rental housing with drug dealing: Nuisance abatement action on landlords. • For high-crime hot spots: Extra police patrols. • For high-risk repeat offenders: <ul style="list-style-type: none"> —Monitoring by specialized police units. —Incarceration. • For domestic abusers who are employed: On-scene arrests. • For convicted offenders: Rehabilitation programs with risk-focused treatments. • For drug-using offenders in prison: Therapeutic community treatment programs. |

What Doesn't Work?

- | | |
|--|---|
| <ul style="list-style-type: none"> • Gun “buyback” programs. • Community mobilization against crime in high-crime poverty areas. • Police counseling visits to homes of couples after domestic violence incidents. • Counseling and peer counseling of students in schools. • Drug Abuse Resistance Education (D.A.R.E) (pre-1993 curriculum) • Drug prevention classes focused on fear and other emotional appeals, including self-esteem. • School-based leisure-time enrichment programs. • Summer jobs or subsidized work programs for at-risk youth. • Short-term, nonresidential training programs for at-risk youth. • Diversion from court to job training as a condition of case dismissal • Neighborhood watch programs organized with police (fail to reduce burglary or other target crimes, especially in higher crime areas where voluntary participation often fails). | <ul style="list-style-type: none"> • Arrests of juveniles for minor offenses. • Arrests of unemployed suspects for domestic assault. • Increased arrests or raids on drug market locations. • Storefront police offices. • Police newsletters with local crime information. • Correctional boot camps using traditional military basic training. • “Scared Straight” programs whereby minor juvenile offenders visit adult prisons. • Shock probation, shock parole and split sentences adding jail time to probation and parole. • Home detention with electronic monitoring for low-risk offenders. • Intensive supervision on parole or probation (ISP). • Rehabilitation programs using vague, unstructured counseling. • Residential programs for juvenile offenders using challenging experiences in rural settings (i.e. wilderness programs). |
|--|---|

What's Promising?

- Proactive drunk driving arrests with breath tests (may reduce accident deaths).
- Community policing with meetings to set priorities (may reduce perceptions of crime).
- Police showing greater respect to arrested offenders (may reduce repeat offending).
- Polite field interrogations of suspicious persons (may reduce street crime).
- Mailing arrest warrants to domestic violence suspects who leave the scene before police arrive.
- Higher numbers of police officers in cities (may reduce crime generally).
- Gang monitoring by community workers and probation and police officers.
- Community-based mentoring by Big Brothers/Big Sisters of America (may prevent drug abuse).
- Community-based afterschool recreation programs (may reduce local juvenile crime).
- Battered women's shelters (may help some women reduce repeat domestic violence).
- "Schools within schools" that group students into smaller units (may prevent crime).
- Training or coaching in "thinking" skills for high-risk youth (may prevent crime).
- Building school capacity through organizational development (may prevent substance abuse).
- Improved classroom management and instructional techniques (may reduce alcohol use).
- Job Corps residential training programs for at-risk youth (may reduce felonies).
- Prison-based vocational education programs for adult inmates (in Federal prisons).
- Moving urban public housing residents to suburban homes (may reduce risk factors for crime).
- Enterprise zones (may reduce area unemployment, a risk factor for crime).
- Two clerks in already-robbed convenience stores (may reduce robbery).
- Redesigning layout of retail stores (may reduce shoplifting).
- Improved training and management of bar and tavern staff (may reduce violence, DUI).
- Metal detectors (may reduce skyjacking, weapon carrying in schools).
- Street closures, barricades and rerouting (may reduce violence, burglary).
- "Target hardening" (may reduce vandalism of parking meters and crime involving phones).
- "Problem-solving" analysis unique to the crime situation at each location.
- Proactive arrests for carrying concealed weapons (may reduce gun crime).
- Drug courts (may reduce repeat offending).
- Drug treatment in jails followed by urine testing in the community.
- Intensive supervision and aftercare of juvenile offenders (both minor and serious).
- Fines for criminal acts.

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Appendix C



S.A.R.A. Problem- Solving Sheet

Challenge: _____

BEAT 3

Community Council: _____

Officer: _____

Sergeant Review: _____

Date Started: _____

Instructions: This sheet will act as a working progress document in the pursuit of pro-active problem-solving efforts with the beat and the community council areas of the city. Please attach other viable documents to this worksheet for review. Be descriptive when documenting and progressing through your efforts in each section.

