

Justice Reinvestment Initiative (JRI) Update Annual Report to the Legislature – November 2022 Utah Commission on Criminal & Juvenile Justice



Background

The criminal justice reforms that Utah passed in 2015 through [H.B. 348](#) were the result of an extensive planning and analysis process bringing together stakeholders across the system in 2014, in consultation with the Pew Charitable Trusts' [Public Safety Performance Project](#) and other partners through the [Justice Reinvestment Initiative](#) (JRI). The [report](#) that this group produced included many recommendations that formed the basis for the reforms passed the following year, and focused on five main goals:

1. Focus prison beds on serious and violent offenders;
2. Strengthen probation and parole supervision;
3. Improve and expand reentry and treatment services;
4. Support local corrections systems; and
5. Ensure oversight and accountability (e.g., training, data).

While there was a focus on substance use disorder and mental health treatment in the offender population as alternatives to incarceration (as well as associated changes in drug statutes that made initial offenses less likely to result in incarceration), there were other widespread changes throughout the system, including to criminal sentencing, community supervision, parole decisions, and reentry planning and support. As might be expected with such wide-ranging reforms to a complex system, some aspects have shown success, while others could use some renewed attention and changes in focus.

As these reforms pass the 7-year mark, it is hard to overstate the massive undertaking this process has been. Utah is one of [over 30 states](#) who have participated in JRI in some form, and other states (e.g., Georgia, Oregon, etc.) often return to their reform legislation (sometimes annually) to make changes and improvements. Utah has made other recent changes consistent with JRI (i.e., in [indigent defense](#), [pretrial reform](#), [supervision length guidelines](#), and [juvenile justice reform](#)), but it remains important to continue making necessary improvements to the original legislation in order for the spirit of the reforms to be more effective and sustainable. This is especially important as the criminal justice system emerges from the unprecedented effects of the pandemic and begins to return to more normal, pre-pandemic operations. New steps have been taken in the previous year to continue to move the reforms forward, including efforts in [local-state coordination](#) and [information sharing](#), which will be discussed further in the “Legislative Updates” section below.

Scope of Report and Pandemic Effects Data Disclaimer

Just as it is hard to overstate how large of an undertaking these criminal justice reforms have been, it is also hard to overstate just how much of an impact the pandemic has had on the criminal justice system. Large scale releases from the prisons and jails (along with restrictions on admissions) necessitated by health conditions and virus spread concerns; drastically reduced hearing and trial schedules with associated backlogs in courts around the state; and police practices that have been challenged not only by the public health situation but also by a social justice movement that arose in the midst of it, are just a few examples. While this year's update comes two full fiscal years after the initial months of the pandemic, it is impossible to discount the effect of these massive system disruptions. The current report will focus mainly on updating the general criminal justice system indicators, and still includes analysis of issues important to the overall criminal justice reform effort. Like the previous two reports, it is organized around the themes that drove the reforms, but caution should be taken in comparing data from the two most recent fiscal years to previous years due to the extraordinary nature of the context in which they occurred. Please refer to the [2020 report](#) for additional in depth analysis on some of the ongoing issues that still need to be confronted as the new phase of implementation proceeds, though may not appear in the current report.

JRI Listening Tour and Legislative Updates

As part of this ongoing process of “restarting” JRI implementation and developing a plan to address the recommendations of the 2020 [Legislative audit](#) (needs for increased oversight and accountability, increased support for local corrections systems (including better state-local coordination), reentry and treatment services that continue to expand while improving outcomes, and probation and parole supervision that is stronger and more effective in promoting success and reducing recidivism), a panel of leaders at state agencies associated with the reforms embarked on a Listening Tour in October and November 2021 to collect thoughts, concerns, and other feedback about the reforms at the local level throughout the state. The tour made eight different stops at locations across the state (including Hyrum, Vernal, Provo, Salt Lake City, Moab, Richfield, Cedar City, and Bountiful). In early 2022, all of the feedback was compiled into a separate [report](#) that attempts to identify common themes to inform the best path forward for improvements to the reforms, better implementation, and a more effective criminal justice system overall. These themes will be touched on throughout this update.

During the 2022 Legislative Session, several important bills were passed that contained elements to improve the implementation of the criminal justice system reforms. First, [S.B. 179](#) took important steps to support the creation of local criminal justice coordinating councils to coordinate and improve components of the criminal justice system in the county (or group of counties) they represent, including coordination between these local/regional entities and the state criminal justice agencies. The bill also directed each local coordinating council to develop a strategic plan, with help provided by the Utah Commission on Criminal & Juvenile Justice (CCJJ), and to eventually report back to the state any data on the impact of the council on the local/regional criminal justice system. These councils will be an invaluable resource for locally controlled implementation of reform efforts, and serve as points of contact for the distribution of state and federal grant funds to support these efforts.

Additionally, to improve the flow of information to inform implementation efforts and assess the effectiveness of the criminal justice system, [H.B. 403](#) directed CCJJ and the Division of Technology Services (DTS), in partnership with the Department of Public Safety, to collaborate on and create a criminal justice database as a repository for all statutorily required data sent to CCJJ. While this will be a long-term process, these efforts began in July of 2022 and continue with multiple weekly meetings between the partners and other stakeholders to develop plans to bring various data sources, both state and local, into the database that is being created. The bill also created a grant program to assist agencies with compliance. A companion bill, [S.B. 150](#), created a higher level Criminal Justice Data Management Task Force to discuss improvements in data collection and sharing.

Overview of This Update

This annual update of the JRI reforms builds on the past two reports (see the [2020](#) and [2021](#) reports), which underwent extensive revisions and included many new features compared to previous reports. CCJJ’s goal in the future is to provide these updates through dashboards on our website with greater user interactivity, and this effort should be assisted by the ongoing database project resulting from H.B. 403 described above. In the meantime, this report is organized to provide the key points in summary form, with extensive graphics to illustrate these points linked in supplementary pages for readers interested in more information on a given topic. To navigate the document, there are links within the summary (i.e., [see A1-2](#)) to the supplementary materials for that topic. To return to the summary, each page in the supplementary materials has a link button at the bottom (“Click to Return to Report Summary”).

The report is divided into seven brief sections, followed by some conclusions and proposed next steps:

- A. Prison
- B. Community Supervision
- C. Drug Offenders
- D. Treatment
- E. Supporting Local Corrections Systems
- F. General Crime Indicator Trends
- G. Oversight and Accountability

Key Points A: Prison – Stability and Focus on Violent Offenders, but Parole Driven Admissions Continue

Concerns about the growing prison population in 2014 were one of the drivers that spurred Utah toward criminal justice reform, particularly the number of nonviolent offenders in prison and how long they were staying. Near the end of 2013, the prison population had reached a peak of 7,192 inmates on average. While the reforms achieved an initial large decrease in the population, this initial success was not sustained. The reforms have been successful in their goal to focus prison more on serious and violent offenders, but it has also become too much of a revolving door of admissions and releases for offenders – particularly those on parole supervision who continue to come back at an unsustainably high rate, even as recent years have seen significant decreases in admissions from Court (direct sentences and probation violators). As the prison population has begun to stabilize after historic lows, more solutions are needed to ensure that those who leave the prison do not come back.

- 1. After reaching historic lows in the midst of the pandemic in late 2020, the prison population has stabilized in recent months. Even though the average daily population (ADP) at the prison increased in FY2022, the population remained at its lowest level since FY2004 (see A1-2).**
- 2. The prison population remains well below initial projections made prior to the implementation of the reforms (see A3).**
- 3. The interplay of admissions and releases drives the prison population numbers. After a period of pandemic-driven release activity, this has since stabilized, with admissions slightly exceeding releases in FY2021 and releases slightly exceeding admissions in FY2022 (see A4-5).**
- 4. A large proportion of admissions continue to be from parole, though the percentage in FY2022 (64%) is down from a high point (70%) in FY2021 (see A6-7).**
- 5. Overall, prison beds continue to be focused on serious and violent offenders. The percentage of nonviolent offenders in the prison population in FY2022 (31%) is up slightly from pandemic-influenced low in FY2021 (28%), but remains well below pre-reform averages (see A8-9).**
 - A 61% rise in direct prison sentence admissions from Court is driven mostly by sentences for registerable sex offenses (up 67%) and aggravated assaults (see A8).**

Key Points B: Community Supervision – Declining Numbers and Shift in Risk Profile Signals Need to Refocus Supervision Practices

Generally, as Utah's prison population has fluctuated, so has the community supervision population. As the prison population decreases, those that are released increase the parole population; likewise, probation populations can increase when more offenders are kept out of prison (though since the pandemic started, the probation population has continued to decrease even as the prison population plummeted). As seen above, community supervision is also a key driver of the prison population, as a disproportionate number of prison admissions come from parole (and to a lesser extent probation, which also influences jail populations). While there have been successes, the current supervision practices implemented through the reforms have not been as effective as anticipated in addressing parole and probation revocations, and new evidence-based tools are needed. This is amplified by the fact that an increasing number of offenders are on intensive supervision (risk assessments indicating a very high risk to reoffend), putting an extra burden on probation and parole agents attempting to implement evidence-based supervision practices. Addressing this need is particularly important as we move beyond the pandemic to keep all three correctional populations (prison, parole, and probation) at stable, lower levels. This involves not only decreasing prison admissions from supervision, but also assisting those on supervision to succeed through achieving such incentives as early termination.

1. **The average parole population decreased in FY2022 (down 10%) for the first time since FY2011 after years of steady growth, though a growing percentage offenders are released to parole vs. being discharged or expired at release (see B1-4).**
2. **After several years of decline, the probation population, including both felony and Class A probationers, remained stable in FY2022 at historically low levels (see B5-8).**
3. **More supervised offenders are on high and intensive supervision, putting a strain on otherwise stable caseloads and contributing to supervision failures affecting the prison and jails (see B9-10).**
4. **Prison admission rates from parole have generally been increasing over the years, though accounting for the shifting risk profile of both parole and probation populations helps explain much of these increases (see B11).**
 - **The same is true when looking at probation-specific outcomes like orders to show cause (OSC) hearings for probation violations and associated jail sentences (see B12; this is also discussed more in Section E below in the context of how probation violations affect local corrections systems).**
5. **Despite the increased risk profile and elevated prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years (see B13-14).**

***Key Points* C: Drug Offenders – Continuing Decline in Numbers Involved in the System**

One of the biggest changes that was part of the JRI reforms involved reclassifying the penalty for the main “Possession of a Controlled Substance” statute ([58-37-8\(2\)\(a\)\(i\)](#)) from a 3rd degree felony to a Class A misdemeanor for the first two offenses (it could still be enhanced back to a 3rd degree felony after two convictions). Relatedly, lower-level possession of marijuana was also reclassified from a Class A misdemeanor to a Class B misdemeanor. Additionally, there were common-sense restrictions on drug free zones included, the significant impact of which was described extensively in the [2020 report](#) and can be seen in this [interactive presentation](#) through 2019 (less than 1% of drug filings now involve DFZ enhancements, where prior to 2015 some simple drug possession offenses could be enhanced to a 2nd degree felony). Aside from these drug statute changes, it is also important to acknowledge some contextual factors. Utah, and the whole country, was experiencing an opioid epidemic for over a decade that encompassed the start of the reforms, and many of the trends through FY2018 reflect this. Additionally, Operation Rio Grande in Salt Lake City, starting in August 2017, was responsible for a large uptick in drug arrests and prosecutions in that year in particular (FY2018). While drug offenses have dropped significantly since this peak, the pandemic may have long-lasting effects on drug use (and mental health) that are yet to be seen or reflected in official crime indicators.

1. **Drug arrests and citations had been on the rise for more than 8 years and peaked in FY2018, but both have been nearly halved in the past four years (see C1).**
2. **Court case filings with drug possession only charges have now seen four consecutive years of decline (see C2). While there has been an expected shift from felony to Class A misdemeanor filings since the reforms, the greatest number of drug possession case filings continue to be consistently at the Class B misdemeanor level (see C3).**
 - **Drug possession with intent and drug distribution/manufacturing charges both remain at their lowest levels in years (see C4).**
 - **Justice Courts, which bore the brunt of the increase in drug cases through FY2018, have seen a 32% reduction in drug cases over the four years that followed (see C5).**
3. **The Department of Corrections continues to see substantially fewer felony drug possession offenders, and prison admissions for these offenders are at historic lows (see C6-7).**

4. The decrease in drug possession arrests and Court cases is also influencing the overall number of Class A probationers the Department of Corrections is supervising, with a marked decline in recent years after previously being at record highs in the initial years following the reforms (see C7).
5. More work needs to be done to investigate this recent decrease in drug offenses, and whether it has been driven by a successful increase in treatment funding and capacity, or whether there has been a fundamental change in law enforcement practices related to drug offenses (or some combination of these and other factors). Section E below also explores some variation in these trends outside the Wasatch Front counties.

Key Points D: Treatment – Expanded Funding Sources, Focus on Quality and Outcomes

Improved standards, increased access for offenders, and increased capacity in Utah’s treatment systems, particularly for substance use disorders (SUD) but also for mental health, were lynchpins of the reform effort. Unfortunately, at the time that H.B. 348 passed in 2015, a related bill to expand Medicaid and increase funding for individuals in need of treatment in the criminal justice system did not pass. The treatment system did secure increased funding, and it has been a stepwise process since. Recently, in addition to state funds, the offender population has increasing access to federal treatment funds in Utah through expanded Medicaid and Targeted Adult Medicaid (TAM). The focus now should be to improve (and assess) the *quality* of SUD treatment, ensure that offenders have access to quality treatment when they need it and are required to complete it, and improve the flow of information between different parts of criminal justice, health, and human services systems. This is particularly important in more rural parts of the state outside the Wasatch Front.

1. After reaching highs in FY2019 followed by sharp declines in FY2020-21, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources remained low in FY2022 (see D1-3).
2. The pandemic appears to have contributed to the decline in the FY2020 and FY2021 SUD treatment numbers, though there are also other factors that might be influencing these numbers, including the declining number of drug offenders (seen in Section C above) and new funding sources that have become available in recent years for offender treatment.
3. The Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment, particularly in FY2021-22, help to account for some of the declining numbers seen above (see D4-5).
 - This, along with Medicaid expansion, provides another major funding source beyond state-exclusive funds for treatment of justice involved individuals with SUD and/or mental health issues, but will also affect both SUD and mental health client numbers reported through the public treatment system to OSUMH (D1 above).
4. Drug Court participation continues to be down in FY2022 as drug offenses have also declined (Section C) and pandemic effects have persisted (see D6).
5. Next steps include examining criminal justice outcomes for offenders at various treatment levels, working to connect Courts and treatment data, and working with the Department of Health & Human Services (DHHS) to match criminal justice data to billing for Medicaid and TAM. S.B. 179 also included requirements for the Office of Substance Use and Mental Health (OSUMH) within DHHS to begin reporting on offender treatment outcomes.

Key Points E: Supporting Local Corrections Systems – Demand and Coordination

Apart from controlling the state prison population and strengthening supervision practices, one of the main goals of the JRI reforms was to strengthen local corrections systems so that relieving the strain on the state system would not transfer offenders and create burdens on the local system of jails and related services. One of the areas where this can occur is through probation violations and revocations – just as parole revocations can drive the prison population, probation revocations can impact jail populations as judges impose jail sentences on probationers with much greater frequency than prison (particularly with Class A probation, where prison is not an option). While some transfer was inevitable, the reforms addressed areas that may also offset the impact. These offset policies included large scale changes to traffic offense codes that shifted the bulk of these offenses to infractions from Class B and C misdemeanors; drug free zone enhancement restrictions, which previously made more offenders eligible for extended jail and prison stays; probation revocation caps that shortened and standardized time spent in jail following revocation; increased treatment funding (both State, and now federal, as discussed above in Section D) that has bolstered capacity in many local areas to help high risk and high need offenders stay out of jail; and county incentive grants that have helped several counties start local supervision and reentry programs. While it has been difficult for CCJJ to obtain historical data from the jails to assess the impact of the reforms on their population, the 2020 audit analysis determined there has not been a significant negative impact. In 2020, CCJJ began receiving annual data from county jails, and in 2021, county and municipal prosecutors began sending quarterly data to CCJJ. We must continue the work to improve local support through local-state coordination and improved data flow – S.B. 179 and H.B. 403 should help with these. Other solutions, including regional detox facilities and receiving centers, could also substantially assist local corrections systems.

- 1. Using data CCJJ now receives from the county jails, the changes in the populations of many of the jails can now be shown across the 2019-21 calendar years. As with the prison data, jail populations were trending up by the end of 2021 but still below pre-pandemic levels (see E1-2).**
- 2. There has been an increase in orders to show cause (OSC) hearings for probation violations in Courts throughout the state in recent years, though these numbers have leveled out over the past five years and there are important differences across districts (see E3-5).**
- 3. This increase in OSC hearings has resulted in more jail sentences for probation violations, though there has been a significant decrease over the past three years, and average sentence lengths have decreased significantly as well. As with the hearings, this activity is more evident in certain districts (see E6-8).**
- 4. Traffic case filings at the Class B and Class C misdemeanor levels continue to be significantly lower than pre-reform levels, offset by an increase in infraction filings (see E9).**
- 5. Detox facilities outside of Salt Lake, Utah, and Davis counties are almost nonexistent, and the county jails too often need to take on the burden of assisting with the detox process of drug offenders. There is also a lack of residential substance use disorder (SUD) treatment beds outside the Wasatch Front, relative to the population (see E10).**
- 6. A closer look at drug offense trends shows recent declines did not extend outside the Wasatch Front, highlighting a need for more treatment resources in these areas (see E11).**
- 7. CCJJ and its state partners need to improve coordination with counties and local partners and improve the flow of information to ensure ongoing successful implementation of the reforms. S.B. 179 and H.B. 403, both recently passed in the 2022 Legislative Session and currently in the early stages of implementation, should help with these efforts by supporting local criminal justice coordinating councils and assisting local agencies (law enforcement, jails, prosecutors) to more efficiently share necessary data.**

Key Points F: General Crime Indicator Trends – Broad Effects of Reforms

At the time the reforms were enacted, some parties were concerned that many of these changes, while well intentioned, would ultimately lead to an increase in crime in Utah. Reported crime, and other general indicators such as arresting activity and Court cases filed, are broad and multifaceted system performance measures, and it is difficult to tie changes to any one cause. In the first five years after the reforms began implementation between 2015 and 2019 (calendar years), violent crime remained relatively stable and property crimes decreased substantially. In 2020, however, with the onset of the pandemic and other significant social, political, and cultural unrest, there was a spike in both violent and property crimes in Utah. Fortunately, property crime dropped back to pre-pandemic levels in 2021, but violent crime reports remained elevated (though stable). While this elevated level of violent crime (particularly assaults) is generally reflected both nationwide and in neighboring states, it is important to understand why this happened, whether it is an isolated, context-specific phenomenon or the beginning of a trend, and what implications this might have for criminal justice policy and practices moving forward. Other indicators in the system (arrests, case filings), however, show crime has remained at low levels.

- 1. After a rise in both violent and property crime reported to law enforcement in 2020 in Utah (and nationwide), influenced by the pandemic and general social upheaval, violent crime did not rise further in 2021 but remained at an elevated level, while property crime dropped back to 2019 levels (see F1).**
 - Summarizing crime trends including the latest available year (2021) is challenging this year, as this was the first year that crime reporting is based solely on the National Incident Based Reporting System (NIBRS), transitioning fully away from the old Summary Reporting.
 - The analysis for this report looked at several estimates for 2020 and 2021, including a sample (54% of Utah agencies representing 75% of the population) that has been reporting NIBRS data consistently for at least 5 years, using the new [Crime in Utah Dashboard](#) developed by the Department of Public Safety (see F2-3).
- 2. After a spike in homicides in 2020, there was a significant decrease in 2021 (see F4).**
 - The main drivers of violent crime in 2021 were a jump in forcible rape offenses (up 7%) and a continuing increase in aggravated assaults (up 3% over 2020, but 17% since 2017); robberies were down 12% (see F5).
 - For property crime, all four indicators were down significantly, in some cases back below 2019 levels; larceny-theft offenses were down 10%, burglary was down 14%, motor vehicle theft was down 12%, and arson was down 18% (see F6).
- 3. While reported crime has been either elevated (violent crime) or volatile (property crime) in the latest two calendar years, other crime indicators, including arresting activity and Court case filing rates, remained at historically low levels in FY2022 (see F7).**
- 4. It is important to consider that statewide trends may not be reflected in all localities, and other factors both broad and local can affect crime. Additionally, crime rates are restricted to the number of crimes reported by the public to law enforcement, and arrest and case filing rates can be influenced by changing law enforcement and prosecutorial practices.**

Key Points G: Oversight and Accountability –Data, Best Practices and Monitoring for Supervision and Treatment, and State-Local Coordination

The 2020 [Legislative audit of JRI](#) focused particularly on the need for more oversight and accountability with the implementation of the JRI reforms. In relation to this, there was an emphasis on [information sharing](#) to ensure that this oversight can more effectively occur. In addition, this includes more training (particularly for evidence-based supervision practices) and monitoring (particularly for effectiveness of treatment practices and outcomes) across the state. Finally, implementation of the reforms will improve with better coordination between the state agencies and the local criminal justice systems and their partners at the county, regional, and municipal levels.

- 1. The criminal justice system needs to create a better information sharing environment, and this needs to connect better to associated systems (particularly treatment, health, and human services). The passage of 2022 [H.B. 403](#) is a big step forward in this effort.**
- 2. There is an ongoing need for increased training and oversight of supervision practices associated with the Response and Incentive Matrix (RIM) and other evidence-based supervision practices.**
- 3. The treatment system needs more monitoring and accountability to ensure substance use disorder (SUD) treatment practices are effective and offenders are connecting to treatment when required. Requirements included in 2022 [S.B. 179](#) should lead to the more regular reporting of this information.**
- 4. Coordination between the State and local criminal justice systems and associated partners needs to improve, and [S.B. 179](#) assists in this effort by supporting the creation of local coordination councils to communicate with CCJJ and other state-level partners.**

Conclusion and Next Steps

Due to the pandemic and other factors, Utah remains at historic low population levels in the prison and on probation at this time. The past year has been a period of relative stability in the criminal justice system after an extended period of instability, and this situation creates an opportunity to recalibrate our approach to the implementation of the reforms and redouble our efforts to ensure that the prison and supervision populations remain stable at these lower levels. Utah has been successful in refocusing the prison population on serious and violent offenders and keeping nonviolent offenders in the community when appropriate. It is now time to focus even more on community supervision and the support services (particularly treatment, receiving centers and other diversion programs, and housing) needed to stem the tide of admissions and releases directly tied to supervision failure that have been driving previous periods of instability in our corrections populations.

As the [2020 audit](#) suggested and the [2021 JRI Listening Tour](#) confirmed, any effective path forward will need to involve better coordination between the state agencies and local entities, most likely through the formation of coordinating bodies in counties or regions and increased information flow. The former has now been addressed with the passage of [S.B. 179](#), which supports the creation of local criminal justice coordinating councils within counties (or between groups of counties), along with funding and monitoring through CCJJ. The latter was already in the process of being addressed with county jails (directed by 2020 [S.B. 193](#)) and prosecutors (directed by 2020 [H.B. 288](#)) across the state now sending important information regularly to CCJJ. Now, the passage of [H.B. 403](#) extends these efforts by supporting the creation of an integrated database of all legislatively mandated data that comes to CCJJ from state and local entities. Additionally, data working groups are meeting regularly (as directed first by 2021 [S.B. 159](#) and now by 2022 [S.B. 150](#)) to develop solutions to include local law enforcement data and improve the back and forth flow of information between state and local entities, both for those who work directly with offenders and those who are involved in making criminal justice policy. It is expected that these current efforts related to data and information sharing will broaden to include the ability to more seamlessly integrate and track offenders through the system and monitor outcomes, particularly following treatment involvement. Finally, the path forward must also include more training and emphasis on effective, evidence-based supervision and treatment practices to ensure that more offenders are able to remain in the community rather than revolving in and out of our prison and jail systems. These essential elements (local coordination, data flow for better decisions and oversight, and implementation fidelity with supervision and treatment practices) have all taken large steps forward in 2022, and this progress should continue to build in 2023 as these efforts advance.

Acknowledgments

CCJJ would like to thank the following partners for their contributions to this annual update through providing data and input: Utah Department of Corrections (UDC); Utah Administrative Office of the Courts (AOC); Utah Department of Public Safety, Bureau of Criminal Identification (BCI); the Utah Board of Pardons and Parole (BOPP); Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH) and Division of Medicaid and Health Financing (DMHF); and the county jails. This includes, but is not limited to, Julie Christenson at UDC, Jeff Hastings at AOC, Chelsey Burns at BCI, Raechel Lizon at BOPP, Justin Hyatt at OSUMH, and Brian Roach at DMHF.



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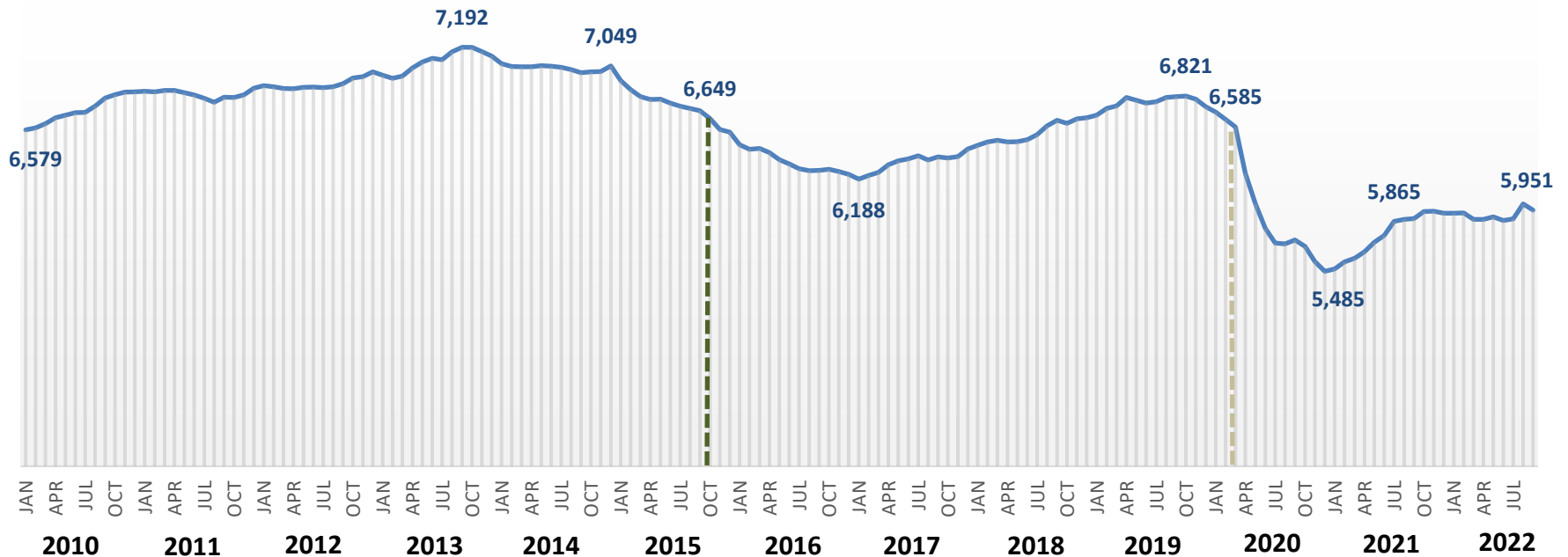
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After reaching historic lows in the midst of the pandemic in late 2020, the prison population has stabilized in recent months. Even though the average daily population (ADP) at the prison increased in FY2022, the population remained at its lowest level since FY2004.

Prison Average Daily Population (ADP) by Month (January 2010 - September 2022)



Source: Utah Department of Corrections, O-Track database; data pulled October 2022

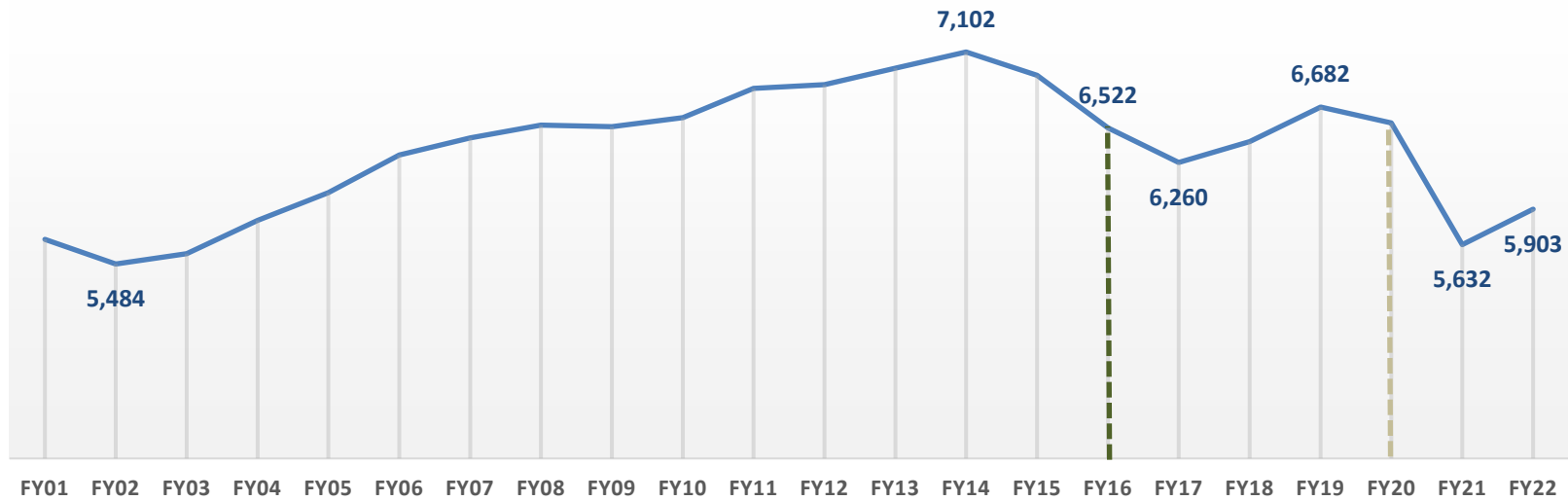
The figure above shows the average daily population (ADP) by month for inmates in the prison system operated by the Utah Department of Corrections since 2010 (and through September 2022). The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The prison population had peaked at 7,192 inmates in September 2013, just prior to convening a group of stakeholders to discuss reform. Post-reform, the population reached a low of 6,188 ADP in January 2018 before steadily climbing back up to a post-reform peak in October 2019. The population had begun to decline somewhat before the COVID-19 pandemic hit, though by December 2020 stood at 5,485, a low not seen since October 2002. After climbing back to 5,865 in July 2021, it remained stable through FY2022. The two figures on the next page show trends by fiscal year back to FY2001 and by month in the most recent two years compared to pre-pandemic averages.

The pages that follow present additional figures from Section A of the summary report to help illustrate some of the drivers of these population shifts.



After reaching historic lows in the midst of the pandemic in late 2020, the prison population has stabilized in recent months. Even though the average daily population (ADP) at the prison increased in FY2022, the population remained at its lowest level since FY2004.

Prison Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2022)



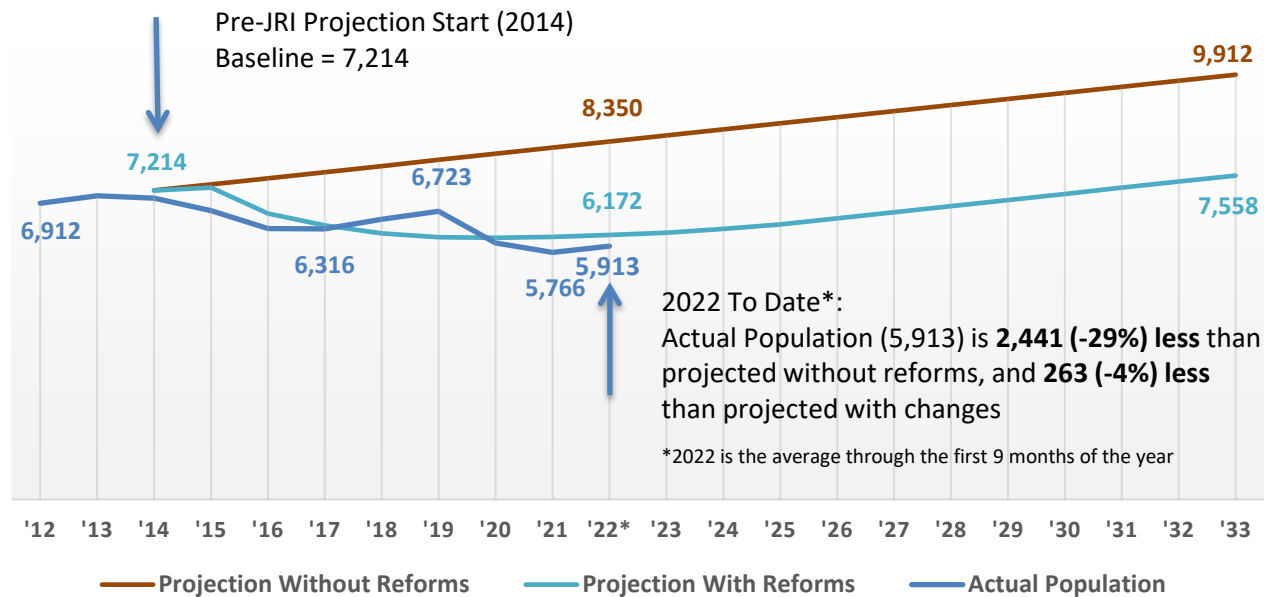
Recent Trends in the Prison Population vs. Pre-Pandemic Averages





The prison population remains well below initial projections made prior to the implementation of the reforms.

