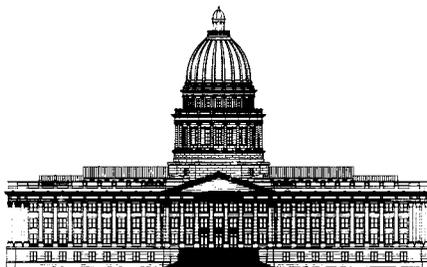

COMPENDIUM OF BUDGET INFORMATION
FOR THE
2005 GENERAL SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE FOR
EXECUTIVE OFFICES AND CRIMINAL JUSTICE

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
WILLIAM J. GREER
GARY K. RICKS
DECEMBER 15, 2004

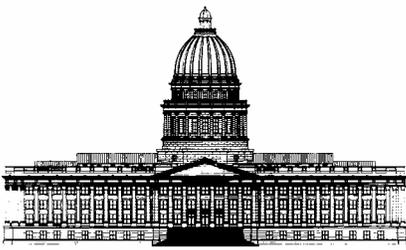
UTAH STATE LEGISLATURE
COMPENDIUM OF BUDGET INFORMATION
FOR THE
2005 GENERAL SESSION



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December 1, 2004

Appropriations Subcommittee for
Executive Offices and Criminal Justice
Utah State Capitol
Salt Lake City, UT 84114

Dear Subcommittee Members:

I am pleased to present to you the first edition of the Utah Legislature's Compendium of Budget Information (COBI). I hope that it provides useful and thorough information upon which you can base your policy and budget decisions.

COBI is one part of a new three-pronged approach to staff budget analysis authorized by the Executive Appropriations Committee last spring. It is designed as a reference document from which you may garner details on Utah state government activities within your subcommittee's jurisdiction. It includes program descriptions, references to statutory authority, accountability information, and, of course, budget data. COBI sets a baseline against which you can evaluate budgets proposed during the 2005 General Session.

Parts two and three of the new budget format – Budget Briefs and Issue Briefs – will be available throughout the 2005 General Session beginning in January. Both are succinct, decision oriented papers that build on COBI, presenting future budgets rather than COBI's *status quo*. Budget Briefs will follow the structure of state government documenting proposals for current year supplemental and future year budget action. Issue Briefs will cut across "silos" to discuss subjects that impact the state independent of program structure.

If I or my staff can assist you further regarding COBI specifically, the new budget format generally, or any other matter, please do not hesitate to contact me at (801) 538-1034.

Sincerely,

John E. Massey
Legislative Fiscal Analyst

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INTRODUCTION

Format

During the 2004 Interim the Office of the Legislative Fiscal Analyst proposed a new budget analysis format to the Executive Appropriations Committee, which the committee unanimously approved. Budget analyses will now consist of three parts:

- **Compendium of Budget Information (COBI).** The document you are currently reading, the COBI will provide detailed information at a program level. It will be a resource for decision-makers desiring further detail or background information beyond the summary provided in the Budget Analysis. It will not contain recommendations.
- **Issue Briefs.** These relatively short documents (no more than a few pages) will discuss issues that transcend line items or perhaps even departments. For example, if the Analyst wished to present a concern with law enforcement, an Issue Brief may be the best format. The Analyst will prepare Issue Briefs just prior to the 2005 General Session.
- **Budget Briefs.** Another relatively short document, the budget brief will be used to highlight issues, recommendations, performance measures, and line item-level budget tables. The purpose of this document is to bring issues to the forefront and discuss the Analyst's recommendations. The Analyst will prepare Budget Briefs just prior to the 2005 General Session.

Process

The Office of the Legislative Fiscal Analyst (LFA) – a non-partisan office – serves both chambers of the Legislature by making independent budgetary recommendations, determining the fiscal impact of proposed legislation, and preparing appropriations bills. Appropriations subcommittees review LFA's recommendations, vote upon, and report to the Executive Appropriations Committee proposed budgets for programs within their respective jurisdictions. The Executive Appropriations Committee, and ultimately the Legislature as a whole, considers multiple appropriation acts that, in turn, determine the final annual budget for each program of state government.

Timing

Utah does not budget on the calendar year, but on what is termed a Fiscal Year, which is the twelve-month period from July 1 to June 30 of the following year. A Fiscal Year is usually abbreviated FY, with the number which follows designating the year which includes the second six months. The current fiscal year is FY 2005, which will end June 30, 2005. The next fiscal year for which the Legislature is determining the budget is FY 2006, which will include the period of time from July 1, 2005 to June 30, 2006. However, the Legislature can also make supplemental changes to the already established budget for FY 2005.

Sources

In allocating funds for governmental purposes, appropriations subcommittee may use funding from several sources to complete the full appropriation to each. The following funding sources have been most prevalently used by the subcommittee:

- General Fund
- School Funds
- Transportation Funds
- Federal Funds
- Dedicated Credits
- Restricted Funds
- Other Funds

A glossary of terms – included at the end of this document – defines these funding sources as well as other terms commonly used in Utah state budgeting.

CHAPTER 1 OFFICE OF THE GOVERNOR**Function**

The Office of the Governor is the executive office of state government. The office encompasses the programs and budget of the Governor's personal staff and statewide oversight and service functions relative to planning and budget. The Governor is the Commander-in-Chief of the State's military forces. He/She transacts executive business on behalf of the state. With respect to the Legislature, the Governor calls Special Sessions; acts upon passed legislation; fills vacancies and annually submits a budget. The Governor also appoints state agency leadership positions and judges. He/She is the designated communicator between the state and the government of any other state and of the United States. The Governor also serves on the Board of Examiners.

The Office of the Governor is divided into three main operational divisions. They are:

1. The Governor's Office
2. The Governor's Office of Planning and Budget (GOPB)
3. The Commission on Criminal and Juvenile Justice (CCJJ)

The Elections; Emergency Fund; RS-2477 Rights of Way and GOPB Chief Information Officer line items operate as appendages to the three main operational divisions. The figure on the following page illustrates the fiscal organizational structure of the Office of the Governor.

Office of the Governor
Fiscal Organizational Chart

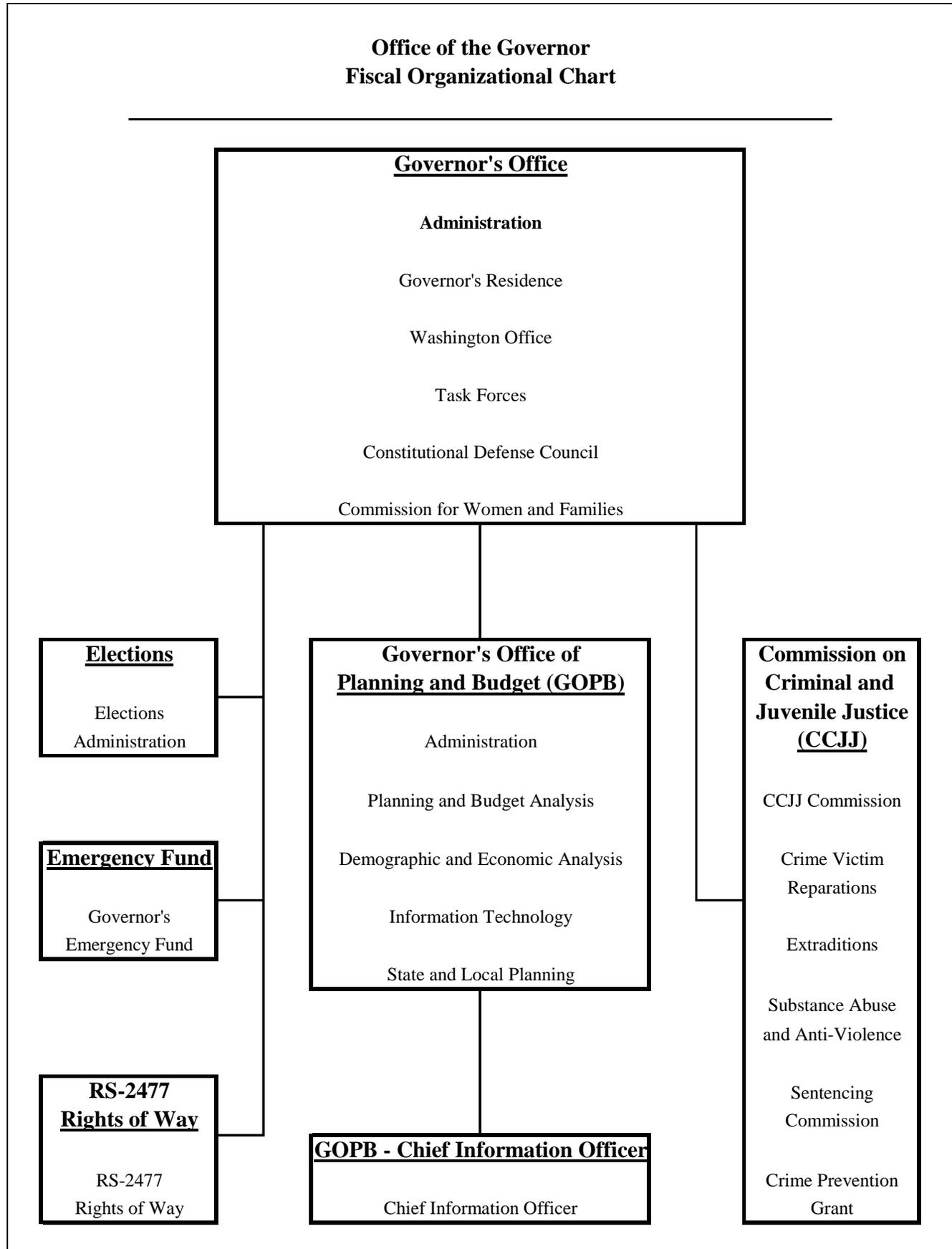


Figure 1-1

Statutory Authority	<p>The Governor is authorized by several statutes and the Utah Constitution. They include:</p> <ul style="list-style-type: none">➤ Utah Constitution, Article VII Executive Department: Defines Elective Office and required qualifications;➤ UCA 7-1 Department of Financial Institutions: Directs Governor to appoint Commissioner and Board Members of the Department of Financial Institutions;➤ UCA 19-3 Radiation Control Act: Directs Governor (and Legislature) to approve operation/treatment and disposal;➤ UCA 31A-29 Comprehensive Health Insurance Pool Act: Directs Governor to appoint board of directors;➤ UCA 32A Alcoholic Beverage Control Act: Defines duty of Governor to enforce provisions;➤ UCA 36-18 Strategic Planning Committee: Delineates appointment of committee members by Governor;➤ UCA 39 Militia and Armories: Enumerates gubernatorial powers and duties;➤ UCA 40-7 Oil and Gas Compact: Describes gubernatorial powers to extend or revoke state participation;➤ UCA 41-19 Federal Highway Safety Act: Delineates gubernatorial powers to contract and interact with the federal government in all matters concerning the federal Highway Safety Act of 1966;➤ UCA 63C-10 Governor’s Rural Partnership Board: Defines Governor’s participation; stipulates that board is to serve as an advisory panel to the Governor on rural economic planning issues;➤ UCA 67-1 Governor: Enumerates official duties and powers of the office.
Intent Language	<p>The Legislature also reviewed the non-lapsing status of funding for the Office of the Governor and determined to continue this authority for FY 2005.</p>
Accountability	<p>Specific performance measures are included in individual line items.</p>

Funding Detail

The office draws 54.0 percent of its funding from federal funds, almost all of which is pass-through funds through the Commission on Criminal and Juvenile Justice (CCJJ). The Commission passes these funds to private nonprofit entities; local governments; and other state agencies. General Funds make up 26.8 percent of its budget, followed by restricted funds, amounting to 16.5 percent. Dedicated credits account for 1.5 percent.

Governor's Office					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	16,327,900	8,263,000	6,332,500	6,177,500	6,601,100
General Fund, One-time	60,000	895,000	(122,000)	1,221,000	438,800
Federal Funds	12,095,000	13,215,600	15,930,000	17,073,100	14,187,300
Dedicated Credits Revenue	555,700	338,400	1,267,600	484,300	392,900
GFR - Constitutional Defense	1,692,800	1,105,000	2,000,000	1,880,000	1,884,200
Crime Victims Reparation Tr	734,200	810,800	2,327,800	2,343,300	2,461,300
Olympic Special Revenue	322,700	350,900	355,600	0	0
Transfers	866,600	0	0	0	0
Transfers - Administrative Se	0	11,000	0	0	0
Transfers - Commerce	0	2,000	0	0	0
Transfers - Commission on C	0	10,000	0	1,000	0
Transfers - Em Svcs & Home	12,400	0	0	0	0
Transfers - Corrections	0	9,000	0	0	0
Transfers - Community and E	0	460,500	0	0	0
Transfers - Environmental Q	23,000	28,500	0	0	0
Transfers - Federal	0	0	0	(8,290,300)	0
Transfers - Health	0	20,000	0	0	0
Transfers - Human Resource	0	1,000	0	0	0
Transfers - Human Services	0	34,000	0	0	0
Transfers - Insurance	0	2,000	0	0	0
Transfers - Natural Resource	228,700	7,000	0	0	0
Transfers - Other Agencies	0	0	0	53,000	0
Transfers - Public Safety	0	10,000	0	0	0
Transfers - State Board of Re	0	23,300	0	0	0
Transfers - State Office of Ec	0	23,300	0	0	0
Transfers - Transportation	0	52,000	0	0	0
Transfers - Utah State Tax C	0	17,000	0	0	0
Transfers - Within Agency	0	12,000	53,000	51,900	53,000
Transfers - Workforce Servic	(228,300)	382,700	0	0	0
Beginning Nonlapsing	1,680,000	9,712,300	4,876,400	4,660,100	370,000
Closing Nonlapsing	(9,533,800)	(4,876,300)	(4,660,100)	(5,785,100)	(102,000)
Lapsing Balance	0	0	0	(299,200)	0
Total	\$24,836,900	\$30,920,000	\$28,360,800	\$19,570,600	\$26,286,600
Line Items					
Governor's Office	2,623,500	2,861,000	2,753,900	3,184,600	2,918,900
Elections	936,200	463,400	780,600	470,400	1,217,700
Emergency Fund	15,000	0	0	0	0
RS-2477 Rights of Way	1,233,300	1,795,200	1,857,400	754,900	1,884,300
Governor's Office of Plannin	5,730,300	10,284,200	4,185,800	3,332,600	3,096,000
GOPB - Chief Information O	0	0	464,900	532,900	556,100
Commission on Criminal and	14,298,600	15,516,200	18,318,200	11,295,200	16,613,600
Total	\$24,836,900	\$30,920,000	\$28,360,800	\$19,570,600	\$26,286,600
Categories of Expenditure					
Personal Services	7,360,400	7,731,300	7,297,000	7,473,000	8,142,700
In-State Travel	50,300	51,400	41,600	54,300	41,400
Out of State Travel	373,900	356,500	395,000	411,700	363,700
Current Expense	3,219,800	5,730,000	5,013,900	2,567,500	4,444,400
DP Current Expense	600,900	722,900	473,000	600,000	656,500
DP Capital Outlay	187,700	0	196,000	0	196,000
Capital Outlay	60,200	0	0	12,700	0
Other Charges/Pass Thru	12,983,700	16,327,900	14,944,300	8,451,400	12,441,900
Total	\$24,836,900	\$30,920,000	\$28,360,800	\$19,570,600	\$26,286,600
Other Data					
Total FTE	117.0	114.0	110.8	105.3	111.5
Vehicles	1	3	4	4	5

Table 1-1

GOVERNOR’S OFFICE

Function The Governor’s Office line item consists of the following programs:

1. Administration
2. Governor’s Residence
3. Washington Office
4. Task Forces
5. Constitutional Defense Council
6. Commission for Women and Families

Accountability The office has outlined the following performance measures:

Performance Data Summary - (Governor's Office)					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Efficient Government-State Spending Per \$1,000 of Personal Income	Proportional Fiscal Measure	Output	\$127.1	\$127.1	\$129.0
Constituent Contacts	Number of Contacts	Output	6,506	6,506	7,632
Proclamations	Number of Proclamations	Output	282	282	331
Successful handling of more than 2,000 scheduling requests per year	Yes/No	Output	Yes	Yes	Yes

Table 1-2

Funding Detail

The Governor's Office line item budget is 91.2 percent from the General Fund and 8.8 percent from Dedicated Credits Revenues.

Governor's Office					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,338,200	2,284,200	2,197,900	2,262,600	2,563,200
General Fund, One-time	0	0	(75,000)	231,300	98,300
Dedicated Credits Revenue	184,400	93,000	818,100	296,200	257,400
Transfers - Commission on Criminal and Ju	0	0	0	1,000	0
Transfers - Environmental Quality	23,000	4,000	0	0	0
Transfers - Health	0	6,000	0	0	0
Transfers - Human Services	0	6,000	0	0	0
Transfers - Natural Resources	228,700	3,000	0	0	0
Transfers - State Board of Regents	0	23,300	0	0	0
Transfers - State Office of Education	0	23,300	0	0	0
Transfers - Within Agency	0	12,000	0	51,900	0
Transfers - Workforce Services	(228,300)	344,700	0	0	0
Beginning Nonlapsing	447,200	598,100	536,600	723,700	0
Closing Nonlapsing	(369,700)	(536,600)	(723,700)	(382,100)	0
Total	\$2,623,500	\$2,861,000	\$2,753,900	\$3,184,600	\$2,918,900
Programs					
Administration	1,818,700	1,947,500	1,726,500	2,051,000	2,312,900
Governor's Residence	272,300	272,100	266,900	218,800	209,000
Washington Office	220,800	225,300	230,200	235,900	231,000
Task Forces	202,500	392,500	490,600	602,900	103,900
Constitutional Defense Council	9,300	1,200	18,700	55,000	40,800
Commission for Women and Families	99,900	22,400	21,000	21,000	21,300
Total	\$2,623,500	\$2,861,000	\$2,753,900	\$3,184,600	\$2,918,900
Categories of Expenditure					
Personal Services	1,829,300	1,885,900	1,739,400	2,048,200	2,139,200
In-State Travel	13,800	9,100	16,200	18,800	4,900
Out of State Travel	64,200	50,500	76,700	75,600	19,200
Current Expense	652,900	3,778,600	2,679,200	1,598,800	2,456,800
DP Current Expense	43,800	85,700	44,300	63,700	22,700
Other Charges/Pass Thru	19,500	(2,948,800)	(1,801,900)	(620,500)	(1,723,900)
Total	\$2,623,500	\$2,861,000	\$2,753,900	\$3,184,600	\$2,918,900
Other Data					
Total FTE	31.2	29.0	28.7	26.2	28.4
Vehicles	0	2	3	3	4

Table 1-3

ADMINISTRATION

Function

The Administration program is responsible for the coordination and development of policy and state issues that are of concern to the Governor.

Funding Detail

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,725,000	1,744,800	1,669,000	1,748,000	2,087,100
General Fund, One-time	0	0	(75,000)	230,100	95,700
Dedicated Credits Revenue	3,300	0	27,700	193,600	130,100
Transfers - State Board of Regents	0	23,300	0	0	0
Transfers - State Office of Education	0	23,300	0	0	0
Transfers - Workforce Services	(228,300)	10,000	0	0	0
Beginning Nonlapsing	318,700	228,400	167,500	65,800	0
Closing Nonlapsing	0	(82,300)	(62,700)	(186,500)	0
Total	\$1,818,700	\$1,947,500	\$1,726,500	\$2,051,000	\$2,312,900
Categories of Expenditure					
Personal Services	1,361,000	1,419,800	1,281,600	1,597,700	1,681,400
In-State Travel	5,600	2,200	4,800	13,000	500
Out of State Travel	52,100	31,000	54,100	65,400	2,000
Current Expense	353,600	416,000	350,000	321,300	548,900
DP Current Expense	30,800	78,500	35,700	53,600	20,100
Other Charges/Pass Thru	15,600	0	300	0	60,000
Total	\$1,818,700	\$1,947,500	\$1,726,500	\$2,051,000	\$2,312,900
Other Data					
Total FTE	22.5	21.0	20.5	19.5	20.7
Vehicles	0	2	3	3	4

Table 1-4

GOVERNOR'S RESIDENCE

Function

The Governor's Residence program provides for the maintenance and upkeep of the Kearns Mansion which serves as the Governor's Residence.

Funding Detail

Governor's Residence					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	272,300	268,400	268,100	240,600	207,300
General Fund, One-time	0	0	0	500	1,600
Dedicated Credits Revenue	0	0	0	0	100
Transfers - Within Agency	0	12,000	0	0	0
Closing Nonlapsing	0	(8,300)	(1,200)	(22,300)	0
Total	\$272,300	\$272,100	\$266,900	\$218,800	\$209,000
Categories of Expenditure					
Personal Services	169,700	169,800	172,000	123,900	118,400
In-State Travel	200	600	600	400	600
Out of State Travel	3,700	5,600	7,100	3,500	7,100
Current Expense	96,500	92,400	85,300	85,700	81,000
DP Current Expense	2,200	3,700	1,900	5,300	1,900
Total	\$272,300	\$272,100	\$266,900	\$218,800	\$209,000
Other Data					
Total FTE	4.7	4.0	4.2	3.7	3.2

Table 1-5

WASHINGTON OFFICE

Function

The Washington Office promotes and facilitates intergovernmental actions at the state/federal level. The office is a liaison resource between the state and federal, executive and legislative branches in Washington D.C. The office devotes efforts to reduce unfunded mandates and federal preemption on the state.

Funding Detail

Washington Office					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	205,600	209,900	198,200	212,200	207,000
General Fund, One-time	0	0	0	700	1,000
Dedicated Credits Revenue	0	0	23,000	23,000	23,000
Transfers - Environmental Quality	23,000	4,000	0	0	0
Transfers - Health	0	6,000	0	0	0
Transfers - Human Services	0	6,000	0	0	0
Transfers - Natural Resources	0	3,000	0	0	0
Transfers - Workforce Services	0	4,000	0	0	0
Beginning Nonlapsing	0	7,800	9,800	0	0
Closing Nonlapsing	(7,800)	(15,400)	(800)	0	0
Total	\$220,800	\$225,300	\$230,200	\$235,900	\$231,000
Categories of Expenditure					
Personal Services	183,700	178,100	181,700	181,800	191,000
In-State Travel	1,300	1,200	1,600	0	500
Out of State Travel	(2,700)	4,500	4,800	4,500	1,000
Current Expense	38,400	41,200	41,900	45,000	38,300
DP Current Expense	100	300	200	4,600	200
Total	\$220,800	\$225,300	\$230,200	\$235,900	\$231,000
Other Data					
Total FTE	2.0	2.0	2.0	2.0	2.0

Table 1-6

TASK FORCES

Function

The Task Forces program focuses on special issues that are of concern to the Governor. Typically, dedicated credits in this section come from donations by private or non-profit firms.

Beginning FY 2002, the Legislature appropriated funding to the Utah State Office of Education for grants to math, science and technology teachers. The grants came/come in three forms:

1. Grants in the amount of \$10,000 for excellent math, science and technology teachers with initial payments of \$5,000 and the balance awarded after four years of teaching in these disciplines;
2. Grants in the amount of \$5,000 for new teachers going into math, science and technology with initial payments of \$2,500 and the balance awarded after four years of teaching in these disciplines;
3. Grants awarded for teachers to take college courses in math, science and technology.

The Governor's office disburses the money out of the Governor's Task Force program and the State Office of Education reimburses the Governor for payments made. The reimbursements are reported as negative expenditures so that the expenses are not counted twice, in the Governor's line item and in the State Office of Education's line item.

Funding Detail

Task Forces					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	5,200	0	0	0	0
Dedicated Credits Revenue	181,100	91,000	767,100	79,600	103,900
Transfers - Commission on Criminal and Ju	0	0	0	1,000	0
Transfers - Natural Resources	228,700	0	0	0	0
Transfers - Within Agency	0	0	0	51,900	0
Transfers - Workforce Services	0	330,700	0	0	0
Beginning Nonlapsing	37,100	249,600	207,500	484,000	0
Closing Nonlapsing	(249,600)	(278,800)	(484,000)	(13,600)	0
Total	\$202,500	\$392,500	\$490,600	\$602,900	\$103,900
Categories of Expenditure					
Personal Services	51,000	99,100	104,100	114,100	148,400
In-State Travel	4,100	3,200	5,900	4,100	0
Out of State Travel	0	7,200	1,600	300	0
Current Expense	135,100	3,229,600	2,174,700	1,105,100	1,738,900
DP Current Expense	8,400	2,200	6,500	(200)	500
Other Charges/Pass Thru	3,900	(2,948,800)	(1,802,200)	(620,500)	(1,783,900)
Total	\$202,500	\$392,500	\$490,600	\$602,900	\$103,900
Other Data					
Total FTE	1.0	1.0	1.0	1.0	2.5

Table 1-7

CONSTITUTIONAL DEFENSE COUNCIL

Function Funding for the Constitutional Defense Council program is used for legal resources required to defend the state in challenges against federal mandates.

Funding Detail

Constitutional Defense Council					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	49,500	49,500	40,800	40,800	40,800
Beginning Nonlapsing	63,300	103,500	151,800	173,900	0
Closing Nonlapsing	(103,500)	(151,800)	(173,900)	(159,700)	0
Total	\$9,300	\$1,200	\$18,700	\$55,000	\$40,800
Categories of Expenditure					
Personal Services	0	0	0	30,700	0
Current Expense	9,300	1,200	18,700	24,300	40,800
Total	\$9,300	\$1,200	\$18,700	\$55,000	\$40,800

Table 1-8

COMMISSION FOR WOMEN AND FAMILIES

Function

The Commission for Women and Families actively publishes information about issues in which women have a unique or particular interest. The original Commission on the Status of Women was established in 1964. Statutory authority was provided in 1973.

Funding Detail

Commission for Women and Families					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	80,600	11,600	21,800	21,000	21,000
Dedicated Credits Revenue	0	2,000	300	0	300
Beginning Nonlapsing	28,100	8,800	0	0	0
Closing Nonlapsing	(8,800)	0	(1,100)	0	0
Total	\$99,900	\$22,400	\$21,000	\$21,000	\$21,300
Categories of Expenditure					
Personal Services	63,900	19,100	0	0	0
In-State Travel	2,600	1,900	3,300	1,300	3,300
Out of State Travel	11,100	2,200	9,100	1,900	9,100
Current Expense	20,000	(1,800)	8,600	17,400	8,900
DP Current Expense	2,300	1,000	0	400	0
Total	\$99,900	\$22,400	\$21,000	\$21,000	\$21,300
Other Data					
Total FTE	1.0	1.0	1.0	0.0	0.0

Table 1-9

ELECTIONS

Function

The Elections line item has only one program—the Elections Administration program. This program administers and enforces Utah’s election laws. It provides the public with voter registration information at state owned or occupied facilities. The office oversees the development and distribution of voter registration forms to universities and state agencies. It oversees the campaign finance disclosure of candidates, political action committees, political issues committees and corporations. It also oversees the registration and finance disclosure of Utah lobbyists. The Elections Administration program also produces the voter information pamphlet and funds other election year requirements.

The office also certifies voting equipment to ensure that it meets established standards. It maintains a website and makes certain that elections information is made available to the public via the Internet. The office also conducts statewide canvassing of election results, oversees the certification of political parties, and maintains a statewide voter registration database.

Statutory Authority

The Elections Administration’s duties and responsibilities are delineated in UCA 20A, otherwise known as the “Election Code”.

Funding Detail

Elections					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,038,600	656,100	745,100	635,100	644,600
General Fund, One-time	0	0	42,000	700,800	318,100
Federal Funds	0	0	0	36,700	100,000
Dedicated Credits Revenue	7,000	(600)	2,300	6,000	3,000
Beginning Nonlapsing	0	59,400	251,500	260,300	152,000
Closing Nonlapsing	(109,400)	(251,500)	(260,300)	(1,168,500)	0
Total	\$936,200	\$463,400	\$780,600	\$470,400	\$1,217,700
Programs					
Elections Administration	936,200	463,400	780,600	470,400	1,217,700
Total	\$936,200	\$463,400	\$780,600	\$470,400	\$1,217,700
Categories of Expenditure					
Personal Services	240,000	232,600	245,000	205,900	340,800
In-State Travel	1,300	2,800	1,900	4,700	1,900
Out of State Travel	4,000	3,800	16,500	11,600	16,500
Current Expense	597,300	208,100	503,700	181,000	685,600
DP Current Expense	28,500	16,100	13,500	25,000	12,900
DP Capital Outlay	5,000	0	0	0	0
Other Charges/Pass Thru	60,100	0	0	42,200	160,000
Total	\$936,200	\$463,400	\$780,600	\$470,400	\$1,217,700
Other Data					
Total FTE	5.5	5.0	5.0	5.5	7.0

Table 1-10

EMERGENCY FUND

Function The Emergency Fund line item has only one program—the Emergency Fund program. The Emergency Fund Program is established to provide the Governor with funds in the event of a crisis or disaster.

Statutory Authority Authorization for expenditures from the Emergency Fund is found in UCA 63-38-10.

Funding Detail

Emergency Fund					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund, One-time	60,000	0	0	0	0
Beginning Nonlapsing	57,000	102,000	102,000	102,000	102,000
Closing Nonlapsing	(102,000)	(102,000)	(102,000)	(102,000)	(102,000)
Total	\$15,000	\$0	\$0	\$0	\$0
Programs					
Governor's Emergency Fund	15,000	0	0	0	0
Total	\$15,000	\$0	\$0	\$0	\$0
Categories of Expenditure					
Other Charges/Pass Thru	15,000	0	0	0	0
Total	\$15,000	\$0	\$0	\$0	\$0

Table 1-11

RS-2477 RIGHTS OF WAY

Function	<p>The Revised Statute 2477 (RS-2477) line item has only one program—the Revised Statute 2477 program. The RS-2477 federal legislation granted rights-of-way over “public lands, not reserved for public uses.”¹ The act created a self-executing system that allowed states to establish rights-of-way through use. Once a right of way was established, it was protected under RS-2477 and did not need affirmation from the federal government. Although the statute was repealed in 1976, rights-of-way established by 1976 remain legally valid.</p> <p>The federal statute was a standing offer of a free rights-of-way over the public domain, and as soon as it was accepted in an appropriate manner by the agents of the public, or the public itself, a highway was established.²</p> <p>Until recently, RS-2477 rights-of-way were not a particularly controversial area of public land management. However, recent efforts to limit access and prohibit motorized travel in wilderness areas, monuments and other areas of federal domain invigorated the RS-2477 debate. Since other agencies and local governments are in the process of mapping RS-2477 roads, the Analyst believes that the Constitutional Defense Fund should be used to protect Utah’s rights to established rights-of-way rather than to expand mapping efforts.</p>
Statutory Authority	<p>State codification of RS-2477 rights-of-way is found in UCA 72-5-301 through 310. Creation, funding and parameters governing the Constitutional Defense Restricted Account in association with RS-2477 rights-of-way is found in UCA 63C-4-101 through 105.</p>
Intent Language	<p>The Legislature provided intent language concerning the RS 2477 Fund in Senate Bill 1, Item 12:</p> <p><i>It is the intent of the Legislature that funds expended from the R.S. 2477 Fund be used for litigation or negotiations designed to quiet title to existing rights of way established before 1976 under RS 2477 guidelines. It is further the intent of the Legislature that the Governor or his designee shall present a report to the Legislature prior to the 2005 General Session detailing activities funded within this line item, including information on cooperation and coordination with counties and the Utah Attorney General's office.</i></p>

¹ 43 U.S.C. 932

² 85 N.W. 47 as quoted by Barbara Hjelle in the Journal of Energy, Natural Resources and Environmental Law, Vol. 14(2), pp. 301-322.

Funding Detail

RS-2477 Rights of Way					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund, One-time	0	895,000	0	0	0
Dedicated Credits Revenue	0	0	0	0	100
GFR - Constitutional Defense	1,692,800	1,105,000	2,000,000	1,880,000	1,884,200
Transfers	60,000	0	0	0	0
Beginning Nonlapsing	307,200	826,700	1,031,500	1,174,100	0
Closing Nonlapsing	(826,700)	(1,031,500)	(1,174,100)	(2,000,000)	0
Lapsing Balance	0	0	0	(299,200)	0
Total	\$1,233,300	\$1,795,200	\$1,857,400	\$754,900	\$1,884,300
Programs					
RS-2477 Rights of Way	1,233,300	1,795,200	1,857,400	754,900	1,884,300
Total	\$1,233,300	\$1,795,200	\$1,857,400	\$754,900	\$1,884,300
Categories of Expenditure					
Personal Services	394,000	489,200	432,000	380,500	519,500
In-State Travel	9,700	5,000	2,400	3,500	15,100
Out of State Travel	3,600	11,500	7,900	17,000	15,100
Current Expense	298,000	177,400	911,200	49,600	723,900
DP Current Expense	285,100	423,000	214,700	304,300	414,700
DP Capital Outlay	182,700	0	196,000	0	196,000
Capital Outlay	60,200	0	0	0	0
Other Charges/Pass Thru	0	689,100	93,200	0	0
Total	\$1,233,300	\$1,795,200	\$1,857,400	\$754,900	\$1,884,300
Other Data					
Total FTE	1.0	0.0	0.0	0.0	1.0

Table 1-12

GOVERNOR'S OFFICE OF PLANNING AND BUDGET (GOPB)**Function**

The Governor's Office of Planning and Budget (GOPB) is organized to provide both advisory and global information to the Governor and other state agencies. GOPB is comprised of two line items—the largest being the Governor's Office of Planning and Budget line item. The Governor's Office of Planning and Budget line item consists of the following programs:

1. Administration
2. Planning and Budget Analysis
3. Demographic and Economic Analysis
4. Information Technology
5. State and Local Planning

Note that two programs shown in the table are no longer part of this line item. They are the Science and Technology program which was transferred to the Department of Community and Economic Development and the Resource Planning and Legal Review program which was transferred to the Department of Natural Resources. Both program transfers took place beginning in FY 2003.

Statutory Authority

Statutory authorization for GOPB includes the following:

- UCA 63-38-1 Budgetary Procedures Act: Creates GOPB and delineates duties and responsibilities;
- UCA 63-38-2 Budgetary Procedures Act: Directs Governor to submit budget to Legislature;
- UCA 63-38-3 Budgetary Procedures Act: Delineates appropriations and transfer of funds;
- UCA 63-38-3.2 Budgetary Procedures Act: Delineates fees;
- UCA 63-38-8.1 Budgetary Procedures Act: Establishes non-lapsing authority;
- UCA 63-38-9 Budgetary Procedures Act: Describes and delineates revenue types;
- UCA 63-38-14 Budgetary Procedures Act: Directs GOPB to submit in-depth budget review of any state department, agency, institution, or program on request from the Legislative Management Committee;
- UCA 63-38-15 Budgetary Procedures Act: Directs GOPB to provide justification of in-depth budget review of any state department, agency, institution, or program on request from the Legislative Management Committee;
- UCA 63-40-3 Budgetary Procedures Act: Authorizes Governor to accept funds

Funding Detail

Governor's Office of Planning and Budget					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	11,315,000	3,743,200	3,022,500	2,891,000	2,839,800
General Fund, One-time	0	0	(89,000)	135,200	19,800
Federal Funds	229,900	176,200	0	0	0
Dedicated Credits Revenue	299,400	147,000	213,600	126,000	67,400
Olympic Special Revenue	322,700	350,900	355,600	0	0
Transfers	806,600	0	0	0	0
Transfers - Administrative Services	0	11,000	0	0	0
Transfers - Commerce	0	2,000	0	0	0
Transfers - Commission on Criminal and Ju	0	10,000	0	0	0
Transfers - Em Svcs & Home Sec	12,400	0	0	0	0
Transfers - Corrections	0	9,000	0	0	0
Transfers - Community and Economic Dev	0	460,500	0	0	0
Transfers - Environmental Quality	0	24,500	0	0	0
Transfers - Health	0	14,000	0	0	0
Transfers - Human Resource Mgt	0	1,000	0	0	0
Transfers - Human Services	0	28,000	0	0	0
Transfers - Insurance	0	2,000	0	0	0
Transfers - Natural Resources	0	4,000	0	0	0
Transfers - Other Agencies	0	0	0	53,000	0
Transfers - Public Safety	0	10,000	0	0	0
Transfers - Transportation	0	52,000	0	0	0
Transfers - Utah State Tax Commission	0	17,000	0	0	0
Transfers - Within Agency	0	0	53,000	0	53,000
Transfers - Workforce Services	0	38,000	0	0	0
Beginning Nonlapsing	533,400	7,789,100	2,481,500	1,851,400	116,000
Closing Nonlapsing	(7,789,100)	(2,605,200)	(1,851,400)	(1,724,000)	0
Total	\$5,730,300	\$10,284,200	\$4,185,800	\$3,332,600	\$3,096,000
Programs					
Science and Technology	202,700	165,100	0	0	0
Administration	1,635,400	5,974,200	1,273,600	1,022,000	791,600
Planning and Budget Analysis	748,700	801,800	1,013,400	873,800	989,700
Demographic and Economic Analysis	827,900	693,600	541,200	440,400	451,300
Resource Planning and Legal Review	578,200	297,200	0	0	0
Information Technology	934,800	993,100	458,000	495,300	476,100
State and Local Planning	802,600	1,359,200	899,600	501,100	387,300
Total	\$5,730,300	\$10,284,200	\$4,185,800	\$3,332,600	\$3,096,000
Categories of Expenditure					
Personal Services	3,249,600	3,373,300	2,757,300	2,611,200	2,711,200
In-State Travel	13,200	21,000	9,900	13,900	7,800
Out of State Travel	38,800	43,000	21,500	22,900	27,200
Current Expense	1,397,800	1,198,400	579,400	300,800	234,700
DP Current Expense	181,500	136,800	89,400	102,500	85,100
Other Charges/Pass Thru	849,400	5,511,700	728,300	281,300	30,000
Total	\$5,730,300	\$10,284,200	\$4,185,800	\$3,332,600	\$3,096,000
Other Data					
Total FTE	47.3	49.0	47.1	37.1	38.4
Vehicles	1	1	1	1	1

Table 1-13

GOPB ADMINISTRATION

Function

The Administration program provides accounting, technical, and clerical support to the Governor's Office of Planning and Budget. The duties of this program include personnel management, internal budget development, travel arrangements, program development and other support functions as necessary.

Funding Detail

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	8,064,200	486,100	664,000	678,000	670,300
General Fund, One-time	0	0	(89,000)	78,300	4,200
Dedicated Credits Revenue	0	0	12,200	300	1,100
Olympic Special Revenue	322,700	350,900	355,600	0	0
Beginning Nonlapsing	149,800	6,922,400	1,853,500	1,531,800	116,000
Closing Nonlapsing	(6,901,300)	(1,785,200)	(1,522,700)	(1,266,400)	0
Total	\$1,635,400	\$5,974,200	\$1,273,600	\$1,022,000	\$791,600
Categories of Expenditure					
Personal Services	760,200	766,700	905,900	671,000	655,900
In-State Travel	3,800	6,000	2,000	1,900	1,000
Out of State Travel	6,600	11,900	8,500	5,700	8,200
Current Expense	82,000	611,500	189,800	139,000	119,000
DP Current Expense	12,000	15,900	10,400	13,100	7,500
Other Charges/Pass Thru	770,800	4,562,200	157,000	191,300	0
Total	\$1,635,400	\$5,974,200	\$1,273,600	\$1,022,000	\$791,600
Other Data					
Total FTE	10.2	10.0	12.1	8.1	8.1
Vehicles	1	1	1	1	1

Table 1-14

PLANNING AND BUDGET ANALYSIS

Function

The Planning and Budget Analysis program is responsible for development and presentation of the Governor's budget recommendations. Analysts for the Governor in this program compare each budget against priorities set by the Governor in an attempt to address both state and local concerns. Budget analysts also participate in agency hearings during the appropriations process, trace agency sponsored legislation, and review each appropriations bill prior to the Governor signing.

Funding Detail

Planning and Budget Analysis					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	760,400	782,700	843,300	856,200	983,500
General Fund, One-time	0	0	0	52,700	6,200
Beginning Nonlapsing	0	32,300	179,300	0	0
Closing Nonlapsing	(11,700)	(13,200)	(9,200)	(35,100)	0
Total	\$748,700	\$801,800	\$1,013,400	\$873,800	\$989,700
Categories of Expenditure					
Personal Services	699,800	755,000	767,900	845,200	940,400
In-State Travel	1,100	2,100	1,700	1,900	1,700
Out of State Travel	5,400	4,000	8,100	7,300	8,100
Current Expense	37,800	30,400	231,400	13,100	35,200
DP Current Expense	4,600	10,300	4,300	6,300	4,300
Total	\$748,700	\$801,800	\$1,013,400	\$873,800	\$989,700
Other Data					
Total FTE	11.0	11.0	11.0	11.0	12.0

Table 1-15

DEMOGRAPHIC AND ECONOMIC ANALYSIS

Function

The Demographic and Economic Analysis program has several responsibilities, including baseline population and employment projections, socioeconomic impact projections, census data retention and dissemination, fiscal impact analysis, revenue projections, and other special projects as assigned. The program focuses efforts on providing concerned entities with an economic perspective of issues facing the state.

Funding Detail

Demographic and Economic Analysis					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	586,500	657,700	560,400	582,200	392,400
General Fund, One-time	0	0	0	1,800	3,600
Federal Funds	23,700	32,900	0	0	0
Dedicated Credits Revenue	172,500	4,400	71,500	34,600	55,300
Transfers	207,000	0	0	0	0
Transfers - Community and Economic Dev	0	14,500	0	0	0
Transfers - Transportation	0	40,000	0	0	0
Beginning Nonlapsing	64,900	192,100	82,500	173,200	0
Closing Nonlapsing	(226,700)	(248,000)	(173,200)	(351,400)	0
Total	\$827,900	\$693,600	\$541,200	\$440,400	\$451,300
Categories of Expenditure					
Personal Services	455,900	471,800	412,400	350,400	388,400
In-State Travel	400	200	100	800	1,000
Out of State Travel	4,900	7,100	3,500	8,900	10,100
Current Expense	320,500	207,100	122,500	76,800	44,100
DP Current Expense	46,200	7,400	2,700	3,500	7,700
Total	\$827,900	\$693,600	\$541,200	\$440,400	\$451,300
Other Data					
Total FTE	7.8	9.0	9.0	9.0	7.0

Table 1-16

INFORMATION TECHNOLOGY

Function

The IT program houses the LAN (Local Area Network) team for the Governor's office. The duties of this section revolve around all aspects of computer use and related communications technologies. The Information Technology program also provides local area network and desktop computer support for the Governor's Office of Planning and Budget.

Funding Detail

Information Technology					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	829,300	823,300	470,500	453,300	463,500
General Fund, One-time	0	0	0	1,300	2,600
Dedicated Credits Revenue	300	0	33,400	13,000	10,000
Transfers	192,000	0	0	0	0
Transfers - Administrative Services	0	11,000	0	0	0
Transfers - Commerce	0	2,000	0	0	0
Transfers - Commission on Criminal and Ju	0	10,000	0	0	0
Transfers - Corrections	0	9,000	0	0	0
Transfers - Community and Economic Deve	0	2,000	0	0	0
Transfers - Environmental Quality	0	2,000	0	0	0
Transfers - Health	0	14,000	0	0	0
Transfers - Human Resource Mgt	0	1,000	0	0	0
Transfers - Human Services	0	28,000	0	0	0
Transfers - Insurance	0	2,000	0	0	0
Transfers - Natural Resources	0	4,000	0	0	0
Transfers - Public Safety	0	10,000	0	0	0
Transfers - Transportation	0	12,000	0	0	0
Transfers - Utah State Tax Commission	0	17,000	0	0	0
Transfers - Workforce Services	0	38,000	0	0	0
Beginning Nonlapsing	50,000	136,600	0	45,900	0
Closing Nonlapsing	(136,800)	(128,800)	(45,900)	(18,200)	0
Total	\$934,800	\$993,100	\$458,000	\$495,300	\$476,100
Categories of Expenditure					
Personal Services	707,400	779,900	383,600	408,500	403,700
In-State Travel	700	1,100	100	200	100
Out of State Travel	5,500	8,200	0	0	0
Current Expense	30,000	58,200	9,700	10,600	10,200
DP Current Expense	113,600	93,200	64,600	76,000	62,100
Other Charges/Pass Thru	77,600	52,500	0	0	0
Total	\$934,800	\$993,100	\$458,000	\$495,300	\$476,100
Other Data					
Total FTE	10.0	11.0	11.0	5.0	5.0

Table 1-17

STATE AND LOCAL PLANNING

Function

The State and Local Planning program provides leadership in strategic and comprehensive planning, serves as a resource for state agencies and local governments, provides quality technical assistance, and facilitates intergovernmental coordination in the area of planning. This program fulfills the statutory obligations of the Governor’s Office of Planning and Budget to staff the Utah Advisory Commission on Intergovernmental Relations, the Legislative Compensation Commission and the Utah Quality Growth Commission. The Quality Growth Commission administers local government planning grants and the LeRay McAllister Critical Land Conservation Fund. Program staff members also make recommendations to the Legislature regarding growth issues and implementing quality growth principles.

Funding Detail

State and Local Planning					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	689,100	839,500	484,300	321,300	330,100
General Fund, One-time	0	0	0	1,100	3,200
Dedicated Credits Revenue	500	0	96,500	78,100	1,000
Transfers	384,400	0	0	0	0
Transfers - Community and Economic Devt	0	444,000	0	0	0
Transfers - Other Agencies	0	0	0	53,000	0
Transfers - Within Agency	0	0	53,000	0	53,000
Beginning Nonlapsing	234,300	505,700	366,200	100,500	0
Closing Nonlapsing	(505,700)	(430,000)	(100,400)	(52,900)	0
Total	\$802,600	\$1,359,200	\$899,600	\$501,100	\$387,300
Categories of Expenditure					
Personal Services	193,000	354,200	287,500	336,100	322,800
In-State Travel	5,100	7,800	6,000	9,100	4,000
Out of State Travel	1,700	1,700	1,400	1,000	800
Current Expense	601,100	95,400	26,000	61,300	26,200
DP Current Expense	1,700	3,100	7,400	3,600	3,500
Other Charges/Pass Thru	0	897,000	571,300	90,000	30,000
Total	\$802,600	\$1,359,200	\$899,600	\$501,100	\$387,300
Other Data					
Total FTE	4.5	4.0	4.0	4.0	6.3

Table 1-18

GOPB—CHIEF INFORMATION OFFICER

Function

The Chief Information Officer line item has only one program—the Chief Information Officer (CIO) program. The Chief Information Officer provides strategic direction and oversight to all state agencies on information technology programs and projects. The Chief Information Officer “is responsible for vision, strategy, direction, guidelines, policies, planning, coordination, and oversight for information technology for all of the executive branch agencies of our State government. The CIO reports to the Governor, and is a member of the Governor's Senior Staff, Cabinet Council, and works with department and IT executives across the state.”³

Statutory Authority

Statutory Authorization for the Chief Information Officer is found in UCA 63D-1a-301 through 309.

Funding Detail

GOPB - Chief Information Officer					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	367,000	388,800	553,500
General Fund, One-time	0	0	0	153,700	2,600
Dedicated Credits Revenue	0	0	156,600	0	0
Beginning Nonlapsing	0	0	123,800	182,500	0
Closing Nonlapsing	0	0	(182,500)	(192,100)	0
Total	\$0	\$0	\$464,900	\$532,900	\$556,100
Programs					
Chief Information Officer	0	0	464,900	532,900	556,100
Total	\$0	\$0	\$464,900	\$532,900	\$556,100
Categories of Expenditure					
Personal Services	0	0	403,200	436,200	490,300
In-State Travel	0	0	400	2,000	900
Out of State Travel	0	0	12,800	14,100	19,700
Current Expense	0	0	29,000	41,800	29,000
DP Current Expense	0	0	19,500	14,800	16,200
Other Charges/Pass Thru	0	0	0	24,000	0
Total	\$0	\$0	\$464,900	\$532,900	\$556,100
Other Data					
Total FTE	0.0	0.0	0.0	5.0	5.0

Table 1-19

³ *State of Utah Chief Information Officer*. January 25, 2003. www.cio.utah.gov.

COMMISSION ON CRIMINAL AND JUVENILE JUSTICE

Function The Commission on Criminal and Juvenile Justice (CCJJ) line item 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. The Commission on Criminal and Juvenile Justice Line Item consists of six programs. They are:

1. CCJJ Commission
2. Crime Victim Reparations
3. Extraditions
4. Substance Abuse and Anti-Violence
5. Sentencing Commission
6. Crime Prevention Grant

Statutory Authority Statutory Authorization for the Commission on Criminal and Juvenile Justice is found in UCA 63-25a.

Accountability The commission has outlined the following performance measures:

Performance Data Summary - (Commission on Criminal and Juvenile Justice)					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Compensate eligible victims of crime	Number of victim claims	Output	6,953	6,950	7,579
Keep administrative costs for federal grants under 5.00 percent	Percentage of Administrative Costs	Output	Under 5.00%	2.25%	3.08%
Efficiently manage extradition costs	Average travel cost per extradition	Intermediate	\$600	\$591	\$600

Table 1-20

Funding Detail

Commission on Criminal and Juvenile Justice					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,636,100	1,579,500	0	0	0
Federal Funds	11,865,100	13,039,400	15,930,000	17,036,400	14,087,300
Dedicated Credits Revenue	64,900	99,000	77,000	56,100	65,000
Crime Victims Reparation Trust	734,200	810,800	2,327,800	2,343,300	2,461,300
Transfers - Federal	0	0	0	(8,290,300)	0
Beginning Nonlapsing	335,200	337,000	349,500	366,100	0
Closing Nonlapsing	(336,900)	(349,500)	(366,100)	(216,400)	0
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$11,295,200	\$16,613,600
Programs					
CCJJ Commission	9,226,300	10,312,700	12,924,500	5,480,600	10,665,000
Crime Victim Reparations	4,152,200	4,298,400	4,569,700	4,976,200	5,092,500
Extraditions	237,700	229,700	246,300	240,000	249,800
Substance Abuse and Anti-violence	182,700	182,300	196,000	207,500	208,500
Sentencing Commission	188,500	184,600	168,600	178,700	187,800
Crime Prevention Grant	311,200	308,500	213,100	212,200	210,000
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$11,295,200	\$16,613,600
Categories of Expenditure					
Personal Services	1,647,500	1,750,300	1,720,100	1,791,000	1,941,700
In-State Travel	12,300	13,500	10,800	11,400	10,800
Out of State Travel	263,300	247,700	259,600	270,500	266,000
Current Expense	273,800	367,500	311,400	395,500	314,400
DP Current Expense	62,000	61,300	91,600	89,700	104,900
Capital Outlay	0	0	0	12,700	0
Other Charges/Pass Thru	12,039,700	13,075,900	15,924,700	8,724,400	13,975,800
Total	\$14,298,600	\$15,516,200	\$18,318,200	\$11,295,200	\$16,613,600
Other Data					
Total FTE	32.0	31.0	30.0	31.5	31.8

Table 1-21

CCJJ COMMISSION

Function

The CCJJ Commission program manages state and federal criminal and juvenile justice grant programs and provides analysis, accountability recommendations, and supervision of criminal justice grant monies. It 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.

Funding Detail

CCJJ Commission					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	634,100	593,900	0	0	0
Federal Funds	8,462,200	9,542,900	12,192,200	13,023,100	9,961,700
Crime Victims Reparation Trust	0	0	615,600	717,300	703,300
Transfers - Federal	0	0	0	(8,290,300)	0
Beginning Nonlapsing	204,400	213,500	135,100	140,600	0
Closing Nonlapsing	(74,400)	(37,600)	(18,400)	(110,100)	0
Total	\$9,226,300	\$10,312,700	\$12,924,500	\$5,480,600	\$10,665,000
Categories of Expenditure					
Personal Services	732,200	754,300	719,300	731,500	750,000
In-State Travel	11,100	9,500	6,400	4,900	6,400
Out of State Travel	33,500	25,800	25,700	28,600	23,300
Current Expense	94,400	179,300	128,500	149,800	132,300
DP Current Expense	42,400	46,700	56,500	38,100	56,500
Other Charges/Pass Thru	8,312,700	9,297,100	11,988,100	4,527,700	9,696,500
Total	\$9,226,300	\$10,312,700	\$12,924,500	\$5,480,600	\$10,665,000
Other Data					
Total FTE	10.8	9.0	9.5	10.3	10.2

Table 1-22

CRIME VICTIM REPARATIONS

Function

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.

This program is responsible for administering the Crime Victim Reparations Trust Fund under guidelines established 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.

Funding Detail

Crime Victim Reparations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	3,402,900	3,496,500	3,737,800	4,013,300	4,123,400
Dedicated Credits Revenue	24,000	57,000	35,400	28,200	20,000
Crime Victims Reparation Trust	734,200	810,800	819,400	834,800	949,100
Beginning Nonlapsing	90,400	99,300	165,200	188,100	0
Closing Nonlapsing	(99,300)	(165,200)	(188,100)	(88,200)	0
Total	\$4,152,200	\$4,298,400	\$4,569,700	\$4,976,200	\$5,092,500
Categories of Expenditure					
Personal Services	628,600	708,000	714,500	764,900	877,000
In-State Travel	1,200	3,500	3,300	4,700	3,300
Out of State Travel	9,400	11,800	11,200	20,300	11,200
Current Expense	166,900	172,500	165,800	223,600	164,800
DP Current Expense	16,600	11,800	32,900	49,500	46,900
Capital Outlay	0	0	0	12,700	0
Other Charges/Pass Thru	3,329,500	3,390,800	3,642,000	3,900,500	3,989,300
Total	\$4,152,200	\$4,298,400	\$4,569,700	\$4,976,200	\$5,092,500
Other Data					
Total FTE	16.0	15.0	15.0	16.0	17.0

Table 1-23

EXTRADITIONS

Function

The Extraditions 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.