Scanning/Challenge:

Analysis/Strategy:

Respond:

Assessment:

Date Completed or Reinitiated: _____

Sergeant Review: _____ Date: _____

Captain Review: _____ Date: _____

Chief Review: _____ Date: _____

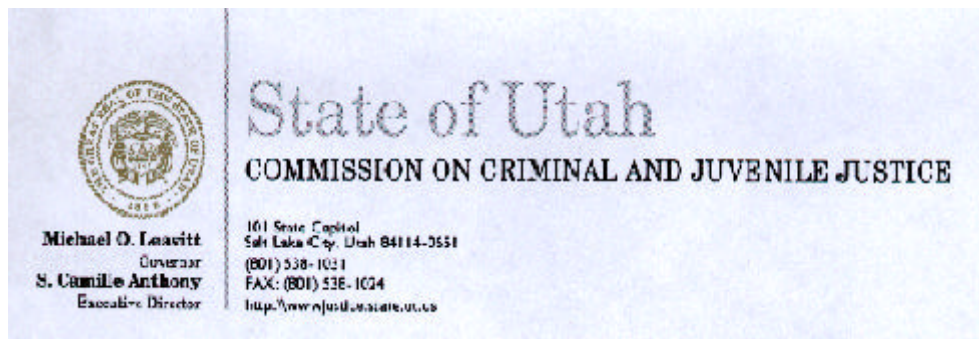
Sergeant Comments: _____

Source: South Salt Lake City Policy Department.

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Agency Responses

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October 7, 1999

Wayne L. Welsh
Legislative Auditor General
130 State Capitol
Salt Lake City, Utah 84114

Dear Mr. Welsh,

Thank you for the opportunity to respond to *A Performance Audit of Criminal Justice Planning in Utah*. The Commission on Criminal and Juvenile Justice (CCJJ) members and staff have worked closely with your audit team to ensure the availability and use of the most accurate and complete information on the variety of issues addressed in the audit report. The audit team has been approachable and professional throughout the audit process. On behalf of CCJJ members and staff, I express to you my appreciation for that positive working relationship.

My response to this audit is based on consultation with the CCJJ executive committee, and certain CCJJ staff. I have been asked by D. Douglas Bodrero, Chair of CCJJ, to convey his concern on behalf of all CCJJ members that, due to confidentiality restrictions, individual commission members were not allowed to review the audit report and have their views recorded in this response. My response on behalf of CCJJ will focus on four areas. They are: Data, Evaluation, Planning and Policy.

Data

"Accurate" and "Complete". These two words have become the mantra for CCJJ's 16 year effort to improve the quality of criminal and juvenile justice data in Utah. While vast improvements have been realized system wide, CCJJ is dedicated to attaining the highest possible accuracy and completeness of data in the criminal history file and in other criminal and juvenile justice information systems.

CCJJ agrees with the auditor that it can expand upon its nationally recognized criminal history and fingerprint plans. CCJJ has an IT subcommittee which will include the State Chief Information Officer in its attempt to create and coordinate a more complete plan in accordance with the recommendations made by the auditor. In addition, CCJJ's executive committee will examine the issue of governance as recommended by the auditor and will discuss the appropriate use of an external auditor to supplement the current monitoring of the criminal history file.

As has been its practice in the past, CCJJ will continue to examine the need for changes to the state code and explore other administrative avenues to improve the accuracy and completeness of criminal and juvenile justice information systems.

Evaluation

In recent years, CCJJ has recognized the need to provide more accountability to the Legislature and to the citizens of Utah for criminal and juvenile justice program effectiveness and funding. As a result, CCJJ has enhanced its approach to research and evaluation without the benefit of additional financial resources. This has occurred mainly through its partnership and contract with the Social Research Institute in the Graduate School of Social Work at the University of Utah. By leveraging existing resources with grant funding, CCJJ has successfully completed a variety of detailed program evaluations including an evaluation of day reporting centers and a review of the drug court program. This type of analysis is very time consuming, and by contracting with the University of Utah, CCJJ research staff is available for other research and planning efforts. At the same time, students with criminal justice interests gain the benefit of practical experience through the research and evaluation process. Current evaluation projects include the juvenile sentencing guidelines and the serious youth offender law.

