

COBI 2016 / Executive Offices and Criminal Justice ▾

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The Legislative Fiscal Analyst recommends a Fiscal Year 2017 base budget of \$938,980,800 from all sources for Executive Offices and Criminal Justice. This is a 1.1 percent reduction from Fiscal Year 2016 revised estimated amounts from all sources. The total includes \$643,096,000 from the General/Education Funds, a reduction of 4.4 percent from revised Fiscal Year 2016 estimates.

Base Budget ✕

Base Budget Adjustment Options

Attorney General Turnover Savings
Turnover savings are funds intended for personnel that are not expended due to the time between individuals leaving employment and new individuals being hired. The two-year average turnover savings for the Attorney General's Office was 2.3%. This amounts to \$621,100 General Fund that was appropriated for but not spent on personnel. A portion of this amount could be reallocated to fund the office's one-time priorities.

Financing Source	One-Time	Ongoing
General Fund	(\$500,000)	\$0
Total	(\$500,000)	\$0

Audit Findings: Internet Crimes Against Children Division

The recent legislative audit of the Attorney General's Office found that expenditures are not sufficiently well-tracked in the Internet Crimes Against Children (ICAC) Division. The auditors could not account for how \$125,000 ongoing General Fund from FY 2011 is spent. Notwithstanding the work of the division, the use of these funds should be accounted for properly.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$125,000)
Total	\$0	(\$125,000)

Audit Findings: Pelt Litigation Costs

In 2010, the Pelt v. Utah case--related to management of the Navajo Trust Fund--was settled for \$33 million. In FY 2008, the Attorney General's Office received an ongoing appropriation of \$322,600 for litigation of the Pelt case. The legislative auditors and the office could not account for how this funding is currently being spent.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$322,600)
Total	\$0	(\$322,600)

Audit Findings: SECURE Strike Force Affiliate Contracts

In FY 2012, the Attorney General's Office received \$350,000 one-time for affiliate contracts with local law enforcement agencies under the SECURE Strike Force program. The recent legislative audit verified that \$80,000 had been spent, but the auditors could not verify that the remaining \$270,000 of the appropriation had been spent.

Financing Source	One-Time	Ongoing
General Fund	(\$270,000)	\$0
Total	(\$270,000)	\$0

Character Education

The Character and Civic Education line item provides pass-through funds to events, programs, and public relations groups for marketing purposes. These programs are of value but do not exhibit a clear state-wide purpose. These funds could be reallocated to support other priorities.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$203,000)
Total	\$0	(\$203,000)

Character Education Nonlapsing Balance

The Character and Civic Education line item provides pass-through funds to events, programs, and public relations groups for marketing purposes. These programs are of value but do not exhibit a clear state-wide purpose. This reduction would remove the program's expected nonlapsing balance at the close of FY 2017, leaving the remaining nonlapsing funds available for existing commitments.

Financing Source	One-Time	Ongoing
General Fund	(\$48,500)	\$0
Total	(\$48,500)	\$0

Children's Justice Centers County Match

The Children's Justice Centers (CJCs) operate as state-local partnerships. The terms of these partnerships vary, and counties in many cases provide the center facilities and in-kind support. Four centers rely on the State for more than 85% of their budget. Reducing the state portion to 85% would reduce expenditures by \$37,300.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$37,300)
Total	\$0	(\$37,300)

Children's Justice Centers Forensic Interviewing Start-Up

In the 2015 GS, Children's Justice Centers (CJCs) received \$350,000 ongoing to develop forensic interviewing capacity. This program is being piloted at three sites with a combined budget of \$180,800. The remaining \$169,200 could be reallocated to other priorities one-time.

Financing Source	One-Time	Ongoing
General Fund	(\$169,200)	\$0
Total	(\$169,200)	\$0

Courts Nonlapsing Balance and Efficiencies

This reflects \$1 million of efficiencies and nonlapsing balance from the Courts that might be used for state priorities. The Courts prioritized these funds for the conversion of their CORIS system to a web-based platform which the Analyst recommends. This amount is in addition to their separate \$1.5 million request for a total of \$2.5 million. The Courts anticipates costs to span over a 2-year period - \$500,000 in FY 2017 and \$500,000 in FY 2018. Should the Legislature choose, they could budget accordingly and adjust the timing of funding to reflect those costs.