Funding Detail

Extraditions					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	235,300	231,300	0	0	0
Federal Funds	0	0	0	0	200
Dedicated Credits Revenue	40,900	42,000	41,600	27,900	45,000
Crime Victims Reparation Trust	0	0	231,300	204,600	204,600
Beginning Nonlapsing	0	0	20,000	20,000	0
Closing Nonlapsing	(38,500)	(43,600)	(46,600)	(12,500)	0
Total	\$237,700	\$229,700	\$246,300	\$240,000	\$249,800
Categories of Expenditure					
Personal Services	18,900	20,300	23,300	20,800	20,400
Out of State Travel	217,300	208,800	220,300	218,100	226,700
Current Expense	1,500	600	2,700	1,100	2,700
Total	\$237,700	\$229,700	\$246,300	\$240,000	\$249,800
Other Data					
Total FTE	0.5	1.0	0.5	1.0	0.5

Table 1-24

SUBSTANCE ABUSE AND ANTI-VIOLENCE

Function

The Utah Substance Abuse and Anti-Violence (USA AV) 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 USA AV Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity and violence.

Funding Detail

Substance Abuse and Anti-violence					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	225,800	249,100	0	0	0
Federal Funds	0	0	0	0	2,000
Crime Victims Reparation Trust	0	0	240,700	195,800	206,500
Beginning Nonlapsing	0	0	10,700	5,000	0
Closing Nonlapsing	(43,100)	(66,800)	(55,400)	6,700	0
Total	\$182,700	\$182,300	\$196,000	\$207,500	\$208,500
Categories of Expenditure					
Personal Services	87,000	90,000	105,200	113,600	116,700
In-State Travel	1,200	200	1,000	1,100	1,000
Out of State Travel	500	500	0	0	2,400
Current Expense	6,600	11,100	7,900	8,400	8,000
DP Current Expense	1,100	1,000	400	400	400
Other Charges/Pass Thru	86,300	79,500	81,500	84,000	80,000
Total	\$182,700	\$182,300	\$196,000	\$207,500	\$208,500
Other Data					
Total FTE	2.5	3.0	2.5	1.5	1.7

Table 1-25

SENTENCING COMMISSION

Function

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.”

Funding Detail

Sentencing Commission					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	245,900	210,200	0	0	0
Crime Victims Reparation Trust	0	0	210,800	180,800	187,800
Beginning Nonlapsing	0	0	4,000	5,000	0
Closing Nonlapsing	(57,400)	(25,600)	(46,200)	(7,100)	0
Total	\$188,500	\$184,600	\$168,600	\$178,700	\$187,800
Categories of Expenditure					
Personal Services	180,800	177,700	157,800	160,200	177,600
In-State Travel	(1,200)	300	100	700	100
Out of State Travel	2,600	800	2,400	3,500	2,400
Current Expense	4,400	4,000	6,500	12,600	6,600
DP Current Expense	1,900	1,800	1,800	1,700	1,100
Total	\$188,500	\$184,600	\$168,600	\$178,700	\$187,800
Other Data					
Total FTE	2.2	3.0	2.5	2.8	2.4

Table 1-26

CRIME PREVENTION**Function**

The Crime Prevention Grant program gives funding emphasis to statewide crime prevention efforts as well as 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 specific populations such as young people or seniors. This is the only state grant of its kind that is focused solely on crime prevention.

Funding Detail

Crime Prevention Grant					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	295,000	295,000	0	0	0
Crime Victims Reparation Trust	0	0	210,000	210,000	210,000
Beginning Nonlapsing	40,400	24,200	14,500	7,400	0
Closing Nonlapsing	(24,200)	(10,700)	(11,400)	(5,200)	0
Total	\$311,200	\$308,500	\$213,100	\$212,200	\$210,000
Categories of Expenditure					
Other Charges/Pass Thru	311,200	308,500	213,100	212,200	210,000
Total	\$311,200	\$308,500	\$213,100	\$212,200	\$210,000

Table 1-27

CHAPTER 2 OFFICE OF THE ATTORNEY GENERAL

Function The Attorney General is the constitutional legal officer of the state, serves as counsel in all cases in which the state or its officers are a party, and provides legal services for the state. The Attorney General's mission is to protect people from crime, protect children from abuse and neglect, protect the state as an entity, and protect the state's natural resources. The Office of the Attorney General has six line items. They are:

1. Attorney General
2. Contract Attorneys
3. Children's Justice Centers
4. Prosecution Council
5. Domestic Violence
6. Obscenity and Pornography Ombudsman

Statutory Authority The Attorney General is governed by several statutes and the Utah Constitution. The Attorney General is cited throughout the Utah Code to provide legal assistance and to represent all state agencies. The following laws principally establish the Attorney General's responsibilities and powers:

- Utah Constitution, Article VII Executive Department: Defines Elective Office and required qualifications
- UCA 67-5 Attorney General: Enumerates the official duties and powers of the office

Intent Language The Legislature provided intent language to address a number of issues and needs confronting the Attorney General. The Legislature provided funding for legal work to be performed concerning public lands issues and provided the following intent language concerning the appropriation:

It is the intent of the Legislature that up to \$120,000 provided from the General Fund Restricted - Constitutional Defense account be used to pay for legal services regarding public lands issues involving the state, other than those related to existing rights of way established before 1976 under RS-2477 guidelines.

The Legislature addressed the issue of Market Comparability Adjustments increases for Assistant Attorneys General with \$500,000 ongoing funds. The Legislature required the Attorney General to report on the plan for distribution of the funding and the impact it would have on state agencies to the Executive Appropriations Committee.

The Legislature also reviewed the non-lapsing status of funding for the Attorney General and determined to continue this authority for FY 2005.

Funding Detail

The office draws 52.6 percent of its funding from the General Fund. Another 37.2 is derived from dedicated credits collections from state agencies for legal services performed. The Attorney General also provides legal services and assistance to local agencies without compensation. Federal funds amount to 3.5 percent. Restricted funds and transfers constitute the remainder of the budget.

Attorney General					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriate
General Fund	17,669,700	18,840,900	17,297,400	17,353,500	18,383,200
General Fund, One-time	0	0	700,200	1,479,100	149,300
Federal Funds	1,084,500	728,500	566,900	1,848,000	1,228,300
Dedicated Credits Revenue	12,242,200	12,679,300	12,837,100	13,969,400	13,119,500
GFR - Commerce Service	793,300	429,000	434,400	443,600	456,900
GFR - Constitutional Defense	0	0	0	120,000	123,600
GFR - Domestic Violence	0	77,700	78,500	78,500	78,600
GFR - Public Safety Support	490,300	489,500	493,500	500,100	511,000
GFR - Tobacco Settlement	0	280,800	100,000	100,000	100,000
Antitrust Revolving	159,900	228,400	0	0	0
Attorney General Litigation Fund	0	0	252,100	255,600	256,100
Transfers	141,000	0	0	0	0
Transfers - Commission on Criminal and Ju	60,800	29,300	53,000	105,600	77,000
Transfers - Other Agencies	0	144,000	71,000	57,000	55,000
Beginning Nonlapsing	71,000	429,900	1,482,500	1,730,900	700,000
Closing Nonlapsing	(430,000)	(1,482,500)	(1,730,900)	(1,835,700)	0
Lapsing Balance	0	(31,600)	(25,900)	(24,600)	0
Total	\$32,282,700	\$32,843,200	\$32,609,800	\$36,181,000	\$35,238,500
Line Items					
Attorney General	27,904,000	29,512,000	29,139,200	31,310,800	32,144,200
Contract Attorneys	1,820,300	643,800	464,200	2,014,100	300,000
Children's Justice Centers	1,999,300	2,177,500	2,253,500	2,319,200	2,204,700
Prosecution Council	490,500	425,500	532,000	458,700	511,000
Domestic Violence	68,600	84,400	77,300	78,200	78,600
Obscenity and Pornography Ombudsman	0	0	143,600	0	0
Total	\$32,282,700	\$32,843,200	\$32,609,800	\$36,181,000	\$35,238,500
Categories of Expenditure					
Personal Services	25,413,900	26,639,200	26,812,900	28,346,300	29,142,500
In-State Travel	137,100	121,900	147,800	134,300	197,600
Out of State Travel	150,100	115,600	116,500	186,500	216,300
Current Expense	6,175,200	5,250,800	5,048,800	6,883,500	5,160,300
DP Current Expense	399,800	715,700	483,800	604,800	521,800
DP Capital Outlay	6,600	0	0	25,600	0
Total	\$32,282,700	\$32,843,200	\$32,609,800	\$36,181,000	\$35,238,500
Other Data					
Total FTE	412.3	389.8	389.8	389.8	388
Vehicles	23	29	34	34	3

Table 2-1

ATTORNEY GENERAL**Function**

The Attorney General line item is the single largest line item within the office. It consists of eight programs and accounts for \$32,144,200 or 91.2 percent of the total budget.

Accountability

The office has outlined the following performance measures in keeping with its mission to uphold the constitutions of the United States and of Utah, enforce the law, provide counsel to state agencies and public officials, assist law enforcement, and protect the interests of the state, its people, environment and resources. The Attorney General examines its activities and performance in four principal areas:

1. Public Protection
2. State Protection
3. Environmental Protection
4. Criminal Prosecution

The following tables provide performance detail within the four principal areas previously listed.

Public Protection

Child and Family Support Division	FY 2002	FY 2003	FY 2004
Division caseload as of June	4,437	5,291	4,009
Average caseload per attorney 1	261	294	191
Number of court appearances statewide	5,367	6,664	5,972
Number of attorneys handling child support cases	18	18	18
Average number of appearances per attorney each month	26	31	24
Number of counties in which appearances were made	29	29	28
Number of tribes in which appearances were made 2	2	2	2
Total miles traveled for court coverage	50,813	76,178	67,922
Hours spent in travel	847	1,630	1,132
Total days spent in jail for contempt of court 3	2,971	2,996	6,758
Number of appeals in the last year	8	13	7
1 Does not include cases in which the agency does not refer the file			
2 Ute and Navajo tribal courts			
3 Plus 322 days community service			

Table 2-2

Child Protection Division	FY 2002	FY 2003	FY 2004
Total number of Juvenile Court cases		2,677	2,947
Average Juvenile Court case load per attorney		94	98
Out of home cases		1,292	1,653
Shelter hearings	1,799	1,509	1,752
Pre-trial hearings	1,698	1,016	2,806
Adjudications/Trials	1,613	978	2,723
Permanency hearings	1,004	719	629
Termination of parental rights trials	203	168	138
In home cases		1,385	738
Appeals		48	54
Administrative reviews		475	147

Table 2-3

Children's Justice Division	FY 2002	FY 2003	FY 2004
Prosecution - active cases	139	149	163
Investigations - active cases	20	47	19
Citizen Complaints - cases closed		7	4
Consultations - cases closed	47	7	6
Department of Human Services cases		2	28
Division of Youth Corrections cases		1	12
State Hospital cases		5	18
Law Enforcement/Prosecutor Trainings on Child Abuse/Domestic Violence/Stalking/Elder Abuse/Sex Assaults/Children's Justice	48	25	28
Children's Justice Division - Children's Justice Centers (15 statewide)			
Interviews conducted at the centers	3,920	4,431	4,653
Multidisciplinary staffing	1,904	3,656	4,046
Children and families served by the centers	11,292	14,288	14,077
Adult perpetrators	2,118	2,628	2,894
Juvenile perpetrators	1,358	1,680	1,869
Symposium attendees	460	420	480
Children's Justice Division - Criminal Non-Support			
Cases	283	283	452
Amount of child support collected	\$952,200	\$950,000	\$1,272,940
Children's Justice Division - Internet Crimes Against Children			
Cases	1,116	482	238
Arrests or pending arrests			55
Training Presentations	65	66	49

Table 2-4

Commercial Enforcement Division	FY 2002	FY 2003	FY 2004
DOPL cases opened	186	265	267
DOPL cases closed	111	247	209
Real Estate cases opened	34	79	33
Real Estate cases closed	30	74	58
Lien Recovery fund cases opened	222	206	138
Lien Recovery fund cases closed	67	102	90
Securities civil cases opened	91	86	58
Securities civil cases closed	81	97	35
Consumer Protection cases opened	53	62	80
Consumer Protection cases closed	77	52	38
Consumer complaints and inquiries processed	1,442	991	750
Consumer complaints resolved by AG or still pending	894	432	279
Consumer complaints referred to other appropriate agencies	548	559	471
Commercial Enforcement Division - Antitrust Prosecution			
Antitrust lawsuits filed	6	5	1
Cases in litigation at year end	5	1	6
Cases settled	4	9	5
Mergers reviewed	6	3	2
New investigations opened	13	12	7
Total investigations open at year end	11	12	14
Civil investigative demands (subpoenas) issued	13	80	29
Participation in amicus briefs	0	4	1
Amount received into antitrust	\$516,800	\$722,998	\$285,554
Amount received for consumer refunds, cy pres dist	\$0	\$687,113	\$573,148

Table 2-5

State Protection

Education Division	FY 2002	FY 2003	FY 2004
Delinquent student loan accounts collected for Utah Higher Education Assistance Administration	\$6,600,000	\$8,652,079	\$10,759,559
Delinquent patient accounts collected for University of Utah Hospital	\$3,743,360	\$3,953,728	\$4,001,061
Delinquent accounts collected for State Office of Debt Collection			\$207,160

Table 2-6

Litigation Division	FY 2002	FY 2003	FY 2004
Risk Management and other cases defended during reporting period	287	244	445

Table 2-7

State Agency Counsel Division	FY 2002	FY 2003	FY 2004
Number of state agencies served	37	39	35
Issues and cases handled:			
Governor	11	8	10
Chief Information Officer	15	17	15
Commission on Criminal and Juvenile Justice	7	21	20
Nuclear Waste Opposition	3	1	1
Lieutenant Governor (includes election matters)	5	72	70
Legislature--Defending Constitutional Challenges	8	7	5
Legislature--Miscellaneous Issues	2	6	3
Legislature--House/ Senate bills reviewed for fiscal impact (for entire office, not just SAC Division)	625	707	678
State Treasurer	5	11	5
State Auditor	2	9	5
Utah Travel Council	9	13	2
Administrative Services--State Records Committee / GRAMA	26	28	30
Administrative Services--Archives & Records Services	3	5	5
Administrative Services--Administrative Rules	5	8	8
Administrative Services--Purchasing	25	10	32
Administrative Services--Finance	10	0	7
Administrative Services--Fleet Services	10	1	3
Dept of Community and Economic Development (DCED)	60	450	300
DCED--Permanent Community Impact Fund Board	51	78	96
Department of Facilities Construction Management (DFCM)	530	505	438
Division of Public Utilities	100	100	100
Division of Public Utilities--Committee of Consumer Services	30	30	30
Drivers License Division – new cases	223	197	304
Drivers License Division – continuing cases	248	205	188
Drivers License Division – cases closed			220
Department of Transportation--new condemnation cases	32	66	39
Dept of Transportation-- continuing condemnation cases	138	82	116
Dept of Transportation-- condemnation cases settled	44	45	44
Department of Transportation--other matters	34	96	51
Department of Transportation--environmental cases	5	15	4
Board of Examiners	6	6	6
State Fair Park	8	10	4
Department of Alcoholic Beverage Control	80	110	80
Tobacco - NPM	3	27	34
Tobacco Issues - Other	50	43	52
National Guard / Veteran Affairs	8	5	1
Department of Agriculture	9	8	15
Utah Dairy Commission			3
Civil Review Committee	71	157	163
Indian Affairs	6	5	5
Utah Navajo Trust Fund	4	10	5
Contested extradition matters reviewed	54	35	38
Interstate detainer matters reviewed	54	57	60
Research and/or opinions to local government officials	24	10	10
Gambling Inquiries	60	60	70
Health Department – cases	15	46	58
Health Department – other matters	49	96	226
Human Services Department		2	3
Labor Commission UOSH - new cases		56	42
Labor Commission UOSH - continuing cases		63	54
State Agency Counsel Division continued on following page.			

State Agency Counsel Division cont'd.			
Training seminars conducted	6	29	42
Approximate dollar amounts at issue:			
UDOT (outdoor advertising)	\$20,000,000	\$17,000,000	\$17,000,000
UDOT (condemnation cases)	\$35,000,000	\$26,000,000	\$23,000,000
UDOT (environmental cases)	\$3,000,000	\$3,450,000	\$200,000
UDOT (other matters)		\$5,123,000	\$4,000,000
Tobacco claims -NPM	\$50,000	\$115,000	\$205,000
Tobacco - Medicaid recipients (10th Cir Ct)	\$1,000,000,000	\$1,000,000,000	Dismissed
Division of Public Utilities	\$675,000,000	\$400,000,000	\$400,000,000
Committee of Consumer Services	\$650,000,000	\$300,000,000	\$300,000,000
Permanent Community Impact Fund Board	\$30,000,000	\$29,000,000	\$40,000,000
Board of Examiners	\$20,300,000	\$20,300,000	\$20,300,000
National Guard	\$25,000,000	\$40,000,000	\$40,000,000
Department of Community Economic Development	\$7,000,000	\$7,000,000	\$7,000,000
Department Facilities Construction Management	\$55,000,000	\$48,000,000	\$18,500,000
Department of Health	\$860,000	\$35,000,000	\$42,000,000
Department of Health Administrative Proceeding before VA	\$750,000	\$750,000	\$750,000
Utah Health Insurance Comprehensive Pool			\$100,000
Labor Commission - UOSH		\$405,660	\$497,258

Table 2-8

Tax and Revenue Division	FY 2002	FY 2003	FY 2004
Matters handled for the Tax Commission	567	456	742
Estimated dollars at issue 1	\$158,200,000	\$198,074,000	\$176,424,427
Matters handled for the Insurance Commission	72	240	824
Matters handled for the Financial Institutions	15	22	27
Matters handled for State Auditor	7	7	4
State Bonding Cases	10	7	19
Chapter 13 Bankruptcy Matters	4,990	5,100	7,200
Chapter 11 Bankruptcy Matters	69	85	105
1 Estimated dollars at issue includes property tax revenue that is mainly county revenue, i.e., not state, and is based on a statewide estimated weighted average rate. These figures do not include estimated bankruptcy filings.			

Table 2-9

Environmental Protection

Environment Division	FY 2002	FY 2003	FY 2004
Cases in litigation at any one time	23	25	24
Administrative cases average	40	55	58
Enforcement cases average	35	35	37
Criminal investigations	37	34	32
PFS (High Level Nuclear Waste Hearing) 1	2.5	2.5	3
1 FTE			

Table 2-10

Natural Resources Division	FY 2002	FY 2003	FY 2004
Cases in litigation at any one time	85	80	70
Administrative hearing average per year	55	70	85
Natural Resources Division - Water Rights Adjudication			
Adjudicated Cases	10	10	14

Table 2-11

Criminal Prosecution

Appeals Division	FY 2002	FY 2003	FY 2004
Appeals Pending on 30 June (Death Penalty)	10	9	3
Appeals Pending on 30 June (Other)	359	385	376
Briefs Filed (Death Penalty)	5	4	5
Briefs Filed (Other)	225	199	213
Dispositions on Appeal (State Prevailed)	174	150	140
Dispositions on Appeal (Defendant Prevailed)	29	24	26
Post-Conviction cases pending on 30 June (Death Penalty)	3	7	8
Post-Conviction cases pending on 30 June (Other)	62	67	72
Post-conviction Dispositions (State Prevailed)	36	31	25
Post-conviction Dispositions (Defendant Prevailed)	0	0	0
Post-conviction Dispositions (Other)	2	4	1

Table 2-12

Criminal Justice Division	FY 2002	FY 2003	FY 2004
General Criminal Prosecution			
Cases in which assistance was provided to county attorneys	500	425	520
Criminal Complaints and inquires handled	350	320	400
Statutes drafted which passed	12	11	13
Training presentations conducted			14
Participation in councils, task forces and committees	15	12	12
Murder cases in which assistance was given to county attorneys	20	21	22
Capital Murder Cases filed	2	1	0
Capital murder convictions obtained	0	2	2
Capital Cases pending		2	0
Capital Cases upheld on appeal		2	0
Public corruption cases filed		8	5
Public corruption defendants convicted		5	2
Public corruption cases pending		3	7
Cyber-crime cases filed			3
Cyber-crime defendants convicted			2
Cyber-crime cases pending			5
Other criminal cases filed			1
Other Criminal defendants convicted			3
Restitution ordered		\$777,447	\$232,488
Restitution collected		\$465,000	\$74,000

Table 2-13

Criminal Justice Division - Corrections			
Appellate Briefs filed	3	7	7
Sua Sponte Dispositions	6	9	8
Cases involved as Intervener	2	2	1
Federal Habeas Corpus cases handled	5	5	2
Responses filed in Federal Court	6	2	5
State Habeas Corpus cases handled	41	60	41
Career Service Review Board Cases	6	10	4
Subpoenas handled	6	50	65
Parole Revocation Cases	33	28	24
Hours instructing at Fred House Academy	80	80	80
Execution Preparation	1	2	0
Federal Injunction Case			1
Objections/clarifications of orders filed			2
Objection to petition for fees case			1
Contract cases			3

Table 2-14

Criminal Justice Division - Criminal Tax Prosecution			
Investigations	24	37	50
Cases handled			98
Non-tax cases handled			12
Referrals	5	25	29
Assistance to other jurisdictions for tax fraud prosecutions	0	3	4
Criminal Cases Filed	7	10	7
Defendants Convicted	9	12	6
Defendants Incarcerated	0	4	5
Community Service Hours Ordered	1500	1300	550
Restitution Ordered 1	\$450,000	\$1,260,150	\$2,000,000+
Restitution collected			\$526,490
Fines	\$10,000	\$11,050	\$15,000
Major Post-conviction Litigation	16	30	32

1 Restitution numbers reflect a minimum number as they do not include the penalty, taxes or interest that are assessed by the Tax Commission as a result of our convictions.

Table 2-15

Criminal Justice Division - Financial Crimes Unit			
Number of cases pending from prior year	21	32	18
Number of new criminal cases opened	57	42	80
Number of criminal cases completed	23	28	30
Number of defendants identified and/or charged	60	64	107
Number of victims identified for restitution	400	433	610
Restitution ordered/convictions	\$5,500,000	\$5,898,000	\$13,243,041
Restitution Collected 1	\$549,333	\$336,778	\$310,000

1 Does not include restitution collected by AP&P.

Table 2-16

Criminal Justice Division - Insurance Fraud			
Cases screened	259	194	212
Cases opened for investigation	480	522	569
Cases filed	97	95	106
Felony counts charged			342
Misdemeanor counts charged			29
Total case load as of July 1st 2004	235	238	281
Defendants convicted	82	65	97
Estimated restitution ordered a	\$600,000	\$35,370,000 a	\$800,000

a Includes title fraud cases with restitution totaling approximately \$35,000,000.

Table 2-17

Criminal Justice Division - Medicaid Fraud			
New Investigations	82	105	142
Patient funds investigations			38
Abuse and neglect investigations			64
Provider fraud investigations			40
Investigations Closed	111	52	95
Pre-filing diversions			3
Number Convicted	12	19	11
Trainings provided			16
Number of persons trained			5,615
Restitution Ordered	\$370,000	\$625,830	\$2,379,904

Table 2-18

Criminal Justice Division - Methamphetamine Lab Prosecution			
Cases Handled	267	258	204
Cases Filed	129	108	112
Cases Closed	118	170	72
Files Reverted to Salt Lake DA		71	0
Sentenced to Prison	42	54	65
Sentenced to Probation	22	13	2
Sentenced to Jail	27	10	0
Cases Dismissed		7	3
Cases Dismissed in Favor of State Prosecution			2
Plea in Abeyance		1	0
Drug Court		3	0
State Jurisdiction	203	146	2
Federal Jurisdiction	64	112	202
Clandestine Lab Cases	116	82	72
Drug Cases	142	162	132
Other Cases	18	14	0
Felony charges filed	114	108	112

Table 2-19

Criminal Justice Division - Public Safety			
Investigations opened re: peace officer certification	119	142	62
Decertifications or denial of training	42	57	28
Appeals of denial of concealed weapon permits	86	111	66
Appeals of denial of bail bond certification	51	47	2
Appeals of denial of private investigator certification	46	43	7
Expungement denial cases in District Court	12	7	0
Response to GRAMA requests	24	46	15
Search and Rescue Applications reviewed	485	560	446
Fire prevention Board Rule review Hearings	2	1	3
Crime Victim Reparation Denial Appeals	13	20	32
Recovery of Crime Victims Reparations Funds		\$82,700	\$331,650
UHP Safety Inspection Cases			179

Table 2-20

Criminal Justice Division - Unemployment Insurance Fraud			
Active caseload		70	98
Cases Filed	35	44	28
Convictions obtained	17	27	27
Offenders sentenced to jail or prison	1	1	2
Restitution ordered	\$166,446	\$225,295	\$261,123
Community service hours ordered	673	570	350

Table 2-21

Criminal Justice Division - Public Assistance Fraud			
Active Caseload		124	69
Cases Screened for Prosecution	4	7	7
Court Appearances		57	34
Convictions obtained	1	3	5
Offenders sentenced to jail or prison	1	8	5
Restitution ordered	\$16,300	\$89,162	\$72,568
Restitution payments received			\$153,969

Table 2-22

Criminal Justice Division - Firearms Prosecutor			
Cases handled	n/a	62	74
Felony cases filed (all are felonies)	n/a	30	42
Cases closed	n/a	10	18
Files Reverted to Salt Lake DA	n/a	8	12
Sentenced to prison	n/a	25	38
Sentenced to probation	n/a	5	4
Firearm and Drug Cases (combined, but not included above)	n/a	14	22

Table 2-23

Funding Detail

Attorney General					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	15,755,700	16,083,300	15,105,900	15,300,700	16,326,600
General Fund, One-time	0	0	700,200	280,200	123,500
Federal Funds	971,500	663,200	442,300	1,519,000	1,106,000
Dedicated Credits Revenue	11,227,000	12,035,500	12,372,900	13,004,200	12,819,500
GFR - Commerce Service	793,300	429,000	434,400	443,600	456,900
GFR - Constitutional Defense	0	0	0	120,000	123,600
GFR - Tobacco Settlement	0	100,000	100,000	100,000	100,000
Antitrust Revolving	159,900	228,400	0	0	0
Attorney General Litigation Fund	0	0	252,100	255,600	256,100
Transfers	141,000	0	0	0	0
Transfers - Commission on Criminal and Ju	12,100	4,500	48,100	94,800	77,000
Transfers - Other Agencies	0	144,000	71,000	57,000	55,000
Beginning Nonlapsing	3,800	1,160,100	1,336,000	1,723,700	700,000
Closing Nonlapsing	(1,160,300)	(1,336,000)	(1,723,700)	(1,588,000)	0
Total	\$27,904,000	\$29,512,000	\$29,139,200	\$31,310,800	\$32,144,200
Programs					
Administration	1,329,600	2,197,500	1,506,200	1,586,400	2,938,000
Anti-Trust Prosecution	159,600	229,000	251,700	256,000	256,100
Child Protection	4,064,000	4,588,000	4,306,900	4,713,600	4,803,400
Children's Justice	759,600	937,300	761,000	1,022,200	774,800
Public Advocacy	7,521,100	6,878,200	7,278,600	7,993,900	8,639,100
Public Lands	0	0	0	120,000	123,600
State Counsel	13,931,100	14,529,400	14,886,700	15,432,400	14,464,200
Water Rights Adjudication	139,000	152,600	148,100	186,300	145,000
Total	\$27,904,000	\$29,512,000	\$29,139,200	\$31,310,800	\$32,144,200
Categories of Expenditure					
Personal Services	24,806,600	26,015,900	26,024,900	27,888,000	28,640,100
In-State Travel	105,500	85,600	106,500	109,000	156,400
Out of State Travel	131,600	94,900	99,800	170,300	201,700
Current Expense	2,488,500	2,615,200	2,476,800	2,553,500	2,664,700
DP Current Expense	371,800	700,400	431,200	564,400	481,300
DP Capital Outlay	0	0	0	25,600	0
Total	\$27,904,000	\$29,512,000	\$29,139,200	\$31,310,800	\$32,144,200
Other Data					
Total FTE	400.8	377.5	380.8	377.5	382.8
Vehicles	23	29	34	34	34

Table 2-24

Special Funding

Restricted Funds Summary - (Attorney General)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Commerce Service Fund	67-5-3	Funds deposited into the Commerce Service Fund Account	Legal assistance performed by the Attorney General	\$2,743,400
Constitutional Defense Restricted Account	63C-4-103	Voluntary contributions; monies received by the Constitutional Defense Council from other state agencies; and appropriations made by the Legislature	Public lands counsel and assistance and litigation to the state or local governments including asserting, defending, or litigating state and local government rights under R.S. 2477 in accordance with a plan developed and approved as provided in Section 63C-4-104	\$505,400
Tobacco Settlement Restricted Account	63-97-201	All funds of every kind that are received by the state that are related to the settlement agreement that the state entered into with the leading tobacco manufacturers	Legal assistance for the enforcement of the agreement	\$5,246,700

Table 2-25

ADMINISTRATION

Function

The Administration program coordinates and supervises the work of attorneys, directs prosecutorial efforts on a state level, and provides all central services for the office. These services include fiscal, budgetary, computer, facilities and personnel matters as well as acquisitions and other expenditures.

Funding Detail

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,329,600	2,193,400	1,198,400	1,360,700	2,922,000
General Fund, One-time	0	0	300,000	230,500	16,000
Transfers - Commission on Criminal and Ju	0	4,500	0	0	0
Beginning Nonlapsing	800	800	9,000	1,200	0
Closing Nonlapsing	(800)	(1,200)	(1,200)	(6,000)	0
Total	\$1,329,600	\$2,197,500	\$1,506,200	\$1,586,400	\$2,938,000
Categories of Expenditure					
Personal Services	1,016,000	1,568,500	1,057,700	1,230,000	2,472,100
In-State Travel	6,000	2,900	5,000	5,900	5,000
Out of State Travel	23,000	12,400	14,500	12,900	14,500
Current Expense	272,400	572,800	406,100	221,000	397,200
DP Current Expense	12,200	40,900	22,900	97,800	49,200
DP Capital Outlay	0	0	0	18,800	0
Total	\$1,329,600	\$2,197,500	\$1,506,200	\$1,586,400	\$2,938,000
Other Data					
Total FTE	35.0	29.5	31.0	29.5	31.0
Vehicles	7	7	7	7	7

Table 2-26

ANTITRUST PROSECUTION**Function**

The Antitrust Act allows the Attorney General to pursue antitrust cases. During the 2002 General Session, the Legislature transferred the funds from the Antitrust Revolving Account to the Attorney General Litigation Fund. Funds in this account are restricted for use in investigation and prosecution of antitrust litigation. Use of these funds is limited to amounts appropriated by the Legislature.

Funding Detail

Anti-Trust Prosecution					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Antitrust Revolving	159,900	228,400	0	0	0
Attorney General Litigation Fund	0	0	252,100	255,600	256,100
Beginning Nonlapsing	500	700	0	400	0
Closing Nonlapsing	(800)	(100)	(400)	0	0
Total	\$159,600	\$229,000	\$251,700	\$256,000	\$256,100
Categories of Expenditure					
Personal Services	134,200	184,900	217,000	227,300	221,200
In-State Travel	2,900	300	100	400	200
Out of State Travel	8,500	12,900	6,900	6,300	6,900
Current Expense	14,000	30,000	25,900	20,700	26,100
DP Current Expense	0	900	1,800	1,300	1,700
Total	\$159,600	\$229,000	\$251,700	\$256,000	\$256,100
Other Data					
Total FTE	2.0	2.0	2.0	2.0	2.0

Table 2-27

CHILD PROTECTION**Function**

The Child Protection Division of the Attorney General's office is the result of the passage of the Child Welfare Reform Act in the 1994 General Session. Under the Child Welfare Reform Act, the Attorney General represents the Division of Family Services in abuse and neglect cases.

Providing a safe living environment can involve something as drastic as permanently removing a child from an abusive home and making the child available for adoption. Usually it will involve other alternatives such as temporary shelter, foster care, or protective supervision of the child in his or her own home. All of these circumstances require court action and the involvement of the AG's office. The Child Protection Division advises the Division of Child and Family Services (DCFS) regarding a decision to remove a child from his or her home; represents DCFS in all court and administrative proceedings related to child abuse, neglect, and dependency, including but not limited to shelter hearings, dispositional hearings, dispositional review hearings, periodic review hearings, and petitions for termination of parental rights; advises DCFS caseworkers on an ongoing basis; and represents the Division of Human Services Department of Licensing that issues licenses for social service programs, such as child care centers and residential treatment centers.

Funding Detail

Child Protection					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,156,800	2,953,300	3,089,300	3,167,800	2,906,300
General Fund, One-time	0	0	400,200	10,000	23,600
Dedicated Credits Revenue	1,752,600	2,115,500	1,137,000	1,170,100	1,173,500
Beginning Nonlapsing	900	846,200	1,327,000	1,646,600	700,000
Closing Nonlapsing	(846,300)	(1,327,000)	(1,646,600)	(1,280,900)	0
Total	\$4,064,000	\$4,588,000	\$4,306,900	\$4,713,600	\$4,803,400
Categories of Expenditure					
Personal Services	3,551,200	4,062,900	3,689,500	4,004,200	3,906,400
In-State Travel	30,200	28,200	35,100	30,000	85,100
Out of State Travel	5,600	2,400	4,700	3,000	104,700
Current Expense	396,700	369,200	492,000	580,400	600,100
DP Current Expense	80,300	125,300	85,600	96,000	107,100
Total	\$4,064,000	\$4,588,000	\$4,306,900	\$4,713,600	\$4,803,400
Other Data					
Total FTE	61.0	64.8	58.8	64.8	59.8
Vehicles	5	5	5	5	5

Table 2-28

CHILDREN'S JUSTICE**Function**

The division provides advice, expertise and training on criminal prosecution of child abuse to prosecutors and investigators throughout the state who need technical assistance and experience in investigating and prosecuting child abuse cases. The attorneys often act as co-counsel with local prosecutors on complex, multi-jurisdictional, or conflict of interest child abuse cases. Frequently, an attorney from the division will assume complete control of a case.

The division is also responsible for coordination of the Children's Justice Center Program and staff support to the State Advisory Board on Children's Justice. One division attorney provides domestic violence training throughout the state to prosecutors, law enforcement officials, DCFS employees and other professionals. This attorney also prepares and updates a domestic violence manual. A division attorney represents the Division of Juvenile Justice Services.

The division employs forensic investigators who investigate allegations of abuse or neglect committed by foster parents or other licensed providers against children in DCFS custody. Division attorneys draft legislation in the areas of child abuse, domestic violence and elder abuse. They participate as members of Primary Children's Medical Center Child Protection Team, the state Child Fatality Review Committee, the state Domestic Violence Advisory Council, the Domestic Violence Governmental Affairs Subcommittee, the Governor's Cabinet Council on Domestic Violence, the Disproportionate Minority Confinement Task force, American Professional Society for the Abuse of Children, Child Abuse and Neglect Advisory Council and other state committees related to child abuse and domestic violence.

Funding Detail

Children's Justice					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	747,600	939,000	736,700	887,200	612,200
General Fund, One-time	0	0	0	2,100	4,600
Dedicated Credits Revenue	0	0	30,700	145,700	158,000
Transfers - Commission on Criminal and Ju	12,100	0	0	0	0
Transfers - Other Agencies	0	100	0	0	0
Beginning Nonlapsing	0	100	0	6,400	0
Closing Nonlapsing	(100)	(1,900)	(6,400)	(19,200)	0
Total	\$759,600	\$937,300	\$761,000	\$1,022,200	\$774,800
Categories of Expenditure					
Personal Services	636,500	880,600	686,000	914,300	699,200
In-State Travel	7,400	4,100	4,200	4,900	4,200
Out of State Travel	3,000	1,400	2,800	5,500	2,800
Current Expense	106,100	44,000	58,200	89,300	58,800
DP Current Expense	6,600	7,200	9,800	8,200	9,800
Total	\$759,600	\$937,300	\$761,000	\$1,022,200	\$774,800
Other Data					
Total FTE	9.0	5.8	9.0	5.8	9.0

Table 2-29

PUBLIC ADVOCACY

Function	The Public Advocacy Program consists of four divisions: Tax and Revenue, Criminal (including investigators), Environment and Consumer Rights. Unlike the State Counsel functions, this program focuses on regulatory functions and prosecutorial activities.
<i>Tax and Revenue</i>	The attorneys of the Tax and Revenue Division provide support to the State Tax Commission, State Insurance Department, Department of Financial Institutions, and state entities that issue bonds. They ensure that Utah's monetary assets are defended against those who would evade payment of their legal share of taxes due. They also represent the agencies that regulate insurance companies and financial institutions, so citizens have the insurance and protection of deposits they expect. They also represent state entities issuing general obligations and revenue bonds to be certain amounts and conditions imposed by the Legislature are observed.
<i>Criminal</i>	The Criminal Division has extensive experience in criminal prosecutions, with special expertise in homicide and public corruption cases. They investigate and prosecute crimes when county attorneys are disqualified or need additional resources; assist county attorneys throughout the state with other major prosecutions; review and investigate and respond to complaints and inquiries from law enforcement agencies, citizens, and legislators; and provide assistance to state and federal agencies. The division incorporates prosecutors specializing in insurance fraud, narcotics enforcement, Medicaid fraud, Welfare fraud, criminal nonsupport, financial crimes and money laundering.
<i>Environment</i>	The Environment Division provides legal support to the Utah Department of Environmental Quality (DEQ). The division's objectives include protection of the Utah environment against those who would pollute or otherwise destroy it. Major programs implemented are in the areas of air quality plans and permitting, hazardous waste treatment and disposal, leaking underground storage tanks, historical hazardous substances disposal/superfund sites, surface water and groundwater protection, drinking water, and radiation. The Environment Division is also responsible for investigation of environmental crimes and coordination with local and federal law enforcement officials.
<i>Consumer Rights</i>	The attorneys of this division represent the Department of Commerce; specifically, the Division of Occupational and Professional Licensing (which licenses over 50 professions in the state), Division of Real Estate (which licenses real estate agents and brokers and appraisers), Division of Securities (which licenses stockbrokers and agents), Division of Consumer Protection, and Division of Corporations. The division enforces antitrust laws and participates in multi-state antitrust enforcement. It criminally and civilly prosecutes securities, consumer, and other white collar fraud cases.

Funding Detail

Public Advocacy					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,494,900	4,843,600	4,911,300	4,481,400	5,491,100
General Fund, One-time	0	0	0	20,400	43,600
Federal Funds	971,500	663,200	442,300	1,519,000	1,106,000
Dedicated Credits Revenue	1,054,900	1,193,900	1,837,800	1,877,500	1,866,400
GFR - Commerce Service	0	0	0	7,600	0
Transfers	73,400	0	0	0	0
Transfers - Commission on Criminal and Ju	0	0	48,100	94,800	77,000
Transfers - Other Agencies	0	105,800	71,000	57,000	55,000
Beginning Nonlapsing	200	73,800	0	31,900	0
Closing Nonlapsing	(73,800)	(2,100)	(31,900)	(95,700)	0
Total	\$7,521,100	\$6,878,200	\$7,278,600	\$7,993,900	\$8,639,100
Categories of Expenditure					
Personal Services	6,438,700	6,132,300	6,268,200	6,815,400	7,613,900
In-State Travel	19,300	29,600	25,500	24,800	25,300
Out of State Travel	51,900	41,600	55,400	117,100	57,400
Current Expense	873,400	623,900	803,600	852,300	814,100
DP Current Expense	137,800	50,800	125,900	177,500	128,400
DP Capital Outlay	0	0	0	6,800	0
Total	\$7,521,100	\$6,878,200	\$7,278,600	\$7,993,900	\$8,639,100
Other Data					
Total FTE	104.8	96.5	100.8	96.5	100.8
Vehicles	11	17	20	20	20

Table 2-30

PUBLIC LANDS

Function

This program provides legal service to protect the right of citizens to reasonable access and use of public lands, typically federal BLM and US Forest Services Lands. The program takes legal action or intervenes in other legal actions involving BLM and Forest Service administrative decisions regarding such use. It is a goal of the Natural Resources Division with the Attorney General’s Office to represent the Department of Natural Resources and its divisions in matters involving reasonable public access to, and use of public lands.

Funding Detail

Public Lands					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
GFR - Constitutional Defense	0	0	0	120,000	123,600
Total	\$0	\$0	\$0	\$120,000	\$123,600
Categories of Expenditure					
Personal Services	0	0	0	113,100	123,600
In-State Travel	0	0	0	100	0
Out of State Travel	0	0	0	1,500	0
Current Expense	0	0	0	4,700	0
DP Current Expense	0	0	0	600	0
Total	\$0	\$0	\$0	\$120,000	\$123,600
Other Data					
Total FTE	0.0	0.0	0.0	0.0	1.0

Table 2-31

STATE COUNSEL

Function There are six divisions within the State Counsel section: Child and Family Support, State Agency Counsel, Education, Appeals, Natural Resources and Litigation. The functions of State Counsel involve advising state agencies and defending these agencies against pending litigation.

Child & Family Support The Child and Family Support Division serves as legal counsel to the Office of Recovery Services (ORS) and the Department of Health (DOH).

As counsel to ORS, the division assists in carrying out federally mandated services such as establishing paternity, establishing child support obligations, modifying support orders, enforcing support orders in the state and establishing and enforcing support orders from other states and countries. With welfare reform limiting the period in which a custodial parent can receive financial assistance, it becomes crucial that child support is paid. The division also handles appeals for ORS.

The division also recoups Medicaid funds and TANF funds which are improperly received, and recovers Medicaid funds from liable third parties.

For the Department of Health, the office provides legal advice on a variety of legal issues, including: Medicaid eligibility; contract disputes, health care facility licensing and program compliance; and records access, including confidentiality issues. The division also appears as counsel in administrative hearings to determine Medicaid and UMAP (Utah Medical Assistance Program) eligibility.

State Agency Counsel The State Agency Counsel Division provides legal advice and representation to 36 state agencies. The division responds to public complaints regarding local public officials, open meetings, governmental records access, land use planning, and conflicts of interest.

Education The Education Division provides legal counsel to the State Board of Regents and the ten state higher education institutions. The division also provides legal counsel to the State Board of Education and the various state public education entities under the board's direct control and supervision. The division provides attorneys to handle legal issues such as civil rights, employment disputes, collections, contracts, torts, real property, copyright and patent, and compliance with state and federal statutory and regulatory requirements.

Criminal Appeals The Criminal Appeals Division handles the following types of cases:

1. All direct appeals involving state capital homicide convictions
2. All direct appeals involving state felony conviction and sentences
3. All interlocutory appeals involving pre-conviction rulings in state felony or capital homicide cases
4. All direct and interlocutory appeals involving Serious Youth Offenders
5. All direct and interlocutory appeals from juvenile court involving juveniles retained in juvenile court but charged or adjudicated guilty of an offense which would be a felony if committed by an adult

6. All state's appeals of dismissals or other termination of felony prosecutions, typically from pretrial dismissal of a felony information or suppression of evidence
7. All post-conviction state trial proceedings under rule 65c, Utah Rules of Civil Procedure, in which a convicted felon or capital murderer collaterally challenges his conviction or sentence
8. All direct appeals of state post-convictions proceedings
9. All habeas corpus federal trial proceedings in which state-convicted felons or capital murderers collaterally challenge their convictions in de novo federal proceedings
10. All direct appeals of federal habeas corpus proceedings
11. All petitions for certiorari review filed in the United States Supreme Court involving state felony or capital homicide convictions
12. All rule 23B, Utah Rules of Appellate procedure, proceedings in district and appellate courts (evidentiary proceedings involving claims of ineffective assistance of counsel) involving felony or capital homicide convictions
13. All petitions for release of convicted felons, petitions for certificates of probable cause, filed in appellate courts
14. All summary disposition appellate proceedings involving felons

In addition, the Criminal Appeals Division consults and otherwise assists trial prosecutors throughout the state on a regular basis in capital murder trials, search and seizure cases, and other major trials involving complex evidentiary or constitutional issues. This includes weekly requests for research, requests for help in preparing memorandums, requests for review of district court rulings, assistance in preparing jury instructions, and advice on the admissibility of evidence during trials.

The division regularly participates in providing training to trial prosecutors, as well as police and probation officers, through the SWAP and other educational forums. They have also developed a computerized index of major Utah and U.S. Supreme Court cases which prosecutors throughout the state may use for quick research and reference through the AG Internet page.

The appellate courts insist on very tight deadlines, with priority given to capital murder and imprisoned defendants. The appellate courts are extremely reluctant to grant more than one 30-day extension to the state in submitting a brief. The Rules of Appellate Procedure permit the appellate court to refuse to accept a late-filed brief or to prohibit the state from orally arguing a case in which a brief was submitted as little as one day late.

Natural Resources

This division provides legal and litigation support to Utah Department of Natural Resources and its various divisions. The division also represents the state in matters of Indian Law.

Litigation

The Litigation Division defends lawsuits against the state, its agencies, school districts and employees from lawsuits involving claims for damages. These cases typically involve civil rights, employment matters and personal injury claims. The division also acts as agency counsel for Risk Management; and handles most of the office's civil appeals.

Funding Detail

State Counsel					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	4,881,000	5,007,200	5,161,900	5,254,300	4,383,500
General Fund, One-time	0	0	0	16,700	34,700
Dedicated Credits Revenue	8,419,500	8,726,100	9,227,300	9,774,700	9,489,100
GFR - Commerce Service	793,300	429,000	434,400	436,000	456,900
GFR - Tobacco Settlement	0	100,000	100,000	100,000	100,000
Transfers	67,600	0	0	0	0
Transfers - Other Agencies	0	38,100	0	0	0
Beginning Nonlapsing	1,400	231,700	0	36,900	0
Closing Nonlapsing	(231,700)	(2,700)	(36,900)	(186,200)	0
Total	\$13,931,100	\$14,529,400	\$14,886,700	\$15,432,400	\$14,464,200
Categories of Expenditure					
Personal Services	12,896,900	13,041,200	13,966,400	14,405,000	13,466,800
In-State Travel	39,600	20,500	36,600	42,400	36,600
Out of State Travel	39,100	23,700	15,100	23,500	15,000
Current Expense	821,800	970,100	685,200	779,600	762,400
DP Current Expense	133,700	473,900	183,400	181,900	183,400
Total	\$13,931,100	\$14,529,400	\$14,886,700	\$15,432,400	\$14,464,200
Other Data					
Total FTE	187.0	177.0	177.3	177.0	177.3
Vehicles	0	0	2	2	2

Table 2-32

WATER RIGHTS ADJUDICATION**Function**

The program consists of two attorneys working fulltime with the State Engineer's Office of Water Rights Adjudication. In addition, the two attorneys in the Natural Resources Division who are assigned to the State Engineer's Office also devote significant time to this effort. The program was set up by the Legislature to ensure that at least two attorneys are working fulltime on these adjudications.

The water adjudication attorneys work with the State Engineer's staff in preparing recommendations to the various district courts on pending adjudication actions. Where disputes over those recommendations arise, the attorneys prepare answers and litigate or negotiate settlements of the various disputes. The adjudication of the tens of thousands of water rights throughout the state will provide certainty over water rights for thousands of water users.

The general adjudication process also includes the various reserved water rights claims of the United States, including reserved water rights for Indian reservations, national parks and monuments, national wildlife refuges and forest service lands. Under federal law, these claims must be adjudicated in state court as part of the general adjudications process.

Funding Detail

Water Rights Adjudication					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	145,800	146,800	8,300	149,300	11,500
General Fund, One-time	0	0	0	500	1,000
Dedicated Credits Revenue	0	0	140,100	36,200	132,500
Beginning Nonlapsing	0	6,800	0	300	0
Closing Nonlapsing	(6,800)	(1,000)	(300)	0	0
Total	\$139,000	\$152,600	\$148,100	\$186,300	\$145,000
Categories of Expenditure					
Personal Services	133,100	145,500	140,100	178,700	136,900
In-State Travel	100	0	0	500	0
Out of State Travel	500	500	400	500	400
Current Expense	4,100	5,200	5,800	5,500	6,000
DP Current Expense	1,200	1,400	1,800	1,100	1,700
Total	\$139,000	\$152,600	\$148,100	\$186,300	\$145,000
Other Data					
Total FTE	2.0	2.0	2.0	2.0	2.0

Table 2-33

CONTRACT ATTORNEYS

Function The Contract Attorney line item has only one program—the Contract Attorneys program. This program is used to record the costs of outside contract attorneys used through the state. Agencies desiring outside counsel approved by the Attorney General have expenses paid from this fund and must reimburse the fund in full.

Statutory Authority Statutory Authority for the Contract Attorney line item is found in UCA 67-5-5.

Funding Detail

Contract Attorneys					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	624,300	0	0	0
General Fund, One-time	0	0	0	1,197,900	0
Dedicated Credits Revenue	1,015,200	643,800	464,200	965,200	300,000
GFR - Tobacco Settlement	0	180,800	0	0	0
Beginning Nonlapsing	0	(805,100)	0	0	0
Closing Nonlapsing	805,100	0	0	(149,000)	0
Total	\$1,820,300	\$643,800	\$464,200	\$2,014,100	\$300,000
Programs					
Contract Attorneys	1,820,300	643,800	464,200	2,014,100	300,000
Total	\$1,820,300	\$643,800	\$464,200	\$2,014,100	\$300,000
Categories of Expenditure					
Current Expense	1,820,300	643,800	464,200	2,014,100	300,000
Total	\$1,820,300	\$643,800	\$464,200	\$2,014,100	\$300,000

Table 2-34

CHILDREN’S JUSTICE CENTERS

Function The Children’s Justice Centers Line Item has only one program—the Children’s Justice Centers Program. The Children’s Justice Centers (CJCs) are homelike facilities that serve children who have been physically or sexually abused and who will be required to appear in court as witnesses against their abusers. A multi-disciplinary team coordinates the interview and investigation process. The CJC staff assesses the needs of the children and families for support services. The focus and function of the Children’s Justice Centers is to coordinate all involved agencies to reduce trauma to the child and enhance communication and services for victims.

Statutory Authority Statutory Authority governing Children’s Justice Centers is found in UCA 67-5b.

Funding Detail

Children's Justice Centers					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,914,000	2,133,300	2,047,900	2,052,800	2,056,600
General Fund, One-time	0	0	0	1,000	25,800
Federal Funds	113,000	65,300	124,600	329,000	122,300
Beginning Nonlapsing	39,300	67,100	88,200	7,200	0
Closing Nonlapsing	(67,000)	(88,200)	(7,200)	(70,800)	0
Total	\$1,999,300	\$2,177,500	\$2,253,500	\$2,319,200	\$2,204,700
Programs					
Children's Justice Centers	1,999,300	2,177,500	2,253,500	2,319,200	2,204,700
Total	\$1,999,300	\$2,177,500	\$2,253,500	\$2,319,200	\$2,204,700
Categories of Expenditure					
Personal Services	282,300	275,100	265,800	105,800	99,700
In-State Travel	1,200	2,200	3,400	1,600	3,300
Out of State Travel	7,400	8,700	6,100	4,500	6,000
Current Expense	1,688,600	1,882,900	1,970,000	2,202,900	2,095,700
DP Current Expense	13,200	8,600	8,200	4,400	0
DP Capital Outlay	6,600	0	0	0	0
Total	\$1,999,300	\$2,177,500	\$2,253,500	\$2,319,200	\$2,204,700
Other Data					
Total FTE	6.5	6.8	1.5	6.8	1.5

Table 2-35

PROSECUTION COUNCIL

Function The Prosecution Council line item has only one program—the Prosecution Council program. The council was created by legislative act in 1990. The statutory charge of the council is to: “(a) provide training and continuing legal education for the State and local prosecutors; (b) provide assistance to local prosecutors; and (c) as funds are available provide reimbursement for unusual expenses relative to prosecution for violations of State Laws.” The council is funded from the Public Safety Support Fund.

The Prosecution Council, though housed in the Attorney General’s office for administrative purposes, has a separate, statutorily created charter and board of directors to whom the council’s director and staff are responsible. The AG’s office provides budgeting and accounting support and day-to-day management supervision through the Criminal Division.

Staff members are coordinators for the Interstate Agreement on Detainers and the Uniform Criminal Extradition Act. In this capacity, they review extradition cases on behalf of the Attorney General’s Office and advise the Governor’s Extradition’s Coordinator on legal matters concerning extradition.

Statutory Authority Statutory Authority governing the Prosecution Council is found in UCA 67-5a.

