

Office of the
Legislative Fiscal Analyst

FY 2005 Budget Recommendations

Joint Appropriations Subcommittee for
Executive Offices and Criminal Justice

Commission on Criminal and Juvenile Justice

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1.0 Utah Commission on Criminal and Juvenile Justice

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. This commission reports directly to the Governor. It is designed to promote philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice. The commission also helps coordinate statewide efforts to reduce crime and victimization in Utah.

	Analyst FY 2005 Base	Analyst FY 2005 Changes	Analyst FY 2005 Total
Financing			
Federal Funds	14,057,600		14,057,600
Dedicated Credits Revenue	65,000		65,000
Crime Victims Reparation Trust	2,323,300		2,323,300
Transfers - Commission on Criminal and	(3,279,000)		(3,279,000)
Total	<u>\$13,166,900</u>	<u>\$0</u>	<u>\$13,166,900</u>
Programs			
CCJJ Commission	7,360,800		7,360,800
Crime Victim Reparations	4,955,900		4,955,900
Extraditions	249,600		249,600
Substance Abuse and Anti-violence	206,500		206,500
Sentencing Commission	184,100		184,100
Crime Prevention Grant	210,000		210,000
Total	<u>\$13,166,900</u>	<u>\$0</u>	<u>\$13,166,900</u>
FTE/Other			
Total FTE	30	0	30

2.0 Issues: Commission on Criminal and Juvenile Justice

2.1 Nonlapsing Funds

For years, the Commission on Criminal and Juvenile Justice, like many other agencies, received blanket approval to carry forward funds from one year to the next. The Analyst understands that the ability to carry unspent funds from year to year allows agencies to upgrade equipment and provide for long term planning. However, the Analyst believes such authorization should be tied to specific projects and approved by the Legislature in accordance with the Budgetary Procedures Act:

UCA 63-38-8.1(3) (a) Each agency that wishes to preserve any part or all of its appropriation balance as nonlapsing shall include a one-time project's list as part of the budget request that it submits to the governor and the Legislature at the annual general session of the Legislature immediately before the end of the fiscal year in which the agency may have an appropriation balance.

The Analyst believes that the Commission on Criminal and Juvenile Justice should present to the Governor and Legislature a specific request for nonlapsing authority. Given that each line item received nonlapsing authority last year, there is no requirement for such a request. For FY 2005, the Analyst recommends that no authority be provided until the 2005 Legislative session when the Commission on Criminal and Juvenile Justice will have a better idea of what balances will be available.

3.1 Commission on Criminal and Juvenile Justice

Recommendation The Analyst recommends \$7,360,800 for the Commission.

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
Federal Funds	12,192,200	13,969,300	9,936,500	(4,032,800)
Crime Victims Reparation Trust	615,600	705,700	703,300	(2,400)
Transfers - Commission on Criminal and		(4,714,000)	(3,279,000)	1,435,000
Beginning Nonlapsing	135,100	145,600		(145,600)
Closing Nonlapsing	(18,400)			
Total	<u>\$12,924,500</u>	<u>\$10,106,600</u>	<u>\$7,360,800</u>	<u>(\$2,745,800)</u>
Expenditures				
Personal Services	719,300	734,700	724,500	(10,200)
In-State Travel	6,400	8,900	6,400	(2,500)
Out of State Travel	25,700	27,900	23,300	(4,600)
Current Expense	128,500	248,200	132,600	(115,600)
DP Current Expense	56,500	63,100	56,500	(6,600)
Other Charges/Pass Thru	11,988,100	9,023,800	6,417,500	(2,606,300)
Total	<u>\$12,924,500</u>	<u>\$10,106,600</u>	<u>\$7,360,800</u>	<u>(\$2,745,800)</u>
FTE/Other				
Total FTE	10	10	10	0

*Non-state funds as estimated by agency

Purpose

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. The commission ensures broad philosophical agreement concerning the objectives of the criminal justice systems in Utah and provides a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal justice. It also helps coordinate statewide efforts to reduce crime and victimization in Utah. The commission manages state and federal criminal and juvenile justice grant programs and provides analysis, accountability recommendations, and supervision of criminal justice grant monies. It has assisted in the establishment of the Criminal and Juvenile Justice Consortium, a cooperative research unit utilizing university level researchers and State justice researchers. The commission also provides a criminal justice plan annually. The plan is continually updated as the justice environment is evolving. The commission is further refining the plan to include more activities and performance measurement.

3.2 Crime Victims Reparations

Recommendation The Analyst recommends \$4,955,900 for Crime Victims Reparations.

