

FY 2009 Budget Brief – EOCJ – CCJJ

EOCJ-CCJJ 1A

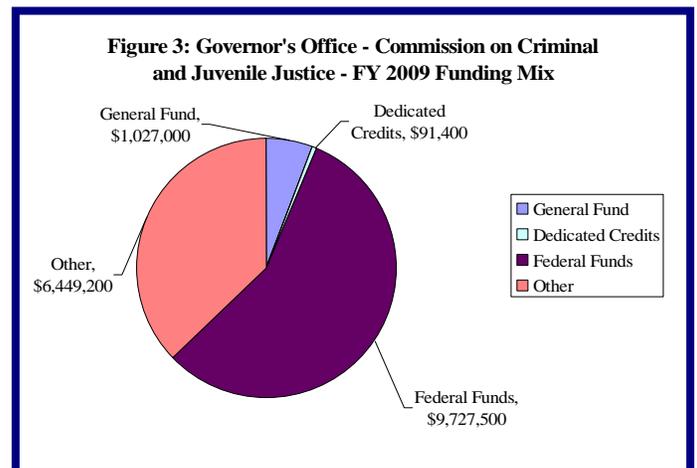
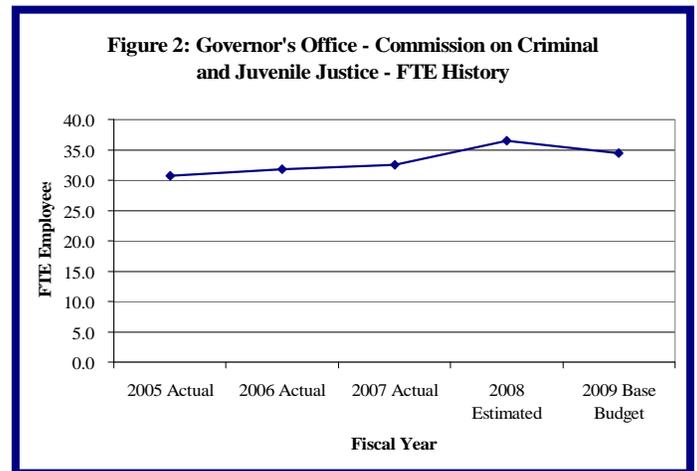
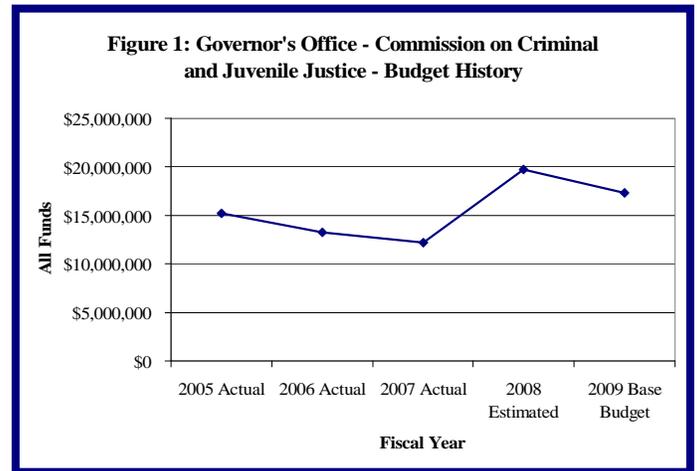
SUMMARY

The **Commission on Criminal and Juvenile Justice** line item (**CCJJ**) within the Office of the Governor 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.

Agency Structure

The Commission on Criminal and Juvenile Justice line item consists of eight programs. They are:

- CCJJ Commission**—provides analysis and recommendations on state agency budgets, legislation and budget requests concerning criminal justice. It provides public information on the criminal and juvenile justice systems and publishes an annual report on important program events and activities to policy makers and justice administrators. The commission also maintains a website providing extensive information concerning the state’s justice system for the general public. See: www.justice.utah.gov. It has also assisted in the establishment of the Criminal and Juvenile Justice Consortium, a cooperative research unit utilizing university researchers and state justice researchers. The research unit also responds to research requests from the Legislature, such as the DUI Plea in Abeyance Study, the Police Contact Survey, and the annual reporting on sex offender treatment within the state’s corrections system. The unit has also collaborated with state, local and university resources to develop a research methodology for studying the Drug Offender Reform Act pilot program. The research unit has also completed the semi-annual crime victimization survey, as well as two groundbreaking studies on sexual violence in Utah including the “Sexual Violence in Utah,” and the “Rape in Utah” reports. The commission has been instrumental in promoting the development of criminal and juvenile justice information systems. It also provides analysis of specific types of crime that are problematic in the state and raises public awareness of and reducing victimization of child abuse, domestic violence, rape, and sexual assault.



