

A Performance Audit of the

# Salt Lake County District Attorney's Office

Improving Governance and Transparency

Office of the Legislative  
Auditor General

Report to the UTAH LEGISLATURE



LEGISLATIVE AUDITOR GENERAL



1975 - 2025



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**Audit Subcommittee of the Legislative Management Committee**  
President J. Stuart Adams, Co-Chair | Speaker Mike Schultz, Co-Chair  
Senator Kirk Cullimore | Representative Casey Snider  
Senator Luz Escamilla | Representative Angela Romero

December 9, 2025

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report:

“A Performance Audit of the Salt Lake County District Attorney’s Office”  
[Report #2025-31].

An audit summary is found at the front of the report. The scope and objectives of the audit are included in the audit summary. In addition, each chapter has a corresponding chapter summary found at its beginning.

[Utah Code 36-12-15.3\(2\)](#) requires the Office of the Legislative Auditor General to designate an audited entity’s chief officer. Therefore, the designated chief officer for the Salt Lake District Attorney’s Office is Sim Gill. District Attorney Gill has been notified that they must comply with the audit response and reporting requirements as outlined in this section of *Utah Code*.

We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,

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## PERFORMANCE AUDIT

## A PERFORMANCE AUDIT OF THE SALT LAKE COUNTY DISTRICT ATTORNEY'S OFFICE

### AUDIT REQUEST

We were asked to evaluate the efficiency and effectiveness of district and county attorney offices across the state. The audit request specifically referenced the Salt Lake County District Attorney's Office.

As a result, our efforts focused on that office. Following an initial risk assessment, we identified challenges related to guiding prosecutorial discretion and tracking performance measures.

### BACKGROUND

The District Attorney's Office holds primary responsibility for prosecuting criminal cases within its jurisdiction. As part of this role, prosecutors have broad discretion, including decisions on whether to file formal criminal charges for each law enforcement referral and how to resolve open cases. The office also plays a key role in advancing the goals of the criminal justice system, such as holding offenders accountable, reducing recidivism, and improving public safety.



### KEY FINDINGS

- ✓ 1.1 Inadequate Policies and Guidelines have Led to Inconsistencies and Confusion Regarding Case Screenings and Filings
- ✓ 1.2 Salt Lake County's Alternative-to-Incarceration Programs Need Clearer Admission Criteria and Transparency
- ✓ 1.4 A Lack of Documentation, Case Notes, and Guidelines Make it Difficult to Analyze Plea Deals and the Management of Cases
- ✓ 2.2 The Legislature Has Helped Improve Prosecutorial Transparency and Accountability: Progress Has Occurred, But Opportunities Remain



### RECOMMENDATIONS

- ✓ The Salt Lake County District Attorney's Office leadership should expand and implement standard policies in their newly updated screening handbook and train all staff on the new policies.
- ✓ The Salt Lake County District Attorney's Office should regularly evaluate a sample of screening decisions.
- ✓ The District Attorney's office should establish policies and standards to make sure adequate notes and documentation are included for each case, including plea deals.
- ✓ The Salt Lake County District Attorney should adopt and implement a formal management framework and hold management accountable for their performance in planning, implementing, and evaluating work.
- ✓ The Salt Lake County District Attorney should establish clear performance metrics to evaluate the office's effectiveness.

 **REPORT  
SUMMARY**

*The Absence of Clearly Defined Policies to Guide the District Attorney’s Discretion Reflects a Leadership Shortfall*

The DA’s Office does not have adequate policies to guide their screening and filing process. Although they have recently released some informal written guidance, this has been poorly communicated and implemented. To improve consistency, leadership should implement policies and regularly evaluate a sample of decisions to ensure they meet the office’s standards.

Additionally, office staff did not provide the information we requested on the county’s alternative-to-incarceration programs. This lack of transparency affected our ability to evaluate these programs for efficiency and effectiveness.

*District Attorney Leadership Should Strengthen Case Management by Setting Clear Expectations and Ensuring Oversight*

Line prosecutors have broad discretion in managing their criminal caseloads. Additionally, most convictions are secured through plea agreements. However, the office lacks clear policies to guide prosecutorial discretion for plea deals. We also found that most plea deals are not adequately documented in case files. Missing elements often included the rationale for the offer, the specific terms, and whether the offer was reviewed by a supervisor.

The District Attorney’s office should establish policies and standards that guide prosecutorial discretion and ensure that each case file has adequate documentation.

*Opportunities Exist for Utah’s District and County Attorneys to Improve Performance*

We found that the Salt Lake DA’s office does not have performance measures to evaluate prosecutor efficiency and effectiveness. Therefore, the office should develop relevant metrics and share them publicly to enhance accountability and transparency.

Additionally, the absence of prosecutor performance measures appears to be a statewide issue. In response, we offer several options (in the following figure) for the Legislature to consider.

**Options the Legislature Could Consider to Improve Prosecutorial Performance Tracking**



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# Introduction

*A Performance Audit of the Salt Lake County District Attorney’s Office—Improving Governance and Transparency* was conducted as part of a series of audits evaluating the efficiency and effectiveness of the criminal justice system in Salt Lake County. The audits released as part of this series are seen in dark blue in the following figure. In May 2025, the Legislative Audit Subcommittee further expanded our scope to include a performance audit of the Utah State Court system. This audit is ongoing and will be presented to the Legislative Audit Subcommittee at a future date upon completion.



In these audits, we evaluate the efficiency and effectiveness of these organizations both individually and collectively, as each serves an essential function in the criminal justice system. We also provide a comprehensive capstone report that focuses on the roles of each entity within the county’s criminal justice system and how these entities can better coordinate to improve public safety goals.

## **Audit Recommendations Are Designed to Help Improve the Salt Lake County DA’s Governance, Accountability, and Transparency**

The mission of the Office of the Legislative Auditor General is to help organizations improve. This mission can be seen in the following graphic:



THE MISSION OF THE LEGISLATIVE AUDITOR GENERAL IS TO

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WE HELP ORGANIZATIONS IMPROVE

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We have designed the recommendations for this audit to fulfill our mission and help improve the performance of the Salt Lake County District Attorney's Office.

We found that the district attorney's office could *achieve* better governance and oversight by establishing clear policies and standards for plea deals and filing decisions. By regularly evaluating these decisions and processes, leadership can also achieve greater accountability. Taken together, these actions should help ensure that a structured framework is in place to guide operations and support the organization in achieving its goals and objectives.

Similarly, the Salt Lake District Attorney's Office can take the *lead* in addressing calls for greater transparency within prosecutors' offices. The office has primary responsibility for prosecuting criminal cases within its jurisdiction. It also plays a key role in advancing the goals of the criminal justice system, including holding offenders accountable, reducing recidivism, and improving public safety. However, we found that the office lacks adequate performance metrics to evaluate its effectiveness and efficiency in achieving these goals. This presents an opportunity for the office to enhance transparency by developing and publishing these metrics. Doing so would help inform the public about prosecutorial performance and provide insight into the office's overall effectiveness and efficiency.



## BACKGROUND

The decision to formally charge someone with a crime is one of the most crucial functions of the Salt Lake County District Attorney's Office. Ensuring consistency in these decisions across similarly situated defendants is essential to upholding fairness and justice in the prosecution process.