CCJJ's research staff are continually developing experience and expertise with a variety of criminal justice information systems. With this expertise, CCJJ is able to access data for research purposes and policy analysis which would otherwise only be accessible to research staff within a specific organization. An example of this expertise occurred in the development of the juvenile sentencing guidelines. Using data from the juvenile justice information system, CCJJ provided independent policy analysis that lead to the adoption of the guidelines by the Utah Sentencing Commission and \$20 million in funding from the Legislature.

Planning

We agree with the auditor that strategic planning is critical in terms of providing a comprehensive road map for Utah's criminal and juvenile justice system. CCJJ has been at the forefront of many planning efforts throughout the years. It has administered many intergovernmental task forces targeting problem issues in the criminal and juvenile justice system such as: the statewide warrant system, the decriminalization of traffic offenses, the prosecution system, justice courts and youth detention guidelines. CCJJ has also developed strategic planning documents for general, system wide issues such as: drugs and violent crime, juvenile delinquency prevention and intervention, alcohol and other drug abuse, gangs, criminal history record improvement and correctional bed capacity. CCJJ has also been an active participant in the Utah Tomorrow planning process over the years. Two years ago CCJJ rewrote the entire Justice section of the Utah Tomorrow plan and proposed specific goals and objectives which would more accurately reflect the actual and desired outcomes throughout Utah's criminal and juvenile justice system. The new goals and objectives presented to the Utah

Tomorrow Committee included input from CCJJ's full membership including all three branches of government, local law enforcement, prosecution, education and corrections.

With the recent passage of HB 145, the Legislature has placed emphasis on the creation of a formal criminal and juvenile justice strategic plan. CCJJ is currently engaged in the development of a statewide crime reduction plan. To date, the crime reduction planning process has included input from local law enforcement, prosecutors, courts, and all state criminal and juvenile justice agencies. The plan is based on issues identified in a statewide survey of law enforcement, prosecutors and state criminal and juvenile justice agencies. Eighty-four percent of Utah's population is represented in the survey responses. When completed, the statewide crime reduction plan will identify issues, short term and long term solutions, responsible agencies and objectives by which success can be measured. CCJJ is dedicated to continuing this planning process to ensure Utah has a viable strategic plan that includes input from all components of the criminal and juvenile justice system to guide us into the next century.

Policy

In discussing how the Legislature can strengthen the criminal justice policy development process in Chapter V of the audit report, the auditor erroneously refers to CCJJ as "the Governor's Commission on Criminal and Juvenile Justice." Utah Code Ann. §63-25a-102 (1) accurately reflects the intent of the Legislature to create the "State Commission on Criminal and Juvenile Justice" and locate it "within the governor's office." This distinction is important because since its inception CCJJ has taken great care to carry out its statutory mission according to the letter of the law. It makes every effort to serve all three branches of government and be responsive to all three levels of government. Historically and currently, the governor has given CCJJ the independence and autonomy necessary to represent the needs and interests of Utah's criminal and juvenile justice system. The best evidence of that autonomy is the ongoing support of and active participation by representatives of the different branches and levels of government. Further, CCJJ's responsiveness is checked and challenged by those same members at monthly and annual commission meetings. CCJJ's responsiveness is also challenged in legislative standing and appropriations committee meetings; in legislative interim committee meetings and task forces; in correspondence and testimony to the United States Congress; in local, state and national criminal and juvenile justice associations; in community meetings; and, in daily interaction with citizens, criminal justice professionals, judges, legislators and other elected officials. CCJJ welcomes these challenges because the dynamic tension in the system provides opportunities to form coalitions that resolve problems and serves as a ballast to keep CCJJ balanced and attentive.

The auditor accurately points out that Utah is unique among surrounding states in choosing to place CCJJ within the governor's office. For this same reason, Utah is unique in its ability to accomplish tasks, untried by surrounding criminal justice

commissions, *because* of its status within the governor's office. Simply put, issues that have a system wide impact receive priority attention. Department directors, commission

members, the governor and legislators respect and support those issues throughout the entire legislative and budget process. The incentive among agency directors to participate in this process comes from their respect for the process and their dedication to fulfilling their stewardship within the criminal and juvenile justice system.

While CCJJ recognizes there are a variety of ways to organize and locate criminal justice commissions, Utah's current configuration has been reviewed periodically and has held up under the most strict scrutiny. After much discussion, CCJJ's executive committee respectfully requests the Legislature allow CCJJ to continue to represent the interests of all the players in the criminal and juvenile justice system from its current organizational placement.