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
Federal Funds	3,737,800	4,022,000	4,121,100	99,100
Dedicated Credits Revenue	35,400	20,000	20,000	
Crime Victims Reparation Trust	819,400	814,800	814,800	
Beginning Nonlapsing	165,200	188,100		(188,100)
Closing Nonlapsing	(188,100)			
Total	\$4,569,700	\$5,044,900	\$4,955,900	(\$89,000)
Expenditures				
Personal Services	714,500	755,900	753,400	(2,500)
In-State Travel	3,300	3,300	3,300	
Out of State Travel	11,200	11,200	11,200	
Current Expense	165,800	223,800	165,800	(58,000)
DP Current Expense	32,900	103,000	32,900	(70,100)
Capital Outlay		60,000		(60,000)
Other Charges/Pass Thru	3,642,000	3,887,700	3,989,300	101,600
Total	\$4,569,700	\$5,044,900	\$4,955,900	(\$89,000)
FTE/Other				
Total FTE	15	15	15	0

*Non-state funds as estimated by agency

Purpose

The Crime Victim Reparations Program was created in 1986 to help compensate victims of violent crime. Approximately \$91 million dollars have been awarded through compensations and victim services grants during this time period. The Office of Crime Victim Reparations provides compensation to victims of violent crime and administers and monitors Victim of Crime Act Compensation and Assistance grants.

The office is responsible for administering the Crime Victim Reparations Trust Fund under guidelines established both by Statute and the Crime Victim Reparations Board.

No state tax dollars are used to fund the Crime Victim Reparation Program. Expenditures from the Trust Fund may include reparations for victims, funding for other victim services, and administrative costs for the Crime Victim Reparation Office and the Utah Commission on Criminal and Juvenile Justice as appropriated by the Legislature.

The Victim of Crime Act (VOCA) provides for imposed costs to be levied on offenders of federal crimes. State compensation programs that comply with the Victims of Crime Act Guidelines are eligible to receive up to 60 percent of all awards made to victims during the federal fiscal year.

3.3 Extraditions

Recommendation The Analyst recommends \$249,600 for Extraditions.

	2003	2004	2005	Est/Analyst
	Actual	Estimated*	Analyst	Difference
Financing				
Dedicated Credits Revenue	41,600	45,000	45,000	
Crime Victims Reparation Trust	231,300	204,600	204,600	
Beginning Nonlapsing	20,000	20,000		(20,000)
Closing Nonlapsing	(46,600)			
Total	<u>\$246,300</u>	<u>\$269,600</u>	<u>\$249,600</u>	<u>(\$20,000)</u>
Expenditures				
Personal Services	23,300	20,300	20,200	(100)
Out of State Travel	220,300	246,600	226,700	(19,900)
Current Expense	2,700	2,700	2,700	
Total	<u>\$246,300</u>	<u>\$269,600</u>	<u>\$249,600</u>	<u>(\$20,000)</u>
FTE/Other				
Total FTE	1	0	0	0

*Non-state funds as estimated by agency

Purpose This program is responsible for paying the travel related costs of prisoner extraditions from other states and countries to Utah. Such payments are authorized under the Utah Code and typically include travel, lodging, and meals for the officers and the prisoner. The officers' salaries are paid by the jurisdiction requesting the extradition.

3.4 Substance Abuse and Anti-Violence

Recommendation The Analyst recommends \$206,500 for Substance Abuse and Anti-Violence.

	2003	2004	2005	Est/Analyst
	Actual	Estimated*	Analyst	Difference
Financing				
Crime Victims Reparation Trust	240,700	203,300	206,500	3,200
Beginning Nonlapsing	10,700			
Closing Nonlapsing	(55,400)			
Total	<u>\$196,000</u>	<u>\$203,300</u>	<u>\$206,500</u>	<u>\$3,200</u>
Expenditures				
Personal Services	105,200	111,600	114,800	3,200
In-State Travel	1,000	1,000	1,000	
Out of State Travel		2,400	2,400	
Current Expense	7,900	7,900	7,900	
DP Current Expense	400	400	400	
Other Charges/Pass Thru	81,500	80,000	80,000	
Total	<u>\$196,000</u>	<u>\$203,300</u>	<u>\$206,500</u>	<u>\$3,200</u>
FTE/Other				
Total FTE	3	2	2	0

*Non-state funds as estimated by agency

Purpose

The Utah Substance Abuse and Anti-Violence (USAAV) Coordinating Council was established by the 1990 Utah Legislature. The Council consists of a 26-member executive body. Committees are established as needed and currently include four committees targeting substance abuse services, crime prevention, justice and DUI. The mission of the USAAV Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity and violence.

3.5 Sentencing Commission

Recommendation The Analyst recommends \$184,100 for the Sentencing Commission.