### **FINDING 1.1 Inadequate Policies and Guidelines Have Led to Inconsistencies and Confusion Regarding Case Screenings and Filings**

#### **RECOMMENDATION 1.1**

The Salt Lake County District Attorney's Office leadership should expand and implement standard policies in their newly updated screening handbook and train all staff on the new policies. This can assist the DA in ensuring that the office is run with consistency and remove confusion about filing standards.

#### **RECOMMENDATION 1.2**

The Salt Lake County District Attorney's Office should regularly evaluate a sample of screening decisions. This can help the office ensure filings and declinations are consistent with office practices and policies.

### **FINDING 1.2 Salt Lake County's Alternative-to- Incarceration Programs Need Clearer Admission Criteria and Transparency**

#### **RECOMMENDATION 1.3**

The Salt Lake County District Attorney's Office should clearly define the admission criteria for its alternative-to-incarceration programs to emphasize the focus on public safety and criminal activity drivers. This can ensure that the appropriate individuals are admitted into the programs by addressing the underlying cause of their criminal activity while also improving outcomes.

#### **RECOMMENDATION 1.4**

The Salt Lake County District Attorney's Office should actively track alternative-to-incarceration programs' participants and relevant data points. This should help promote accountability while enhancing the transparency of program operations.



## CONCLUSION

The District Attorney's office lacks clearly defined policies to guide discretion in filing decisions, which reflects a leadership shortfall. We observed this similar concern in other county attorney's offices. Additionally, the lack of transparency in Salt Lake County's alternative-to-incarceration programs hindered our ability to conduct a thorough evaluation.



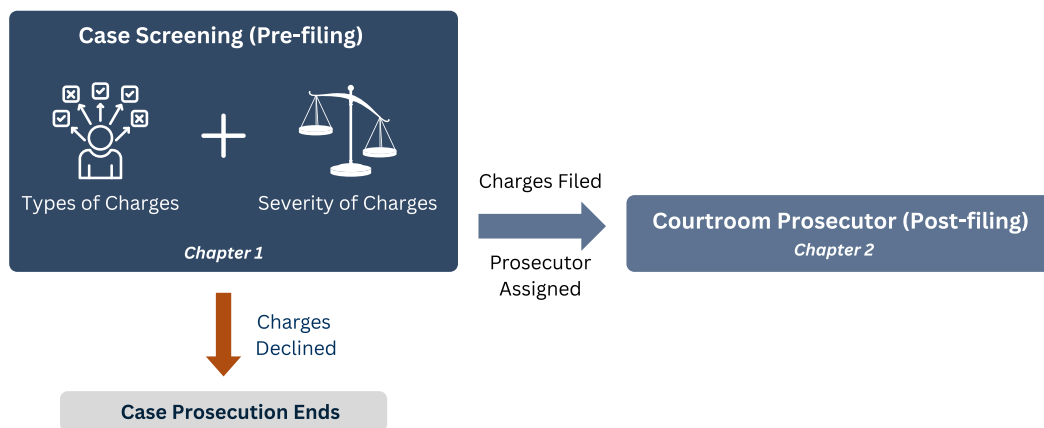


# Chapter 1

## The Absence of Clearly Defined Policies to Guide the District Attorney's Discretion Reflects a Leadership Shortfall

Leadership at the Salt Lake County District Attorney's Office (DA, or district attorney) <sup>1</sup> has not established policies to guide prosecutors' vast discretion throughout the criminal justice process. Limited written policies within the DA's office have led to inconsistent applications of prosecutor discretion in both the pre-filing (charging) and post-filing phases. We recognize that each case is unique, and that justice will differ depending on the facts of each case. However, the district attorney is responsible for establishing clear policies to document priorities, establish standards, and ensure consistency. It should be noted that we found this same concern in the other county attorney offices we examined. <sup>2</sup>

We focused on determining if DA leadership had established a guiding framework to ensure consistency and support prosecutors in making case decisions. We have presented our findings in two chapters (as shown in the following figure) indicating how prosecutor discretion could be improved with the addition of leadership-driven policies and standards. We recommend improvements in both the pre-filing and post-filing phases.



<sup>1</sup> Utah has only one district attorney, located in Salt Lake County. In other counties, the chief prosecutor is referred to as the county attorney. Throughout this report, we distinguish between the two or refer to them collectively as "chief prosecutors" or "elected officials."

<sup>2</sup> We interviewed the county attorneys from Washington, Davis, and Utah Counties. We also conducted a limited review of all 29 Utah counties to determine how their county attorneys measure success. This review is discussed in Chapter 3.

## 1.1 Inadequate Policies and Guidelines Have Led to Inconsistencies and Confusion Regarding Case Screenings and Filings

Until recently, the DA's screening division lacked accessible written policies to guide charging decisions. While management asserts that older policy manuals existed, most staff reported no knowledge of them. Even recently issued policy guidance is insufficient to fully address existing gaps. The filing or declining of criminal cases can vary widely without policies guiding screening decisions. For instance, one attorney may choose to file criminal charges, while another may opt to decline prosecution based on their individual discretion. To ensure consistency and accountability, we believe that senior leadership at the DA's office should establish standards and policies for the screening division to follow.

The decision to charge someone with a crime is one of the most crucial functions of the DA's office. This decision affects all subsequent actions because the type of charges filed impacts the amount of bail requested, the plea deal offered, the length of sentencing, and the reputation of the defendant. Ensuring consistency in these decisions is essential to maintain fairness in the prosecution process. The DA's office received about 23,000 case referrals in 2024, resulting in heavier workloads compared to other jurisdictions. Filing data shows that the DA filed charges for approximately 77 percent of these referrals. We recognize the workload of screening staff is substantial, and employees are attempting to use their best judgment for each case. However, due to the volume of cases, we questioned whether the screening division used written policies to ensure consistent filings for similar cases. Office management stated that they intentionally do not use policies because they prefer to handle law enforcement referrals on a case-by-case basis. The absence of clear policies has resulted in different outcomes for similar cases during the screening process.



**Prosecutors have broad discretion throughout the criminal justice process. Therefore, our audit focused heavily on examining the framework behind prosecutorial decision-making.**

### Leadership's Limited Policy Guidance Led To Staff Confusion over Filing Standards

The DA's office has issued limited formal filing policies. The office's official screening policy is broadly worded and focuses more on general philosophy than on specific criteria for charging decisions.<sup>3</sup>

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<sup>3</sup> Screening staff reported that the only clear directive was that any crime involving the use of a firearm must be filed if sufficient evidence exists—however, this policy was not documented.