Accountability The council has established the following activities and performance measures listed in the following table:

Criminal Justice Division - Prosecution Council	FY 2002	FY 2003	FY 2004
Utah Municipal Prosecutors Association Conference	35	39	34
Basic Prosecutor Course	67	25	46
Fall Prosecutor Training Conference	125	118	130
Utah Prosecutorial Assistants Association Conference	100	110	91
County Attorneys Executive Conference	27	36	35
Spring Training Conference	260	250	277
Regional Legislative Updates (April and May)	263	400	589
Domestic Violence Conference			121
Number of Counties using the case management system	19	20	19
Number of Cities using the case management system	16	18	19
Civil Practice Conference (civil law attorneys in county & city offices)	60	60	53
Cyber Crime Conference (with AG and US Atty)	not held in FY02	not held in FY03	135

Table 2-36

Funding Detail

Prosecution Council					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Public Safety Support	418,100	489,500	493,500	500,100	511,000
Transfers - Commission on Criminal and Ju	48,700	24,800	4,900	0	0
Beginning Nonlapsing	24,300	600	57,800	0	0
Closing Nonlapsing	(600)	(57,800)	0	(16,800)	0
Lapsing Balance	0	(31,600)	(24,200)	(24,600)	0
Total	\$490,500	\$425,500	\$532,000	\$458,700	\$511,000
Programs					
Prosecution Council	490,500	425,500	532,000	458,700	511,000
Total	\$490,500	\$425,500	\$532,000	\$458,700	\$511,000
Categories of Expenditure					
Personal Services	280,900	274,000	313,200	294,000	334,200
In-State Travel	28,600	33,100	37,200	21,600	37,200
Out of State Travel	11,100	11,800	10,600	11,100	8,600
Current Expense	155,500	99,900	127,500	96,000	90,500
DP Current Expense	14,400	6,700	43,500	36,000	40,500
Total	\$490,500	\$425,500	\$532,000	\$458,700	\$511,000
Other Data					
Total FTE	4.0	4.5	4.5	4.5	4.5

Table 2-37

Special Funding

Restricted Funds Summary - (Prosecution Council)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Public Safety Support Account	67-5a-8	The revenue source is a surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts and allocated among various law enforcement programs	Administration costs of the Prosecution Council	\$0

Table 2-38

DOMESTIC VIOLENCE

Function The Legislature provides funding for the training of municipal and county prosecutors in the prosecution of domestic violence offenses. Responsibility for the administration of the training effort was given to the Attorney General. Funding for the program is .05 percent of the Criminal Fine Surcharge Account. Since 1991, Utah Prosecution Council has sponsored an annual, multi-disciplinary Domestic Violence Conference at which prosecutors meet and confer with domestic violence professionals from other agencies.

Statutory Authority Statutory Authority governing Domestic Violence is found in UCA 63-63a-6.

Funding Detail

Domestic Violence					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Domestic Violence	0	77,700	78,500	78,500	78,600
GFR - Public Safety Support	72,200	0	0	0	0
Transfers - Commission on Criminal and Ju	0	0	0	10,800	0
Beginning Nonlapsing	3,600	7,200	500	0	0
Closing Nonlapsing	(7,200)	(500)	0	(11,100)	0
Lapsing Balance	0	0	(1,700)	0	0
Total	\$68,600	\$84,400	\$77,300	\$78,200	\$78,600
Programs					
Domestic Violence	68,600	84,400	77,300	78,200	78,600
Total	\$68,600	\$84,400	\$77,300	\$78,200	\$78,600
Categories of Expenditure					
Personal Services	44,100	74,200	68,000	58,500	68,500
In-State Travel	1,800	1,000	700	2,100	700
Out of State Travel	0	200	0	600	0
Current Expense	22,300	9,000	8,600	17,000	9,400
DP Current Expense	400	0	0	0	0
Total	\$68,600	\$84,400	\$77,300	\$78,200	\$78,600
Other Data					
Total FTE	1.0	1.0	1.0	1.0	0.0

Table 2-39

Special Funding

Restricted Funds Summary - (Domestic Violence)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Victims of Domestic Violence Services Account	63-63a-6	The revenue source is a surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts and allocated among various law enforcement programs	The appropriation is to be used for the training of municipal and county attorneys in the prosecution of domestic violence offenses	\$603,700

Table 2-40

OBSCENITY & PORNOGRAPHY OMBUDSMAN

Function

The Obscenity and Pornography Ombudsman line item has only one program—the Obscenity and Pornography Ombudsman program. The Ombudsman is charged with the responsibility to develop and maintain expertise in and understanding of laws designed to control or eliminate obscenity and pornography and the legal standards governing the regulation or elimination of obscenity and pornography. The Ombudsman has responsibility to advise citizens and local governments about remedies to address instances of obscenity and pornography in their communities; advise local governments about ways to strengthen local laws and ordinances addressing obscenity and pornography; advise local governments about strategies to restrict, suppress, or eliminate obscenity and pornography in their communities; and at the request of the Attorney General or local government, assist a local government in investigating and prosecuting state and local laws and ordinances addressing obscenity or pornography.

Due to budgetary constraints, the Attorney General released the Obscenity and Pornography Complaints Ombudsman from employment effective May 1, 2003. The statutory language for this program remains in force and is found in UCA 67-5-18.

Funding Detail

Obscenity and Pornography Ombudsman					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	0	0	143,600	0	0
Total	\$0	\$0	\$143,600	\$0	\$0
Programs					
Obscenity and Pornography Ombudsman	0	0	143,600	0	0
Total	\$0	\$0	\$143,600	\$0	\$0
Categories of Expenditure					
Personal Services	0	0	141,000	0	0
Current Expense	0	0	1,700	0	0
DP Current Expense	0	0	900	0	0
Total	\$0	\$0	\$143,600	\$0	\$0
Other Data					
Total FTE	0.0	0.0	2.0	0.0	0.0

CHAPTER 3 STATE AUDITOR**Function**

The State Auditor is the elected, independent auditor of the state. The Auditor's mission is to help ensure to Utah's citizenry, Legislature, government officials, and other financial information users of the financial integrity and accountability of Utah's state and local governments. This is accomplished by providing independent financial, compliance, and performance audits and investigations, and by monitoring, and advising Utah's state and local governments. This has helped Utah to be recognized as having financially strong and well-run state and local governments.

The State Auditor directs and has ultimate responsibility for both the Auditing and Local Government Divisions within his office. He reviews and signs all audit reports, works on significant audit, accounting, and legislative fiscal issues, and performs various other duties related to his office.

Statutory Authority

The Utah State Auditor's Office audits state funds by authority of the Utah Constitution and the Utah Code. The office does not audit individual tax returns; however, tax returns may be reviewed during the audit of the Utah State Tax Commission. The following laws govern the activities of the State Auditor:

- Utah Constitution, Article VII: The State Auditor shall "perform financial post audits of public accounts" (Section 15) and "hold office for four years beginning on the first Monday of January next after their election" (Section 1). The State Auditor "shall be 25 years of age or older at the time of election." No person is eligible for the Office of the State Auditor "unless at the time of election that person is a qualified voter and has been a resident citizen of the state for five years next preceding the election" (Section 3).
- UCA 67-3-1(1): "The state auditor shall be the auditor of public accounts and as such shall be independent of any executive or administrative officers of the state."
- UCA 67-3-1(3)(a): The state auditor shall "audit each permanent fund, each special fund, the General Fund, and the accounts of any department of state government or any independent agency or public corporation on a regular basis as the auditor shall determine necessary or upon request of the governor or the Legislature. These audits are to be performed in accordance with generally accepted auditing standards and other auditing procedures as promulgated by recognized authoritative bodies. The audits shall be conducted to determine honesty and integrity in fiscal affairs, accuracy and reliability of financial statements, effectiveness and adequacy of financial controls and compliance with the law, as the auditor shall determine necessary."

Intent Language The Legislature reviewed the non-lapsing status of funding for the State Auditor and determined to continue this authority for FY 2005.

Accountability The office has outlined the following performance measures in keeping with its mission to ensure the financial integrity and accountability of Utah’s state and local governments:

Performance Data Summary - State Auditor					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Annual completion of the Utah Financial Audit on time	Audit	Outcome	12/31/2003	12/31/2003	12/31/2004
Annual completion of the Federal Compliance Audit (Single Compliance Audit) on time	Audit	Outcome	3/31/2004	3/31/2004	3/31/2005
Annual Number of audits/investigations of agencies that do not receive direct audit coverage by statutorily required audits completed	Audits/Investigations	Output	45	45	45
Annual Number of Hotline Investigations completed	Investigations	Output	0	0	15
Audit all local governments' financial statements annually	Annual Percentage of all local governments' audited financial statements completed	Output	100.0%	100.0%	100.0%

Table 3-1

Funding Detail

The office draws 78.5 percent of its funding from the General Fund. The remaining 21.5 percent is derived from dedicated credit collections from state and local agencies for auditing and other accounting and training services performed.

State Auditor					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,717,200	2,845,200	2,888,200	2,699,900	2,795,800
General Fund, One-time	0	0	0	11,400	23,300
Dedicated Credits Revenue	704,800	712,700	815,500	782,300	772,000
Transfers - Other Agencies	0	0	(256,500)	0	0
Beginning Nonlapsing	262,600	79,600	140,000	191,700	0
Closing Nonlapsing	(79,600)	(140,000)	(191,700)	(324,700)	0
Total	\$3,605,000	\$3,497,500	\$3,395,500	\$3,360,600	\$3,591,100
Programs					
Administration	269,600	275,400	277,400	291,100	283,800
Auditing	2,944,700	2,846,600	2,743,300	2,708,600	2,925,100
State and Local Government	390,700	375,500	374,800	360,900	382,200
Total	\$3,605,000	\$3,497,500	\$3,395,500	\$3,360,600	\$3,591,100
Categories of Expenditure					
Personal Services	3,142,700	3,116,000	3,009,200	3,029,900	3,241,200
In-State Travel	32,900	16,000	31,500	24,100	16,800
Out of State Travel	22,600	14,900	17,300	18,900	13,400
Current Expense	321,300	291,200	248,700	228,100	230,900
DP Current Expense	79,500	59,400	88,800	43,600	88,800
DP Capital Outlay	6,000	0	0	16,000	0
Total	\$3,605,000	\$3,497,500	\$3,395,500	\$3,360,600	\$3,591,100
Other Data					
Total FTE	47.0	47.0	45.0	45.0	45.0
Vehicles	0	0	3	3	3

Table 3-2

STATE AUDITOR: ADMINISTRATION PROGRAM

Function

The Administration Program consists of funding for the personal services and other costs of the State Auditor, his administrative assistant and other office administrative staff. General costs not attributable to other specific programs are also charged to the Administration Program.

Funding Detail

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	258,900	273,500	276,000	281,900	291,100
General Fund, One-time	0	0	0	900	2,100
Beginning Nonlapsing	10,700	0	0	8,300	7,200
Closing Nonlapsing	0	1,900	1,400	0	(16,600)
Total	\$269,600	\$275,400	\$277,400	\$291,100	\$283,800
Categories of Expenditure					
Personal Services	260,400	267,200	272,600	281,100	278,400
In-State Travel	600	200	300	0	300
Out of State Travel	4,100	5,100	1,500	5,800	1,500
Current Expense	4,500	2,900	3,000	4,200	3,600
Total	\$269,600	\$275,400	\$277,400	\$291,100	\$283,800
Other Data					
Total FTE	4.0	4.0	4.0	4.0	4.0

Table 3-3

STATE AUDITOR: AUDITING DIVISION PROGRAM

Function

The Auditing Division is responsible for the Single Audit required by the federal government and for statutorily required audits of state agencies. To complete the requirements of the single audit, the State Auditor contracts with private CPA firms in addition to regular staff.

The Single Audit involves an assessment of all federal funds expended on an entity wide basis. The Auditing Division determines whether or not the funds were spent in accordance with federal laws and regulations. Weaknesses in spending practices are included in the Findings and Recommendations of the Single Audit. Costs of the Audit whenever possible are assessed back to the agencies and received as dedicated credit revenues by the State Auditor.

Funding Detail

Auditing					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,095,800	2,189,400	2,229,100	2,053,300	2,128,900
General Fund, One-time	0	0	0	9,200	19,100
Dedicated Credits Revenue	689,800	702,700	804,700	782,300	762,000
Transfers - Other Agencies	0	0	(256,500)	0	0
Beginning Nonlapsing	238,700	79,600	140,000	188,500	(30,700)
Closing Nonlapsing	(79,600)	(125,100)	(174,000)	(324,700)	45,800
Total	\$2,944,700	\$2,846,600	\$2,743,300	\$2,708,600	\$2,925,100
Categories of Expenditure					
Personal Services	2,522,100	2,493,400	2,389,500	2,406,900	2,612,500
In-State Travel	27,100	12,200	28,100	21,400	13,400
Out of State Travel	14,400	9,000	9,200	11,200	5,300
Current Expense	295,600	272,600	227,700	209,500	205,100
DP Current Expense	79,500	59,400	88,800	43,600	88,800
DP Capital Outlay	6,000	0	0	16,000	0
Total	\$2,944,700	\$2,846,600	\$2,743,300	\$2,708,600	\$2,925,100
Other Data					
Total FTE	39.0	39.0	37.0	37.0	37.0
Vehicles	0	0	3	3	3

Table 3-4

STATE AUDITOR: LOCAL GOVERNMENT DIVISION PROGRAM

Function

The Local Government Division provides consulting services, budget forms, and uniform accounting services to local governments. The division reviews the budgets of local entities to ensure compliance with legal requirements of accounting and budget preparation. In addition to their financial accounting responsibilities, the division annually sponsors a regional training seminar for local officials.

The division provides training to CPAs and local government accountants to help improve local government accounting, reporting, and auditing.

The Local Government Division has begun scanning all budgets and financial reports received from local governments into electronic form. This provides citizens, research groups, and financial advisors greater accessibility to these documents. Five years of information is now available.

Funding Detail

State and Local Government					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	362,500	382,300	383,100	364,700	375,800
General Fund, One-time	0	0	0	1,300	2,100
Dedicated Credits Revenue	15,000	10,000	10,800	0	10,000
Beginning Nonlapsing	13,200	0	0	(5,100)	23,500
Closing Nonlapsing	0	(16,800)	(19,100)	0	(29,200)
Total	\$390,700	\$375,500	\$374,800	\$360,900	\$382,200
Categories of Expenditure					
Personal Services	360,200	355,400	347,100	341,900	350,300
In-State Travel	5,200	3,600	3,100	2,700	3,100
Out of State Travel	4,100	800	6,600	1,900	6,600
Current Expense	21,200	15,700	18,000	14,400	22,200
Total	\$390,700	\$375,500	\$374,800	\$360,900	\$382,200
Other Data					
Total FTE	4.0	4.0	4.0	4.0	4.0

Table 3-5

CHAPTER 4 STATE TREASURER**Function**

The Treasurer is responsible for all state funds. The office controls the receipt and deposit of state monies, manages the banking relationships for all bank accounts, invests all funds at the highest market rates and provides liquidity for all state disbursements. In addition, the Treasurer coordinates the sale of all debt authorized by the Legislature, operates a local government investment pool for the benefit of all public entities, reconciles bank accounts and manages the Division of Unclaimed Property. The office also provides staff support for the Money Management Council which oversees the deposit and investment of all public monies.

Statutory Authority

The following laws govern the activities of the State Treasurer:

- Utah Constitution, Article VII: The State Treasurer shall “be the custodian of public moneys” (Section 15) and “hold office for four years beginning on the first Monday of January next after their election” (Section 1). The State Treasurer “shall be 25 years of age or older at the time of election.” No person is eligible for the Office of the State Treasurer “unless at the time of election that person is a qualified voter and has been a resident citizen of the state for five years next preceding the election” (Section 3).
- UCA 67-4-1-2: The State Treasurer shall “receive and maintain custody of all state funds; unless otherwise provided by law, invest all funds delivered into the state treasurer's custody according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act; pay warrants drawn by the Division of Finance as they are presented; return each redeemed warrant to the Division of Finance for purposes of reconciliation, post-audit, and verification; ensure that state warrants not presented to the state treasurer for payment within one year from the date of issue, or a shorter period if required by federal regulation or contract, are canceled and credited to the proper fund; account for all moneys received and disbursed; keep separate account of the different funds; keep safe all bonds, warrants, and securities delivered into his custody; at the request of either house of the Legislature, or of any legislative committee, give information in writing as to the condition of the treasury, or upon any subject relating to the duties of his office; keep the books open at all times for the inspection by the governor, the state auditor, or any member of the Legislature, or any committee appointed to examine them by either house of the Legislature; authenticate and validate documents when necessary; adopt a seal and file a description and an impression of it with the Division of Archives; and discharge the duties of a member of all official boards of which he is or may be made a member by the Constitution or laws of Utah. When necessary to perform his duties, the state treasurer may inspect the books, papers, and accounts of any state entity.”

Intent Language The Legislature reviewed the non-lapsing status of funding for the State Treasurer and determined to continue this authority for FY 2005

Accountability The office has outlined the following achievements in measuring its performance activities:

Performance Data Summary - State Treasurer					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Increase the total dollar amount of the Public Treasurer's Investment Fund (PTIF) in billions of dollars	Total Dollar Amount	Output	\$6.3	\$6.3	
Report the annual strategic financial management savings to the state in millions of dollars	Dollars	Output	\$7.0	\$7.0	
Report the annual amount of investment income allocated from the Permanent State School Institutional Trust Land Fund to Public Education in millions of dollars	Dollars	Output	\$9.6	\$9.6	
Report the annual amount of unclaimed property collected in millions of dollars	Dollars	Output	\$17.5	\$17.5	
Report the annual amount of unclaimed property collected and paid out to rightful owners in millions of dollars	Dollars	Output	\$10.6	\$10.6	\$10.9
Report the annual amount of unclaimed property collected and transferred to the Uniform School Fund in millions of dollars	Dollars	Output	\$3.5	\$3.5	

Table 4-1

Funding Detail

The office draws 53.7 percent of its revenue from the Unclaimed Property Trust Fund and 37.8 percent from the General Fund. The remaining 8.5 percent is derived from dedicated credit collections for financial services performed.

State Treasurer					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	910,700	832,200	804,000	821,000	849,600
General Fund, One-time	0	0	35,000	2,600	5,400
Dedicated Credits Revenue	149,200	135,400	136,900	129,000	191,700
Unclaimed Property Trust	800,500	1,128,700	1,160,100	1,181,600	1,211,800
Beginning Nonlapsing	70,000	461,500	254,300	296,300	0
Closing Nonlapsing	(453,100)	(233,500)	(296,300)	(395,000)	0
Lapsing Balance	0	(90,500)	(112,000)	(56,500)	0
Total	\$1,477,300	\$2,233,800	\$1,982,000	\$1,979,000	\$2,258,500
Programs					
Treasury and Investment	764,100	1,020,700	780,600	828,400	888,500
Unclaimed Property	634,600	1,147,200	1,138,100	1,082,900	1,211,800
Money Management Council	78,600	65,900	63,300	67,700	88,300
Financial Assistance	0	0	0	0	69,900
Total	\$1,477,300	\$2,233,800	\$1,982,000	\$1,979,000	\$2,258,500
Categories of Expenditure					
Personal Services	1,040,400	1,410,700	1,387,700	1,341,700	1,685,300
In-State Travel	1,700	1,200	2,600	1,300	4,200
Out of State Travel	10,500	12,600	6,300	9,400	8,100
Current Expense	372,000	468,500	504,200	510,200	481,100
DP Current Expense	52,700	340,800	81,200	92,400	79,800
Other Charges/Pass Thru	0	0	0	24,000	0
Total	\$1,477,300	\$2,233,800	\$1,982,000	\$1,979,000	\$2,258,500
Other Data					
Total FTE	27.0	26.0	27.3	27.3	27.3
Vehicles	0	0	1	1	1

Table 4-2

STATE TREASURER: TREASURY AND INVESTMENT PROGRAM**Function**

The State Treasurer serves as custodian of all state monies including cash, warrants, bonds and other securities. The Treasurer's Office facilitates the deposit of state monies by establishing and maintaining bank accounts around the state for the convenience of state agencies which collect and deposit funds. Concentration accounts are maintained in major banks in the state and are controlled and monitored on a daily basis. The Treasurer's Office safeguards, invests and accounts for all these funds.

All available funds are invested each day at the highest available interest rates. The primary investment instruments used are repurchase agreements, bank certificates of deposit, commercial paper, short-term corporate notes, and obligations of the U. S. Treasury and government agencies. The Treasurer also maintains a Public Treasurers' Investment Fund so that other governmental entities can pool their money together for professional management, high liquidity and the best possible return. This investment pool reached a high balance of \$6.3 billion in May, 2004.

The Treasurer is a member of the State Bonding Commission which issues debt for the state. He oversees the team of professionals who work together to issue debt including the financial advisor, bond counsel, disclosure counsel and underwriters. He coordinates all relations with bond rating agencies including formal presentations at least once a year. In February 2004, the Treasurer refunded \$316.5 million of GO Bonds resulting in savings of approximately \$7 million. The Treasurer also issued \$22.8 million of lease revenue bonds for the State Building Ownership Authority.

The Treasurer also manages the investments of the Permanent State School and Institutional Trust Land fund. The investment income from the public school's portion of this portfolio provides the income for the State Trust Lands Program which allocates funding directly to individual schools for their highest priority use. For FY 2004, \$9,577,000 was provided to the schools from this program.

Funding Detail

Treasury and Investment					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	832,100	751,400	726,100	741,800	761,800
General Fund, One-time	0	0	31,500	2,400	4,900
Dedicated Credits Revenue	149,200	135,400	136,900	129,000	121,800
Beginning Nonlapsing	70,000	289,500	80,000	100,000	0
Closing Nonlapsing	(287,200)	(80,000)	(100,000)	(100,000)	0
Lapsing Balance	0	(75,600)	(93,900)	(44,800)	0
Total	\$764,100	\$1,020,700	\$780,600	\$828,400	\$888,500
Categories of Expenditure					
Personal Services	627,500	612,600	605,100	606,500	723,000
In-State Travel	800	800	2,500	900	2,500
Out of State Travel	1,200	9,000	2,300	7,600	3,400
Current Expense	108,100	111,000	150,400	163,700	139,300
DP Current Expense	26,500	287,300	20,300	25,700	20,300
Other Charges/Pass Thru	0	0	0	24,000	0
Total	\$764,100	\$1,020,700	\$780,600	\$828,400	\$888,500
Other Data					
Total FTE	9.5	9.0	9.5	9.5	9.5
Vehicles	0	0	1	1	1

Table 4-3

STATE TREASURER: UNCLAIMED PROPERTY PROGRAM

Function

The Unclaimed Property Division is responsible for reuniting lost or abandoned property with its rightful owners. Property types include savings accounts, life insurance policies, payroll checks, safe deposit box contents, stocks and mutual funds, and other types of property. The costs of administering the Unclaimed Property Fund are paid from the trust fund. Any amount not returned to rightful owners is deposited in the Uniform School Fund.

In FY 2004, \$17.5 million dollars of unclaimed property was collected. Of this amount, over \$10.6 million was paid out to rightful owners and over \$3.5 million was transferred to the Uniform School Fund.

By law, the division is required to publish a list of all property received during the year in a newspaper of general circulation. This publication generally is published and distributed in late autumn. Additional outreach programs include a booth at the State Fair, a listing of all names and addresses on the Internet, and visits to senior centers and other businesses to allow patrons the opportunity to lookup their names in the database. One employee is dedicated to locating names and businesses in the database.

The Unclaimed Property Division will continue to maximize returns of abandoned property to owners by increasing claims processed by three percent annually. This will be achieved by examining current business processes and implementing improvements where needed, resulting in more efficient management of current resources. In addition, the Division will increase productivity through the continued adoption of new IT enabled processes.

Funding Detail

Unclaimed Property					
Sources of Finance	2001	2002	2003	2004	2005
	Actual	Actual	Actual	Actual	Appropriated
Unclaimed Property Trust	800,500	1,128,700	1,160,100	1,181,600	1,211,800
Beginning Nonlapsing	0	172,000	174,300	196,300	0
Closing Nonlapsing	(165,900)	(153,500)	(196,300)	(295,000)	0
Total	\$634,600	\$1,147,200	\$1,138,100	\$1,082,900	\$1,211,800
Categories of Expenditure					
Personal Services	353,600	738,800	722,300	675,700	822,900
In-State Travel	900	400	100	400	200
Out of State Travel	9,300	3,600	4,000	1,800	3,700
Current Expense	244,600	350,900	350,800	338,300	325,500
DP Current Expense	26,200	53,500	60,900	66,700	59,500
Total	\$634,600	\$1,147,200	\$1,138,100	\$1,082,900	\$1,211,800
Other Data					
Total FTE	15.5	15.0	15.8	15.8	15.8

Table 4-4

STATE TREASURER: MONEY MANAGEMENT COUNCIL PROGRAM

Function

The Utah Money Management Council is responsible for the oversight of the investments made by all Utah Public Treasurers. This involves dealing with over 500 public treasurers of varying professional skill levels. Additionally, the council must affirm the trustworthiness of more than 60 financial institutions which hold public funds.

The council is comprised of five members appointed by the Governor with the advice and consent of the Senate. At least one member must be from banking, one must be an elected treasurer, one must be an appointed treasurer and one must be experienced in the field of investments. No more than three members of the council may be from the same political party.

Funding Detail

Money Management Council					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	78,600	80,800	77,900	79,200	87,800
General Fund, One-time	0	0	3,500	200	500
Lapsing Balance	0	(14,900)	(18,100)	(11,700)	0
Total	\$78,600	\$65,900	\$63,300	\$67,700	\$88,300
Categories of Expenditure					
Personal Services	59,300	59,300	60,300	59,500	74,900
In-State Travel	0	0	0	0	1,000
Current Expense	19,300	6,600	3,000	8,200	12,400
Total	\$78,600	\$65,900	\$63,300	\$67,700	\$88,300
Other Data					
Total FTE	1.0	1.0	1.0	1.0	1.0

Table 4-5

STATE TREASURER: FINANCIAL ASSISTANCE PROGRAM

Function The Financial Assistance section evaluates proposals for water and other infrastructure development submitted to the Community Impact Board, the Board of Water Resources, the Water Pollution Control Committee and the Safe Drinking Water Committee. It prioritizes and makes standardized responses. Its one position is funded by the boards which utilize its service.

Funding Detail

Financial Assistance					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Dedicated Credits Revenue	0	0	0	0	69,900
Total	\$0	\$0	\$0	\$0	\$69,900
Categories of Expenditure					
Personal Services	0	0	0	0	64,500
In-State Travel	0	0	0	0	500
Out of State Travel	0	0	0	0	1,000
Current Expense	0	0	0	0	3,900
Total	\$0	\$0	\$0	\$0	\$69,900
Other Data					
Total FTE	1.0	1.0	1.0	1.0	1.0

CHAPTER 5 DEPARTMENT OF PUBLIC SAFETY

Function	<p>The Department of Public Safety (DPS) is charged with the responsibility to protect and promote the safety and wellbeing of Utah citizens through: Emergency Services and Homeland Security, Fire Services, Investigative Services, Law Enforcement, Licensing and Regulatory Services, Police Support Services, Safer Highways, and Specialized Training and Education. The department has six line items. They are:</p> <ol style="list-style-type: none">1. Public Safety Programs & Operations2. Emergency Services and Homeland Security3. Peace Officers' Standards and Training4. Liquor Law Enforcement5. Driver License6. Highway Safety <p>(Note that the Safety Promotion Line Item/Program was discontinued beginning FY 2002.)</p>
Statutory Authority	<p>The Department of Public Safety is governed by several statutes. They include:</p> <ul style="list-style-type: none">➤ UCA 41 Motor Vehicles: DPS responsibilities concerning all aspects of state motor vehicles law and enforcement delineated➤ UCA 53 Public Safety Code: DPS creation, administration, and responsibilities delineated➤ UCA 63-5,5a Emergency Management, Disaster Response and Recovery: DPS responsibilities identified and delineated➤ UCA 63C-7 Utah Communications Agency Network Act: Utah Communications Agency Network established to provide public safety communications services and facilities for the benefit and use of public agencies and state and federal agencies
Intent Language	<p>The Legislature provided intent language to address a number of issues and needs confronting the department. The Legislature approved additional fleet for the department if funding is provided through federal aid or other sources for special programs or projects. Vehicles so purchased are not eligible for replacement using General Fund borrowing held by the State Division of Fleet Operations.</p> <p>Receipts above the appropriated dedicated credits amount of reimbursable flight time for DPS aircraft are to be used for major aircraft maintenance.</p> <p>The Legislature continued authority for the department to consolidate line items for FY 2005 to mitigate base budget reductions from previous years. The following line items of appropriations for continued consolidation into one line item for Fiscal Year 2005 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Utah Highway Patrol; Management Information Services; and Fire Marshal's Office. The</p>

department’s other line items of appropriation are to remain as separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Liquor Law Enforcement; Driver License Division; and Utah Highway Safety.

The Legislature also reviewed the non-lapsing status of funding for the department and determined to continue this authority for FY 2005.

Accountability

The following performance measures track departmental work in keeping with efforts to improve public safety throughout the state. It is important to note that Targets are impacted by many variables beyond the control of DPS. Results must be scrutinized in the wider context of the circumstances affecting outcomes.

Performance Data Summary - (Department of Public Safety)					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Reduce the number of state traffic fatalities to 295 in Calendar Year 2004	Number of Traffic Fatalities	Outcome	295	Incomplete	280
Increase the statewide average use of vehicle safety restraints from the 2004 rate of 85.7 percent to 86.2 percent by June 2005	Percentage Surveyed	Outcome	85.7%	85.7%	86.2%
Reduce the number of state traffic fatalities to 1.25 per 100 million vehicle miles traveled (MVMT) in 2004	Relative Numeric Calculation	Outcome	1.25	Incomplete	1.20
Enforce state liquor laws	Number of Proactive Liquor Law Investigations	Intermediate	992	992	1,000

Table 5-1

Funding Detail

The department draws 40.1 percent of its funding from the General Fund. Another 29.4 percent is derived from restricted funds. Federal funds provide 19.0 percent and dedicated credits account for 5.3 percent. Transportation funds amount to 4.8 percent of the budget. Transfers and pass-through funds constitute the remainder of the funding sources for the department.

Public Safety					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	45,041,200	44,798,000	42,462,000	43,433,500	46,058,900
General Fund, One-time	0	0	258,000	134,400	337,200
Transportation Fund	5,487,300	5,495,500	5,495,500	5,495,500	5,495,500
Federal Funds	22,563,700	43,163,100	18,260,700	37,224,900	22,029,600
Dedicated Credits Revenue	5,112,700	5,962,500	5,247,600	7,351,000	6,070,600
General Fund Restricted	200	0	0	0	0
GFR - DNA Specimen	0	0	125,000	425,000	425,000
GFR - Drug Forfeiture	200,000	0	0	0	0
GFR - E-911 Emergency Services	0	0	0	0	3,900,000
GFR - Environmental Quality	1,816,400	200,000	0	0	0
GFR - Fire Academy Support	2,915,600	3,193,800	3,540,600	4,367,100	4,412,800
GFR - Nuclear Oversight	376,900	1,793,300	1,793,300	1,793,300	1,793,300
GFR - Public Safety Support	1,704,500	2,510,100	2,706,500	2,805,300	2,867,400
GFR - Statewide Warrant Ops	396,900	382,100	408,900	422,500	433,600
TFR - Motorcycle Education	205,300	206,600	207,000	207,000	208,000
TFR - Dept. of Public Safety Rest. Acct.	15,090,100	17,784,600	17,725,900	17,811,000	18,452,800
TFR - Uninsured Motorist I.D.	1,560,100	1,560,000	1,560,100	1,560,100	1,560,100
Transfers	323,500	0	0	0	0
Transfers - Commission on Criminal and Ju	1,048,400	1,318,300	921,300	1,093,700	787,600
Transfers - Other Agencies	(132,100)	1,250,700	742,500	1,586,800	1,170,900
Transfers - Within Agency	1,453,400	0	0	362,000	421,400
Other Financing Sources	1,722,300	0	0	0	0
Pass-through	1,900	0	24,200	861,700	660,000
Beginning Nonlapsing	3,344,100	5,217,800	5,340,900	2,675,700	1,067,100
Closing Nonlapsing	(5,333,800)	(5,340,800)	(2,675,700)	(3,019,400)	(624,000)
Lapsing Balance	(2,087,100)	(1,895,600)	(2,035,100)	(1,954,000)	(1,803,300)
Total	\$102,811,500	\$127,600,000	\$102,109,200	\$124,637,100	\$115,724,500
Line Items					
Public Safety Programs & Operations	66,930,400	88,883,400	62,109,300	65,802,100	73,087,600
Emergency Services and Homeland Security	11,753,500	10,669,600	11,319,600	30,606,300	12,522,100
Safety Promotion	147,900	0	0	0	0
Peace Officers' Standards and Training	4,707,700	5,259,500	4,871,800	4,968,400	6,450,400
Liquor Law Enforcement	949,400	1,032,400	889,400	1,299,500	1,382,300
Driver License	15,345,200	17,547,200	18,704,400	18,396,600	18,702,000
Highway Safety	2,977,400	4,207,900	4,214,700	3,564,200	3,580,100
Total	\$102,811,500	\$127,600,000	\$102,109,200	\$124,637,100	\$115,724,500
Categories of Expenditure					
Personal Services	57,892,500	77,403,700	63,111,900	66,308,700	70,794,700
In-State Travel	432,400	574,400	349,100	367,000	375,900
Out of State Travel	645,200	477,500	447,900	350,300	439,600
Current Expense	20,180,800	27,075,700	22,018,500	23,226,500	22,552,000
DP Current Expense	8,469,600	4,133,800	3,275,900	3,908,100	2,999,900
DP Capital Outlay	224,900	775,400	127,500	1,769,100	72,700
Capital Outlay	2,780,000	1,035,900	436,600	1,849,200	880,700
Other Charges/Pass Thru	12,186,100	16,123,600	12,341,800	26,858,200	17,609,000
Total	\$102,811,500	\$127,600,000	\$102,109,200	\$124,637,100	\$115,724,500
Other Data					
Total FTE	1,093.3	1,074.0	1,104.8	1,074.0	1,144.5
Vehicles	286	445	658	658	712

Table 5-2

PUBLIC SAFETY PROGRAMS AND OPERATIONS

Function The Public Safety Programs and Operations line item is the single largest line item within the department. It consists of 27 funded programs and accounts for \$73,087,600 or 63.2 percent of the budget.

Funding Detail

Public Safety Programs & Operations					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	42,259,300	42,870,600	40,733,200	41,310,500	43,864,700
General Fund, One-time	0	0	258,000	126,100	322,100
Transportation Fund	5,487,300	5,495,500	5,495,500	5,495,500	5,495,500
Federal Funds	7,395,700	28,152,300	1,817,000	2,769,000	4,026,700
Dedicated Credits Revenue	4,860,300	5,684,100	4,944,100	7,062,900	5,781,200
General Fund Restricted	200	0	0	0	0
GFR - DNA Specimen	0	0	125,000	425,000	425,000
GFR - Drug Forfeiture	200,000	0	0	0	0
GFR - E-911 Emergency Services	0	0	0	0	3,900,000
GFR - Fire Academy Support	2,915,600	3,193,800	3,540,600	4,367,100	4,412,800
GFR - Nuclear Oversight	376,900	376,900	376,900	376,900	376,900
GFR - Statewide Warrant Ops	396,900	382,100	408,900	422,500	433,600
TFR - Dept. of Public Safety Rest. Acct.	535,000	941,400	1,041,900	1,149,900	1,286,000
Transfers	323,500	0	0	0	0
Transfers - Commission on Criminal and Ju	1,020,700	980,300	812,900	1,067,000	619,900
Transfers - Other Agencies	(198,800)	1,237,700	740,600	1,497,800	1,158,000
Transfers - Within Agency	1,453,400	0	0	362,000	421,400
Other Financing Sources	1,722,300	0	0	0	0
Pass-through	0	0	1,200	593,800	660,000
Beginning Nonlapsing	2,226,100	3,473,000	3,457,900	1,085,000	904,700
Closing Nonlapsing	(3,589,400)	(3,438,900)	(1,085,000)	(1,771,300)	(624,000)
Lapsing Balance	(454,600)	(465,400)	(559,400)	(537,600)	(376,900)
Total	\$66,930,400	\$88,883,400	\$62,109,300	\$65,802,100	\$73,087,600
Programs					
Department Commissioner's Office	1,658,900	2,118,700	1,973,100	1,658,000	2,016,900
Department Fleet Management	0	0	0	446,400	500,000
Aero Bureau	2,262,100	838,300	976,500	975,100	562,600
Forfeitures & Seizures	22,200	0	0	0	0
Department Grants	4,699,600	5,251,900	1,422,100	2,768,500	7,216,100
Department Administrative Services	0	21,456,400	0	0	0
Olympics	2,051,600	0	0	0	0
CITS Administration	592,800	536,900	811,200	565,300	629,600
CITS Bureau of Criminal Identification	3,542,600	3,970,900	3,438,000	3,919,900	3,989,100
Department Education Center	0	0	0	363,400	1,109,100
CITS Communications	4,095,400	4,896,300	4,674,500	4,846,700	4,782,500
Department Intelligence Center	0	0	0	54,600	1,192,000
CITS State Crime Labs	1,698,400	2,115,300	1,847,600	2,161,700	2,339,000
Highway Patrol - Administration	976,900	1,142,100	857,000	823,200	1,600,800
CITS Crime Lab Grants	699,700	374,200	355,700	396,600	268,400
Highway Patrol - Field Operations	21,824,500	22,462,000	22,781,600	22,907,700	23,651,300
CITS BCI Grants	187,600	197,200	404,500	380,500	304,500
Highway Patrol - Commercial Vehicle	2,950,800	2,764,900	3,165,200	2,566,200	3,038,100
CITS State Bureau of Investigation	3,525,500	3,559,800	3,550,000	3,223,600	3,881,800
Highway Patrol - Safety Inspections	1,053,400	1,248,900	1,680,300	1,591,600	1,791,600
Highway Patrol - Federal Projects	1,608,200	2,048,800	1,826,300	2,435,700	2,078,500
CITS SBI Grants	470,600	613,400	0	0	2,600
Highway Patrol - Protective Services	1,489,000	1,754,300	1,606,800	2,913,100	2,337,400
Highway Patrol - Special Services	3,353,400	3,331,800	2,774,200	2,161,000	1,570,900
Highway Patrol - Special Enforcement	1,293,700	1,321,100	1,474,200	1,651,000	1,399,400
Highway Patrol - Technical Services	743,300	820,700	488,300	954,700	636,300
Information Management - Operations	2,199,500	1,715,700	1,460,900	1,419,000	1,538,100
Information Management - Grants	0	411,600	0	0	1,500
Fire Marshall - Fire Operations	1,048,400	1,100,500	1,082,900	1,264,100	1,227,900
Fire Marshall - Fire Fighter Training	2,882,300	2,831,700	3,458,400	3,354,500	3,421,600
Total	\$66,930,400	\$88,883,400	\$62,109,300	\$65,802,100	\$73,087,600
Categories of Expenditure					
Personal Services	41,163,700	59,152,900	43,757,000	46,296,800	49,333,500
In-State Travel	332,200	441,100	210,800	204,600	236,200
Out of State Travel	450,600	278,900	231,300	190,000	222,500
Current Expense	12,015,200	17,465,000	11,773,000	11,686,100	11,307,800
DP Current Expense	7,397,300	2,620,200	1,681,600	1,715,500	1,964,900
DP Capital Outlay	210,100	582,800	94,000	118,000	52,700
Capital Outlay	2,631,800	597,200	198,300	200,700	142,400
Other Charges/Pass Thru	2,729,500	7,745,300	4,163,300	5,390,400	9,827,600
Total	\$66,930,400	\$88,883,400	\$62,109,300	\$65,802,100	\$73,087,600
Other Data					
Total FTE	733.3	728.0	748.5	728.0	770.5
Vehicles	195	340	541	541	594

Table 5-3

DEPARTMENT COMMISSIONER’S OFFICE

Function

The Office of the Commissioner was created under UCA 53-1-103 and is charged with the administrative management and direction of the various divisions within the department. The office provides planning, research, personnel, purchasing, budgeting and accounting functions.

There are five policymaking boards and two councils assisting the department in its charge. They are as follows: the Driver License Medical Advisory Board created under UCA 53-3-303; the Concealed Weapon Review Board created under UCA 53-5-703; the Utah Fire Prevention Board created under UCA 53-7-203; the Liquified Petroleum Gas Board created under UCA 53-7-304; the Private Investigator Hearing and Licensure Board created under UCA 53-9-104; the Peace Officer Standards and Training Council created under UCA 53-6-106; and the Motor Vehicle Safety Inspection Advisory Council created under UCA 53-8-203.

The performance measures for this program are department compliance with human resource and accounting laws, rules, regulations, policies and procedures, timeliness for completion of duties and projects, responsiveness to customer needs, and feedback from the Department of Human Resource Management and State Finance.

Funding Detail

Department Commissioner's Office					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,615,700	2,098,500	688,100	2,161,500	1,893,500
General Fund, One-time	0	0	0	6,100	15,200
TFR - Dept. of Public Safety Rest. Acct.	0	0	0	108,000	108,200
Transfers - Commission on Criminal and Ju	(5,000)	0	0	0	0
Beginning Nonlapsing	275,600	282,500	1,551,600	84,100	0
Closing Nonlapsing	(227,400)	(257,300)	(84,100)	(701,700)	0
Lapsing Balance	0	(5,000)	(182,500)	0	0
Total	\$1,658,900	\$2,118,700	\$1,973,100	\$1,658,000	\$2,016,900
Categories of Expenditure					
Personal Services	1,217,500	1,532,900	1,551,100	1,423,700	1,870,200
In-State Travel	2,500	4,300	2,800	3,000	1,700
Out of State Travel	15,700	18,700	31,800	15,800	27,200
Current Expense	361,200	469,800	352,300	343,800	71,100
DP Current Expense	62,000	93,000	35,100	44,100	46,700
Other Charges/Pass Thru	0	0	0	(172,400)	0
Total	\$1,658,900	\$2,118,700	\$1,973,100	\$1,658,000	\$2,016,900
Other Data					
Total FTE	21.8	21.0	27.5	21.0	29.5
Vehicles	2	6	7	7	7

Table 5-4

Special Funding

Restricted Funds Summary - (Department Commissioner's Office)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees, Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300

Table 5-5

DEPARTMENT EDUCATION CENTER

Function

The Education Center was created to coordinate staff instruction throughout the department and eliminate duplicate training. The center offers leadership education, works with higher education to build relationships which promote the education of DPS staff, and enhances the professional level of the entire department. No additional General Funds were required to consolidate the training function within this program.

Funding Detail

Department Education Center					
	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Sources of Finance					
General Fund	0	0	0	200	973,400
Transfers - Within Agency	0	0	0	275,200	135,700
Pass-through	0	0	0	88,000	0
Total	\$0	\$0	\$0	\$363,400	\$1,109,100
Categories of Expenditure					
Personal Services	0	0	0	1,257,900	1,009,100
In-State Travel	0	0	0	6,300	0
Out of State Travel	0	0	0	1,600	0
Current Expense	0	0	0	(932,000)	100,000
DP Current Expense	0	0	0	29,600	0
Total	\$0	\$0	\$0	\$363,400	\$1,109,100
Other Data					
Total FTE	0.0	0.0	0.0	0.0	18.0

Table 5-6

DEPARTMENT FLEET MANAGEMENT

Function Previously, DPS paid the Division of Fleet Operations a monthly lease rate for equipment installed on UHP vehicles. The lease rate was separated out and is now being used to purchase equipment for replacement vehicles, refurbish equipment that can be reused, and to repair equipment as needed. No new funding was needed for this program.

Funding Detail

Department Fleet Management					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	404,400	458,000
Transportation Fund	0	0	0	37,000	37,000
Dedicated Credits Revenue	0	0	0	5,000	5,000
Total	\$0	\$0	\$0	\$446,400	\$500,000
<hr/>					
Categories of Expenditure					
Personal Services	0	0	0	35,600	0
Current Expense	0	0	0	410,800	500,000
Total	\$0	\$0	\$0	\$446,400	\$500,000

Table 5-7

AERO BUREAU**Function**

The Aero Bureau was initially created in 1961 within the Highway Patrol. In recent years, the bureau was managed under the direction of the Commissioner of Public Safety. In FY 2004, the Aero Bureau was reassigned to be directly managed by the Utah Highway Patrol. The bureau consists of the following aircraft: one Beech Baron twin engine airplane; one Cessna Station Air single engine airplane (jointly owned with Utah Department of Transportation) and two Eurocopter Astar single engine helicopters. There are three pilots and three part-time observers. The Aero Bureau is responsible for emergency shuttles of blood and medical supplies, drug interdiction, search and rescue, law enforcement observation, transportation of department and other officials, and other activities serving various functions of state and local government.

Funding Detail

Aero Bureau					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	779,300	472,800	616,800	717,600	545,000
General Fund, One-time	0	0	0	900	1,500
Dedicated Credits Revenue	166,600	145,400	113,800	181,600	16,100
Transfers - Commission on Criminal and Ju	1,100	0	0	0	0
Other Financing Sources	1,722,300	0	0	0	0
Beginning Nonlapsing	133,800	541,000	320,900	75,000	0
Closing Nonlapsing	(541,000)	(320,900)	(75,000)	0	0
Total	\$2,262,100	\$838,300	\$976,500	\$975,100	\$562,600
Categories of Expenditure					
Personal Services	259,200	284,000	272,900	232,200	287,100
In-State Travel	1,600	2,000	800	2,700	800
Out of State Travel	5,900	900	4,100	2,700	3,900
Current Expense	344,700	319,600	570,600	608,600	142,700
DP Current Expense	700	600	200	1,000	200
Capital Outlay	1,650,000	44,800	0	0	0
Other Charges/Pass Thru	0	186,400	127,900	127,900	127,900
Total	\$2,262,100	\$838,300	\$976,500	\$975,100	\$562,600
Other Data					
Total FTE	3.0	4.0	3.0	4.0	3.0
Vehicles	3	5	5	5	5

Table 5-8

DEPARTMENT INTELLIGENCE CENTER

Function

Previously, criminal intelligence and information was spread among various programs. The Utah Criminal Intelligence Center (UCIC) consolidates criminal intelligence information into one program for better access. It serves as a central clearinghouse of information for law enforcement. UCIC maintains the Utah Law Enforcement Information Network (ULEIN) which provides intelligence on criminal persons, organizations and businesses. It also provides agencies with case and evidence management systems. Vehicle and license plate information is also available.

UCIC also provides and maintains an intelligence web page which provides officers in the field with criminal case information, message boards, significant events calendars, and homeland security alerts, threats, and similar issues.

Funding Detail

Department Intelligence Center					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	9,600	906,300
Transfers - Commission on Criminal and Ju	0	0	0	45,000	0
Transfers - Within Agency	0	0	0	0	285,700
Total	\$0	\$0	\$0	\$54,600	\$1,192,000
Categories of Expenditure					
Personal Services	0	0	0	1,078,400	1,143,500
In-State Travel	0	0	0	4,300	3,000
Out of State Travel	0	0	0	14,800	3,000
Current Expense	0	0	0	(1,067,800)	32,500
DP Current Expense	0	0	0	24,900	10,000
Total	\$0	\$0	\$0	\$54,600	\$1,192,000
Other Data					
Total FTE	0.0	0.0	0.0	0.0	14.0

Table 5-9

DEPARTMENT GRANTS

Function The grants in this program include the pass-through from the Department of Justice to the Utah Communications Agency Network (UCAN) and the High Intensity Drug Trafficking Area (HIDTA) Grant Program awarded through the Office of National Drug Control Policy.

Funding Detail

Department Grants					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	300	0
Federal Funds	4,514,000	5,222,500	1,422,100	2,768,200	3,316,100
GFR - E-911 Emergency Services	0	0	0	0	3,900,000
Transfers - Commission on Criminal and Ju	185,600	0	0	0	0
Transfers - Other Agencies	0	29,400	0	0	0
Total	\$4,699,600	\$5,251,900	\$1,422,100	\$2,768,500	\$7,216,100
Categories of Expenditure					
Personal Services	178,700	192,700	357,200	479,700	569,900
In-State Travel	96,700	800	6,900	12,900	50,000
Out of State Travel	97,100	33,600	6,900	17,600	11,100
Current Expense	8,700	57,600	56,600	136,400	64,300
DP Current Expense	4,318,400	0	800	19,300	800
Other Charges/Pass Thru	0	4,967,200	993,700	2,102,600	6,520,000
Total	\$4,699,600	\$5,251,900	\$1,422,100	\$2,768,500	\$7,216,100
Other Data					
Total FTE	0.0	4.0	5.0	4.0	5.0

Table 5-10

Special Funding

Restricted Funds Summary - (Department Grants)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Statewide Unified E-911 Emergency Service Fund	53-10-603	Fees imposed on local exchange service switched access lines and revenue producing radio communications access lines subject to emergency services telephone charges levied by local governments; Legislative appropriations; funding provided by UCA 69-2-5; and contributions from federal agencies, political subdivisions of the state, and private entities	Enhancing public safety; providing a statewide, unified wireless E-911 service; and reimbursement to providers for costs associated with Phase 1 wireless E-911 service	\$0

Table 5-11

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) ADMINISTRATION

Function The primary responsibility of Criminal Investigations and Technical Services (CITS) is to provide responsive law enforcement assistance and specialized law enforcement services to the citizens and law enforcement agencies throughout the state (UCA 53-10).

The Administration program coordinates those support services to front line emergency service and law enforcement agencies.

This program also has responsibility for investigating complaints from inside and outside the department concerning department employees.

Funding Detail

CITS Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	596,200	549,400	811,200	562,800	627,000
General Fund, One-time	0	0	0	2,500	2,600
Beginning Nonlapsing	14,100	17,500	0	0	0
Closing Nonlapsing	(17,500)	(30,000)	0	0	0
Total	\$592,800	\$536,900	\$811,200	\$565,300	\$629,600
Categories of Expenditure					
Personal Services	483,600	456,700	723,200	510,600	544,700
In-State Travel	1,900	2,700	800	900	600
Out of State Travel	6,600	1,800	2,500	2,900	2,200
Current Expense	62,400	61,100	83,800	49,200	81,200
DP Current Expense	38,300	14,600	900	1,700	900
Total	\$592,800	\$536,900	\$811,200	\$565,300	\$629,600
Other Data					
Total FTE	4.0	8.0	7.0	8.0	5.0
Vehicles	3	4	4	4	4

Table 5-12

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) BUREAU OF CRIMINAL IDENTIFICATION**Function**

The Bureau of Criminal Identification (BCI) was established in 1927. BCI has statutory authority as outlined in UCA 53-10-201 and bureau duties are outlined in UCA 53-10-202. To fulfill the required duties, BCI has been divided into seven sections. They are as follows:

1. **The Record Section** is responsible for entering data into the Utah Computerized Criminal History (UCCH) file of all submitted criminal arrests and the outcome of these arrests. Expungement eligibility is also determined by this section and upon issuing an Expungement Order, it is its responsibility to expunge the Utah record and forward all necessary paperwork to the FBI to assure the accuracy of an individual's record. Employment background checks for qualifying entities are also processed in this section. The UCCH database contains over 1 million arrest records.
2. **The Fingerprint/AFIS Section** verifies and classifies all fingerprints that are submitted to BCI whether for criminal or applicant purposes. BCI is a member of the Western Identification Network (WIN) which allows Utah agencies to access data from the Automated Fingerprint Identification System (AFIS) consisting of seven western states, the California Department of Justice (CAL-DOJ) and the Washington State Police.
3. **The Telecommunications/Quality Assurance Section** operates as a 24x7x365 helpline for all criminal justice agencies statewide and across the country. BCI is the Control Terminal Agency for the National Crime Information Center (NCIC) and the National Law Enforcement Telecommunications System (NLETS). This section also provides ongoing research into open arrest records and prosecution records in cooperation with the courts of Utah to assure record quality and reliability.
4. **The Auditing and Training/Data Collection and Analysis Section** is responsible for the training in the proper use of the Utah Criminal Justice Information System (UCJIS) files. Proficiency testing all users and auditing agencies is also done by this section. The gathering and compiling of statewide statistics and producing the "Crime in Utah Report" is performed by this section. BCI is the Missing Person Clearinghouse for Utah and resides within this section.
5. **The Support Service Section** assists citizens wishing to review or challenge their own Utah criminal record as well as processing all incoming mail and tending to the financial issues that are handled through the bureau.

6. **The Investigations Section** issues Private Investigator and Bail Enforcement Agent licenses. Investigations are also handled through the firearms section. Carry Concealed Weapon (CCW), Private Investigator and Bail Enforcement appeal boards are overseen by the Firearms staff. Employees of the Investigations Section work closely with firearms instructors/dealers to ensure state and federal laws are followed.

7. **The Firearms Section** conducts background checks on individuals wishing to purchase a firearm. Additional research is conducted on those individuals missing data on their criminal record. Background checks are also conducted on those wishing to obtain a Concealed Weapon Permit. Permits are created after an individual passes the required background check. This section is also responsible for the suspensions and revocations of concealed permits.