Utah Prison Population Actual vs Projected



Source: Utah Department of Corrections, O-Track database; data pulled August 2021

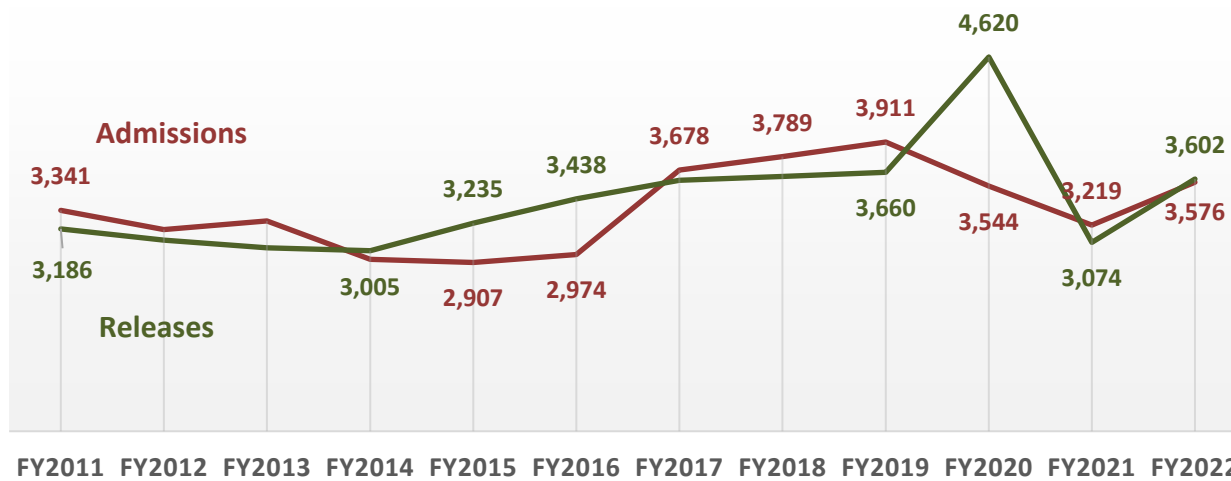
Projections from original JRI report November 2014

The figure above shows how the actual prison population stands in comparison to projections made prior to the reforms - one based on doing nothing (without reforms) and the other estimating the impact of the proposed reforms (with reforms). This shows that the ADP to date in 2022 (5,913) is below (-4%) the reform projections, and over a quarter (29%) less than what had been expected if nothing was done.



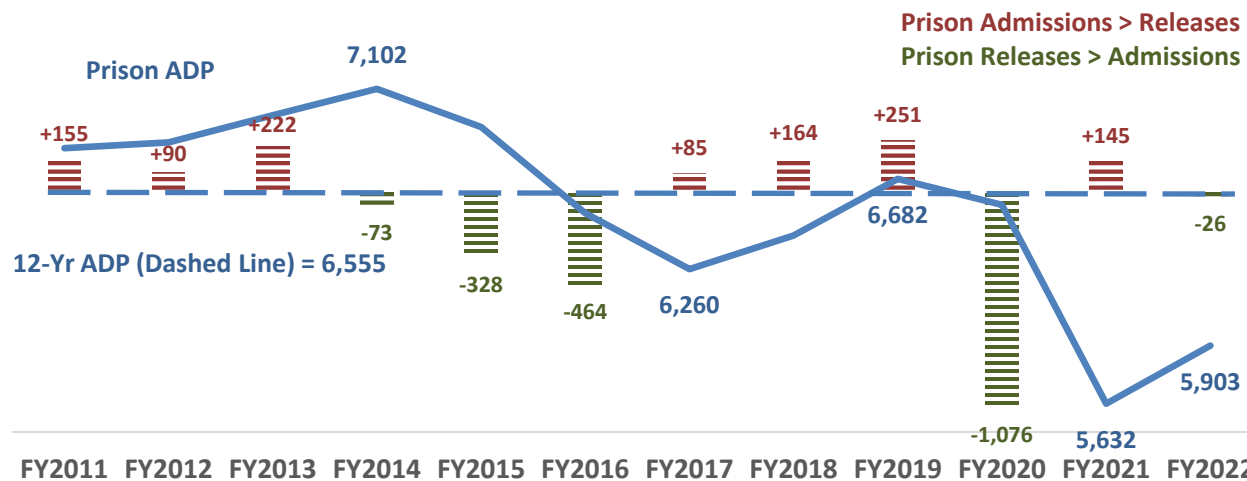
The interplay of admissions and releases drives the prison population numbers. After a period of pandemic-driven release activity, this has since stabilized, with admissions slightly exceeding releases in FY2021 and releases slightly exceeding admissions in FY2022.

Prison Admissions vs. Releases by FY (2011-22)



The first figure on the left shows the interplay between admissions and releases at the prison over the period between FY2011-22. This demonstrates the increase in volume of both admissions and releases, particularly since FY2017 (and longer for releases, starting pre-reform). This culminated in the unprecedented number of releases that occurred in conjunction with the pandemic in FY2020, with 4,620 total releases - more than one thousand more than any other year in the period. Both admission and release activity decreased considerably in FY2021 and then increased slightly in FY2022.

Prison Average Daily Population (ADP) & Net Admissions-Releases by FY (2011-22)



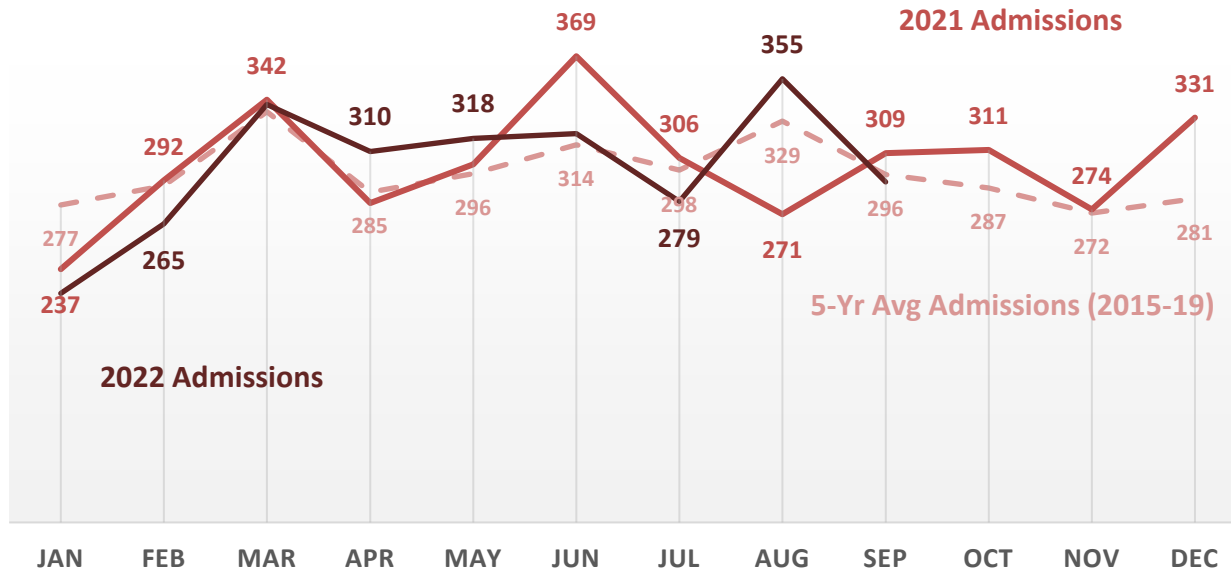
The second figure on the left attempts to give a better representation of this admission and release activity in relation to changes in the ADP. It represents the 12-year average population as the baseline with net (admissions - releases) going above or below this and leading to either upswings or downswings in the population depending on the magnitude or how sustained the activity is in either direction. As you can see, our last big peak in FY2014 was preceded by several years in which admissions exceeded releases. Then, just prior to and subsequent to the reforms, releases exceeded admissions to lead to the low in FY2017 before reversing once again. Finally, FY2020 saw releases once more exceed admissions in just one year by more than this initial 2-year period at the beginning of the reform efforts. This stabilized in FY2021, with admissions slightly exceeding releases, and this stability continued into FY2022, with releases slightly exceeding admissions.

Source: Utah Department of Corrections, O-Track database; data pulled August 2022



The interplay of admissions and releases drives the prison population numbers. After a period of pandemic-driven release activity, this has since stabilized, with admissions slightly exceeding releases in FY2021 and releases slightly exceeding admissions in FY2022.

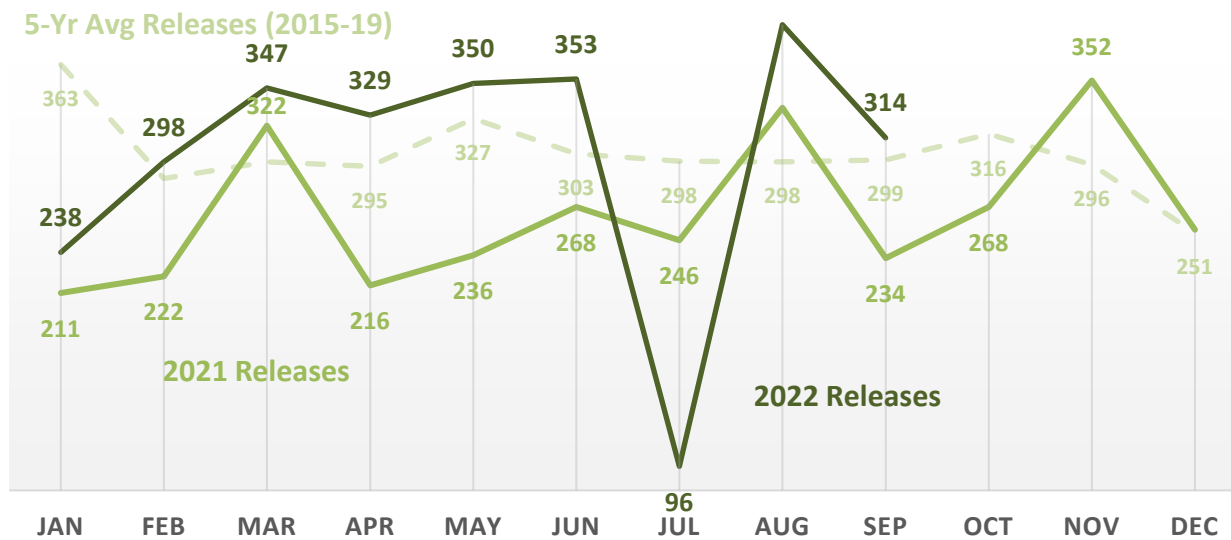
Recent Trends in Prison Admissions vs. Pre-Pandemic Averages



These next figures to the left show more recent trends in admissions (top) and releases (bottom) by month, compared to pre-pandemic monthly averages.

With a few exceptions, the number of admissions and releases has stabilized around the prepandemic averages. This follows a period of some volatility, as admissions had been increasing, particularly in the FY2018-19 period, and releases far exceeded normal levels in the period just after the start of the pandemic (March-November 2020).

Recent Trends in Prison Releases vs. Pre-Pandemic Averages

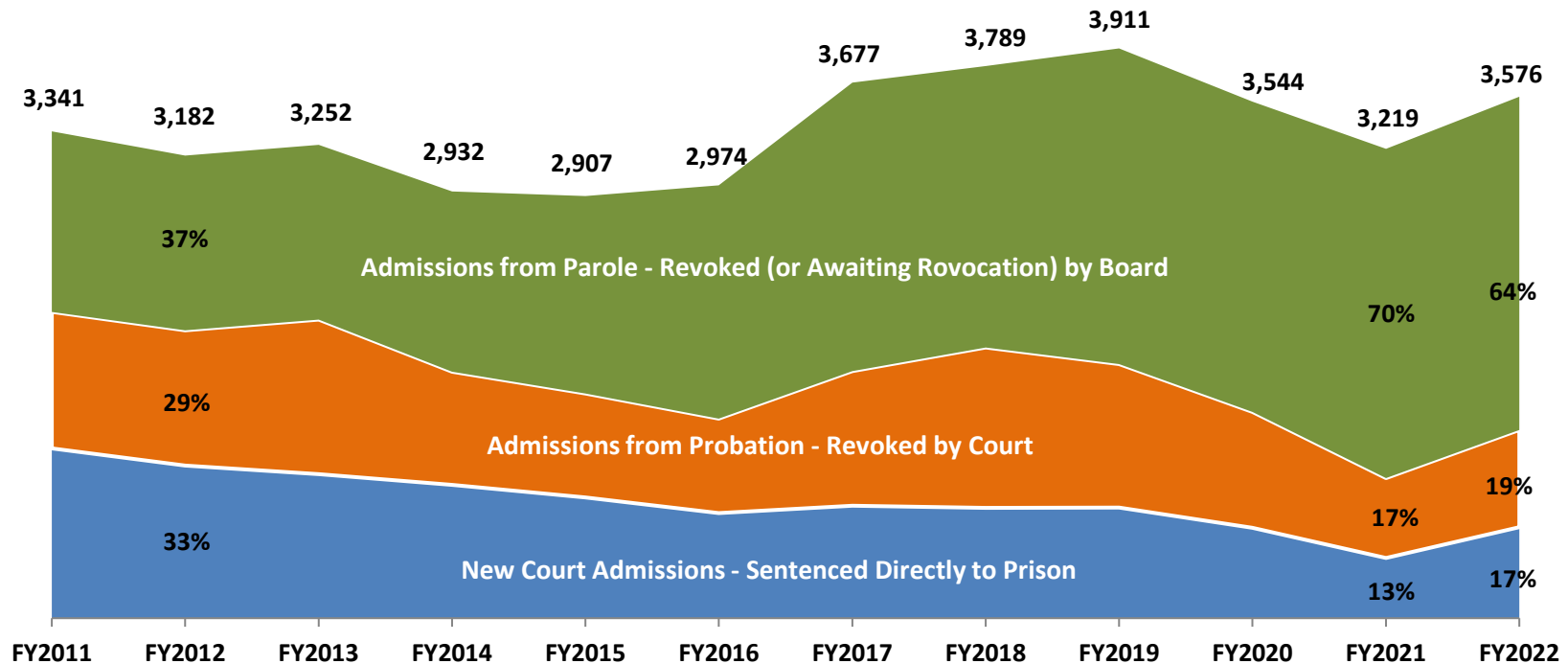


Source: Utah Department of Corrections, O-Track database; data pulled August 2022



A large proportion of admissions continue to be from parole, though the percentage in FY2022 (64%) is down from a high point (70%) in FY2021.

Total Prison Admissions by Source and FY (2011-22)



Source: Utah Department of Corrections, O-Track database; data pulled August 2022

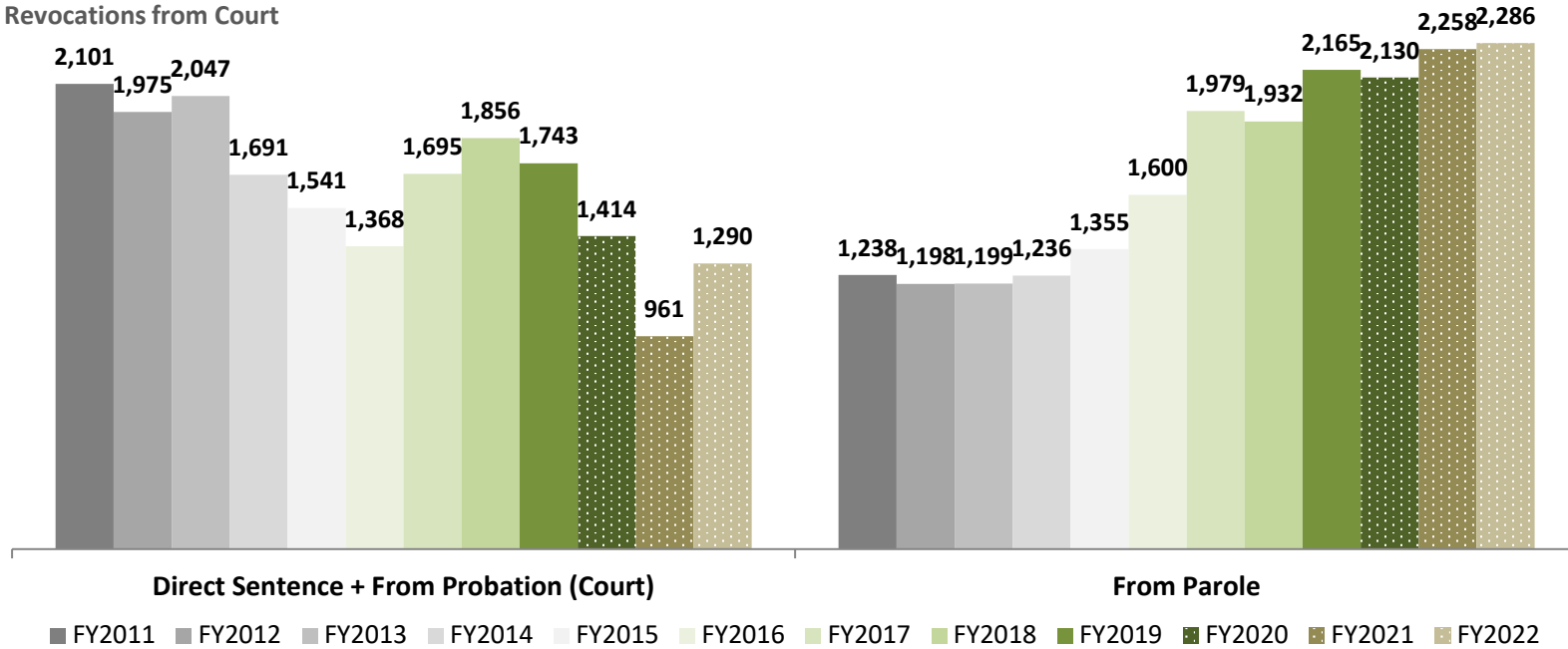
The figure above shows all admissions to the prison since FY2011 broken down by three basic categories based on where these offenders are coming from - from parole (revoked or awaiting revocation from the Board of Pardons and Parole (BOPP)); from probation (revoked to prison by the Court); or those sentenced directly to prison (new Court admissions). This shows that the blue portion (direct sentences) has been mostly in decline, and the orange (probation) has remained steady apart from a couple peaks in FY2013 and FY2018. It is evident from this graphic that the increasing portion in green (parole) is the most direct driver of the overall increase in admission numbers between FY2016 and FY2019, plus the slight increase in population that began at the end of FY2021 and has since stabilized at lower than pre-pandemic levels throughout FY2022.

The figures on the next page further summarize this trend and show how the number and proportion of admissions from parole vs. those sentenced by the Courts (either directly or through probation revocations) has changed before and after reforms. Parole admissions have almost doubled (up 91%) from FY2013 to FY2022, while Court admissions have mostly remained below pre-reform levels (apart from the spike in probation admissions around FY2018). After dropping to a pandemic-influenced low of 959 in FY2021, Court admissions increased slightly to 1,290 in FY2022, still lower than any other year in the evaluation period. The proportion of admissions from parole has nearly doubled between FY2013 and FY2022, though this percentage did decrease from a high of 70% in FY2021 to 64% in FY2022.

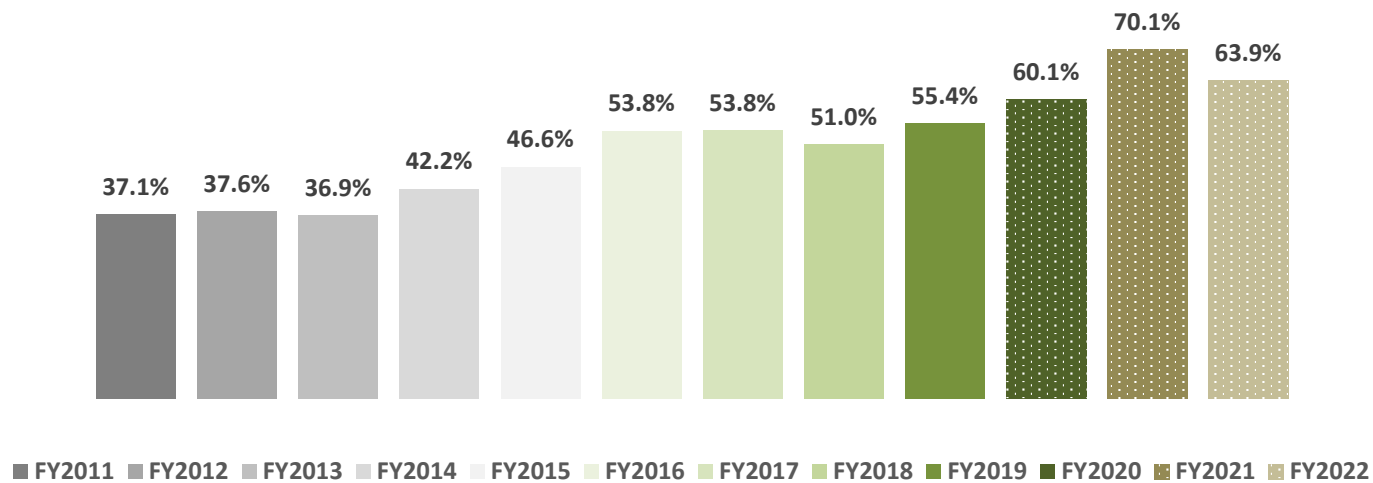


A large proportion of admissions continue to be from parole, though the percentage in FY2022 (64%) is down from a high point (70%) in FY2021.

Prison Admissions by Fiscal Year - Parole Warrants and Revocations vs. Direct Sentenced and Probation Revocations from Court



Proportion of Admissions from Parole FY2011-22

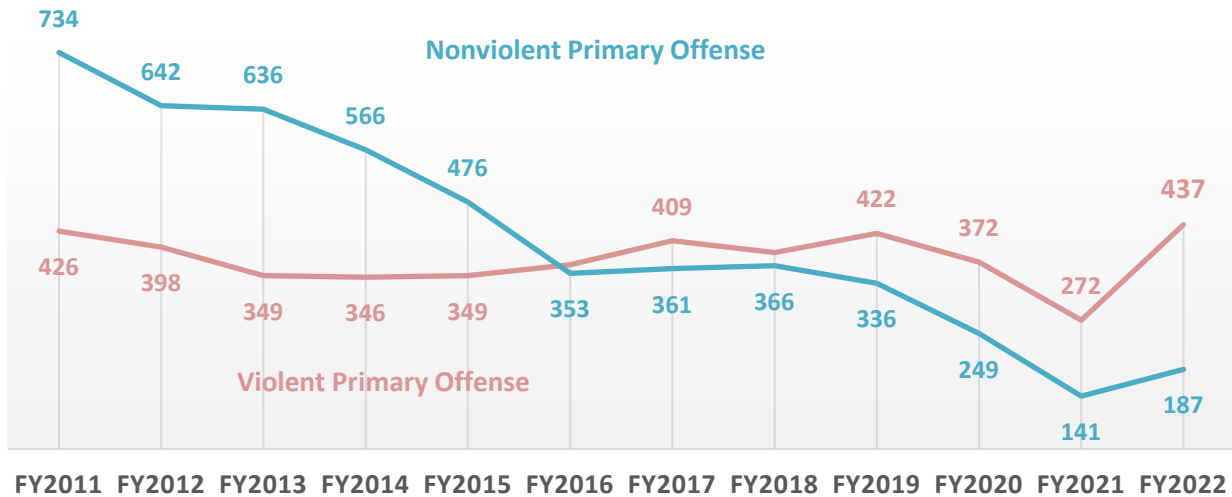


Source: Utah Department of Corrections, O-Track database; data pulled August 2022



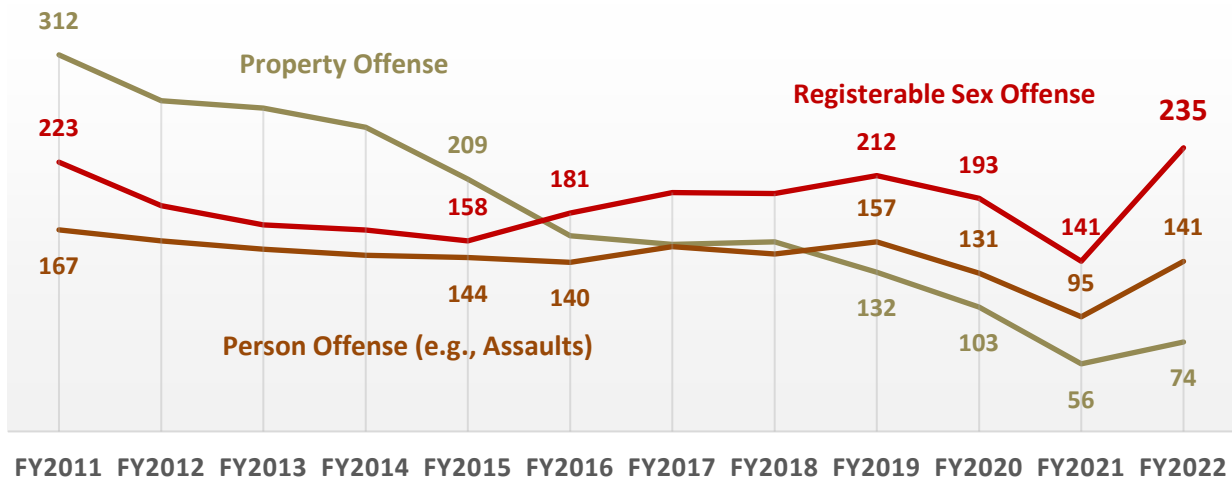
Overall, prison beds continue to be focused on serious and violent offenders. The percentage of nonviolent offenders in the prison population in FY2022 (31%) is up slightly from pandemic-influenced low in FY2021 (28%), but remains well below pre-reform averages.

Direct Prison Sentences from Court - General Offense Types by FY



The figures on the left show the breakdown of offenders with nonviolent vs. violent primary offenses sentenced directly to prison from the Courts (top) and by several more specific offense categories (bottom), including nonviolent (property) and violent (registerable sex offenses and person/assault offenses). Fewer direct prison sentences for nonviolent offenses, combined with relative stability of admissions for violent offenses, has contributed to a downward shift in the nonviolent prison population. Despite a slight increase after pandemic-driven lows in FY2021, direct prison sentences for nonviolent crimes in FY2022 were only a quarter (25%) of the number admitted in FY2011.

Direct Prison Sentences from Court - Offense Categories by FY



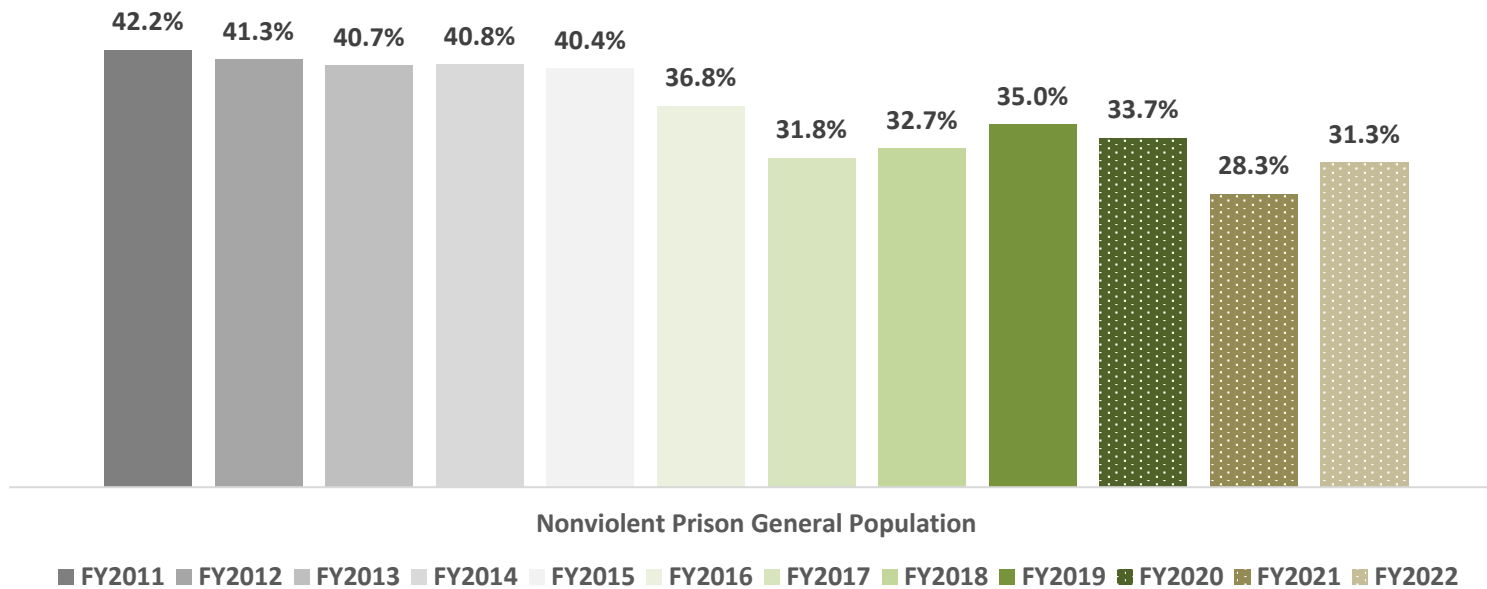
While nonviolent direct prison sentences have remained low, the top figure to the left does show a significant (61%) rise in direct sentences for violent crimes, from a pandemic-related low of 272 in FY2021 to 437 in FY2022. As the bottom figure to the left shows, the bulk of this increase is due to a 66% increase in direct sentences for registerable sex offenses. There was also a significant increase in sentences for other person offenses (e.g., aggravated assaults). This increase in violent offender sentences may be related to the bump in violent crime Utah saw in 2020 that sustained in 2021, particularly for sex offenses and assaults (see Section F).

Source: Utah Department of Corrections, O-Track database; data pulled August 2022



Overall, prison beds continue to be focused on serious and violent offenders. The percentage of nonviolent offenders in the prison population in FY2022 (31%) is up slightly from pandemic-influenced low in FY2021 (28%), but remains well below pre-reform averages.

Nonviolent Primary Offense in Prison Population* FY2011-22
 (*Snapshot of prison population on January 1)



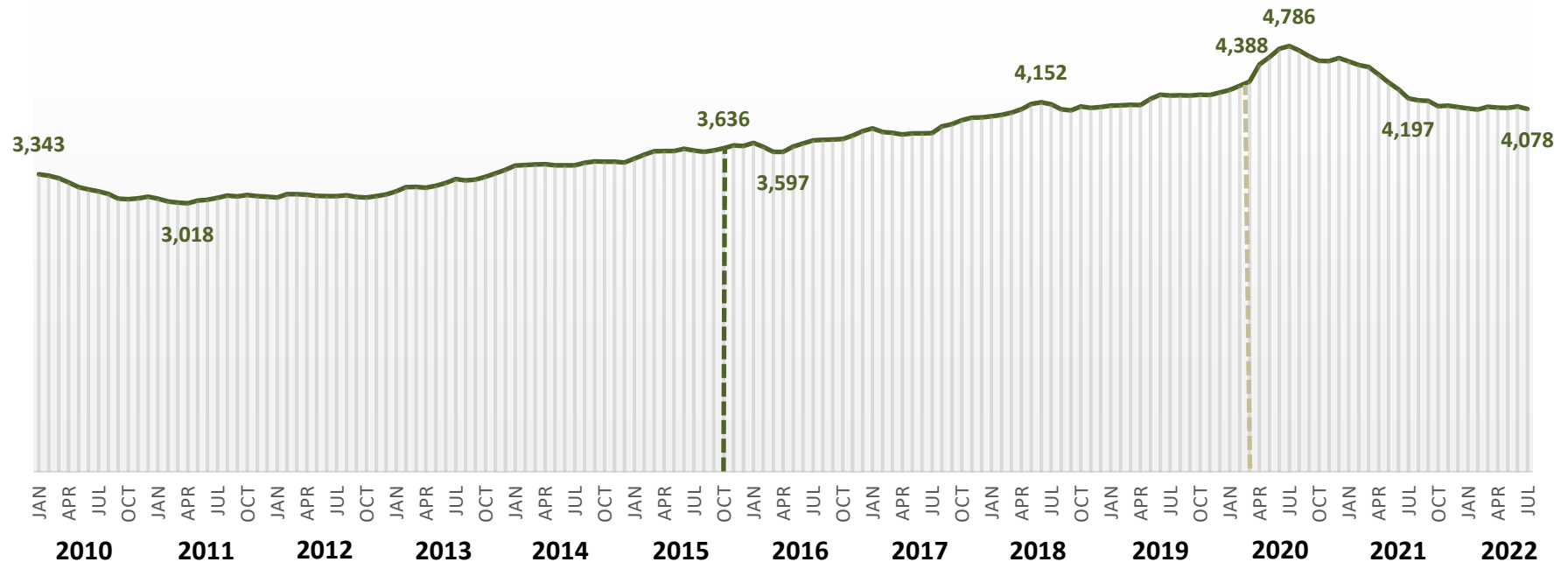
Source: Utah Department of Corrections, O-Track database; data pulled August 2022

The figure above shows the proportion of nonviolent offenders in the general prison population at the midpoint (January 1) of the fiscal year (bottom) between FY2011-22. While the percentage of nonviolent offenders in the general prison population hovered in the low 40s pre-reform (41% on average), this has now consistently dropped to the low 30s (31% on January 1, 2022, 33% on average since FY2016).



The average parole population decreased in FY2022 (down 10%) for the first time since FY2011 after years of steady growth, though a growing percentage offenders are released to parole vs. being discharged or expired at release.

Parole Average Daily Population (ADP) by Month (January 2010 - July 2022)



Source: Utah Department of Corrections, O-Track database; data pulled August 2022

The figure above shows the average daily population (ADP) by month for parolees supervised in the community by the Department of Corrections' Adult Probation and Parole (AP&P) division since 2010 (through July 2022). The figures on the next page (B2) show the ADP by fiscal year since FY2001, and also a more detailed visual of ADP by month in the two most recent calendar years compared to pre-pandemic averages.

The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The parole population was on the rise almost continuously since 2011, and it reached its ten-year peak in July 2020 at 4,786 after the period of increased releases following the pandemic. Since July 2020, however, the parole population decreased 15% to 4,078 in July 2022 - approaching the 5-year average from 2015-19. With the continued monthly decreases through FY2022, the ADP for the most recent fiscal year decreased for the first time since FY2011 (when it reached a 20-year low of 3,069), down 10% to 4,118 from a 20-year high of 4,579 in FY2021. Since the low point in FY2011 and before the decrease in FY2022, the annual parole ADP had increased 49% to FY2021.