Leadership stated that formal policies can only be issued by the district attorney. In the absence of written policies that include criteria, individual division leaders have provided informal guidance on screening practices. This guidance is often mistaken for official policy. These guidelines primarily address warrant amounts and expectations for screening crimes related to public safety. As a result,

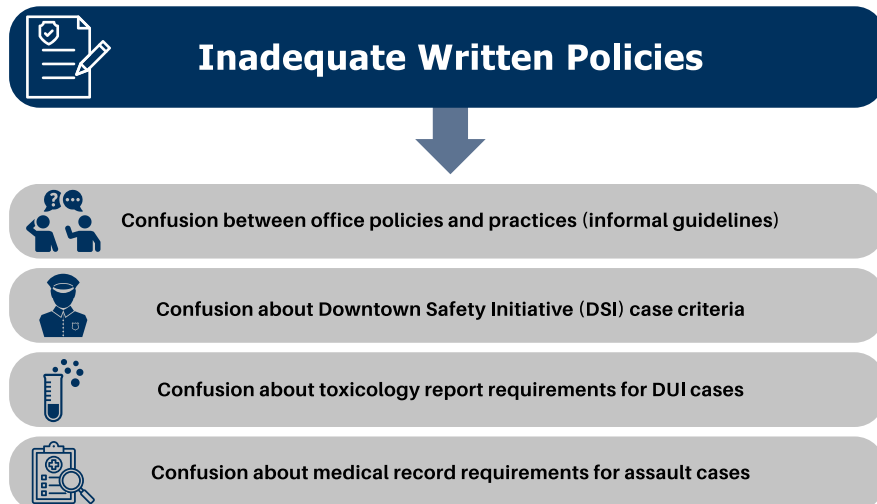


**In the absence of adequate written policies, division leaders have provided informal screening guidance. This guidance is often limited in scope and mistaken for official policy.**

screening staff reported confusion and inconsistencies in decision-making due to the lack of clear, written policies.

The lack of clear policies for filing cases resulted in confusion in certain categories. Specifically, there was confusion regarding cases associated with Salt Lake City's Downtown Safety Initiative (DSI)<sup>4</sup> and uncertainty about documentation requirements for filing charges such as driving under the influence (DUI)<sup>5</sup> or assault.<sup>6</sup> Over the course of the audit,

division leadership acknowledged this confusion and issued clarifying guidance. However, supervisors shared this guidance through the office's instant messaging platform rather than through an official policy or dedicated training session.<sup>7</sup> Some of the confusion we observed is seen in the following figure:



<sup>4</sup> In 2024, the Salt Lake City Police established the DSI as a geographical area to address crime downtown. The district attorney stated that DSI cases referred to his office were meant to receive additional scrutiny for possible prosecution.

<sup>5</sup> The specific concern was why some cases seemed to require a toxicology report for DUIs before filing, while others did not.

<sup>6</sup> Questions existed regarding the definitions separating the different degrees of assault, along with whether medical records were required before filing.






<sup>7</sup> This is also discussed later in the chapter.

## The Lack of Clear Screening Standards Has Led to Inconsistent Filing Decisions and Recommendations

Screening staff did not use policies or standards to guide decisions. Senior leadership reported the existence of a previous policy manual, but most staff in the screening division were unaware of it. Consequently, screening staff do not have clear guidance for making consistent criminal filing decisions. In some cases, unguided discretion has led to different outcomes for similar cases. This results in an inequal application of justice for similar offenses. The lack of leadership-driven policies can lead to inconsistent expectations. For example, some individuals were charged with crimes while others had their cases declined, due to confusion regarding filing standards.





We randomly selected and reviewed 50 felony case declinations to evaluate whether the reason for declination was documented. We found that approximately 48 percent of cases lacked detailed reasoning for why the case was declined. Additionally, a few cases appeared to reflect an inconsistent filing standard. To clarify, our concern is the lack of leadership-established standards and the absence of documentation (discussed later in this chapter). Taken together, these issues make it difficult to determine why some cases were filed while others were declined.

To illustrate how the absence of clear standards and documentation can affect filing decisions, we include examples from our sample where screening outcomes appeared inconsistent across similar cases. Case notes did not explain the reasoning behind the discrepancies. These cases also fall into the previously mentioned categories that screening staff identified as lacking clarity for filing standards, such as the domestic violence (DV) cases shown in the figure below:

Element	DV Case #1	DV Case #2
 <b>Criminal History</b>	None	<ul style="list-style-type: none"> <li>Arrested twice in the last 5 years for assault/DV</li> <li>Since this incident, suspect has had 5 additional DV cases</li> </ul>
 <b>Case Narrative</b>	<ul style="list-style-type: none"> <li>Defendant punched victim and placed his hands around her neck for about 30 seconds</li> <li>Victim reported difficulty breathing, raspy voice, neck pain and memory loss</li> </ul>	<ul style="list-style-type: none"> <li>Suspect slapped victim several times, choked her for 10 to 20 seconds, and later dragged her around a parking lot</li> <li>Victim reported experiencing an extreme amount of pressure on her neck</li> </ul>
 <b>Witness</b>	No	Yes
 <b>Documentation</b>	<ul style="list-style-type: none"> <li>No medical treatment record</li> <li>Probable cause statement</li> </ul>	<ul style="list-style-type: none"> <li>No medical treatment record</li> <li>No case notes</li> </ul>
 <b>Did the DA file?</b>	Yes	No



Similarly, the figure below shows two DUI cases where filing decisions were unclear, particularly regarding if toxicology reports were required before filing:

Element	DUI Case #1	DUI Case #2
 <b>Criminal History</b>	<ul style="list-style-type: none"> <li>Multiple DUI convictions</li> </ul>	<ul style="list-style-type: none"> <li>Defendant was previously convicted of a DUI</li> </ul>
 <b>Case Narrative</b>	<ul style="list-style-type: none"> <li>Officers responded to traffic collision and observed that the defendant smelled of alcohol</li> <li>Suspect admitted to consuming alcohol, exhibited slurred speech and poor balance</li> </ul>	<ul style="list-style-type: none"> <li>Suspect involved in rear-end collision. He admitted to drinking alcohol before the accident and while driving</li> <li>Suspect performed poorly on field sobriety tests</li> </ul>
 <b>Documentation (Unclear Requirement)</b>	<ul style="list-style-type: none"> <li>Toxicology report was requested but not finalized before the initial filing decision</li> </ul>	<ul style="list-style-type: none"> <li>No toxicology report requested</li> </ul>
 <b>Initial Filing Decision</b>	No*	Yes

\*Due to confusion surrounding filing standards, this case was initially declined solely because of an incomplete toxicology report but was later filed.

These cases illustrate examples where the final charging decision may have been affected by variations in screening staff's views on filing standards or policies.



**Screening staff expressed confusion about some filing standards. The lack of appropriate guidelines resulted in inconsistent case decisions.**

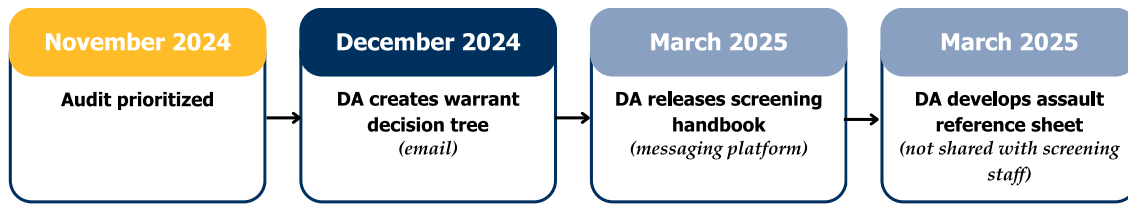
### **Lack of Leadership-Driven Policies Led the Screening Division to Create Informal Guidelines, Which Were Poorly Communicated**

Over the course of the audit, we noticed that the screening division released several forms of written guidance including a newly created screening handbook,<sup>8</sup> a decision tree for issuing warrants, and assault categorizations. However, senior leadership

did not create these guiding documents. Rather, screening supervisors communicated these documents through an instant messaging platform or via email. Consequently, screening staff reported they received little training and had limited understanding of leadership's expectations. Throughout the audit, screening staff reported that they had consistently communicated a need for policies and written guidance from senior leadership. While senior leadership acknowledged the importance of guiding policies, they have historically lacked a structured approach for communicating or implementing this guidance. This has

<sup>8</sup> The screening division released an updated handbook in March 2025, during this audit. Management stated that previous versions of the handbook had been issued; however, numerous staff reported being unaware of any policies or handbooks prior to the most recent version.

led to confusion among screening staff. For example, during the audit, the screening division attempted to communicate guidance through various messaging platforms, as seen in the following figure:



Additionally, the new handbook lacks guidance on filing standards for common criminal charges such as DUIs, retail thefts, drug possession, and others. Screening staff cited difficulty finding consistent guidelines due to the method of communication. In short, most guidance is not written down in a format that is easily referenced or cited as policy. Many individuals stated that they were unclear about the office’s policies and practices when it came to certain filing standards.