Financing Source	One-Time	Ongoing
General Fund	(\$1,000,000)	\$0
Total	(\$1,000,000)	\$0

Executive Compensation Increase - Jan 2017

H.B. 368 (2015 GS) increased the Governor's salary from \$109,900 to \$150,000 effective January 2017. It also adjusted salaries for the Lt. Governor, Attorney General, State Treasurer, and State Auditor (as a percentage of the Governor's salary). This reduction would remove half the annual appropriation, for the six months before the increase goes into effect.

Financing Source	One-Time	Ongoing
General Fund	(\$92,300)	\$0
Dedicated Credits	(\$16,200)	\$0
Total	(\$108,500)	\$0

Extraditions Expenditures

The number of extraditions have decreased by one-third since FY 2012; out-of-state travel costs have decreased by one-quarter. This reduction would reduce the General Fund portion of Extraditions program funding by one-quarter. The program carries a nonlapsing balance of \$200,000, which could cover unforeseen increases.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$85,100)
Total	\$0	(\$85,100)

Governor's Office Nonlapsing Balance

The Governor has requested additional one-time funding for a number of priorities. Given a closing nonlapsing balance estimate for FY 2017 of \$244,200 in the Governor's Office line item, some of these priorities could be funded by reallocating existing resources.

Financing Source	One-Time	Ongoing
General Fund	(\$200,000)	\$0
Total	(\$200,000)	\$0

Governor's Office of Management and Budget Nonlapsing Balance

The Governor has requested additional one-time funding for a number of priorities. Given a closing nonlapsing balance estimate for FY 2017 of \$821,000 in the Governor's Office of Management and Budget (GOMB) line item, some of these priorities could be funded by reallocating existing resources.

Financing Source	One-Time	Ongoing
General Fund	(\$600,000)	\$0
Total	(\$600,000)	\$0

IT/Case Management System Licensing

The Attorney General's Office received funding in FY 2016 to implement a new electronic case and document management system: \$800,000 one-time and \$300,000 ongoing. The ongoing portion was intended to support an additional staff IT person and a paralegal, who have been hired. The remaining \$100,000 was for licensing and other technical costs; since the office has not yet issued an RFP for the system, it is unlikely to use this portion of the funding for FY 2016.

Financing Source	One-Time	Ongoing
General Fund	(\$100,000)	\$0
Total	(\$100,000)	\$0

Judicial Performance Evaluation Commission Nonlapsing Balance

The Judicial Performance Evaluation Commission (JPEC) program has carried forward a nonlapsing balance of approximately \$200,000 almost every year since FY 2009, even after being swept in FY 2012. Other priorities could be funded by reallocating these resources. The closing nonlapsing balance estimate for FY 2017 is \$223,300.

Financing Source	One-Time	Ongoing
General Fund	(\$200,000)	\$0
Total	(\$200,000)	\$0

Judicial Performance Evaluation of Justice Courts Personnel

In FY 2015, the Judicial Performance Evaluation Commission (JPEC) received funding for an administrator to support justice court evaluations. The commission decided to test the new protocol using existing personnel, to identify the needs for the new hire. As a result, the new hire will be an interviewer/writer rather than an administrator, but these personnel costs were not expended in FY 2015.

Financing Source	One-Time	Ongoing
General Fund	(\$65,800)	\$0
Total	(\$65,800)	\$0

Observation and Assessment Program Savings

The Division of Juvenile Justice Services has experienced multiple savings this year, including an estimated \$425,000-\$700,000 from the shift to non-residential Observation and Assessment programs. The FMAP decrease in federal funds, of \$28,600, could be absorbed within these savings.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$28,600)
Total	\$0	(\$28,600)

Operations & Maintenance (O&M) Cost Delay - Gunnison Facility

This item reflects the delay in Operations & Maintenance (O&M) costs for the Unified State Lab scheduled to open 7/30/2016. This reflects O&M savings up until the opening date rather than the default estimate of 7/01/2016. Since the Legislature only budgets for the next year out, this must be addressed year-to-year until within the 1-year time frame and the cost is realized.

Financing Source	One-Time	Ongoing
General Fund	(\$33,600)	\$0
Total	(\$33,600)	\$0

Operations & Maintenance (O&M) Cost Delay - Provo Courthouse

This item reflects the delay in Operations & Maintenance (O&M) costs for the Provo Courthouse scheduled to open 6/30/2018. This reflects a full year of O&M savings as a result of the opening being later than the default estimate of July 2016. Since the Legislature only budgets for the next year out, this must be addressed year-to-year until within the 1-year time frame and the cost is realized.