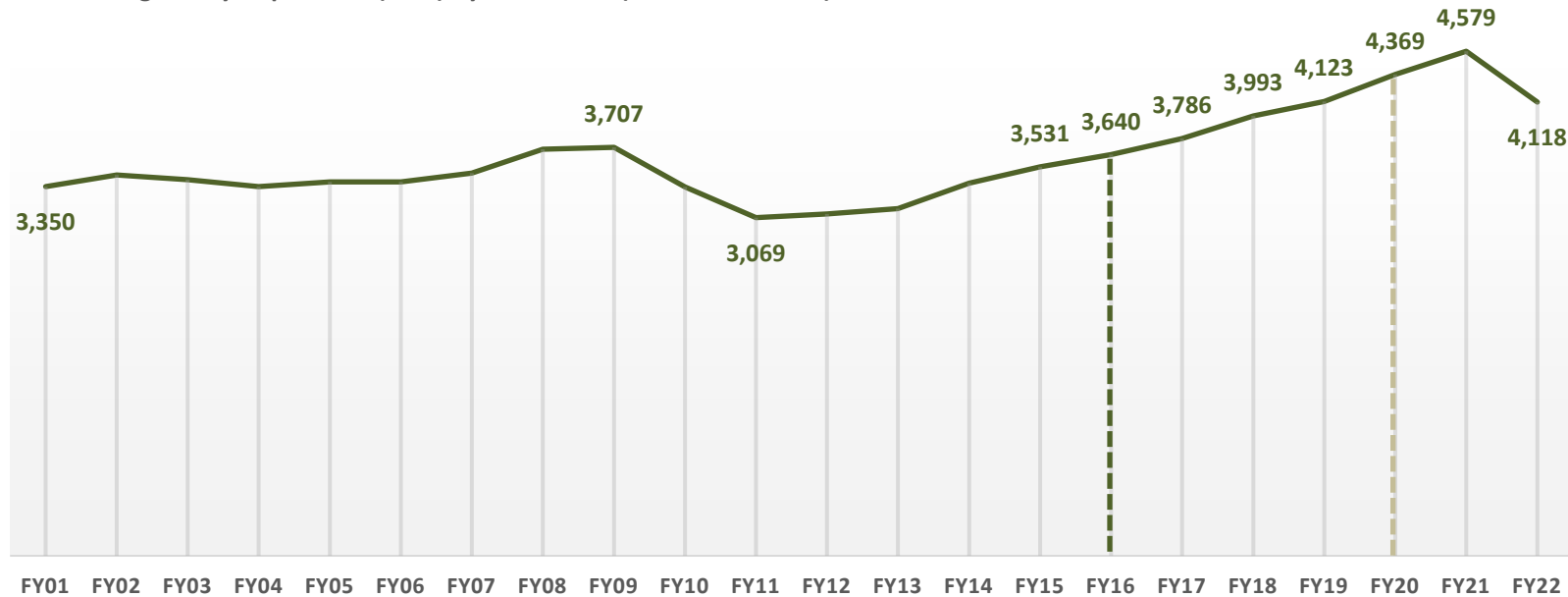
The pages that follow present additional figures from Section B of the summary report to help illustrate the key points made about community supervision.

Section B Community Supervision - Declining Numbers, Shift in Risk Profile, Need to Refocus Practices

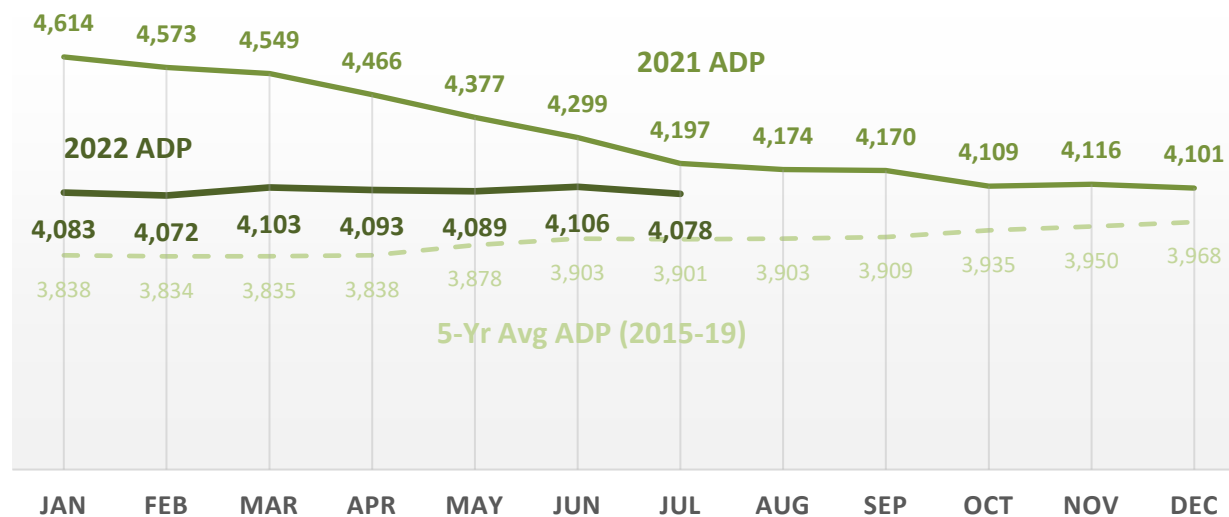


The average parole population decreased in FY2022 (down 10%) for the first time since FY2011 after years of steady growth, though a growing percentage offenders are released to parole vs. being discharged or expired at release.

Parole Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2022)



Recent Trends in the Parole Population vs. Pre-Pandemic Averages



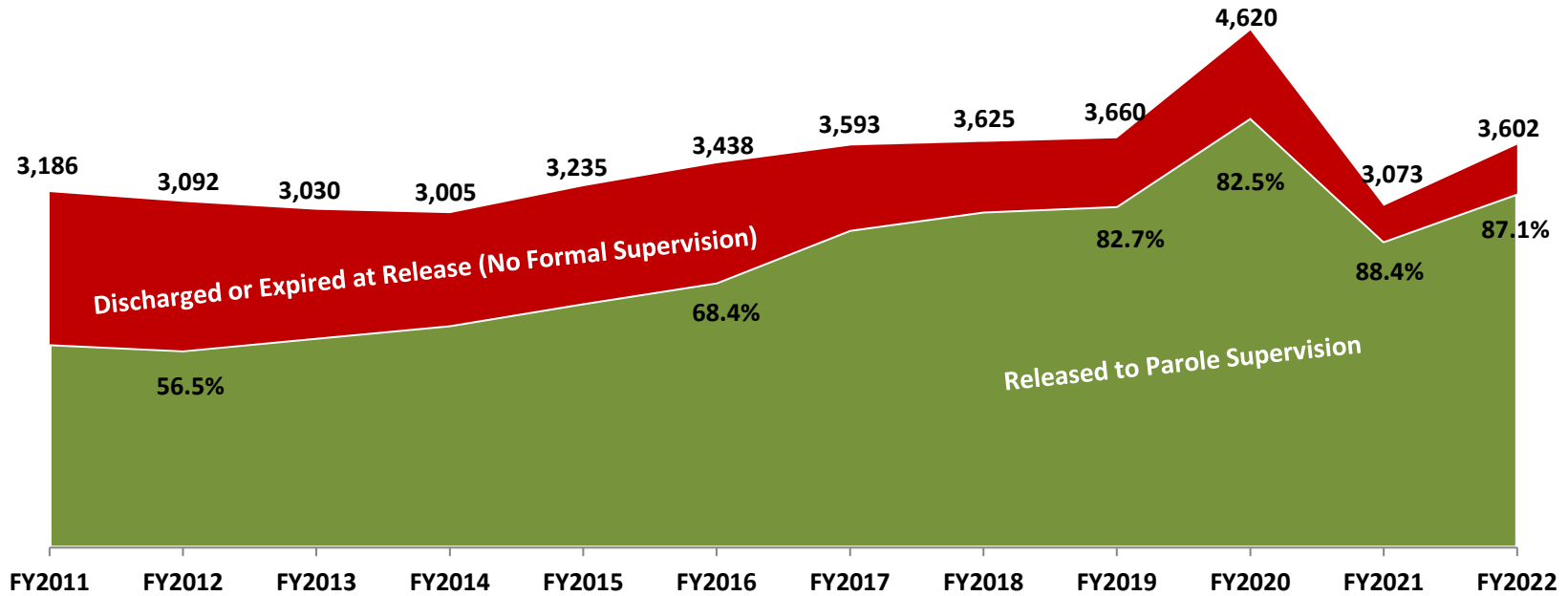
Source: Utah Department of Corrections, O-Track database; data pulled August 2022

Section B Community Supervision - Declining Numbers, Shift in Risk Profile, Need to Refocus Practices

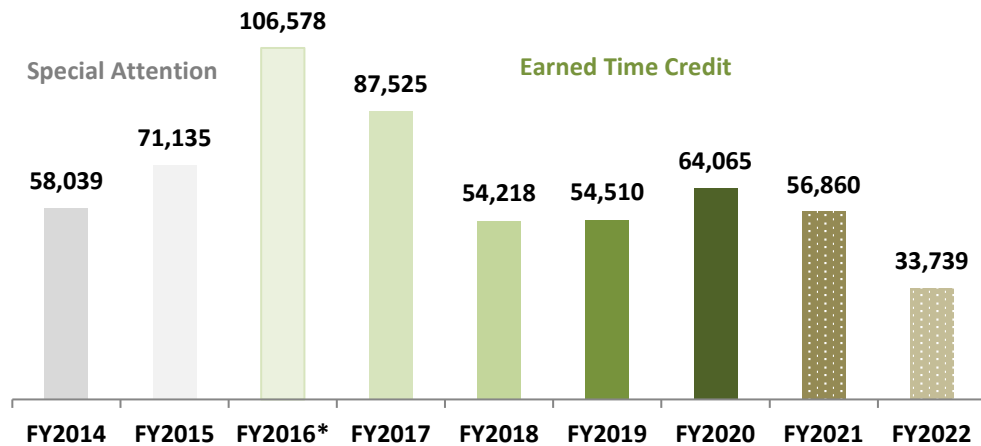


The average parole population decreased in FY2022 (down 10%) for the first time since FY2011 after years of steady growth, though a growing percentage offenders are released to parole vs. being discharged or expired at release.

Prison Releases by Type and FY (2011-22)



Total Incarceration Days Cut (Less Forfeitures) by the Board of Pardons & Parole Under the Earned Time Credit Program (green/tan) vs. Previous Special Attention Practices (gray)



As seen in the figure above, a far greater proportion of offenders released from prison are being released to parole in recent years. This has helped keep parole population numbers high despite recent decreases, and is likely a function of the increase in prison admissions from parole (see Section A).

The figure on the left shows that time cuts earned through the new earned time credit program have decreased in recent years over the levels of the first two years.

Source (above): Utah Department of Corrections, O-Track database; data pulled August 2022

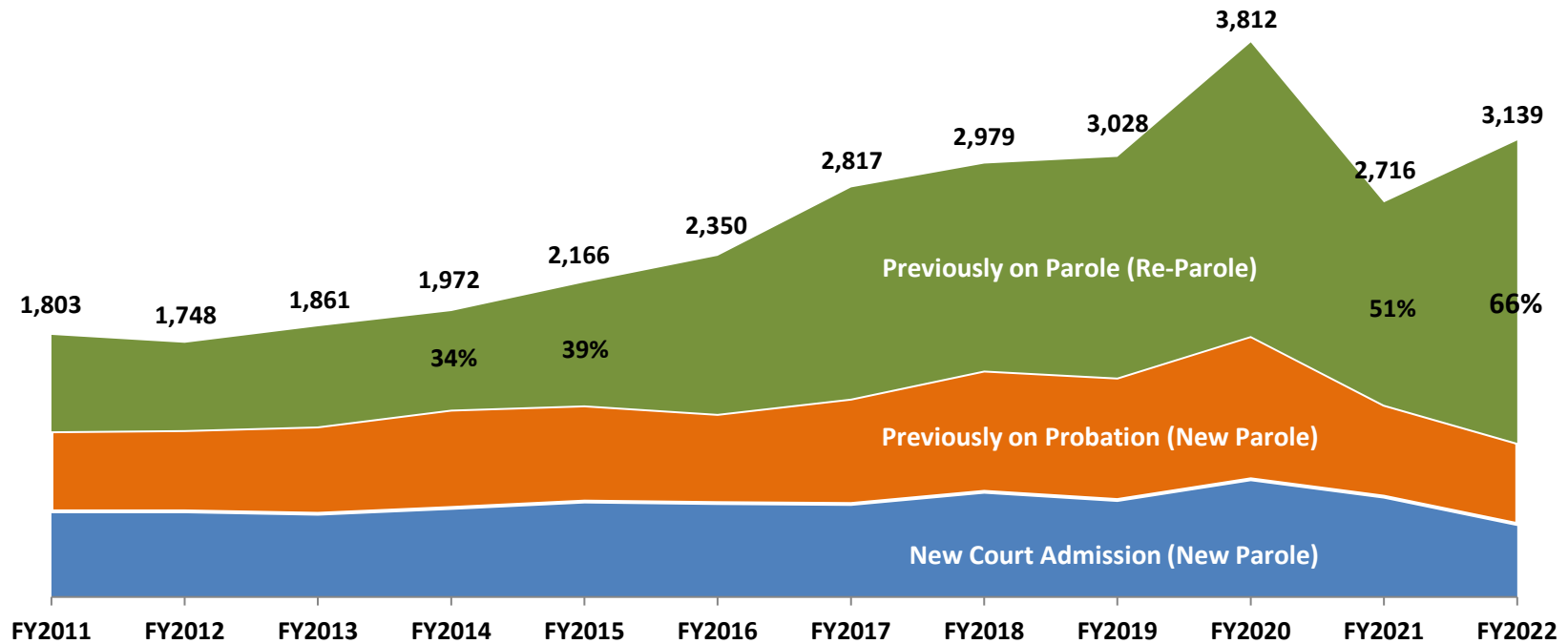
Source (left): Utah Board of Pardons and Parole

*FY2016 includes one quarter of pre-JRI Special Attention cuts (July-September 2015)



The average parole population decreased in FY2022 (down 10%) for the first time since FY2011 after years of steady growth, though a growing percentage offenders are released to parole vs. being discharged or expired at release.

Parole Releases by Admission Type and FY (2011-22)



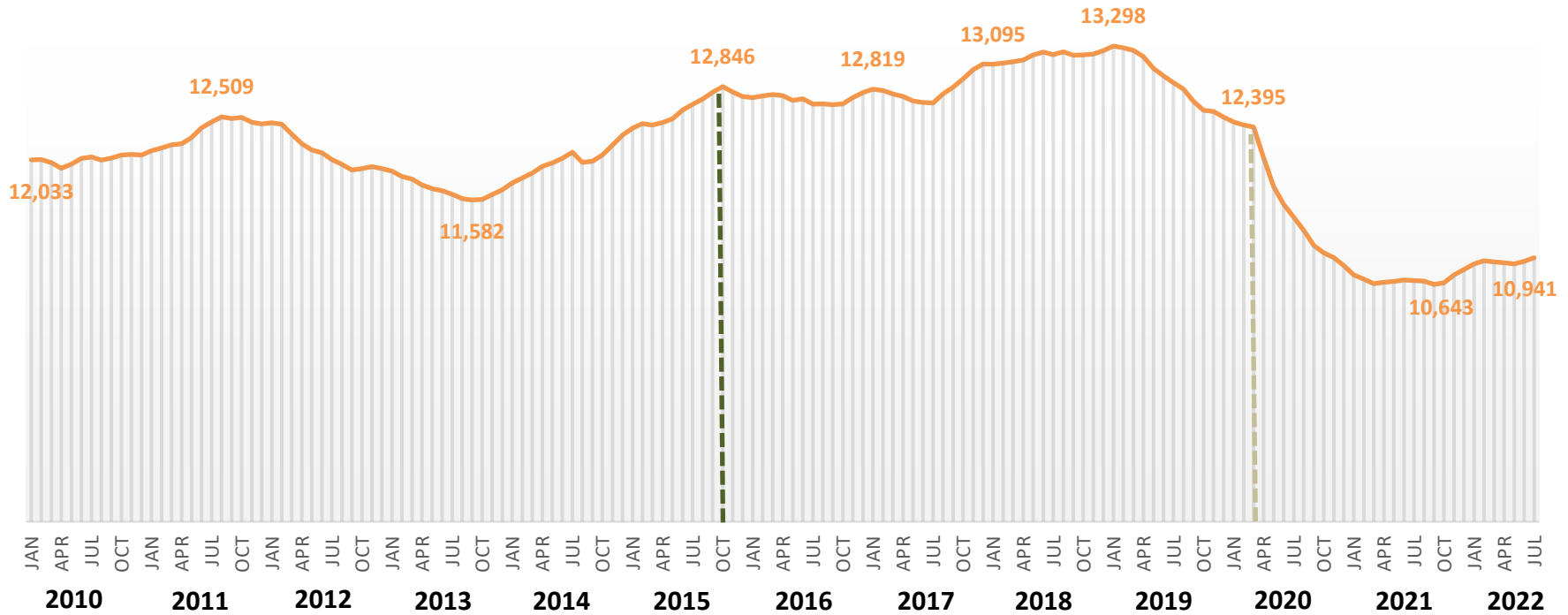
Source: Utah Department of Corrections, O-Track database; data pulled August 2022

Parole releases have increased at a high rate in recent years, peaking with the pandemic-related surge of releases toward the end of FY2020. As this has occurred, more of these offenders are starting their second or subsequent parole. In FY2022, 66% of the 3,139 offenders released to parole had previously been on parole prior to their most recent prison admission, compared to 39% in FY2015. Once again, this is directly influenced by the increased admissions from parole in recent years (see Section A), and points to the "revolving door" nature of the prison and parole populations (and, to a lesser extent, probation).



After several years of decline, the probation population, including both felony and Class A probationers, remained stable in FY2022 at historically low levels.

Probation Average Daily Population (ADP) by Month (January 2010 - July 2022)



Source: Utah Department of Corrections, O-Track database; data pulled August 2022

The figure above shows the average daily population (ADP) by month for probationers supervised in the community by the Department of Corrections' Adult Probation and Parole (AP&P) division since 2010 (through July 2022). The figures on the next page (B6) show the ADP by fiscal year since FY2001, and also a more detailed visual of ADP by month in the two most recent calendar years compared to pre-pandemic averages.

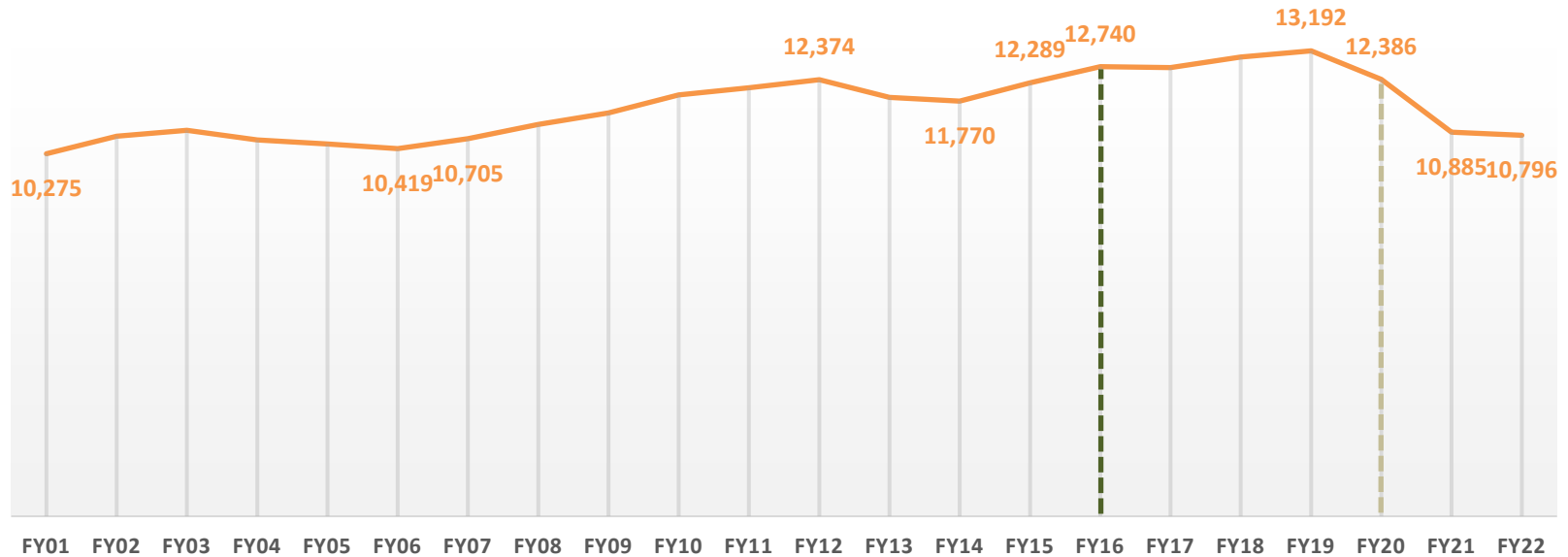
The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The probation population has dropped significantly since its peak in January 2019, and reached a 10-year low point in September 2021 (at 10,643) - a level not seen in Utah since October 2006. While the ADP was already in decline for over a year prior to the pandemic, this decline accelerated between March 2020 and March 2021, losing a total of 1,744 probationers on average (-14%) as courts operated at limited capacity. In total, the ADP has decreased by 2,357 (-18%) since its peak in January 2019, though there has been a slight increase (3%) since the low point in September 2021. Historically, the annual ADP for FY2022 of 10,796 is the lowest since 10,705 in FY2007, and down 2,396 probationers on average (-18%) since the historic highs in FY2019. While up slightly this year, the second figure on the next page shows that the population has stabilized at this low level, around 2,000 below the 5-year average between 2015-19.

Section B Community Supervision - Declining Numbers, Shift in Risk Profile, Need to Refocus Practices

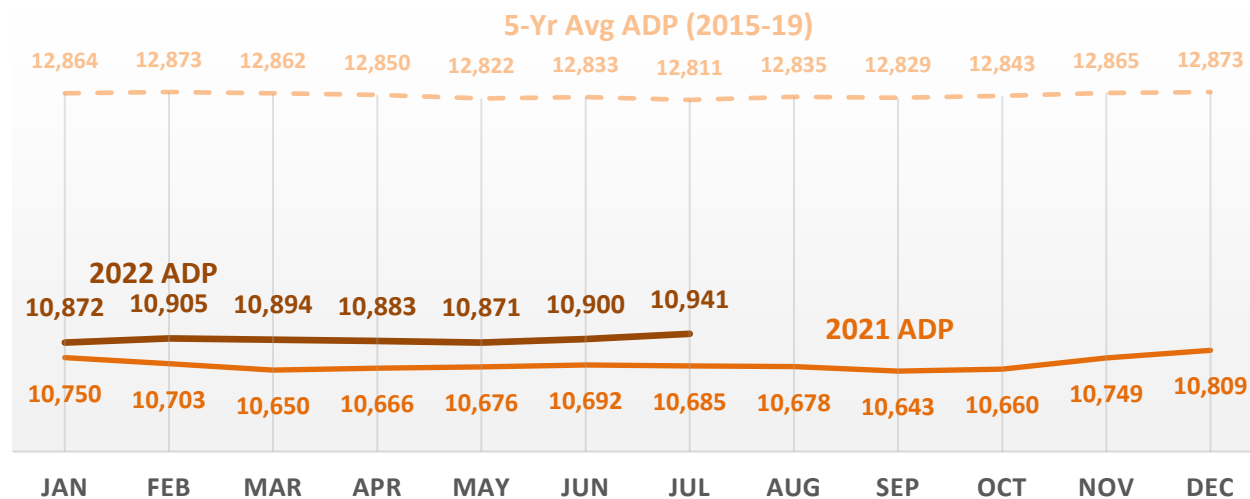


After several years of decline, the probation population, including both felony and Class A probationers, remained stable in FY2022 at historically low levels.

Probation Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2022)



Recent Trends in the Probation Population vs. Pre-Pandemic Averages

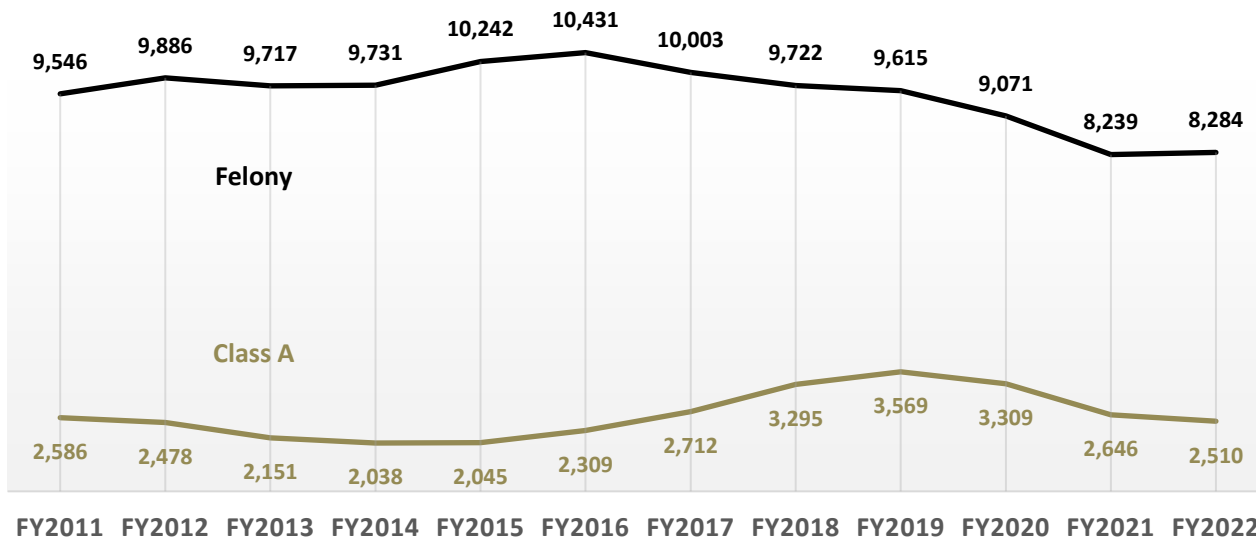


Source: Utah Department of Corrections, O-Track database; data pulled August 2022

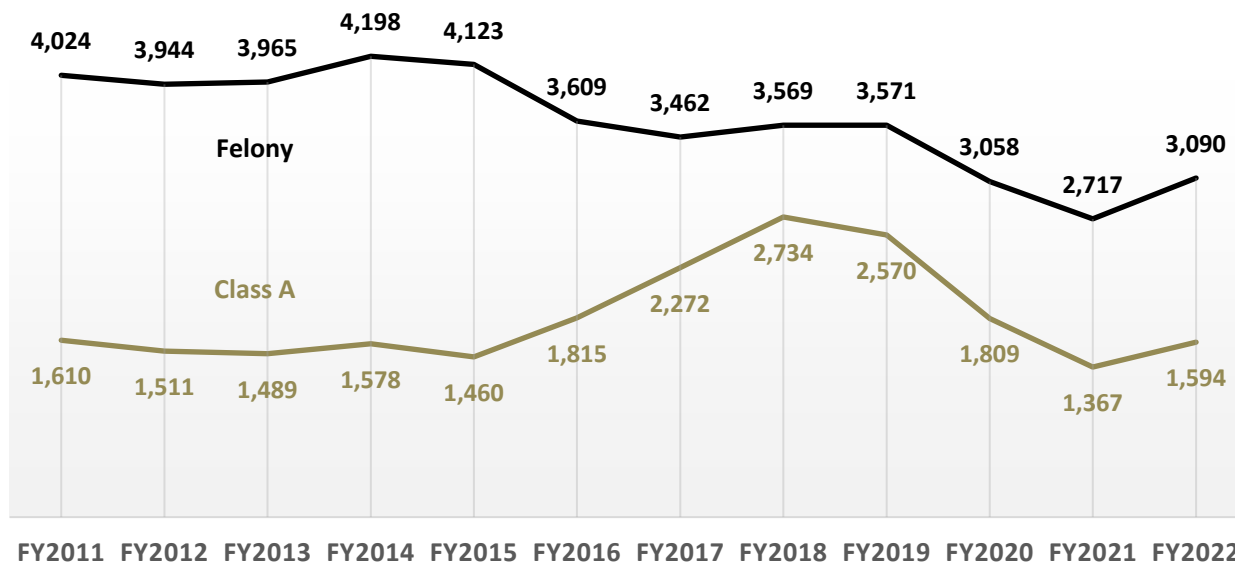


After several years of decline, the probation population, including both felony and Class A probationers, remained stable in FY2022 at historically low levels.

Felony vs. Class A Probation Average Daily Population (ADP) FY2011-22



Offenders Starting Probation on Felony vs. Class A Probation FY2011-22



The figures on the left show the average daily probation population by fiscal year broken down by those on felony probation and those on Class A probation (above), and number of offenders starting felony and Class A probation by fiscal year (bottom).

There has been a decreasing number of offenders on felony probation since the start of the reforms, though most of the growth that corresponded with the reforms was at the Class A level. FY2020 marked the first time since FY2014, however, that there was a decrease in the number of Class A probationers. Since FY2019, there has been a 29% (-1,059) decrease in the average annual Class A probation population. Likewise, since FY2016, there has been a 21% (-2,147) reduction in the average felony probation population, though for the first time since FY2016 this number remained stable from FY2021 to FY2022.

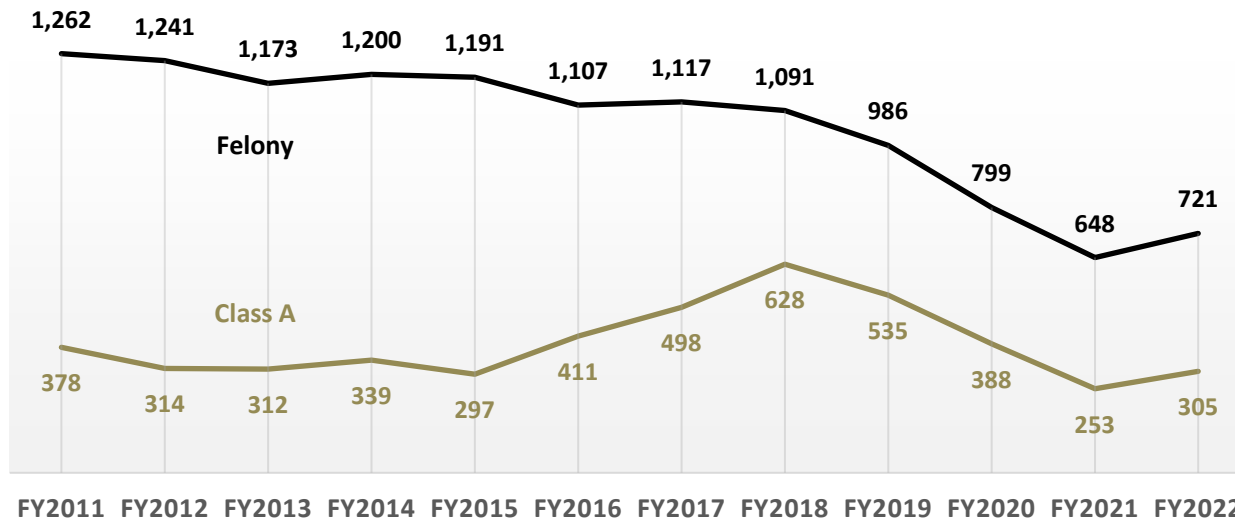
Over the first several years after reform, the gap between the number of offenders starting felony vs. Class A probation narrowed. Prior to reform, 28% of offenders starting probation did so at the Class A level on average; since reform, this has grown to 39%. Less offenders are starting probation in recent years, however, at both the felony and Class A levels, and this is helping to drive the overall population numbers above down (though there was a slight readjustment in FY2022 after pandemic-driven lows in FY2021). Since FY2015, the number of offenders starting felony probation is down 25% (-1,033), while the number of offenders starting Class A probation is down 42% (-1,140) since FY2018.

Source: Utah Department of Corrections, O-Track database; data pulled August 2022



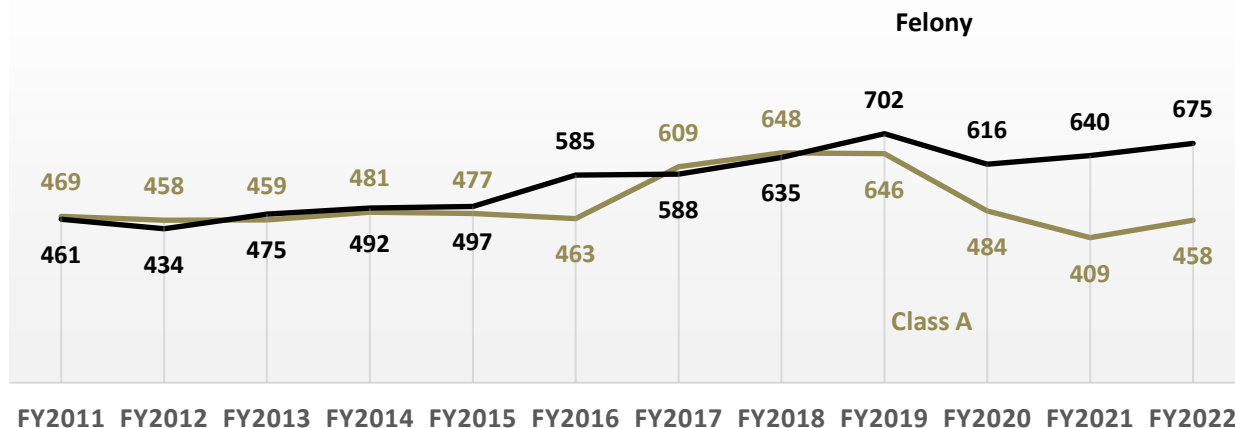
After several years of decline, the probation population, including both felony and Class A probationers, remained stable in FY2022 at historically low levels.

Property Offenders Starting Probation



Building on the figures from the previous page showing the decrease in offenders starting probation at both felony and Class A levels, the figures to the left show this same information for offenders with a primary property offense (above) and those with a primary person offense, such as assault, robbery, or domestic violence (below). Section C further shows the effect of the decrease of primary drug possession offenders on the probation population.