The U.S. Department of Justice (DOJ) emphasizes consistency in its manual, directing each office to establish internal procedures to ensure prosecutorial decisions are consistent. Additionally, the DOJ requires any federal prosecution office seeking to depart from regular practice to obtain approval from the deputy attorney general.



**The charging decision affects all subsequent actions and is one of the most crucial functions of the DA. Ensuring these decisions are consistent is important for fairness in the justice system.**





Similarly, our office’s 2022 *A Performance Audit of the Board of Pardons and Parole* found that transparency could be improved by requiring the agency to document reasons for deviations from guidelines. While board members are still expected to use personal discretion, requiring documentation for each decision adds an important layer of transparency. Likewise, guiding policies may help DA screening staff operate within a baseline framework that outlines consistent guidance for comparable cases. Yet, prosecutors may still exercise discretion to deviate from these guidelines in exceptional cases. Senior management should set clear expectations for documenting any departures from policy. Concerns over the lack of case documentation are discussed later in this report.

### **The Impact of Conflicting Policies Is Evident in Questionable Declinations and External Misconceptions About Screening Practices**

Even without written policies, some staff believed there was an unwritten directive from the DA prohibiting enhancements of retail thefts. Several staff



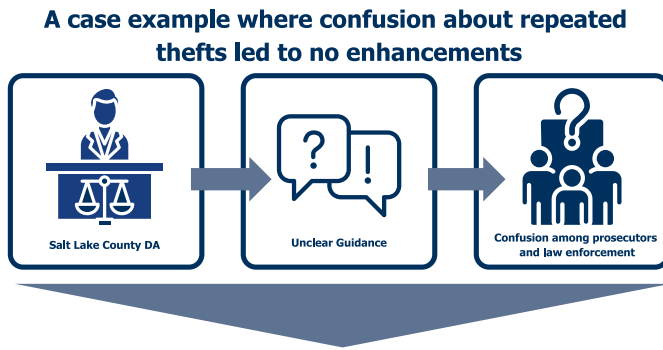
members stated that it was the office policy not to enhance retail theft charges under \$500, even though *Utah Code*<sup>9</sup> outlines when charges may be enhanced.<sup>10</sup> Filing data shows that many prosecutors did pursue enhancements. However, others declined to enhance the theft charges based on belief that it was the DA’s policy. These differing filing standards led to confusion and inconsistent charges, with some offenders receiving enhanced charges while others did not. The following figure highlights a few cases that illustrate this inconsistency. However, our primary concern is that the lack of clear standards appeared to influence both internal and external perceptions of how the DA handles retail theft cases. As a result, the impact may have been more widespread than what is reflected in the case documents.

	Current Charges	Criminal History	Did the DA enhance the theft?
<b>Utah Code</b>	Theft Value Less Than \$500	<b>1 Felony Theft Conviction</b>	<b>Yes - Enhanced to Felony</b>
<b>Case #1</b>	Defendant stole approx. \$260 in merchandise	<b>History includes 5 third degree felony convictions related to theft</b>	 Yes - enhanced to felony
<b>Case #2</b>	Defendant stole approx. \$55 in merchandise	<b>History includes 2 second degree burglary convictions and 1 third degree forgery</b>	 Yes - enhanced to felony
<b>Case #3</b>	Suspect stole approx. \$23 in merchandise	<b>History includes 7 third degree felony and 24 misdemeanor theft convictions</b>	 No - charges declined
<b>Case #4</b>	Suspect stole approx. \$7 in merchandise	<b>History includes 4 third degree felony and 11 misdemeanor retail theft convictions</b>	 No - charges declined

The district attorney stated that it was never a policy to decline retail theft enhancements. Conversely, others in senior management stated that it was only a temporary policy. During the audit, some prosecutors still believed this was a

<sup>9</sup> *Utah Code* 76-6-602.

<sup>10</sup> The law states that individuals with a qualifying felony conviction within the last 10 years should have their charges enhanced to a third-degree felony. Qualifying felonies include thefts, burglary, and fraud convictions.



**Example Case:  
1 individual with  
29 criminal theft cases  
in 1 year that were  
not enhanced**

policy. This was highlighted by an individual who had 29 criminal theft charges under \$500 that were not enhanced between May 2024 and May 2025. When we questioned the prosecutor about the lack of theft enhancements, they claimed it was a directive from the DA to not enhance these charges. Following this

questioning, the prosecutor later reported to us that they would pursue enhancing the theft charges.

The perception that the DA would not enhance retail theft charges was widespread. In our interviews with police agencies and city prosecutors' offices, we found that they believed this DA policy remained in effect until January of this year. This may have affected the number of retail theft cases these agencies submitted to the DA for enhancement, which is not reflected in the filing numbers.

The DA's recently released screening handbook states that justice demands equitable application of prosecutorial discretion. Given this charge, it is concerning that some of these cases were declined while others were filed based on the perception of an unwritten office policy. We believe senior leadership should establish policies to set clear expectations that lead to equal, fair, and consistent application across the office.



**It is concerning that some cases were declined while others were filed based on the perception of an unwritten office policy.**

### **DA Leadership Should Prioritize Establishing Formal Policies, Conducting Regular Trainings, and Evaluating Screening Decisions to Ensure Consistency**

The previous examples demonstrate the need for leadership-driven policies to guide screening decisions. The National District Attorneys Association states that the chief prosecutor (the district or county attorney) is responsible for setting specific policies to guide charging decisions. Similarly, best practices from the Utah Statewide Association of Prosecutors and Public Attorneys state the chief



prosecutor should establish appropriate guidance to help prosecutorial discretion in the screening process. These guidelines should provide consistency in operation and are an incentive to develop and articulate specific policies.



**With the recent creation of the screening handbook, we believe this is a perfect time to establish policies and provide adequate training on their use.**

Regular staff training on policies is also vital to ensure they are implemented and followed. Screening staff overwhelmingly expressed a desire for guiding policies and training to assist them with their responsibilities. With the recent creation of the screening handbook, we believe this is a perfect time to establish policies and provide adequate training on their use.

Once leadership establishes screening policies, they can ensure standards and related training are properly understood and implemented. This can be done by regularly evaluating a sample of case screening decisions. For example, if the new written policy directs staff to enhance retail thefts when statutory criteria are met, leadership can review a sample of those cases to verify consistency with the policy. This type of review can be extended to any category of cases with similar circumstances.