The commission also manages state and federal criminal and juvenile justice grant programs and provides analysis, accountability recommendations, and supervision of criminal justice grant funding. **Program Appropriation: \$8,819,800.**

- **Crime Victim Reparations**—provides financial compensation for victims of crime. The purpose of the reparation program is to compensate victims of violent crime who have suffered physical and psychological injury as well as families and dependents of deceased victims. Innocent victims of violent crime may receive compensation for medical and dental expenses, mental health counseling, loss of earnings, loss of support, and funeral/burial expenses. The office also refers victims to allied agencies to secure additional services. It provides financial assistance through a fast track application process for rape victims' forensic examination when no other collateral resources are available. The office provides staff and support to the Utah Council on Victims of Crime. This Council is a subcommittee of CCJJ and is responsible for coordinating statewide efforts on behalf of crime victims. The Council is a bi-partisan body with representation from across the state. It provides guidance and support to the Eight Judicial District Victims' Rights Committees which address specific complaints and problems within the respective judicial districts. **Program Appropriation: \$6,170,400.**
- **Extraditions**—ensures that fugitives are returned to Utah in a safe, timely and cost effective manner by developing guidelines and coordinating Governor's warrants. The unit also coordinates timely responses to other states' Governor's warrants by processing paperwork for transportation of prisoners out of the states' secure facilities. **Program Appropriation: \$242,800.**
- **Substance Abuse and Anti-Violence (USA AV) Coordinating Council**—provides a unified voice to establish a comprehensive strategy to combat substance abuse, illegal drug activity and violence. The Council coordinates the development, adoption and implementation of statewide substance abuse and anti-violence policies with policymakers from the state's justice, prevention, and treatment communities. It works closely with representatives from state and local substance abuse prevention and treatment agencies, and law enforcement agencies and coordinates the implementation of the Drug Offender Reform Act (DORA). **Program Appropriation: \$168,500.**
- **Sentencing Commission**—develops guidelines, coordinates efforts, and proposes recommendations to the Legislature, the Governor and the Judicial Council about sentencing and release of juvenile and adult offenders. The Sentencing Commission studies the compliance rates with the guidelines, evaluation of the effectiveness of current sentencing practices, evaluation of the impact of prior recommendation, and evaluation of other sentencing-related data. It relies on research because it recognizes that its recommendations are a function of the quality of the data upon which policies are founded. The Sentencing Commission monitors the implementation and use of adult sentencing and release guidelines and juvenile sentencing guidelines. **Program Appropriation: \$182,000.**
- **Crime Prevention Grant**—solicits and funds crime prevention programs across the state. Each year, a request for proposals is released inviting state and local governmental agencies, nonprofit organizations, and community-based agencies to apply for funding to support crime prevention efforts. A review committee comprised of criminal justice professionals with expertise in crime prevention and law enforcement reviews the applications. The Utah Commission on Criminal and Juvenile Justice makes a final award determination. Applicants are not guaranteed continuation funding, and must apply and compete each year. Projects demonstrating the capability of providing statewide crime prevention services are valued. Recipient programs are required to submit quarterly progress reports and financial status reports as well as a final report upon program completion. **Program Appropriation: \$211,600.**
- **Crime Reduction Assistance Program – State Asset Forfeiture Grant Program**—assists state and local units of government in carrying out specific projects that offer a high probability of managing illegal narcotics and prescription drug abuse in the state. The program funds crime prevention and law enforcement activities that have the purpose of :

- Deterring crime by depriving criminals of the profits and proceeds of their illegal activities;
- Weakening criminal enterprises by removing the instrumentalities of crime;
- Reducing crimes involving substance abuse by supporting the creation, administration, or operation of drug court programs throughout the state;
- Encouraging cooperation between local, state, and multi-jurisdictional law enforcement agencies;
- Allowing the costs and expenses of law enforcement to be defrayed by the forfeited proceeds of crime; and;
- Increasing the equitability and accountability of the use of forfeited property used to assist law enforcement in reducing and preventing crime.