Funding Detail

CITS Bureau of Criminal Identification					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,150,800	1,493,600	1,684,700	1,522,800	1,479,800
General Fund, One-time	0	0	8,000	5,300	18,600
Dedicated Credits Revenue	1,426,300	2,426,800	1,572,400	1,653,900	1,630,300
GFR - Statewide Warrant Ops	138,400	113,600	140,300	196,600	200,400
Transfers - Commission on Criminal and Ju	16,300	0	0	0	0
Transfers - Other Agencies	0	33,700	32,600	94,300	0
Pass-through	0	0	0	473,300	660,000
Beginning Nonlapsing	331,000	411,600	0	0	0
Closing Nonlapsing	(474,600)	(480,000)	0	0	0
Lapsing Balance	(45,600)	(28,400)	0	(26,300)	0
Total	\$3,542,600	\$3,970,900	\$3,438,000	\$3,919,900	\$3,989,100
Categories of Expenditure					
Personal Services	2,269,400	2,374,300	2,504,600	2,358,900	2,588,500
In-State Travel	3,300	2,200	1,400	1,000	1,200
Out of State Travel	7,000	8,100	1,700	1,600	1,600
Current Expense	484,900	558,600	424,700	551,300	293,700
DP Current Expense	763,200	909,400	493,700	533,800	444,100
DP Capital Outlay	0	64,300	11,900	0	0
Capital Outlay	14,800	54,000	0	0	0
Other Charges/Pass Thru	0	0	0	473,300	660,000
Total	\$3,542,600	\$3,970,900	\$3,438,000	\$3,919,900	\$3,989,100
Other Data					
Total FTE	51.0	52.0	52.0	52.0	52.0
Vehicles	5	5	6	6	6

Table 5-13

Special Funding

Restricted Funds Summary - (CITS Bureau of Criminal Identification)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Statewide Warrant Operations Account	63-63a-9	The revenue source is a surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts and allocated among various law enforcement programs	Statewide warrant system costs incurred by the Department of Public Safety	\$203,300

Table 5-14

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) STATE CRIME LABS

Function The State Crime Labs deals with evidence related to crimes and crime scenes for agencies throughout the state. Trace evidence includes even the smallest quantity of such materials as hair, fiber, glass, paint, and explosives. Equipment involved, such as high intensity microscopes and imaging systems, is both expensive and very high technology. They are beyond the capacity of most local law enforcement agencies. Sexual assault protocols have been established and provided to doctors and nurses in emergency rooms throughout the state to preserve and protect the evidence needed in such cases. DNA testing is now done on state-of-the-art instrumentation.

Funding Detail

CITS State Crime Labs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,715,400	1,891,500	1,747,600	1,889,000	1,899,100
General Fund, One-time	0	0	0	4,900	14,900
GFR - DNA Specimen	0	0	125,000	425,000	425,000
Beginning Nonlapsing	137,000	223,800	0	25,000	0
Closing Nonlapsing	(154,000)	0	(25,000)	(47,800)	0
Lapsing Balance	0	0	0	(134,400)	0
Total	\$1,698,400	\$2,115,300	\$1,847,600	\$2,161,700	\$2,339,000
Categories of Expenditure					
Personal Services	1,301,900	1,417,100	1,582,500	1,714,700	1,839,300
In-State Travel	4,700	3,100	1,800	2,600	1,700
Out of State Travel	17,100	11,600	8,800	10,500	7,900
Current Expense	339,300	459,500	243,800	379,000	446,600
DP Current Expense	35,400	71,600	10,700	54,900	43,500
DP Capital Outlay	0	82,300	0	0	0
Capital Outlay	0	70,100	0	0	0
Total	\$1,698,400	\$2,115,300	\$1,847,600	\$2,161,700	\$2,339,000
Other Data					
Total FTE	24.0	23.0	29.0	23.0	29.0
Vehicles	7	8	8	8	9

Table 5-15

Special Funding

Restricted Funds Summary - (CITS State Crime Labs)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
DNA Specimen Restricted Account	53-10-407	DNA collection fees; Legislative appropriations; federal funding for DNA collection and analysis; and interest on the account	Department of Public Safety costs of storing and analyzing DNA specimens as governed by statute	\$102,800

Table 5-16

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) COMMUNICATIONS

Function

The Communications Bureau is responsible for six state-managed regional communications centers to provide communications support for a variety of public safety, law enforcement and emergency services providers (UCA 53-5-104).

The dispatch centers are operated 24-hours per day. The dispatch centers are located in Salt Lake, Brigham City, Price, Vernal, Richfield, and Cedar City. Forty-one mountain top transmitters provide a communications link throughout the state for the Department of Public Safety dispatchers and numerous federal, state, and local law enforcement and service agencies.

Funding Detail

CITS Communications					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	3,209,000	3,458,000	3,052,900	3,132,200	3,149,900
General Fund, One-time	0	0	50,000	9,400	34,800
Dedicated Credits Revenue	931,500	1,542,800	1,549,100	1,656,400	1,575,800
Transfers - Other Agencies	13,700	14,500	22,500	31,300	22,000
Pass-through	0	0	0	17,400	0
Beginning Nonlapsing	62,200	121,000	0	0	0
Closing Nonlapsing	(121,000)	(240,000)	0	0	0
Total	\$4,095,400	\$4,896,300	\$4,674,500	\$4,846,700	\$4,782,500
Categories of Expenditure					
Personal Services	2,814,000	3,508,800	3,623,300	3,711,700	3,847,500
In-State Travel	13,800	23,600	15,300	19,500	14,000
Out of State Travel	1,600	0	2,200	0	2,100
Current Expense	1,169,800	1,172,500	897,700	1,017,400	834,900
DP Current Expense	98,100	141,100	136,000	62,000	84,000
DP Capital Outlay	0	12,000	0	0	0
Capital Outlay	(1,900)	38,300	0	36,100	0
Total	\$4,095,400	\$4,896,300	\$4,674,500	\$4,846,700	\$4,782,500
Other Data					
Total FTE	81.0	71.0	82.5	71.0	82.5
Vehicles	1	2	2	2	2

Table 5-17

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) CRIME LAB GRANTS

Function The Crime Laboratory has active grants through the Commission on Criminal and Juvenile Justice. The awards are for a Questioned Document Examiner, enhancement of the Cedar City Crime Laboratory, AFIS (Automated Fingerprint ID System) and Paul Coverdell Forensic Science Grant. Federal funds also flow into the State Crime Labs under specific targeted programs and guidelines. Many of these programs and projects are of limited duration.

Funding Detail

CITS Crime Lab Grants					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Federal Funds	281,700	108,900	106,400	0	8,400
Dedicated Credits Revenue	94,500	0	0	0	0
Transfers	323,500	0	0	0	0
Transfers - Commission on Criminal and Ju	0	265,300	249,300	396,600	260,000
Total	\$699,700	\$374,200	\$355,700	\$396,600	\$268,400
Categories of Expenditure					
Personal Services	242,300	178,100	152,800	196,000	159,400
In-State Travel	700	300	500	400	500
Out of State Travel	5,700	6,500	12,900	8,600	12,900
Current Expense	216,000	114,000	71,300	66,200	33,300
DP Current Expense	11,100	24,500	4,800	21,800	4,800
DP Capital Outlay	0	50,800	5,900	0	5,900
Capital Outlay	223,900	0	107,500	103,600	51,600
Total	\$699,700	\$374,200	\$355,700	\$396,600	\$268,400
Other Data					
Total FTE	5.0	5.0	1.0	5.0	4.0

Table 5-18

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) STATE BUREAU OF INVESTIGATION

Function The Investigative Services are headquartered in Salt Lake County. Services of the division, however, are statewide and are dictated by the crime and the local agencies capacity, rather than by location.

The Narcotics Section is responsible for narcotic and dangerous drug enforcement throughout the state. Primary responsibilities include:

1. specialized support to multi-jurisdictional task force groups statewide,
2. clandestine lab investigations and response,
3. airport and common carrier interdiction (including passenger mail and freight),
4. hotel/motel targeting of traveling criminals,
5. statewide coordination of marijuana eradication efforts for federal, state, and local enforcement,
6. initial and follow-up investigation of inter- or intra-state narcotic traffickers arrested by law enforcement agencies in Utah, and
7. specialized equipment and expertise as needed statewide.

Funding Detail

CITS State Bureau of Investigation					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,684,700	3,608,800	3,033,400	3,021,500	3,172,500
General Fund, One-time	0	0	0	8,300	18,000
Federal Funds	0	0	226,200	0	674,300
Dedicated Credits Revenue	32,000	16,100	15,500	23,900	17,000
General Fund Restricted	200	0	0	0	0
Transfers - Commission on Criminal and Ju	0	0	24,900	169,900	0
Transfers - Other Agencies	67,000	0	0	0	0
Beginning Nonlapsing	466,800	725,200	250,000	0	0
Closing Nonlapsing	(725,200)	(775,300)	0	0	0
Lapsing Balance	0	(15,000)	0	0	0
Total	\$3,525,500	\$3,559,800	\$3,550,000	\$3,223,600	\$3,881,800
Categories of Expenditure					
Personal Services	2,506,400	2,612,700	2,594,300	2,341,600	2,587,000
In-State Travel	8,200	16,000	25,900	4,900	24,200
Out of State Travel	22,600	21,600	27,400	18,000	26,400
Current Expense	750,500	708,100	834,300	585,100	1,126,800
DP Current Expense	230,000	176,400	68,100	203,600	117,400
DP Capital Outlay	0	25,000	0	55,200	0
Capital Outlay	7,800	0	0	0	0
Other Charges/Pass Thru	0	0	0	15,200	0
Total	\$3,525,500	\$3,559,800	\$3,550,000	\$3,223,600	\$3,881,800
Other Data					
Total FTE	47.0	44.0	44.0	44.0	35.0
Vehicles	17	17	33	33	34

Table 5-19

CRIMINAL INVESTIGATIONS AND TECHNICAL SERVICES (CITS) BUREAU OF CRIMINAL IDENTIFICATION (BCI) GRANTS

Function To properly identify these program funds separate and apart from the basic Bureau of Criminal Identification (BCI) program, they are aggregated and presented under the BCI Grants category.

Funding Detail

CITS BCI Grants					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Federal Funds	0	0	0	0	3,100
Transfers - Commission on Criminal and Ju	187,600	197,200	404,500	380,500	301,400
Total	\$187,600	\$197,200	\$404,500	\$380,500	\$304,500
Categories of Expenditure					
Personal Services	120,000	109,900	150,400	125,000	242,000
In-State Travel	2,200	400	300	600	300
Out of State Travel	0	800	5,600	9,700	5,600
Current Expense	28,700	2,300	6,600	8,000	6,600
DP Current Expense	36,700	83,800	206,700	179,400	15,100
DP Capital Outlay	0	0	34,900	57,800	34,900
Total	\$187,600	\$197,200	\$404,500	\$380,500	\$304,500
Other Data					
Total FTE	0.0	2.0	0.0	2.0	0.0
Vehicles	0	0	1	1	1

Table 5-20

UTAH HIGHWAY PATROL (UHP) ADMINISTRATION

Function

The largest unit of the Department of Public Safety is the Utah Highway Patrol. The overall goal of the Utah Highway Patrol is to protect life and property by preventing traffic accidents and to facilitate the traffic flow on the highways of the state (UCA 53-8).

The Highway Patrol is organized into subdivisions which include: Administration, Field Operations, Commercial Vehicles, Motor Vehicle Safety Inspections, Federal Projects, Protective Services, Special Services, Special Enforcement, and Technical Services.

Command responsibility for the Utah Highway Patrol rests with a superintendent under the general direction of the Commissioner of Public Safety. Personnel assigned to Administration are primarily responsible for the overall management and direction of the Highway Patrol. The office accepts responsibility for records management, public information and education, and division planning.

The Highway Patrol Administration recognizes that too much of officers' time has been spent processing reports and paperwork. In recent years, the UPH has been expanding the use of laptop technology to streamline field reporting processes and records management systems so troopers can spend more time on the road.

Funding Detail

Highway Patrol - Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	908,700	773,400	857,000	820,500	1,545,100
General Fund, One-time	0	0	0	1,700	5,700
Transportation Fund	0	0	0	0	50,000
Pass-through	0	0	0	1,000	0
Lapsing Balance	68,200	368,700	0	0	0
Total	\$976,900	\$1,142,100	\$857,000	\$823,200	\$1,600,800
Categories of Expenditure					
Personal Services	863,300	1,024,100	775,100	669,900	1,484,500
In-State Travel	3,900	2,500	700	16,900	500
Out of State Travel	2,800	9,000	0	4,400	0
Current Expense	96,400	98,300	70,100	122,900	104,700
DP Current Expense	10,500	8,200	11,100	9,100	11,100
Total	\$976,900	\$1,142,100	\$857,000	\$823,200	\$1,600,800
Other Data					
Total FTE	9.5	9.0	11.0	9.0	11.0
Vehicles	2	4	5	5	7

Table 5-21

UTAH HIGHWAY PATROL (UHP) FIELD OPERATIONS

Function

Field Operations is organized into five field bureaus. The bureaus are set up on a geographical basis. Each field bureau is commanded by a captain and divided into sections with each section commanded by a lieutenant. A section may be further divided into districts.

The officers patrol the major highways within the state and are responsible for police traffic services. This program provides some 24-hour coverage in the counties situated along the Wasatch Front. All other counties are patrolled during peak traffic periods. Officers are on call to respond at any time to an emergency. The Analyst notes that there are hours within each day that many of the state's highways effectively have no coverage from the Highway Patrol.

The patrol has a number of motorcycles that are effectively used in heavy traffic conditions where access to accidents is limited. In Utah, such vehicles can be used as much as eight months of the year.

Funding Detail

Highway Patrol - Field Operations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	20,316,200	21,068,700	20,230,200	20,790,800	21,495,300
General Fund, One-time	0	0	500,000	57,900	160,600
Transportation Fund	2,357,600	2,161,400	2,051,400	1,983,900	1,855,000
Federal Funds	0	0	0	0	100
Dedicated Credits Revenue	1,098,200	373,600	0	(100)	6,600
TFR - Dept. of Public Safety Rest. Acct.	0	406,400	0	0	133,700
Transfers - Other Agencies	(279,500)	0	0	500	0
Transfers - Within Agency	0	0	0	74,700	0
Beginning Nonlapsing	90,000	252,000	0	0	0
Closing Nonlapsing	(363,500)	0	0	0	0
Lapsing Balance	(1,394,500)	(1,800,100)	0	0	0
Total	\$21,824,500	\$22,462,000	\$22,781,600	\$22,907,700	\$23,651,300
Categories of Expenditure					
Personal Services	17,508,000	17,891,500	17,949,800	18,183,400	19,828,600
In-State Travel	43,100	47,000	52,600	30,000	46,900
Out of State Travel	36,600	22,100	13,800	2,300	12,400
Current Expense	4,063,800	4,386,200	4,631,800	4,603,300	3,626,100
DP Current Expense	155,500	115,200	133,600	88,700	137,300
Capital Outlay	17,500	0	0	0	0
Total	\$21,824,500	\$22,462,000	\$22,781,600	\$22,907,700	\$23,651,300
Other Data					
Total FTE	309.0	308.0	315.0	308.0	315.0
Vehicles	76	175	314	314	326

Table 5-22

Special Funding

Restricted Funds Summary - (Highway Patrol - Field Operations)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees, Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300

Table 5-23

UTAH HIGHWAY PATROL (UHP) COMMERCIAL VEHICLES

Function

Major responsibilities of the Commercial Vehicles program are weighing commercial vehicles and safety inspections of vehicles that don't necessarily pass through the State's Ports of Entry. Many of the checks are done with the element of surprise in as much as they have portable scale units that can be moved to any location in the state. Other responsibilities of the Commercial Vehicle program include monitoring and responding to hazardous materials incidents, ensuring compliance with Public Service Commission regulations, and detecting the abuse and trafficking of alcohol and drugs.

Funding Detail

Highway Patrol - Commercial Vehicles					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	35,600	58,700
General Fund, One-time	0	0	0	9,500	0
Transportation Fund	2,547,400	2,741,600	2,865,200	2,521,100	2,979,400
Dedicated Credits Revenue	8,800	0	0	0	0
GFR - Fire Academy Support	0	0	300,000	0	0
Lapsing Balance	394,600	23,300	0	0	0
Total	\$2,950,800	\$2,764,900	\$3,165,200	\$2,566,200	\$3,038,100
Categories of Expenditure					
Personal Services	2,493,400	2,208,000	2,170,000	2,025,600	2,002,500
In-State Travel	16,100	9,100	3,100	4,200	2,900
Out of State Travel	1,200	1,500	0	2,200	0
Current Expense	444,000	545,300	990,500	528,500	1,031,100
DP Current Expense	9,500	1,000	1,600	5,700	1,600
Capital Outlay	(13,400)	0	0	0	0
Total	\$2,950,800	\$2,764,900	\$3,165,200	\$2,566,200	\$3,038,100
Other Data					
Total FTE	35.0	35.0	38.0	35.0	37.0
Vehicles	26	34	50	50	60

Table 5-24

UTAH HIGHWAY PATROL (UHP) SAFETY INSPECTIONS

Function

The Safety Inspections program is an integral part of the Highway Patrol. This program is responsible for overseeing approximately 2,350 safety inspection stations, as well as inspecting all school buses in the state.

Each safety inspection station and each school bus is checked twice each year to insure compliance with safety regulations. Safety Inspections is responsible for regulating after market automobile parts and alternative fuel systems.

Funding Detail

Highway Patrol - Safety Inspections					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	6,700	15,500
General Fund, One-time	0	0	0	1,600	4,700
Transportation Fund	582,300	592,500	578,900	571,100	574,100
Dedicated Credits Revenue	876,600	882,200	1,023,000	1,195,100	916,600
Beginning Nonlapsing	285,400	690,900	916,700	838,300	904,700
Closing Nonlapsing	(690,900)	(916,700)	(838,300)	(1,021,200)	(624,000)
Total	\$1,053,400	\$1,248,900	\$1,680,300	\$1,591,600	\$1,791,600
Categories of Expenditure					
Personal Services	749,300	965,700	857,200	832,000	958,700
In-State Travel	12,800	10,400	8,000	9,200	7,100
Out of State Travel	4,200	4,000	6,500	4,900	5,900
Current Expense	237,100	256,100	634,500	507,300	295,800
DP Current Expense	50,000	12,700	174,100	238,200	524,100
Total	\$1,053,400	\$1,248,900	\$1,680,300	\$1,591,600	\$1,791,600
Other Data					
Total FTE	17.0	17.0	16.0	17.0	16.0
Vehicles	6	10	10	10	15

Table 5-25

UTAH HIGHWAY PATROL (UHP) FEDERAL PROJECTS

Function The Federal Projects program funds one-time or special expenditures of the Utah Highway Patrol with federal funds. These projects include such items as overtime paid on holidays, highway speed control, community traffic safety, fatigued drivers prevention, alcohol/drug prevention, seat belt demos, and equipment purchases. Because the federal funds are often initially received by another agency and then passed to Public Safety they may appear as transfer funds in budget documentation.

Funding Detail

Highway Patrol - Federal Projects					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	139,200	0	0	600	0
Federal Funds	134,400	665,600	62,300	800	22,100
Dedicated Credits Revenue	300	0	392,100	772,100	327,900
GFR - Nuclear Oversight	376,900	376,900	376,900	376,900	376,900
TFR - Dept. of Public Safety Rest. Acct.	0	0	535,000	535,000	535,500
Transfers - Commission on Criminal and Ju	0	102,800	134,200	75,000	57,000
Transfers - Other Agencies	0	1,249,000	685,500	1,052,700	1,136,000
Transfers - Within Agency	1,453,400	0	0	0	0
Beginning Nonlapsing	0	0	17,200	0	0
Closing Nonlapsing	0	0	0	(500)	0
Lapsing Balance	(496,000)	(345,500)	(376,900)	(376,900)	(376,900)
Total	\$1,608,200	\$2,048,800	\$1,826,300	\$2,435,700	\$2,078,500
Categories of Expenditure					
Personal Services	505,300	505,900	1,091,000	1,424,400	1,038,500
In-State Travel	57,700	60,900	61,000	56,100	54,600
Out of State Travel	22,000	15,200	19,800	14,600	17,600
Current Expense	257,400	1,173,500	428,600	851,000	703,000
DP Current Expense	666,800	55,500	163,200	28,600	202,100
DP Capital Outlay	82,000	14,000	6,700	0	6,700
Capital Outlay	17,000	223,800	56,000	61,000	56,000
Total	\$1,608,200	\$2,048,800	\$1,826,300	\$2,435,700	\$2,078,500
Other Data					
Total FTE	7.0	7.0	0.0	7.0	0.0

Table 5-26

Special Funding

Restricted Funds Summary - (Highway Patrol - Federal Projects)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Nuclear Waste Facility Oversight Account	19-3-309	Application and annual fees for waste transfer, storage, decay in storage, treatment, or disposal facility and Legislative appropriations	To carry out duties associated with public and environmental safety concerning the safe management of these waste materials	\$0

Table 5-27

UTAH HIGHWAY PATROL (UHP) PROTECTIVE SERVICES

Function The Protective Services Bureau of the Utah Highway Patrol is responsible for guarding the Capitol Complex, Travel Council, Pioneer Museum, the Governor’s Mansion, Heber Wells Building and the Rampton Complex against theft, vandalism, and prowlers, as well as maintaining peace and order at these sites.

Funding Detail

Highway Patrol - Protective Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,133,600	1,100,900	1,510,000	1,516,100	1,283,900
General Fund, One-time	0	0	0	4,400	17,700
Dedicated Credits Revenue	70,200	136,100	96,800	1,375,400	1,035,800
Transfers - Within Agency	0	0	0	12,100	0
Pass-through	0	0	0	5,100	0
Lapsing Balance	285,200	517,300	0	0	0
Total	\$1,489,000	\$1,754,300	\$1,606,800	\$2,913,100	\$2,337,400
Categories of Expenditure					
Personal Services	1,386,700	1,542,000	1,461,200	2,186,300	2,185,800
In-State Travel	1,700	300	300	300	300
Out of State Travel	800	500	3,000	0	2,700
Current Expense	96,400	210,600	141,900	677,000	148,200
DP Current Expense	3,400	900	400	49,500	400
Total	\$1,489,000	\$1,754,300	\$1,606,800	\$2,913,100	\$2,337,400
Other Data					
Total FTE	23.0	22.0	22.0	22.0	35.0
Vehicles	6	8	16	16	31

Table 5-28

UTAH HIGHWAY PATROL (UHP) SPECIAL SERVICES

Function The Utah Highway Patrol has statutory responsibility to provide security for the Governor and his family, both houses of the Legislature while in session, and visiting dignitaries as directed. The operations costs for this unit are directly related to the situation and style of the Governor in office. The program is successful if the Governor or his immediate family is not intentionally harmed by anyone or anything. The program’s success is also measured by the Governor’s satisfaction.

Funding Detail

Highway Patrol - Special Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,341,200	2,402,500	2,764,300	2,143,500	1,551,400
General Fund, One-time	0	0	0	5,600	4,400
Dedicated Credits Revenue	12,000	6,600	9,900	10,600	13,400
TFR - Dept. of Public Safety Rest. Acct.	535,000	535,000	0	0	1,700
Pass-through	0	0	0	1,300	0
Beginning Nonlapsing	344,800	14,400	0	0	0
Closing Nonlapsing	(14,400)	(17,200)	0	0	0
Lapsing Balance	134,800	390,500	0	0	0
Total	\$3,353,400	\$3,331,800	\$2,774,200	\$2,161,000	\$1,570,900
Categories of Expenditure					
Personal Services	1,935,700	2,214,600	2,136,600	916,100	827,500
In-State Travel	18,800	13,500	8,200	4,300	7,400
Out of State Travel	62,700	48,700	77,200	52,000	73,500
Current Expense	614,800	887,200	540,900	1,170,300	651,100
DP Current Expense	17,000	17,600	11,300	18,300	11,400
Capital Outlay	704,400	150,200	0	0	0
Total	\$3,353,400	\$3,331,800	\$2,774,200	\$2,161,000	\$1,570,900
Other Data					
Total FTE	30.0	30.0	26.5	30.0	10.5
Vehicles	8	8	9	9	10

Table 5-29

Special Funding

Restricted Funds Summary - (Highway Patrol - Special Services)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees, Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300

Table 5-30

UTAH HIGHWAY PATROL (UHP) SPECIAL ENFORCEMENT

Function Special Enforcement directs the Special Emergency Response Team (SERT), and the Driving under the Influence Team (DUI). SERT was organized in 1985 and responds to special police emergency situations which require a trained law enforcement response with specialized tools, equipment, tactics, and expertise. SERT facilitates the arrest and capture of dangerous individuals, wanted subjects, hostage situations, and secures facilities, i.e., clandestine labs and prisons. SERT assists other law enforcement agencies with additional manpower and expertise.

Funding Detail

Highway Patrol - Special Enforcement					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,126,700	1,273,400	966,100	433,300	879,600
General Fund, One-time	0	0	0	1,700	12,900
Transportation Fund	0	0	0	382,400	0
TFR - Dept. of Public Safety Rest. Acct.	0	0	506,900	506,900	506,900
Transfers - Other Agencies	0	0	0	319,000	0
Pass-through	0	0	1,200	7,700	0
Lapsing Balance	167,000	47,700	0	0	0
Total	\$1,293,700	\$1,321,100	\$1,474,200	\$1,651,000	\$1,399,400
Categories of Expenditure					
Personal Services	1,010,500	1,002,600	1,107,700	1,329,200	1,152,900
In-State Travel	10,900	5,800	4,500	5,100	4,100
Out of State Travel	2,700	5,400	2,100	(1,500)	1,900
Current Expense	269,500	291,100	359,300	317,700	239,900
DP Current Expense	100	200	600	500	600
Capital Outlay	0	16,000	0	0	0
Total	\$1,293,700	\$1,321,100	\$1,474,200	\$1,651,000	\$1,399,400
Other Data					
Total FTE	20.0	20.0	25.0	20.0	25.0
Vehicles	5	15	22	22	23

Table 5-31

Special Funding

Restricted Funds Summary - (Highway Patrol - Special Enforcement)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees, Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300

Table 5-32

UTAH HIGHWAY PATROL (UHP) TECHNICAL SERVICES

Function

The mission of the Utah Highway Patrol is to provide quality police services and the increased use of technological systems is helping to meet this goal through long-term cost savings and increased efficiency. The Mobile Data Collection System (MDCS) provides troopers with a more effective method of collecting and managing information on incidents and reduces the amount of time spent on each situation. Cellular Digital Packet Data (CDPD) provides troopers immediate access to state and federal computerized information such as National Crime Information Center (NCIC), statewide warrants, driver license files, and motor vehicle registration records. The use of notebook computers in patrol cars provides a means whereby troopers can perform their duties in a more efficient and cost effective manner.

Funding Detail

Highway Patrol - Technical Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	307,600	320,000	488,300	952,900	633,200
General Fund, One-time	0	0	0	1,800	3,100
Beginning Nonlapsing	0	111,500	0	0	0
Lapsing Balance	435,700	389,200	0	0	0
Total	\$743,300	\$820,700	\$488,300	\$954,700	\$636,300
Categories of Expenditure					
Personal Services	395,300	457,100	313,500	539,300	459,200
In-State Travel	1,500	800	900	1,200	800
Out of State Travel	2,000	0	1,400	0	1,200
Current Expense	235,800	247,900	50,000	276,600	52,600
DP Current Expense	96,800	107,500	117,300	132,600	117,300
DP Capital Outlay	11,900	7,400	5,200	5,000	5,200
Total	\$743,300	\$820,700	\$488,300	\$954,700	\$636,300
Other Data					
Total FTE	4.0	4.0	6.0	4.0	6.0
Vehicles	1	2	2	2	3

Table 5-33

INFORMATION MANAGEMENT OPERATIONS

Function

Management Information Services provides technical support for all law enforcement agencies throughout the state, which need access to national law enforcement information. This includes access to the National Crime Information Center (NCIC) with the FBI and the National Law Enforcement Telecommunications System (NLETS), which allows for communications among all law enforcement agencies throughout the United States and Canada.

The criminal history system has now been rewritten. Major effort is still being expended to coordinate with Courts, Corrections, law enforcement, and prosecutors to achieve the level of accuracy within the criminal history system that is required. The Brady Bill passed by the United States Congress has made these records available to the general public, which makes the accuracy of the criminal history information even more important.

Funding Detail

Information Management - Operations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,369,800	1,413,900	1,192,300	1,188,600	1,297,500
General Fund, One-time	0	0	0	4,500	7,400
GFR - Statewide Warrant Ops	258,500	268,500	268,600	225,900	233,200
Transfers - Commission on Criminal and Ju	578,500	0	0	0	0
Beginning Nonlapsing	35,100	39,400	0	0	0
Closing Nonlapsing	(39,400)	0	0	0	0
Lapsing Balance	(3,000)	(6,100)	0	0	0
Total	\$2,199,500	\$1,715,700	\$1,460,900	\$1,419,000	\$1,538,100
Categories of Expenditure					
Personal Services	1,414,000	1,550,100	1,241,500	1,372,600	1,256,900
In-State Travel	2,600	2,400	2,000	2,000	1,800
Out of State Travel	6,700	3,500	0	2,500	0
Current Expense	96,700	85,300	88,000	92,900	99,300
DP Current Expense	563,300	68,400	100,000	(51,000)	180,100
DP Capital Outlay	116,200	6,000	29,400	0	0
Total	\$2,199,500	\$1,715,700	\$1,460,900	\$1,419,000	\$1,538,100
Other Data					
Total FTE	19.0	19.0	17.0	19.0	17.0
Vehicles	3	4	4	4	4

Table 5-34

Special Funding

Restricted Funds Summary - (Information Management - Operations)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Statewide Warrant Operations Account	63-63a-9	The revenue source is a surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts and allocated among various law enforcement programs	Statewide warrant system costs incurred by the Department of Public Safety	\$203,300

Table 5-35

FIRE MARSHALL OPERATIONS**Function**

The major activities of the Fire Marshal's office are conducted in this program. This budget funds the operations of the arson investigation, fire code enforcement, liquefied petroleum gas, portable fire extinguishers, automatic suppression systems, and Utah Fire Incident Reporting System.

One of the major areas of responsibility of the Fire Prevention program is fire code enforcement for approximately 9,055 public owned buildings throughout the state. Included in this group are schools, nursing homes, hospitals, jails and penal institutions.

The State Fire Marshal provides a level of expertise often lacking in many local fire and police departments in the state. The office assists any department having trouble identifying the fire origin and cause. Numerous training classes are held to educate fire fighters and law enforcement officers in their ability to be able to recognize the "red flags" of arson.

The Liquefied Petroleum Gas (LPG) Laws must be enforced throughout the state and the office inspects about 550 sites and testing and certifying over 1,100 dispensing units.

In addition to the previously mentioned responsibilities, the State Fire Marshal's office recognizes a primary responsibility of educating the public concerning fire prevention. Most of the education is provided through the school system, but the Fire Marshall provides training for local fire agencies as well as local seminars and public meetings.

Funding Detail

Fire Marshall - Fire Operations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	865,200	945,200	1,090,300	0	0
General Fund, One-time	0	0	(300,000)	0	0
Dedicated Credits Revenue	143,300	154,500	171,500	189,000	236,700
GFR - Fire Academy Support	30,500	19,700	91,000	1,012,600	991,200
Beginning Nonlapsing	22,100	11,200	30,100	62,600	0
Closing Nonlapsing	(11,700)	(30,100)	0	(100)	0
Lapsing Balance	(1,000)	0	0	0	0
Total	\$1,048,400	\$1,100,500	\$1,082,900	\$1,264,100	\$1,227,900
Categories of Expenditure					
Personal Services	860,700	928,300	946,900	964,300	1,044,000
In-State Travel	13,500	14,200	11,300	13,400	10,100
Out of State Travel	600	2,300	2,500	1,300	2,300
Current Expense	157,500	144,800	121,300	273,000	145,600
DP Current Expense	16,100	10,900	900	12,100	900
Other Charges/Pass Thru	0	0	0	0	25,000
Total	\$1,048,400	\$1,100,500	\$1,082,900	\$1,264,100	\$1,227,900
Other Data					
Total FTE	15.0	16.0	15.0	16.0	15.0
Vehicles	9	10	11	11	13

Table 5-36

Special Funding

Restricted Funds Summary - (Fire Marshall - Fire Operations)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Fire Academy Support Account	53-7-204.2	Fees assessed on property and life insurance premiums; cost recovery fees; gifts; donations; property grants to the fire academy; and Legislative appropriations.	Funding for the Fire Academy and the general operation of the Fire Marshall	\$6,071,100

Table 5-37

FIRE MARSHALL FIRE FIGHTER TRAINING**Function**

The Fire Fighter Training program funds contractual fire fighting training at the Utah Valley State College at Provo-Orem for the training of the state's 240+ fire departments and over 5,800 fire fighters. (Over 90 percent are volunteers.)

The Firefighter Training School is physically located at Utah Valley State College in Orem and at the Provo airport. Such training requires specialized areas where live fire fighting training can be conducted with relative safety to the community.

This training helps ensure that fire fighters are properly trained to handle any fire disaster that might occur in the state. During the 1993 General Session of the Legislature, a tax on property insurance premiums was enacted to establish a funding source for a fire academy in the state. These funds are deposited into a restricted fund for training fire fighters. Utah Valley State College currently offers training for fire fighters throughout the state.

Funding Detail

Fire Marshall - Fire Fighter Training					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Fire Academy Support	2,885,100	3,174,100	3,149,600	3,354,500	3,421,600
Beginning Nonlapsing	28,200	31,000	371,400	0	0
Closing Nonlapsing	(31,000)	(371,400)	(62,600)	0	0
Lapsing Balance	0	(2,000)	0	0	0
Total	\$2,882,300	\$2,831,700	\$3,458,400	\$3,354,500	\$3,421,600
Categories of Expenditure					
Personal Services	113,600	154,500	194,200	387,700	402,100
In-State Travel	1,300	2,200	1,700	2,800	1,700
Out of State Travel	1,700	2,000	1,100	3,500	1,100
Current Expense	33,700	118,700	174,400	109,600	476,700
DP Current Expense	23,000	16,900	10,500	7,100	10,500
Capital Outlay	0	0	34,800	0	34,800
Other Charges/Pass Thru	2,709,000	2,537,400	3,041,700	2,843,800	2,494,700
Total	\$2,882,300	\$2,831,700	\$3,458,400	\$3,354,500	\$3,421,600
Other Data					
Total FTE	2.0	4.0	6.0	4.0	6.0
Vehicles	0	1	1	1	2

Table 5-38

Special Funding

Restricted Funds Summary - (Fire Marshall - Fire Fighter Training)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Fire Academy Support Account	53-7-204.2	Fees assessed on property and life insurance premiums; cost recovery fees; gifts; donations; property grants to the fire academy; and Legislative appropriations.	Funding for the Fire Academy and the general operation of the Fire Marshall	\$6,071,100

Table 5-39

EMERGENCY SERVICES AND HOMELAND SECURITY

Function

The Emergency Services and Homeland Security line item has only one program—the Emergency Services and Homeland Security program. This program has coordination, funds allocation, training, testing and planning functions for the state and with local entities. It is the state’s link to the Federal Emergency Management Agency (FEMA). FEMA requires performance data as a requirement of its grant process. The division also works with a nationwide network of federal, state, and local law enforcement entities to guard against terrorists and terrorist acts of mass destruction.

Statutory Authority

Statutory Authority for Emergency Services and Homeland Security is found in UCA 53-2.

Funding Detail

Emergency Services and Homeland Security					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	709,200	710,700	678,800	694,700	724,900
General Fund, One-time	0	0	0	2,100	7,100
Federal Funds	10,176,200	9,162,200	10,550,900	29,289,400	11,364,500
Dedicated Credits Revenue	201,500	250,600	236,400	233,400	255,000
GFR - Environmental Quality	1,816,400	200,000	0	0	0
GFR - Nuclear Oversight	0	1,416,400	1,416,400	1,416,400	1,416,400
Transfers - Commission on Criminal and Ju	0	338,000	108,400	26,700	167,700
Transfers - Other Agencies	66,700	13,000	1,900	89,000	12,900
Beginning Nonlapsing	422,800	22,900	27,800	274,600	0
Closing Nonlapsing	(22,900)	(27,800)	(274,600)	(3,600)	0
Lapsing Balance	(1,616,400)	(1,416,400)	(1,426,400)	(1,416,400)	(1,426,400)
Total	\$11,753,500	\$10,669,600	\$11,319,600	\$30,606,300	\$12,522,100
Programs					
Emergency Services and Homeland Security	11,753,500	10,669,600	11,319,600	30,606,300	12,522,100
Total	\$11,753,500	\$10,669,600	\$11,319,600	\$30,606,300	\$12,522,100
Categories of Expenditure					
Personal Services	2,658,800	2,944,900	3,044,000	3,617,100	4,037,200
In-State Travel	22,000	37,800	40,400	60,900	40,300
Out of State Travel	109,900	132,000	124,400	104,000	124,400
Current Expense	1,063,600	1,168,000	1,546,000	2,663,600	1,741,000
DP Current Expense	287,900	354,600	60,200	1,229,100	149,200
DP Capital Outlay	0	43,000	9,800	1,624,400	9,800
Capital Outlay	120,200	129,500	211,400	1,588,000	211,400
Other Charges/Pass Thru	7,491,100	5,859,800	6,283,400	19,719,200	6,208,800
Total	\$11,753,500	\$10,669,600	\$11,319,600	\$30,606,300	\$12,522,100
Other Data					
Total FTE	45.0	44.0	45.3	44.0	58.0
Vehicles	12	15	18	18	19

Table 5-40

Special Funding

Restricted Funds Summary - (Emergency Services and Homeland Security)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Nuclear Waste Facility Oversight Account	53-2-105	Recovered costs from those persons whose negligent actions caused the hazardous materials emergency	Reimbursement of state and local agencies for costs incurred	\$0

Table 5-41

PEACE OFFICERS’ STANDARDS AND TRAINING (POST)

Function

The Peace Officers’ Standards and Training line item is responsible for the basic training in some form of all Utah peace officers. To fulfill this responsibility, POST operates and coordinates all basic recruit training programs for prospective law enforcement officers and an in-service training program for existing law enforcement officers. The POST Council, which includes representatives from a broad spectrum of law enforcement interests, also sets the standards for peace officer certification and review. The restricted funds that support POST training are from the Public Safety Support Fund, which is financed by surcharges on criminal fines.

POST was created to ensure uniform and high quality standards and training for Utah law enforcement officers. POST also certifies certain academic and other agencies to provide training under programs reviewed and certified by POST.

Statutory Authority

Statutory Authority for POST is found in UCA 53-6.

Funding Detail

Peace Officers' Standards and Training					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	848,500	120,500	0	0	0
Federal Funds	2,116,500	2,592,800	2,157,800	2,076,500	3,553,300
Dedicated Credits Revenue	45,300	22,900	61,000	52,900	29,700
GFR - Public Safety Support	1,704,500	2,510,100	2,706,500	2,805,300	2,867,400
Transfers - Commission on Criminal and Ju	27,700	0	0	0	0
Pass-through	0	0	19,200	7,900	0
Beginning Nonlapsing	12,000	39,700	21,500	74,200	0
Closing Nonlapsing	(39,300)	(21,500)	(74,200)	(48,400)	0
Lapsing Balance	(7,500)	(5,000)	(20,000)	0	0
Total	\$4,707,700	\$5,259,500	\$4,871,800	\$4,968,400	\$6,450,400
Programs					
Basic Training	1,227,300	1,307,000	1,176,300	1,410,200	1,286,100
Regional/Inservice Training	689,700	591,800	667,100	686,400	742,800
Post Administration	674,200	767,900	870,600	795,300	868,200
Police Corps Academy	2,116,500	2,592,800	2,157,800	2,076,500	3,553,300
Total	\$4,707,700	\$5,259,500	\$4,871,800	\$4,968,400	\$6,450,400
Categories of Expenditure					
Personal Services	1,897,000	2,063,700	2,285,700	2,263,000	2,249,200
In-State Travel	23,900	22,100	31,300	43,600	31,300
Out of State Travel	19,100	19,600	41,600	26,400	41,600
Current Expense	2,423,000	2,296,500	2,403,200	2,536,200	3,443,600
DP Current Expense	84,600	40,300	109,200	73,700	136,600
Capital Outlay	20,100	237,300	0	25,500	500,000
Other Charges/Pass Thru	240,000	580,000	800	0	48,100
Total	\$4,707,700	\$5,259,500	\$4,871,800	\$4,968,400	\$6,450,400
Other Data					
Total FTE	31.0	30.0	29.0	30.0	30.0
Vehicles	56	63	66	66	66

Table 5-42

Special Funding

Restricted Funds Summary - (Peace Officers Standards and Training (POST))				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Public Safety Support Account	63-63a-4	The revenue source is a surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts and allocated among various law enforcement programs	Funding for the POST Training program	\$0

Table 5-43

BASIC TRAINING**Function**

Successful completion of a POST certified basic program is required of all new law enforcement officers in this state. The present facility and staff allow POST to train about 200-250 peace officers in six to eight basic training sessions per year. The full-time staff operates the academy, however, about 40 part-time certified instructors and professionals are utilized to teach the major portion of the various basic training courses.

As of January 1, 1997, all candidates for POST basic training are required to pass an entrance examination to demonstrate minimum skills to become a peace officer.

Law enforcement today is a professional career, which requires high standards of performance. POST has a statutory mandate in UCA 53-6-106, to:

"Better promote and insure the safety and welfare of the citizens of this state...and to provide for more efficient and professional law enforcement."

It is in the best interest of the citizens of the state to have a well-trained law enforcement officer force, which meets statewide standards regardless of the jurisdiction wherein service is performed.

Funding Detail

Basic Training					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	167,200	120,500	0	0	0
Dedicated Credits Revenue	45,300	22,900	60,800	52,900	29,500
GFR - Public Safety Support	1,014,800	1,163,600	1,190,500	1,278,300	1,256,600
Pass-through	0	0	19,200	7,900	0
Beginning Nonlapsing	0	0	0	74,200	0
Closing Nonlapsing	0	0	(74,200)	(3,100)	0
Lapsing Balance	0	0	(20,000)	0	0
Total	\$1,227,300	\$1,307,000	\$1,176,300	\$1,410,200	\$1,286,100
Categories of Expenditure					
Personal Services	625,500	581,900	552,000	485,200	512,200
In-State Travel	2,500	2,800	3,200	1,100	3,200
Out of State Travel	5,200	2,100	1,000	2,100	1,000
Current Expense	547,100	475,500	618,300	889,100	718,300
DP Current Expense	26,900	7,400	1,800	32,700	29,200
Capital Outlay	20,100	237,300	0	0	0
Other Charges/Pass Thru	0	0	0	0	22,200
Total	\$1,227,300	\$1,307,000	\$1,176,300	\$1,410,200	\$1,286,100
Other Data					
Total FTE	10.0	9.0	8.0	9.0	8.0
Vehicles	38	41	42	42	42

Table 5-44

REGIONAL/IN-SERVICE TRAINING

Function

All Utah Peace Officers are required to complete 40 hours of in-service training annually (UCA 63-6-201). This program provides funding to assist agencies and regions to conduct their own training needs. POST conducts special training classes and provides training programs to regional locations off the Wasatch Front via actual class instruction, multi-media productions and interactive computer training programs. The Regional/In-Service Training program also includes management of the Emergency Vehicle Operations Course and a Firearms Course.

Funding Detail

Regional/Inservice Training					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits Revenue	0	0	200	0	0
GFR - Public Safety Support	689,700	591,800	666,900	686,400	742,800
Total	\$689,700	\$591,800	\$667,100	\$686,400	\$742,800
Categories of Expenditure					
Personal Services	361,900	314,500	406,500	437,600	466,900
In-State Travel	10,800	11,200	10,100	7,400	10,100
Out of State Travel	300	3,500	4,900	1,100	4,900
Current Expense	297,800	259,600	237,000	220,800	241,000
DP Current Expense	18,900	3,000	8,600	19,500	8,800
Other Charges/Pass Thru	0	0	0	0	11,100
Total	\$689,700	\$591,800	\$667,100	\$686,400	\$742,800
Other Data					
Total FTE	6.0	7.0	7.0	7.0	7.0
Vehicles	2	3	3	3	3

Table 5-45

POST ADMINISTRATION

Function

The POST Administration program is responsible for the oversight and coordination of the law enforcement training services offered by the Police Officers Standards and Training line item. The investigation and adjudication of allegations of peace officers' misconduct is also a responsibility of the POST Administration.

Administration funds originate from the General Fund Restricted - Public Safety Support Fund. The Public Safety Support Fund comes through a surcharge imposed by the courts on criminal fines, penalties, and forfeitures (UCA 63-63a-4). This account is used to help fund the Peace Officers Standards and Training Programs. POST is located at the Rampton Complex, co-located with the Department of Public Safety and the Department of Transportation.

Funding Detail

Post Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	681,300	0	0	0	0
Dedicated Credits Revenue	0	0	0	0	200
GFR - Public Safety Support	0	754,700	849,100	840,600	868,000
Transfers - Commission on Criminal and Ju	27,700	0	0	0	0
Beginning Nonlapsing	12,000	39,700	21,500	0	0
Closing Nonlapsing	(39,300)	(21,500)	0	(45,300)	0
Lapsing Balance	(7,500)	(5,000)	0	0	0
Total	\$674,200	\$767,900	\$870,600	\$795,300	\$868,200
Categories of Expenditure					
Personal Services	528,600	645,600	760,600	679,200	642,900
In-State Travel	7,000	6,100	8,700	4,100	8,700
Out of State Travel	3,600	4,700	5,000	3,000	5,000
Current Expense	104,300	84,800	92,200	96,200	193,500
DP Current Expense	30,700	26,700	4,100	12,800	4,100
Other Charges/Pass Thru	0	0	0	0	14,000
Total	\$674,200	\$767,900	\$870,600	\$795,300	\$868,200
Other Data					
Total FTE	8.0	7.0	8.0	7.0	8.0
Vehicles	5	8	9	9	9

Table 5-46

POLICE CORPS ACADEMY

Function

The Police Corps Academy is a special federally funded program designed to upgrade police training nationally. It is administered by the Office of Justice Programs, Office of the Police Corps and Law Enforcement Education. The program is designed to address violent crime by increasing the number of officers with advanced education and training assigned to community patrol in areas of great need. The first graduation ceremony was held late in 1999 and is an on-going federal effort to improve the professional status of law enforcement.

Police Corps students receive 20 weeks of residential training (6 weeks more than the usual 14 week course of basic training for Utah officers). Agencies are encouraged to hire Police Corps participants who are subsidized through a federal grant with \$10,000 per officer/per year in each of the first four years of service.

Funding Detail

Police Corps Academy					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	2,116,500	2,592,800	2,157,800	2,076,500	3,553,300
Total	\$2,116,500	\$2,592,800	\$2,157,800	\$2,076,500	\$3,553,300
Categories of Expenditure					
Personal Services	381,000	521,700	566,600	661,000	627,200
In-State Travel	3,600	2,000	9,300	31,000	9,300
Out of State Travel	10,000	9,300	30,700	20,200	30,700
Current Expense	1,473,800	1,476,600	1,455,700	1,330,100	2,290,800
DP Current Expense	8,100	3,200	94,700	8,700	94,500
Capital Outlay	0	0	0	25,500	500,000
Other Charges/Pass Thru	240,000	580,000	800	0	800
Total	\$2,116,500	\$2,592,800	\$2,157,800	\$2,076,500	\$3,553,300
Other Data					
Total FTE	7.0	7.0	6.0	7.0	7.0
Vehicles	11	11	12	12	12

Table 5-47

LIQUOR LAW ENFORCEMENT

Function

The Liquor Law Enforcement line item has only one program—the Liquor Law Enforcement program. This program is responsible for the enforcement of the state’s liquor laws. All state liquor licensees and all liquor consumption fall under the responsibility of this program. The Liquor Law Enforcement program works independently statewide, but also aids local law enforcement agencies in the enforcement of Utah’s Liquor Control Act (UCA 32A-12).

Agents of this section maintain a continuing program of inspections and surveillance of the various lounges, private clubs, and restaurants dispersing alcohol to ensure compliance with state laws. Emphasis is also focused on such problems as underage drinking, illegal importation, and drinking/driving.

Statutory Authority

Statutory Authority for Liquor Law Enforcement is found in UCA 32A-12.

Funding Detail

Liquor Law Enforcement					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	979,700	994,100	889,400	1,334,600	1,374,600
General Fund, One-time	0	0	0	2,600	7,700
Beginning Nonlapsing	28,000	58,000	0	0	0
Closing Nonlapsing	(58,000)	(19,000)	0	(37,700)	0
Lapsing Balance	(300)	(700)	0	0	0
Total	\$949,400	\$1,032,400	\$889,400	\$1,299,500	\$1,382,300
Programs					
Liquor Law Enforcement	949,400	1,032,400	889,400	1,299,500	1,382,300
Total	\$949,400	\$1,032,400	\$889,400	\$1,299,500	\$1,382,300
Categories of Expenditure					
Personal Services	763,600	767,500	776,500	921,500	1,055,300
In-State Travel	600	1,700	8,200	5,000	9,600
Out of State Travel	8,400	3,400	1,000	1,300	1,000
Current Expense	148,700	199,200	103,400	354,500	316,100
DP Current Expense	28,100	60,600	300	17,200	300
Total	\$949,400	\$1,032,400	\$889,400	\$1,299,500	\$1,382,300
Other Data					
Total FTE	12.0	12.0	12.0	12.0	15.0
Vehicles	7	7	12	12	12

Table 5-48

DRIVER LICENSE

Function

The Driver License line item is responsible for the licensing and examining of Utah motorists, ensuring that all motorists meet minimum vision, knowledge and performance requirements, and are capable of driving safely. The line item also directs attention to specific driver improvement and correction problems.

The Driver License line item is divided into three major programs with specific responsibilities in Administration, Driver Services, and Driver Records. In addition, the line item has a Motorcycle Safety program and administers the Uninsured Motorists Database.

Statutory Authority

Statutory Authority for the Driver License line item is found in UCA 53-3.

Funding Detail

Driver License					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	0	0	62,000	0	0
General Fund, One-time	0	0	0	3,500	0
Federal Funds	0	0	0	9,500	0
Dedicated Credits Revenue	100	4,900	6,100	1,800	4,700
TFR - Motorcycle Education	205,300	206,600	207,000	207,000	208,000
TFR - Dept. of Public Safety Rest. Acct.	14,555,100	15,993,200	16,284,000	16,261,100	16,766,800
TFR - Uninsured Motorist I.D.	1,560,100	1,560,000	1,560,100	1,560,100	1,560,100
Pass-through	1,900	0	3,800	260,000	0
Beginning Nonlapsing	655,200	1,624,200	1,833,700	1,241,900	162,400
Closing Nonlapsing	(1,624,200)	(1,833,600)	(1,241,900)	(1,148,300)	0
Lapsing Balance	(8,300)	(8,100)	(10,400)	0	0
Total	\$15,345,200	\$17,547,200	\$18,704,400	\$18,396,600	\$18,702,000
Programs					
Driver License Administration	1,165,300	1,379,300	1,598,300	2,311,900	2,226,000
Driver Services	8,639,700	9,460,200	9,761,900	9,806,300	9,809,100
Driver Records	4,016,300	5,040,300	5,273,500	4,656,400	4,896,900
Motorcycle Safety	204,000	197,200	199,800	200,400	209,900
Uninsured Motorist	1,319,900	1,470,200	1,870,900	1,421,600	1,560,100
Total	\$15,345,200	\$17,547,200	\$18,704,400	\$18,396,600	\$18,702,000
Categories of Expenditure					
Personal Services	10,401,200	11,285,700	11,954,200	12,060,400	12,843,000
In-State Travel	43,300	63,200	45,200	42,900	45,300
Out of State Travel	11,500	7,600	11,400	2,200	11,400
Current Expense	3,686,400	5,080,900	5,312,900	5,344,500	4,861,200
DP Current Expense	626,700	960,200	1,357,000	851,100	681,300
DP Capital Outlay	0	149,600	23,700	26,700	10,200
Other Charges/Pass Thru	576,100	0	0	68,800	249,600
Total	\$15,345,200	\$17,547,200	\$18,704,400	\$18,396,600	\$18,702,000
Other Data					
Total FTE	258.0	249.0	261.0	249.0	260.0
Vehicles	16	20	21	21	21

Table 5-49

Special Funding

Restricted Funds Summary - (Driver License)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Public Safety Motorcycle Education	53-3-905	Registration fees imposed for each registered motorcycle and fees imposed for an original, renewal, or extension of a class M license or provisional class M license application	Motorcycle rider education	\$548,100
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees; Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300
Uninsured Motorist Identification Restricted Account	41-12a-806	Uninsured motorist identification fees; registration reinstatement fees; Legislative appropriations; and interest earned on the account	Pay the annual ongoing expense of the database program; state and local law enforcement costs of using the database information; the Tax Commission to offset costs to the Motor Vehicle Division for revoking and reinstating vehicle registrations	\$4,307,500

Table 5-50

DRIVER LICENSE ADMINISTRATION

Function

The Administration program provides oversight for all driver license operations throughout the state. The program performs the following functions and activities:

1. **Budgeting and Accounting:** Ensures that the division is operating within parameters of budgets, personnel, facilities, etc.
2. **General Services:** Coordinates and orders all supplies and equipment used by the division
3. **Facilities:** Ensures that the office space needs of the division are met, in addition to telephone equipment and vehicle needs
4. **Regulatory Programs:** Certifies commercial driver training schools and instructors and ensures that both are operating within the laws, rules and expectations of the division; oversees the Renewal by Mail program and the medical program coordinator
5. **Driver Improvement:** Works with problem drivers through administrative hearings and determines what action, if any, is appropriate in an effort to modify a person’s driving abilities or habits; conducts quasi-judicial hearings for alcohol-related arrests and determines appropriate action

Funding Detail

Driver License Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
TFR - Dept. of Public Safety Rest. Acct.	1,340,600	1,404,000	1,294,500	1,423,400	2,226,000
Pass-through	0	0	3,800	260,000	0
Beginning Nonlapsing	100,000	275,300	300,000	1,071,500	0
Closing Nonlapsing	(275,300)	(300,000)	0	(443,000)	0
Total	\$1,165,300	\$1,379,300	\$1,598,300	\$2,311,900	\$2,226,000
Categories of Expenditure					
Personal Services	972,800	1,317,100	1,540,500	2,046,800	2,167,100
In-State Travel	2,600	9,200	4,500	3,100	4,500
Out of State Travel	3,500	2,900	5,600	600	5,600
Current Expense	55,100	50,100	47,500	40,800	48,600
DP Current Expense	131,300	0	200	220,600	200
Total	\$1,165,300	\$1,379,300	\$1,598,300	\$2,311,900	\$2,226,000
Other Data					
Total FTE	19.0	18.0	37.0	18.0	40.0
Vehicles	1	1	1	1	1

Table 5-51

DRIVER SERVICES**Function**

Driver License Services ensures that the citizens who operate motor vehicles on the highways of Utah have complied with the requirements and have proven their proficiency. Identification and acquisition of appropriate technology methods, as resources become available for automation and improved customer services. Applicants for driver license and identification cards have substantially established their identity.