#### RECOMMENDATION 1.1

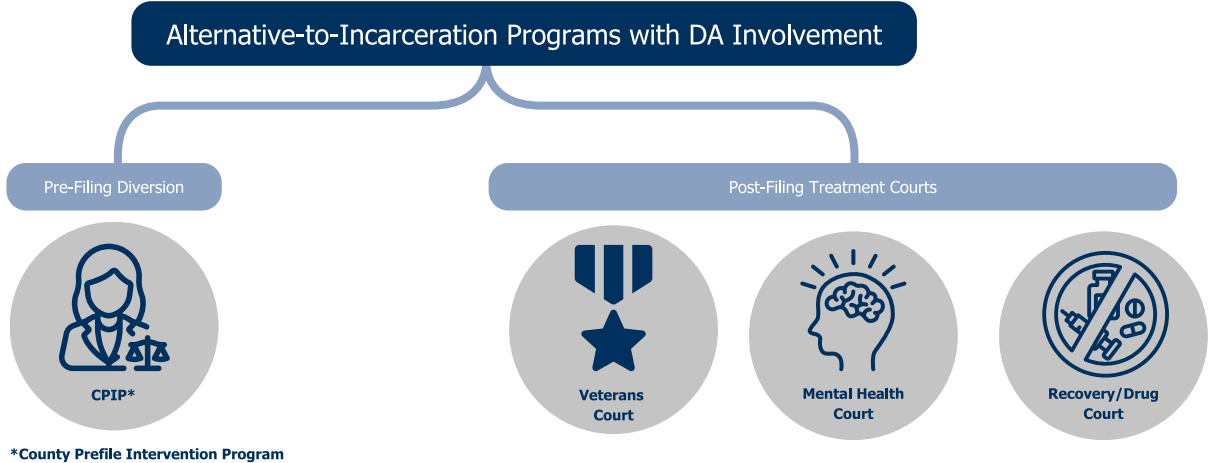
The Salt Lake County District Attorney's Office leadership should expand and implement standard policies in their newly updated screening handbook and train all staff on the new policies. This can help the DA to ensure that the office is run with consistency and remove confusion about filing standards.

#### RECOMMENDATION 1.2

The Salt Lake County District Attorney's Office should regularly evaluate a sample of screening decisions to ensure that filings and declinations are consistent with office practices and policies.

## 1.2 Salt Lake County’s Alternative-to-Incarceration Programs Need Clearer Admission Criteria and Transparency

Staff at the DA’s office have not been transparent and have restricted access to key meetings concerning the county’s alternative-to-incarceration programs.<sup>11</sup> When evidence of these restrictions was presented to the DA, he took steps to improve access to data. However, despite these efforts, full access has not yet been granted. Additionally, the DA has not adequately established or implemented clear admission criteria for its alternative-to-incarceration programs. As a result, we are concerned that individuals with questionable eligibility may be admitted into these programs. Alternative-to-incarceration programs often lead to the dismissal or reduction of criminal charges for participants. Admitting the wrong type of individual may negatively impact recidivism or harm public safety. Given that the DA’s office participates in several alternative-to-incarceration programs, as shown in the following figure, the office should ensure that its eligibility criteria are well-defined and focused on both public safety and desired outcomes.



### The DA’s Office Hindered Our Evaluation of Treatment Courts

For months, staff at the DA’s office prevented us from attending meetings where program admission decisions were made. This lack of transparency and the repeated delays hindered our ability to fully evaluate the alternative-to-incarceration programs. To conduct a thorough evaluation, we need access to

<sup>11</sup> Post-filing treatment courts are managed collaboratively by the courts, the county’s criminal justice services, public defenders, and treatment providers. Ideally, the prosecutor acts as a gatekeeper, ensuring that only appropriate individuals are admitted into the program. Once an individual is accepted into a program, the court makes final determinations regarding privileges, sanctions, and program completion or termination. Our office is conducting an audit into the Utah Court System in 2026, which will likely include the court’s handing of treatment courts.



relevant information that demonstrates whether the office is following its own standards and best practices. We acknowledge that the DA eventually intervened after being presented with evidence that we were not being allowed to attend meetings however, the delay prevented us from completing the evaluation within this audit’s timeline. Beyond requesting attendance at meetings, we asked for specific data such as the list of program participants and their associated criminal cases. The DA’s office initially agreed to provide this information but ultimately did not follow through. Despite several months of follow-up emails and meetings, we were unable to obtain the data. As a result, our ability to deliver meaningful evaluations and recommendations to both the Legislature and the agency regarding alternative-to-incarceration programs was significantly limited.

### **Admission Criteria for the Salt Lake County DA’s Specialty Courts Can Be Improved to Focus on Public Safety and Drivers of Criminal Activity**

Alternative-to-incarceration programs offer eligible individuals the opportunity to achieve more favorable case outcomes upon successful completion. For example, an offender with substance use issues may be diverted to a specialty program that oversees their challenges. Upon completion of the programs, initial criminal charges could be declined, dismissed, or reduced, or a more lenient sentence could be recommended.

The DA’s office plays a critical role in screening applicants and serving as a gatekeeper for the alternative-to-incarceration programs. However, the criteria for admission into Salt Lake County’s treatment courts appear vague. For example, various stakeholders indicated that the purpose of treatment courts is to offer alternatives for individuals whose criminal behavior stems from drug dependency or mental health issues. However, the Salt Lake County Recovery Court’s handbook only requires that an individual has a drug-related charge. As a comparison, another county’s manual highlights that admission to the program requires drug addiction or dependency.

**Salt Lake DA’s Recovery Court Policy**

Applicants must have a **charge related to drug use** and must plead to a charge for inclusion in the program. The DA’s Office will determine whether the defendant receives a “plea in abeyance” or “condition of probation” offer.

**Davis County’s Drug Court Manual**

Admission is limited to those defendants who have been arrested and charged in district court with a Class A misdemeanor or felony **offense that was committed due to the defendant being drug addicted or drug dependent.**

Similarly, the Salt Lake County DA’s office does not adequately address public safety in admission criteria. Individuals with violent crimes are not immediately

disqualified from the program. We are concerned that the program’s criteria do not properly focus on individuals whose criminal activity is driven by drug dependency, while also not disqualifying those who present a public safety risk.

<b>Salt Lake DA’s Recovery Court Policy</b>	<b>Davis County’s Drug Court Manual</b>
Potential disqualifiers <b>include pending charges and/or criminal history that raise significant concerns about the safety of the public</b> such as violent offenses, firearm offenses, DUIs, high-level drug dealing. <b>“Such charges aren’t outright disqualifying; the facts will be reviewed on a case-by-case basis”</b>	Defendants are ineligible for Drug Court if they have a current offense and/or criminal history that includes a crime that suggests the applicant poses a present danger to Drug Court staff, other participants, or the community at large.

We attempted to review a sample of cases to determine if individuals with violent histories or without notable drug or mental health issues were admitted to these programs. However, our review was constrained by the delays in information and resistance to attending staffing meetings. The DA’s office claimed federal regulations prohibited us from attending these meetings. However, other criminal justice actors disagree with the DA's office and believe that existing statutes provide a pathway for our office to collect and audit federally protected information as part of our mandate to enhance efficiency and effectiveness. Consequently, we are unable to determine whether the district attorney’s office is effectively fulfilling its gatekeeping role in promoting public safety and reducing recidivism through its alternative-to-incarceration programs. Even so, we believe that greater accountability, cooperation, and transparency are essential to ensure these programs align with the office’s overall mission and goals.