Person (e.g., Assaults) Offenders Starting Probation



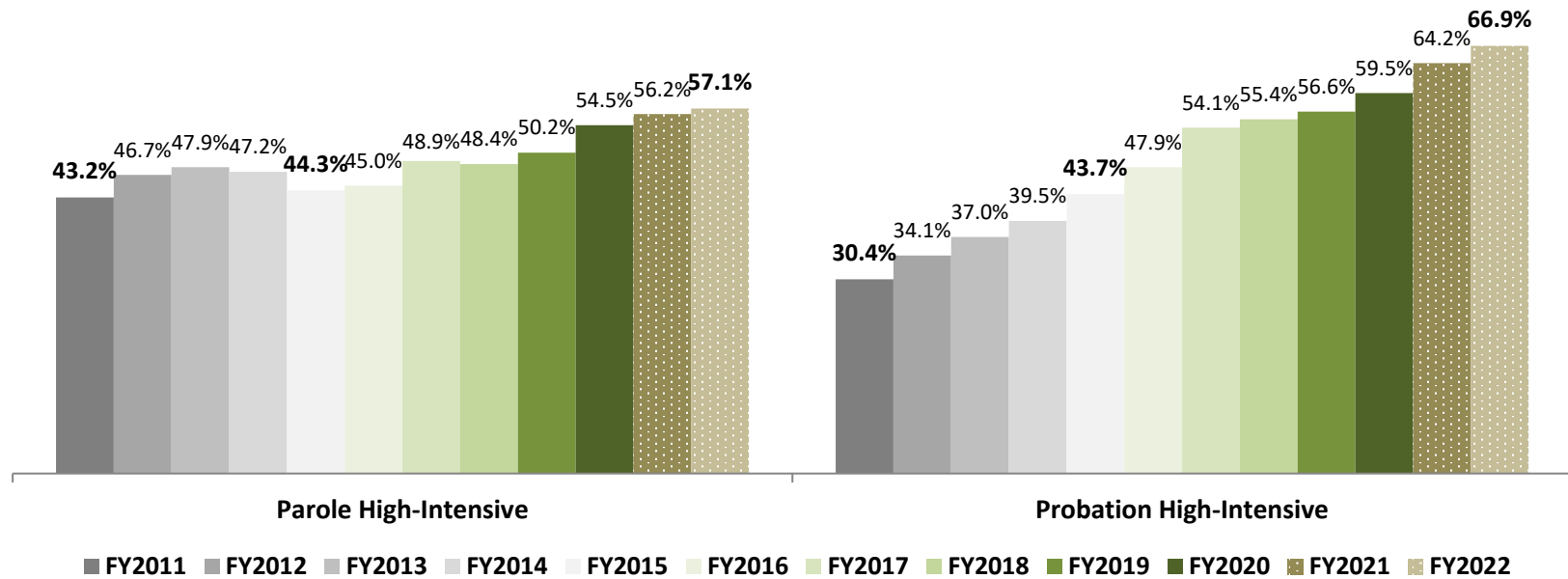
Even though the Department of Corrections and the Adult Probation and Parole division agreed to take on more Class A probationers as a result of the change in certain drug statutes that decreased initial drug possession charges from a felony to a Class A misdemeanor, it is clear that other offenders with Class A property, person, and other offenses were also brought on in the initial years after the reforms. For example, property offenders starting Class A probation more than doubled, increasing from 269 in FY2015 to 562 in FY2018 (despite decreases in overall property crime). But, like the overall numbers, the number of offenders with property or person crimes starting Class A probation has greatly reduced in the past several years. Property offenders starting felony probation have also decreased significantly (-34% since FY2018) as property crime in general has declined (see Section F), though the number of offenders with person crimes starting felony probation has stayed flat while the Class A numbers reduced. In most cases, there was a slight readjustment in FY2022 after pandemic-related lows in FY2021.

Source: Utah Department of Corrections, O-Track database; data pulled August 2022



More supervised offenders are on high and intensive supervision, putting a strain on otherwise stable caseloads and contributing to supervision failures affecting the prison and jails.

Proportion of Supervised Offenders Assessed as High-Intensive Risk, FY2011-22



Source: Utah Department of Corrections, O-Track database; data pulled August 2022

The figure above demonstrates how the risk profile of the supervision population in Utah has changed over time, with the proportion of parolees and probationers assessed as either high or intensive risk to recidivate (using the Level of Service Intensity (LS/RNR) risk assessment tool) increasing considerably over the past 12 years. This is particularly true of the probation population, which has risen to 67% high-intensive in FY2022, more than double the percentage in FY2011. But, as the probation population declines considerably in recent years, those that are left will tend to be higher in risk, as evidence-based practices recommend lower periods of supervision for low risk offenders on probation.

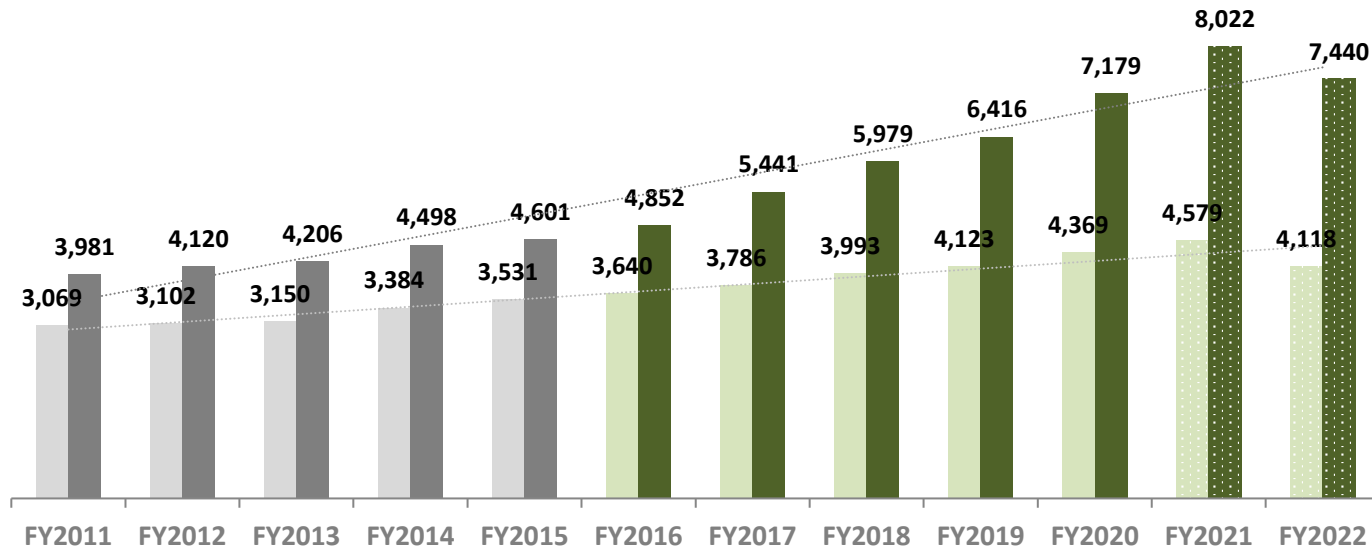
The situation on parole is somewhat different, as these offenders are released directly from prison to parole, and the risk profile is a little more constrained (for example, many first-time violent offenders sentenced to prison may be a lower risk to recidivate upon release than a drug offender on probation, but such offenders are still required to serve a period on parole). Despite these constraints, the percentage of parolees that are high-intensive risk has risen to 57% in FY2022 from 44% in FY2015.

As the next pages show in more detail, this higher risk profile puts increased pressure on supervision caseloads, even if the average number of offenders supervised remains the same or decreases, as high risk and intensive supervision require more agent time and resources. Due to the nature of their assessed risk, these offenders are also more likely to violate the terms of their supervision and be sent to prison or jail.



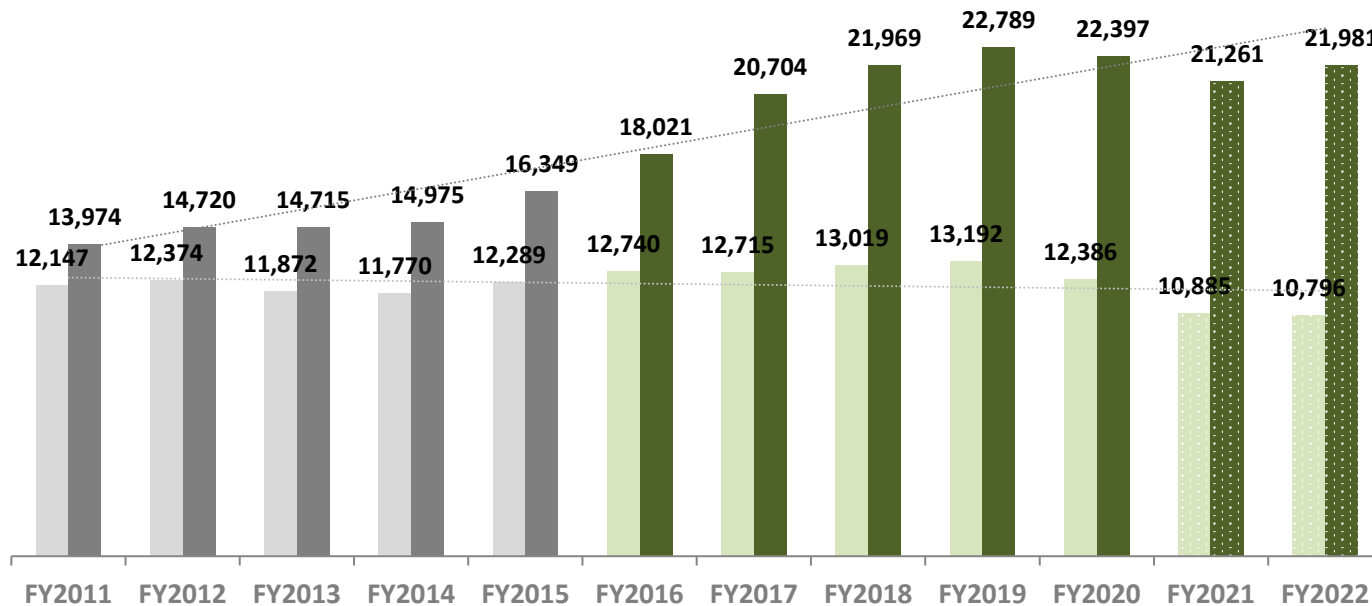
More supervised offenders are on high and intensive supervision, putting a strain on otherwise stable caseloads and contributing to supervision failures affecting the prison and jails.

Parole ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2011-22



The figures on the left apply a risk-adjusted weighting* to the parole (above) and probation (below) populations over time to create a **risk-adjusted population intensity metric**. This shows the effect that the increase in intensive risk parolees in particular has had on a population that was already growing at a steady rate until FY2022. For probation, it shows that even as the overall population numbers are decreasing, the adjusted population intensity remains fairly high due to the high percentage of high and intensive risk probationers.

Probation ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2011-22



On the next two pages, this population intensity metric, along with non-adjusted ADP, are used to show prison admission rates (as well as jail sentence rates for probationers), both regular and controlled for risk in the supervision populations.

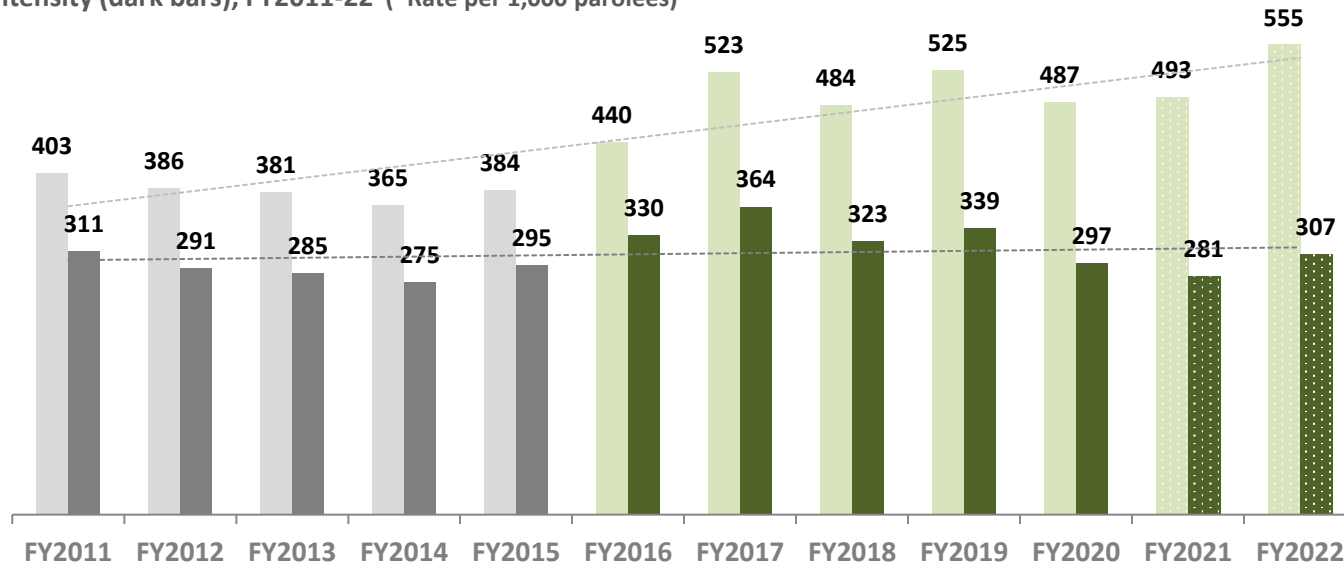
Source: Utah Department of Corrections, O-Track database; data pulled August 2022

*Weights applied to risk category breakdowns of ADP (low = .5; moderate = 1; high = 2; intensive = 4)



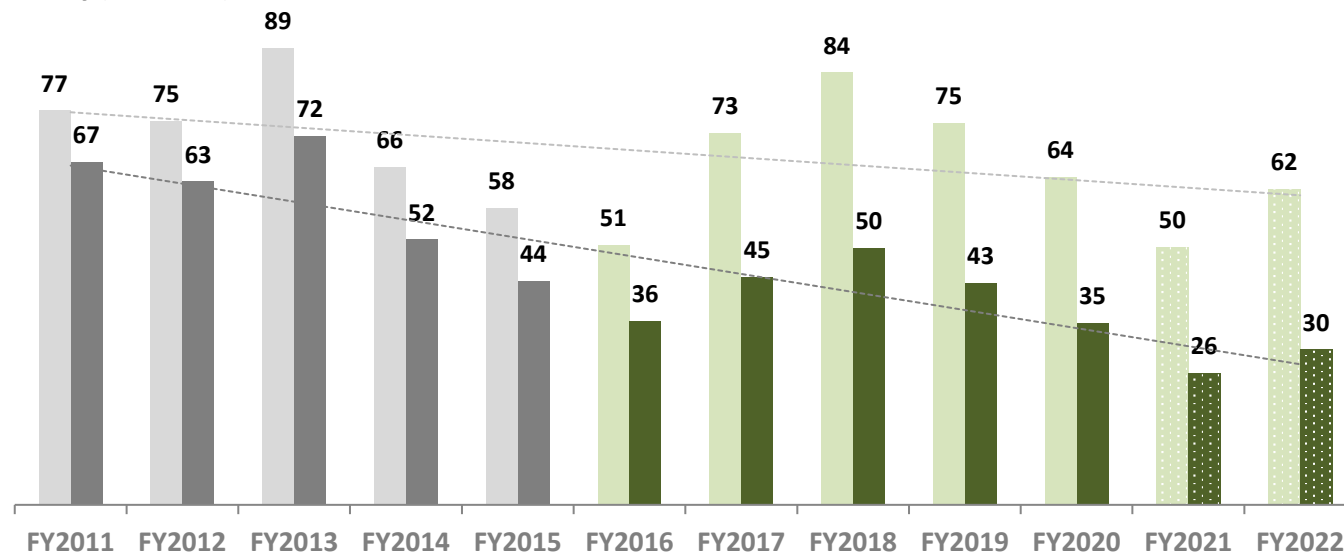
Prison admission rates from parole have generally been increasing over the years, though accounting for the shifting risk profile of both parole and probation populations helps explain much of the increases that have been seen.

Prison Admission Rates* from Parole by ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2011-22 (*Rate per 1,000 parolees)



The first figure on the left shows prison admission rates from parole using this **risk-adjusted population intensity** metric compared to the normal ADP (per 1,000 population for both). Controlling for risk greatly flattens the rates of prison admission over time, demonstrating how important of a factor it is.

Prison Admission Rates* from Probation by ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2011-22 (*Rate per 1,000 probationers)



The second figure on the left (below) shows prison admission rates from probation using the same two metrics. Once again, controlling for risk greatly reduces the already low and declining rates coming to prison from probation.

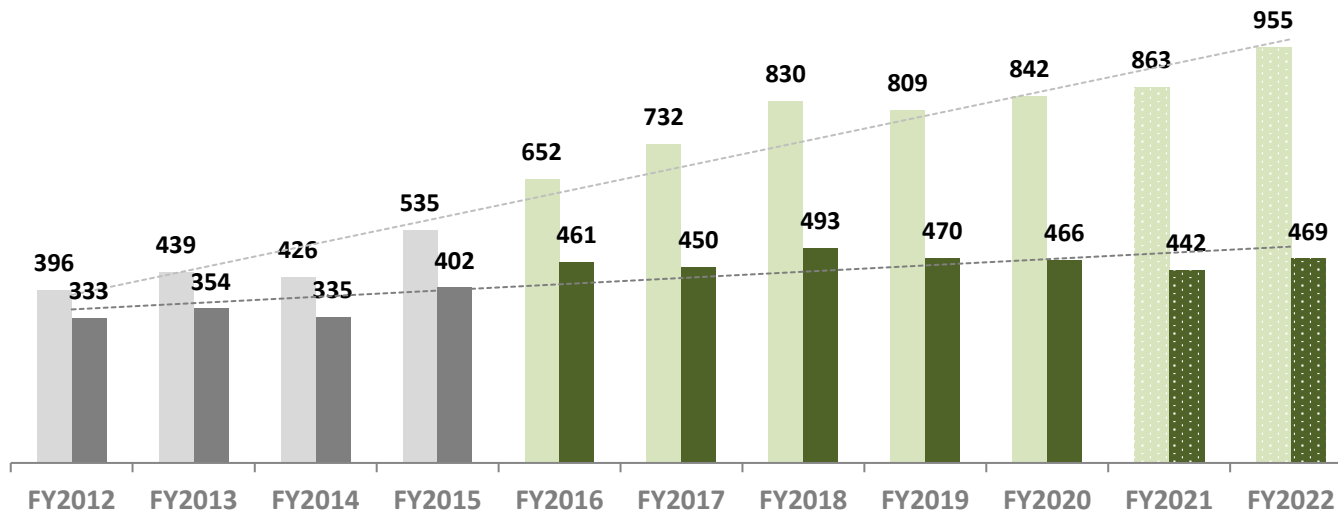
Both of these figures, particularly the parole one above, show why it is important to look at rates when evaluating these metrics. Prison admissions from parole have been increasing over the years, but so has the parole population. Creating rates based on the ADP still shows an increase, but not as large as the raw parole admission numbers shown in Section A. Likewise, controlling for the risk profile of the population almost completely accounts for the increases seen. Probation has an even larger population overall, and much fewer are sent to prison relative to the population (jail is more likely - see the next page and Section E).

Source: Utah Department of Corrections, O-Track database;



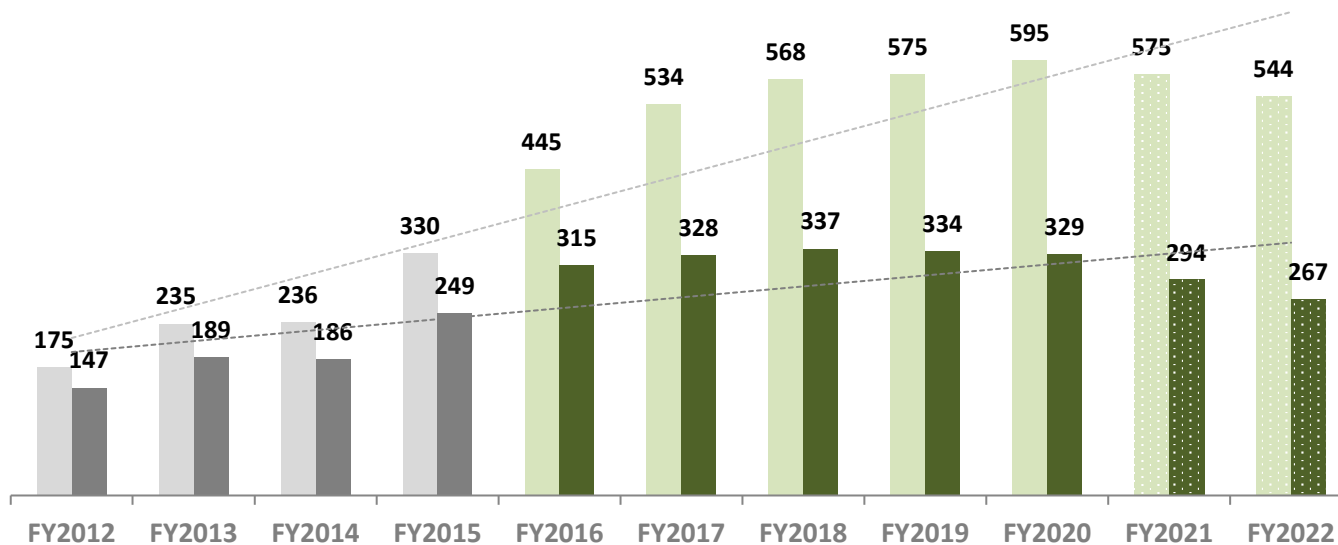
The same is true when looking at probation-specific outcomes like orders to show cause (OSC) hearings for probation violations and associated jail sentences (see Section E for more on OSC hearings and the jails).

AP&P Probation OSC Hearing Rates* from Probation by ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2012-22 (*Rate per 1,000 probationers)



The figures to the left show the same information as above, but restricted to hearings (orders to show cause) and jail sentences for probation violations and revocations (please see Section E for a larger discussion of these OSC hearings and jail impacts).

AP&P Probation OSC Jail Sentence Rates* from Probation by ADP (light bars) vs. Risk-Adjusted Population Intensity (dark bars), FY2012-22 (*Rate per 1,000 probationers)



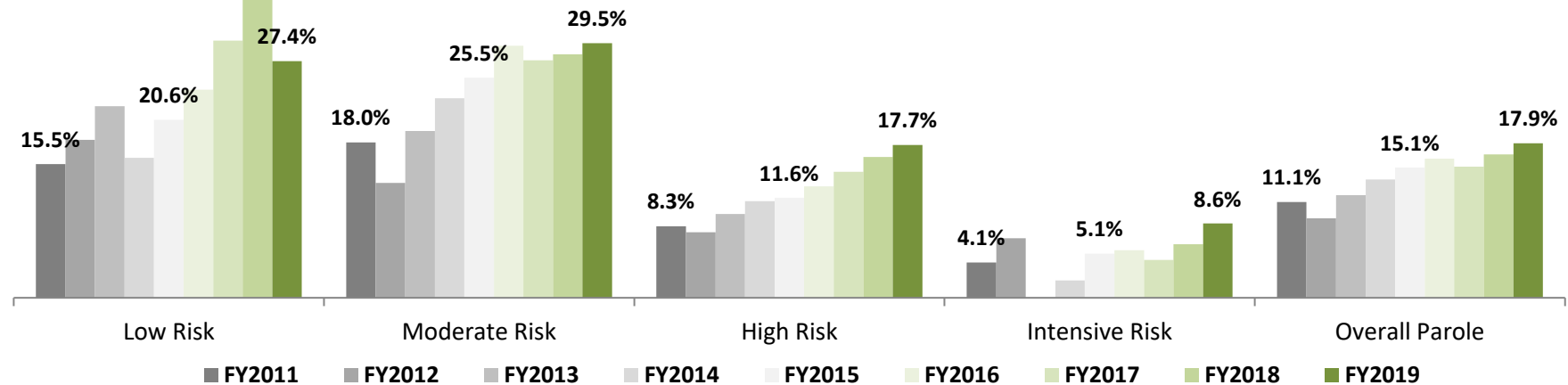
The hearing rates (above) can be considered a proxy for general higher-level action on probation violations, while the jail sentences (below) are similar for probation to the prison admission rates on the previous page are for parolees. As mentioned above, the OSC hearings and resulting jail sentences are a much more prevalent consequence for probationers than prison. Based solely on ADP without considering the risk profile of the population, both of these metrics have been increasing, though jail sentence rates have leveled off for four years now. When the risk-adjusted population intensity is incorporated, the rates once again flatten considerably.

Source (probation ADP/risk-adjustment): Utah Department of Corrections, O-Track database; data pulled August 2022
 Source (OSC hearings and jail sentences): Utah Administrative Office of the Courts, CORIS database; data pulled October 2022 (Note: Hearings where defendant present, cases that showed with AP&P probation on that hearing date)

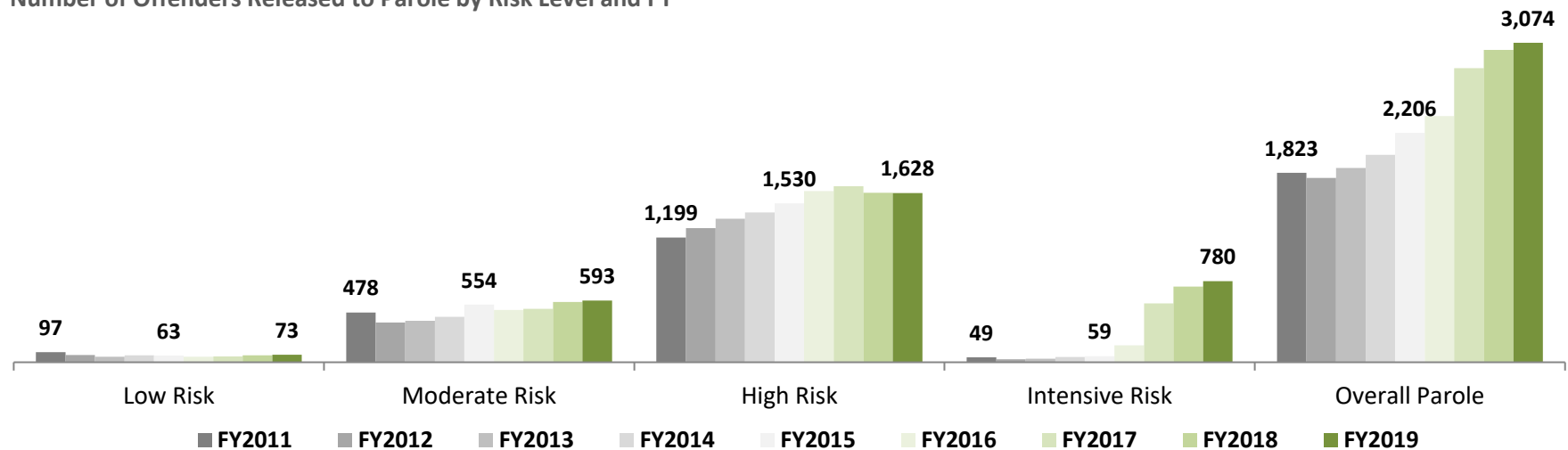


Despite the increased risk profile and elevated prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years.

Parolees with Successful Termination within 2 Years by Risk Level and FY of Release from Prison/Parole Start



Number of Offenders Released to Parole by Risk Level and FY

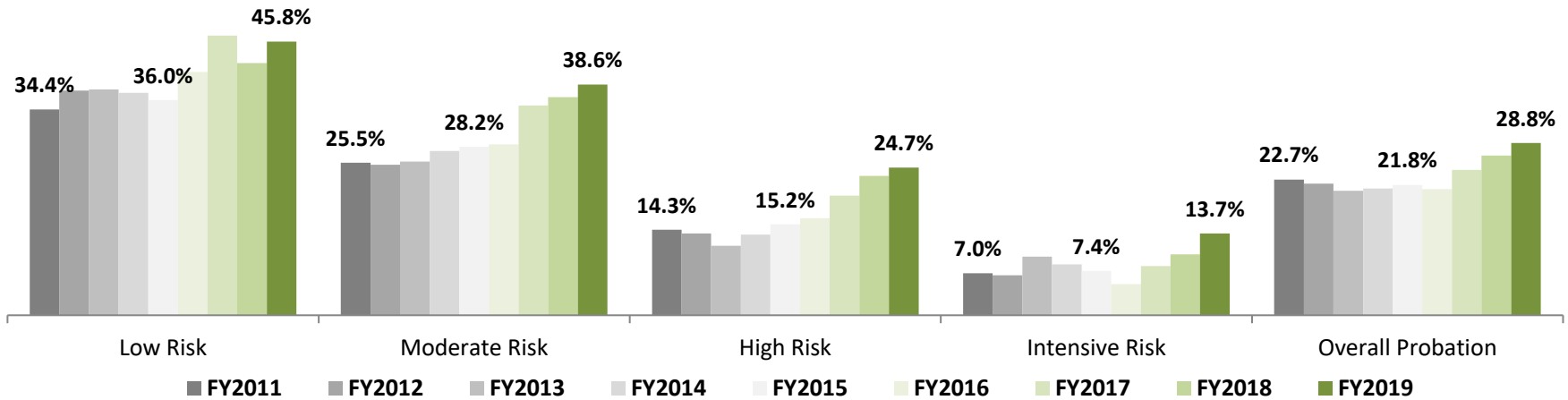


This analysis, portrayed in the figures on this page and the next, looked at whether offenders on parole and probation achieved successful discharge from supervision (defined as "Discharged/Successful" and "Expiration of Sentence" exit codes) within two years of supervision start. This is a high bar to set for success, which is why the percentages are quite low, but successful discharge earlier than the offender's guideline (normally 36 months) is a goal of AP&P. The figures above show the outcomes for parole starts by year and risk (top), along with the number in each annual cohort. This shows considerable improvement, even for the highest risk offenders.

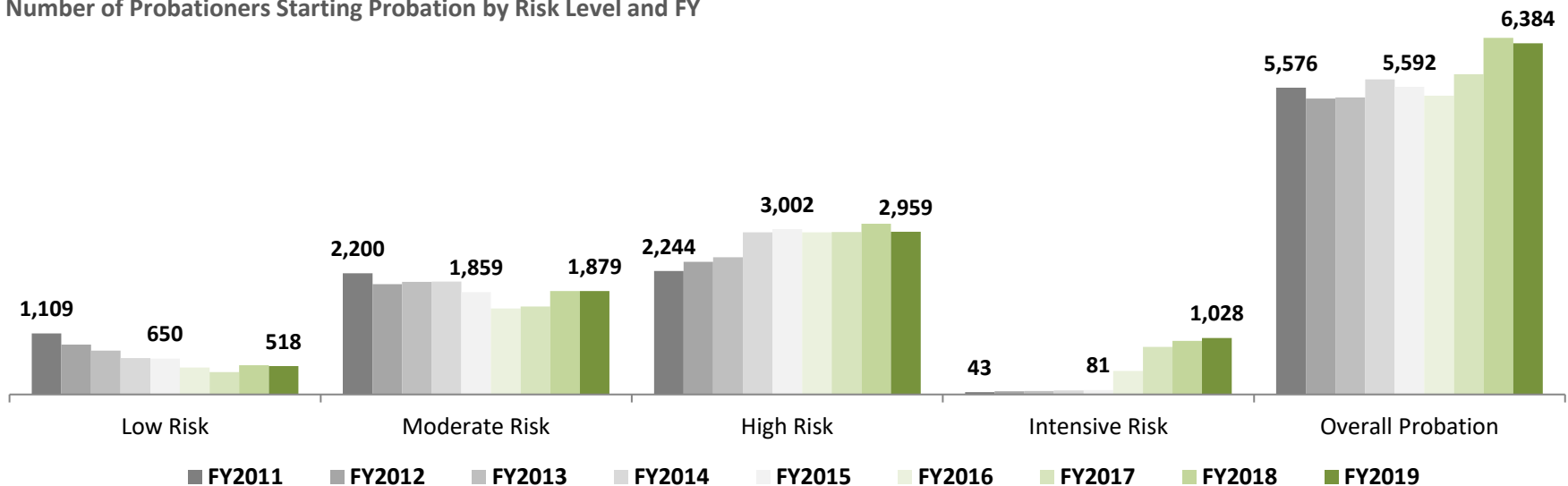


Despite the increased risk profile and elevated prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years.

Probationers with Successful Termination within 2 Years by Risk Level and FY of Probation Start



Number of Probationers Starting Probation by Risk Level and FY



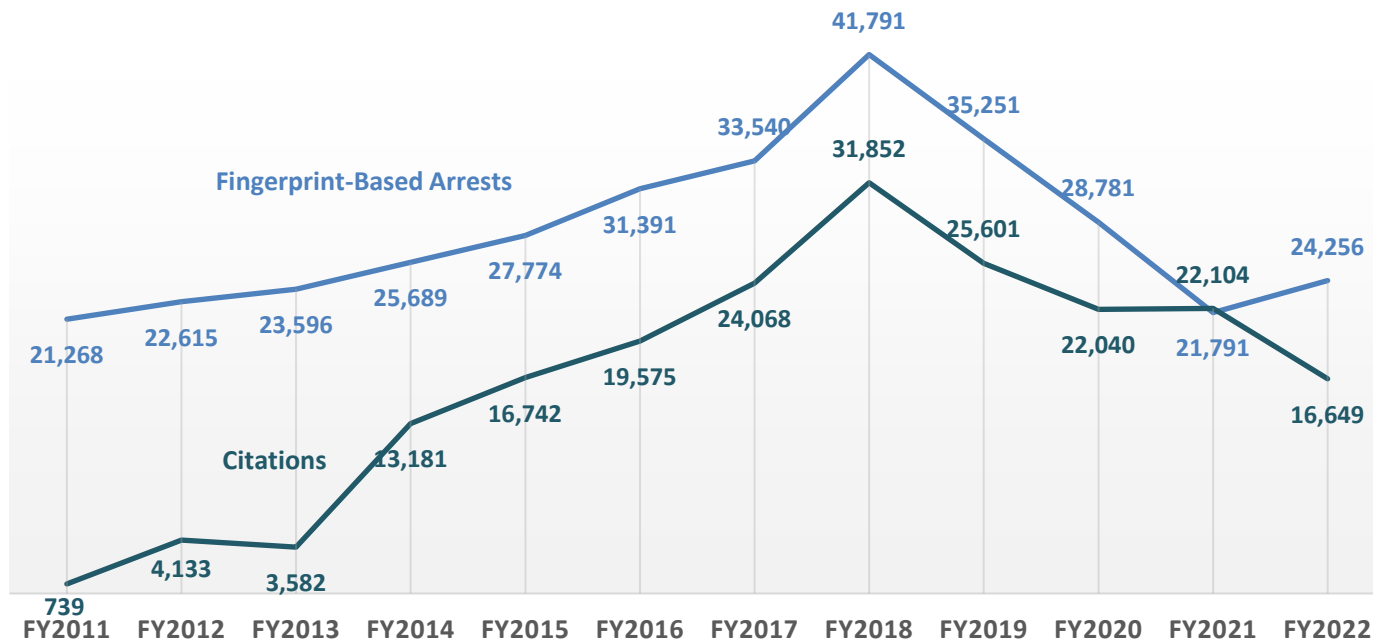
The figures above show the same analysis for the probation cohorts starting supervision from FY2011-19. As with the parole cohorts above, there has been a clear increase in achievement of successful early discharge, even for the highest risk groups.