Financing Source	One-Time	Ongoing
General Fund	(\$549,100)	\$0
Total	(\$549,100)	\$0

Operations & Maintenance (O&M) Cost Delay - Unified State Lab

This item reflects the delay in Operations & Maintenance (O&M) costs for the Unified State Lab scheduled to open 11/13/2016. This reflects O&M savings up until the opening date rather than the default estimate of July 2016. Since the Legislature only budgets for the next year out, this must be addressed year-to-year until within the 1-year time frame and the cost is realized.

Financing Source	One-Time	Ongoing
General Fund	(\$135,800)	\$0
Total	(\$135,800)	\$0

Pass-Through Program Supporting Individuals Leaving Fundamental Communities

The Safety Net program assists individuals leaving fundamental communities. The program provides a service but is less central to Attorney General operations. The current program budget is about \$130,000.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$100,000)
Total	\$0	(\$100,000)

Reduction in Jail Contracting Costs

This item reflects reductions in Jail Contracting costs due to the reduction of the total state inmate population including those inmates contracted to county jails. Since January 2015 total inmates are down approximately 250 inmates. There has not been growth in FY2016 thus far and is trending downward. The Governor proposes to use this funding for the medical line item shortfall. Historically the Legislature has made supplemental appropriations to this line item in order to not run a deficit the most recent being \$2.1 million in FY 2015. This line-item has required supplemental appropriations each year of approximately \$2 million. The Governor/Agency reports that they anticipate the shortfall being larger in the current fiscal year due to increases in use of the University of Utah Medical Center and increases in pharmaceutical costs.

Financing Source	One-Time	Ongoing
General Fund	\$3,000,000	\$0
Total	\$3,000,000	\$0

Reduction in Jail Contracting Costs

This item reflects reductions in Jail Contracting costs due to the reduction of the total state inmate population including those inmates contracted to county jails. Since January 2015, total inmates are down approximately 250 inmates. There has not been growth in FY2016 thus far and is trending downward. The funding reflects the full amount appropriated during the 2015 General Session.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$1,208,000)
Total	\$0	(\$1,208,000)

Shift Funding of DUI Officer to Alc. Bev. Enf. Fund

This reduction reflects the amount that may be funded from the Alcoholic Beverage Enforcement Fund (ABEF) in lieu of General Fund Appropriations. Currently the fund is collecting more in revenue than what is being expended - this in addition to a balance of \$2.4 million. Assuming this change is made, this would be revenue neutral and funds could be used for other state priorities. Currently a combination of both General Fund and funds from the ABEF are used to meet the statutorily required amount of officers and this still allows the Department to meet those requirements.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$100,000)
Total	\$0	(\$100,000)

Unused Funds/Efficiencies/Nonlapsing Balance

This reflects a portion of the Nonlapsing balance that the Governor identified that could be used to help fund their priorities but conceivably be used for other state priorities. The Governor recommended to use this for Hepatitis C related costs within the Medical services line item but that could be used for other state priorities. The breakdown for the Governor's priorities are as follows: -\$700,000 - for Hepatitis C medication to treat up to seven inmates with the disease, -\$45,000 - to purchase necessary equipment and supplies to operate a lab within Medical Services, and -\$120,000 - to purchase vision testing equipment.

Financing Source	One-Time	Ongoing
General Fund	(\$865,000)	\$0
Total	(\$865,000)	\$0

Washington Funding

This program supports an individual in Washington D.C. who represents the State's interests to the federal government, primarily on matters of federalism. This program is not mandated by statute and thus funds could be reallocated to support other priorities.

Financing Source	One-Time	Ongoing
General Fund	\$0	(\$164,700)
Total	\$0	(\$164,700)

Additional Issues

- Courts (5) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=12>)
- State Treasurer (3) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=13>)
- Governor's Office (11) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=14>)
- Attorney General (6) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=15>)
- Office of the State Auditor (2) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=16>)
- Public Safety (4) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=17>)
- Juvenile Justice Services (3) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=18>)
- Corrections (6) (<https://s.le.utah.gov/Cobi/cobiEditor.jsp?tab=issuesTab&cobiID=19>)

COBI contains unaudited data as presented to the Legislature by state agencies at the time of publication. For audited financial data see the State of Utah's Comprehensive Annual Financial Reports (<http://finance.utah.gov/cafr.html>).