To be clear, we recognize that alternative-to-incarceration programs offer a valuable opportunity to improve outcomes within the criminal justice system. We recognize the potential benefits of these programs, including enhanced public safety, reduced costs, and improved recidivism rates. Because these programs provide significant benefits to participants, it is essential to ensure that the right individuals are admitted. Additionally, we were unable to determine if the DA’s office utilized metrics to measure alternative-to-incarceration programs’ performance. The office does not measure recidivism rates to determine if program graduates have new criminal charges filed against them. We recommend that the office track participants to promote accountability and increase transparency.



### **RECOMMENDATION 1.3**

The Salt Lake County District Attorney's Office should clearly define the admission criteria for its alternative-to-incarceration programs to emphasize the focus on public safety and criminal activity drivers. This can ensure that the appropriate individuals are admitted into the programs by addressing the underlying cause of their criminal activity while also improving outcomes.

### **RECOMMENDATION 1.4**

The Salt Lake County District Attorney's Office should actively track alternative-to-incarceration programs' participants and relevant data points. This should help promote accountability while enhancing the transparency of program operations.





### BACKGROUND

Prosecutors have broad discretion in how they manage their cases, and nationally, most cases are resolved through plea deals. Therefore, we focused our evaluation on the framework prosecutors use to decide whether to offer a plea deal and its terms.

#### FINDING 2.1

**A Lack of Documentation, Case Notes, and Guidelines Make it Difficult to Analyze Plea Deals and the Management of Cases**

#### RECOMMENDATION 2.1

The District Attorney's office should establish policies and standards to make sure adequate notes and documentation is included for each case, including plea deals. This will create a prosecution trail, allow for a review, and assist in the transfer of cases when needed.

#### RECOMMENDATION 2.2

The Salt Lake County District Attorney's office should establish methods and processes to regularly review plea deals and case notes. This could help provide consistency across similar cases in the criminal justice system.

#### RECOMMENDATION 2.3

The Salt Lake County District Attorney should adopt and implement a formal management framework and hold management accountable for their performance in planning, implementing, and evaluating work. This framework should clearly connect work activities to outputs and outcomes through its measurement and reporting practices. The district attorney should assess the impact of these changes by monitoring progress on organizational goals, and improvements made to the office's oversight structures and transparency.



### CONCLUSION

The Salt Lake County District Attorney's Office lacks clearly defined expectations for case management, including standards for plea deals and documentation. As a result, we identified instances where criminal charges were significantly reduced through plea agreements without adequate documentation or justification. Implementing formal policies and oversight mechanisms could help strengthen the prosecution process.





## Chapter 2

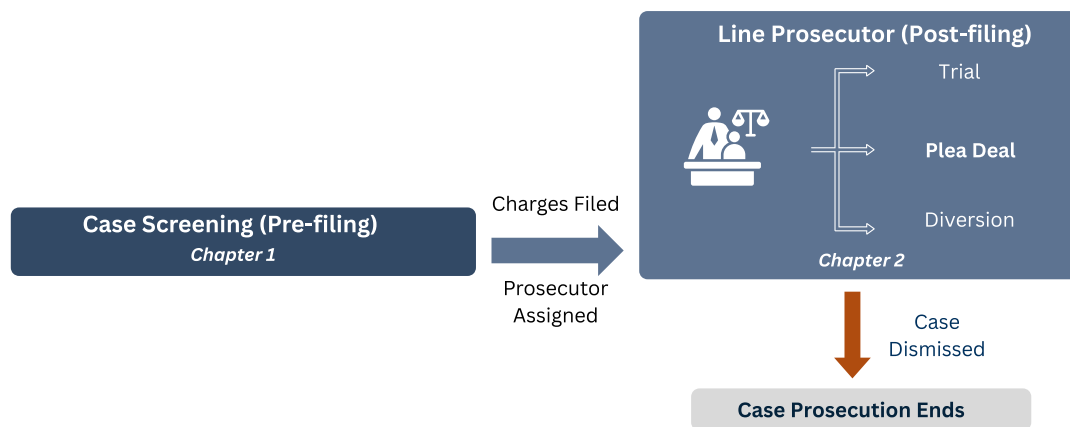
# District Attorney Leadership Should Strengthen Case Management by Setting Clear Expectations and Ensuring Oversight

Leadership for the Salt Lake County District Attorney's Office (DA, or district attorney) has not clearly defined expectations for case management, including standards for plea deals and documentation throughout the prosecution process. While some divisions within the DA's office have established guidelines for post-filing case management, these standards are not consistently communicated to prosecutors.

For example, we found instances where criminal charges were significantly reduced through plea deals without proper documentation or justification. We acknowledge that each case is unique, and that the strength of the evidence plays a critical role in determining the final disposition. However, office leadership should strengthen oversight by establishing documented expectations to both reduce the risk of inconsistent case decisions and improve transparency. We believe that improved communication and the implementation of formal oversight mechanisms would enhance the DA's case management process, improve transparency, and lead to better outcomes.

### 2.1 A Lack of Documentation, Case Notes, and Guidelines Make It Difficult to Analyze Plea Deals and The Management of Cases

Once the DA screens and accepts a criminal case, it is passed to a line prosecutor. Line prosecutors have wide discretion in how they manage their cases (as shown in the following figure):





One of the most common methods of resolving cases is through plea deals.<sup>12</sup> Salt Lake County DA prosecutors manage heavy caseloads, with some handling over 400 general felony cases at any given time.<sup>13</sup> Plea deals are common to help manage these large caseloads. Plea deal conditions are often determined by prosecutors and defense attorneys prior to, or during, court hearings. However, most plea deals we reviewed showed that terms were not documented at all, or were recorded with limited information in prosecutors' case notes. This absence of information makes plea deals difficult to evaluate and compare for consistency and fairness.<sup>14</sup>

Furthermore, we found that cases in the DA's database did not contain adequate case notes documenting the trail of casework. Without documentation or case notes, it is challenging to determine how cases were managed or how plea deal agreements were reached. A lack of documentation can diminish the transparency of the prosecutor's decision-making process. The following sections describe our concerns about written guidelines and case documentation in more detail.

### **Leadership Has Not Adequately Communicated Expectations for Plea Deals, Leading to Missing Documentation and Questionable Outcomes**

The district attorney reported that it is office policy to document each case in the database, including the reason for plea deals. Some divisions within the DA's office have written guidance for plea deal documentation. However, interviews with prosecutors showed that many are unaware of these written guidelines. In fact, numerous prosecutors believed that the DA does not have internal policies for plea deals.<sup>15</sup> The district attorney reported that any case can be escalated to senior leadership to discuss plea terms, but these discussions only include a few of the thousands of cases managed by the DA's office. We attended some of these internal discussions and observed that many legal factors appear to be considered when making a plea decision. Even so, most plea deals



**In our interviews with prosecutors, we found that most were unaware of policies or written guidelines regarding plea deals.**

<sup>12</sup> Nationally, over 90 percent of cases are resolved (disposed) through plea deals.