*Note: For both analyses above and on the previous page, offenders starting supervision in FY2020-22 did not have the full two year follow-up period necessary.



Drug arrests and citations had been on the rise for more than 8 years and peaked in FY2018, but both have been nearly halved in the past four years.

Fingerprint-Based Arrests and Citations for Drug Offenses, FY2011-22



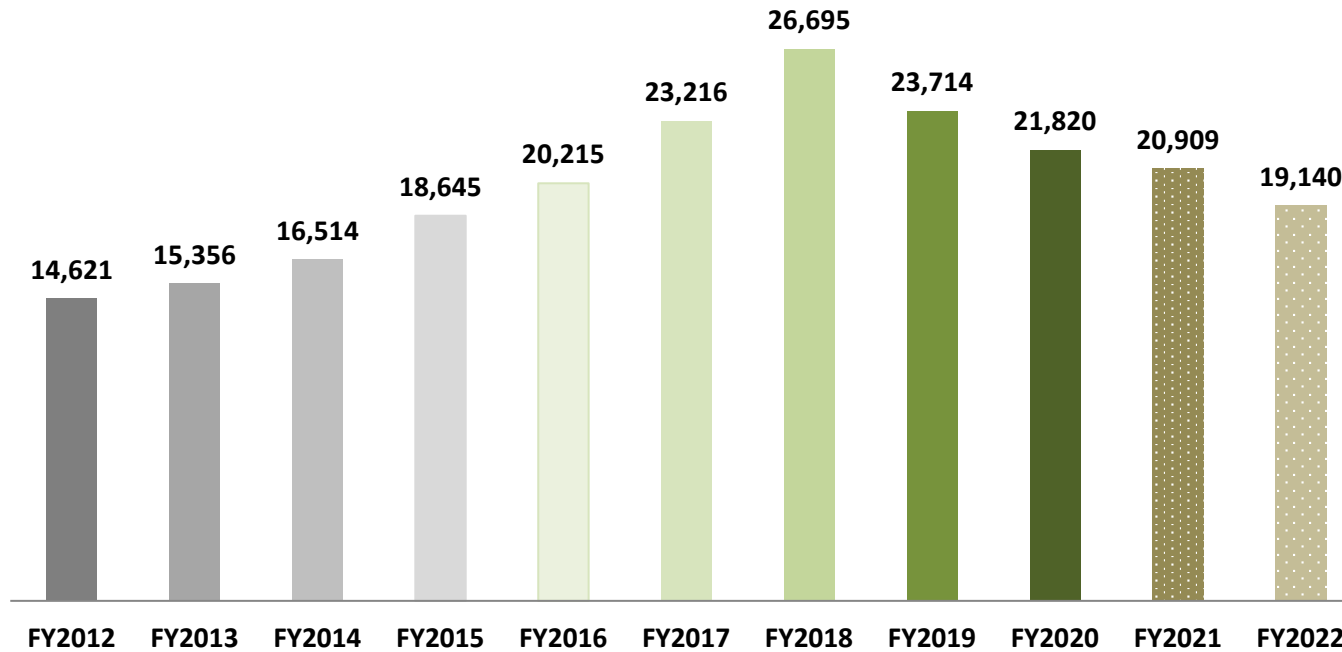
Source: Utah Department of Public Safety, Bureau of Criminal Identification

The figure above shows the trends in both fingerprint-based arresting incidents and citations for drug-related offenses. Both indicators had been increasing for years up to FY2018, but arrests decreased for three straight years before increasing slightly in FY2022, and citations decreased for two years before leveling off in FY2021 and then showing another sharp decline in FY2022. Since FY2018, arrests for drug offenses have dropped 42% and drug citations have dropped 48%.



Court case filings with drug possession only charges have now seen four consecutive years of decline.

Cases Filed with Drug Possession Charges by FY



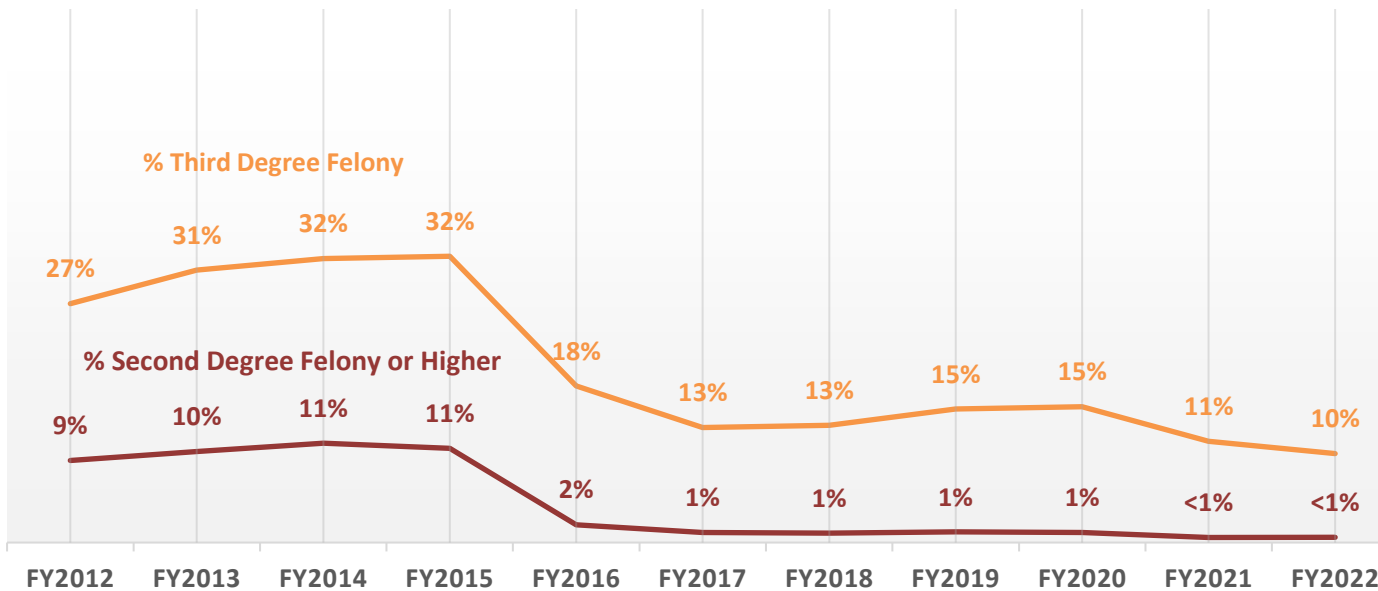
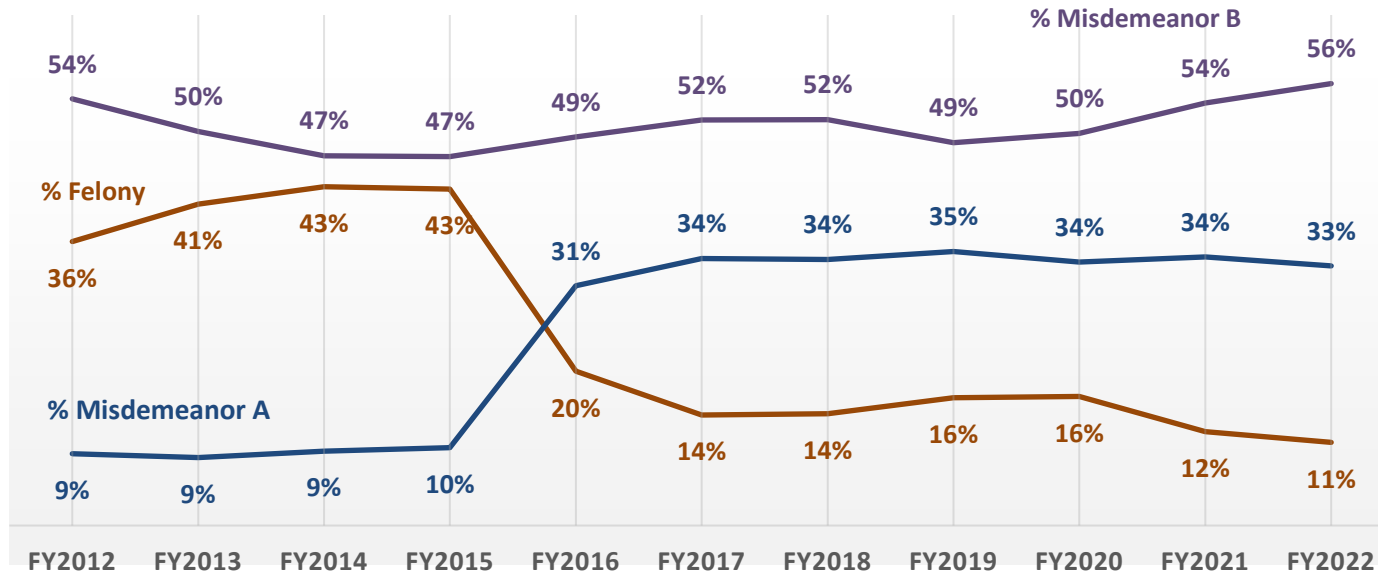
Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

The figure above and those on the next three pages show the number of cases filed in the Courts with any charges for drug possession only from FY2012-22 (above), the distribution of the severity level of the highest drug possession charge within these cases in the time period before the reforms compared to after (C3), and trends in other types of drug cases compared to drug possession (C4). Drug possession cases in the Courts were on an upward trajectory through FY2018 before receding significantly the past four years. Additionally, with the drug possession statute change that was implemented as part of the reform package, there was a clear shift (see page C3) in drug possession cases from felony charges (41% before to 15% after on average) to Class A misdemeanors (9% before to 33% after). Around half (56% in FY2022) of drug possession cases remain at the lower-level Class B misdemeanor level. There are also far fewer drug possession cases enhanced to second degree felonies. The figures on C4 show the trends in all cases involving drug charges by the highest drug charge within that case (i.e., most serious is distribution, followed by possession with intent, possession only, and paraphernalia). Most of these follow similar trends to drug possession and overall drug, with the exception of drug distribution, which did not peak and is now close to half the level of filings compared to FY2012. The figures on C5 isolate the trends in the Justice Courts for the most prevalent cases at the Class B misdemeanor level, which include drug possession and drug paraphernalia charges.



While there has been an expected shift from felony to Class A misdemeanor filings since the reforms, the greatest number of drug possession case filings continue to be consistently at the Class B misdemeanor level

Change in Distribution of Severity Level* of Drug Possession Cases Filed

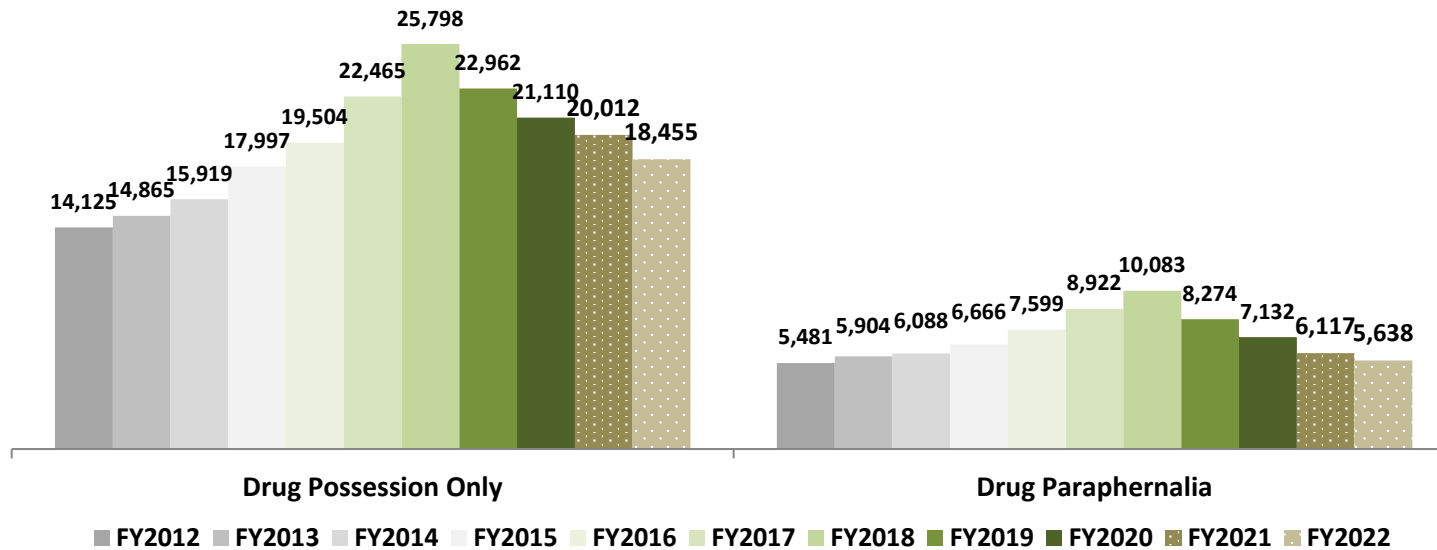


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

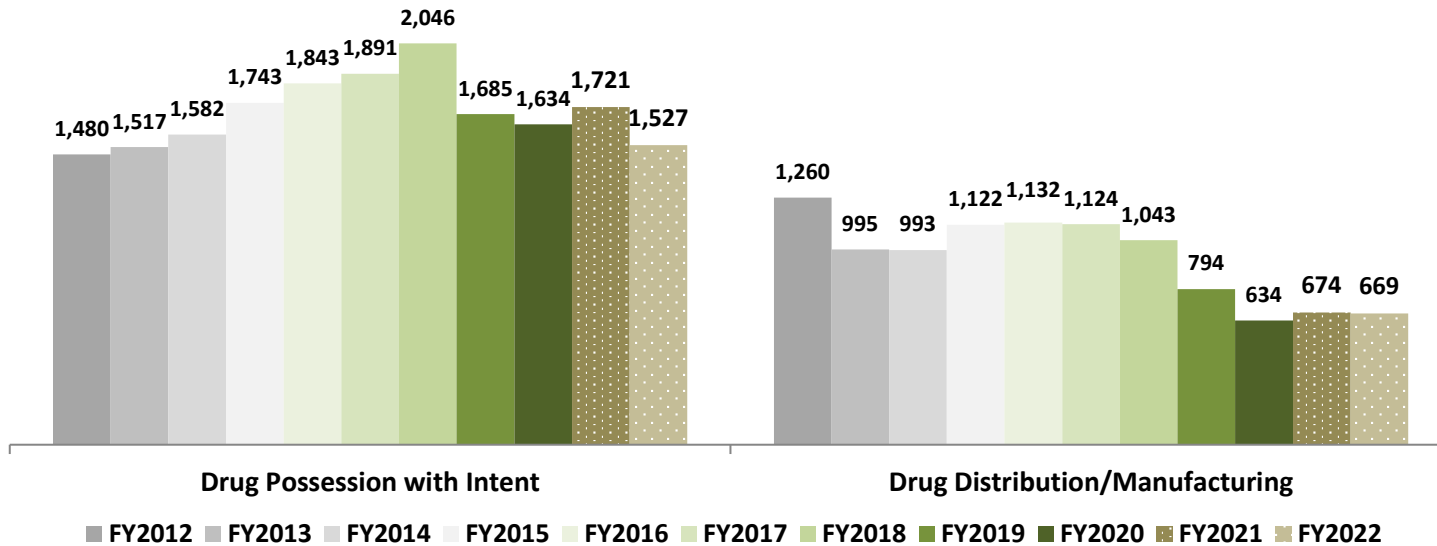


Drug possession with intent and drug distribution/manufacturing charges both remain at their lowest levels in years.

Cases Filed with Possession Only or Paraphernalia as Highest Drug Charge, FY2012-22



Cases Filed with Possession with Intent or Distribution/Manufacturing as Highest Drug Charge, FY2012-22

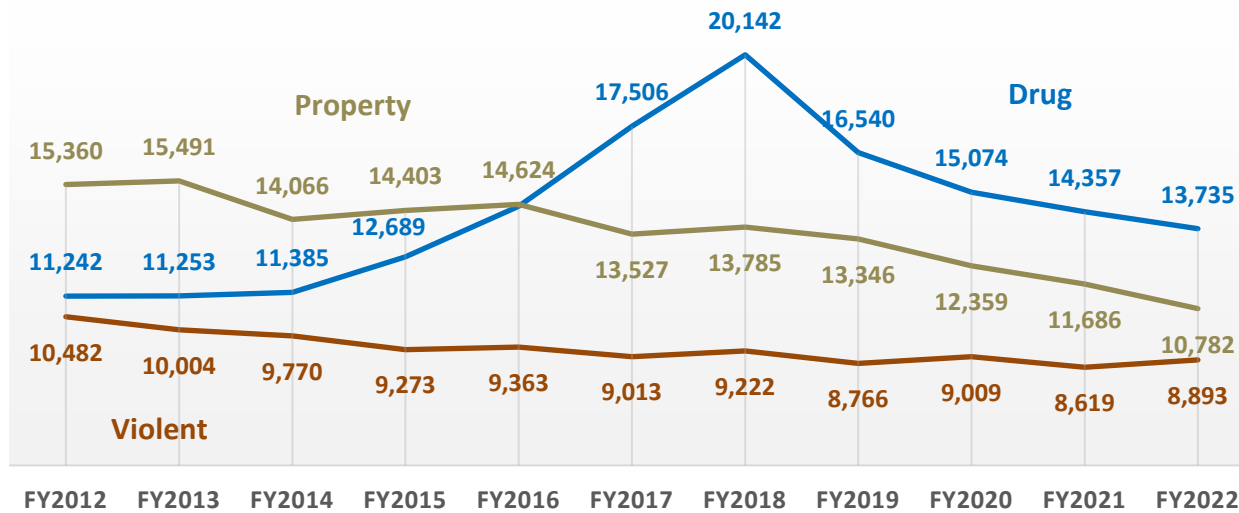


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

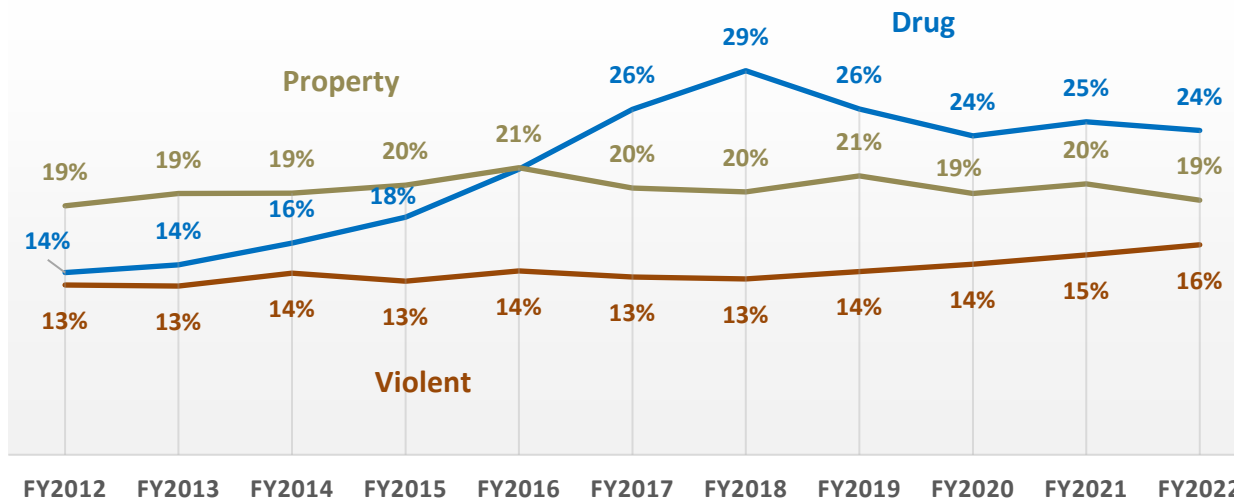


Justice Courts, which bore the brunt of the increase in drug cases through FY2018, have seen a 32% reduction in drug cases over the four years that followed through FY2022.

Justice Court Cases with Drug, Property, or Violent Charges, FY2012-22



Justice Court Drug, Property, and Violent Cases as Percentage of All Nontraffic Cases, FY2012-22

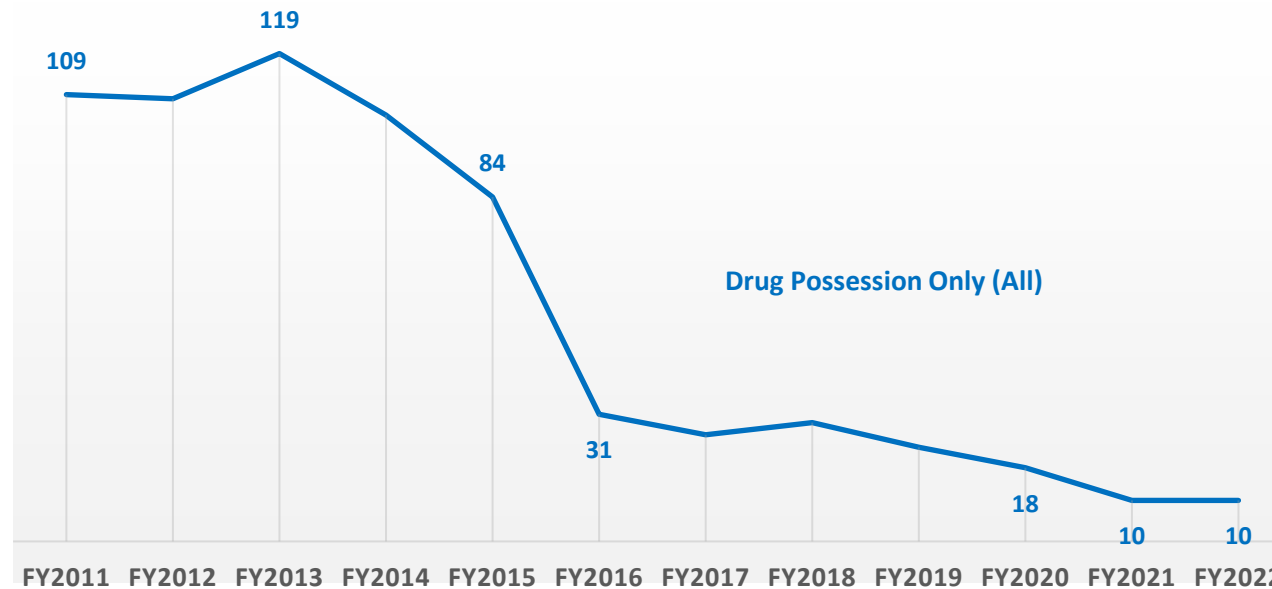


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls



The Department of Corrections continues to see substantially fewer felony drug possession offenders, and prison admissions for these offenders are at historic lows.

Direct Prison Sentences from Court on Drug Possession Only Offenses



Source: Utah Department of Corrections, O-Track database; data pulled August 2021

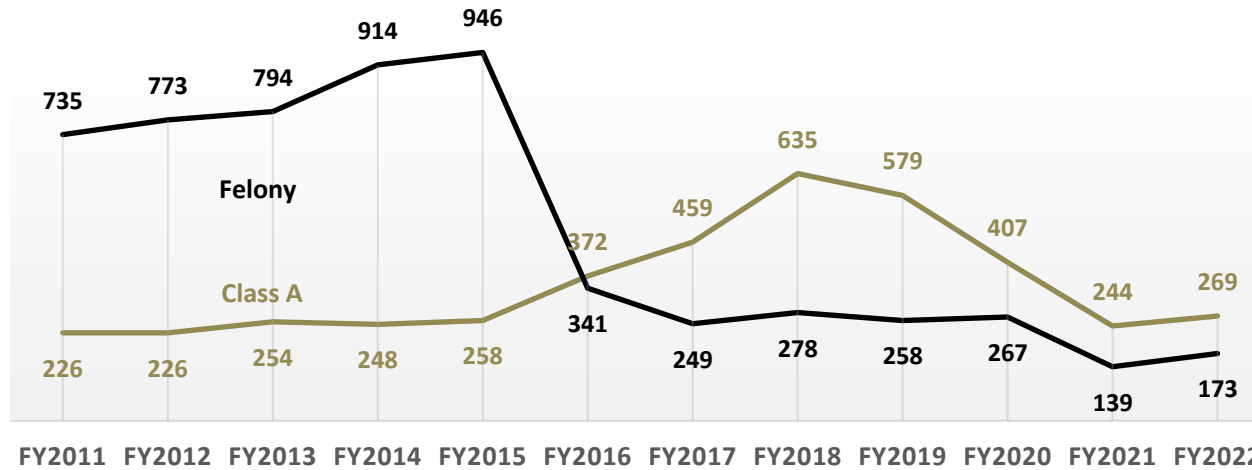
The Department of Corrections is now also seeing far fewer drug possession only offenders at the felony level, with only 10 offenders directly sentenced to prison from the Courts on drug possession only primary charges in both FY2021 and FY2022, down from 84 in FY2015 and consistently over 100 prior to that. Additionally, drug possession offenders starting felony probation dropped from a high of 946 in FY2015 to only 139 in FY2021, before rebounding slightly to 173 in FY2022 - still down 82% from the high (next page).

As felony probation numbers fell for drug possession only offenders, there was a corresponding increase in Class A probation (next page). Before the reforms, 22% of drug possession only offenders started on Class A probation, and this jumped to 65% in the years after. With the drug statute change for drug possession offenses, the Department of Corrections agreed to take on this burden of more Class A probationers, but it was not restricted to only drug possession offenders, and the overall Class A probation population rose from not just drug offenders, but also property and violent Class A offenders, before dropping off considerably the past few years (see next page, and also Section B).

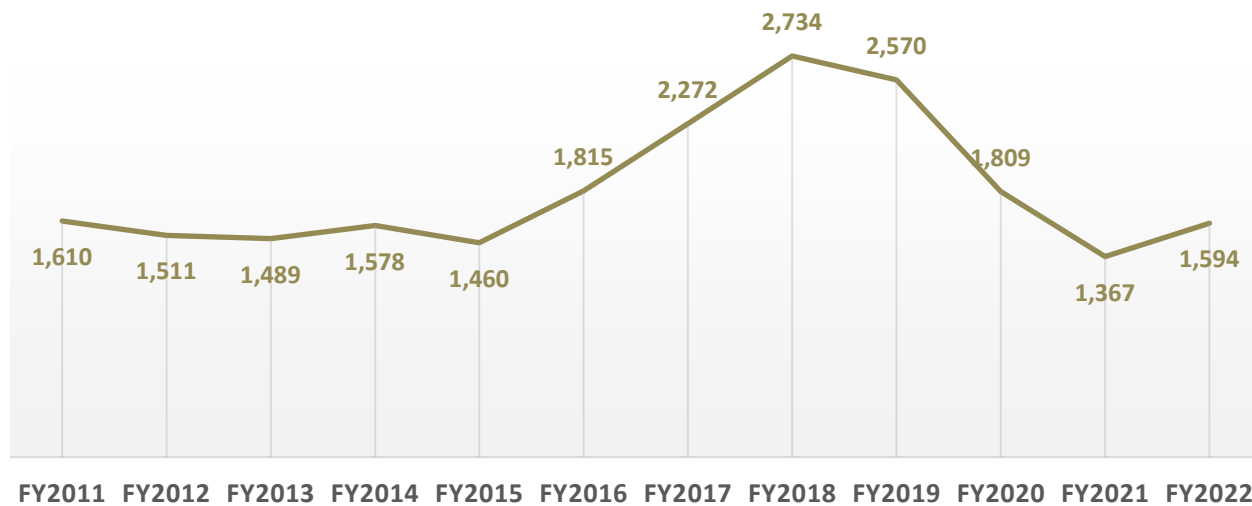


The decrease in drug possession arrests and Court cases is also influencing the overall number of Class A probationers the Department of Corrections is supervising, with a marked decline in recent years after previously being at record highs in the initial years following the reforms.

Drug Possession Only Offenders Starting Probation FY2011-22



Overall Offenders Starting Class A Probation FY2011-22

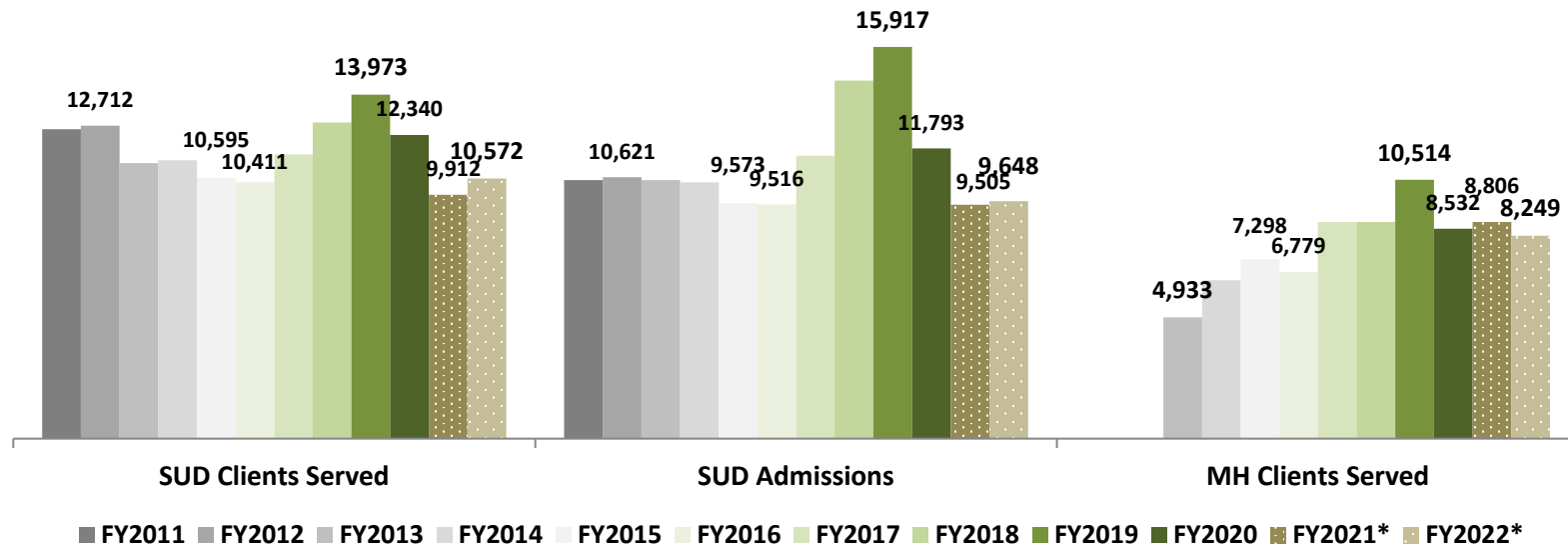


Source: Utah Department of Corrections, O-Track database; data pulled August 2022



After reaching highs in FY2019 followed by sharp declines in FY2020-21, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources remained low in FY2022.

Justice Involved Substance Use Disorder and Mental Health Clients Served Statewide, FY2011-22



Source: Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH)

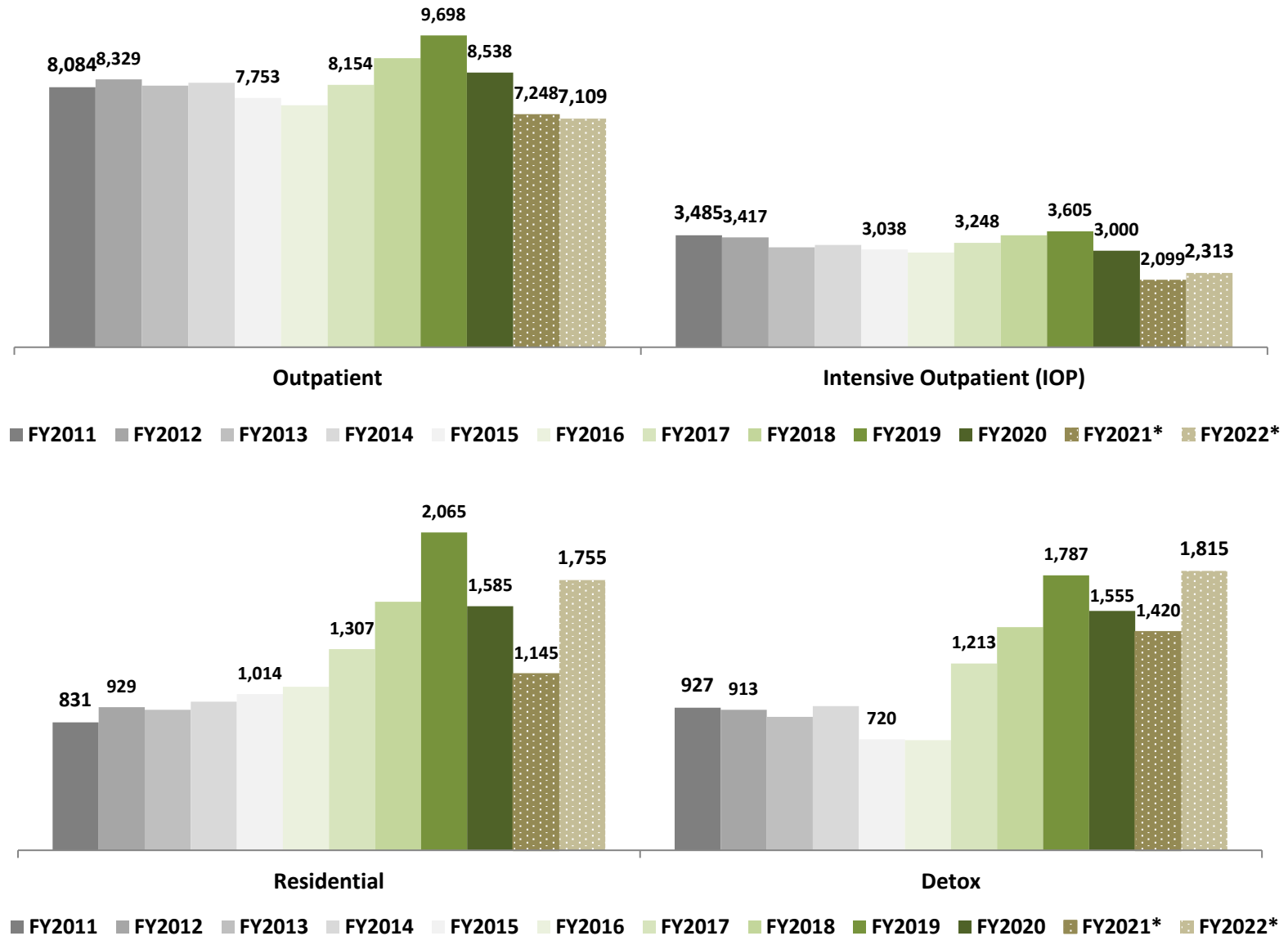
It is clear in the figures above that increased funding into the treatment system expanded capacity for both substance use disorder and mental health treatment, as both types of treatment reached highs in clients served in FY2019. There has been, however, a significant fall off in FY2020-22 that was in part related to the pandemic, but also a decreasing trend in drug crime (see Section C). The next page (D2) provides a breakdown of the SUD clients served by the level of treatment they received. Most of the treatment capacity added through FY2019 has been at the outpatient and residential levels, in addition to detox beds (it should be noted that the only significant accumulation of detox beds is in Salt Lake, Utah, and Davis counties, with only a handful across the rest of the state - see Section E (E10) for more). Outpatient and IOP remained low in FY2022, while residential and detox estimates rebounded. The following page (D3) shows both SUD and mental health treatment trends for justice involved individuals in the context of overall clients served for each across the state. While justice involved individuals account for roughly 80% of all clients served for SUD treatment historically (though down to 68% in FY2022), they only make up closer to 20% of all mental health treatment clients.