Funding Detail

Driver Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	0	0	62,000	0	0
General Fund, One-time	0	0	0	3,500	0
Federal Funds	0	0	0	9,500	0
Dedicated Credits Revenue	3,000	3,200	3,200	1,800	4,700
TFR - Dept. of Public Safety Rest. Acct.	8,987,200	9,555,000	10,222,600	10,316,300	9,642,000
Pass-through	1,900	0	0	0	0
Beginning Nonlapsing	255,200	600,600	691,000	0	162,400
Closing Nonlapsing	(600,600)	(690,900)	(1,206,500)	(524,800)	0
Lapsing Balance	(7,000)	(7,700)	(10,400)	0	0
Total	\$8,639,700	\$9,460,200	\$9,761,900	\$9,806,300	\$9,809,100
Categories of Expenditure					
Personal Services	6,261,700	6,663,300	6,904,900	6,347,300	6,918,500
In-State Travel	31,000	45,400	38,500	37,300	38,500
Out of State Travel	1,000	0	1,400	900	1,400
Current Expense	1,769,900	2,751,500	2,817,100	3,345,800	2,676,000
DP Current Expense	0	0	0	6,200	0
Other Charges/Pass Thru	576,100	0	0	68,800	174,700
Total	\$8,639,700	\$9,460,200	\$9,761,900	\$9,806,300	\$9,809,100
Other Data					
Total FTE	148.0	142.0	135.0	142.0	131.0
Vehicles	15	19	20	20	20

Table 5-52

DRIVER RECORDS**Function**

This program is responsible for the maintenance of records on all drivers in the State of Utah. Employees of the program enter approximately 30,000 citations per month on the driver license file. Continued increases in areas of enforcement emphasis, such as the drinking driver problem, have resulted in substantial workload increases in this program. The system is closely tied into the court and general law enforcement programs.

Funding Detail

Driver Records					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits Revenue	(2,900)	1,700	2,900	0	0
TFR - Dept. of Public Safety Rest. Acct.	4,227,300	5,034,200	4,766,900	4,520,500	4,896,900
Beginning Nonlapsing	300,000	508,100	503,700	135,900	0
Closing Nonlapsing	(508,100)	(503,700)	0	0	0
Total	\$4,016,300	\$5,040,300	\$5,273,500	\$4,656,400	\$4,896,900
Categories of Expenditure					
Personal Services	3,125,900	3,252,400	3,461,800	3,607,400	3,706,300
In-State Travel	500	2,200	200	600	200
Out of State Travel	3,700	2,500	0	0	0
Current Expense	513,900	833,500	559,000	521,900	552,200
DP Current Expense	372,300	800,100	1,228,800	499,800	553,100
DP Capital Outlay	0	149,600	23,700	26,700	10,200
Other Charges/Pass Thru	0	0	0	0	74,900
Total	\$4,016,300	\$5,040,300	\$5,273,500	\$4,656,400	\$4,896,900
Other Data					
Total FTE	90.0	88.0	88.0	88.0	88.0

Table 5-53

MOTORCYCLE SAFETY**Function**

The Motorcycle Rider Education Act enacted in 1993 in UCA 53-3-901 created the Motorcycle Safety program. The Driver License Division is required to develop standards for and administer this program. The program includes training courses for all ranges of abilities of motorcyclists and training instructors.

The Legislature provided that an annual fee of \$5 for each registered motorcycle and a \$2.50 fee for an original, renewal, or extension of a Class M Driver License is to be dedicated for use by the division for this program.

Funding Detail

Motorcycle Safety					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
TFR - Motorcycle Education	205,300	206,600	207,000	207,000	208,000
TFR - Dept. of Public Safety Rest. Acct.	0	0	0	900	1,900
Beginning Nonlapsing	0	0	9,000	15,300	0
Closing Nonlapsing	0	(9,000)	(16,200)	(22,800)	0
Lapsing Balance	(1,300)	(400)	0	0	0
Total	\$204,000	\$197,200	\$199,800	\$200,400	\$209,900
Categories of Expenditure					
Personal Services	34,800	43,400	47,000	49,400	51,100
In-State Travel	9,200	6,400	2,000	1,900	2,100
Out of State Travel	3,300	2,200	4,400	700	4,400
Current Expense	156,700	145,200	146,400	148,400	152,300
Total	\$204,000	\$197,200	\$199,800	\$200,400	\$209,900
Other Data					
Total FTE	1.0	1.0	1.0	1.0	1.0

Table 5-54

UNINSURED MOTORIST

Function

A private provider, Insure-rite, Inc., has created a database showing insured/uninsured vehicles. This database is accessed by the driver's license of motor vehicle status checks by law enforcement officers. There has been a noticeable decrease in the number of uninsured vehicles since the inception of the program.

Funding Detail

Uninsured Motorist					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
TFR - Uninsured Motorist I.D.	1,560,100	1,560,000	1,560,100	1,560,100	1,560,100
Beginning Nonlapsing	0	240,200	330,000	19,200	0
Closing Nonlapsing	(240,200)	(330,000)	(19,200)	(157,700)	0
Total	\$1,319,900	\$1,470,200	\$1,870,900	\$1,421,600	\$1,560,100
Categories of Expenditure					
Personal Services	6,000	9,500	0	9,500	0
Current Expense	1,190,800	1,300,600	1,742,900	1,287,600	1,432,100
DP Current Expense	123,100	160,100	128,000	124,500	128,000
Total	\$1,319,900	\$1,470,200	\$1,870,900	\$1,421,600	\$1,560,100

Table 5-55

HIGHWAY SAFETY**Function**

The Highway Safety line item has only one program—the Highway Safety program. Under authority of UCA 41-19-1, 2, the Utah Highway Safety program has the state’s responsibility of proposing, negotiating and managing the contract with National Highway Traffic Safety Administration for federal funds to be expended on highway safety projects within the state. The Utah Highway Safety program acts to subcontract with state, local, and private organizations in Utah to expend resources to implement highway safety activities.

The activities associated with the subcontracting process are project development, technical assistance, consultation, liaison, evaluation, reporting, accounting, data collection, problem identification, resource analysis, project monitoring, and subcontract negotiations. The program also contracts for special projects, negotiates with subcontractors for expenditure of these funds, and manages the implementation and progress of these projects.

The Utah Highway Safety program coordinates the highway safety efforts within the state and maintains communications with all involved agencies and individuals. These include entities such as the Board of Education, Department of Transportation, Health Department, State Planning Office, State Court Administrator, Department of Public Safety, local police departments and sheriffs, the National Safety Council, PTA, and news media. Since the Utah Highway Safety program is a state agency, it responds to requests for information from other agencies and from private citizens.

Statutory Authority

Statutory Authority for Highway Safety is found in UCA 41-19-1 and 2.

Funding Detail

Highway Safety					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	102,100	102,100	98,600	93,700	94,700
General Fund, One-time	0	0	0	100	300
Federal Funds	2,875,300	3,255,800	3,735,000	3,080,500	3,085,100
TFR - Dept. of Public Safety Rest. Acct.	0	850,000	400,000	400,000	400,000
Closing Nonlapsing	0	0	0	(10,100)	0
Lapsing Balance	0	0	(18,900)	0	0
Total	\$2,977,400	\$4,207,900	\$4,214,700	\$3,564,200	\$3,580,100
Categories of Expenditure					
Personal Services	878,200	1,189,000	1,294,500	1,149,900	1,276,500
In-State Travel	10,400	8,500	13,200	10,000	13,200
Out of State Travel	45,700	36,000	38,200	26,400	38,700
Current Expense	831,700	866,100	880,000	641,600	882,300
DP Current Expense	39,300	97,900	67,600	21,500	67,600
DP Capital Outlay	14,800	0	0	0	0
Capital Outlay	7,900	71,900	26,900	35,000	26,900
Other Charges/Pass Thru	1,149,400	1,938,500	1,894,300	1,679,800	1,274,900
Total	\$2,977,400	\$4,207,900	\$4,214,700	\$3,564,200	\$3,580,100
Other Data					
Total FTE	11.0	11.0	9.0	11.0	11.0

Table 5-56

Special Funding

Restricted Funds Summary - (Highway Safety)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Department of Public Safety Restricted Account	53-3-106	Fees imposed for driver licenses; administrative fees, Legislative appropriations; and interest earned on the account	Expenses of the department in performing its legal duties and responsibilities	\$2,899,300

Table 5-57

CHAPTER 6 UTAH DEPARTMENT OF CORRECTIONS

Function The Department of Corrections is the adult correctional authority for the State of Utah. It has community protection as its primary mission. The mission statement of the Department reads as follows:

“We are corrections professionals, dedicated to protecting our community by enforcing orders of the court and Board of Pardons. We are also dedicated to guiding offenders to become law abiding citizens through the use of professional and community resources.”

To accomplish their mission, the Department must develop and provide programs that identify and control the convicted offender’s inappropriate behavior. It is also to help the offenders in functioning as law-abiding citizens.

Inmate Housing

The Utah Department of Corrections houses nearly 6,000 inmates in more than 30 facilities at two major locations, Draper and Gunnison. The Division of Institutional Operations manages the inmate population in the secure facilities. Additionally, inmates are housed in county jails in 22 of Utah’s 29 counties on a contractual basis.

Secure Facilities			
<u>Facility Location</u>	<u>Number of Buildings</u>	<u>Maximum Capacity</u>	<u>Count 11/17/04</u>
Draper Site (Male)	22	3,039	3,108
Draper Site (Female)	4	413	418
Gunnison (Male)	6	1,080	1,102

Table 6-1

Transition Housing

Once an inmate is released from prison, or if a person is sentenced to probation, they come under the responsibility of Adult Probation and Parole. This Division operates six facilities to maintain oversight and supervise assigned parolees and probationers. These facilities are listed in the following figure.

Community Correctional Centers	
<u>Facility</u>	<u>Operational Capacity</u>
Bonneville CCC	68
Fremont CCC	60
Orange Street CCC	62
Northern Utah CCC	156
Salt Lake Transition	44

Table 6-2

Statutory Authority The Department of Corrections is governed primarily by Section 64 of the Utah Code Annotated.

- UCA 64-13-2 creates the Utah Department of Corrections and grants it authorization to function.
- UCA 64-13-6 outlines the Department's duties.

Intent Language

The entire Department has been granted nonlapsing authority regarding the carry-over of unexpended funds from one year to the next. Nonlapsing status has also been used to more effectively manage the uncertain nature of prison population counts and growth of parole supervision. This authority has been given along with a consolidation of line items into a single line item to improve the efficiency of operations while addressing the budget reductions of the last three years. Even though the intent language indicates that the Utah Correctional Industries was to be consolidated, it was not done by the Fiscal Analyst during the Legislative Session.

It is the intent of the Legislature that the following line items in the Department of Corrections be consolidated for Fiscal Year 2005: Programs and Operations; Medical Services; and Utah Correctional Industries. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Jail Contracting; Jail Reimbursement; and DP Internal Service Fund. The Legislature intends that funds provided for Corrections Programs and Operations shall not lapse.

For the first time, the Legislature included intent language specifying a number of performance goals. The actual performances in relation to these goals are addressed under Accountability in the respective programs.

The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005: Housing Utilization: 95% of Maximum Capacity Parolee Rate of Return: 25% New Prison Admission of Parolees Probationer Rate of Return: 3.5% New Prison Admission of Probationers

Accountability

Performance measures are listed under specific programs throughout this report.

Special Funding

The Department of Corrections has several restricted accounts that provide funding for specific activities. The DNA Specimen Account and the Tobacco Settlement monies are used for specimen collection and treatment programs respectively. The Crime Victim Reparation Funding is used to maintain the Diagnostic Unit. Funding from the Crime Victim Reparation Fund was used to offset reductions of a few years ago, rather than reduce the program. The Figure below outlines the details of each of these funds.

Restricted Funds Summary - Department of Corrections				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - DNA Specimen Restricted Account (Corrections receives only a small portion of these funds)	53-10-407	\$75 fee collected from admitted or convicted felons or any person added to the sex offender registry.	For collection, storage and analysis of DNA specimens and the maintenance of a DNA database.	\$102,765
GFR - Tobacco Settlement (Corrections receives only a small portion of these funds)	63-97-201	70% of all funds received by the state relative to the settlement agreement with the tobacco manufacturers. (The allocation drops to 55% on July 1, 2006 - see UCA 63-97-201(d))	Alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs...with a preference given to tobacco-related programs.	\$5,246,730
Crime Victim Reparation Fund (Corrections receives only a small portion of these funds)	63-63a-4	35% of the surcharge paid on all criminal fines, penalties, and forfeitures imposed by the courts.	For victims reparations, criminal justice and substance abuse , other victim services...	\$10,653,333
GFR Interstate Compact	77-28c-105	\$50 fee from each offender applying for transfer of supervision to another state	payment of the annual assessment levied for the Interstate Compact for Adult Offender Supervision	\$0

Table 6-3

Funding Detail

Funding for the Department is primarily General Fund, with a small amount of Federal Funds. The Dedicated Credits Revenue is primarily generated by the Utah Correctional Industries that operates businesses in an attempt to teach inmates new job skills and to efficiently manage the prison population. Most other Dedicated Credit Revenue budget amounts spread throughout the Department are very small. However, the Dedicated Credit Revenue in the AP&P budget is generated from Supervision Fees and is a material part of their budget. The table below details the funding of the Department.

Corrections					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	173,135,400	190,868,300	172,466,300	177,164,900	182,178,900
General Fund, One-time	0	0	0	0	1,105,500
Federal Funds	1,286,500	676,400	754,400	709,900	696,300
Dedicated Credits Revenue	15,724,600	16,025,100	14,624,500	18,958,300	17,505,200
General Fund Restricted	0	0	0	0	29,000
GFR - DNA Specimen	0	0	155,000	515,000	515,000
GFR - Tobacco Settlement	81,700	81,700	81,700	81,700	81,700
Crime Victims Reparation Trust	0	0	1,400,000	750,000	750,000
Transfers	0	454,200	(900)	100	0
Transfers - Commission on Criminal and Ju	1,878,400	1,255,800	1,226,100	1,016,000	502,800
Transfers - Corrections	0	8,800	0	0	0
Transfers - Community and Economic Deve	0	0	0	260,900	0
Transfers - Federal	0	697,800	69,700	97,200	0
Transfers - Human Services	0	0	261,400	0	0
Pass-through	29,200	0	0	0	0
Beginning Nonlapsing	4,058,200	2,148,900	1,398,000	3,646,900	4,646,900
Closing Nonlapsing	(2,138,600)	(1,394,000)	(4,647,000)	(3,347,900)	(4,646,900)
Lapsing Balance	0	0	(1,700,000)	(162,800)	0
Total	\$194,055,400	\$210,823,000	\$186,089,200	\$199,690,200	\$203,364,400
Line Items					
Corrections Programs & Operations	156,709,200	172,970,100	148,044,500	157,750,300	161,727,800
Utah Correctional Industries	12,712,200	12,897,100	11,602,600	14,657,400	14,469,400
Jail Contracting	17,183,000	17,195,200	17,926,200	17,766,600	18,086,200
Forensics	190,000	0	0	0	0
Jail Reimbursement	7,261,000	7,760,600	8,515,900	9,515,900	9,081,000
Total	\$194,055,400	\$210,823,000	\$186,089,200	\$199,690,200	\$203,364,400
Categories of Expenditure					
Personal Services	116,084,300	119,715,700	116,704,500	123,247,500	128,016,300
In-State Travel	246,900	123,300	64,900	117,700	93,800
Out of State Travel	84,200	47,300	33,300	73,600	900
Current Expense	43,463,500	38,572,400	33,767,100	38,684,300	38,799,900
DP Current Expense	3,733,700	2,716,500	3,103,100	2,864,600	2,415,000
DP Capital Outlay	53,900	1,042,500	112,200	194,900	17,700
Capital Outlay	623,500	257,400	448,500	546,800	712,400
Other Charges/Pass Thru	30,074,200	48,032,100	32,155,200	34,090,300	33,308,400
Cost of Goods Sold	(308,800)	315,800	(299,600)	(129,500)	0
Total	\$194,055,400	\$210,823,000	\$186,089,200	\$199,690,200	\$203,364,400
Other Data					
Total FTE	2,392.2	2,293.7	2,261.1	2,285.4	2,267.1
Vehicles	259	334	389	389	401

Table 6-4

PROGRAMS AND OPERATIONS

The Legislature, during the 2002 General Session, authorized the consolidation of the Divisions of Administration, Institutional Operations and Adult Probation and Parole. Since that time, Medical Services has been added to this line item.

DEPARTMENT EXECUTIVE DIRECTOR**Function**

The Executive Office is responsible for the philosophy, mission, and direction of the Department. It must ensure that an effective working relationship is maintained with other agencies of State government and the criminal justice community. The Executive Office includes the executive management staff of the Department.

The Executive Director of Corrections has direct administrative responsibility for the entire Department. The Director is the Department spokesperson and representative on The Commission for Criminal and Juvenile Justice, the POST Council, Sentencing Commission, Forensic Mental Health Advisory Council, Homeless Coordinating Committee, and the Racial and Ethnic Fairness Taskforce. He interfaces with areas such as the Governor's Cabinet, the Board of Pardons, Courts, Legislature, etc. As chief executive, he provides the direction for the Department as a whole and establishes major policies and priorities to be implemented by the Department.

The FY 2005 budget (as listed in the next funding table) seems to demonstrate a significant decrease in funding and FTE for this program area. A number of administrative functions have been shifted back to Administrative Services. Several functions were brought under the umbrella of the Executive Director in FY 2003. With the change of directors, an organizational shift has been made back to the original managerial alignment.

Statutory Authority

UCA 64-13-3 creates the position of the Executive Director

Accountability

All Department programs and outcome measures are under the direction of the Executive Office. Progress on the program-level outcome measures is a reflection of the performance of the Executive Director's Office.

Funding Detail

Department Executive Director					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,465,200	1,615,000	7,901,600	7,651,100	3,302,000
General Fund, One-time	0	0	0	0	23,400
Federal Funds	1,000	300	127,200	377,800	306,300
Dedicated Credits Revenue	700	(400)	24,100	26,000	3,300
Transfers - Commission on Criminal and Ju	7,400	85,200	284,800	72,000	114,700
Beginning Nonlapsing	29,300	(129,800)	10,000	0	0
Closing Nonlapsing	129,700	49,700	(144,100)	(208,800)	0
Lapsing Balance	0	0	(95,500)	0	0
Total	\$1,633,300	\$1,620,000	\$8,108,100	\$7,918,100	\$3,749,700
Categories of Expenditure					
Personal Services	1,392,100	1,344,500	7,271,700	7,054,700	3,249,000
In-State Travel	10,900	4,600	9,800	15,200	20,100
Out of State Travel	8,400	11,100	13,400	25,300	0
Current Expense	116,500	192,700	370,600	481,900	414,500
DP Current Expense	105,400	67,100	344,400	325,500	66,100
DP Capital Outlay	0	0	98,200	6,100	0
Capital Outlay	0	0	0	9,400	0
Total	\$1,633,300	\$1,620,000	\$8,108,100	\$7,918,100	\$3,749,700
Other Data					
Total FTE	28.1	23.0	112.5	122.0	45.5
Vehicles	4	5	7	7	8

Table 6-5

DEPARTMENT ADMINISTRATIVE SERVICES**Function**

The Division of Administrative Services provides management and technical services to the other divisions of the Department in areas requiring technical training, education or knowledge. Functions include records management, facilities management, policy and procedures, information technology, research and planning, audit, human resources, and finance. This Division helps the Department meet the goals and objectives established by the Department, by providing the necessary support services required for the agency to meet its primary mission.

Financial Services - The Financial Service Bureau processes more than 300,000 documents in a year. These include: Department payroll (for over 2,300 FTE) and leave accounting, expenditure and revenue accounting, offender obligation restitution and fines, purchasing coordination, and annual budget documents preparation.

Human Resources - The Bureau of Human Resource Management supports UDC's mission by administering human resource management functions including: Recruitment/Selection, Classification, Employee Development, EEO, Employee Relations and Compensation programs. In FY 2004 Human Resources conducted 123 recruitments, 43 retirements, 677 applicants tested for Correctional Officer, 360 applicants screened for employment, and 16 employee promotional assessment seminars.

Facilities Management - Due to the present rate of growth of the Corrections system and demand for the very specialized facilities used for confinement of offenders, the Division has a Facilities Management Bureau. This bureau coordinates with DFCM the technical input and review for all related projects and construction.

Records Bureau - The Records Bureau is responsible for Department Total Quality Management (TQM) programs and both internal and external records systems and issues coordination.

Information Technology - The Information Technology Bureau handles the department's hardware and software needs. The Department of Corrections is becoming increasingly reliant on information technology to fulfill its mission. It has undertaken an aggressive initiative to overhaul all aspects of its record system and to automate routine procedures. This section manages the hardware and software for the Offender Tracking System (O-TRACK), a volume of detailed information on each of the offenders processed by the Department of Corrections.

Funding and Function Shifted - Several of the above listed functions were shifted to the Office of the Executive Director during FY 2003. In order to enhance operational efficiency, the Department has shifted these functions back to Administrative Services. This is reflected in the funding table below.

Statutory Authority

There is no specific statute governing the Division of Administrative Services. UCA 64-13- 25 establishes standards for audits within the Department. The

remainder is governed by Administrative Rule and operates as necessary in support of and accomplishment of the mission of the Department.

Accountability

The Administrative Services program acts as a support services entity to the entire Department. Progress on the program-level outcome measures is a reflection of the performance of the Administrative Services Office.

Funding Detail

Department Administrative Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	6,235,000	5,903,000	3,623,100	3,681,700	7,964,700
General Fund, One-time	0	0	0	0	56,900
Federal Funds	136,900	0	0	0	0
Dedicated Credits Revenue	25,500	22,800	3,800	2,600	51,600
General Fund Restricted	0	0	0	0	29,000
Transfers - Commission on Criminal and Ju	567,400	239,400	101,800	0	0
Transfers - Federal	0	0	0	97,200	0
Beginning Nonlapsing	50,000	357,400	0	0	0
Closing Nonlapsing	(357,300)	(86,300)	(23,600)	174,900	0
Total	\$6,657,500	\$6,436,300	\$3,705,100	\$3,956,400	\$8,102,200
Categories of Expenditure					
Personal Services	4,563,400	4,950,600	2,770,200	2,961,400	6,988,300
In-State Travel	20,900	10,200	3,100	7,000	13,800
Out of State Travel	19,100	12,500	4,800	2,700	0
Current Expense	1,154,200	1,112,900	858,500	912,700	850,900
DP Current Expense	956,900	336,200	68,500	67,800	249,200
Capital Outlay	0	13,900	0	4,800	0
Other Charges/Pass Thru	(57,000)	0	0	0	0
Total	\$6,657,500	\$6,436,300	\$3,705,100	\$3,956,400	\$8,102,200
Other Data					
Total FTE	78.2	50.0	44.0	46.0	111.0
Vehicles	14	18	21	21	22

Table 6-6

DEPARTMENT TRAINING

Function The mission of the Training Bureau is to provide statutorily required training that supports the mission of Corrections. The Bureau provides initial and on-going training that enhances staff job skills and career development. The Training Bureau also provides in-service training to members of the Department which includes the statutorily required annual 40-hour training to maintain Correctional and Peace Officer certification. The Training Bureau is centered at the Fred House Academy facility in Draper.

Training Academy - The Training Academy provides new members of the Department that will be certified with pre-service training, in accordance with Peace Officer Standards and Training policy and curriculum. New members not acting in a certified officer capacity receive new-hire training based on their needs as an employee.

Conversion Academy - The Conversion Academy - trains correctional officers to operate as police officers (the equivalent of POST certification).

Statutory Authority Two major sections of Utah Code govern the activity of the Training Bureau.

- UCA 64-13-24 requires the Department to establish standards consistent with the Peace Officers Standards and Training (POST) Council.
- UCA 53-6-101 through 310 provides for the POST Council and the certification of peace and correctional officers.

Accountability The Training Bureau has three distinct training areas with a Training Manager and staff supervising each area. These areas are: 1) Pre-service for State Correctional Officers; 2) Pre-service for County Correctional Officers; and 3) In-Service for current State staff.

Performance Data Summary - Training Bureau					
Goal	Measure	Measure Type	CY 2003		CY 2004 Target
			Target	Observed	
Pre-Service Certification of UDC State Employees	# Successfully Completing Training	Output	160	170	180
Pre-Service Certification of County Officers	# Successfully Completing Training	Output	180	165	170
In_Service for all UDC Staff	# Receiving In-Service Training and the Hours		N/A	2,374 / 91,336	2,400 persons / 96,000 hours

Table 6-7

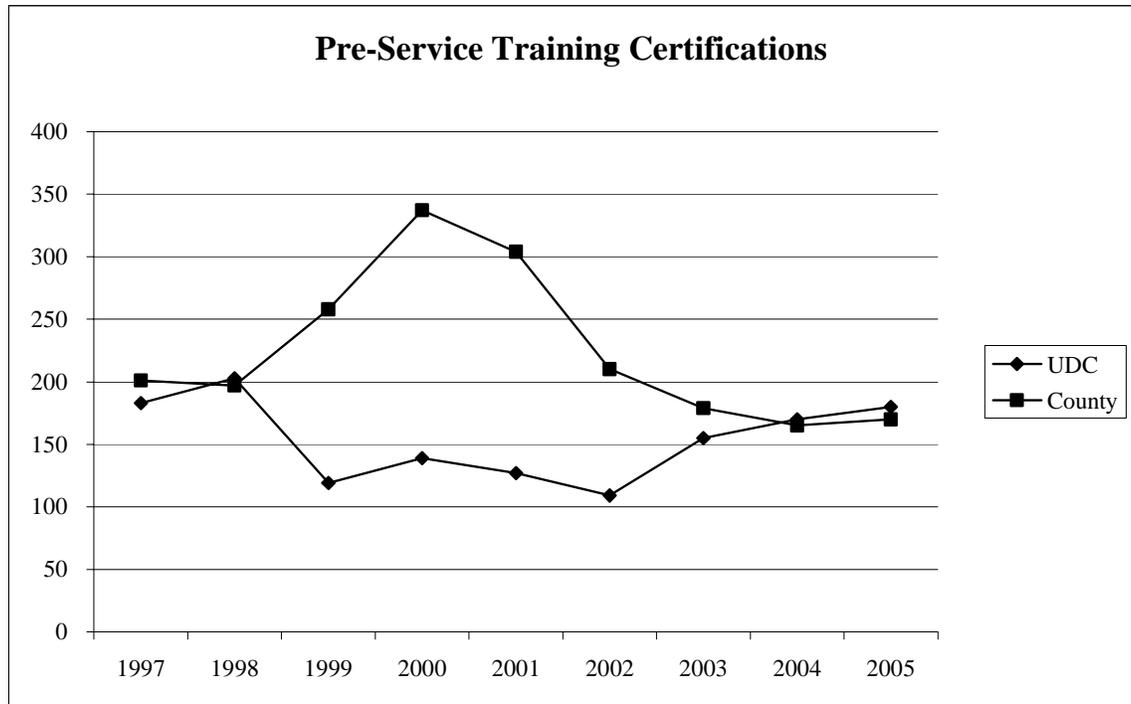


Figure 6-1

The Corrections Training Bureau provided:

- inservice to 2,374 UDC officers (certified and noncertified) which totaled 246,192 hours of training to UDC officers (certified and noncertified)
- distance learning on the internet to 1,331 staff totaling 25,902 hours
- trained 170 new UDC officers (see figure 1-3)
- trained 165 county officers (see figure 1-3)
- assured accountability for 1,054 weapons – 100 percent
- certified 1,133 UDC officers on weapons
- certified 127 Range Masters
- An Advanced Supervisor course
- Special Courses - Examples on: Blood-borne Pathogens, Government Records Management Act (GRAMA), Americans with Disabilities Act, etc.

Funding Detail

Department Training					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	743,000	801,400	1,272,200	1,147,900	1,171,900
General Fund, One-time	0	0	0	0	8,100
Dedicated Credits Revenue	0	100	400	300	5,400
Beginning Nonlapsing	0	(46,700)	0	0	0
Closing Nonlapsing	46,700	8,500	(14,300)	(17,400)	0
Total	\$789,700	\$763,300	\$1,258,300	\$1,130,800	\$1,185,400
Categories of Expenditure					
Personal Services	483,100	542,800	1,101,500	936,000	952,100
In-State Travel	29,800	20,200	3,200	6,300	12,000
Out of State Travel	900	0	1,000	500	0
Current Expense	252,500	181,700	130,300	167,300	197,400
DP Current Expense	23,400	18,600	22,300	20,700	23,900
Total	\$789,700	\$763,300	\$1,258,300	\$1,130,800	\$1,185,400
Other Data					
Total FTE	8.5	20.0	16.0	15.0	16.0
Vehicles	2	2	3	3	3

Table 6-8

ADULT PROBATION AND PAROLE ADMINISTRATION

Function AP&P Administration coordinates the parole, probation, DNA testing, and sex offender registry efforts throughout the state. The office is responsible for providing policy-making and administrative support that assists the Division in fulfilling its statutory mandates of supervising offenders on probation or parole and within the community correctional centers. Further responsibility includes providing pre-sentence investigation to the courts and funding oversight of private treatment contracts.

Statutory Authority UCA 64-13 generally governs all of the activities of the Division of Adult Probation and Parole. This statute affects the next three programs.

- UCA 64-13-6(g) specifically assigns the responsibility of parolees and probationers to AP&P.
- UCA 64-13-7.5 outlines mental health services available to AP&P.
- UCA 77-27-21.5 assigns the responsibility for the Sex Offender Registry to AP&P

Intent Language Senate Bill 1 of the 2004 General Session listed the following intent language:

The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005: Housing Utilization: 95% of Maximum Capacity Parolee Rate of Return: 25% New Prison Admission of Parolees Probationer Rate of Return: 3.5% New Prison Admission of Probationers

This is directly related to the performance measures listed under the accountability section of each of the AP&P sections in this document.

Accountability Adult Probation and Parole Administration has the responsibility to effectively and efficiently manage the Division. The Division manages the offenders. Measures are management key indicators for the Division.

Performance Data Summary - Adult Probation and Parole					
Goal	Measure	Measure Type	FY 2003		FY 2004 Target
			Target	Observed	
Frequency of staff disciplinarys	# of Disciplinarys	Output	N/A	3.9/100 staff	2.5/100 staff
Frequency of staff grievance	# of Grievances	Output	N/A	1.03/100 staff	.85/100 staff
Frequency of complaints filed with Admin. Services	# of Complaints	Output	0	11	0

Table 6-9

Funding Detail

Funding for the Adult Probation and Parole Administration is entirely General Fund. The significant increase in funding in the FY 2005 “Other Charges/Pass Thru” is for contractual services related to a new information and reporting system used by the Division.

Adult Probation and Parole Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	745,800	1,203,600	1,049,100	1,083,700	1,121,000
General Fund, One-time	0	0	0	0	5,700
Dedicated Credits Revenue	0	1,200	1,600	78,000	0
GFR - Tobacco Settlement	0	81,700	0	0	0
Transfers - Commission on Criminal and Ju	0	9,300	13,800	28,600	0
Beginning Nonlapsing	194,400	(19,300)	172,000	83,100	0
Closing Nonlapsing	19,300	(99,300)	(258,800)	(266,900)	0
Total	\$959,500	\$1,177,200	\$977,700	\$1,006,500	\$1,126,700
Categories of Expenditure					
Personal Services	629,100	716,400	770,300	711,800	675,300
In-State Travel	4,300	2,100	1,600	7,500	2,200
Out of State Travel	3,300	0	0	2,100	0
Current Expense	252,400	434,100	177,800	188,500	179,100
DP Current Expense	43,100	23,500	27,900	39,600	27,100
Capital Outlay	0	0	0	57,000	0
Other Charges/Pass Thru	27,300	1,100	100	0	243,000
Total	\$959,500	\$1,177,200	\$977,700	\$1,006,500	\$1,126,700
Other Data					
Total FTE	9.5	16.0	11.0	13.0	11.0
Vehicles	0	1	2	2	2

Table 6-10

ADULT PROBATION AND PAROLE PROGRAMS

Function	Adult Probation and Parole was created as a separate entity within the Department in 1983 and fulfills the requirements of the corrections' statute for pre-sentence investigations and community supervision. Adult Probation and Parole Programs are responsible for: 1) Pre-sentence Investigations for the Courts, 2) coordinating diagnostic evaluations, 3) coordinating pre-release processes, 4) Adult Probation, 5) Adult Parole, and 6) Community Correction Centers (halfway houses).
Statutory Authority	Several major responsibilities are assigned specifically to the Division of AP&P. <ul style="list-style-type: none">➤ UCA 64-13-20 outlines Division responsibilities for presentencing investigations and diagnostic evaluations.➤ UCA 64-13-21 assigns the responsibility for supervision of offenders returned to the community to the Division. DNA collection duties are also listed here.➤ UCA 64-12-21.2 authorizes the Division to use funds collected as Dedicated Credit Revenue to defray the cost of community supervision.
Intent Language	Senate Bill 1 of the 2004 General Session listed the following intent language: <p><i>The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005: Housing Utilization: 95% of Maximum Capacity Parolee Rate of Return: 25% New Prison Admission of Parolees Probationer Rate of Return: 3.5% New Prison Admission of Probationers</i></p> This is directly related to the performance measures listed below.
Accountability	This program helps the Department meet its primary mission of community safety and in effective management of offenders in the community. <p>The Division has two primary goals:</p> <ul style="list-style-type: none">➤ Reduce parole recidivism by 10 percent over 36 months through the implementation of the Re-Entry Program.➤ Reduce probation "new commitments" by 10 percent over 36 months through the implementation of the Re-Entry Program.➤ Provide adequate treatment resources targeted at offenders who will benefit from them. <p>The next two figures below display the history of the completion rates for parolees and probationers.</p>

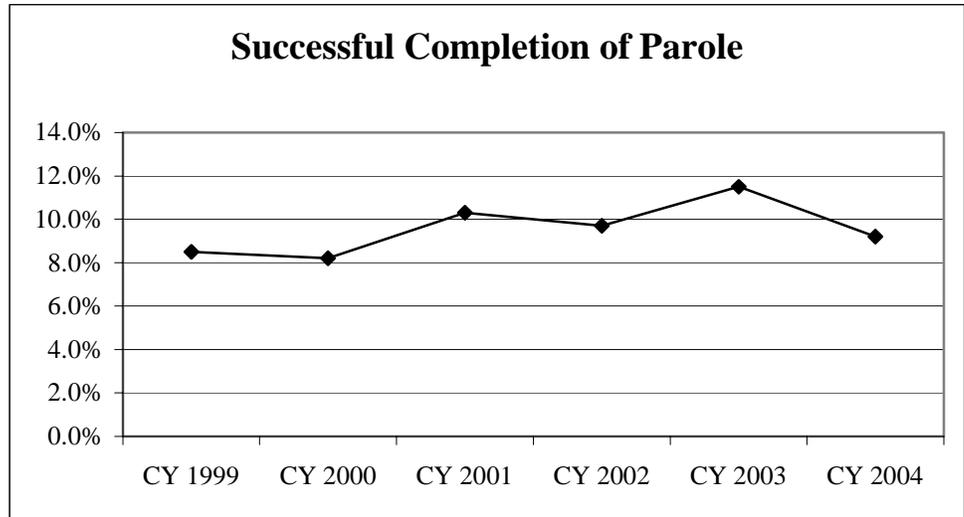


Figure 6-2

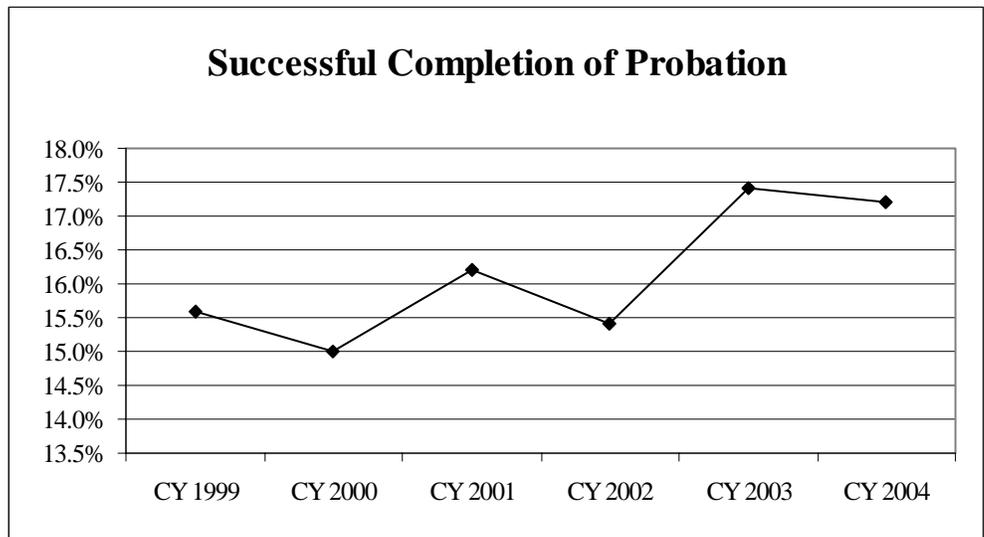


Figure 6-3

The figure below lists some of the numerical data collected related to the performance outcome measures proposed for FY 2005 and beyond.

Performance Data Summary - AP&P Programs					
Goal	Measure	Measure Type	CY 2003		CY 2004 Target
			Target	Observed	
Increase rate of successful completion of parole	Success Rate	Outcome	12.0%	11.5%	12.0%
Increase rate of successful completion of probation	Success Rate	Outcome	19.0%	17.4%	19.0%
Reduce rate of new prison admissions for parolees	Return Rate	Outcome	26.0%	26.2%	20.0%
Reduce rate of new prison admissions for probationers	Return Rate	Outcome	4.0%	4.3%	3.5%
Increase amount of ordered restitution paid at termination	Amount Paid	Output	50.0%	45.3%	50.0%

Table 6-11

Funding Detail

Adult Probation and Parole Programs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	25,450,900	24,714,600	25,788,000	35,002,000	35,782,600
General Fund, One-time	0	0	0	0	281,500
Dedicated Credits Revenue	1,735,200	1,818,700	1,892,500	2,375,500	2,351,500
GFR - DNA Specimen	0	0	0	515,000	0
GFR - Tobacco Settlement	81,700	0	81,700	81,700	81,700
Crime Victims Reparation Trust	0	0	178,000	750,000	750,000
Transfers	0	0	0	100	0
Transfers - Commission on Criminal and Ju	104,500	140,500	141,000	374,400	13,500
Pass-through	29,200	0	0	0	0
Beginning Nonlapsing	1,439,500	996,100	0	167,100	0
Closing Nonlapsing	(996,100)	(21,300)	(502,200)	(518,900)	0
Lapsing Balance	0	0	(270,300)	(162,800)	0
Total	\$27,844,900	\$27,648,600	\$27,308,700	\$38,584,100	\$39,260,800
Categories of Expenditure					
Personal Services	21,923,300	21,857,000	22,199,100	30,569,200	31,543,300
In-State Travel	52,900	26,500	27,100	27,700	20,700
Out of State Travel	9,700	600	1,700	3,900	0
Current Expense	4,024,400	3,763,200	3,445,500	4,802,800	4,361,200
DP Current Expense	788,500	625,100	856,500	1,050,300	915,800
Capital Outlay	46,600	0	0	0	0
Other Charges/Pass Thru	999,500	1,376,200	778,800	2,130,200	2,419,800
Total	\$27,844,900	\$27,648,600	\$27,308,700	\$38,584,100	\$39,260,800
Other Data					
Total FTE	381.1	434.0	428.4	563.4	563.4
Vehicles	123	147	174	174	176

Table 6-12

ADULT PROBATION AND PAROLE COMMUNITY CORRECTIONS CENTERS**Function**

Prior to FY 2004, this budgetary program accounted for Community Correction Centers (CCC) (half-way houses) and Day Reporting Centers. There are four CCCs, three in the Salt Lake Valley and one in Ogden. CCCs require residents to have a job, pay for part of their costs, receive training and therapy, and be in residence. Day reporting centers are similar and may be co-located, but they have no residence requirement. The program is still operated by AP&P. All funds were shifted to other UDC programs, primarily AP&P Programs in FY 2004.

Funding Detail

Adult Probation and Parole Community Corrections Centers					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	8,680,300	8,980,500	9,049,600	0	0
Dedicated Credits Revenue	555,100	581,300	517,500	0	0
Transfers - Federal	0	0	69,700	0	0
Beginning Nonlapsing	189,800	(16,100)	0	0	0
Closing Nonlapsing	16,100	86,200	(859,200)	0	0
Total	\$9,441,300	\$9,631,900	\$8,777,600	\$0	\$0
Categories of Expenditure					
Personal Services	6,419,200	6,727,300	5,888,400	0	0
In-State Travel	5,000	2,600	300	0	0
Out of State Travel	1,400	2,500	600	0	0
Current Expense	1,462,800	1,401,500	1,380,600	0	0
DP Current Expense	143,900	133,800	134,000	0	0
Capital Outlay	157,900	0	0	0	0
Other Charges/Pass Thru	1,251,100	1,364,200	1,373,700	0	0
Total	\$9,441,300	\$9,631,900	\$8,777,600	\$0	\$0
Other Data					
Total FTE	136.5	134.5	135.0	0.0	0.0

Table 6-13

INSTITUTIONAL OPERATIONS ADMINISTRATION

Function The Division of Institutional Operations manages the inmate population. It is the Division that demands the Department’s most expensive infrastructure and over half of all department employees while supervising approximately 6,000 inmates in two separate state facilities and under contracts in other locations.

The Division of Institutional Operations houses the inmate population in thirty-three buildings at two prison sites: Draper (27 buildings) and Gunnison. (6 buildings)

Institutional Operations Administration is responsible for providing the policy making and administrative support that assists the Division of Institutional Operations in meeting its statutory mandates of providing confinement and control for offenders committed to the state prison system. Institutional Operations Administration manages all aspects of the state’s prison system.

This program also has direct responsibility for staff discipline and grievances. It includes financial, personnel, and public information functions.

Inmate Classification The Division of Institutional Operations manages the prison population using a classification system that is comprised of two major parts. The first is a behavioral scale called the Adult Inmate Management System to determine the level of an inmate’s aggression and passivity. The second is the Security/Custody Score. It is generated using historical information, including the seriousness of the crime and other behavioral traits. The figure below details the various security levels in the two tiered system used for classification purposes.

<p>DIO Inmate Classification</p> <p>I. Adult Inmate Management System Kappa - Aggressive; Predatory Omega - Not strongly aggressive or unusually weak Sigma - Weak; Easily victimized</p> <p>II. Security / Custody Score Security Levels A - Highest Security B - Medium Security C - Medium Security D - Minimum Security Custody Levels 1 - Death row only 2 - Close security and management 3 - General security and management 4 - Minimum security and management; work outside secure perimeters 5 - Work release; halfway house; home visits</p>

Table 6-14

Statutory Authority	<p>The Utah Code Annotated Section 64-13-7 through 64-13-41 are the primary sections of Utah code governing this Division.</p> <ul style="list-style-type: none">➤ UCA 64-13-7 requires the Department to assign or transfer offenders to facilities and programs.➤ UCA 64-13-14 requires the Department to maintain and operate secure facilities for the incarceration of offenders.➤ UCA 64-13-14.7 requires the Department to notify the victim of an offender's release.➤ UCA 64-13-38 establishes procedures for an emergency release due to overcrowding of the State prison system.➤ The remaining sections address the responsibilities of the Department for the treatment of the offender and proscribed behavior of the offender.
Intent Language	<p>This program oversees all of the Division of Institutional Operations and is ultimately responsible for the successful accomplishment of the Division goals. Intent language from the 2004 General Session assigned a performance goal of 95 percent of maximum capacity.</p> <p><i>The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005: Housing Utilization: 95% of Maximum Capacity.</i></p>
Accountability	<p>The Division Administration oversees the operations of all facilities. The Department has no control over who is assigned to prison and no control over when they are released. They are, however, required to appropriately house them, treat them and keep them safe. Utah's prison population continues to grow at a rate of more than 250 per year. A significant percentage of the Department's personnel are assigned to this Division. Efficient management of personnel is the key to the success of the Division and the Department.</p>

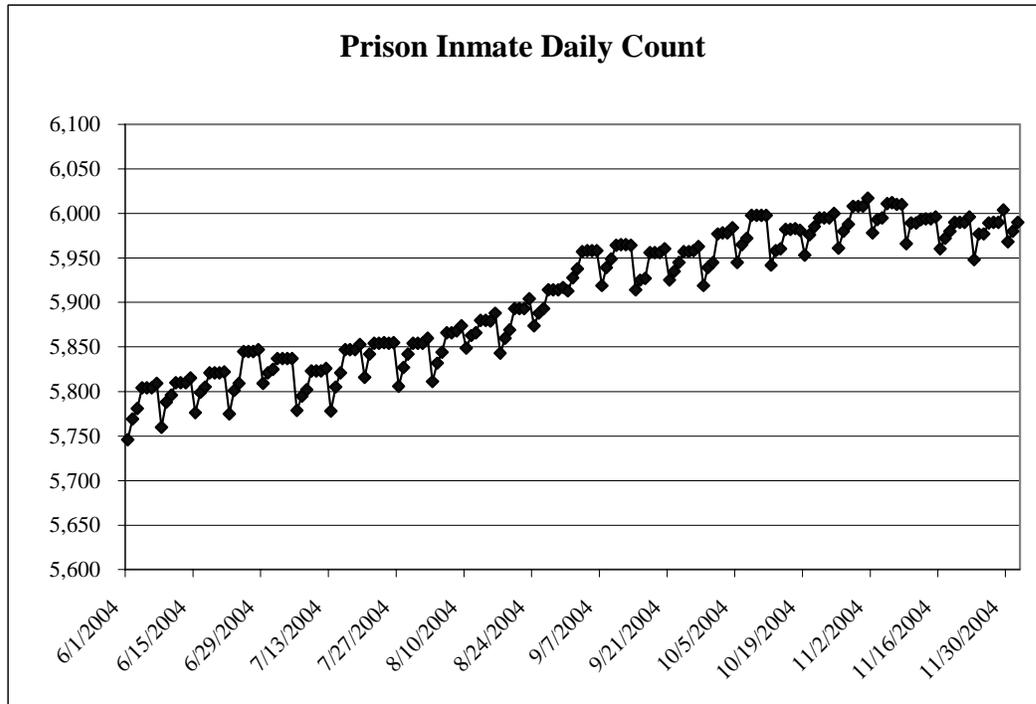


Figure 6-4

Performance Data Summary - DIO Administration					
Goal	Measure	Measure Type	CY 2003		CY 2004 Target
			Target	Observed	
Staff Disciplinarys	Number per Staff	Input	5.00%	6.70%	4.75%
Staff Grievances	Number per Staff	Input	0.75%	0.98%	0.75%
Complaints to Division	Total Number	Output	0	0	0

Table 6-15

Funding Detail

Institutional Operations Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,368,600	955,000	846,600	2,602,800	2,713,400
General Fund, One-time	0	0	0	0	7,600
Federal Funds	189,900	676,100	627,200	332,100	340,000
Dedicated Credits Revenue	52,500	30,800	30,200	45,700	38,200
GFR - DNA Specimen	0	0	155,000	0	515,000
Transfers - Federal	0	697,800	0	0	0
Beginning Nonlapsing	2,148,900	539,800	666,000	2,861,100	4,111,300
Closing Nonlapsing	(539,600)	(7,500)	574,600	(2,368,700)	(4,111,300)
Lapsing Balance	0	0	(615,200)	0	0
Total	\$4,220,300	\$2,892,000	\$2,284,400	\$3,473,000	\$3,614,200
Categories of Expenditure					
Personal Services	832,900	854,500	786,900	798,200	883,500
In-State Travel	47,400	16,700	1,400	900	0
Out of State Travel	6,500	6,200	200	2,700	0
Current Expense	2,804,300	1,230,500	1,462,600	2,235,800	2,359,000
DP Current Expense	502,200	38,200	18,200	211,400	31,700
DP Capital Outlay	27,000	745,900	0	142,000	0
Capital Outlay	0	0	15,100	82,000	0
Other Charges/Pass Thru	0	0	0	0	340,000
Total	\$4,220,300	\$2,892,000	\$2,284,400	\$3,473,000	\$3,614,200
Other Data					
Total FTE	66.0	14.0	15.0	12.0	15.0
Vehicles	3	3	4	4	4

Table 6-16

INSTITUTIONAL OPERATIONS DRAPER FACILITY

Function The Draper Operations program includes funding for the operations of the Utah State Prison Complex at Draper. These facilities were constructed to hold several different types of offender groups. They house all offenders committed to state courts for the commission of a state criminal offense as outlined in the Utah Criminal Code. In addition, some facilities hold offenders who are not yet sentenced but are undergoing a diagnostic evaluation to provide the sentencing court with some guidance prior to sentencing. Finally, they hold parolees who have violated their parole agreements.

The program includes appropriations for facility administration, programming, volunteer services, recidivism reduction programs, security and support, food service, maintenance, internal and external security, special operations, laundry, mail and inmate property.

Statutory Authority Statutory authority comes from the same as those listed under the Division Administration.

Intent Language Intent language from the 2004 General Session assigned a performance goal of “Housing Utilization: 95percent of maximum capacity.” This is addressed in accountability. All inmate housing programs have the same performance measures which are reported for the prison system as a whole.

Accountability Over 98 percent of all inmates will be released. This puts pressure on the facilities to prepare offenders to return to society, better prepared to cope.

Performance Data Summary - Draper Facilities					
Goal	Measure	Measure Type	CY 2003		CY 2004 Target
			Target	Observed	
Reduce Recidivism	3 Year Parole Technical Return Rate	Outcome	46.0%	45.0%	43.0%
Reduce Recidivism	3 Year Parole New Commitment Return Rate	Outcome	15.0%	21.0%	15.0%
Reduce Recidivism	Inmate Disciplinarys	Intermediate	63.0%	66.7%	63.0%

Table 6-17 The targets and observed data reflect a combined three-year return rate.

Funding Detail

As with most of the Department, funding is almost entirely State General Fund.

Institutional Operations Draper Facility					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	52,837,900	57,738,300	50,570,500	51,826,400	52,989,300
General Fund, One-time	0	0	0	0	411,500
Dedicated Credits Revenue	245,500	282,000	300,400	139,800	110,000
Crime Victims Reparation Trust	0	0	1,222,000	0	0
Transfers	0	454,200	(900)	0	0
Transfers - Commission on Criminal and Ju	354,300	0	0	0	0
Beginning Nonlapsing	0	(869,000)	0	0	0
Closing Nonlapsing	869,000	(159,400)	(1,331,100)	715,600	0
Total	\$54,306,700	\$57,446,100	\$50,760,900	\$52,681,800	\$53,510,800
Categories of Expenditure					
Personal Services	42,440,100	44,506,600	39,707,200	41,225,800	41,828,800
In-State Travel	8,700	3,900	1,800	1,700	3,300
Out of State Travel	9,100	2,000	2,400	1,800	900
Current Expense	11,122,900	11,914,200	10,474,500	10,962,200	10,654,800
DP Current Expense	538,600	563,800	503,100	450,700	525,600
DP Capital Outlay	7,500	205,900	0	0	0
Capital Outlay	38,400	0	36,200	92,600	497,400
Other Charges/Pass Thru	367,800	100	0	(6,800)	0
Cost of Goods Sold	(226,400)	249,600	35,700	(46,200)	0
Total	\$54,306,700	\$57,446,100	\$50,760,900	\$52,681,800	\$53,510,800
Other Data					
Total FTE	891.3	877.7	799.1	820.0	799.1
Vehicles	35	47	50	50	54

Table 6-18

INSTITUTIONAL OPERATIONS CENTRAL UTAH (CUCF) / GUNNISON

Function The CUCF Program provides funding for the operations of the Utah State Prison at Gunnison, Utah. These facilities were constructed to hold several different types of offender groups. They house all offenders committed to state courts for the commission of a state criminal offense as outlined in the Utah Criminal Code. They also hold parolees who have violated their parole agreements. It includes appropriations for administration, programming, security and support, food service, maintenance, external security, special operations, laundry, and mail.

Statutory Authority Statutory authority comes from the same as those listed under the Division Administration.

Intent Language Intent language from the 2004 General Session assigned a performance goal of 95percent of maximum capacity.

Accountability See data under Draper Facilities Accountability.