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
Crime Victims Reparation Trust	210,800	184,900	184,100	(800)
Beginning Nonlapsing	4,000	5,000		(5,000)
Closing Nonlapsing	(46,200)			
Total	<u>\$168,600</u>	<u>\$189,900</u>	<u>\$184,100</u>	<u>(\$5,800)</u>
Expenditures				
Personal Services	157,800	174,100	174,000	(100)
In-State Travel	100	100	100	
Out of State Travel	2,400	2,400	2,400	
Current Expense	6,500	11,500	6,500	(5,000)
DP Current Expense	1,800	1,800	1,100	(700)
Total	<u>\$168,600</u>	<u>\$189,900</u>	<u>\$184,100</u>	<u>(\$5,800)</u>
FTE/Other				
Total FTE	3	2	2	0

*Non-state funds as estimated by agency

Purpose The Sentencing Commission was created by the Legislature in the 1993 General Session with the following purpose:

“The purpose of the commission shall be to develop guidelines and propose recommendations to the Legislature, the Governor, and the Judicial Council about the sentencing and release of juvenile and adult offenders in order to:

1. respond to public comment;
2. relate sentencing practices and correctional resources;
3. increase equity in criminal sentencing;
4. better define responsibility in criminal sentencing;
5. enhance the discretion of sentencing judges while preserving the role of the Board of Pardons and Parole and the Youth Parole Authority.”

3.6 Crime Prevention Grants

Recommendation The Analyst recommends \$210,000 for Crime Prevention Grants.

	2003	2004	2005	Est/Analyst
Financing	Actual	Estimated*	Analyst	Difference
Crime Victims Reparation Trust	210,000	210,000	210,000	
Beginning Nonlapsing	14,500	7,400		(7,400)
Closing Nonlapsing	(11,400)			
Total	<u>\$213,100</u>	<u>\$217,400</u>	<u>\$210,000</u>	<u>(\$7,400)</u>
Expenditures				
Other Charges/Pass Thru	213,100	217,400	210,000	(7,400)
Total	<u>\$213,100</u>	<u>\$217,400</u>	<u>\$210,000</u>	<u>(\$7,400)</u>

*Non-state funds as estimated by agency

Purpose The Utah State Legislature appropriated \$210,000 to establish a Crime Prevention Grant Program for FY 2003. Funding emphasis is given to state-wide crime prevention efforts as well as emphasis for law enforcement training and mentoring activities. Crime prevention programs are defined through two categories: (1) universal prevention such as public awareness campaigns and educational efforts; (2) targeted prevention aimed at a specific population such as young people or seniors. This is the only state grant of its kind that is focused solely on crime prevention.

4.0 Additional Information: Commission on Criminal and Juvenile Justice

4.1 Funding History

	2001	2002	2003	2004	2005
Financing	Actual	Actual	Actual	Estimated*	Analyst
General Fund	1,636,100	1,579,500			
Federal Funds	11,865,100	13,039,400	15,930,000	17,991,300	14,057,600
Dedicated Credits Revenue	64,900	99,000	77,000	65,000	65,000
Crime Victims Reparation Trust	734,200	810,800	2,327,800	2,323,300	2,323,300
Transfers - Commission on Criminal and				(4,714,000)	(3,279,000)
Beginning Nonlapsing	335,200	337,000	349,500	366,100	
Closing Nonlapsing	(336,900)	(349,500)	(366,100)		
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$16,031,700	\$13,166,900
Programs					
CCJJ Commission	9,226,300	10,312,700	12,924,500	10,106,600	7,360,800
Crime Victim Reparations	4,152,200	4,298,400	4,569,700	5,044,900	4,955,900
Extraditions	237,700	229,700	246,300	269,600	249,600
Substance Abuse and Anti-violence	182,700	182,300	196,000	203,300	206,500
Sentencing Commission	188,500	184,600	168,600	189,900	184,100
Crime Prevention Grant	311,200	308,500	213,100	217,400	210,000
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$16,031,700	\$13,166,900
Expenditures					
Personal Services	1,647,500	1,750,300	1,720,100	1,796,600	1,786,900
In-State Travel	12,300	13,500	10,800	13,300	10,800
Out of State Travel	263,300	247,700	259,600	290,500	266,000
Current Expense	273,800	367,500	311,400	494,100	315,500
DP Current Expense	62,000	61,300	91,600	168,300	90,900
Capital Outlay				60,000	
Other Charges/Pass Thru	12,039,700	13,075,900	15,924,700	13,208,900	10,696,800
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$16,031,700	\$13,166,900
FTE/Other					
Total FTE	32	31	30	30	30

*Non-state funds as estimated by agency.

4.2 Federal Funds

Source Program	2003 Actual	2004 Estimated	2005 Analyst
Anti-Drug Abuse	\$4,519,200	\$5,189,900	\$4,570,000
Juvenile Justice	1,255,300	1,269,800	1,075,000
Victim Assistance	2,669,400	2,723,900	2,773,000
Justice Statistics	712,400	600,000	525,600
Violence Against Women	1,068,400	1,298,100	1,348,100
VOITIS	4,820,500	3,850,000	1,213,400
Miscellaneous Federal	884,800	709,600	671,400
Juv. Acct. Incent. Blk Grant		2,350,000	1,881,100
Totals	<u>\$15,930,000</u>	<u>\$17,991,300</u>	<u>\$14,057,600</u>