Note: "Justice Involved" includes DORA, arrests, Compelled to treatment, probation & parole, justice referrals and Drug Court; Clients served in each system are unduplicated counts. *In 2021, OSUMH further restricted their definition to only justice referrals. FY2021 and FY2022 numbers above and on the next two pages attempt to provide an estimate based on previous definitions for comparison.



After reaching highs in FY2019 followed by sharp declines in FY2020-21, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources remained low in FY2022.

Justice Involved SUD Clients Served Statewide by Level of Service, FY2011-22

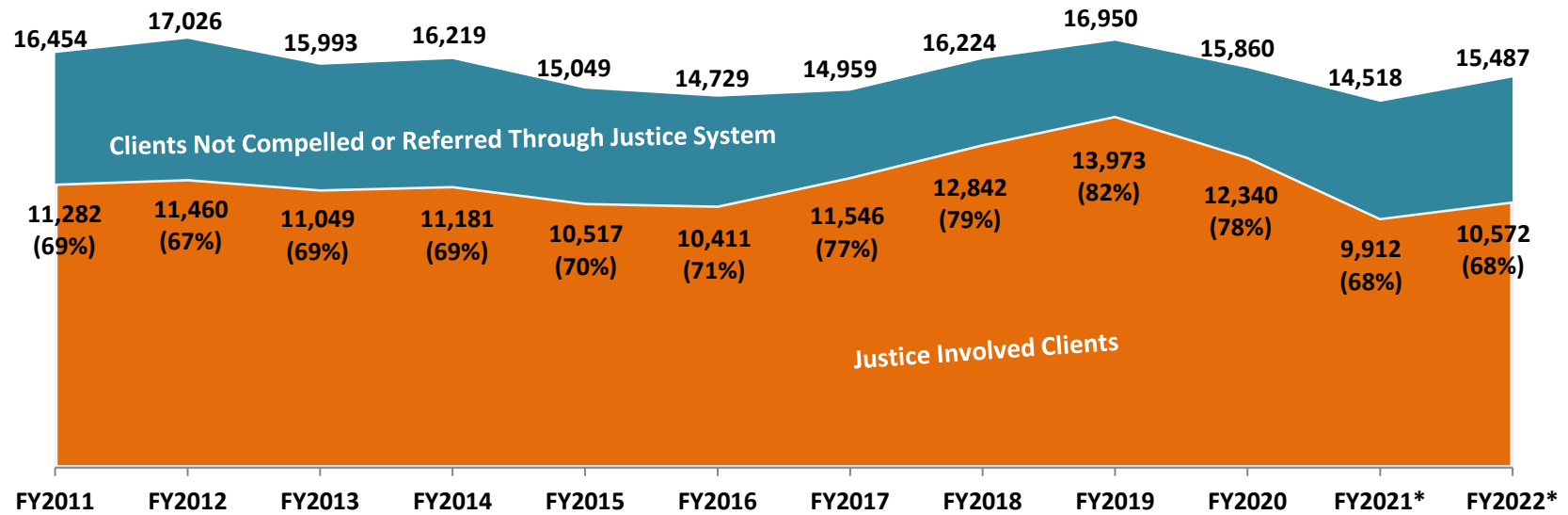


Source: Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH)



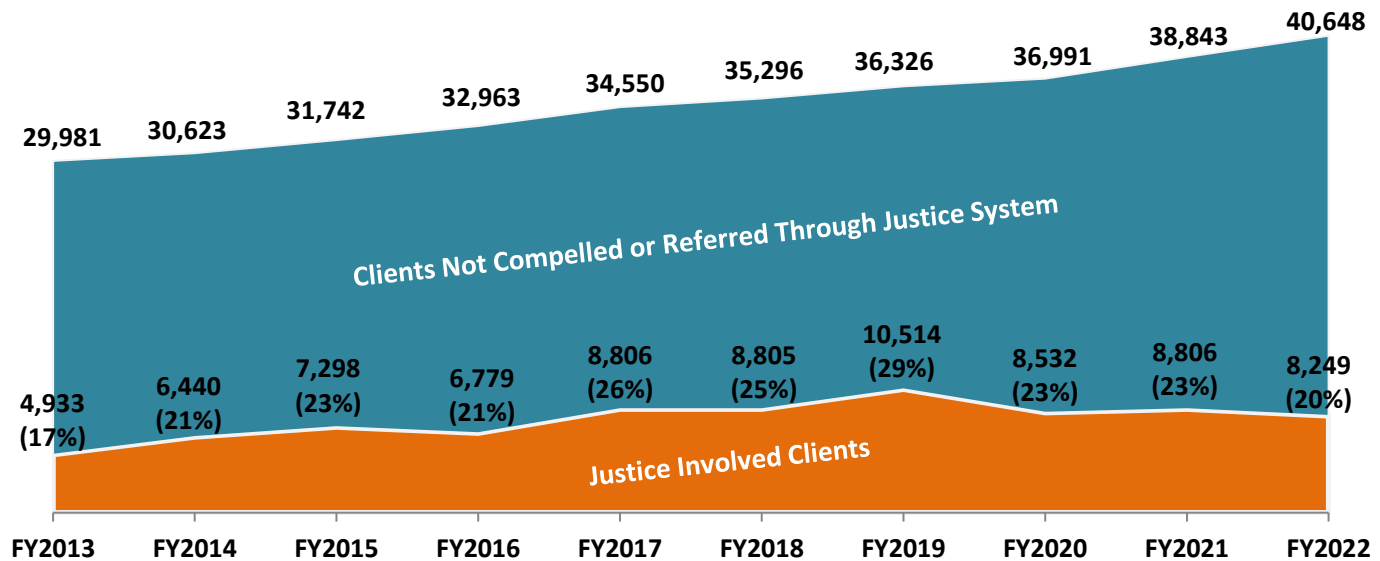
After reaching highs in FY2019 followed by sharp declines in FY2020-21, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources remained low in FY2022.

Substance Use Disorder Clients Served Statewide FY2011-22



Source: Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH)

Mental Health Clients Served Statewide FY2013-22

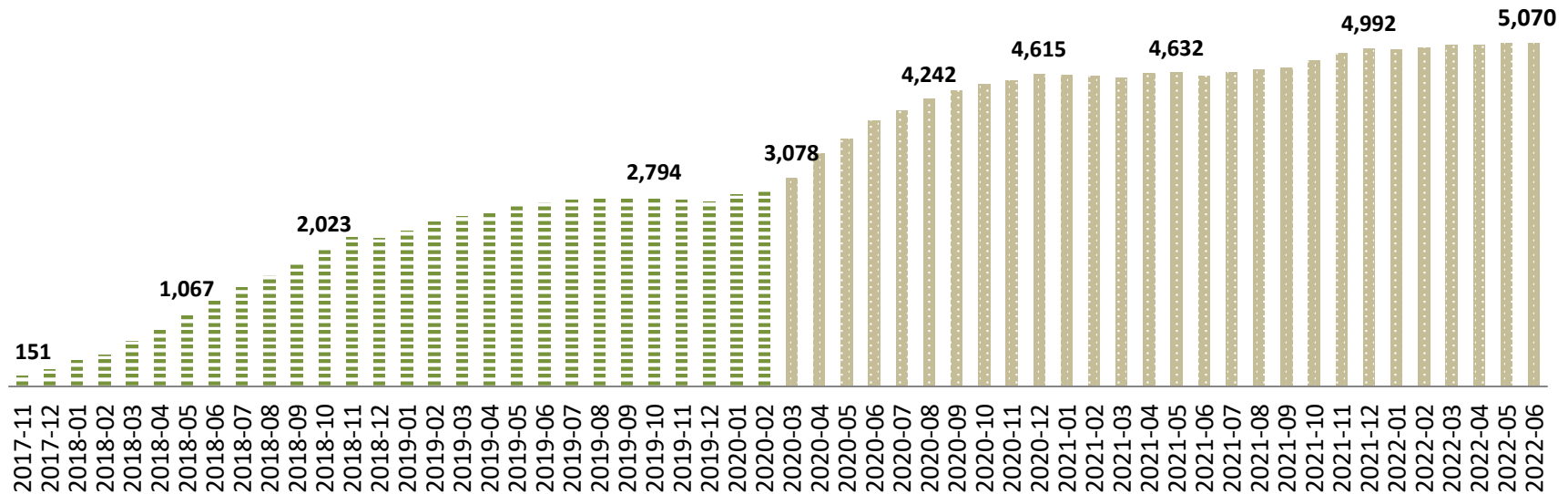




The Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment, particularly in FY2021-22, help to account for some of the declining numbers seen above.

Justice Involved Clients Enrolled in Targeted Adult Medicaid (TAM)* Program for SUD and/or Mental Health Treatment

(*Program began enrollment in November 2017; Justice Involved includes categories "Court Ordered Treatment", "Drug/Mental Health Court", "Jail or Prison", "Probation or Parole", and "State Hospital/Civil Charge")



Source: Utah Department of Health & Human Services, Division of Medicaid and Health Care Financing

Utah began enrolling clients in the new Targeted Adult Medicaid (TAM) program in November 2017, and this has had a significant impact on justice involved populations (including both SUD and mental health treatment). This program, operated by the Utah Department of Health & Human Services (DHHS), with enrollment assistance by the Department of Workforce Services (DWS), is a fee for service opportunity for any enrolled Medicaid provider, and not all Medicaid providers are contracted with the local substance abuse authorities who submit data to OSUMH (and the data reported above on D1-3).

The figure above shows the number of justice involved individuals enrolled by month since the program started. This had increased up to the start of the pandemic, and then accelerated further as individuals were allowed to retain their eligibility longer without needing to re-enroll.

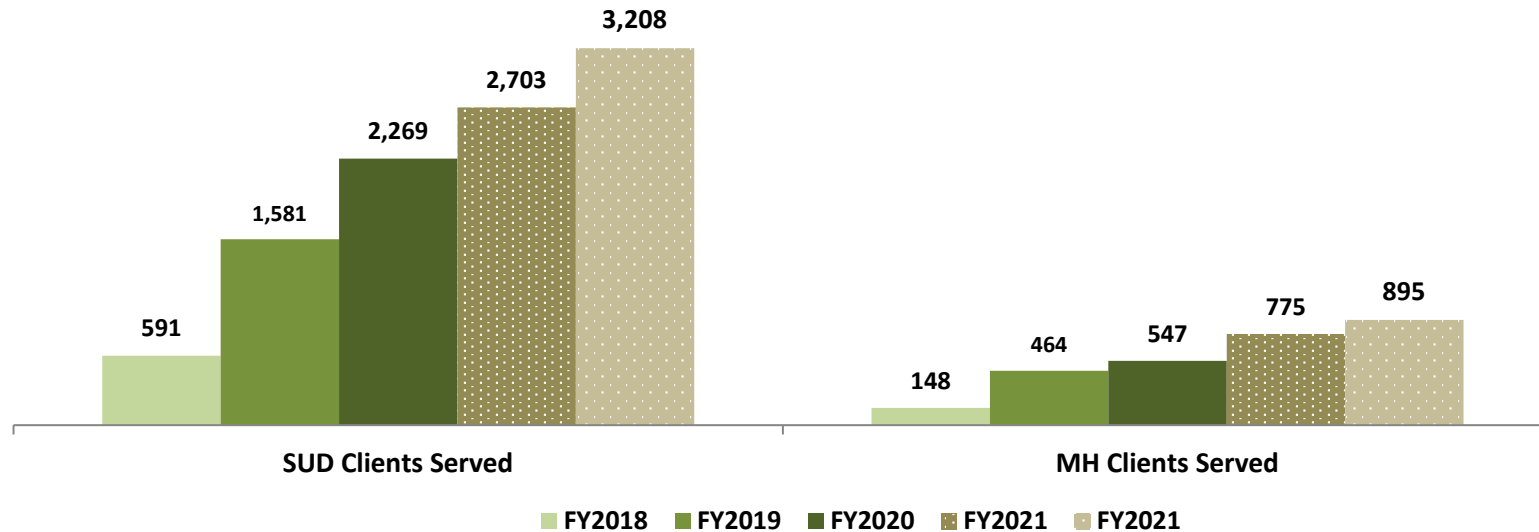
Note: The numbers reported above include anyone that is enrolled in the TAM Justice-Involved program. This simply means that DWS enrolled them in that program, and does NOT necessarily mean that they accessed services (mental health or SUD).



The Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment, particularly in FY2021-22, help to account for some of the declining numbers seen above.

Justice Involved Clients Served in Targeted Adult Medicaid (TAM)* Program for SUD and/or Mental Health Treatment

(*Program began enrollment in November 2017; Justice Involved includes categories "Court Ordered Treatment", "Drug/Mental Health Court", "Jail or Prison", "Probation or Parole", and "State Hospital/Civil Charge")



Source: Utah Department of Health & Human Services, Division of Medicaid and Health Care Financing

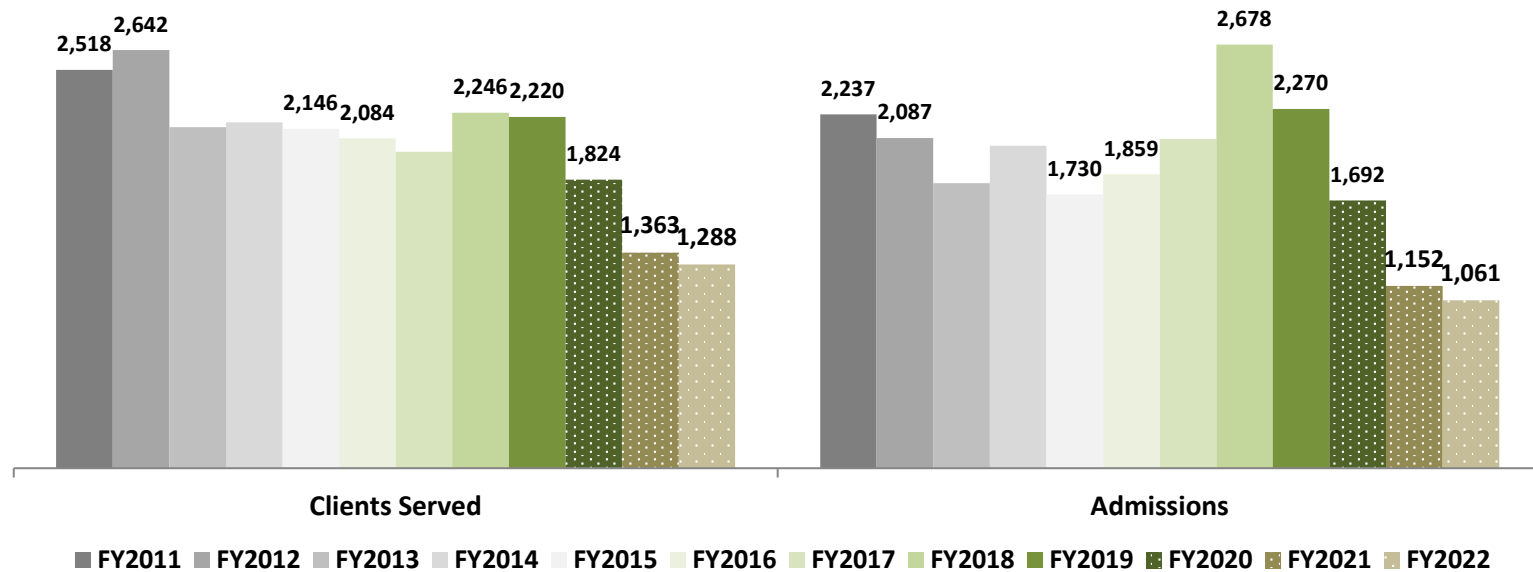
While the previous page showed enrollment number in Targeted Adult Medicaid (TAM), the figure above shows the number of justice involved clients who have been served since the program started, with a behavioral health diagnosis and receiving either substance use disorder (SUD) and/or mental health (MH) treatment.

For SUD treatment, 2,269 clients were served through TAM funding in FY2020 and an additional 2,681 were served in FY2021. In FY2022, this increased significantly to 3,208 clients served. Despite the pandemic effects and the decrease in drug offenders, the numbers from these three years make up a significant amount of the gaps compared to pre-pandemic seen in these years in D1 above. For MH treatment, the gains have been more modest but still impactful.



Drug Court participation continues to be down in FY2022 as drug offenses have also declined and pandemic effects have persisted.

Drug Court Clients Served and Admissions Statewide, FY2011-22



Source: Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH)

In addition to overall justice involved clients served for SUD treatment, we also continue to track clients served and admissions specifically for Utah's drug courts. As the figures above show, drug court clients served were down considerably in FY2020-22, and admissions to drug court continued a decline that started in FY2019 (after a peak in FY2018). While both of these measures were also likely influenced by the pandemic, the significant decrease in all drug-related offenses in the past three years (see Section C) has probably had as much or more of an influence. As with the general treatment population, more drug court participants are also being funded through Targeted Adult Medicaid (TAM) in recent years (see D4-5 above).



Using data CCJJ now receives from the county jails, the changes in the populations of many of the jails can now be shown across the 2019-21 calendar years. As with the prison data, jail populations were trending up by the end of 2021 but still below pre-pandemic levels.

Figure displaying county jail ADP trends by month for 2019-21 still being prepared (waiting on final data from a handful of jails); this will be updated prior to publishing on CCJJ's website

*Source: CCJJ annual data collection from county jails per 17-22-32 (County Jail Reporting Requirements); *Note: total ADP here includes state inmates contracted to county jails*

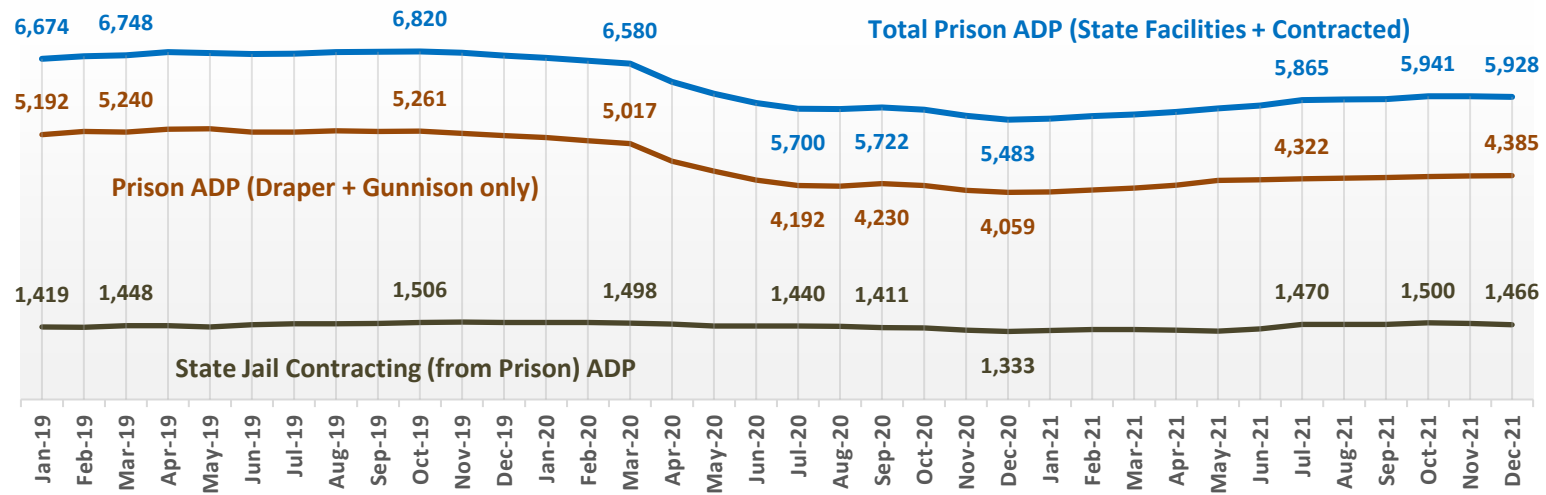
Section A showed the impact that the pandemic has had on the statewide prison population. This impact is clearly not unique to the prison system in Utah, and local corrections systems, particularly the county jails, also had to deal with similar issues, from early releases to less reliance on the jails for booking-based arrests. The figure above shows the average daily population (ADP) by month compiled for all of Utah's county jails across 2019-21. For 2019, the total county jail ADP was 7,402 on average; this dropped to 5,760 in 2020, a decrease of over 22%, and then rebounded to X,XXX in 2021. The figure above also isolates the Salt Lake County jail population from the rest of the jail population. While the initial effects were more pronounced outside of Salt Lake County, the rest of the state's jail population rebounded more quickly while the Salt Lake County population decreased further and stayed lower for longer. The figures on the next page remove the state contracted inmates from the county jail population, allowing a better comparison of the local jail population, the state prison inmates, and the contracted inmates in the jails. The state contracted inmate population in the jails stayed remarkably stable even during the initial stages of the pandemic, while the local jail population and the state prison (Draper and Gunnison) populations both dropped considerably. All populations rose slightly in 2021, though remain below pre-pandemic levels.



Using data CCJJ now receives from the county jails, the changes in the populations of many of the jails can now be shown across the 2019-21 calendar years. As with the prison data, jail populations were trending up by the end of 2021 but still below pre-pandemic levels.

Figure comparing county jail ADP by source still being prepared (waiting on final data from a handful of jails); this will be updated prior to publishing on CCJJ's website

Prison ADP by Month (2019-21) - Total and by Source

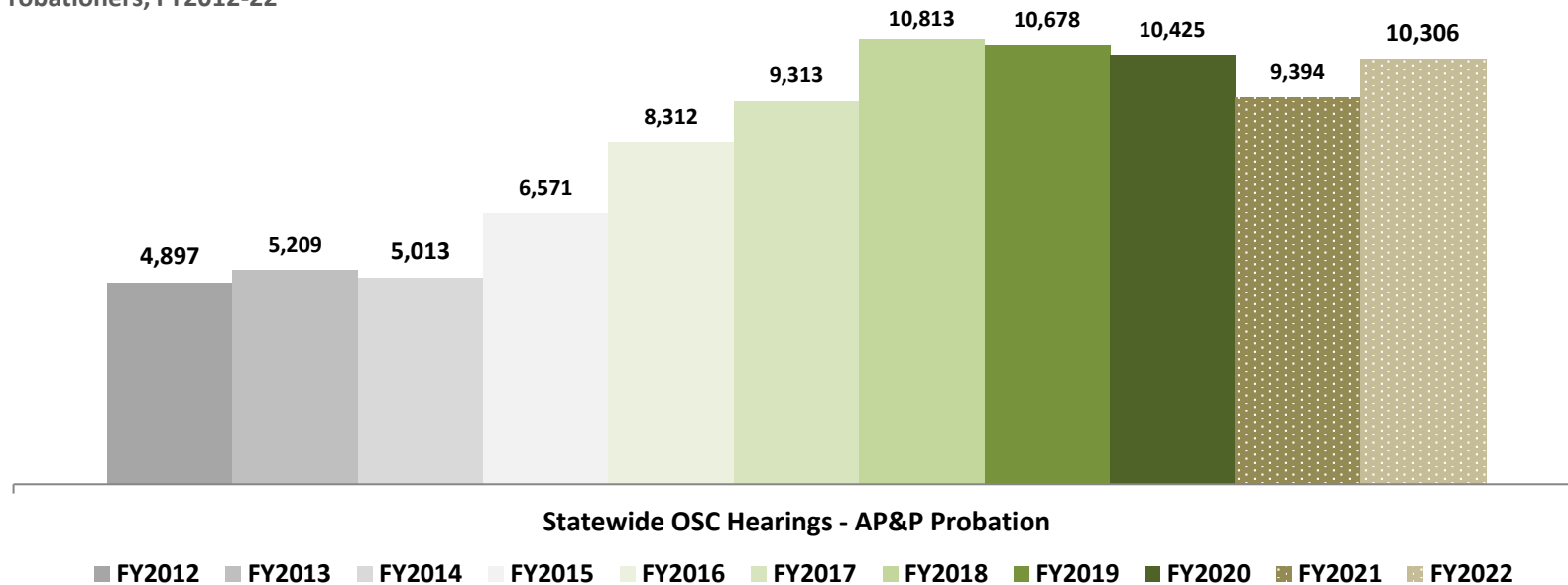


Source: CCJJ annual data collection from county jails per 17-22-32 (County Jail Reporting Requirements); prison population and contracting from Utah Department of Corrections



There has been an increase in orders to show cause (OSC) hearings for probation violations in Courts throughout the state in recent years, though these numbers have leveled out over the past five years and there are important differences across districts.

Statewide Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-22



Note: Hearings where defendant present, cases that showed with AP&P probation on that hearing date

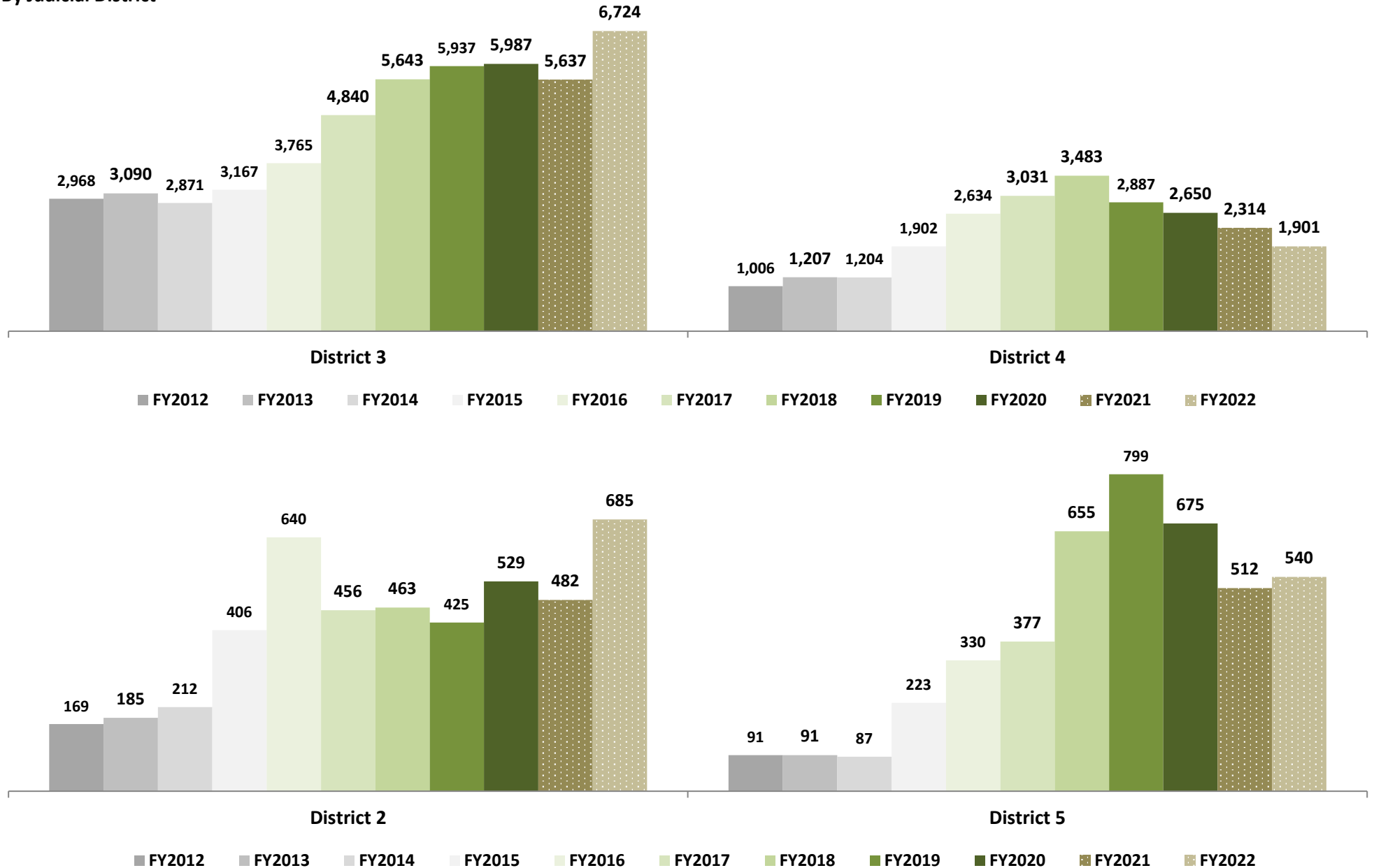
Source: Utah Administrative Office of the Courts, CORIS database; data pulled October 2022

The issues discussed in Section B with community supervision, particularly probation, have likely been felt at the local level as well, as the figure above shows the increase in orders to show cause (OSC) hearings in District Courts across the state that are directly associated with violations by probationers supervised by AP&P. This is important to local corrections systems, as these probationers are not only supervised in the community, but the penalties for these violations are more likely to involve jail sentences than parolees (see below starting on E6). The increase had started in FY2015 but continued through FY2018 before leveling off at a rate 57% higher than in FY2015. OSC hearings were up slightly in FY2022 (with the FY2021 number likely influenced by the pandemic), but there has now been five years of relative stability. This statewide trend, however, has not been standard across districts, as the figures on the next two pages show (E4-E5). While District 3 mostly mirrors (and likely drives) the statewide trends despite and uptick in hearings in FY2022, Districts 1, 6, 7, and 8 have shown a decline in OSC hearings post-reform or remain relatively unchanged. Like District 3, District 2 had a bump in hearings in FY2022 after a steady five years, while District 5 has decreased significantly since FY2019; District 4 peaked in FY2018, but has steadily declined the past four years. These overall OSC case trends from AP&P probation are important to present first, as they then lead into the subsequent figures on E6-8 that show the trends in jail sentences that result from the OSC hearings for probation violations. This analysis is discussed further on E6 below.



Important differences exist in patterns of Orders to Show Cause (OSC) hearings for probation violations across districts.

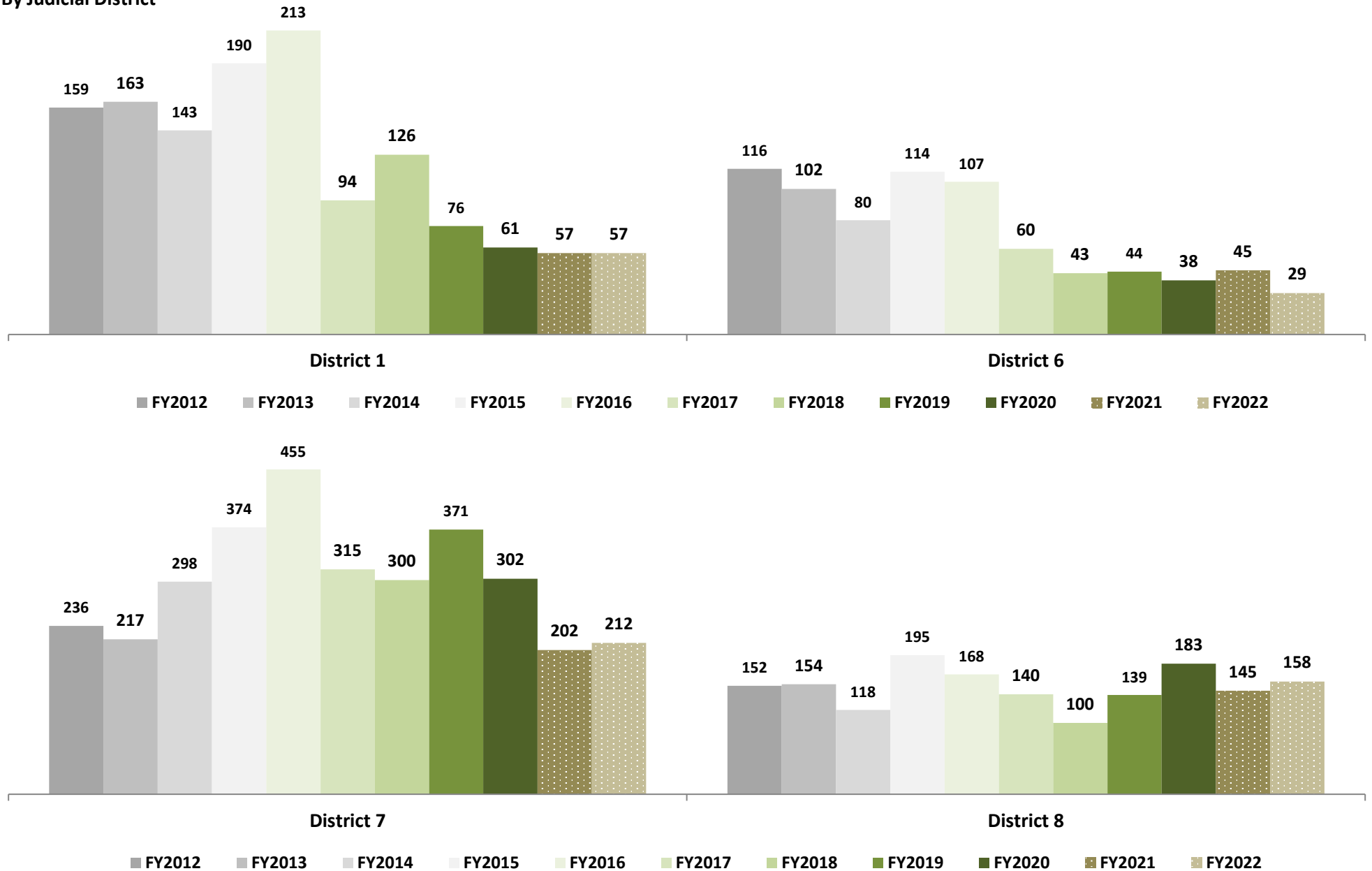
Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-22 - By Judicial District





Important differences exist in patterns of Orders to Show Cause (OSC) hearings for probation violations across districts.