<sup>13</sup> Although there are no national standards, prosecutors in other counties within the state—and across the country—manage up to half as many cases or fewer.

<sup>14</sup> *Utah Code* requires prosecuting officers to publicly report cases disposals, including the number of cases where plea deals are accepted. However, it does not require prosecutors to detail the conditions of plea agreements.

<sup>15</sup> The only directive mentioned by many prosecutors was the district attorney's expectation that all pleas for gun-related crimes be approved by senior management.



we examined in the database have little to no documentation detailing the reason for the offer. We found that some divisions have internal guidelines that require “significant developments” to be documented in plea deal case notes. However, it is unclear what constitutes a “significant development.” Additionally, one manual stated that any plea offer that reduces the top charge by more than two steps should be approved by a supervisor or management.<sup>16</sup>

## Missing Plea Deal Documentation in 100 Reviewed Cases



\*Our audit team reviewed a sample of cases in which the final plea charge was reduced by more than two degrees from the originally filed charges.

Source: Auditor generated from the DA’s case management system. Case elements are not mutually exclusive.

possibility that some cases may have significantly reduced charges compared to similar cases. In some cases, it appears that prosecutors offered deals for lower charges, despite initially agreeing with the victim to pursue more serious charges. We highlight three examples to show the potentially serious concerns that arise with a lack of documentation:

We reviewed 100 plea deals that involved a two-step reduction to determine if the terms of the deal, reasoning, and supervisor approval were well-documented. We found that most plea deals had some mention of the terms of the deal.<sup>17</sup> However, most lacked documentation explaining the rationale behind the agreement or whether two-step reductions were reviewed by a supervisor. This lack of documentation reduces prosecutorial transparency and raises the

<sup>16</sup> For example, a plea deal that reduces a charge from a second-degree felony to a class A misdemeanor would require a supervisor’s approval. We identified that the special victims unit manual had some details into this directive.

<sup>17</sup> Terms included the charges the defendant admits guilt to, sentencing and probation recommendations, restitution amounts, and whether counseling or therapy are required.



### Example 1

*Defendant has a history of approximately eight cases of possession of a controlled substance with the intent to distribute. The prosecutor extended a plea offer to reduce the charges by two levels. However, the prosecutor noted that they would not have extended this offer had they reviewed the criminal history more thoroughly.*

### Example 2

*Defendant is accused of domestic violence and assault charges. After a discussion, both the prosecutor and the victim agree that an assault charge would be appropriate as a plea deal. However, the prosecutor reduces the charge to a nonassault misdemeanor charge. Case notes are missing any information about the reason for this decision.*

### Example 3

*Defendant is arrested for five times the legal limit of alcohol and being involved in a collision. They have a prior history of driving under the influence. The prosecutor agreed to a plea deal without a DUI conviction. No reasoning or justification was provided for this agreement.*



**We recognize that some cases may have special circumstances. However, the lack of documentation makes these circumstances difficult to prove.**

These examples were missing both the reasoning behind the deal and documentation of supervisor approval. We recognize that some of these cases could have had special circumstances that limited the DA's ability to fully prosecute the top charge. However, the absence of documentation makes these circumstances difficult to prove and requires prosecutors to remember the facts of the case and their reasons for extending the plea offer.

Another concern is some prosecutors mentioned that heavy caseloads incentivized them to give more than favorable plea deals in some circumstances so they can focus on more serious cases.

**Due to the Lack of Documentation, We Were Limited in Our Ability to Analyze Prosecutors' Decision-Making.** The lack of recorded notes and other documentation for plea deals prevented us from evaluating the decision-making process of prosecutors during the post-filing phase. As a result, we could not determine prosecutors' rationale for offering plea deals.



**Best practices state that each case file should include the reasoning behind the plea deal. This process can increase transparency in the DA's operations.**

The Utah Statewide Association of Prosecutors and Public Attorneys (SWAP) states that it is a best practice to include the reasoning for each plea deal within the case file. Each plea deal should contain the terms, relevant communications, and rationale for offering the deal.

Despite these guidelines, we could not find any offices within Utah that have strong policies and oversight mechanisms to ensure consistent documentation of plea agreements among the counties we visited. Even so, we believe documenting the reasons behind plea deals can enhance transparency in the DA's operations.

The lack of documented reasons for plea deals reduces the transparency and oversight of prosecutorial discretion. It may also hinder the understanding of victims, the public, or policymakers into why certain deals were offered. Therefore, the Legislature may wish to consider requiring all county and district attorney's offices to document the reasoning for plea deals. This requirement could improve oversight into prosecutorial decisions.

### **Leadership Has Failed to Establish Written Standards on Case Documentation**

Similar to the screening division (as discussed in Chapter 1), line prosecutors stated that they did not have policies guiding their work after being assigned a case. Leadership initially stated the same thing but later stated that some divisions had handbooks. Observations and interviews found that many prosecutors were either not aware of, or were not using, policies to guide their decision-making. Even so, leadership has consistently voiced their expectations for prosecutors to include notes in case files. Case notes provide a documented trail of how the case was handled and allow for a third-party review. For example, a supervisor can review their subordinate's case notes to evaluate performance. However, many cases in the database do not have adequate case notes detailing the prosecution trail. During our review of cases, we found that some had very little documentation detailing how cases are managed. The following figure shows three cases with limited case notes:



**Office leadership voiced their expectations for prosecutors to document significant updates in cases. Even so, we found that some cases had very little documentation detailing how the case was managed.**



### Example 1

*Defendant was accused of burglary and possession of a dangerous weapon by a restricted person. The case notes started in November 2022 regarding the issuance of a summons. However, there is a large period without case notes until February 2025, when there is a brief mention that the case was closed. No other updates were provided.*

### Example 2

*Defendant was charged with attempting to steal multiple electronic bikes. The case was filed in June 2023. There were no notes regarding case progress from July 2023 until July 2024, when the case was reassigned.*

### Example 3

*Defendant was charged with burglary and assault. Midway through the case, it was reassigned to a different prosecutor. The new prosecutor noted that a plea offer had previously been made, but he was unaware of its terms until defense counsel indicated they were ready to accept the offer. There is no documentation of the original plea offer in the case notes.*

Insufficient documentation hinders transparency into how cases are managed. It also complicates the transfer of cases between prosecutors. Some attorneys voiced frustration over receiving partially worked cases that lacked documentation or records of prior actions taken. When prosecutors repeat steps that may have already been completed, it creates inefficiencies.

#### RECOMMENDATION 2.1

The Salt Lake County District Attorney's Office should establish policies and standards to make sure adequate notes and documentation are included for each case, including plea deals. This will create a prosecution trail, allow for a review, and assist in the transfer of cases when needed.