Funding Detail

Institutional Operations Central Utah/Gunnison					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	20,519,700	21,719,600	18,913,000	19,828,200	22,624,600
General Fund, One-time	0	0	0	0	145,900
Dedicated Credits Revenue	74,000	79,400	82,500	36,200	71,600
Transfers - Commission on Criminal and Ju	144,500	208,000	0	0	0
Beginning Nonlapsing	0	(344,100)	0	0	0
Closing Nonlapsing	344,100	(150,300)	211,400	1,777,500	0
Total	\$21,082,300	\$21,512,600	\$19,206,900	\$21,641,900	\$22,842,100
Categories of Expenditure					
Personal Services	17,083,600	16,956,400	15,137,800	16,928,300	16,349,100
In-State Travel	17,900	12,100	700	29,800	1,600
Out of State Travel	3,200	3,600	0	0	0
Current Expense	3,750,600	4,049,300	3,805,800	4,362,600	6,185,400
DP Current Expense	252,500	293,300	255,000	246,500	245,000
Capital Outlay	(10,900)	12,000	14,400	21,300	0
Other Charges/Pass Thru	67,800	76,300	50,100	39,000	61,000
Cost of Goods Sold	(82,400)	109,600	(56,900)	14,400	0
Total	\$21,082,300	\$21,512,600	\$19,206,900	\$21,641,900	\$22,842,100
Other Data					
Total FTE	318.8	329.0	283.3	284.0	283.3
Vehicles	22	29	33	33	33

Table 6-19

INSTITUTIONAL OPERATIONS SOUTHERN UTAH/IRON COUNTY

Function No funding is currently appropriated to this program. No State prisoners are presently housed at this facility. The Iron County Resource Center was a jointly owned and operated county jail/satellite prison. The funding was based on a contractual obligation for the State to pay 52 percent of the costs. The State has closed its portion of the prison and sold it to Iron County. The State maintains a small office for AP&P in the facility.

Funding Detail

Institutional Operations Southern Utah/Iron County					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,452,900	1,946,300	204,600	0	0
Dedicated Credits Revenue	130,200	163,000	23,000	0	0
Beginning Nonlapsing	0	(171,800)	0	0	0
Closing Nonlapsing	171,800	(13,300)	127,100	0	0
Total	\$1,754,900	\$1,924,200	\$354,700	\$0	\$0
Categories of Expenditure					
Personal Services	307,600	370,700	72,800	0	0
In-State Travel	1,500	1,100	400	0	0
Current Expense	1,396,500	1,507,200	278,700	0	0
DP Current Expense	49,300	45,200	2,800	0	0
Total	\$1,754,900	\$1,924,200	\$354,700	\$0	\$0
Other Data					
Total FTE	5.3	4.3	1.0	0.0	0.0

Table 6-20

INSTITUTIONAL OPERATIONS SUPPORT SERVICES

Function The Support Services program is responsible for providing warehouse services, inmate accounting, purchasing, transportation and motor pool. These services are fundamental for the day-to-day operation of the secure prison facilities.

Statutory Authority Statutory authority comes from the same as those listed under the Division Administration.

Accountability This Program helps the Department meet its primary goal of community safety and in effective offender management. Performance is based on the efficiency of effective operations. Changes from year to year in the Utility Expenditures listed in the Figure below would be an indicator of efficiency in preventative maintenance operations.

Performance Data Summary - (Support Services)					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Operational Efficiency	Cost/Meal	Input	\$1.13	\$1.13	\$1.13
Cost Savings	Utility Expenditures	Input	\$1,900,000.00	\$1,947,693.00	\$1,900,000.00
Cost Avoidance	Ratio of Corrective vs Preventative Work Requests	Input	1 to 3	1 to 3	1 to 3

Table 6-21

Funding Detail

Institutional Operations Support Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,314,700	2,389,900	2,447,800	3,041,100	3,164,100
General Fund, One-time	0	0	0	0	27,300
Dedicated Credits Revenue	100	100	0	100	1,000
Beginning Nonlapsing	0	191,100	0	0	0
Closing Nonlapsing	(191,100)	(147,200)	(53,000)	(72,800)	0
Total	\$2,123,700	\$2,433,900	\$2,394,800	\$2,968,400	\$3,192,400
Categories of Expenditure					
Personal Services	1,847,900	2,143,600	2,096,700	2,577,500	2,796,700
In-State Travel	0	900	400	0	0
Out of State Travel	300	1,900	1,600	700	0
Current Expense	249,400	261,600	276,100	346,900	350,600
DP Current Expense	24,800	25,900	20,000	43,300	45,100
Other Charges/Pass Thru	1,300	0	0	0	0
Total	\$2,123,700	\$2,433,900	\$2,394,800	\$2,968,400	\$3,192,400
Other Data					
Total FTE	40.0	41.0	53.1	41.0	53.1
Vehicles	2	19	26	26	28

Table 6-22

INSTITUTIONAL OPERATIONS INMATE PLACEMENT

Function The Inmate Placement program administers Jail Reimbursement and Jail Contracting across the state. By statute, the Department of Corrections may not use Jail Reimbursement core rate appropriations to cover the cost of administration. Jail Contracting and Jail Reimbursement are separate line items and therefore discussed in separate later sections of this report.

Statutory Authority Statutory authority comes from the same as those listed under the Division Administration. Additionally, this program is governed specifically by UCA 64-13c.

- UCA 64-13c-301 grants the authority and assigns the responsibility to administer the jail contracting and jail reimbursement programs. Administration funding is separate from the program funds for this activity.
- UCA 64-13c remaining sections outline the program funding and operations.

Accountability All housing programs contribute to the same performance measures. See data under Draper Facilities Accountability.

Funding Detail

Institutional Operations Inmate Placement					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,525,800	1,599,900	1,476,400	1,527,400	1,614,400
General Fund, One-time	0	0	0	0	9,500
Federal Funds	0	0	0	0	50,000
Dedicated Credits Revenue	5,600	3,500	3,200	4,000	3,000
Beginning Nonlapsing	0	5,200	0	0	0
Closing Nonlapsing	(5,200)	(145,500)	(69,000)	(27,700)	0
Total	\$1,526,200	\$1,463,100	\$1,410,600	\$1,503,700	\$1,676,900
Categories of Expenditure					
Personal Services	1,064,800	1,082,900	1,090,300	1,174,400	1,210,200
In-State Travel	9,800	6,300	5,200	6,700	9,700
Out of State Travel	300	0	0	400	0
Current Expense	433,500	350,100	294,400	303,900	382,200
DP Current Expense	17,800	23,800	20,700	18,300	24,800
Other Charges/Pass Thru	0	0	0	0	50,000
Total	\$1,526,200	\$1,463,100	\$1,410,600	\$1,503,700	\$1,676,900
Other Data					
Total FTE	16.5	16.5	18.5	17.0	18.5
Vehicles	6	7	9	9	9

Table 6-23

INSTITUTIONAL OPERATIONS TRANSITION

Function

The Transition program previously existed to track activities related to an offender’s successful release from prison. The program has been integrated with other UDC activities, and is shown here for historical purposes only. The essence of the program is operated out of Adult Probation and Parole.

Funding Detail

Institutional Operations Transition					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	7,210,900	1,918,100	922,400	0	0
Dedicated Credits Revenue	67,000	100	0	0	0
Transfers - Corrections	0	8,800	0	0	0
Beginning Nonlapsing	0	1,623,700	0	0	0
Closing Nonlapsing	(1,623,800)	(166,300)	(922,400)	0	0
Total	\$5,654,100	\$3,384,400	\$0	\$0	\$0
Categories of Expenditure					
Personal Services	855,600	2,255,600	0	0	0
In-State Travel	4,000	3,200	0	0	0
Out of State Travel	3,300	900	0	0	0
Current Expense	4,750,800	1,050,500	0	0	0
DP Current Expense	40,400	74,200	0	0	0
Total	\$5,654,100	\$3,384,400	\$0	\$0	\$0
Other Data					
Total FTE	49.0	80.0	0.0	0.0	0.0

Table 6-24

INSTITUTIONAL OPERATIONS PROGRAMMING

Function The Programming budget includes funding for activities related to inmate training, treatment, counseling, and education. It covers substance abuse prevention, sex offender treatment, volunteer/religious service, and life skills opportunities. The program has a focus in providing opportunities for offenders to better understand the events leading to their incarceration and to thereby make the necessary changes to succeed upon release.

Statutory Authority Statutory authority comes from the same sections of Utah Code as those listed under the Division Administration. Additionally, this program has specific responsibilities for UCA 64-13-40 and 41. These sections deal with “extra-curricular” activities of inmates.

Accountability Three major Departmental goals are impacted by this program.

- Reduce parole recidivism by 10 percent through the implementation of the Re-Entry Program.
- Provide adequate treatment resources targeted at offenders who will benefit from them.
- Improve programs and housing offered to female offenders.

The Institutional Operations Programming plays a key role to assure the offender has met the treatment requirements and is prepared to return to society.

Performance Data Summary - Programming					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Reduce Recidivism	3 Year Parole Technical Return Rate	Outcome	46.0%	45.0%	43.0%
Target treatment resources	Increase number with Offender Mgt Plans	Intermediate	N/A	N/A	70.0%
Increase female access to treatment	Number in treatment programs	Input	N/A	N/A	50.0%
N/A - OTRACK database has been recently completed. Information will be forthcoming for future evaluation.					

Table 6-25

Funding Detail

Institutional Operations Programming					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	0	0	5,855,400	5,963,800	6,077,600
General Fund, One-time	0	0	0	0	49,500
Dedicated Credits Revenue	0	0	1,500	0	246,000
Transfers - Commission on Criminal and Ju	0	0	565,200	425,000	374,600
Transfers - Community and Economic Deve	0	0	0	260,900	0
Transfers - Human Services	0	0	261,400	0	0
Closing Nonlapsing	0	0	(846,800)	(558,100)	0
Total	\$0	\$0	\$5,836,700	\$6,091,600	\$6,747,700
Categories of Expenditure					
Personal Services	0	0	4,624,000	4,939,400	5,504,600
In-State Travel	0	0	3,800	5,500	3,600
Out of State Travel	0	0	700	15,200	0
Current Expense	0	0	1,083,300	1,026,600	1,166,100
DP Current Expense	0	0	95,000	99,900	73,400
Capital Outlay	0	0	29,900	0	0
Other Charges/Pass Thru	0	0	0	5,000	0
Total	\$0	\$0	\$5,836,700	\$6,091,600	\$6,747,700
Other Data					
Total FTE	0.0	0.0	96.1	103.0	96.1

Table 6-26

CLINICAL SERVICES**Function**

The Utah Department of Corrections Clinical Services Bureau provides medical care for those who are incarcerated in secure facilities owned, operated or contracted by the State. It does so through doctors, nurses, dentists and aids who work directly for UDC, as well as through contracts with private health care providers such as the University of Utah Medical Center.

UDC is required by federal law to provide medical, dental and mental health care to those incarcerated by the state. The Bureau of Clinical Services provides health care at the Draper prison. Medical services in other settings are usually done under contractual arrangement. Health care provided at the Gunnison facility is reflected in the Gunnison budget.

Within the Clinical Services Bureau, mental health services provide a comprehensive array of treatment alternatives to offenders that are mentally ill or are suffering from emotional or other related problems. These services include crisis intervention, acute care, residential and outpatient services.

The Bureau is accredited by the National Commission on Correctional Health Care.

Statutory Authority

This program activity is governed by a variety of sections spread throughout the Department's portion of the Utah Code.

- UCA 64-13-7.5 addresses mental health services.
- UCA 64-13-26 authorizes the use of private providers for services that the Department cannot provide directly.
- UCA 64-13-36 authorizes the testing of prisoners for AIDS and HIV infections.
- UCA 64-13-39 requires the Corrections Clinical Services to be accredited by the National Commission for Correctional Health Care.

Accountability

This program helps the Department manage offenders in the most cost effective way. It assists in providing for a safe and secure prison while helping offenders lead crime-free lives.

The overarching goal is to maintain adequate medical services while controlling costs. The Director of Clinical Services is a practicing medical doctor who went back to school and got an MBA so he could better manage the bureau. Performance measures are to improve the delivery of services and the general welfare of the inmates.

Performance Data Summary - Medical Services					
Goal	Measure	Measure Type	CY 2003		CY 2004
			Target	Observed	Target
Reduce Time Before Exams	% intake exams within 7 days	Output	96.00%	95.00%	96.00%
Expedite mental health and medical requests	% MH/Medical requests seen by 7 days	Output	95.00%	96.00%	97.00%
Reduce legal actions	# of inmate legal actions	Intermediate	0	4	0

Table 6-27

Funding Detail

Medical Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	16,940,500	17,260,500	15,943,900	16,206,700	16,486,100
General Fund, One-time	0	0	0	0	78,600
Federal Funds	958,700	0	0	0	0
Dedicated Credits Revenue	121,000	151,500	141,200	151,600	154,200
Transfers - Commission on Criminal and Ju	700,300	567,300	119,500	116,000	0
Beginning Nonlapsing	6,300	12,000	550,000	375,600	375,600
Closing Nonlapsing	(12,000)	(550,000)	(375,600)	(55,900)	(375,600)
Lapsing Balance	0	0	(719,000)	0	0
Total	\$18,714,800	\$17,441,300	\$15,660,000	\$16,794,000	\$16,718,900
Categories of Expenditure					
Personal Services	11,026,000	10,429,500	8,585,000	8,725,400	10,760,700
In-State Travel	5,500	2,000	1,300	1,000	700
Out of State Travel	16,400	4,700	0	2,900	0
Current Expense	4,155,200	3,660,100	2,838,200	3,178,900	2,771,900
DP Current Expense	142,900	347,100	629,900	154,700	127,200
DP Capital Outlay	0	30,000	0	30,000	0
Capital Outlay	6,000	200	78,300	38,900	0
Other Charges/Pass Thru	3,362,800	2,967,700	3,527,300	4,662,200	3,058,400
Total	\$18,714,800	\$17,441,300	\$15,660,000	\$16,794,000	\$16,718,900
Other Data					
Total FTE	240.4	153.7	153.0	154.0	155.7
Vehicles	3	4	4	4	4

Table 6-28

UTAH CORRECTIONAL INDUSTRIES**Function**

Utah Correctional Industries (UCI) is Utah's prison industries program. Under the direction of the UCI Advisory Board and the Utah Department of Corrections, UCI operates productive enterprises utilizing inmate labor to benefit tax-supported entities which includes all state agencies and political subdivisions. UCI is a self-supporting program, deriving its revenues solely from the sales of products and services.

- The mission of the Division is to provide work experience and training for inmates to assist in increasing the success of those released from prison and parole.

UCI enterprises include: furniture manufacturing, seating manufacturing, license plate manufacturing, sign manufacturing, printing, computer refurbishing, data entry, microfilming, community work crews, asbestos abatement, commercial sewing, meat and milk processing, electronic recycling, waste recycling, commissary services, roofing and construction.

The program helps the Department manage offenders in the most cost effective way and assists in providing for a safe and secure prison while helping offenders prepare to lead crime free lives.

Statutory Authority

Utah Correctional Industries is governed by UCA Chapter 13a. Section 64-13a-2 specifically identifies the Legislative intent of the Division and establishes goals for the organization.

Accountability

The Legislature's intention, as indicated by statute, is that Correctional Industries provide an environment for the operation of correctional industries that closely resembles the environment for the business operations of a private corporate entity. Included in this intent of the Legislature are four standards, which Correctional Industries are to maintain. These are:

- UCI is to be a self-supporting organization.
- UCI's economic goal is to be profit-oriented.
- Revenue for operations and capital investment are to be generated by the Division.
- The Division should assume responsibility for training offenders in general work habits, work skills, and specific training skills that increase their employment prospects when released.

UCI met the goal of profitability beginning in fiscal year 2002. For that year, it collected \$687,400 more than it spent. The Analyst notes that UCI generated a profit again in FY 2003 and FY 2004. Profits are listed as "retained earnings". The agency projects continued profitability for FY 2005. The figure below details the success of the Division.

Performance Data Summary - Utah Correctional Industries					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Number of inmates participating	Participation	Input	620	541	600
Percent of average daily population participating	Participation	Input	21.0%	19.2%	20.0%
Financial outcome	Profit/Loss	Output	\$900,000	\$1,426,475	\$750,000

Table 6-29

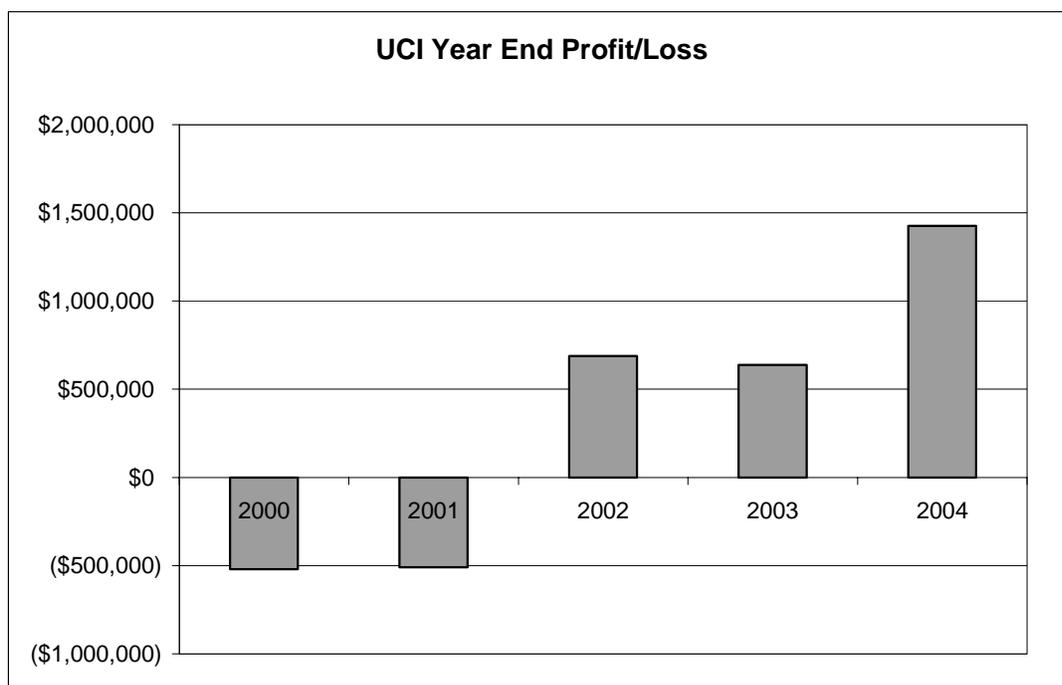


Figure 6-5

Funding Detail

The funding for the Utah Correctional Industries is entirely Dedicated Credits Revenue. The Industries operates as a public corporation and profits go to retained earnings.

Utah Correctional Industries					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits Revenue	12,712,200	12,891,000	11,602,600	16,098,500	14,469,400
Transfers - Commission on Criminal and Ju	0	6,100	0	0	0
Closing Nonlapsing	0	0	0	(1,441,100)	0
Total	\$12,712,200	\$12,897,100	\$11,602,600	\$14,657,400	\$14,469,400
Programs					
Utah Correctional Industries	12,712,200	12,897,100	11,602,600	14,657,400	14,469,400
Total	\$12,712,200	\$12,897,100	\$11,602,600	\$14,657,400	\$14,469,400
Categories of Expenditure					
Personal Services	5,215,600	4,977,300	4,602,600	4,645,400	5,274,700
In-State Travel	28,300	10,900	4,800	8,400	6,100
Out of State Travel	2,300	1,300	6,900	15,400	0
Current Expense	7,505,800	7,400,400	6,857,100	9,679,400	8,895,800
DP Current Expense	104,000	100,700	104,800	135,900	60,100
DP Capital Outlay	19,400	60,700	14,000	16,800	17,700
Capital Outlay	385,500	231,300	274,600	240,800	215,000
Other Charges/Pass Thru	(548,700)	157,900	16,200	13,000	0
Cost of Goods Sold	0	(43,400)	(278,400)	(97,700)	0
Total	\$12,712,200	\$12,897,100	\$11,602,600	\$14,657,400	\$14,469,400
Other Data					
Total FTE	117.0	100.0	95.0	95.0	99.3
Vehicles	45	52	56	56	58

Table 6-30

FORENSICS

Function

The funding for the Forensics Program was transferred to the State hospital and has not been listed since FY 2001. Inmates are still sent to the State hospital for mental health treatment.

Funding Detail

Forensics					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	190,000	0	0	0	0
Total	\$190,000	\$0	\$0	\$0	\$0
Programs					
Forensics	190,000	0	0	0	0
Total	\$190,000	\$0	\$0	\$0	\$0
Categories of Expenditure					
Other Charges/Pass Thru	190,000	0	0	0	0
Total	\$190,000	\$0	\$0	\$0	\$0
Other Data					

Table 6-31

INTERNAL SERVICE FUNDS

Function

The Department of Corrections (UDC) runs an Internal Service Fund (ISF) to finance its enterprise technology needs. UDC's Data Processing (DP) ISF charges Corrections' other operating units between \$95 and \$102 per computer "port" per month. The DP ISF then uses this revenue to manage networks, servers, and the O-TRACK inmate data system.

"Internal Service Funds are defined as funds used by the State to account for the financing of goods and services provided by one department or agency to other departments or agencies on a cost-reimbursement basis. They are set up to take advantage of economies of scale, to avoid duplication of effort, and to accurately identify costs of specific governmental services."⁴

The Department of Corrections Data Processing Internal Service Fund (DP ISF) provides centralized computer service to all departmental entities. This service includes networking, file sharing, database administration, and system development. The DP ISF does not purchase distributed computing equipment such as personal computers or printers for UDC operating entities.

Accountability

This program item is a support service to the entire Department. No separate goals or performance measures have been listed.

Funding Detail

ISF - Corrections Internal Service Fund					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Dedicated Credits - Intragvt Rev	1,573,100	1,792,700	1,743,000	1,728,100	1,700,700
Closing Nonlapsing	0	0	0	246,300	0
Total	\$1,573,100	\$1,792,700	\$1,743,000	\$1,974,400	\$1,700,700
Programs					
ISF - DOC Data Processing	1,573,100	1,792,700	1,743,000	1,974,400	1,700,700
Total	\$1,573,100	\$1,792,700	\$1,743,000	\$1,974,400	\$1,700,700
Categories of Expenditure					
Personal Services	254,900	260,000	253,700	314,400	256,900
In-State Travel	10,400	9,600	2,600	4,200	7,700
Out of State Travel	500	0	0	1,800	0
Current Expense	28,100	46,400	31,400	22,500	38,200
DP Current Expense	1,370,700	1,340,500	907,200	1,361,600	1,068,600
DP Capital Outlay	212,500	278,500	310,200	263,400	325,700
Other Charges/Pass Thru	3,600	4,600	4,500	6,500	3,600
	\$1,880,700	\$1,939,600	\$1,509,600	\$1,974,400	\$1,700,700
Profit/Loss	(\$307,600)	(\$146,900)	\$233,400	\$0	\$0
Other Data					
Total FTE	5.0	4.5	4.0	4.8	7.0
Authorized Capital Outlay	0	417,000	442,000	429,500	315,500
Retained Earnings	150,100.0	3,300.0	236,700.0	(10,700.0)	236,700.0

Table 6-32

JAIL CONTRACTING**Function**

Jail Contracting is a tool used by the Department of Corrections to manage their inmate population and their budget. The program provides inmate housing to the State prison system through contracts with individual county jails. This program provides needed overflow housing for the State. The counties provide security, supervision, food and other services on a per day cost basis. With Jail Contracting dollars, the Department houses state inmates at local jails rather than in state-owned facilities. In this way, Jail Contracting helps the state reduce its own facilities costs, and helps local governments fill excess capacity in local jails.

The Department of Corrections is funded to contract for 1,128 contract beds, plus 40 beds currently utilized for “halfway out” and “halfway back” offenders.

Each fiscal year, a new jail programs core rate is negotiated with the Utah Sheriff’s Association, with input from local elected officials, the Commission on Criminal and Juvenile Justice (CCJJ) and the Governor’s Office of Planning and Budget (GOPB). The rate is based on operating costs reported by the counties to Corrections for the previous calendar year. The rate is established by utilizing all expenses for the counties divided by all the inmates held in county jails. All 29 counties participate in the process. Last year, Corrections contracted with counties at a rate of \$42.32 per day.

The same core rate is used for both Jail Reimbursement and Jail Contracting. Additional medical and transportation rates are negotiated separately with each county. Funding for medical and transportation costs of Jail Contracting inmates is included in the Corrections Programs and Operations line item. Funding is usually insufficient to fully fund these additional expenses for jail reimbursement probationers.

Statutory Authority

The rate paid by the State to contract with the counties to provide inmate housing is the same section as for Jail Reimbursement.

- UCA 64-13c-201 authorizes counties to house state prisoners.
- UCA 64-13c-302 establishes the procedures for setting the county reimbursement rate for core inmate incarceration costs, and medical and transportation costs.
- UCA 64-13c-401 outlines the requirements for jail contracting.

Intent Language

The only intent language grants this line item nonlapsing funding authority.

Accountability

All inmate housing programs have the same performance measures which are reported for the prison system as a whole. They are listed under the Draper Facility section of this report. The Figure below lists the Medical and Transportation Costs by county. These rates are ultimately negotiated with the counties based on available funding, which is not sufficient to pay the full

⁴ Allred, Steven, et al. *Internal Service Funds: Cost Structure and Budget Impact*. Office of the Legislative Fiscal Analyst. August 20, 2002. p. 1.

costs involved. Some counties do not contract with the State as a result of this reduced funding.

Funding Detail

Jail Contracting					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	17,193,200	17,181,000	18,086,200	18,086,200	18,086,200
Beginning Nonlapsing	0	10,200	0	160,000	160,000
Closing Nonlapsing	(10,200)	4,000	(160,000)	(479,600)	(160,000)
Total	\$17,183,000	\$17,195,200	\$17,926,200	\$17,766,600	\$18,086,200
Programs					
Jail Contracting	17,183,000	17,195,200	17,926,200	17,766,600	18,086,200
Total	\$17,183,000	\$17,195,200	\$17,926,200	\$17,766,600	\$18,086,200
Categories of Expenditure					
Current Expense	31,700	31,200	33,100	34,800	31,000
Other Charges/Pass Thru	17,151,300	17,164,000	17,893,100	17,731,800	18,055,200
Total	\$17,183,000	\$17,195,200	\$17,926,200	\$17,766,600	\$18,086,200
Other Data					
Total FTE	6.0	0.0	0.0	0.0	0.0

Table 6-33

JAIL REIMBURSEMENT**Function**

The Jail Reimbursement Program is established by statute to reimburse the county jails for offenders sentenced to jail as a condition of felony probation. Under this program, the counties bill the State for each day that an offender spends in their jail as a condition of felony probation. The counties are reimbursed at a rate set by State and local government and corrections officials. The Legislature has committed in statute to fund jail reimbursement at 70% of core inmate incarceration costs.

The rate is based on operating costs reported by the counties to Corrections for the previous calendar year. The rate was established by utilizing all expenses for the counties divided by all the inmates held in county jails. All 29 counties have participated in the process.

Last year, Corrections contracted with counties at a rate of \$42.32 per day. The same core rate is used for both Jail Reimbursement and Jail Contracting.

Medical and transportation expenses related to the care and service of the felony probationers are negotiated separately with each county. These are on top of the jail reimbursement core rate but paid out of the same line item.

Growth related medical costs an additional factor

As noted above, in addition to the core rate, Corrections negotiates with each county a rate for medical and transportation costs of probationers sentenced to jail and felons housed in county facilities. (A list of the rates for each county can be found on the following page.) The weighted average cost of these medical and transportation rates (jail contracting and reimbursement combined) is \$6.41 per inmate day.

Medical and transportation costs are not in base, and are not statutorily mandated

The current base budget for the Jail Reimbursement line item does not contain sufficient appropriations to pay the medical and dental rate as established by Corrections and the counties. At the same time, the Department is not statutorily required to pay these costs.

Intent Language

Intent language grants this line item nonlapsing funding authority. Additional intent language requires the Department to more closely follow the statute as they establish their operating administrative rules.

It is the intent of the Legislature that the Department of Corrections shall adjust its rule on Jail Reimbursement so that it more closely conforms with Utah Code Annotated Title 64 Chapter 13c. Specifically, the Legislature intends that the Department shall reimburse core inmate incarceration costs from the Jail Reimbursement line item at the rate of 70 percent. The Legislature intends that the Department reimburse costs related to transportation and/or medical care of probationers sentenced to county jail from the Jail Reimbursement line item as remaining funding allows and up to the rate of 70 percent.

Statutory Authority

The Jail Reimbursement Program is governed by UCA 64-13c Part 3. This includes sections 301 through 304.

- UCA 64-13c-201 authorizes counties to house state prisoners.
- UCA 64-13c-302 establishes the procedures for setting the county reimbursement rate for core inmate incarceration costs, and medical and transportation costs.
- UCA 64-13c-303 requires the Legislature to fund Jail Reimbursement at the rate of 70 percent.

Accountability

The Department did not report any performance measures and indicated that it did not achieve any Department goals, but did help the Department to meet legislative mandates.

See Jail Contracting for a listing of Medical and Transportation costs by county. These same rates are used for Jail Contracting and Jail Reimbursement. Funding is based on the availability of funding which has always been less than full funding.

County	Medical	Transportation	Total
Beaver	\$1.20	\$0.00	\$1.20
Box Elder	\$1.04	\$0.40	\$1.44
Cache	\$1.28	\$0.38	\$1.66
Carbon	\$5.68	\$0.19	\$5.87
Daffett	\$1.20	\$0.37	\$1.57
Davis	\$5.09	\$2.70	\$7.79
Duchesne	\$4.10	\$0.46	\$4.56
Emery	\$4.70	\$5.46	\$10.16
Garfield	\$8.54	\$2.50	\$11.04
Grand	\$1.05	\$0.25	\$1.30
Iron	\$1.67	\$0.15	\$1.82
Juab	\$1.38	\$1.57	\$2.95
Kane	\$4.22	\$0.00	\$4.22
Millard	\$2.66	\$0.01	\$2.67
Morgan	\$0.03	\$0.30	\$0.33
Piute	\$0.19	\$13.64	\$13.83
Rich	\$3.65	\$2.14	\$5.79
Salt Lake	\$14.62	\$2.12	\$16.74
San Juan	\$0.44	\$0.67	\$1.11
Sanpete	\$0.68	\$3.19	\$3.87
Sevier	\$6.84	\$0.30	\$7.14
Summit	\$0.98	\$0.07	\$1.05
Tooele	\$3.68	\$0.37	\$4.05
Uintah	\$3.20	\$1.05	\$4.25
Utah	\$3.08	\$3.20	\$6.28
Wasatch	\$2.90	\$0.84	\$3.74
Washington	\$3.30	\$0.45	\$3.75
Wayne	\$1.08	\$1.92	\$3.00
Weber	\$3.68	\$1.97	\$5.65

Table 6-34

Funding Detail

Jail Reimbursement					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	7,261,000	7,760,600	8,515,900	9,515,900	9,081,000
Total	\$7,261,000	\$7,760,600	\$8,515,900	\$9,515,900	\$9,081,000
Programs					
Jail Reimbursement	7,261,000	7,760,600	8,515,900	9,515,900	9,081,000
Total	\$7,261,000	\$7,760,600	\$8,515,900	\$9,515,900	\$9,081,000
Categories of Expenditure					
Other Charges/Pass Thru	7,261,000	7,760,600	8,515,900	9,515,900	9,081,000
Total	\$7,261,000	\$7,760,600	\$8,515,900	\$9,515,900	\$9,081,000

Table 6-35

CHAPTER 7 BOARD OF PARDONS AND PAROLE

Function	<p>The Board of Pardons is the release authority for inmates in the State of Utah. As such, the Board is responsible for reviewing an inmate's performance after the inmate is incarcerated, and determining when and under what conditions the inmate may be released after serving the minimum sentence required by law. In addition, the Board reviews violations of release conditions to decide whether an inmate should be sent back to prison.</p> <p>The Board is a separate and independent organization from the Department of Corrections and the Courts. It has full parole, pardon, and commutation authority over all offenders sentenced to the custody of the Utah Department of Corrections for confinement. It makes decisions regarding the release of offenders from prison, sets conditions of parole supervision, orders restitution, and may remit fines, subject to guidelines provided by statute.</p> <p>Board hearings are held at the Board of Pardons offices and at the Draper and Gunnison prisons. The Board also travels to the jails operated by Beaver and Washington counties to hold hearings for state inmates at those locations.</p>
Statutory Authority	<p>The Board's authority is outlined in the Utah State Constitution and Utah Code Annotated, Section 77-27 et. seq.</p> <ul style="list-style-type: none"> ➤ Utah Constitution Article VII, Section 12 creates the board and establishes the parameters of its responsibilities. ➤ UCA 77-27 specifies the makeup of the board and its general operational and procedural guidelines.
Intent Language	<p>The Legislature has granted the Board of Pardons nonlapsing budget authority for years. It has done so in the last few years to afford the Board greater flexibility to address budget reductions and to meet technology needs within appropriated amounts when operational efficiencies can be realized. The Legislature enacted no other intent language for the Board of Pardons in FY 2004 or FY 2005.</p>
Accountability	<p>“The mission of the Board of Pardons and Parole is to further public safety by rendering decisions regarding the length of incarceration, parole supervision, termination of sentence, commutation of sentence and pardons.”⁵ The Board's primary goal is to “provide optimum protection of the public and safeguard the rights, privileges and interest of victims and offenders.” It attempts to do this in the most efficient and effective manner possible.</p> <p>The Board of Pardons uses the measures outlined in Table 1-1 to gage its progress toward its primary goal. These performance indicators are largely process oriented. In analyzing them, it is important to remember that, while one can quantify the number of decisions, absent consideration of intervening variables it is difficult to determine if the decisions are the best that could be made.</p>

⁵ Green, John. *Form 103 – FY 2006 Budget Request*. Utah Board of Pardons. September, 2004.

Performance Data Summary - Board of Pardons and Parole			
Goal	Measure	Measure Type	2003 Observed
Protection of the Public	Total Decisions per Year	Output	11,200
Protection of the Public	Recidivism	Outcome	
Protection of Victims' Rights	Proportion of Restitution Completed	Output	

Table 7-1

Figure 1-1 below depicts the upward trend in the first of the Board's performance measures over the past twenty years. Total decisions are expected to rise again in 2004.

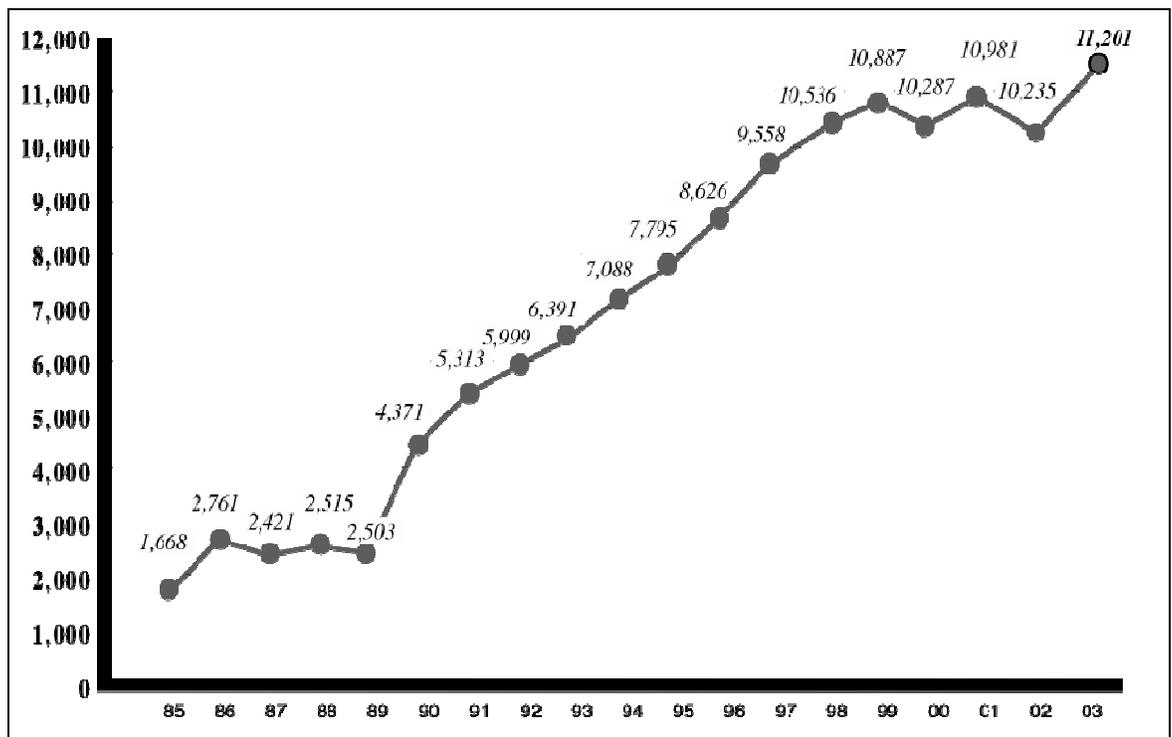


Figure 7-1 - Total Number of Parole Decisions Per Year

The table below gives greater detail on the types and numbers of decisions made by the board for the same twenty year period.

	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Original/Rehearing	1,049	1,104	1,398	1,501	1,797	1,807	1,884	1,681	1,756	1,813	1,628	1,958
Parole Violation	1,124	1,244	1,233	1,434	1,661	1,844	2,171	2,143	1,969	1,797	1,463	1,741
Special Attention	1,960	2,169	2,233	2,591	2,417	3,148	3,469	3,759	3,268	4,153	3,895	4,710
Rescissions	357	353	417	241	284	293	285	353	357	317	196	238
Terminations	275	326	328	378	419	532	530	769	760	868	844	874
Evidentiary	13	18	31	27	42	19	13	19	5	13	18	15
Warrants	1,125	1,064	1,306	1,412	1,692	1,701	1,781	1,755	1,813	1,568	1,662	1,503
Recalls	96	79	97	100	166	90	94	43	54	83	149	78
Admin. Reviews	N/A	32	25	11	30	29	51	30	36	23	19	22
Admin. Scheduling Original Hearing (Homicide, 1 st sex)	N/A	N/A	N/A	N/A	118	235	258	315	269	336	361	62
Totals	5,999	6,391	7,088	7,795	8,626	9,648	10,536	10,887	10,287	10,981	10,235	11,201
% of Annual Decisions Increase Over Previous Year	(1.3%)	(7%)	(11%)	(10%)	(11%)	(12%)	(9%)	(3%)	(-6%)	(7%)	(-7%)	(8%)

January 2004

Table 7-2

*Legislative Action
Impacts long-term
costs*

One of the intervening variables with greatest impacts on the Board’s performance is new or enhanced criminal sanctions passed by the Legislature. As Legislators elevate offenses to the felony level, and as they establish more enhancements that increase the degree of a felony, they indirectly increase the number of longer sentences being prosecuted and imposed.

These longer sentence cases create increased Board of Pardons workload and costs. The cases often take years before they reach the Board, and additional funding for them has not been allocated due to the short-term nature of the fiscal note process on legislation.

Funding Detail

The Board of Pardons is funded primarily with State General Fund. A small amount of Dedicated Credits Revenue is generated by the sale of hearing tapes, copies and transcripts. The table below details the Board’s budget for the past five years.

Board of Pardons and Parole					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,515,100	2,537,000	2,580,100	2,556,700	2,632,500
General Fund, One-time	0	0	0	0	17,000
Dedicated Credits Revenue	600	600	900	600	2,200
GFR - Tobacco Settlement	77,400	77,400	77,400	77,400	77,400
Transfers - Corrections	0	0	18,100	0	0
Beginning Nonlapsing	165,900	172,000	158,700	144,800	144,800
Closing Nonlapsing	(172,000)	(158,700)	(144,800)	(156,700)	0
Lapsing Balance	0	0	(7,500)	0	0
Total	\$2,587,000	\$2,628,300	\$2,682,900	\$2,622,800	\$2,873,900
Categories of Expenditure					
Personal Services	1,982,800	2,035,900	2,034,100	2,065,700	2,186,700
In-State Travel	15,000	14,100	19,000	21,700	15,800
Out of State Travel	11,000	5,300	7,100	11,300	5,600
Current Expense	507,200	485,600	503,800	472,600	497,900
DP Current Expense	71,000	87,400	118,900	51,500	23,100
Other Charges/Pass Thru	0	0	0	0	144,800
Total	\$2,587,000	\$2,628,300	\$2,682,900	\$2,622,800	\$2,873,900
Other Data					
Total FTE	35.0	32.0	33.0	32.5	33.0
Vehicles	3	5	6	6	6

Table 7-3

Special Funding

The Board also receives an appropriation from the General Fund Restricted–Tobacco Settlement account that makes up less than 3 percent of the Board’s budget. This appropriation is used by the board to fund a hearing officer that is specifically assigned to address drug issues of parolees.

Restricted Funds Summary - Board of Pardons and Parole				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Tobacco Settlement Restricted Account	63-97-201	70% of all funds received by the state relative to the settlement agreement with the tobacco manufacturers. (The allocation drops to 55% on July 1, 2006 - see UCA 63-97-201(d))	Alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs . . . with a preference in funding given to tobacco-related programs.	

Table 7-4

CHAPTER 8 JUVENILE JUSTICE SERVICES

Function	Juvenile Justice Services is a division within the Department of Human Services. It was formerly the Division of Youth Corrections. The Division of Juvenile Justice Services serves youth offenders with a comprehensive array of programs, including home detention, secure detention, receiving centers, reporting centers, case management, community services, observation and assessment, and transition. It is responsible for all youth offenders committed by the State's Juvenile Court for secure confinement or supervision and treatment in the community.
Statutory Authority	<p>The authority and responsibilities of the Division of Juvenile Justice Services are enumerated in the Utah Code Annotated 62A-7 et al.</p> <ul style="list-style-type: none">➤ UCA 62A-7-102 creates the division and assigns the youth committed to it pursuant to Section 78-3a-118.➤ UCA 62A-7-104 outlines the responsibilities of the division
Intent Language	<p>The Legislature regularly grants the entire division of Juvenile Justice Services nonlapsing budget authority. It has done so for many years to provide flexibility to address changing and often unpredictable caseload levels and youth treatment needs. More recently, the Legislature has granted the authority used to enable the division to better address the organization's needs during a period of budget reductions.</p> <p>Other intent language added for FY 2005 approved fleet expansion for the new Washington County Facility opened in FY 2005.</p> <p><i>It is the intent of the Legislature that the Division of Juvenile Justice Services may provide capital to the Division of Fleet Operations for the purchase of no more than two vehicles for use at the new Washington County Facility.</i></p>
Accountability	The division outlines a three-fold responsibility to the citizens of Utah: 1) Community Protection, 2) client competency development and 3) accountability. The driving factor affecting resource requirements for each of these areas is caseload. After a period of more than a year of flat custodial placements, the caseload has been growing at a significant rate.
Performance Measures	The division has gathered various sets of data over the years. This data, along with data measuring new criteria are being collected to improve the performance management system and comply with legislative directives.
Funding Detail	The budget for the entire division is listed in the Table on the next page. The primary source of funding is State General Fund. Another significant contributor to this budget is Medicaid. Changes in Medicaid rates will impact Juvenile Justice Services. Some smaller funding comes from other Federal Funds, Dedicated Credits Revenue and Transfers from other State entities.

Juvenile Justice Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	70,955,900	69,021,700	67,380,000	67,059,000	70,111,000
General Fund, One-time	0	0	0	0	629,000
Federal Funds	1,343,200	878,400	2,164,300	2,205,800	2,220,600
Dedicated Credits Revenue	796,200	1,745,100	2,230,700	2,444,700	2,810,700
Dedicated Credits - Land Grant	48,900	68,300	0	0	0
Restricted Revenue	0	0	41,000	0	0
GFR - DNA Specimen	0	0	0	91,000	91,000
GFR - Youth Corrections Victims	500,000	500,000	500,200	1,069,300	1,069,300
Transfers - Child Nutrition	684,100	882,900	0	861,600	0
Transfers - Commission on Criminal and Ju	1,312,600	1,405,600	5,080,100	4,841,600	1,295,400
Transfers - Human Services	0	0	0	15,000	0
Transfers - Interagency	87,700	19,600	0	7,100	0
Transfers - Medicaid	11,136,000	11,253,200	12,272,600	16,242,400	12,359,200
Transfers - Other Funds	0	0	747,400	0	1,129,100
Transfers - State Office of Education	0	0	0	21,300	0
Transfers - Within Agency	500,000	400,000	0	(23,000)	0
Other Financing Sources	0	0	0	0	1,100
Beginning Nonlapsing	800	2,361,100	1,474,600	969,100	0
Closing Nonlapsing	(2,361,100)	(1,474,700)	(969,100)	(1,922,100)	0
Lapsing Balance	0	0	(674,000)	(132,000)	0
Total	\$85,004,300	\$87,061,200	\$90,247,800	\$93,750,800	\$91,716,400
Line Items					
Programs and Operations	84,753,300	86,770,800	89,988,600	93,489,200	91,427,600
Youth Parole Authority	251,000	290,400	259,200	261,600	288,800
Total	\$85,004,300	\$87,061,200	\$90,247,800	\$93,750,800	\$91,716,400
Categories of Expenditure					
Personal Services	36,750,400	40,043,400	40,457,300	40,733,100	43,514,500
In-State Travel	223,300	245,500	211,200	176,400	252,500
Out of State Travel	30,800	15,100	17,800	14,400	17,800
Current Expense	14,652,200	15,428,600	14,734,100	15,625,100	16,890,000
DP Current Expense	1,090,000	1,104,000	944,900	1,196,500	1,280,500
DP Capital Outlay	0	12,500	0	0	0
Capital Outlay	6,000	8,900	6,600	5,400	6,600
Other Charges/Pass Thru	32,251,600	30,203,200	33,875,900	35,999,900	29,754,500
Total	\$85,004,300	\$87,061,200	\$90,247,800	\$93,750,800	\$91,716,400
Other Data					
Total FTE	1,012.6	1,011.6	1,001.6	955.0	991.2
Vehicles	94	118	139	139	139

Table 8-1 Funding for the entire Division of Juvenile Justice Services

PROGRAMS AND OPERATIONS

Function

This line item includes all of the programming and operations for the Division except for the Youth Parole Authority. The included programs are:

1. Administration;
2. Early Intervention Services Program;
3. Community Programs;
4. Correctional Facilities; and
5. Rural Programs.

There is a lot of program collaboration and interface between each of these programs as well as with the Youth Parole Authority.

Case-load Trends

Caseload trends seem to mirror population trends reflected in the school enrollment for the same age youth. This trend indicates a growth in school enrollment and potentially juvenile justice services for the next few years. The figure below shows the historical trends of caseload growth for Community Programs. It does not include secure confinement and non-custody youth.

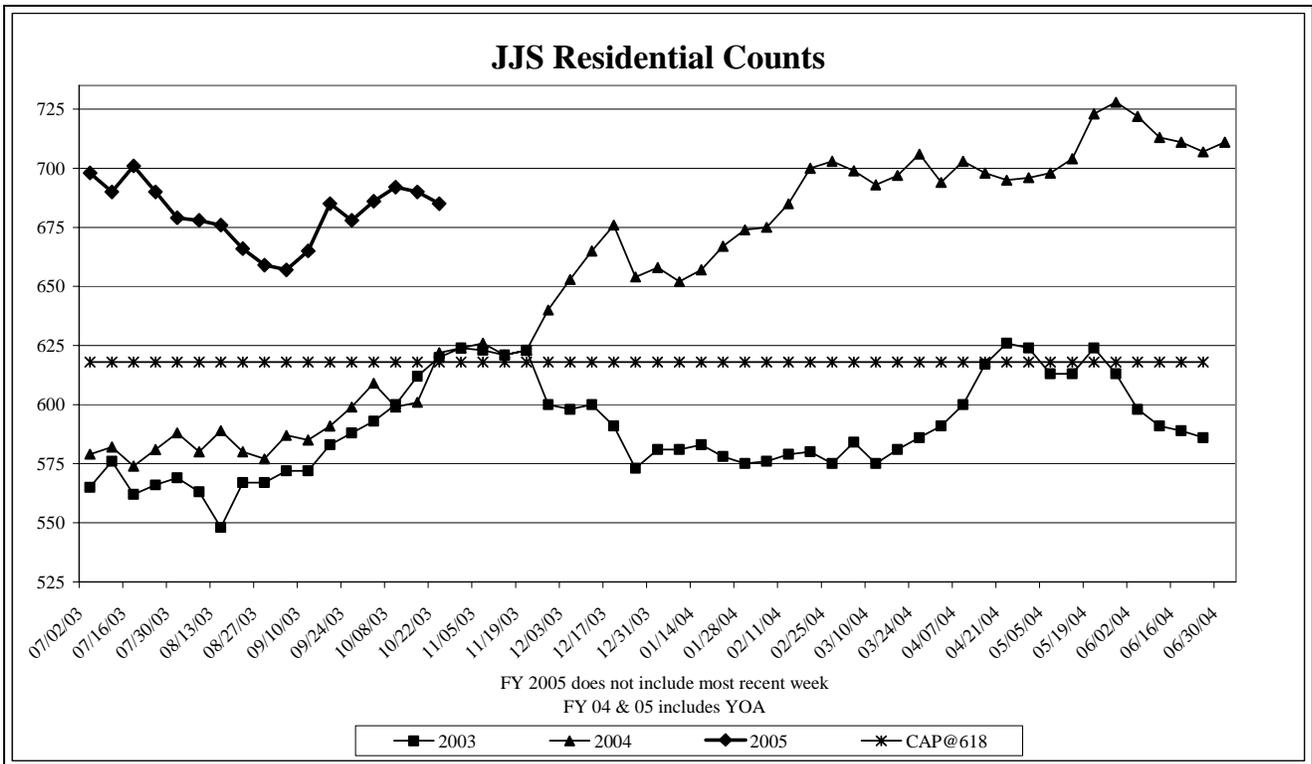


Figure 8-1

Funding Detail

The funding outlined in Table 1-2 summarizes the funding for the main programs within the division.

Programs and Operations					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	70,720,000	68,730,600	67,106,500	66,791,600	69,838,000
General Fund, One-time	0	0	0	0	627,000
Federal Funds	1,328,100	871,200	2,145,000	2,193,100	2,206,800
Dedicated Credits Revenue	796,200	1,745,100	2,230,700	2,444,700	2,810,700
Dedicated Credits - Land Grant	48,900	68,300	0	0	0
Restricted Revenue	0	0	41,000	0	0
GFR - DNA Specimen	0	0	0	91,000	91,000
GFR - Youth Corrections Victims	500,000	500,000	500,200	1,069,300	1,069,300
Transfers - Child Nutrition	684,100	882,900	0	861,600	0
Transfers - Commission on Criminal and Ju	1,312,600	1,405,600	5,080,100	4,841,600	1,295,400
Transfers - Human Services	0	0	0	15,000	0
Transfers - Interagency	87,700	19,600	0	7,100	0
Transfers - Medicaid	11,136,000	11,253,200	12,272,600	16,242,400	12,359,200
Transfers - Other Funds	0	0	747,400	0	1,129,100
Transfers - State Office of Education	0	0	0	21,300	0
Transfers - Within Agency	500,000	400,000	0	(23,000)	0
Other Financing Sources	0	0	0	0	1,100
Beginning Nonlapsing	800	2,361,100	1,466,700	927,600	0
Closing Nonlapsing	(2,361,100)	(1,466,800)	(927,600)	(1,862,100)	0
Lapsing Balance	0	0	(674,000)	(132,000)	0
Total	\$84,753,300	\$86,770,800	\$89,988,600	\$93,489,200	\$91,427,600
Programs					
Administration	4,123,800	3,860,700	6,957,500	7,486,000	3,478,700
Early Intervention	0	7,349,300	8,169,600	10,301,100	8,470,400
Community Programs	40,877,500	28,746,000	28,476,800	31,108,000	29,032,300
Correctional Facilities	25,952,000	27,695,300	26,968,900	24,518,500	29,318,700
Rural Programs	13,800,000	19,119,500	19,415,800	20,075,600	21,127,500
Total	\$84,753,300	\$86,770,800	\$89,988,600	\$93,489,200	\$91,427,600
Categories of Expenditure					
Personal Services	36,526,900	39,780,300	40,221,400	40,491,300	43,255,100
In-State Travel	208,600	231,700	200,300	166,200	238,000
Out of State Travel	30,300	13,200	17,400	14,400	17,400
Current Expense	14,640,000	15,417,100	14,722,100	15,615,500	16,877,600
DP Current Expense	1,089,900	1,103,900	944,900	1,196,500	1,278,400
DP Capital Outlay	0	12,500	0	0	0
Capital Outlay	6,000	8,900	6,600	5,400	6,600
Other Charges/Pass Thru	32,251,600	30,203,200	33,875,900	35,999,900	29,754,500
Total	\$84,753,300	\$86,770,800	\$89,988,600	\$93,489,200	\$91,427,600
Other Data					
Total FTE	1,007.6	1,007.6	997.6	951.0	987.2
Vehicles	94	118	139	139	139

Table 8-2

ADMINISTRATION**Function**

The State Office is responsible for administration of all mandated duties, for Division policy development, centralized fiscal services and budgetary development, program planning and evaluation, research, training, and quality assurance. It is accountable for oversight and quality control of the division's activities. Program offices direct the day-to-day operations of the division. (UCA 62-7-104(12))

In addition to his administrative responsibilities, the director represents the Division in a variety of settings including: division director within the Department of Human Services; member of the Utah Commission on Criminal and Juvenile Justice; member of the Sentencing Commission; and member of the Substance Abuse and Anti-Violence Coordinating Council.

Six functional areas are used to manage the division:

1. Research, evaluation and Planning – promotes ongoing research, evaluation and monitoring of division programs to determine their effectiveness.
2. Quality Assurance – monitors, inspects and evaluates the daily operations of programs that provide services to delinquent youth.
3. Training – designed to emphasize professionalism and the proper care of youth in the division's programs.
4. Contracting – manages contracts for group, family and individual therapy, psychological testing and evaluation, psychiatric assessment and medication management, levels of residential care, intensive supervision, and Skills Development.
5. Clinical – coordinates the treatment of youth in secure care.
6. Financial – monitors fiscal operations.