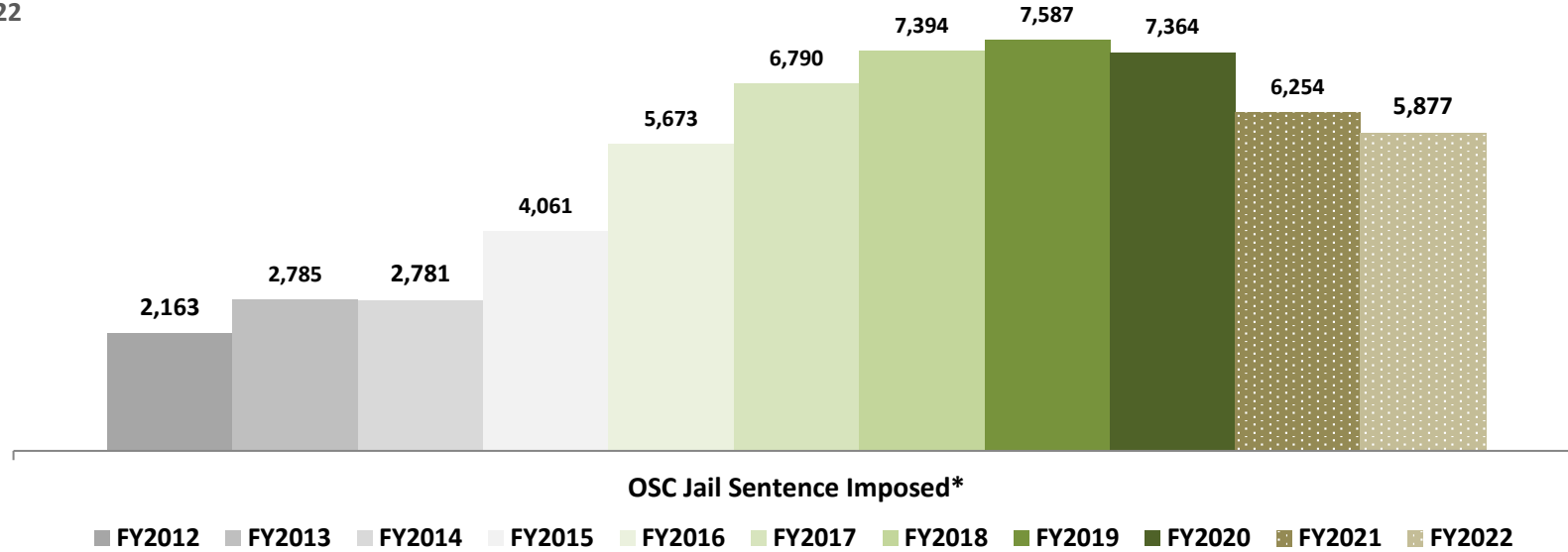
Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-22 - By Judicial District



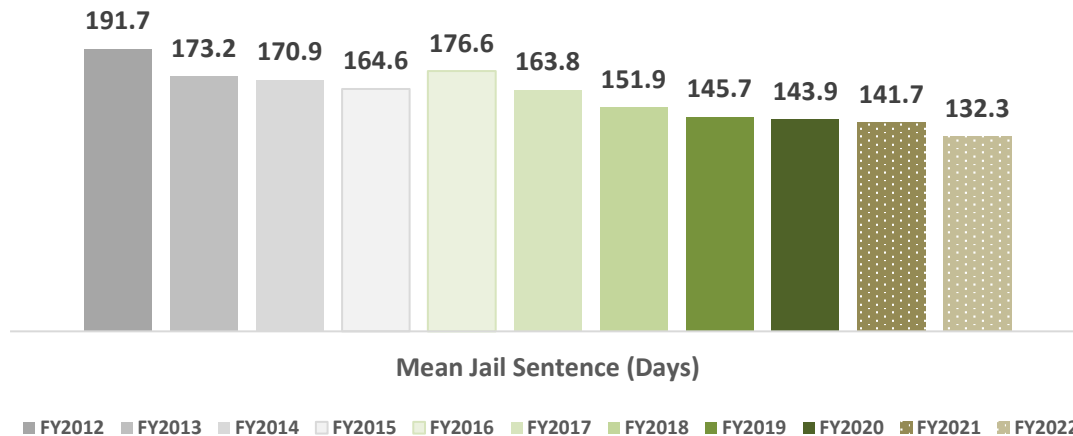


This increase in OSC hearings has resulted in more jail sentences for probation violations, though there has been a significant decrease over the past three years, and average sentence lengths have decreased significantly as well.

Jail Sentence Imposed* by Judge at OSC Hearing for Probation Violations Involving AP&P Probationers, FY2012-22



Average Jail Sentence Imposed at Probation OSC Hearings



The figures on this page and the two subsequent pages follow up on the OSC probation violation hearing trends by showing the impact this increase may have on local jails through jail sentences imposed. As the above figure shows, jail sentences imposed for probation violations in the AP&P probation population are trending downward in the past three years (-23%, and 1,710 less sentenced offenders from FY2019 to FY2022) after years of steady increase. As with the jail numbers overall, the pandemic likely played some role in this decline, though there was no rebound in FY2022. Although there have been significantly more jail sentences for AP&P probation violations than pre-reform years, the probation revocation caps that were instituted as part of the reform package appear to have decreased the average jail sentence (left) that is imposed, somewhat lessening the impact of the increased numbers.

As with the general OSC hearing trends, there was variation across the districts in the number of hearings with jail imposed (see E7-E8 below). District 2 saw a large jump in jail sentences in recent years, while most others (particularly Districts 1, 4, 5, 6, and 7) saw fairly large decreases.

Note: Hearings where defendant present, cases that showed with AP&P probation on that hearing date

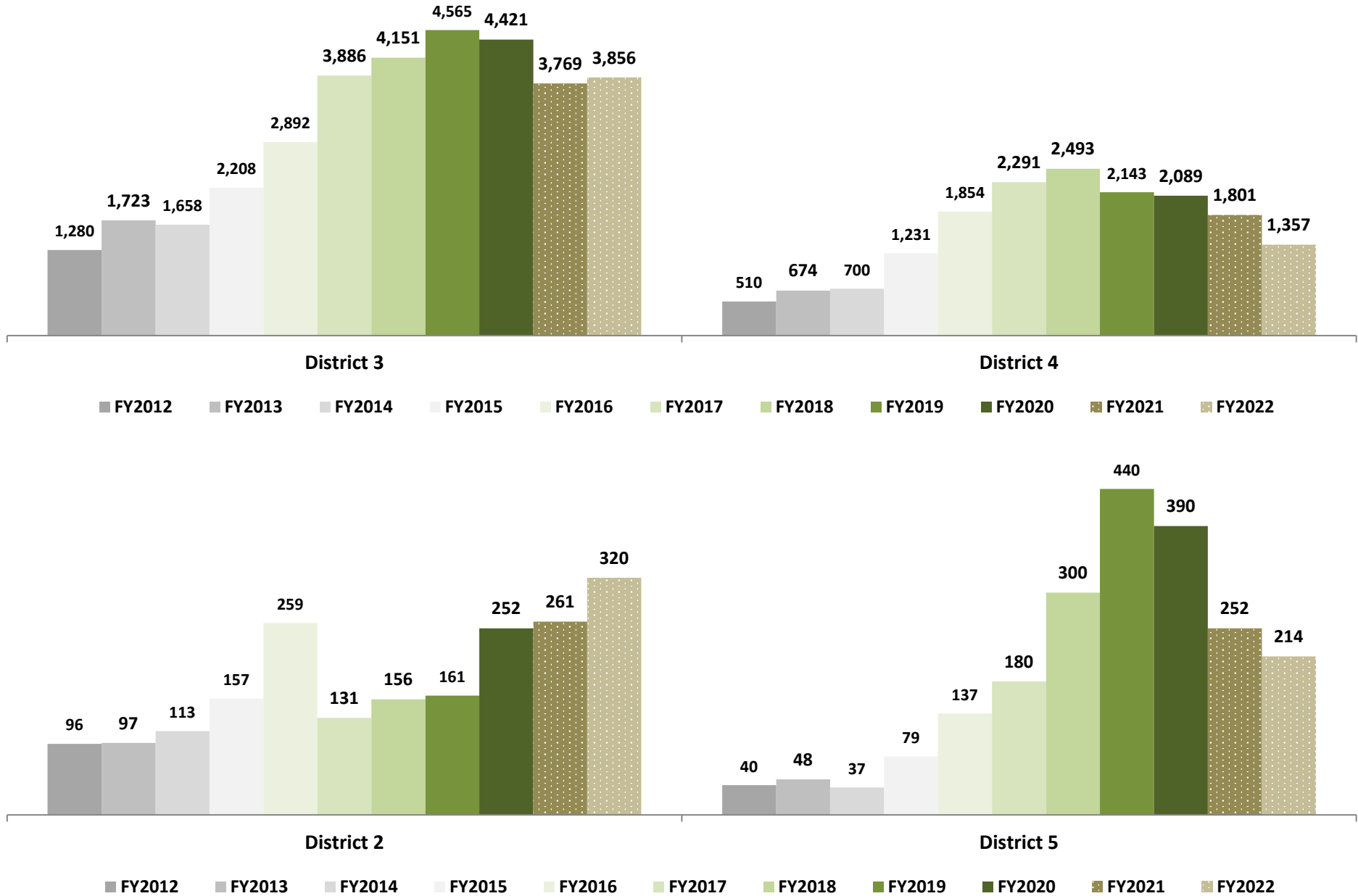
* OSC hearing resulted in a Post Jail Sentence; days served may be less than the days sentenced.

Source: Utah Administrative Office of the Courts, CORIS database; data pulled October 2022



As with the hearings, this probationer OSC jail sentence activity is more evident in certain districts.

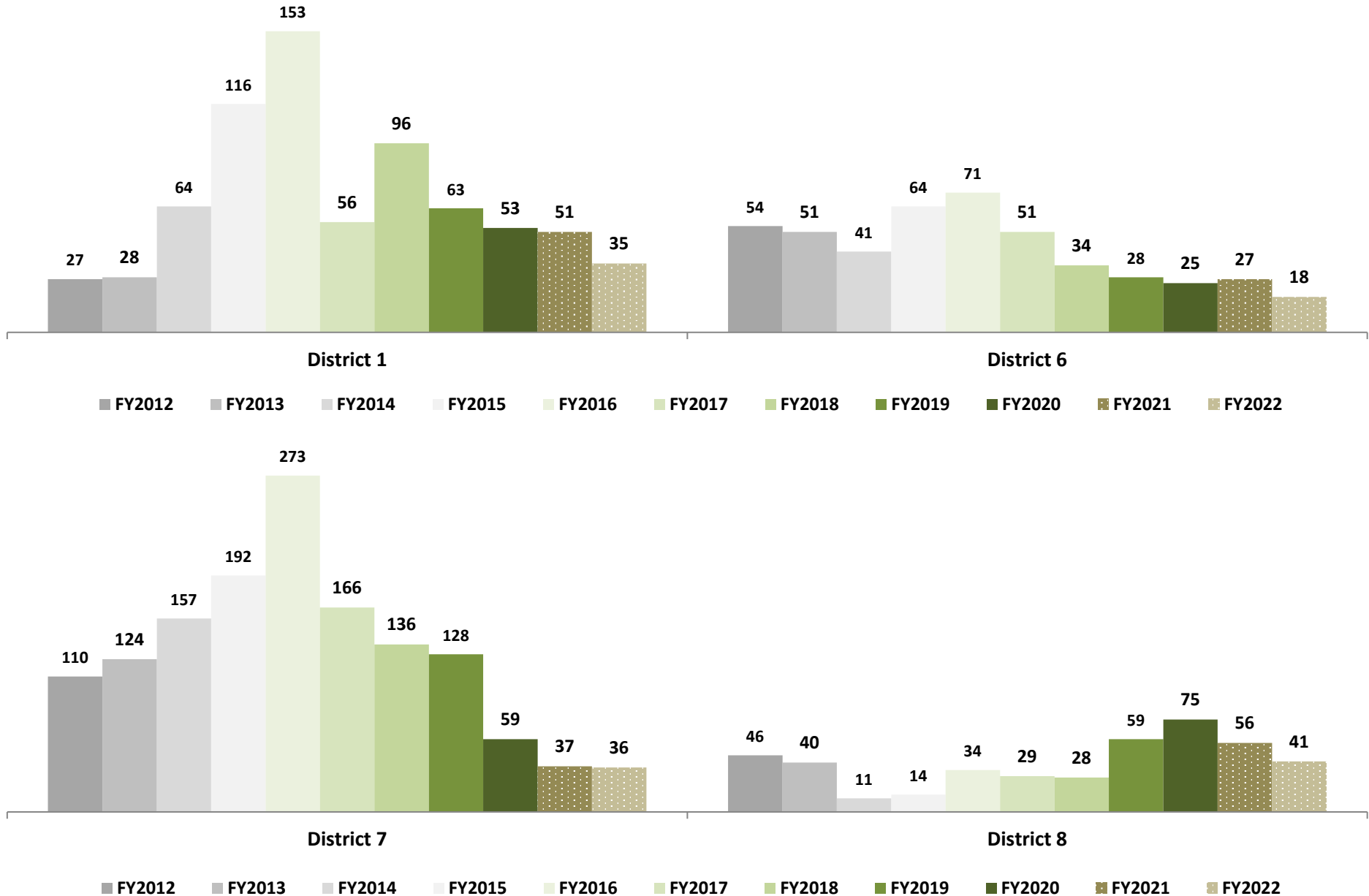
Jail Sentence Imposed at OSC Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-22 - By Judicial District





As with the hearings, this probationer OSC jail sentence activity is more evident in certain districts.

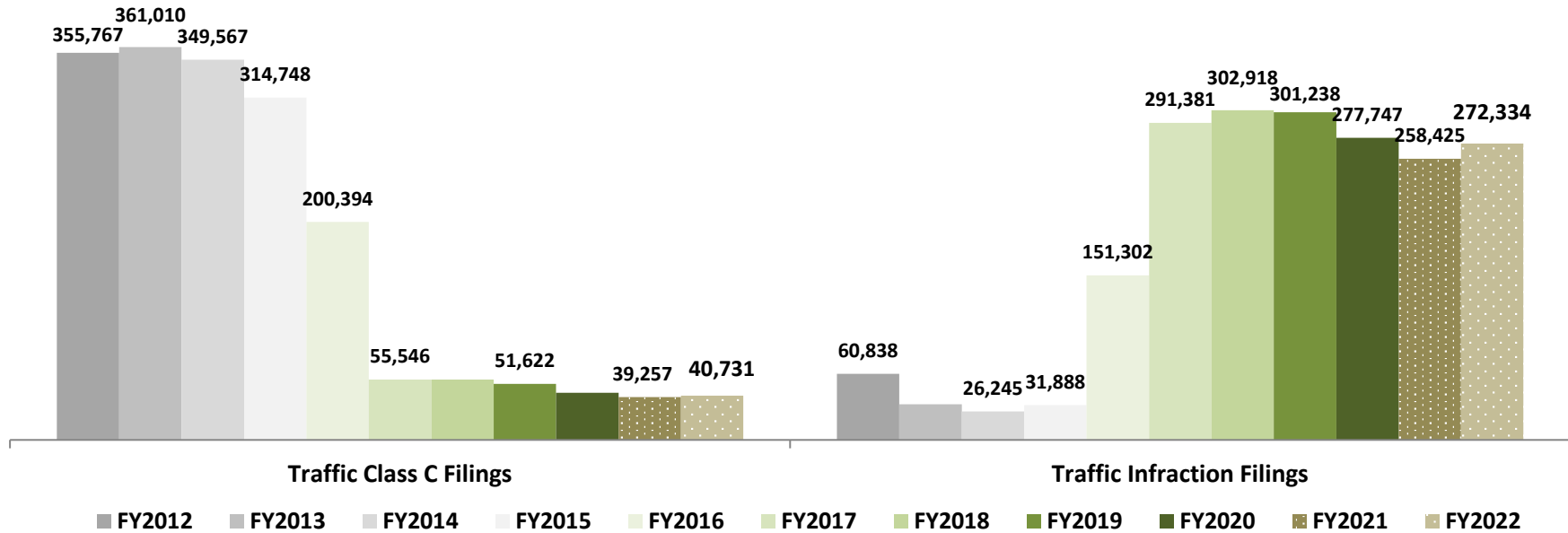
Jail Sentence Imposed at OSC Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-22 - By Judicial District





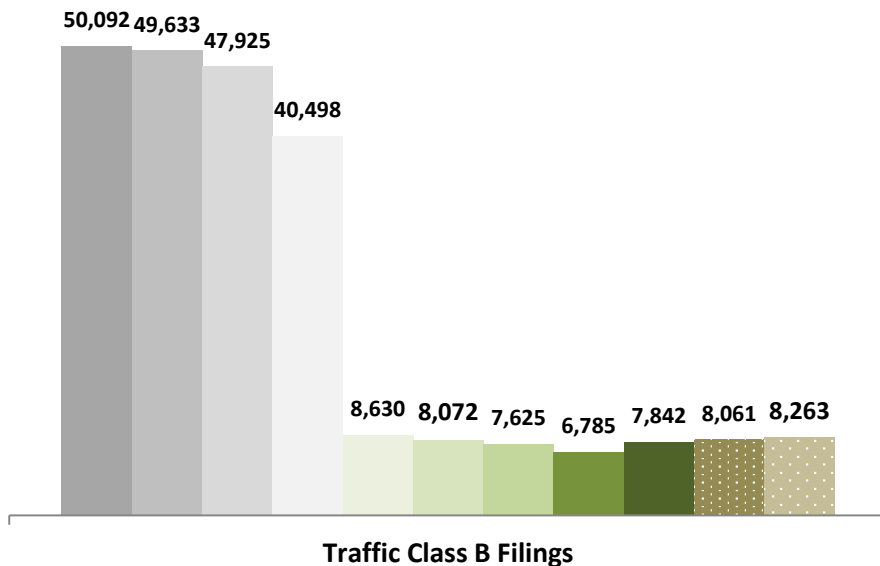
Traffic case filings at the Class B and Class C levels continue to be significantly lower than pre-reform levels, offset by an increase in infraction filings.

Court Case Filings for Traffic Offenses by Level, FY2012-22



The figures on this page demonstrate the extent of the shift in the predominant severity levels of traffic traffic case filings since the reform effort began, which included a reclassification of many traffic offenses that were Class B or C misdemeanors down one level or to infractions. Class B traffic case filings are now at a fraction of what the levels used to be pre-reform (the 8,263 cases in FY2022 are just 17% of the levels in FY2012-14). Class B offenses obviously can be more impactful for local corrections systems through the potential for jail sentences, though the decrease in Class C traffic case filings has been even more dramatic - the 40,731 cases in FY2022 is only 12% of the level in FY2014, with a drop of over 300,000 cases. Not surprisingly with the statute changes, there has been a large increase in traffic cases at the infraction level following reforms.

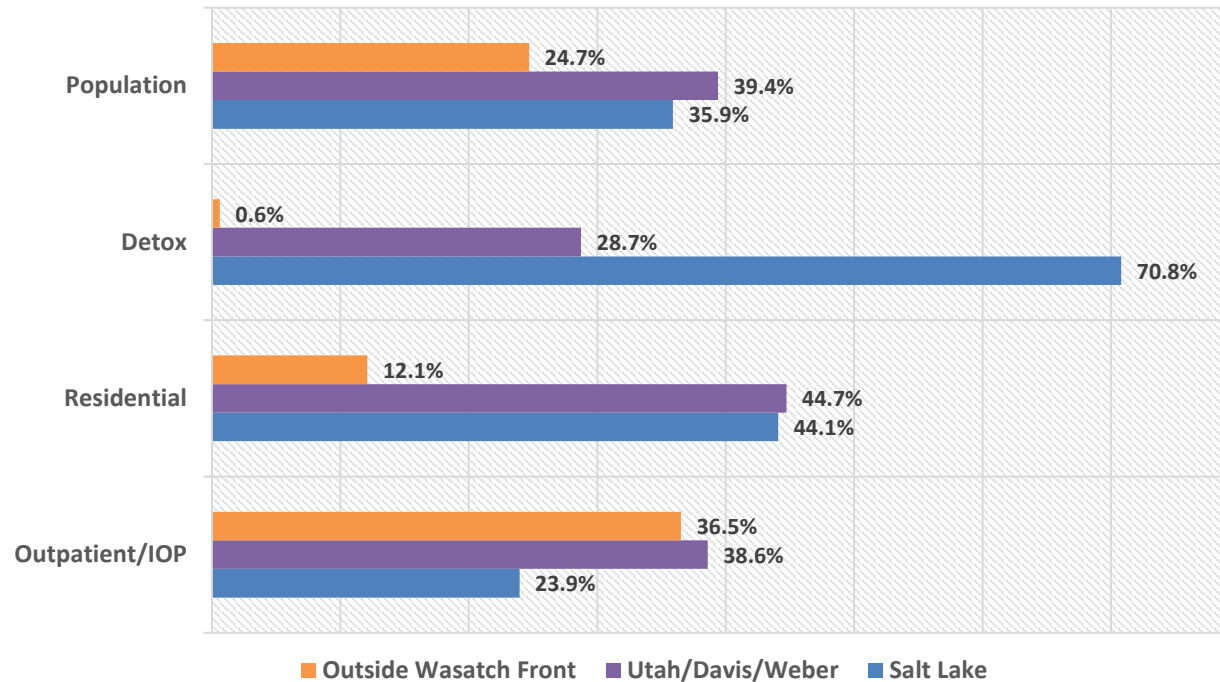
Note: Traffic cases shown in these figures are classified according to the highest charge severity level in the case (i.e., Class B cases may have also had Class C or infraction charges but the case was counted as a Class B case).





Detox facilities outside of Salt Lake, Utah, and Davis counties are almost nonexistent, and the county jails too often need to take on the burden of assisting with the detox process of drug offenders. There is also a lack of residential SUD treatment beds outside the Wasatch Front, relative to the population.

Distribution of Treatment Services by Region Compared to Population (Average of FY2021-22)



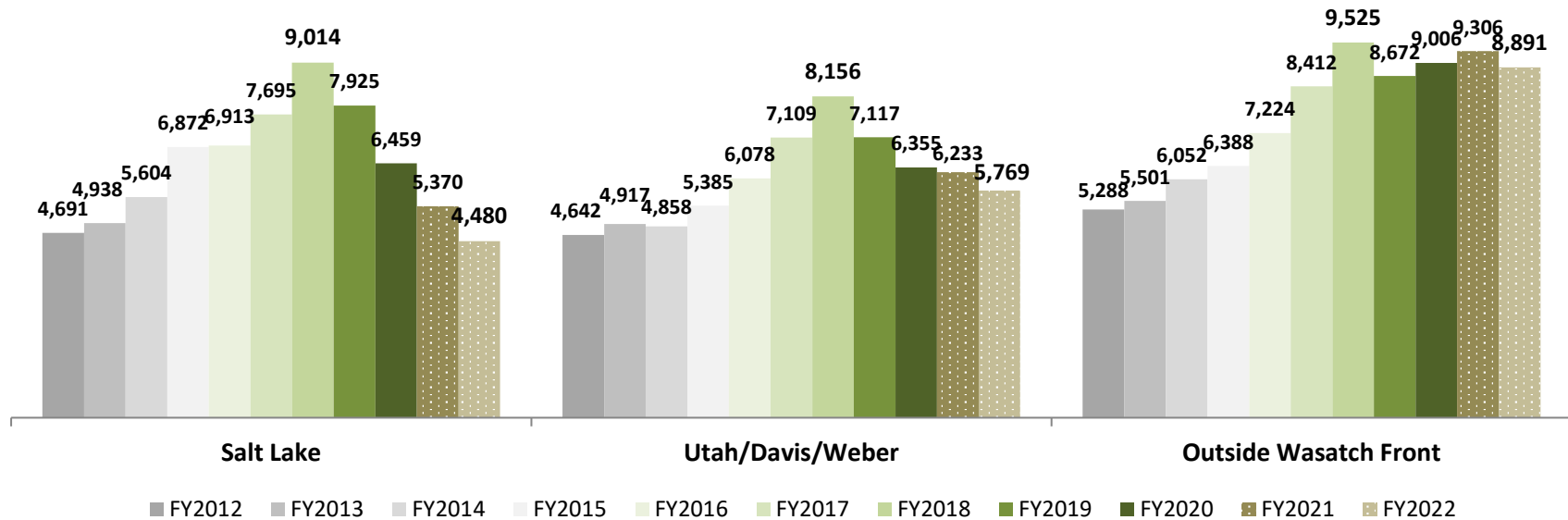
Source: Utah Department of Health & Human Services, Office of Substance Use and Mental Health (OSUMH)

The figure above shows the distribution of treatment services across urban and more rural regions in Utah, using an average of FY2021-22 numbers to capture some positive recent changes in resource distribution, but also show how more still needs to be done. While counties and local area treatment authorities outside the Wasatch Front have a good number of outpatient treatment slots, they are seriously lacking in residential treatment beds and detox facility beds. Just 12.1% of residential beds are outside the Wasatch Front (though this is up from 9.6% in the FY2019-21 average), and the bulk of these are in Washington County (71%). Even more important to local corrections systems, there are almost no detox facilities outside of Salt Lake, Utah, and Davis counties, meaning the county jails often are forced to take on this responsibility.



A closer look at drug offense trends shows recent declines did not extend outside the Wasatch Front, highlighting a need for more treatment resources in these areas.

Cases Filed with Drug Possession Charges by Region and FY



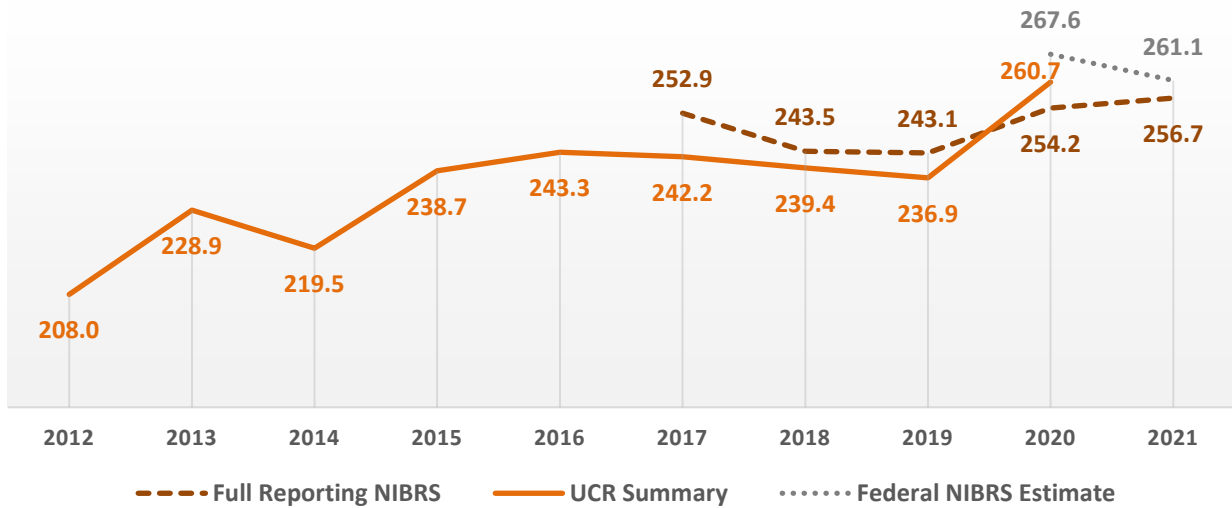
Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

The figure above shows cases filed in Utah courts with drug possession charges, similar to the figure that was shown in Section C (C2), but this time it is also broken down by region of the state. Since in many cases, the most populous parts of the state (the four counties along the Wasatch Front) have an outsized influence on the overall statewide numbers, it is important to look at certain issues by separating out Salt Lake County and the other Wasatch Front counties. In this case, drug possession court case filings is a good proxy for overall drug issues in the state (and also potential treatment and other resource needs). In Section C above, we saw that this indicator has significantly declined statewide over the past four years after a peak in FY2018 that was preceded by a steady increase over 8+ years, coinciding with the nationwide opioid epidemic. As the figure above shows, this statewide trend does not hold for each of the regions of the state. The Salt Lake trend is similar to the statewide trend, but slightly exaggerated (steeper slope up and down from the peak, more symmetrical), while the trend for the other Wasatch Front counties is even closer to the statewide trend (significant decline from the peak, but more in line with FY2015 levels and not back below FY2012 levels like Salt Lake). On the other hand, for the counties outside the Wasatch Front, we see a similar rise in drug possession cases up to the peak in FY2018, but not a similar decline - despite an initial drop in FY2019, cases climbed back close to peak levels in FY2021 and remain at only 7% below peak levels in FY2022 (compared to a 50% decline in Salt Lake county and a 29% decline in the other Wasatch Front counties). This further highlights the need for more resources outside the Wasatch Front, as seen above (E10) with residential treatment and detox beds, and including other evidence-based services like receiving centers to divert low-level offenders with substance use

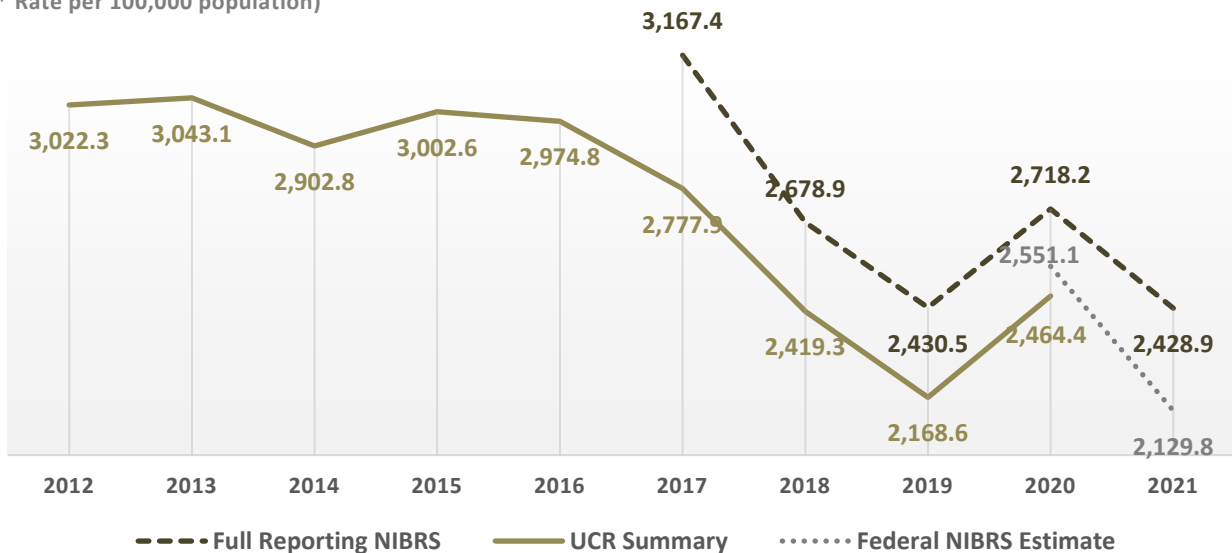


After a rise in 2020, violent crime reported to law enforcement did not rise further in 2021 but remained at an elevated level, while property crime dropped back to 2019 levels.

Violent Crime Rate* Trend Estimates, CY2012-21
 (* Rate per 100,000 population)



Property Crime Rate* Trend Estimates, CY2012-21
 (* Rate per 100,000 population)



The figures on the left attempt to show the 10-year trends in reported crime (2012-21), both violent crime (top) and property crime (bottom), for Utah. This was a challenge, as 2021 marked the first year of the full transition to [NIBRS reporting](#). The 5-year trends from 2017-21 labeled "Full NIBRS Reporting" in the figures to the left are estimates based on a sample of 54% of Utah agencies (75% of the population) consistently reporting NIBRS data in this period leading up to the transition, using filtered data in the [Crime in Utah Dashboard](#). The "UCR Summary" trend is the old method that was discontinued in 2021, while the "Federal NIBRS Estimate" is the rate estimates for the last two years from the FBI's [2021 report](#).

Utah is well below the national and regional rates for violent crime historically, and Utah's rates had been stable in the five years prior to 2020, when violent crime increased in the state, regionally, and nationally. Violent crime in Utah remained stable at this elevated rate in 2021.

Property crime in Utah has historically been higher than national rates. After three years of sharp decline that brought Utah's rate close to the national average, property crime in Utah also showed a rather significant bump in 2020. Unlike violent crime, this dropped significantly in 2021 back to 2019 levels.

The next several pages explore these different rate estimates further for each index, and then look at estimates for the specific violent and property crimes that are included in these indices.