Conclusion

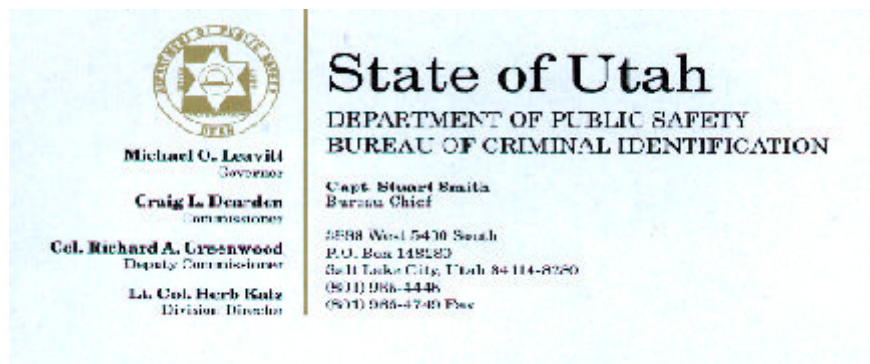
Quality data and comprehensive planning are essential to making good criminal and juvenile justice policy decisions because, as the audit report correctly points out in its opening sentence, "[t]he criminal justice system is one of the most expansive and complex systems in the public policy arena." CCJJ has been planning and providing criminal and juvenile justice professionals and policy makers the best possible information and making recommendations based on that information for over 16 years. In recent years CCJJ has emphasized the need for research and evaluation in making policy recommendations. As executive administrations have changed over those years, as legislative policy makers have come and gone, as the makeup of the judiciary has shifted and as new police chiefs, sheriffs and prosecutors have been appointed and elected, CCJJ has remained constant in its mission to promote broad philosophical agreement and coordinate between the different branches and levels of government, always with the goal of reducing crime and victimization among Utah's citizens. CCJJ is dedicated to continued improvements throughout the criminal and juvenile justice system and is prepared to address the many criminal and juvenile justice system opportunities and challenges facing our state in the new century.

CCJJ looks forward to participating in the policy discussions that evolve from this audit report.

Sincerely,



S. Camille Anthony
Executive Director



Performance Audit of Criminal Justice Planning in Utah

Response to Chapter II

by

The Utah Department of Public Safety, Bureau of Criminal Identification

The Utah Bureau of Criminal identification (BCI) has reviewed the Report to the Legislature, report number 99-07, A Performance Audit of Criminal Justice Planning in Utah.

BCI's comments are directed to the audit areas dealing with current BCI statutory and mission directed focus.

The audit team was chartered by the legislature to answer three questions.

1. What is the overall status of criminal justice data?
2. How complete is evaluation within criminal justice?
3. What is the status of comprehensive strategic planning for the entire criminal justice system?

The model used to direct this process was the "Policy Development Pyramid."

The focus is directed to the areas of:

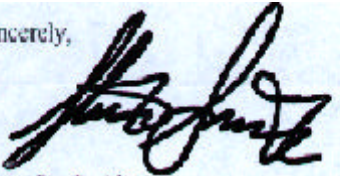
- ensuring criminal justice data is accurate and accessible,
- analyzing crime data and evaluating criminal justice programs and policies,
- developing and maintaining a system-wide, comprehensive criminal justice strategic plan,
- formulating effective criminal justice policy recommendations.

BCI has no objection to the material presented in Chapter II of the Audit Report. BCI finds the material well researched and presented in a fair manner. It should be recognized that there are multilayered complexities to the concepts and systems used by BCI and that a report of such narrow focus may only skim the surface of the interplay between these relationships. The report does mention this concern in Chapter 1, in the paragraph titled "Complex Systems Cannot Be Fixed With Simple Solutions." However, it needs to be pointed out that any quick fix or less than well-supported, whole hearted attempt to correct the problems of criminal justice systems only delays the solution for yet a longer time by providing the false belief that a meaningful plan is in place and being carried out.

BCI commends Mr. Coleman, Mr. Underwood, Mr. Hicken, Mr. Darrow and Mr. Kidd for their time and their willingness to listen to the real world problems presented by the statutory requirements, lack of resources and the general inability of differing systems at the federal, state and local levels to share information.

BCI is not sure if this is a case of "Given enough money and time, great things can be accomplished." BCI believes that, given a common vision, and the spirit of cooperation, **all things** can be accomplished.

Thank you for your efforts.

Sincerely,

Capt. Stu Smith
Bureau Chief
Utah DPS, Bureau of Criminal Identification