Statutory Authority

UCA 62A-7-104(1 through 17) is the primary statutory guidelines for the administration of Juvenile Justice Services.

UCA 62A-7-103 establishes the division director's position as well as outlines the qualifications and the responsibilities of the job.

Accountability

The State Office and program administration ensure compliance with statutory responsibilities, division mission statements, and the Governor's goals.

Performance Data Summary - Administration					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Quality Review of all Services and Vendors	Number Completed	Intermediate	115	100	115
Contracts Completed Prior to the Start Date	Number of contracts in place at start of services	Input	100.0%	62.0%	100.0%
Employees Completing Required Training	% of employees completing 40 hours of continuing ed	Input	100.0%	93.5%	100.0%

Figure 8-2

Funding Detail

The funding is a mix of General Fund, Federal Funds and other restricted sources of revenue.

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	4,455,000	2,440,800	2,260,300	2,554,200	3,145,700
General Fund, One-time	0	0	0	0	172,700
Federal Funds	37,800	21,100	205,400	207,300	2,500
Dedicated Credits Revenue	(1,700)	100	0	3,200	200
Transfers - Commission on Criminal and Ju	90,000	1,353,600	3,950,200	4,554,100	122,100
Transfers - Interagency	41,900	19,600	0	0	0
Transfers - Medicaid	0	29,200	329,400	324,800	34,400
Other Financing Sources	0	0	0	0	1,100
Beginning Nonlapsing	800	500,000	212,200	115,200	0
Closing Nonlapsing	(500,000)	(503,700)	0	(272,800)	0
Total	\$4,123,800	\$3,860,700	\$6,957,500	\$7,486,000	\$3,478,700
Categories of Expenditure					
Personal Services	1,925,100	2,358,200	2,301,700	2,194,400	2,314,100
In-State Travel	22,300	39,600	24,600	18,900	23,900
Out of State Travel	14,700	7,000	6,400	5,900	6,400
Current Expense	988,600	921,300	809,400	636,900	636,400
DP Current Expense	340,900	323,700	120,200	169,200	453,700
Other Charges/Pass Thru	832,200	210,900	3,695,200	4,460,700	44,200
Total	\$4,123,800	\$3,860,700	\$6,957,500	\$7,486,000	\$3,478,700
Other Data					
Total FTE	133.0	38.5	37.0	35.0	36.6
Vehicles	1	3	3	3	3

Table 8-3

EARLY INTERVENTION SERVICES PROGRAM

Function	<p>The Early Intervention Services Program is a consolidation of diversion and early intervention activities along with the program activities of the Youth Services Program transferred from the Division of Child and Family Services (DCFS). This office provides, through direct operation or contractual agreements, a mixture of front end services to youth, their families and the community in a geographic area covered by the 2nd, 3rd, and 4th Juvenile Court Districts. There are several major activities in this program:</p> <ol style="list-style-type: none">1. Receiving Centers: Non-residential facilities where law enforcement can take youth who are arrested, but do not meet the admission guidelines to secure detention. Staff locates parents or guardians freeing law enforcement to return to their normal duties. Staff assesses the youth to determine if other interventions may be of benefit, and notify parents of resources available in the community to address the needs of the youth.2. Home Detention: Provides an alternative to secure detention for youth awaiting adjudication or placement. Youth are home in the community with daily supervision provided by qualified staff.3. Youth Services: Provides 24-hour crisis counseling services to runaway and ungovernable youth and their families in an attempt to keep families intact and to divert the youth and families from intervention by the juvenile justice system. Services include short-term crisis beds.4. Diversion Services: Short-term (30 day) day treatment services to non-JJS custodial youth referred by the Juvenile Court. Programming focuses on intensive daily supervision, competency development and community service/restitution opportunities.5. State Supervision Services: Short-term (up to 90 days) programs to prevent further penetration into the Juvenile Justice System. This program includes an out-of-home placement for the majority of the time. Youths typically receive counseling, skills development services, and opportunities to work off restitution.6. Genesis Youth Center: Compensatory-service work program for youth offenders. It provides labor to help in maintenance and operation of public agencies and non-profit programs. The center also provides educational and prevocational programs.
Statutory Authority	UCA 62A-7-125 provides for prevention and early intervention program standards.
Accountability	The division has reported performance measures related to the number of youth served by its programs. This is clearly an input measure and does not

address the quality of the programs or their effectiveness. Additional measures have been requested from the division to address issues related to recidivism, community service rendered and restitution paid. Some of this information is not currently available.

Performance Data Summary - (Early Intervention Programs)					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Serve the maximum number of youth	# of clients served	Input	100%	2,853	100%

Table 8-4 This report is a record of youth served.

Funding Detail

Funding for the Early Intervention Program is over 95 percent from General Fund.

Early Intervention					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	6,944,400	7,965,000	9,809,100	7,401,400
General Fund, One-time	0	0	0	0	56,600
Federal Funds	0	0	452,500	583,600	716,200
Dedicated Credits Revenue	0	4,600	3,900	8,700	3,800
Transfers - Child Nutrition	0	300	0	0	0
Transfers - Medicaid	0	0	305,300	231,300	292,400
Transfers - Within Agency	0	400,000	0	0	0
Beginning Nonlapsing	0	0	140,100	125,000	0
Closing Nonlapsing	0	0	(360,200)	(456,600)	0
Lapsing Balance	0	0	(337,000)	0	0
Total	\$0	\$7,349,300	\$8,169,600	\$10,301,100	\$8,470,400
Categories of Expenditure					
Personal Services	0	4,374,600	4,467,900	6,411,600	4,789,700
In-State Travel	0	4,600	4,200	2,200	8,200
Current Expense	0	971,000	979,500	1,561,800	1,029,400
DP Current Expense	0	121,600	107,200	175,100	107,200
Other Charges/Pass Thru	0	1,877,500	2,610,800	2,150,400	2,535,900
Total	\$0	\$7,349,300	\$8,169,600	\$10,301,100	\$8,470,400
Other Data					
Total FTE	0.0	111.0	110.0	110.0	110.0
Vehicles	23	32	37	37	37

Table 8-5

COMMUNITY PROGRAMS

Function The Community Program team provides a wide variety of services to youth, their families, and the community in a given geographic area. These areas are covered by the 2nd, 3rd, and 4th Juvenile Court Districts (primarily the Wasatch Front). These services include case management, observation and assessment centers, community-based programs, after-care programs and transition programs. All programs have been or are being developed around the Balanced and Restorative Justice Model.

Statutory Authority The General statutory authority for the Community Programs is UCA 62A-7-104. This section provides the general operating and procedural guidelines.

- UCA 62A-7-116 specifically establishes community-based programs to provide care, treatment and supervision.
- UCA 62A-7-117 establishes the requirement to provide case management.
- UCA 62A-7-123 addresses the collection and use of JJS Victim Restitution Account funding

Accountability The programs operated by the Community Programs Team contribute to the accomplishment of the division and department goals.

The data reported by the program is a statement of current operations more than a target for performance evaluation. Additional data is being collected for future reports.

Performance Data Summary - Community Programs					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Serve the maximum number of youth	# of clients served	Input	100%	466	100%
Improve Operational Efficiency	Client Cost per Day	Intermediate	\$110.79	\$114.00	\$111.00

Figure 8-3 Data displayed is a statement of current operations

Funding Detail

Community Programs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	27,635,600	16,484,800	15,261,600	15,946,900	15,392,000
General Fund, One-time	0	0	0	0	58,200
Federal Funds	686,400	471,900	724,300	1,036,200	994,000
Dedicated Credits Revenue	795,700	1,734,800	1,616,100	1,756,900	2,041,400
GFR - Youth Corrections Victims	500,000	500,000	445,200	445,200	445,200
Transfers - Child Nutrition	41,100	74,000	0	44,400	0
Transfers - Commission on Criminal and Ju	640,000	52,000	788,300	275,600	1,084,500
Transfers - Human Services	0	0	0	15,000	0
Transfers - Medicaid	10,637,000	8,892,600	9,066,800	11,458,200	8,939,200
Transfers - Other Funds	0	0	(76,600)	0	77,800
Transfers - Within Agency	500,000	0	0	(23,000)	0
Beginning Nonlapsing	0	558,300	651,100	152,600	0
Closing Nonlapsing	(558,300)	(22,400)	0	0	0
Total	\$40,877,500	\$28,746,000	\$28,476,800	\$31,108,000	\$29,032,300
Categories of Expenditure					
Personal Services	11,598,000	7,299,900	7,737,800	7,912,300	8,189,900
In-State Travel	79,400	71,700	72,900	63,600	75,200
Out of State Travel	12,800	5,200	9,000	7,800	9,000
Current Expense	3,091,700	2,100,200	1,949,300	1,899,100	2,076,000
DP Current Expense	251,900	206,600	221,100	260,300	221,100
DP Capital Outlay	0	12,500	0	0	0
Capital Outlay	100	0	0	5,400	0
Other Charges/Pass Thru	25,843,600	19,049,900	18,486,700	20,959,500	18,461,100
Total	\$40,877,500	\$28,746,000	\$28,476,800	\$31,108,000	\$29,032,300
Other Data					
Total FTE	190.6	179.0	177.0	171.0	174.0
Vehicles	24	25	34	34	34

Table 8-6

Special Funding

Utah Code 62A-7-123 establishes the Juvenile Justice Services Victim Restitution Account. The account is to be used exclusively to fund work programs. "Work Program" is defined in 62A-7-101 as a public or private service work project established and administered by the division for youth offenders for the purpose of rehabilitation, education, and restitution to victims. The funds for this account are from the base division budget. When there is a surplus, the division director can transfer funds to the Victim Restitution Account. Below is a history of funding for the account. The division ended FY 2004 with a balance of \$1,835,387. However at the end of FY 2005, the balance is forecast to be \$763,800. The table below outlines the provisions of the fund.

Restricted Funds Summary - (Community Programs)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
JJS Victim Restitution Account	62A-7-123 and 124	Remaining funds from collections from the youth offender or their parents, guardian or custodian	exclusively for establishing work programs	\$1,835,387

Figure 8-4

Funds remaining in the Dedicated Credits Account from ORS collections at the end of the year can be transferred into the account by the division director. The following figure tracks the transfers and fund balance.

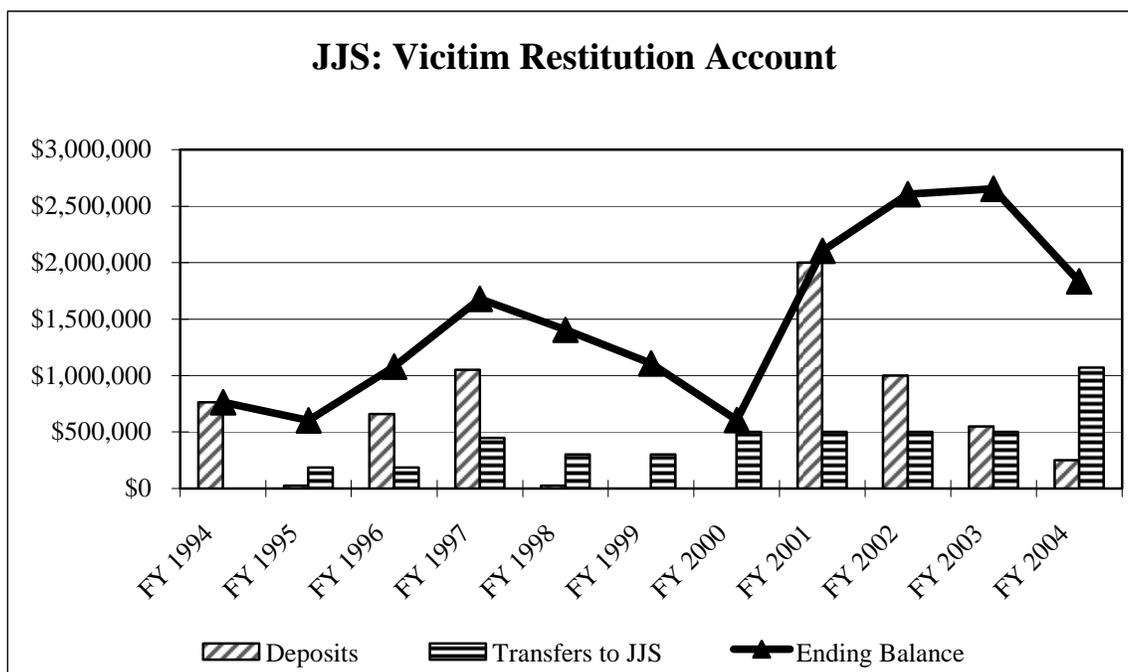


Figure 8-5

CORRECTIONAL FACILITIES

Function

Correctional Facilities represents the variety of facilities and programs that include some level of institutional or restricted living. These include:

1. Secure Care – provides a continuum of services for the youth including but not limited to, education, vocational, psycho-educational, and medical care. This is done within secure facilities under the supervision of JJS staff and contracted providers.
2. Detention Facilities – holds youth under age 18 to await court proceedings and/or placement. A judge can also commit up to 30 days. While held in detention, the youth participate in various activities, such as, but not limited to education, religious, volunteering recreation and medical care.

Typically growth in demand for beds, as in the last decade, has included double bunking and additions to existing facilities.

Statutory Authority

The general principles and authority for this program are scattered throughout UCA 62A-7. There are a few specific sections that are noteworthy.

- UCA 62A-7-101 defines the terms of Correctional Facilities
- UCA 62A-7-105 directs the division to operate and maintain secure facilities and programs
- UCA 62A-7-201 through 205 specifically addresses the issues of confinement, secure facilities and restrictions
- UCA 53-10-407 outlines the collection and use of the General Fund Restricted DNA Specimen Account

Accountability

Correctional Facilities is required to maintain all youth offenders assigned to their care. The number of youth being served in secure facilities significantly impacts the budget of this program as well as the division as a whole.

Performance Data Summary - Community Programs					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Serve the maximum number of youth	# of clients served	Input	100%	206	100%

Figure 8-6

Funding Detail

Correctional Facilities					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	26,167,800	26,456,400	26,407,400	23,789,000	28,139,800
General Fund, One-time	0	0	0	0	185,500
Federal Funds	70,500	12,500	41,300	124,800	48,200
Dedicated Credits Revenue	0	0	40,800	56,700	41,000
Dedicated Credits - Land Grant	48,900	68,300	0	0	0
Restricted Revenue	0	0	41,000	0	0
GFR - DNA Specimen	0	0	0	91,000	91,000
Transfers - Child Nutrition	522,500	653,200	0	674,600	0
Transfers - Commission on Criminal and Ju	259,000	0	127,400	0	88,800
Transfers - Medicaid	0	108,200	36,900	440,700	37,700
Transfers - Other Funds	0	0	674,700	0	686,700
Transfers - State Office of Education	0	0	0	21,300	0
Beginning Nonlapsing	0	1,116,700	300,000	438,100	0
Closing Nonlapsing	(1,116,700)	(720,000)	(363,600)	(985,700)	0
Lapsing Balance	0	0	(337,000)	(132,000)	0
Total	\$25,952,000	\$27,695,300	\$26,968,900	\$24,518,500	\$29,318,700
Categories of Expenditure					
Personal Services	14,021,200	15,167,600	14,665,900	12,714,000	15,706,700
In-State Travel	6,100	4,400	4,900	4,300	11,600
Out of State Travel	2,500	600	700	0	700
Current Expense	8,846,200	9,457,200	9,258,500	9,508,000	11,049,800
DP Current Expense	278,600	238,400	255,000	279,400	255,000
Capital Outlay	0	8,900	6,600	0	6,600
Other Charges/Pass Thru	2,797,400	2,818,200	2,777,300	2,012,800	2,288,300
Total	\$25,952,000	\$27,695,300	\$26,968,900	\$24,518,500	\$29,318,700
Other Data					
Total FTE	400.5	391.5	369.5	363.0	364.5
Vehicles	24	26	29	29	29

Table 8-7

Special Funding

The division of Juvenile Justice Services is required to take DNA samples of certain youth offenders. This authorizes them to collect a fee for the processing of this sample.

Restricted Funds Summary - (Correctional Facilities)			
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses
GFR - DNA Specimen Restricted Account	53-10-407	\$75 fee collected from admitted or convicted felons or any person added to the sex offender registry.	For collection, storage and analysis of DNA specimens and the maintenance of a DNA database.

Figure 8-7

RURAL PROGRAMS

Function The division created the Rural Programs function to meet the specific objectives of rural operations. Rural Programs includes short-term detention services, secure care, case management, state supervision, observation and assessment services, community-based alternatives, home detention, work programs, shelter services, receiving centers and early intervention services.

Statutory Authority This program operates under the authority of most sections of UCA 62A-7 since it has a combination of each of the other programs focused on rural parts of the State.

Accountability The Rural Programs operation has the goal of maintaining and increasing, where warranted, rural services by improving both the levels of consistency, and the quality of the services being offered in a cost effective fashion. This program manages programs similar to those in each of the other program areas, but in rural parts of the State. Two new facilities have been opened in the last two years, one in Blanding and one in Washington County. Reported performance demonstrates the current client situation, but is not a meaningful measure of the quality or effectiveness of the programs.

Performance Data Summary - Rural Programs					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Serve the maximum number of youth	# of clients served	Input	100%	163	151
Improve operational efficiency	Client cost per day	Input	\$98.21	\$95.40	\$94.00

Figure 8-8

Funding Detail

Rural Programs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	12,461,600	16,404,200	15,212,200	14,692,400	15,759,100
General Fund, One-time	0	0	0	0	154,000
Federal Funds	533,400	365,700	721,500	241,200	445,900
Dedicated Credits Revenue	2,200	5,600	569,900	619,200	724,300
GFR - Youth Corrections Victims	0	0	55,000	624,100	624,100
Transfers - Child Nutrition	120,500	155,400	0	142,600	0
Transfers - Commission on Criminal and Ju	323,600	0	214,200	11,900	0
Transfers - Interagency	45,800	0	0	7,100	0
Transfers - Medicaid	499,000	2,223,200	2,534,200	3,787,400	3,055,500
Transfers - Other Funds	0	0	149,300	0	364,600
Beginning Nonlapsing	0	186,100	163,300	96,700	0
Closing Nonlapsing	(186,100)	(220,700)	(203,800)	(147,000)	0
Total	\$13,800,000	\$19,119,500	\$19,415,800	\$20,075,600	\$21,127,500
Categories of Expenditure					
Personal Services	8,982,600	10,580,000	11,048,100	11,259,000	12,254,700
In-State Travel	100,800	111,400	93,700	77,200	119,100
Out of State Travel	300	400	1,300	700	1,300
Current Expense	1,713,500	1,967,400	1,725,400	2,009,700	2,086,000
DP Current Expense	218,500	213,600	241,400	312,500	241,400
Capital Outlay	5,900	0	0	0	0
Other Charges/Pass Thru	2,778,400	6,246,700	6,305,900	6,416,500	6,425,000
Total	\$13,800,000	\$19,119,500	\$19,415,800	\$20,075,600	\$21,127,500
Other Data					
Total FTE	283.5	287.6	304.1	272.0	302.1
Vehicles	22	32	36	36	36

Table 8-8

Special Funding

The Special Funding table listed under Community Programs describes the restricted account used by Rural Programs.

YOUTH PAROLE AUTHORITY

Function

The Youth Parole Authority is responsible for parole release, rescission, revocation, and termination for youth offenders who have been committed to the division for secure confinement. The Youth Parole Authority determines when and under what conditions youth offenders who have been committed to a secure facility are eligible for parole. The Parole Authority is a citizen board appointed by the Governor and acts independently of the Division of Juvenile Justice Services Administration. The Youth Parole Authority is a separate line item in the division’s budget.

Statutory Authority

The governing statute of the Youth Parole Authority is within the division’s section of Utah Code 62A-7.

- UCA 72A-7-109 creates the Youth Parole Authority and establishes the authorized membership, expenses, responsibilities and procedures.
- UCA 72A-7-110 through 115 establishes the parole procedures.

Accountability

The Youth Parole Authority assists the Division in addressing the following goals based on the Balanced and Restorative Justice Model:

1. Protect the community by providing the most appropriate setting for the youthful offender and establishing objective guidelines for length of stay while in secure care.
2. Ensure humane and therapeutic confinement.
3. Strengthen victim rehabilitation by notifying victims of the rights pertaining to the Parole Authority’s practices.

The Authority is collecting data for future evaluation of performance related to number of victims contacted, amount of restitution collected and the number of youth participating in victim programming. The figure below is a workload measure of current operations.

Performance Data Summary - Community Programs					
Goal	Measure	Measure Type	FY 2004		FY 2005 Target
			Target	Observed	
Serve the maximum number of youth	# of client hearings	Input	100%	856	100%

Figure 8-9

Funding Detail

Youth Parole Authority					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	235,900	291,100	273,500	267,400	273,000
General Fund, One-time	0	0	0	0	2,000
Federal Funds	15,100	7,200	19,300	12,700	13,800
Beginning Nonlapsing	0	0	7,900	41,500	0
Closing Nonlapsing	0	(7,900)	(41,500)	(60,000)	0
Total	\$251,000	\$290,400	\$259,200	\$261,600	\$288,800
Programs					
Youth Parole Authority	251,000	290,400	259,200	261,600	288,800
Total	\$251,000	\$290,400	\$259,200	\$261,600	\$288,800
Categories of Expenditure					
Personal Services	223,500	263,100	235,900	241,800	259,400
In-State Travel	14,700	13,800	10,900	10,200	14,500
Out of State Travel	500	1,900	400	0	400
Current Expense	12,200	11,500	12,000	9,600	12,400
DP Current Expense	100	100	0	0	2,100
Total	\$251,000	\$290,400	\$259,200	\$261,600	\$288,800
Other Data					
Total FTE	5.0	4.0	4.0	4.0	4.0

Table 8-9 Funding for the Youth Parole Authority is a separate line item from the other programs listed.

CHAPTER 9 UTAH STATE COURTS

UTAH STATE JUDICIARY

Function	<p>The Courts are the third branch of government separate from the Governor’s executive branch and the legislative branch. Their stated mission is to provide the people of Utah an open, fair, efficient, and independent system for the advancement of justice under the law. The Utah State Constitution establishes governance of the judicial branch and authorizes the Utah Judicial Council to oversee this branch of government.</p> <p>The Utah Court System consists of the Utah Supreme Court, the Utah Court of Appeals, the District Courts (trial courts of general jurisdiction), and the Juvenile Courts. Each of these court systems is state funded and operated. There is also a locally funded and operated system of limited jurisdiction courts, the Justice Courts. Justice Courts do, however, receive some administrative support from the state, and are required to operate in accordance with state standards and rules.</p> <p>Most of the programs within the judiciary are in a single line item titled Court Administration. The single line item has given the third branch of government the ability to shift funding between programs when the need has arisen. This contributed to the efficient operation of the court system even under the pressure of the base budget reductions of the last few years.</p>
Statutory Authority	<p>The Utah State Judiciary is governed by three primary documents: 1) the Utah State Constitution, Article VIII; 2) the Judicial Code UCA Titles 75 through 78; and the Utah Code of Judicial Administration.</p>
Intent Language	<p>All of the line items related to the judiciary have legislative intent language granting nonlapsing authority to their appropriations. This gives the judicial programs and activities greater management flexibility and has enabled them to more efficiently address the budget reductions of recent years.</p> <p>Additional intent language for FY 2005 addresses issues related to electronic filing, computer assisted legal research and judicial salaries. Each of these will be discussed within the respective program areas later in this report.</p>
Accountability	<p>The Judicial Branch is very concerned about the quality of justice delivered by the state court system. The quality is primarily affected by the number of cases to be adjudicated. This factor is most impacted by the state’s population growth, which affects the number and types of cases, the number of filings and the overall workload of the courts.</p> <p>The Legislative Auditor General completed an audit of the Courts Administration in May 2004. Several issues were investigated and recommendations were made for the Appropriations Subcommittee to evaluate the organizational and budgetary structure of the Courts, especially the Administrative line item.</p>

Funding Detail

The budget for the state court system is primarily State General Fund. Less than 1.5 percent is from Dedicated Credits Revenue. A significant amount of revenue is generated by court fees, which goes to the General Fund. This General Fund must then be appropriated to the Courts by the Legislature. The Table on the next page outlines the entire funding for the Courts.

Courts					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	90,483,200	91,389,100	87,819,000	89,077,100	92,027,700
General Fund, One-time	0	0	0	0	616,700
Federal Funds	0	97,300	53,400	174,400	53,300
Dedicated Credits Revenue	1,094,600	1,135,600	1,185,200	784,900	996,500
GFR - Alternative Dispute Resolution	144,400	144,400	140,400	140,000	145,000
GFR - Children's Legal Defense	644,400	643,700	645,300	646,100	657,500
GFR - Court Reporter Technology	250,000	250,000	250,000	350,000	350,000
GFR - Court Security Account	0	0	550,000	2,200,000	4,000,000
GFR - Court Trust Interest	292,500	800,000	250,100	250,000	250,000
GFR - DNA Specimen	0	0	86,500	136,800	136,800
GFR - Guardian Ad Litem Services	195,900	246,700	257,200	309,400	314,600
GFR - Justice Court Tech, Sec, & Training	0	0	0	0	900,000
GFR - Non-Judicial Assessment	752,700	753,000	766,000	511,500	594,700
GFR - Online Court Assistance	35,000	35,000	35,000	35,000	50,000
GFR - State Court Complex	3,500,000	3,500,000	4,122,200	4,122,200	4,122,200
GFR - Substance Abuse Prevention	319,300	348,800	369,900	392,300	414,600
GFR - Tobacco Settlement	193,700	193,700	193,700	193,700	193,700
Transfers - Commission on Criminal and Ju	2,303,600	1,583,800	1,478,700	1,155,700	1,554,100
Transfers - Corrections	0	0	0	2,000	0
Transfers - Human Services	180,800	158,100	170,500	179,200	150,000
Transfers - Other Agencies	0	0	0	406,400	430,400
Transfers - Public Safety	0	0	2,000	0	0
Transfers - Youth Corrections	35,000	0	37,700	140,000	0
Beginning Nonlapsing	(186,800)	1,112,300	1,455,400	1,400,800	(525,300)
Closing Nonlapsing	(1,172,000)	(1,455,400)	(860,200)	(737,600)	958,100
Lapsing Balance	(443,900)	(367,200)	(1,541,900)	(806,600)	0
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$101,063,300	\$108,390,600
Line Items					
Administration	76,806,800	76,725,000	73,834,700	76,341,000	83,223,200
Grand Jury	900	800	0	1,600	800
Contracts and Leases	16,992,900	18,568,200	18,304,000	19,339,200	19,569,500
Jury and Witness Fees	1,784,400	1,687,300	1,718,100	1,676,200	1,730,000
Guardian ad Litem	3,037,400	3,587,600	3,609,300	3,705,300	3,867,100
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$101,063,300	\$108,390,600
Categories of Expenditure					
Personal Services	64,875,900	66,694,600	64,813,500	66,059,300	71,421,800
In-State Travel	381,400	339,200	311,900	359,300	361,900
Out of State Travel	189,300	183,200	89,600	106,300	159,100
Current Expense	26,637,600	27,955,200	27,102,000	27,888,500	32,154,800
DP Current Expense	3,061,300	2,309,800	2,585,300	3,259,500	1,886,800
DP Capital Outlay	582,800	162,800	0	295,800	50,000
Capital Outlay	972,100	964,600	562,300	1,278,400	228,700
Other Charges/Pass Thru	1,923,000	1,959,500	2,001,500	1,816,200	2,127,500
Trust & Agency Disbursements	(1,000)	0	0	0	0
Total	\$98,622,400	\$100,568,900	\$97,466,100	\$101,063,300	\$108,390,600
Other Data					
Total FTE	1,318.0	1,215.8	1,209.3	1,190.8	1,214.8
Vehicles	106	130	155	155	157

Table 9-1

ADMINISTRATION

Function	The main line item is Administration. It includes the basic court programs, including the court system and related supportive services. The Utah Court system consists of State Courts, both Appellate and Trial Courts, and Justice Courts, funded and operated by local government under standards established by the Utah Judicial Council. The Judicial Council, through the Administrative Office of the Courts, provides the administrative support for the Judicial Branch.
Accountability	Accountability will be detailed with each individual program.
Funding Detail	The table on the next page details the funding and lists the programs in the Administration line item. Though there are numerous funding sources listed, 91.5 percent of this budget is from the State General Fund.

Administration					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	72,116,200	71,584,500	69,429,300	69,825,700	72,170,100
General Fund, One-time	0	0	0	0	588,200
Federal Funds	0	97,300	53,400	174,400	53,300
Dedicated Credits Revenue	881,100	944,700	987,500	510,100	771,900
GFR - Alternative Dispute Resolution	144,400	144,400	140,400	140,000	145,000
GFR - Children's Legal Defense	244,400	244,600	240,000	235,300	237,400
GFR - Court Reporter Technology	250,000	250,000	250,000	350,000	350,000
GFR - Court Security Account	0	0	550,000	2,200,000	4,000,000
GFR - Court Trust Interest	292,500	800,000	250,100	250,000	250,000
GFR - DNA Specimen	0	0	86,500	136,800	136,800
GFR - Justice Court Tech, Sec,& Training	0	0	0	0	900,000
GFR - Non-Judicial Assessment	752,700	753,000	766,000	511,500	594,700
GFR - Online Court Assistance	35,000	35,000	35,000	35,000	50,000
GFR - Substance Abuse Prevention	319,300	348,800	369,900	392,300	414,600
GFR - Tobacco Settlement	193,700	193,700	193,700	193,700	193,700
Transfers - Commission on Criminal and Ju	2,303,600	1,583,800	1,478,700	1,155,700	1,554,100
Transfers - Corrections	0	0	0	2,000	0
Transfers - Human Services	180,800	158,100	170,500	179,200	150,000
Transfers - Other Agencies	0	0	0	406,400	430,400
Transfers - Public Safety	0	0	2,000	0	0
Transfers - Youth Corrections	35,000	0	37,700	140,000	0
Beginning Nonlapsing	948,100	1,390,200	1,435,900	1,081,100	233,000
Closing Nonlapsing	(1,446,100)	(1,435,900)	(1,100,000)	(771,600)	0
Lapsing Balance	(443,900)	(367,200)	(1,541,900)	(806,600)	0
Total	\$76,806,800	\$76,725,000	\$73,834,700	\$76,341,000	\$83,223,200
Programs					
Supreme Court	1,960,300	1,938,500	1,856,000	1,966,300	2,052,100
Law Library	563,000	533,100	531,400	517,600	599,300
Court of Appeals	2,682,300	2,677,800	2,668,800	2,701,900	2,827,700
District Courts	33,192,500	33,403,700	31,830,700	32,390,200	34,217,700
Juvenile Courts	25,539,400	26,005,300	25,434,800	25,663,900	28,851,500
Justice Courts	154,700	147,700	136,800	116,300	1,050,100
Courts Security	2,131,700	2,268,800	2,297,400	2,163,300	4,000,000
Administrative Office	3,112,400	3,078,900	2,870,500	3,487,300	3,264,900
Judicial Education	340,400	352,000	271,900	530,400	345,100
Data Processing	4,603,900	4,599,500	4,288,100	5,340,500	4,359,400
Grants Program	2,526,200	1,719,700	1,648,300	1,463,300	1,655,400
Total	\$76,806,800	\$76,725,000	\$73,834,700	\$76,341,000	\$83,223,200
Categories of Expenditure					
Personal Services	61,877,600	63,213,900	61,287,500	62,493,000	67,638,700
In-State Travel	321,900	261,900	226,100	283,800	315,000
Out of State Travel	156,100	149,700	71,600	77,200	151,600
Current Expense	10,404,200	10,352,800	9,413,300	9,495,700	12,852,400
DP Current Expense	3,060,600	2,293,900	2,553,900	3,256,800	1,886,800
DP Capital Outlay	582,800	162,800	0	0	50,000
Capital Outlay	404,500	289,900	282,300	352,500	228,700
Other Charges/Pass Thru	100	100	0	382,000	100,000
Trust & Agency Disbursements	(1,000)	0	0	0	0
Total	\$76,806,800	\$76,725,000	\$73,834,700	\$76,341,000	\$83,223,200
Other Data					
Total FTE	1,251.3	1,154.2	1,148.1	1,128.0	1,152.9
Vehicles	103	126	150	150	152

Table 9-2

SUPREME COURT**Function**

The Utah Supreme Court is the highest state court and, as such, the court of last resort in Utah. The Court hears appeals from capital and first degree felony cases and all District Court civil cases, other than domestic relations cases. The Supreme Court also has jurisdiction over judgments of the Court of Appeals, proceedings of the Judicial Conduct Commission, lawyer discipline and constitutional and election questions.

The court consists of five justices who serve ten-year renewable terms. The justices elect a chief justice by majority vote to serve for four years, and an associate chief justice to serve for two years.

The Supreme Court has original jurisdiction to answer questions of state law certified from Federal Courts and to issue extraordinary writs. The Court has appellate jurisdiction to hear first degree and capital felony convictions from the District Court and civil judgments other than domestic cases. It also reviews formal administrative proceedings of the Public Service Commission, Tax Commission, School and Institutional Trust Lands Board of Trustees, Board of Oil, Gas, and Mining, and the State Engineer. The Supreme Court also has jurisdiction over judgments of the Court of Appeals by writ of certiorari, proceedings of the Judicial Conduct Commission, and both constitutional and election questions.

The court adopts rules of civil and criminal procedure and rules of evidence for use in the state courts. It manages the appellate process. The court also governs the practice of law, including admission to practice law. It oversees the conduct and discipline of lawyers.

The justices are assisted by law clerks, staff attorneys, a clerk of the court, and a staff of legal secretaries and deputy court clerks. The staff attorneys screen the cases. The clerk of the court is responsible for the court operations.

Statutory Authority

The Utah Supreme Court is established by the Utah State Constitution Article VIII, Sections 1 through 4.

- UCA 67-8-1 thru 6 defines judicial salaries and compensation.
- UCA 78-2-1 et seq. outlines the make-up and jurisdiction of the Supreme Court.

Accountability

The following charts reflect the composition of the Supreme Court workload filings. Managing the caseload is a key factor for court performance. Outside factors affect the number of filings and court resources are limited. The Courts must still attempt to grant everyone a “just and speedy trial”. Factors related to the time cases wait for disposition has not been reported. The figures below indicate that court workload has been stable most recently.

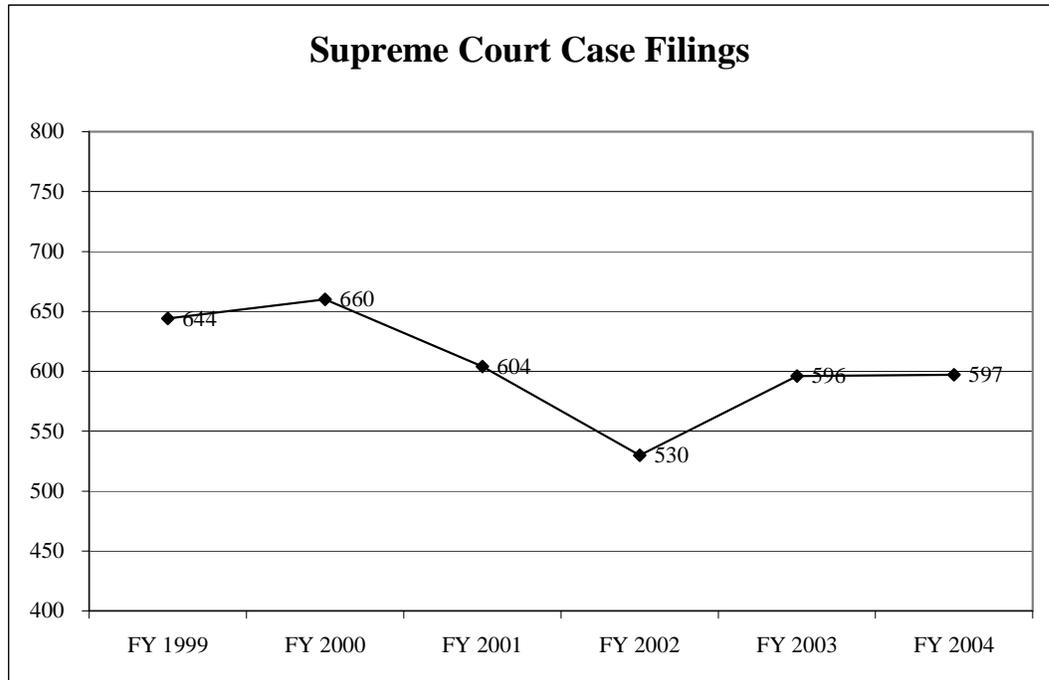


Figure 9-1

Case Type	FY 2003	FY 2004	% Change
Capital Felony	4	1	(75%)
Juvenile Appeals	3	3	0%
Bar Matters/Judicial Conduct	19	6	(68%)
Administrative Agency	15	13	(13%)
Rule Making	20	21	5%
Civil Appeals	294	295	0%
Writ of Certiorari	84	121	44%
Post Conviction Relief	0	2	200%
Interlocutory Appeals	70	51	(27%)
Criminal Appeals	66	58	(12%)
Extraordinary Writs/Habeas Corpus	18	20	11%
Other	3	6	100%
Total	596	597	0%

Table 9-3

Funding Detail

Supreme Court					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,927,000	1,968,400	1,969,600	2,000,800	2,038,200
General Fund, One-time	0	0	0	0	13,900
Beginning Nonlapsing	0	0	3,300	0	0
Closing Nonlapsing	33,300	(29,900)	(116,900)	(34,500)	0
Total	\$1,960,300	\$1,938,500	\$1,856,000	\$1,966,300	\$2,052,100
Categories of Expenditure					
Personal Services	1,875,100	1,859,000	1,776,300	1,884,900	1,966,000
In-State Travel	400	300	200	1,800	900
Out of State Travel	3,700	3,600	3,900	2,700	2,500
Current Expense	80,500	72,600	68,000	69,000	82,700
DP Current Expense	600	3,000	7,600	7,900	0
Total	\$1,960,300	\$1,938,500	\$1,856,000	\$1,966,300	\$2,052,100
Other Data					
Total FTE	27.0	27.0	27.0	27.0	27.0

Table 9-4

LAW LIBRARY

Function The State Law Library was created to serve the courts, the executive agencies, the Legislature, and the public. It is located in the Scott M. Matheson Courthouse and is open to the public. The Legislative General Counsel, the State Attorney General, and the Supreme Court Chief Justice serve as the Board of Control for the Library.

Statutory Authority The State Law Library is a statutorily created entity under UCA 9-7-301 through UCA 9-7-312. The authorizing code is under the section for the State Department of Community and Economic Development’s State Library. The State Library has no responsibility for the State Law Library though a member of the Courts sits on the State Library Board.

Accountability A study committee has been established to make recommendations regarding the operation and management of the State Law Library. These recommendations will form the basis for the development of performance criteria and data collection.

Funding Detail

Law Library					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	490,600	497,200	460,200	456,100	470,000
General Fund, One-time	0	0	0	0	2,100
Dedicated Credits Revenue	14,800	17,200	19,000	17,200	25,000
Beginning Nonlapsing	88,600	70,500	80,800	92,700	102,200
Closing Nonlapsing	(31,000)	(51,800)	(28,600)	(48,400)	0
Total	\$563,000	\$533,100	\$531,400	\$517,600	\$599,300
Categories of Expenditure					
Personal Services	167,300	166,400	144,500	130,300	156,500
In-State Travel	0	0	0	0	100
Current Expense	395,700	366,700	386,900	387,300	442,700
Total	\$563,000	\$533,100	\$531,400	\$517,600	\$599,300
Other Data					
Total FTE	5.0	4.0	4.0	4.0	4.0

Table 9-5

COURT OF APPEALS**Function**

The jurisdiction of the Court of Appeals is complementary to that of the Utah Supreme Court. The Court of Appeals hears all appeals from the Juvenile Court as well as appeals from the District Court involving domestic relations cases, divorce, annulment, property division, child custody, support, visitation, adoption and paternity, and criminal matters of less than a first degree. The court reviews appeals of formal administrative proceedings by state agencies, with a few exceptions. The Court of Appeals also has jurisdiction to hear cases transferred to it by the Supreme Court.

The Utah Court of Appeals was created in 1987. It consists of seven judges who serve six-year, renewable terms. A presiding judge is elected by a majority vote of the judges to serve for two years. The judges are assisted by the clerk of the court, central staff attorneys, law clerks, legal secretaries, and deputy court clerks.

Statutory Authority

UCA 78-2a-1 through 6 establish the Court of Appeals.

- UCA 78-2a-2 establishes the judges, their terms of office, their functions and the filing fees.
- UCA 78-2a-3 outlines the court's jurisdiction.
- UCA 78-2a-6 creates an appellate mediation office, protects records and grants the office immunity.

Accountability

The figure and table on the next page reflect the number of case filings and composition of the Court of Appeals Court workload. As in many of the court programs, managing the caseload is a key factor for court performance. Outside factors affect the number of filings and court resources are limited. Factors related to quality of the decisions and the time cases wait for disposition has not been reported. The figures below indicate that the Appeals Court workload has been increasing most recently.

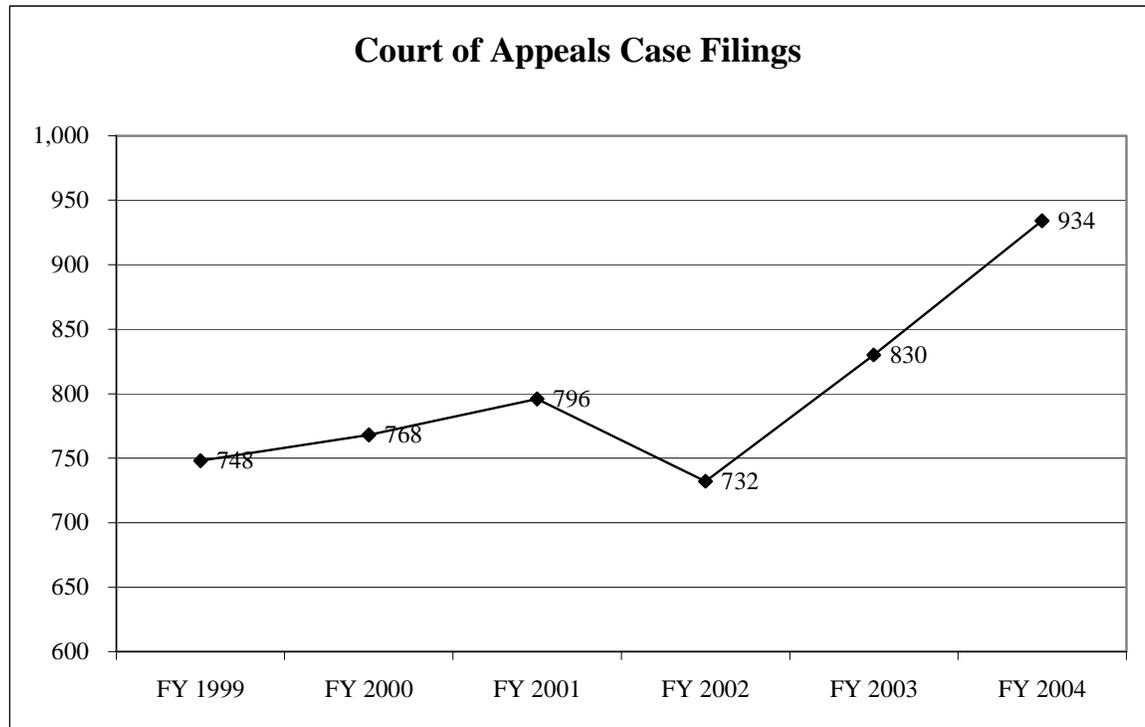


Figure 9-2

Even though the overall caseload increase has been modest, the changes in the types of cases are significant in some categories. The table below details the shifting caseload.

Case Type	FY 2003	FY 2004	% Change
Juvenile Delinquency Appeals	13	15	15%
Civil Appeals	240	324	35%
Criminal Appeals	321	287	(11%)
Juvenile Child Welfare Appeals	57	52	(9%)
Administrative Agency	74	90	22%
Extraordinary Writs	25	8	(68%)
Interlocutory Appeals	42	69	64%
Domestic Civil Appeals	53	69	30%
Other	5	20	300%
TOTAL	830	934	13%

Table 9-6

Funding Detail

Court of Appeals					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,700,400	2,749,000	2,717,300	2,602,600	2,810,300
General Fund, One-time	0	0	0	0	17,400
Beginning Nonlapsing	0	0	6,000	157,500	0
Closing Nonlapsing	(18,100)	(71,200)	(54,500)	(58,200)	0
Total	\$2,682,300	\$2,677,800	\$2,668,800	\$2,701,900	\$2,827,700
Categories of Expenditure					
Personal Services	2,521,700	2,532,600	2,560,400	2,592,300	2,704,000
In-State Travel	3,400	3,000	400	3,400	4,600
Out of State Travel	1,500	3,800	0	100	7,000
Current Expense	138,900	126,400	100,200	92,800	112,100
DP Current Expense	11,200	12,000	7,800	13,300	0
Capital Outlay	5,600	0	0	0	0
Total	\$2,682,300	\$2,677,800	\$2,668,800	\$2,701,900	\$2,827,700
Other Data					
Total FTE	35.8	35.8	36.0	35.0	33.8

Table 9-7

DISTRICT COURTS

Function	The District Court has original jurisdiction to try civil cases and criminal felonies—such as homicides, assaults, sex and drug offenses, forgery, arson, robbery, and, in certain circumstances, misdemeanors. An important part of the District Court caseload is domestic relations cases, such as divorces, child custody and support, as well as adoption and probate. District judges also have the power to issue extraordinary writs. In addition, the court serves as an appellate court to review informal adjudicative proceedings from administrative agencies.
<i>Judicial Support</i>	Each district judge is assigned a court clerk and a bailiff. Either a court reporter or an electronic recording device is provided to maintain a verbatim record of all court proceedings. In the more populous districts, court commissioners have been appointed to assist the district judges by conducting pretrial hearings, pursuing settlements, and making recommendations to the judges in domestic relations cases. Commissioners can also accept pleas in misdemeanor cases and, with the consent of the parties, conduct misdemeanor trials. If a party disagrees with the court commissioner’s recommendation, a rehearing can be requested before a judge. Court referees have also been appointed to assist in the resolution of traffic cases.
<i>Small Claims</i>	The District Courts have a small claims department, which covers disputes under \$7,500. A district judge may hear small claims cases, but in many areas of the state, the Supreme Court appoints a lawyer as a judge pro tempore to hear the cases. In areas where a judge pro tempore has not been assigned, the district judge may transfer a small claims case to a justice court. Any individual or business may use small claims court, which is typically conducted in the evening for the convenience of the public.
Statutory Authority	<p>The District Courts is governed by UCA 78-3-et al.</p> <ul style="list-style-type: none">➤ UCA 78-3-3 explains the terms of office for a district judge.➤ UCA 78-3-4 outlines the district court jurisdiction.➤ UCA 78-3-12.5 requires funding of the district judicial system by the Legislature.➤ UCA 78-3-13 details the responsibilities when transferring judicial responsibilities between the county and the state.➤ UCA 78-3-30 describes the duties of the clerk of the district court.➤ UCA 78-3-31 outlines the qualifications, functions and duties of the court commissioner.
Accountability	The key factors affecting this program area are the number and types of cases to be adjudicated by the District Courts. Both have a significant impact on the resources required to address the court schedule.

District Court Caseload				
<u>Case Filings</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>Change</u>	<u>% Change</u>
Criminal	43,306	42,654	(652)	(2%)
Domestic	21,469	20,112	(1,357)	(6%)
General Civil	83,789	76,645	(7,144)	(9%)
Parking	1,862	3,314	1,452	78%
Traffic	74,671	63,886	(10,785)	(14%)
Small Claims	19,574	16,743	(2,831)	(14%)
Probate	7,731	8,065	334	4%
Property Rights	9,134	9,340	206	2%
Torts	2,493	2,864	371	15%
Other	159	135	(24)	(15%)
TOTAL	264,188	243,758	(20,430)	(8%)

Table 9-8

Sometimes the overall statistics can be deceiving. The total number of criminal cases has decreased between FY 2003 and FY 2004, but the most serious of these offenses (which takes the most time and resources) has actually increased 8 percent. This could have an impact on the resources needed in this program area. See the table below which details the criminal case filings.

District Court Criminal Filings				
<u>Category</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>Change</u>	<u>% Change</u>
TOTAL Criminal	43,343	42,654	(689)	(2%)
Felony	20,001	21,689	1,688	8%
Misdemeanor A	6,377	6,331	(46)	(1%)
Misdemeanor B	10,126	8,993	(1,133)	(11%)
Misdemeanor C	3,997	3,570	(427)	(11%)
Misdemeanor DUI	2,293	1,733	(560)	(24%)
Infractions	549	338	(211)	(38%)

Table 9-9

Shifts in caseload are occurring geographically as well.

Performance Measures? No significant performance measures were submitted by the courts for this program area. What has been submitted is a listing of workload indicators through filings. These are significant, but more as input rather than as outcome performance measures.

Special Funding

Several General Fund Restricted account augment the District Court budget. The funds come primarily from fees collected in the routine service and operation of the courts.

Restricted Funds Summary - District Court				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Dispute Resolution Fund	UCA 78-31b-9	\$1 of civil filing fees	To implement the Alternative Dispute Resolution Act	\$245,575
GFR - Children's Legal Defense Account	UCA 63-63a-8	Fees withheld from marriage licenses and from civil filing fees.	For programs that protect and defend the rights, safety and quality of life of a child	\$199,973
GFR - Court Reporting Technology Account	UCA 78-56-108(2)c	Transcription Fees	For purchase, development, and maintenance of court reporting technologies.	\$297,069

Table 9-10

Funding Detail

The following table details the funding for the District Courts. Though there are numerous "other" sources of funding, over 95 percent of the budget is from General Fund.

District Courts					
	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Sources of Finance					
General Fund	32,179,600	32,028,900	31,382,500	31,747,400	32,629,200
General Fund, One-time	0	0	0	0	275,700
Dedicated Credits Revenue	383,600	381,400	414,900	5,200	0
GFR - Alternative Dispute Resolution	144,400	144,400	140,400	140,000	145,000
GFR - Children's Legal Defense	244,400	244,600	240,000	235,300	237,400
GFR - Court Reporter Technology	250,000	250,000	250,000	250,000	350,000
Transfers - Human Services	180,800	158,100	170,500	179,200	150,000
Transfers - Other Agencies	0	0	0	406,400	430,400
Beginning Nonlapsing	71,900	1,075,200	71,100	74,200	0
Closing Nonlapsing	(127,200)	(778,900)	(613,700)	(442,400)	0
Lapsing Balance	(135,000)	(100,000)	(225,000)	(205,100)	0
Total	\$33,192,500	\$33,403,700	\$31,830,700	\$32,390,200	\$34,217,700
Categories of Expenditure					
Personal Services	30,177,600	30,798,000	29,425,800	29,974,600	31,958,400
In-State Travel	160,000	140,200	113,900	143,300	142,400
Out of State Travel	16,400	22,700	5,800	7,900	10,500
Current Expense	2,624,800	2,307,800	2,157,300	2,089,400	2,106,400
DP Current Expense	135,600	69,600	91,700	107,000	0
Capital Outlay	79,000	65,400	36,200	68,000	0
Other Charges/Pass Thru	100	0	0	0	0
Trust & Agency Disbursements	(1,000)	0	0	0	0
Total	\$33,192,500	\$33,403,700	\$31,830,700	\$32,390,200	\$34,217,700
Other Data					
Total FTE	606.2	531.2	535.0	520.0	538.3
Vehicles	29	36	46	46	47

Table 9-11

JUVENILE COURTS**Function**

The Juvenile Court has original jurisdiction over youths, under 18 years of age, who violate any federal, state, or municipal law. It also has responsibility for any child who is abused, neglected, or dependent. The court has the power to determine child custody, support, and visitation. It can permanently terminate parental rights, and authorize or require treatment for mentally ill or retarded children. The court can also place children under the supervision of the court's probation department and place children in the custody or care of foster homes, group homes, special treatment centers, or secure institutions. The court works closely with the Office of Guardian ad Litem on cases involving abuse, neglect, or dependency. The court can require children to pay fines or make restitution for damage or loss resulting from delinquent acts. The court has jurisdiction over habitual truants, runaways, and ungovernable youth, if efforts by other social service agencies are not successful.

In addition, the court has exclusive jurisdiction in traffic offenses involving minors related to automobile homicide, driving under the influence of alcohol or drugs, reckless driving, joy riding, or fleeing a police officer. Juvenile Court has concurrent jurisdiction with the District and Justice Courts over adults contributing to the delinquency and neglect of a minor.

Judicial Districts

Utah is served by 26 juvenile court judges and one commissioner in the state's eight judicial districts.

The Juvenile Court, unlike other state courts of record, administers a probation department. Probation officers prepare dispositional reports, supervise youth who have been placed on probation by the court, conduct evaluations, and submit reports on the progress of each juvenile. A clerical division prepares the legal documents and maintains the official court record.

Interstate Compact

As a member of the Interstate Compact on Juveniles, the court accepts supervision of juveniles who move to Utah from other states (who were under court supervision before moving). In turn, the court often requests other states to supervise juveniles who move while still under court supervision in Utah.

Statutory Authority

The entire chapter of Utah Code 78-3a outlines the jurisdiction, responsibilities and procedures for the Juvenile Court.

- UCA 78-3a-102 establishes the juvenile court organization, status and outlines its purpose.
- UCA 78-3a-105 defines the boundaries between the juvenile courts and the district courts.
- UCA 78-3a-201 creates the Board of Juvenile Court Judges and defines its purpose.
- UCA 78-3a-207 establishes the General Fund Restricted Account-Nonjudicial Adjustment Fund and details its purpose and operations.