CCJJ serves as the governing body over this program. The Commission determined that all State Asset Forfeiture Grant funding would be allocated following a formula whereby 33 percent awarded would go to state drug courts, 33 percent to multi-jurisdictional drug and crime task force projects, and 33 percent to state and local law enforcement projects. **Program Appropriation: \$500,000.**

- **Sexual Exploitation of Children**—during the 2006 General Session, the Legislature approved House Bill 170, “Prosecution and Prevention of Child Pornography Offenses Amendments.” The legislation established a one-time \$1 million grant program to be administered by CCJJ. The Commission was required to allocate and administer grants from monies made available, for approved education programs to help prevent the sexual exploitation of children. Later, the Legislature made the grant an ongoing program. **Program Appropriation: \$1,000,000.**

KEY FUNDING ITEMS FROM THE 2007 GENERAL SESSION

1. **Methamphetamine Awareness Campaign: \$2,000,000 General Fund One-time.**
2. **Victim Information and Notification Everyday (VINE): \$500,000 Restricted Funds Ongoing.**
3. **Police Citizens Contact Performance Study: \$45,000 General Fund One-time.**
4. **HB 107 Prosecution and Prevention of Child Pornography: \$1,000,000 General Fund Ongoing.**
5. **HB 91 CCJJ Funding: \$2,370,000 Restricted Funds Ongoing.**
6. **SB 50 Drug Offenders Reform Act: \$27,000 General Fund Ongoing.**

BUDGET DETAIL

A significant portion of the Commission’s budget is Pass Thru funding. This makes up 76.6 percent of its FY 2009 base budget. CCJJ draws 5.9 percent of its funding from the General Fund. Federal Funds amount to 56.2 percent. Dedicated Credits make up .5 percent. Restricted Funds make up the remainder of the budget at 37.3 percent. Most of the funding in this budget (exclusive of Pass Thru funds) pays for staff support for the office. Approximately 65.8 percent of the budget is for personnel services.

Budget Recommendation

The Analyst recommends a base FY 2009 appropriation of \$17,295,100 to the Commission on Criminal and Juvenile Justice.

Intent Language

The Analyst recommends the Legislature consider continuation of intent language that: *funds provided for the Commission on Criminal and Juvenile Justice line item shall not lapse.*

BUDGET DETAIL TABLE**Governor's Office - Commission on Criminal and Juvenile Justice**

Sources of Finance	FY 2007	FY 2008	Changes	FY 2008	Changes	FY 2009*
	Actual	Appropriated		Revised		Base Budget
General Fund	0	1,027,000	0	1,027,000	0	1,027,000
General Fund, One-time	1,000,000	2,042,000	0	2,042,000	(2,042,000)	0
Federal Funds	8,448,100	7,773,400	1,587,600	9,361,000	366,500	9,727,500
Dedicated Credits Revenue	100,900	84,400	7,000	91,400	0	91,400
GFR - Criminal Forfeiture Restricted Account	300,000	500,000	0	500,000	0	500,000
GFR - Law Enforcement Operations	0	2,370,000	0	2,370,000	0	2,370,000
Crime Victims Reparation Trust	2,879,300	3,579,200	0	3,579,200	0	3,579,200
Beginning Nonlapsing	232,600	355,800	387,400	743,200	(743,200)	0
Closing Nonlapsing	(743,200)	0	0	0	0	0
Total	\$12,217,700	\$17,731,800	\$1,982,000	\$19,713,800	(\$2,418,700)	\$17,295,100
Programs						
CCJJ Commission	4,903,000	6,975,800	1,427,800	8,403,600	416,200	8,819,800
Crime Victim Reparations	5,678,700	6,094,500	286,500	6,381,000	(210,600)	6,170,400
Extraditions	243,600	242,800	28,100	270,900	(28,100)	242,800
Substance Abuse and Anti-violence	220,800	2,248,500	21,500	2,270,000	(2,101,500)	168,500
Sentencing Commission	120,800	182,000	35,500	217,500	(35,500)	182,000
Crime Prevention Grant	206,100	211,600	3,900	215,500	(3,900)	211,600
Crime Reduction Assistance Program	187,900	500,000	112,100	612,100	(112,100)	500,000
Sexual Exploitation of Children	656,800	1,276,600	66,600	1,343,200	(343,200)	1,000,000
Total	\$12,217,700	\$17,731,800	\$1,982,000	\$19,713,800	(\$2,418,700)	\$17,295,100
Categories of Expenditure						
Personal Services	2,346,100	2,695,600	(117,100)	2,578,500	76,500	2,655,000
In-State Travel	20,400	18,700	8,500	27,200	(7,000)	20,200
Out of State Travel	255,200	269,400	28,000	297,400	(28,100)	269,300
Current Expense	461,300	1,150,200	2,146,400	3,296,600	(2,288,700)	1,007,900
DP Current Expense	61,200	101,400	(11,400)	90,000	(6,100)	83,900
Capital Outlay	0	9,300	(9,300)	0	0	0
Other Charges/Pass Thru	9,073,500	13,487,200	(63,100)	13,424,100	(165,300)	13,258,800
Total	\$12,217,700	\$17,731,800	\$1,982,000	\$19,713,800	(\$2,418,700)	\$17,295,100
Other Data						
Budgeted FTE	32.5	37.0	(0.6)	36.5	(2.0)	34.5

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.