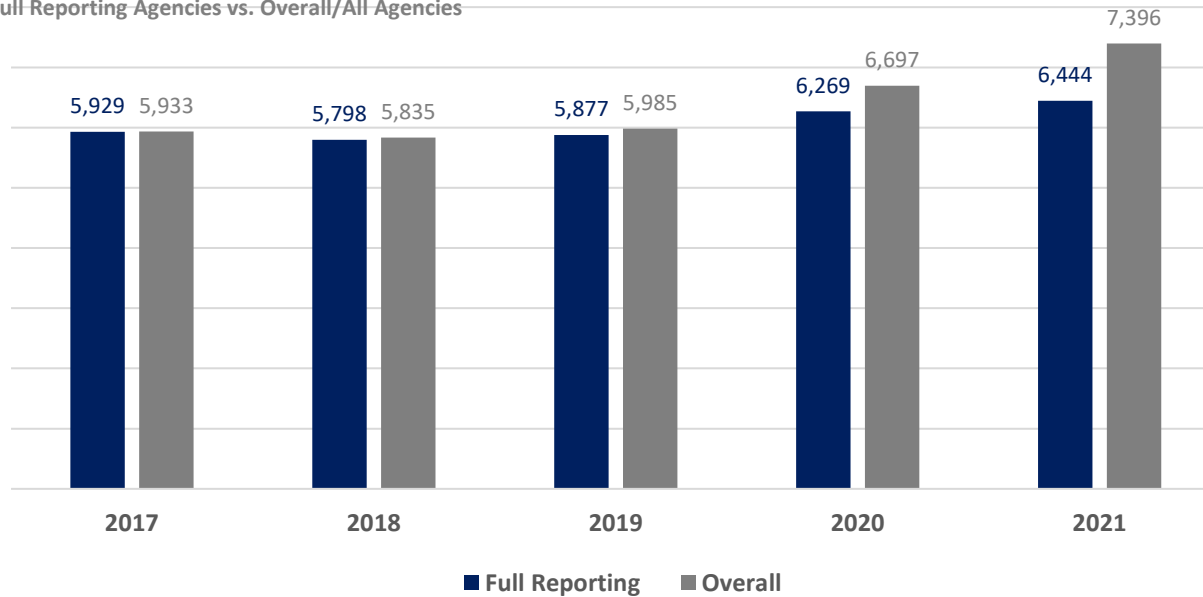
Source: [FBI Crime Data Explorer \(CDE\)](#) and Utah Department of Public Safety's new [Crime in Utah Dashboards](#)
 Note: Reported crimes in each are Category 1 offenses only, which include murder/nonnegligent manslaughter, rape, robbery, and aggravated assault for violent crime; and burglary, larceny-theft, motor vehicle theft, and arson for property crime.



With the transition to full NIBRS reporting in 2021, estimating crime trends was a challenge and included several types of estimates, including a sample of Utah agencies that have consistently reported NIBRS data from 2017-21.

Raw Violent Crime Reported in Utah, CY2017-21

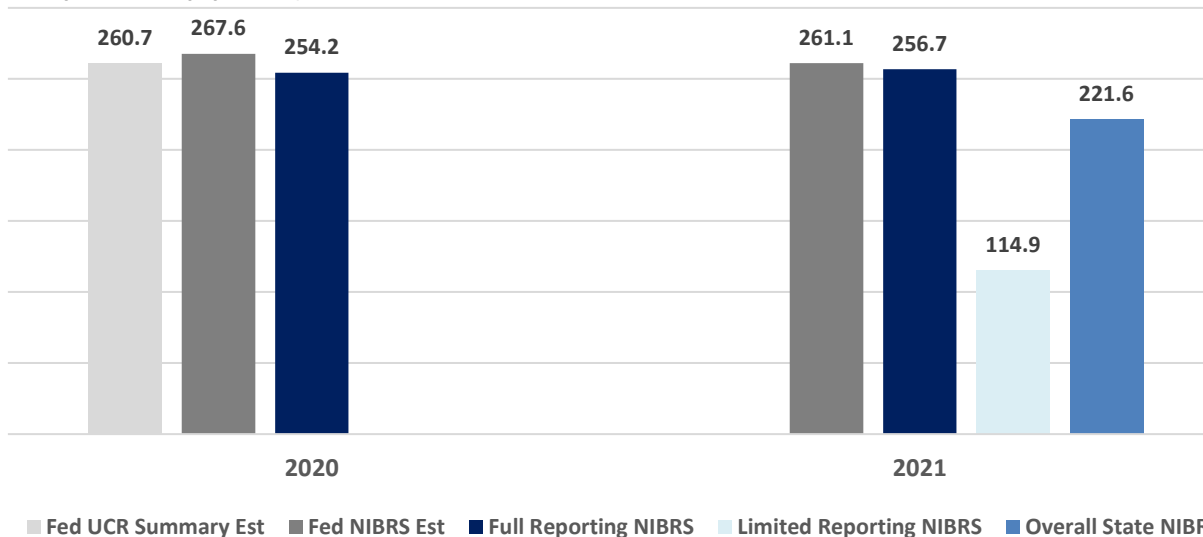
Full Reporting Agencies vs. Overall/All Agencies



The figures on the left further break down the process used to estimate 2021 Utah crime rates, and the various estimates we have for 2020 and 2021 violent crimes and rates (the following page has the same for property crimes). The top figure displays how the overall sample starts to deviate from the sample of fully reporting NIBRS agencies, starting in 2020 and even more in 2021, as more agencies start to report using the NIBRS methods that had a full transition in 2021. Looking at just the dark gray bars in this figure, the conclusion would be that violent crime increased significantly more in 2021 than it actually did. When looking at only those agencies that consistently reported NIBRS data across the period, it is clear that there was only a very slight increase in violent crimes from 2020 to 2021.

Various Estimates for Utah Violent Crime Rates* in 2020-21

(* Rate per 100,000 population)



The figure on the bottom displays all the violent crime rate estimates we have from 2020 and 2021, including the phased out Summary Reporting estimate from 2020, the newer NIBRS-based estimates from 2020 and 2021, the estimate using the fully reporting NIBRS sample, and the overall and limited reporting sample for 2021 (where over 90% of agencies reported in the first year required). This shows us that the federal estimates for violent crime in these two years might have been slightly overestimated, as both years are higher than the fully reporting sample that is skewed toward the higher population areas of the state. The overall state NIBRS estimate for 2021 is much lower.

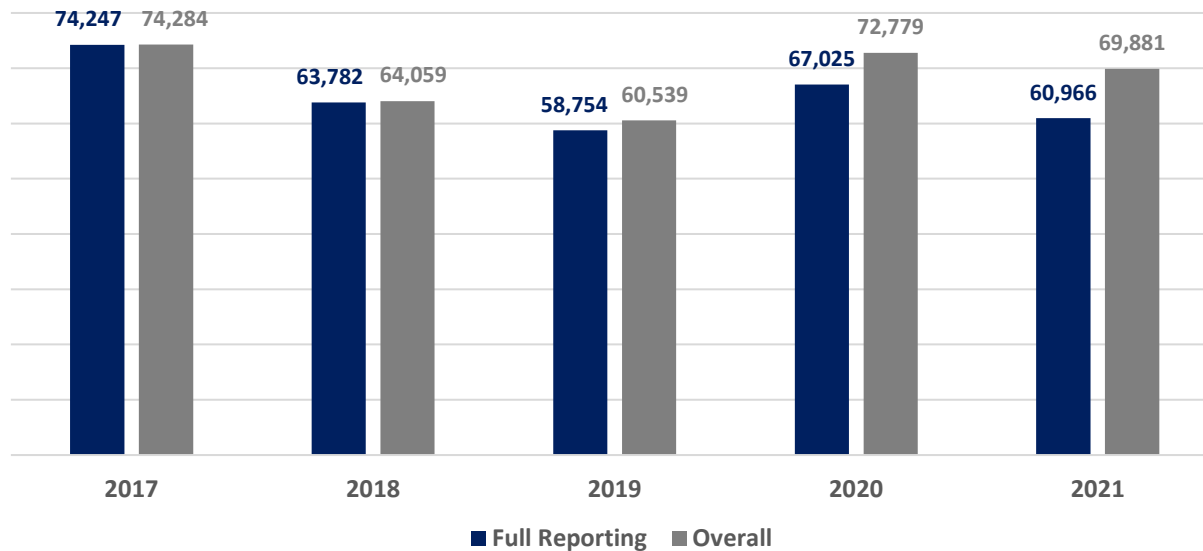
Sources: Utah Department of Public Safety, Bureau of Criminal Identification, [Crime in Utah Dashboards](#), sample (54%) of consistently reporting NIBRS agencies vs. all agencies; [FBI Crime Data Explorer](#); [FBI 2021 NIBRS Estimation Report](#)

Note: Reported crimes in each are Category 1 offenses only, which include murder/nonnegligent manslaughter, rape, robbery, and aggravated assault for violent crime; and burglary, larceny-theft, arson, and motor vehicle theft for property crime.



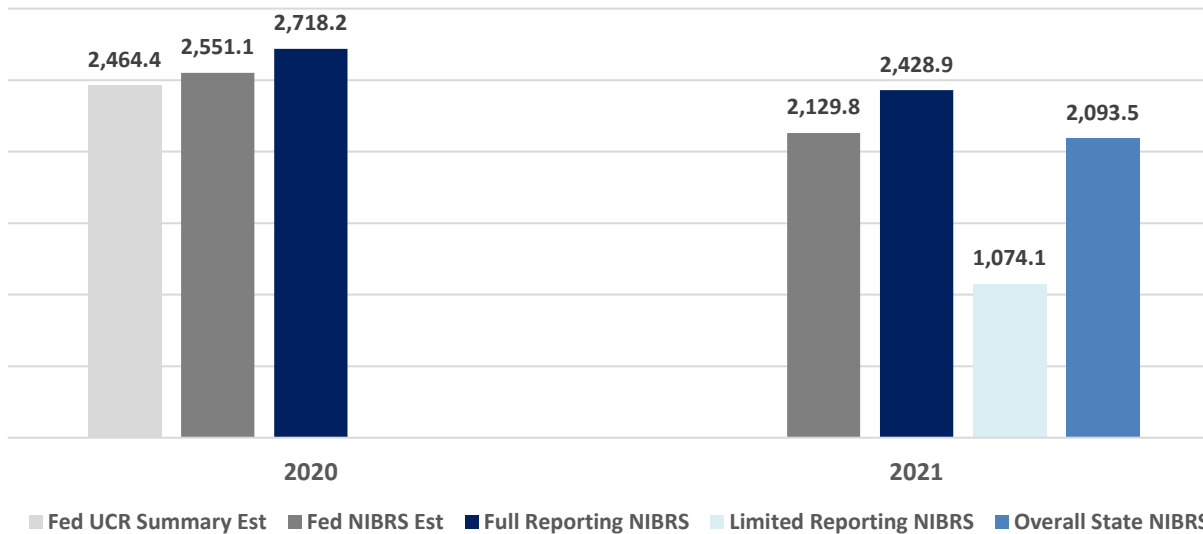
With the transition to full NIBRS reporting in 2021, estimating crime trends was a challenge and included several types of estimates, including a sample of Utah agencies that have consistently reported NIBRS data from 2017-21.

Raw Property Crime Reported in Utah, CY2017-21
Full Reporting Agencies vs. Overall/All Agencies



As on F2 above, the figures on the left further break down the process used to estimate 2021 Utah crime rates, and the various estimates we have for 2020 and 2021 property crimes and rates. The top figure displays how the overall sample starts to deviate from the sample of fully reporting NIBRS agencies, starting in 2020 and even more in 2021, as more agencies start to report using the NIBRS methods that had a full transition in 2021. Looking at just the dark gray bars in this figure, the conclusion would be that the decrease in property crime in 2021 was more muted than it actually was. When looking at only those agencies that consistently reported NIBRS data across the period, it is clear that property crime decreased significantly from 2020 to 2021.

Various Estimates for Utah Property Crime Rates* in 2020-21
(* Rate per 100,000 population)



The figure on the bottom displays all the property crime rate estimates we have from 2020 and 2021, including the phased out Summary Reporting estimate from 2020, the newer NIBRS-based estimates from 2020 and 2021, the estimate using the fully reporting NIBRS sample, and the overall and limited reporting sample for 2021 (where over 90% of agencies reported in the first year required). This shows us that the federal estimates for property crime in these two years were more in line with what would be expected statewide, as both years are lower than the fully reporting sample skewed toward the higher population areas of the state. The overall state NIBRS estimate for 2021 is very similar to the Federal estimate.

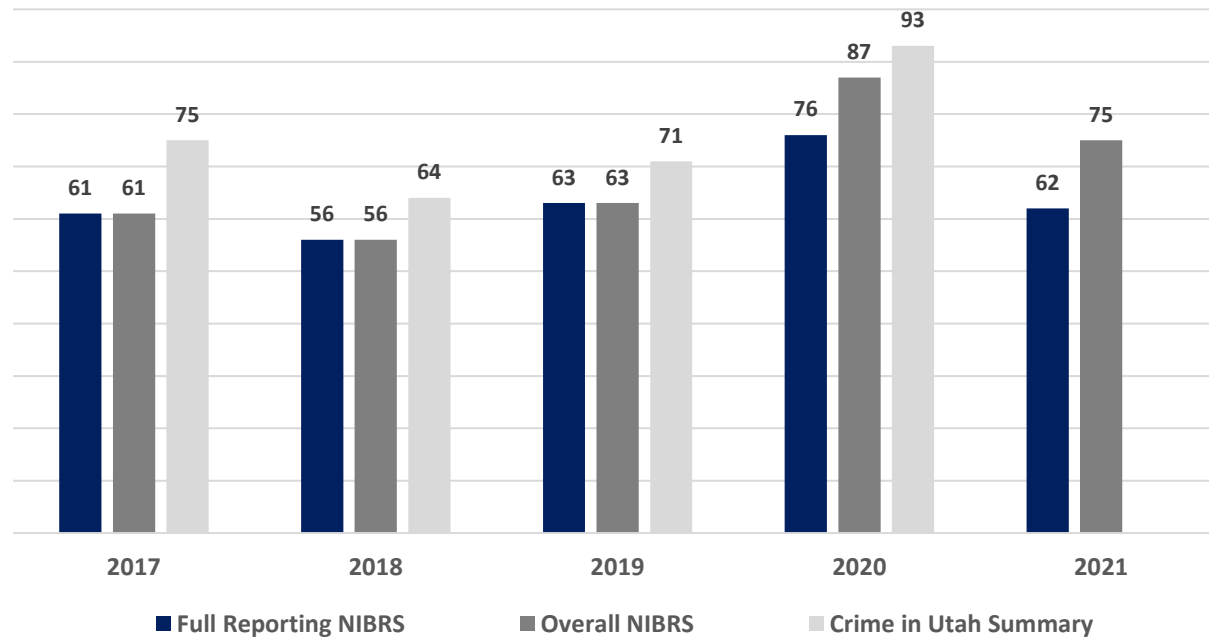
Sources: Utah Department of Public Safety, Bureau of Criminal Identification, [Crime in Utah Dashboards](#), sample (54%) of consistently reporting NIBRS agencies vs. all agencies; [FBI Crime Data Explorer](#); [FBI 2021 NIBRS Estimation Report](#)

Note: Reported crimes in each are Category 1 offenses only, which include murder/nonnegligent manslaughter, rape, robbery, and aggravated assault for violent crime; and burglary, larceny-theft, arson, and motor vehicle theft for property crime.



After a spike in homicides in 2020, there was a significant decrease in 2021.

Homicides by Source, CY2017-21



Sources: Utah Department of Public Safety, Bureau of Criminal Identification, [Crime in Utah Dashboards](#), [Crime in Utah reports 2017-20 \(homicide detail\)](#).

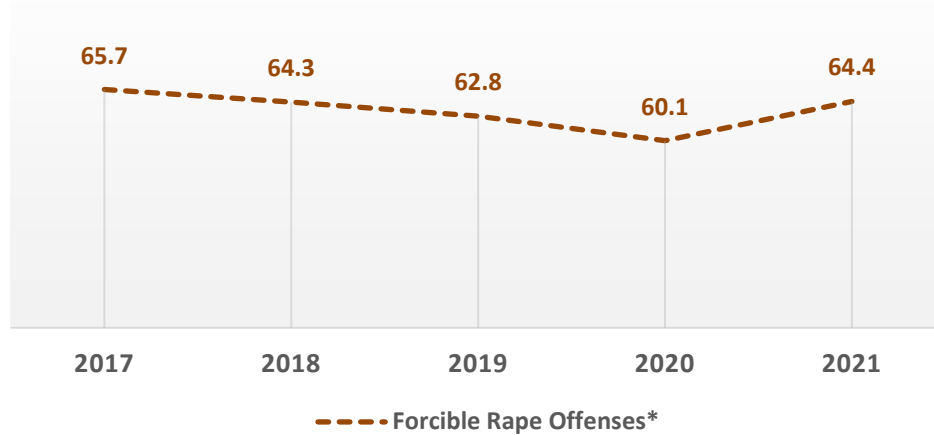
One of the more concerning aspects of the increase in violent crime in 2020 was the considerable spike in homicides that year, with a 31% jump (+22) from 2019. While violent crime in general remained stable at an elevated level in 2021, homicides did significantly decrease from the 2020 high. As with the other aspects of crime in 2021, there is not yet a definitive number on homicides for the year. But, comparing estimates from the selected (full NIBRS reporting) sample and the overall reporting (which, once again, will be skewed in 2020 and 2021 as more agencies started using NIBRS reporting), along with previous years' numbers from Crime in Utah detailed reports, it is clear that there was a significant decrease. Using the fully reporting agency estimates, homicides decreased from 76 in 2020 to 62 in 2021 (down 18%). As discussed above, the dark gray bar above (overall NIBRS) for 2021 should be relatively complete, while the 2020 number is missing data from more agencies (as illustrated by the gap between 87 and the official 93 number in the light gray bar). Even using the incomplete 2020 number that is an underestimate, there was a 14% decrease; using the official 2020 number (93), there was a much more significant 19% drop.

The figures on the next two pages show more detailed 5-year estimates of the other specific crimes that make up the violent and property crime indices.



The main drivers of violent crime in 2021 were a jump in forcible rape offenses and a continuing increase in aggravated assaults; robberies were down significantly.

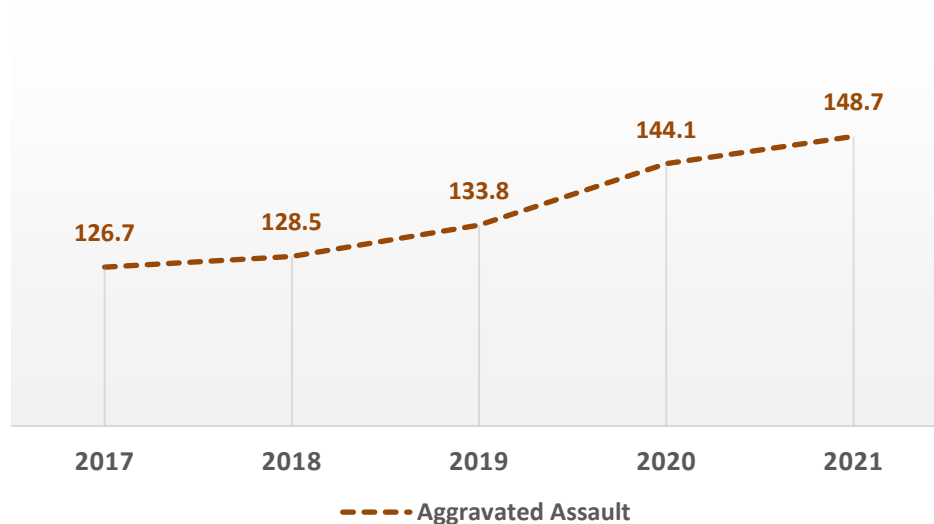
Forcible Rape Offense Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



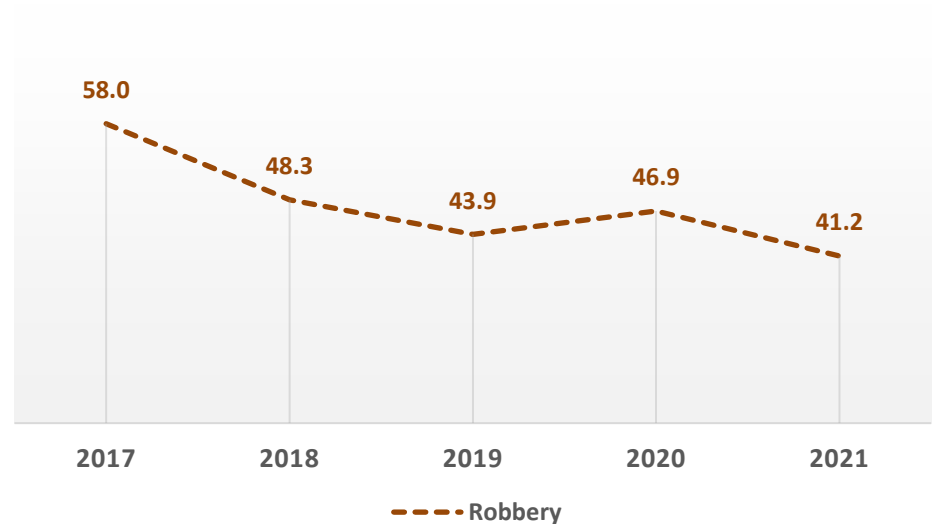
In addition to the homicide numbers on F4 above, the violent crime index also includes forcible rape offenses, aggravated assault, and robbery. While violent crime overall stayed stable at an elevated rate, there was some variation between these different types of violent offenses. As with homicides, robbery rates in 2021 decreased significantly (-12%) from 2020, and are also down 29% since 2017. On the other hand, rape (+7%) and aggravated assault (+3%) rates both increased in 2021. Aggravated assault continued a steady increase over the period of study, rising 17% between 2017 and 2021)

The figures on the next page (F6) show the rate trends for the four offenses that make up the property crime index: larceny/theft offenses, burglary, motor vehicle theft, and arson. Rates for all four of these property offenses increased in 2020, but all four fell significantly in 2021, in several cases back to or below 2019 levels. In 2021, larceny-theft rates were down 10% below 2020 rates; burglary was down 14%; motor vehicle theft was down 12%; and arson was down 18%.

Aggravated Assault Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



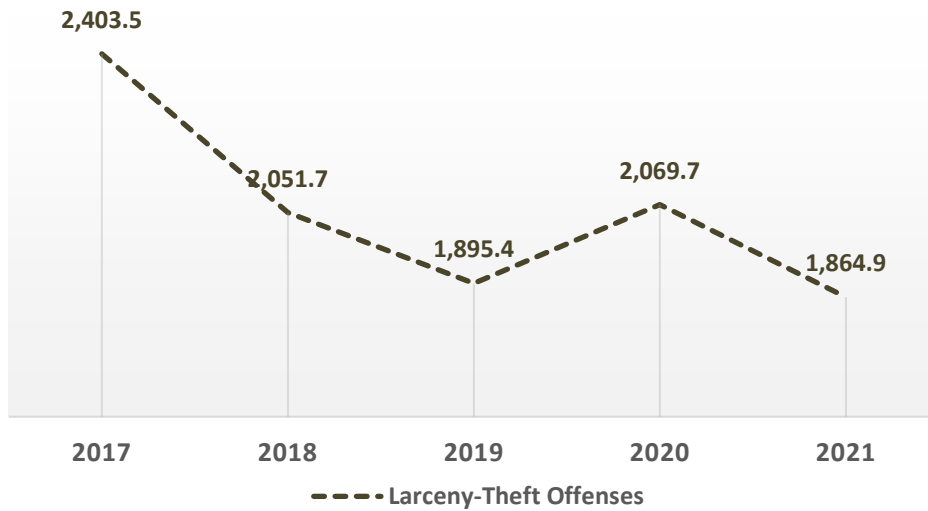
Robbery Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



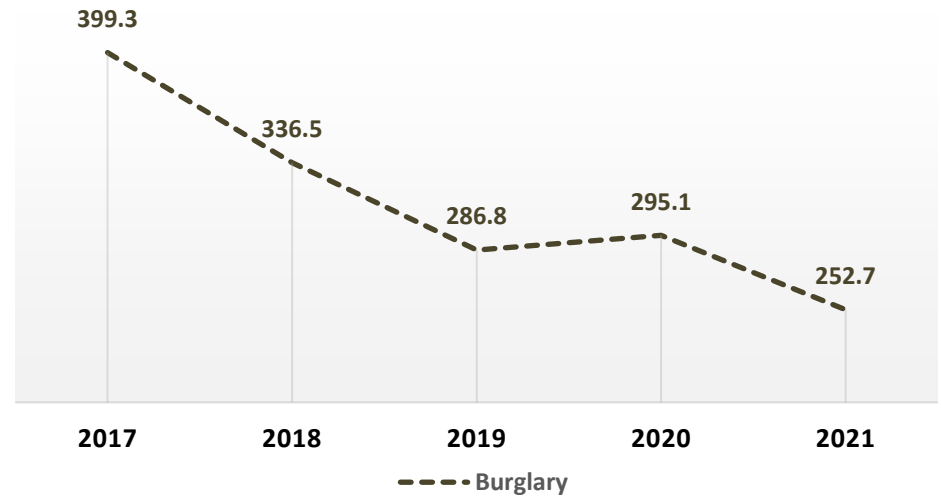


For property crime, all four indicators were down significantly, in some cases back below 2019 levels.

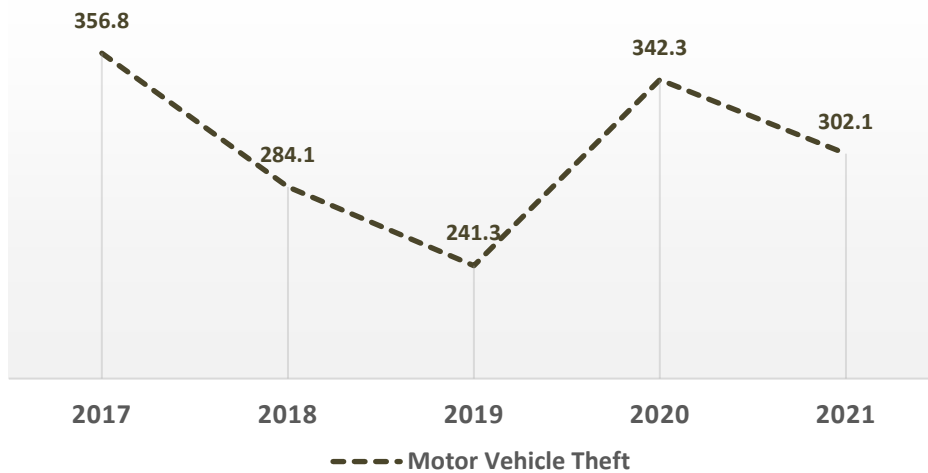
Larceny-Theft Offense Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



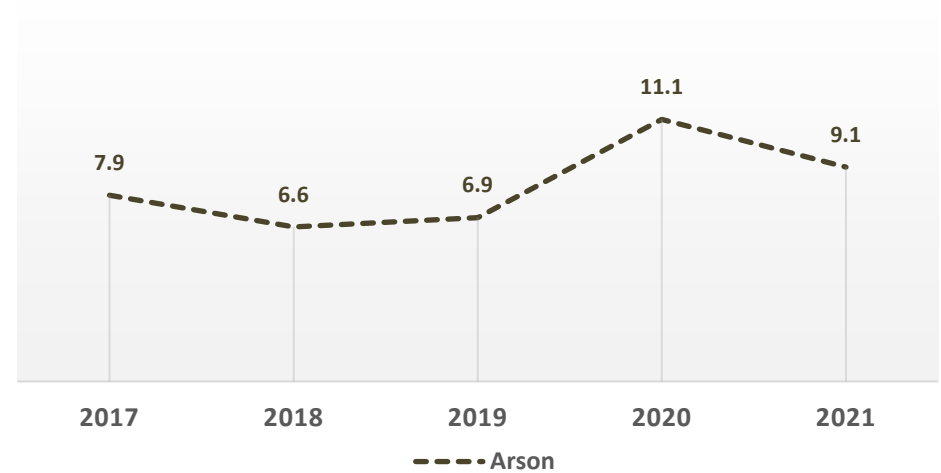
Burglary Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



Motor Vehicle Theft Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)



Arson Rate* Estimates, CY2017-21
 (* Rate per 100,000 population)

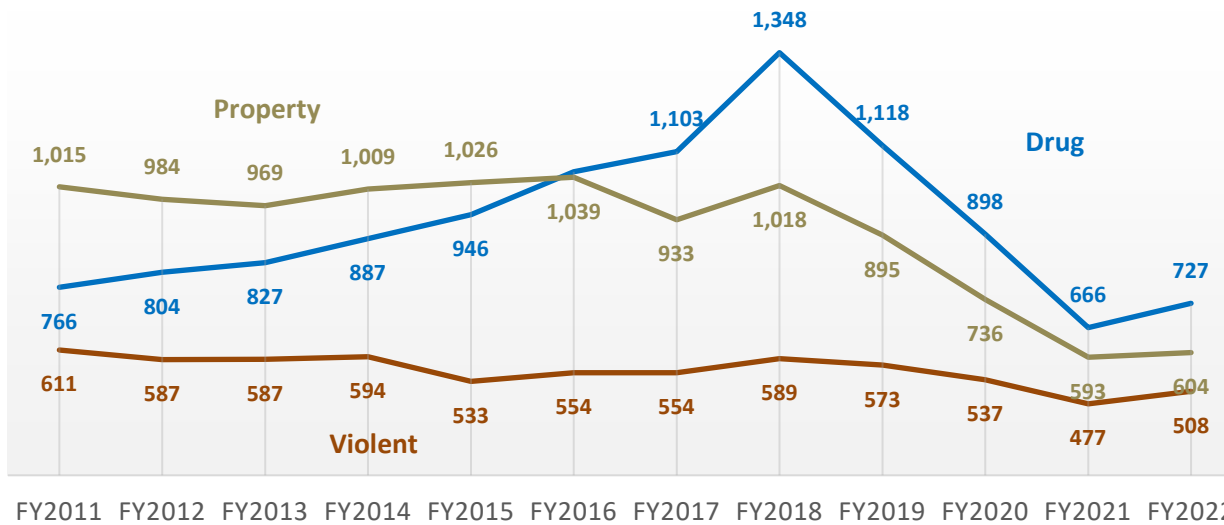


Source: Utah Department of Public Safety, Bureau of Criminal Identification, [Crime in Utah Dashboards](#), research sample of agencies (54%, 75% of population) consistently reporting NIBRS data 2017-21.

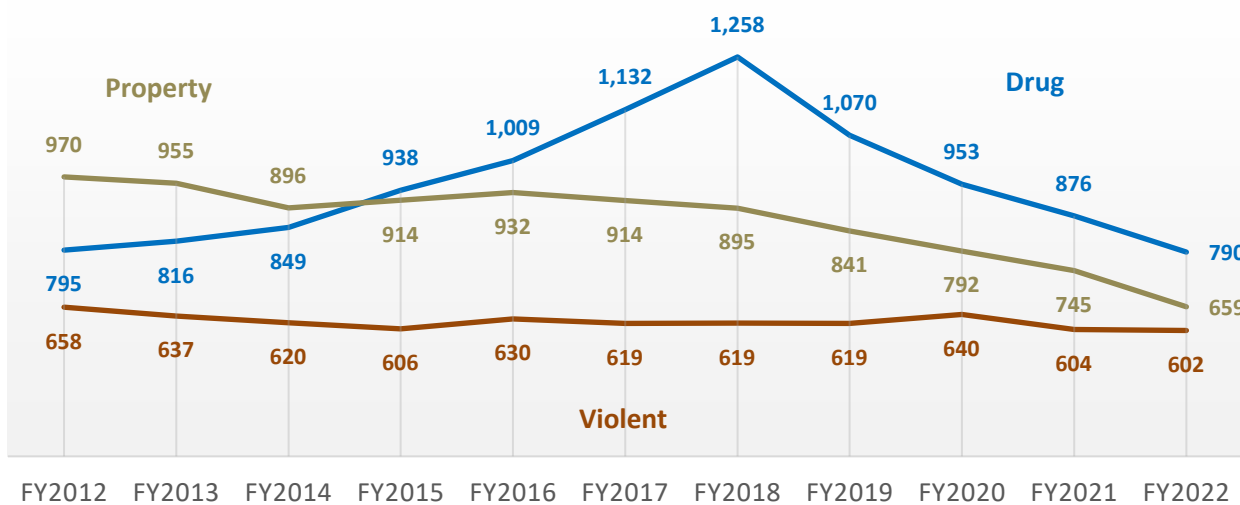


While reported crime has been either elevated (violent crime) or volatile (property crime) in the latest two calendar years, other crime indicators, including arresting activity and Court case filing rates, remained at historically low levels in FY2022.

Fingerprint-Based Arresting Incident Rates* by Type of Crime Charges Contained
 (* Rate per 100,000 population)



Court Case Filing Rates* by Type of Crime Charges Contained
 (* Rate per 100,000 population)



Reported crime and rates, as shown in the first part of this section, are one indicator of crime that should not necessarily be looked at in isolation. Other indicators from recent years tell a somewhat different story. For example, while Utah has not conducted their crime survey in some years, the annual [National Crime Victimization Survey](#) trends (which also includes crimes not reported to law enforcement) have differed slightly in recent years compared to NIBRS/Summary Reporting trends. In Utah, we also track trends in violent, property, and drug arrests and Court case filings as additional indicators of criminal activity.

The first figure on the left shows trends in fingerprint-based arresting incident rates for violent, property, and drug-related offenses. While all three categories increased somewhat in FY2022, this appears to be a slight readjustment from lows in FY2021, as each are still below FY2019 levels (drug arrests and Court cases are also discussed in Section C).

The second figure on the left shows Court case filing rates for the same three categories. All three crime categories were again down in FY2022, and each are at 12-year lows for rate of case filings relative to the population.

Source (arrests): Utah Department of Public Safety, Bureau of Criminal Identification

Source (case filings): Utah Administrative Office of the Courts, CORIS database

Note: Cases are counted in each category if there is at least one charge in the case, and they are not mutually exclusive - a case can fall into both the drug and property categories, for example, if the case includes both types of charges.