- UCA 78-3a-301 authorizes protective custody and outlines the grounds for that custody.
- UCA 78-3a-313.5 describes the conditions for a mandatory petition for termination of parental rights.
- UCA 78-3a-602 outlines procedures to address the serious youth offender.

Accountability

Caseload is an input measure, but a significant factor in terms of resource requirements. The figure below is a historical indicator of caseload for the Juvenile Courts.

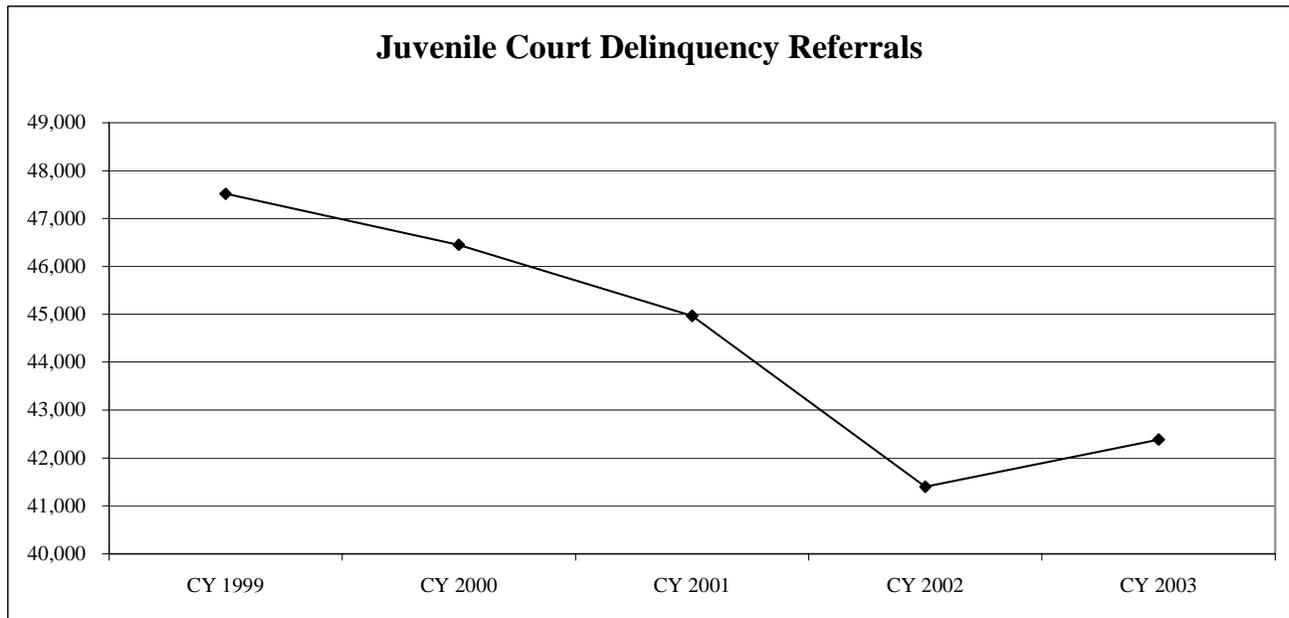


Figure 9-3

The following table demonstrates the detail of the juvenile court referrals.

<u>Case Filings</u>	<u>CY 2002</u>	<u>CY 2003</u>	<u>Change</u>	<u>% Change</u>
Felony	3,598	3,468	(130)	(4%)
Misdemeanor	27,664	28,568	904	3%
Infraction	1,952	2,164	212	11%
Status	6,848	6,892	44	1%
Traffic	1,339	1,294	(45)	(3%)
TOTAL	41,401	42,386	985	2%

Table 9-12

The tables on the next page are a detailed listing of the performance measures. The goals are to collect 100 percent of the restitution, fines, fees and work hours from the offenders. These are output and not an outcome measures since they do nothing to protect against re-offense by the offender.

Juvenile Court			
Fines, Fees, Restitution & Work Hours Ordered/Collected			
<u>FY 2004</u>	<u>Ordered</u>	<u>Collected</u>	<u>Collected %</u>
Restitution	\$1,125,578	\$1,203,215	107%
Work Hours	765,851	702,639	92%
Fees	\$1,661,226	\$1,471,527	89%
Fines	\$1,067,328	\$885,748	83%

Table 9-13

Performance Data Summary - Juvenile Court						
Goal	Measure	Measure Type	CY 2003		CY 2004 Target	
			Target	Observed		
Collect 100% of Restitution	Money Collected	Output	\$1,266,703	\$1,202,878	100%	
Collect 100% of Work Hours	Hours Worked	Output	774,740	710,856	100%	
Collect 100% of Fees	Money Collected	Output	\$1,636,204	\$1,429,097	100%	
Collect 100% of Fines	Money Collected	Output	\$1,118,558	\$899,712	100%	

Table 9-14

Special Funding

Juvenile Courts receive fine, penalty and programmatic revenue from several sources.

Restricted Funds Summary - Juvenile Court				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - DNA Specimen Restricted Account	UCA 53-10-407	\$75 fee collected from admitted or convicted felons or any person added to the sex offender registry	For collection, storage and analysis of DNA specimens and the maintenance of a DNA database	\$102,765
GFR - Nonjudicial Adjustment Account	UCA 78-3a-207	up to \$100 financial penalty in juvenile criminal cases	expenses of juvenile compensatory service, victim restitution and diversion programs	\$604,964
GFR - Substance Abuse Prevention Account	UCA 63-63a-5	surcharge on criminal fines, penalties and forfeitures	Community Service Programs	\$21,298
GFR - Tobacco Settlement	UCA 63-97-201	70% of all funds received by the state relative to the settlement agreement with the tobacco manufacturers. (The allocation drops to 55% on July 1, 2006 - see UCA 63-97-201(d))	Alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs...with a preference given to tobacco-related programs	\$5,246,730

Table 9-15

Funding Detail

Juvenile Courts					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	24,614,000	24,742,600	25,064,500	24,756,100	26,442,600
General Fund, One-time	0	0	0	0	239,400
Dedicated Credits Revenue	407,200	464,900	491,500	448,300	698,900
GFR - DNA Specimen	0	0	86,500	136,800	136,800
GFR - Non-Judicial Assessment	752,700	753,000	766,000	511,500	594,700
GFR - Substance Abuse Prevention	319,300	348,800	369,900	392,300	414,600
GFR - Tobacco Settlement	193,700	193,700	193,700	193,700	193,700
Transfers - Youth Corrections	35,000	0	0	0	0
Beginning Nonlapsing	174,000	611,700	364,200	304,200	130,800
Closing Nonlapsing	(926,600)	(957,200)	(1,719,600)	(827,500)	0
Lapsing Balance	(29,900)	(152,200)	(181,900)	(251,500)	0
Total	\$25,539,400	\$26,005,300	\$25,434,800	\$25,663,900	\$28,851,500
Categories of Expenditure					
Personal Services	22,141,400	22,770,500	22,249,800	22,724,900	25,153,100
In-State Travel	86,400	62,100	49,900	59,900	85,400
Out of State Travel	71,400	59,700	39,000	800	74,700
Current Expense	3,180,200	3,092,500	2,954,100	2,813,100	3,538,300
DP Current Expense	55,000	16,100	134,100	65,200	0
DP Capital Outlay	0	4,300	0	0	0
Capital Outlay	5,000	0	7,900	0	0
Other Charges/Pass Thru	0	100	0	0	0
Total	\$25,539,400	\$26,005,300	\$25,434,800	\$25,663,900	\$28,851,500
Other Data					
Total FTE	487.9	470.2	463.0	459.0	463.8
Vehicles	70	84	97	97	97

Table 9-16

JUSTICE COURTS**Function**

This level of court hears the vast majority of cases in Utah, and fulfills the constitutional obligation of a court not of record. Justice Courts are established by counties and municipalities and have the authority to deal with class B and C misdemeanors, violations of ordinances, small claims, and infractions committed within their territorial jurisdiction. Justice Court jurisdictions are determined by the boundaries of local government entities such as cities or counties, which hire the judges.

There are two types of Justice Court judges: county judges who are initially appointed by a county commission and then stand for retention election every four years, and municipal judges who are appointed by city officials for a 4-year term. Some are both county and municipal judges. Some judges hear cases daily, and others have limited court hours each week. Justice Court judges need not be attorneys, although they receive extensive and continuing legal training. All Justice Court judges must attend 30 hours of continuing judicial education each year to remain certified. One hundred twenty-eight Justice Court judges serve in 147 county and municipal courts.

The Justice Court shares jurisdiction with the Juvenile Court over sixteen and seventeen year old minors who are charged with certain traffic offenses. The Juvenile court handles automobile homicide, alcohol or drug related traffic offenses, reckless driving, fleeing an officer, and driving on a suspended license.

Four person juries hear jury trials in the Justice Courts. City attorneys prosecute cases involving municipal ordinance violations and state law in municipal courts; county attorneys prosecute cases involving violations of county ordinances and state law in the county courts. Litigants and defendants often act without an attorney (pro se) in Justice Courts.

Any person not satisfied with a judgment rendered in a Justice Court is entitled to a trial de novo (new trial) in the District Court. Any Justice Court judge may be appointed by the presiding District judge to conduct preliminary examinations and arraignments for felony cases under some circumstances. Justice Courts may also have a Small Claims Department, which has jurisdiction over claims under \$5,000.

Statutory Authority

Justice Courts are specifically provided for in Article VIII of the Utah Constitution.

Accountability

Justice Courts adjudicate over 500,000 filings per year in 147 courts statewide. The number grows from normal demographics of Utah and the creation of new Justice Courts by local government. (This is done with the approval of the Judicial Council.) The increases here have not had a significant impact on the caseload of the District and Juvenile Courts, though there have been decreases in some areas.

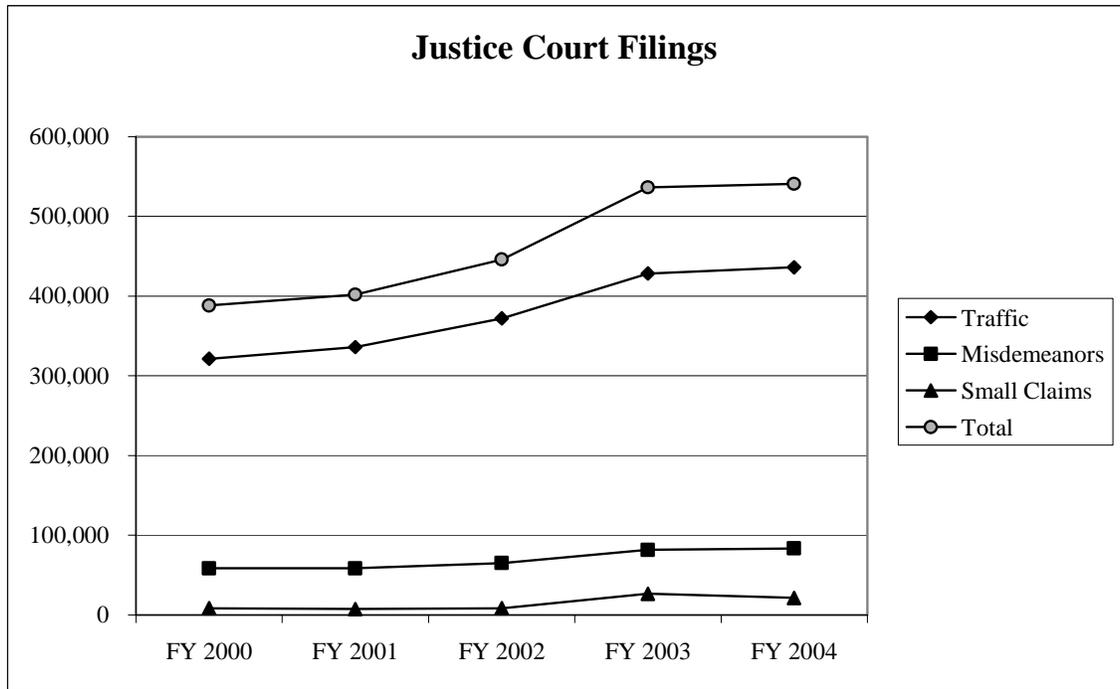


Figure 9-4

Special Funding

The Justice Court Technology, Security, and Training Account is a new source of revenue with FY 2005.

Restricted Funds Summary - Justice Court				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Justice Court Technology, Security, and Training Account	UCA 78-5-116.7	12.5% of security surcharge on offenses listed in uniform bail schedule	Technology, security, and training needs of justice courts throughout the state	\$13,668

Table 9-17

Funding Detail

Funding support for the Justice Courts is primarily for training of justices and reporting of case adjudication.

Justice Courts					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	166,100	170,200	151,300	116,700	149,600
General Fund, One-time	0	0	0	0	500
GFR - Justice Court Tech, Sec,& Training	0	0	0	0	900,000
Closing Nonlapsing	(11,400)	(22,500)	(14,500)	(400)	0
Total	\$154,700	\$147,700	\$136,800	\$116,300	\$1,050,100
Categories of Expenditure					
Personal Services	91,400	95,000	96,000	97,800	101,000
In-State Travel	16,700	10,600	11,600	7,300	10,000
Out of State Travel	2,000	0	0	400	0
Current Expense	44,600	42,100	29,200	10,800	939,100
Total	\$154,700	\$147,700	\$136,800	\$116,300	\$1,050,100
Other Data					
Total FTE	1.0	1.0	1.0	1.0	1.0

Table 9-18

COURTS SECURITY

Function The safety of court patrons, including parties, witnesses, attorneys, jurors, the press and the public, the judges and court staff, is essential for the administration of justice in a society dedicated to the rule of law. The Court Security program pays the expenses for Bailiff and other security in the court room. This does not fund the perimeter security which is provided by contract with county sheriff offices.

Statutory Authority State statutes UCA 17-22-2, 17-22-27, 53-8-105 and Judicial Rule 3-414 address the requirements and mandates for bailiff security.

Accountability Funding of this program is to provide a safe environment for an open, fair, efficient, and independent system for the advancement of Justice under the law. Present funding does not cover all the costs to the Sheriffs for their services and in turn, they have cut back in services to the Courts. Performance measures relate to the efforts to reduce disruptions and potentially hazardous incidents in the court room.

Performance Data Summary - Justice Courts					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Reduce or eliminate serious incidents at Court	Documented incidents	Outcome	0	7	0
Provide Bailiff services for every court hearing	Bailiff in every hearing	Input	100%	91%	100%

Figure 9-5

Special Funding One restricted account provides the sole source of funding.

Restricted Funds Summary - Court Security				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Court Security Account	UCA 63-63c-102	\$25 surcharge on all criminal convictions and juvenile delinquency judgements and a portion of filing fees	juvenile court security including perimeter security	\$167,202

Table 9-19

Funding Detail Prior to FY 2004, bailiff services were funded with a general fund appropriation. Legislation passed in the 2003 General Session instituted a new security fee to fund bailiff services in the District Court. During the 2004 General Session funding was provided to fund the Juvenile Court.

Courts Security					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,216,000	2,281,000	0	0	0
GFR - Court Security Account	0	0	550,000	2,200,000	4,000,000
Closing Nonlapsing	(84,300)	(12,200)	2,297,400	313,300	0
Lapsing Balance	0	0	(550,000)	(350,000)	0
Total	\$2,131,700	\$2,268,800	\$2,297,400	\$2,163,300	\$4,000,000
Categories of Expenditure					
Current Expense	2,131,700	2,268,800	2,297,400	2,163,300	4,000,000
Total	\$2,131,700	\$2,268,800	\$2,297,400	\$2,163,300	\$4,000,000

Table 9-20

ADMINISTRATIVE OFFICE

Function	<p>The Administrative Office of the Courts (AOC) provides all support functions for the Judicial Branch under the policy direction of the Utah Judicial Council. The AOC includes all those subsidiary and support functions required to operate a corporate entity with a budget of more than \$100 million. As a separate branch of state government, the courts operate under the direction of the constitutionally established Judicial Council. Under the Council's direction, the State Court Administrator manages and directs the work of approximately 1,100 non-judicial staff and court and juvenile probation operations statewide. The AOC is directly responsible to the Judicial Council for the efficient and effective operation of the courts administrative functions, service delivery, program management, judicial and staff education, automation systems, and Appellate and Trial Court Administration.</p>
Statutory Authority	<p>The AOC has broad statutory authority, powers, duties and responsibilities to support and administer the activity of the Judicial branch found in Chapters 77 and 78 of the Utah Code.</p> <ul style="list-style-type: none">➤ UCA 78-3-23 creates the position of chief administrative officer.➤ UCA 78-3-24 assigns specific duties and responsibilities to the chief administrative officer
Accountability	<p>The goal is to ensure that adequate resources are available to operate and manage each level of courts. The AOC provides resources for human resources, education, audit, finance, purchasing, facilities, information services, technology, legal services, and administration to the Third Branch of Government in order to provide an open, fair, efficient and independent judiciary. Three areas of specific attention are:</p> <ul style="list-style-type: none">➤ Adequate and competent workforce➤ Resources to handle the workload of the courts➤ Develop and use technology to increase the efficiency and quality of court operations. <p>The true results of Administration measures are found in the efficient operations of the various courts. The Courts are working to develop measurable performance criteria.</p>
Special Funding	<p>A small amount of funds are regularly available from trust fund interest to offset administrative expenses.</p>

Restricted Funds Summary - Administration				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Courts Trust Interest	UCA 78-27-4	Interest earned on funds deposited with the courts	Offset costs for collection and maintenance of court trust funds and accounting and auditing of all revenue and trust accounts	\$108

Table 9-21

Funding Detail

Administrative Office					
	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Sources of Finance					
General Fund	3,143,100	2,625,700	3,319,100	3,434,800	2,996,400
General Fund, One-time	0	0	0	0	18,500
GFR - Court Trust Interest	292,500	800,000	250,100	250,000	250,000
Transfers - Public Safety	0	0	2,000	0	0
Beginning Nonlapsing	452,000	(758,200)	887,600	316,000	0
Closing Nonlapsing	(525,200)	511,400	(1,038,300)	(513,500)	0
Lapsing Balance	(250,000)	(100,000)	(550,000)	0	0
Total	\$3,112,400	\$3,078,900	\$2,870,500	\$3,487,300	\$3,264,900
Categories of Expenditure					
Personal Services	2,291,100	2,306,300	2,181,700	2,193,100	2,354,600
In-State Travel	43,100	33,000	33,900	28,300	47,600
Out of State Travel	32,100	33,500	5,700	5,900	30,000
Current Expense	717,700	697,600	642,700	867,200	732,700
DP Current Expense	10,600	4,200	6,500	10,800	0
DP Capital Outlay	0	4,300	0	0	0
Capital Outlay	17,800	0	0	0	0
Other Charges/Pass Thru	0	0	0	382,000	100,000
Total	\$3,112,400	\$3,078,900	\$2,870,500	\$3,487,300	\$3,264,900
Other Data					
Total FTE	42.5	36.6	36.0	35.0	35.9
Vehicles	3	5	6	6	7

Table 9-22

JUDICIAL EDUCATION**Function**

The Judicial Council Rule 3-403 on judicial education requires that judges and commissioners take 30 hours of in-service training and other staff members take 20 hours of training. Education staff is responsible for education programs for more than 1,100 state court employees and 107 judges and commissioners. Education staff also provides education services to justice courts, which employ more than 350 staff and 125 judges.

The state court administrator is responsible for providing education and training opportunities to judicial and non-judicial court personnel. This continuing education program functions under the Standing Committee on Judicial Branch Education.

The Administrative Office of the Courts, through the Utah Judicial Institute, provides classes, workshops and conferences for all judicial and non-judicial staff during the year, to provide continuing professional education and provide opportunities for judges and court staff to achieve the required hours of education. Specialized orientation programs are provided for court staff, probation officers, pro tem judges, and state and justice court judges. Over 100 classes are offered during the course of the year for court staff, some in locations off the Wasatch front. Conferences offering specialized training includes the Annual Judicial Conference, Appellate, Juvenile, District, and Justice Court Conferences, Justice Court Clerks' Conferences, and the Annual Court Employees' Conference. Workshops include separate Legislative Updates for judge and court staff, probation officer safety training, Legal Institute for Justice Court Judges, and ad hoc programs during the course of the year. When available, funds are provided for judges to receive training out-of-state. Additionally, the Utah Judicial Institute provides training for Utah's approved and certified court interpreters, as well as administer tests to certify court interpreters. Periodic training is also provided to Utah's Divorce Education providers.

Statutory Authority

The authority for judicial education comes from the Utah Code and the Code of Judicial Administration.

- UCA 78-3-27 authorizes an annual judicial conference.
- The Code of Judicial Administration Rule 3-403 established the responsibility to develop a comprehensive education program for all judges, commissioners and court staff.

Accountability

There are several performance measures for the above programs, workshops and conferences. (1) Each program, class, etc. is evaluated by participants, and changes are made to improve the class or conference. (2) Committees which review ongoing programs

Funding Detail

This program is funded entirely with State General Fund.

Judicial Education					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	353,600	350,200	325,800	548,000	342,900
General Fund, One-time	0	0	0	0	2,200
Beginning Nonlapsing	0	116,000	9,000	0	0
Closing Nonlapsing	(13,200)	(114,200)	(62,900)	(17,600)	0
Total	\$340,400	\$352,000	\$271,900	\$530,400	\$345,100
Categories of Expenditure					
Personal Services	246,500	211,100	218,100	249,700	260,900
In-State Travel	3,200	3,800	2,600	28,800	0
Out of State Travel	0	400	400	41,300	0
Current Expense	90,100	136,100	38,600	209,900	84,200
DP Current Expense	600	600	12,200	700	0
Total	\$340,400	\$352,000	\$271,900	\$530,400	\$345,100
Other Data					
Total FTE	5.0	4.0	3.0	4.0	4.2

Table 9-23

DATA PROCESSING**Function**

The Courts maintain and operate statewide, uniform automated systems necessary for processing cases and maintaining official records for the Appellate Courts, District Court, and Juvenile Court. These systems contain approximately five million records. In addition to the 1,200 internal court system users, there are approximately 640 external entities also dependent on timely access to accurate court records, accounting for thousands of individual users.

In addition to the three primary case management systems for the Appellate and Trial Courts, Information Technology also supports an electronic data warehouse, courtroom audio and video recording systems, Internet applications such as the On line Court Assistance Program for self-represented litigants, and a court web page (<http://courtlink.utcourts.gov>), records imaging, and an Interactive Voice Response System for self service case status checks and fine payment. A major re-write of the juvenile justice information system, which serves the Juvenile Court, juvenile probation, and the Division of Juvenile Justice Services, is underway with federal grant funding.

Statutory Authority

Technology is used to enable the courts to efficiently and effectively accomplish their goals and objectives. Several statutes and judicial rules have been enacted requiring “computerized databases” of information to be collected, organized and maintained.

- UCA 78-3-21.5 authorizes the Judicial Council to maintain a computerized data base containing information about all judicial boards.
- UCA 78-28-1 and 2 establishes the online court assistance program.
- UCA 78-56-108(2)c authorizes funds to be collected for court reporting and the upgrade of technology.
- Rule of Judicial Administration 3-410 outlines the data processing policy of the judiciary.

Intent Language

There were two intent language statements from the 2004 General Session.

It is the intent of the Legislature that the state court system examine the possibility of establishing an electronic filing system which could be used for most, if not all, documents filed within the state courts system and report to the Executive Appropriation Committee when such a system could be in place, how much it would cost and whether or not a self-funded system is a feasible alternative.

A report was made to the Executive Appropriations Committee in July 2004. A follow-up to this was also given to the Executive Offices and Criminal Justice Appropriations Subcommittee in September 2004.

It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine whether cost of computer assisted legal research can be reduced.

A report was given to the Executive Offices and Criminal Justice Appropriations Subcommittee in September. In both of these situations, the courts are working on the systems within existing budgets, but could accelerate the project progress with additional funding.

Accountability

Data Processing has submitted several measures for evaluation. The following figures exhibit the historical perspective.

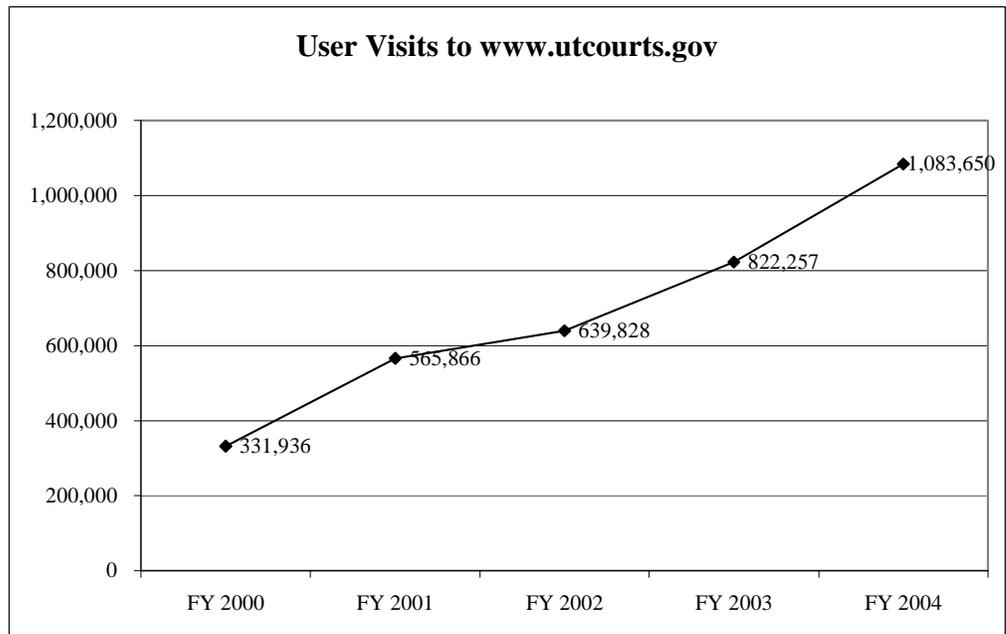


Figure 9-6

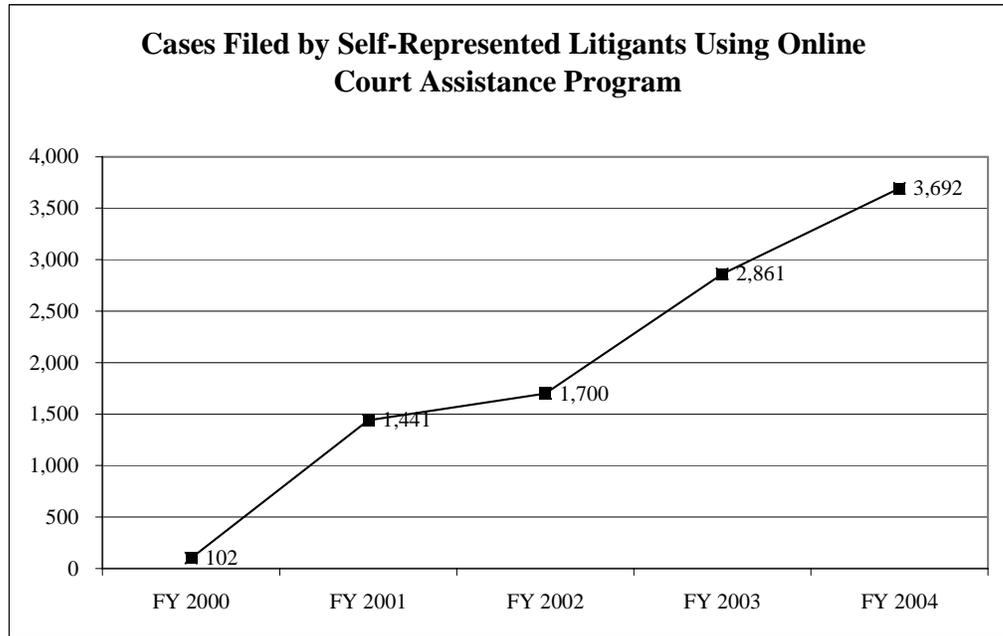


Figure 9-7

The table below outlines the performance targets..

Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Court information availability to the public	Website User Visits	Input	1,000,000	1,083,650	1,250,000
Accessibility for self-represented litigants	Use of Online Court Assistance Program	Intermediate	3,375	3,692	4,875
Provide Court Data	Fulfill ad hoc data requests	Output	150	175	200

Table 9-24

Special Funding

The Data Processing activities of the courts have two dedicated sources of revenue. They still require appropriation by the Legislature for the funds to become available to the courts.

Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Court Reporting Technology Account	UCA 78-56-108(2)c	Transcription Fees	For purchase, development, and maintenance of court reporting technologies.	\$297,069
GFR - Online Court Assistance Account	UCA 78-28-1(3)b	Additional surcharge of \$20 added to filing fees	To develop, operate and maintain the Online Court Assistance Program	\$97,156

Table 9-25

Funding Detail

Data Processing					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	4,325,800	4,171,300	3,989,000	4,163,200	4,290,900
General Fund, One-time	0	0	0	0	18,500
Dedicated Credits Revenue	28,200	39,400	400	400	0
GFR - Court Reporter Technology	0	0	0	100,000	0
GFR - Online Court Assistance	35,000	35,000	35,000	35,000	50,000
Transfers - Youth Corrections	0	0	37,700	140,000	0
Beginning Nonlapsing	139,000	275,000	13,900	136,500	0
Closing Nonlapsing	104,900	93,800	247,100	765,400	0
Lapsing Balance	(29,000)	(15,000)	(35,000)	0	0
Total	\$4,603,900	\$4,599,500	\$4,288,100	\$5,340,500	\$4,359,400
Categories of Expenditure					
Personal Services	1,941,600	2,167,600	2,219,000	2,401,400	2,555,600
In-State Travel	3,300	3,500	4,400	3,700	15,300
Out of State Travel	20,600	13,100	900	6,600	12,000
Current Expense	747,000	749,800	548,400	466,400	632,900
DP Current Expense	1,432,200	1,412,500	1,371,100	2,177,900	958,600
DP Capital Outlay	180,100	28,500	0	0	50,000
Capital Outlay	279,100	224,500	144,300	284,500	135,000
Total	\$4,603,900	\$4,599,500	\$4,288,100	\$5,340,500	\$4,359,400
Other Data					
Total FTE	35.0	34.0	35.8	34.0	36.0
Vehicles	1	1	1	1	1

Table 9-26

GRANTS PROGRAM

Function The Grants budget is designed to facilitate the coordination of grant funded projects within the courts. These grants are related to specific programs within the courts or projects undertaken by the courts with federal assistance.

Statutory Authority Utah Code of Judicial Administration Rule 3-411 establishes the Grants Program and outlines the grant application and administration procedures.

Accountability The projects funded through the grants programs are accounted for in the respective program areas.

Funding Detail Funding for this program area is entirely “other” sources of funding. Primarily, it is federal funds, usually through the Commission for Criminal and Juvenile Justice.

Grants Program					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	50,000	0	0
Federal Funds	0	97,300	53,400	174,400	53,300
Dedicated Credits Revenue	47,300	41,800	61,700	39,000	48,000
Transfers - Commission on Criminal and Ju	2,303,600	1,583,800	1,478,700	1,155,700	1,554,100
Transfers - Corrections	0	0	0	2,000	0
Beginning Nonlapsing	22,600	0	0	0	0
Closing Nonlapsing	152,700	(3,200)	4,500	92,200	0
Total	\$2,526,200	\$1,719,700	\$1,648,300	\$1,463,300	\$1,655,400
Categories of Expenditure					
Personal Services	423,900	307,400	415,900	244,000	428,600
In-State Travel	5,400	5,400	9,200	7,300	8,700
Out of State Travel	8,400	12,900	15,900	11,500	14,900
Current Expense	253,000	492,400	190,500	326,500	181,300
DP Current Expense	1,414,800	775,900	922,900	874,000	928,200
DP Capital Outlay	402,700	125,700	0	0	0
Capital Outlay	18,000	0	93,900	0	93,700
Total	\$2,526,200	\$1,719,700	\$1,648,300	\$1,463,300	\$1,655,400
Other Data					
Total FTE	6.0	10.4	7.3	9.0	9.0

Table 9-27

GRAND JURY

Function The Legislature enacted the Grand Jury Reform Act that created a separate budget item for this purpose. The budget exists as a vehicle to pay Grand Jury expenses if one is called. At the same time the act called for a Grand Jury Prosecution budget. These have been combined for presentation on a year-to-year basis.

Statutory Authority UCA 77-10a-20 creates a separate line item for grand jury expenses and authorizes payment of those expenses, as well as the expenses of a special prosecutor, when used.

Funding Detail The line item receives a minimal appropriation each year and could be used to allocate supplemental appropriations when necessary.

Grand Jury					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	900	800	800	800	800
Beginning Nonlapsing	0	0	0	800	800
Closing Nonlapsing	0	0	(800)	0	(800)
Total	\$900	\$800	\$0	\$1,600	\$800
<hr/>					
Programs					
Grand Jury	900	800	0	1,600	800
Total	\$900	\$800	\$0	\$1,600	\$800
<hr/>					
Categories of Expenditure					
In-State Travel	900	600	0	1,300	0
Current Expense	0	200	0	200	800
Other Charges/Pass Thru	0	0	0	100	0
Total	\$900	\$800	\$0	\$1,600	\$800

Table 9-28

CONTRACTS AND LEASES

Function	<p>Contracts and Leases is a separate line item in the court's budget. Expenses under Contracts and Leases include items such as:</p> <ul style="list-style-type: none">➤ rent/lease payments for facilities➤ janitorial services➤ utility costs➤ perimeter/building security➤ county contract sites <p>This line item provides courthouses and office space in which the judiciary adjudicates cases. It provides offices in the community where juvenile probation officers can meet with the family and youth under their supervision. The courts assure that facilities comply with courthouse security requirements which allows for appropriate separation of the public, prisoner transportation and judges and staff to avoid possible mistrial situations occasioned by inappropriate contact with judges during case deliberations.</p> <p>Lease and operations and maintenance (O&M) expenses are generally established before the Governor's office and the Legislature authorize building a new facility or approve a new or expanded lease. The Appropriations Subcommittee for Executive Offices and Criminal Justice recommends to the Appropriations Subcommittee on Capital Facilities whether or not to authorize funding the purchase or building of a new courthouse. This recommendation acknowledges that future lease and O&M payments are the responsibility of the Legislature through the Appropriations Subcommittee.</p>
Statutory Authority	<p>Courthouse construction and rented facilities are evaluated as to their compliance with the Judicial Council's statewide guidelines and standards for courthouse construction. Relevant statutes on provision of contracts and leases for the Judiciary include:</p> <ul style="list-style-type: none">➤ UCA 78-3a-208 which requires the State to pay for facilities with General Fund.➤ Code of Judicial Administration Rule 3-405 provides guidelines for contract management.➤ Code of Judicial Administration Rule 3-409 establishes the framework for facilities planning and construction.➤ Code of Judicial Administration Rule 3-414 develops guidelines for security of the facilities.
Intent Language	<p>Nonlapsing authority is granted to this line item for FY 2005.</p>
Accountability	<p>Level of success is measured by how well cases are processed through the judiciary, which is made possible in part by the physical organization of</p>

courthouses and how well courthouses meet the construction guidelines and standards of the Judicial Council. Another measure of success is by how well facilities are maintained and operated; i.e., how well they meet state O&M guidelines for operations of courthouses and judicial offices. The ultimate goal is to continue to provide facilities for safe and efficient court operations and to reduce, if possible, operational and maintenance expenses at the same time.

Performance Data Summary - Contracts and Leases					
Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Ensure facilities are built according to guidelines	Review all planning documents against construction	Input	100%	90%	100%
Achieve building standards within budget constraints	Meet construction standards	Intermediate	100%	90%	100%
Minimize O & M costs	Achieve O&M standards from DFCM	Output	2% Reduction	1% Reduction	2% Reduction

Table 9-29

Special Funding

Funding is primarily from the General Fund, but approximately 21 percent of this line item is from the General Fund Restricted – State Courts Complex Account. Funds are generated from a percentage of the filing fees and used for construction and operations and maintenance on court complexes.

Restricted Funds Summary - Contracts and Leases				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - State Courts Complex Account	UCA 78-7-35(3)	Percentage of civil filing fees (from FY 95 & FY 96 increase) and \$7 traffic fee	To repay costs associated with construction and to cover operations and maintenance costs	\$1,806,029

Table 9-30

Funding Detail

The two major sources of funding are from the State General Fund and the General Fund Restricted – State Court Complex Account. Revenue for the State Court Complex Account is from two civil filing fee increases, during FY 1995 and FY 1996. There was also an additional surcharge of \$7 placed on traffic tickets which supplements this account.

Contracts and Leases					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	13,523,600	14,903,800	14,018,800	14,738,300	15,243,600
General Fund, One-time	0	0	0	0	4,100
Dedicated Credits Revenue	187,500	187,500	187,700	249,500	199,600
GFR - State Court Complex	3,500,000	3,500,000	4,122,200	4,122,200	4,122,200
Beginning Nonlapsing	22,100	240,300	263,400	288,100	0
Closing Nonlapsing	(240,300)	(263,400)	(288,100)	(58,900)	0
Total	\$16,992,900	\$18,568,200	\$18,304,000	\$19,339,200	\$19,569,500
Programs					
Contracts and Leases	16,992,900	18,568,200	18,304,000	19,339,200	19,569,500
Total	\$16,992,900	\$18,568,200	\$18,304,000	\$19,339,200	\$19,569,500
Categories of Expenditure					
Personal Services	288,000	278,200	274,100	243,000	326,600
In-State Travel	7,500	8,600	14,000	7,300	3,400
Out of State Travel	100	5,200	0	0	1,000
Current Expense	15,803,100	17,137,800	17,202,400	17,864,500	18,936,000
DP Current Expense	0	1,900	25,000	2,700	0
DP Capital Outlay	0	0	0	295,800	0
Capital Outlay	567,600	674,700	280,000	925,900	0
Other Charges/Pass Thru	326,600	461,800	508,500	0	302,500
Total	\$16,992,900	\$18,568,200	\$18,304,000	\$19,339,200	\$19,569,500
Other Data					
Total FTE	9.0	8.0	7.0	8.0	8.0

Table 9-31

JURY, WITNESS AND INTERPRETER FEES

Function The state is responsible for the payment of the costs of jurors and witnesses called by the Courts. The state is also responsible for interpreter expenses. This line item regularly runs a deficit. Such shortfalls are referred to the Board of Examiners to be certified as a claim against the state.

Statutory Authority Utah Code 78 Chapters 24 and 46 establish a framework and guidelines for witnesses, interpreters and jurors.

- UCA 78-24-4 provides for interpreters.
- UCA 78-46-24 assigns the responsibility for guidelines and for payment of jurors and witnesses to the Judicial Council.
- UCA 78-46-25 authorizes this line item to go over the appropriated amount. The Judicial Council is required to submit a claim to the Board of Examiners.
- UCA 78-46-28 establishes fees and mileage for jurors and witnesses.
- UCA 78-46-33 authorizes payment of expert witnesses.

Intent Language This line item is granted nonlapsing status for FY 2005.

Accountability No performance measures have been submitted for this line item.

Funding Detail Funding for this line item is primarily State General Fund. It is one of the few line items authorized to end with a negative balance. It is anticipated that a Supplemental Appropriation would be requested when a deficit is in this line item.

Jury and Witness Fees					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,429,800	1,829,900	1,525,200	1,525,200	1,525,200
Dedicated Credits Revenue	8,400	3,200	7,200	5,100	5,000
Beginning Nonlapsing	(1,169,400)	(519,400)	(373,600)	0	(759,100)
Closing Nonlapsing	515,600	373,600	559,300	145,900	958,900
Total	\$1,784,400	\$1,687,300	\$1,718,100	\$1,676,200	\$1,730,000
Programs					
Jury, Witness, and Interpreter	1,784,400	1,687,300	1,718,100	1,676,200	1,730,000
Total	\$1,784,400	\$1,687,300	\$1,718,100	\$1,676,200	\$1,730,000
Categories of Expenditure					
Personal Services	200	0	0	0	0
In-State Travel	22,900	24,000	22,400	15,200	0
Out of State Travel	23,800	23,100	17,000	26,200	0
Current Expense	141,000	142,600	185,700	200,700	5,000
DP Current Expense	200	0	0	0	0
Other Charges/Pass Thru	1,596,300	1,497,600	1,493,000	1,434,100	1,725,000
Total	\$1,784,400	\$1,687,300	\$1,718,100	\$1,676,200	\$1,730,000

Table 9-32

GUARDIAN AD LITEM**Function**

The Office of the Guardian ad Litem (GAL) is a separate line item within the court's budget. The program provides state-funded attorneys to represent the best interests of minors in Juvenile Court when there is an allegation of abuse, neglect, or dependency. The GAL may also be appointed in juvenile court in child protective order cases and delinquency cases. The GAL also represents minors when allegations of abuse arise in the District Court during divorce proceedings, or in a criminal case when the victim is a child. The Office also administers the private GAL program which provides trained private attorneys to serve as GAL for children in custody disputes which do not involve allegations of abuse and neglect. There are Guardian ad Litem offices in all eight judicial districts. The GAL office includes a Court Appointed Special Advocate (CASA) system, that uses trained volunteers to assist attorneys in representing the best interests of children in juvenile court.

Statutory Authority Several sections of Utah Code guide the operations of the Guardian ad Litem.

- U.C.A. Sections 78-3a-911 and 912 establish the Office of the Guardian ad Litem. It also provides an organizational framework and assigns duties.
- UCA 78-7-9 outlines the conditions when a Guardian ad Litem can be appointed in child abuse and neglect cases in district courts.
- UCA 78-7-45 sets conditions when a private attorney can be used as a Guardian ad Litem.
- The Federal Child Abuse Prevention and Treatment Act, 42 USC 5106a(b)(A)(ix) also guides this program.

Intent Language

This line item is granted nonlapsing status for FY 2005.

Accountability

The attorney and volunteer caseload impacts the quality of the services provided. The following table gives a graphic description of the current workload. Both federal and state statutes require certain time frames be met when dealing with juveniles, especially in cases of neglect, abuse or where foster care is involved. The Guardian ad Litem Office is one of several factors that impacts the required time frames.

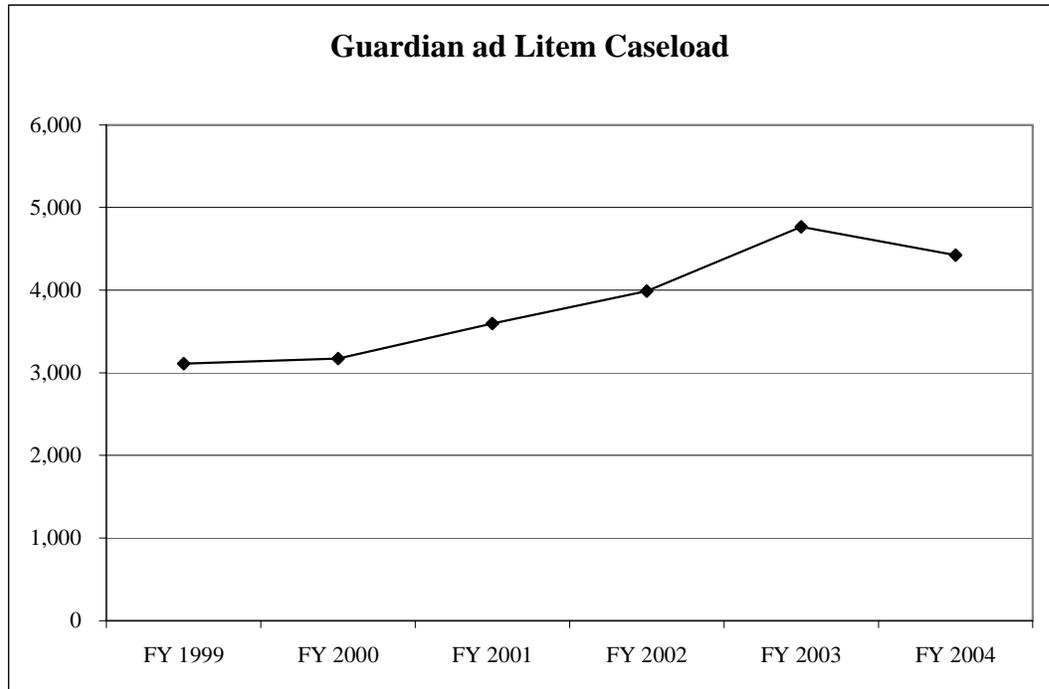


Figure 9-8

The caseload has a significant impact on the accomplishment of the program goal. The Office has been successful of assuring all court ordered representations are fulfilled. The table below summarizes the workload and key data for the office.

Year	Total FTEs	Number of GALs	Number of Open Cases			Avg Cases per GAL	Total Expenditures	GAL Turnover
			District	Juvenile	Total			
FY 2000	48	28	699	2,475	3,174	113	\$2,939,200	5
FY 2001	46	27	926	2,667	3,593	133	\$3,037,400	5
FY 2002	58	29	1,231	2,758	3,989	138	\$3,587,600	4
FY 2003	54	29	1,571	3,195	4,766	164	\$3,609,300	6
FY 2004	55	32	1,426	2,998	4,424	140	\$3,705,300	5

Table 9-33

Goal	Measure	Measure Type	FY 2004		FY 2005
			Target	Observed	Target
Assure representation for each child	Caseload/Requests	Intermediate	100%	100%	100%

Table 9-34

Special Funding

Two General Fund restricted accounts have been added to augment the funding for the Guardian ad Litem Program.

Restricted Funds Summary - Guardian ad Litem				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
GFR - Children's Legal Defense Account	UCA 63-63a-8	Fees withheld from marriage licenses and from civil filing fees.	For programs that protect and defend the rights, safety and quality of life of a child	\$199,973
Guardian ad Litem Services Account	UCA 63-63a-8.5	1.75% of collected surcharge on convictions of specified criminal charges and 50% of collections from the Children's License Plate	For funding the Office of the Guardian ad Litem.	\$115,442

Table 9-35

Funding Detail

As in most of the judicial budgets, funding is mostly state General Fund. Approximately 80 percent of this budget is state General Fund.

Guardian ad Litem					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,412,700	3,070,100	2,844,900	2,987,100	3,088,000
General Fund, One-time	0	0	0	0	24,400
Dedicated Credits Revenue	17,600	200	2,800	20,200	20,000
GFR - Children's Legal Defense	400,000	399,100	405,300	410,800	420,100
GFR - Guardian Ad Litem Services	195,900	246,700	257,200	309,400	314,600
Beginning Nonlapsing	12,400	1,200	129,700	30,800	0
Closing Nonlapsing	(1,200)	(129,700)	(30,600)	(53,000)	0
Total	\$3,037,400	\$3,587,600	\$3,609,300	\$3,705,300	\$3,867,100
Programs					
Guardian ad Litem	3,037,400	3,587,600	3,609,300	3,705,300	3,867,100
Total	\$3,037,400	\$3,587,600	\$3,609,300	\$3,705,300	\$3,867,100
Categories of Expenditure					
Personal Services	2,710,100	3,202,500	3,251,900	3,323,300	3,456,500
In-State Travel	28,200	44,100	49,400	51,700	43,500
Out of State Travel	9,300	5,200	1,000	2,900	6,500
Current Expense	289,300	321,800	300,600	327,400	360,600
DP Current Expense	500	14,000	6,400	0	0
Total	\$3,037,400	\$3,587,600	\$3,609,300	\$3,705,300	\$3,867,100
Other Data					
Total FTE	57.7	53.6	54.3	54.8	53.9
Vehicles	3	4	5	5	5

Table 9-36

JUDICIAL SALARIES**Function**

Each year the Executive and Judicial Compensation Commission meets to determine salaries for the next year. Their recommendation is made to the Governor and the Executive Appropriations Committee. Their recommendation is based on the following factors:

- Consultation with the Judicial Council
- Consideration for the career status of judges
- Comparisons with salaries paid in other states
- Comparisons with comparable public and private employment with the state

The Utah Legislature has put the judicial salary funding scale in State statute. The allocation of the Judicial salaries is based on a percentage of the district court judge's salary: Juvenile Court judges – 100 percent; Court of Appeals judges – 105 percent; and associate justices of the Supreme Court 110 percent.

Most recently, the increases to the compensation scale for judges have been the same as other State employees.

Statutory Authority

Utah Code 67-8-2 requires the Legislature to set judicial salaries in the Appropriations Act according to a specified formula outlined in Statute.

Funding Detail

No separate funding is listed for this item. Judicial salaries are funded in the respective courts program budgets.

GLOSSARY

Finance categories used by the state are:

<i>General Fund</i>	This is one of the state's most important sources of income. The primary revenue source is the sales tax, although there are other taxes and fees which are deposited into this fund. General Funds may be spent at the discretion of the Legislature, as the Constitution allows. Personal income taxes and corporate franchise taxes are not deposited into the General Fund, but into the Uniform School Fund.
<i>School Funds</i>	This is another of the state's most important sources of income. Revenues come primarily from personal income taxes and corporate franchise taxes. Funds are constitutionally restricted to public and higher education. In the Capital Facilities subcommittee, these funds are used for debt service and capital improvements (alteration, repair and improvements).
<i>Transportation Funds</i>	Transportation funds are derived primarily from the gas tax and are constitutionally restricted to road and highway related issues. In the Capital Facilities subcommittee, these funds are used for debt service on highway bonds, especially for Centennial Highway Fund projects.
<i>Federal Funds</i>	Federal agencies often make funds available to the state for programs that are consistent with the needs and goals of the state and its citizens and are not prohibited by law. Generally, federal funds are accompanied by certain requirements. A common requirement is some form of state match in order to receive the federal dollars. The Legislature must review and approve most large federal grants before state agencies may receive and expend them.
<i>Dedicated Credits</i>	Dedicated Credits are funds that are paid to an agency for specific services and are dedicated to financing that service. For example, fees collected by an internal service fund agency from another state agency are dedicated credits. By law, these funds must be spent before other appropriated state funds are spent. An agency must estimate the level of its service for the following fiscal year, and thus its level of dedicated credits.
<i>Restricted Funds</i>	Restricted funds are statutorily restricted to designated purposes. The restricted funds usually receive money from specific sources, with the understanding that those funds will then be used for related purposes.
<i>Lapsing/Nonlapsing</i>	Several other small funds are used by certain agencies. These will be discussed in further detail as the budgets are presented. Lapsing funds, however, should be addressed. Funds lapse, or revert back to the state, if the full appropriation is not spent by the end of the fiscal year. Since it is against the law to spend more than the Legislature has appropriated, all programs will either spend all the money or have some left over. The funds left over lapse to the state, unless specifically exempted. Those exceptions include funds that are setup as nonlapsing in their enabling legislation, or appropriations designated nonlapsing by annual intent language per UCA 63-38-8.1. In these cases, left over funds do not lapse back to the state, but remain with the agency in a special nonlapsing balance, for use in the next fiscal year. In the

budgets, the Beginning Nonlapsing balance is the balance on July 1, while the balance on the next June 30 is termed the Closing Nonlapsing balance. The Closing Nonlapsing balance from one fiscal year becomes the Beginning Nonlapsing balance of the following fiscal year. The reasoning behind nonlapsing funds is that a specific task may take an indeterminate amount of time, or span more than one fiscal year. By allowing departments to keep their unexpended funds, the state not only eliminates the rush to spend money at the end of a fiscal year, but also encourages managers to save money.

Expenditure categories used by the state are:

<i>Personal Services Purpose</i>	Includes employee compensation and benefits such as health insurance, retirement, and employer taxes.
<i>Current Expenses</i>	Includes general expenses such as utilities, subscriptions, communications, postage, professional and technical services, maintenance, laundry, office supplies, small tools, etc. that cost less than \$5,000 or are consumed in less than one year.
<i>Data Processing Current Expense</i>	Includes items such as small computer hardware and software, port charges, programming, training, supplies, etc.
<i>Capital Outlays</i>	Includes items that cost over \$5,000 and have a useful life greater than one year.
<i>Pass Through</i>	Includes funds passed on to other non-state entities for use by those entities, such as grants to local governments.

Other budgeting terms and concepts that the Legislature will encounter include the following:

<i>Performance Measures</i>	<p>In recent years, performance based budgeting has received more attention as citizens and decision-makers demand evidence of improved results from the use of tax dollars.</p> <p>Care must be exercised in crafting performance measures to avoid misdirected results. Moving to performance based budgeting is a long term commitment. The Analyst has drafted some ideas for performance measures in the write-up, however, it is recognized that the measures are a work in progress and that long-term tracking of measures would require a statewide commitment in both the executive and legislative branches.</p>
<i>Intent Language</i>	Intent language may be added to an appropriation bill to explain or put conditions on the use of the funds in the line item. Intent language may restrict usage, require reporting, or impose other conditions within the item of appropriation. However, intent language cannot contradict or change statutory language.
<i>Supplemental Appropriation</i>	The current legislative session is determining appropriations for the following fiscal year. However, it may be determined that unexpected circumstances have arisen which require additional funding for the current year. The appropriations subcommittee can recommend to the Executive Appropriations

Committee that a supplemental appropriation be made for the current fiscal year.

FTE

An abbreviation for Full Time Equivalent, this is a method of standardizing personnel counts. A full time equivalent is equal to one employee working 40 hours per week. Four employees each working ten hours per week would also count as 1 FTE.

Line Item

This is a term that applies to an appropriation bill. A line number in the appropriations bill identifies each appropriated sum. Generally, each line item may contain several programs. Once the appropriation becomes law, the money may be moved from program to program within the line item, but cannot be moved to another line item of appropriation.

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