### The DA's Office Can Evaluate Plea Deals and Case Notes to Ensure Standards Are Being Met

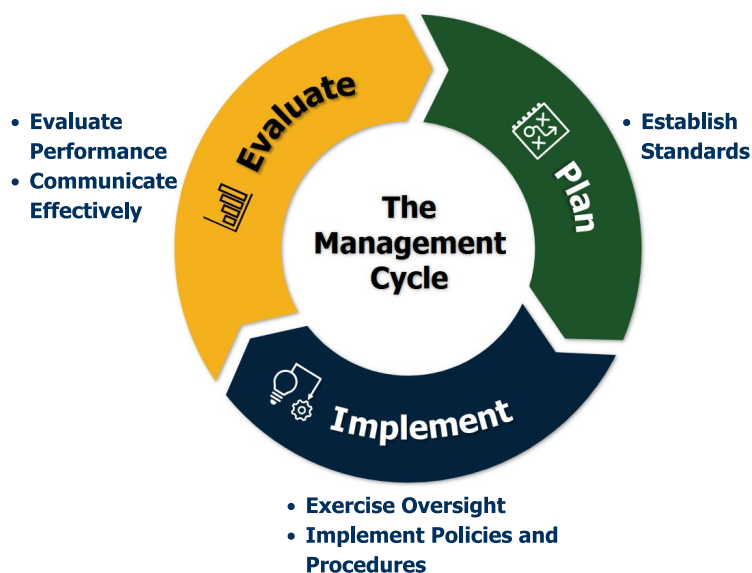
Currently, the DA's office does not have a formal process for evaluating both plea deals and case notes in the database. As seen in the examples above, this has resulted in a lack of documentation for both plea agreements and casework. Following the creation of policies for documentation, the DA's office can regularly examine and evaluate samples of both plea deals and case notes to determine if expectations are met. Routinely evaluating both plea deal



agreements and case notes allows leadership to identify patterns. These patterns can inform leaders about the application of justice to similar offenses, provide needed training, and improve oversight.

The American Bar Association (ABA) recommends collecting and reviewing data associated with plea deals to enhance oversight. Without formal policies outlining documentation requirements, this review process cannot take place. Similarly, Chapter 1 of this report highlights how inadequate policies and poor communication contributed to inconsistent filing practices. We believe that the DA's office would benefit from a strengthened governance model to improve in these areas.

Our office's *Best Practice Handbook* states that effective governance involves establishing the structures and processes necessary to support organizational success. To achieve this, DA leadership should adopt a continuous improvement framework consisting of three phases, as shown in the adjacent infographic. Key components of the cycle that the office should prioritize are listed outside the circle. Additionally, the district attorney should ensure that the leadership team holds both themselves and the organization accountable to the mission, as well as to internal and external goals. This accountability can be reinforced by ensuring the organization complies with newly established policies and procedures. Furthermore, transparency strengthens accountability. The DA should use the performance metrics discussed in Chapter 3 to publicly report how the organization is progressing toward its desired goals.



### RECOMMENDATION 2.2

The Salt Lake County District Attorney's Office should establish methods and processes to regularly review plea deals and case notes. This could help provide consistency across similar cases in the criminal justice system.



### RECOMMENDATION 2.3

The Salt Lake County District Attorney should adopt and implement a formal management framework and hold management accountable for their performance in planning, implementing, and evaluating work. This framework should clearly connect work activities to outputs and outcomes through its measurement and reporting practices. The district attorney should assess the impact of these changes by monitoring progress on organizational goals, and improvements made to the office's oversight structures and transparency.



### BACKGROUND

The Legislature has taken steps to increase the transparency and accountability of prosecutor offices across the state. Due to this, we focused on how prosecutor offices are currently using data to evaluate performance and inform decision-making.

#### **FINDING 3.1** **Prosecuting Offices Can Improve Operational Performance by Actively Using Performance Data**

#### **RECOMMENDATION 3.1**

The Salt Lake County District Attorney should establish clear performance metrics to evaluate the office's effectiveness. These metrics should be published on the office's website and updated regularly to promote transparency. Making this information publicly available enhances both transparency and accountability in the prosecution process by allowing the public to assess the District Attorney's performance.

#### **RECOMMENDATION 3.2**

The Salt Lake County District Attorney's Office should establish a performance manager role to proactively collaborate with leadership. The District Attorney should work closely with this role to develop data collection standards and performance metrics that offer meaningful insights into both office-wide operations and individual prosecutor effectiveness.

#### **FINDING 3.2** **The Legislature Has Helped Improve Prosecutorial Transparency and Accountability: Progress Has Occurred, But Opportunities Remain**

#### **RECOMMENDATION 3.3**

The Legislature should consider the options presented to improve the transparency and accountability of prosecutor's offices. Transparency should improve if the Legislature requires county attorney offices to establish metrics, regularly evaluate trends, and report on these measurements.



### CONCLUSION

While some progress has been made in evaluating the effectiveness and efficiency of prosecutors, further opportunities for improvement remain. The recommendations in this chapter could help the Legislature and prosecutors' offices enhance transparency and public accountability by establishing clear performance metrics.





## Chapter 3

# Opportunities Exist for Utah’s District and County Attorneys to Improve Performance

District and county attorneys’ offices across the state do not use formal quantitative metrics to evaluate their performance.<sup>18</sup> Our examination of prosecuting offices within Utah found that tracking performance data is challenging and difficult to accomplish. We recognize that quantitative data metrics do not capture all the nuances associated with criminal prosecution—a concern expressed by county attorneys in a letter to our office. Even so, we believe meaningful measurement is both possible and beneficial. Measuring performance in government can lead to greater efficiency and effectiveness across various organizations. Without appropriate metrics, prosecutors’ offices may lack understanding of office efficiency or miss opportunities to improve. We believe there is significant opportunity for county prosecutors to measure performance and improve outcomes. Publicly reporting the outcomes of these metrics also improves transparency with policymakers and the taxpayers.

As elected officials, district and county attorneys report primarily to their electorate. Therefore, public transparency is essential, because it allows the electorate to hold elected prosecutors accountable for their actions. Without accessible public data, effective oversight becomes difficult. We question who provides oversight over locally elected prosecutors if neither the public nor the Legislature are provided with the appropriate transparency to gauge the effectiveness of prosecutors’ offices.

### 3.1 Prosecuting Offices Can Improve Operational Performance by Actively Using Performance Data

Historically, prosecutors’ offices have rarely collected data or communicated their performance to the public using metrics. We found that county attorneys overwhelmingly believe that a prosecuting office’s success cannot be measured with data. This problem is prevalent throughout the state. We surveyed all 29 county attorneys’ offices to determine how they use performance measures to evaluate office operations and individual prosecutors. In response, 27 counties

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<sup>18</sup> We interviewed counties of the first and second class. One county did not respond to our request for a meeting. Additionally, we surveyed all 29 district and county attorneys to determine how they evaluate performance.



sent a collective letter expressing reluctance in using performance measures to evaluate prosecutor performance:<sup>19</sup>

**Collective Response from Prosecutor’s Offices**

*"Our offices are mindful of the risks of over-emphasizing numerical measures in a profession where success is not always reflected in a conviction or short timeline....We support efforts to ensure accountability and effectiveness but caution against measuring prosecutorial performance solely in terms of outputs or statistics."*



**We believe that thoughtful performance measurements can provide leadership with valuable insight about office effectiveness and efficiency.**

We recognize that data metrics may not fully reflect the complex work of prosecuting offices. Even so, we believe that thoughtful performance measurements can provide leadership with valuable insight into office effectiveness and efficiency. In fact, some other counties across the nation have incorporated thoughtful measures to inform their operations. Because our audit focused primarily on the Salt Lake County District Attorney’s Office (DA, or district

attorney), we evaluated whether that office utilized performance metrics and data to inform its prosecution work. However, we address potential statewide solutions to the lack of data across prosecutors' offices later in this chapter.




**Inefficiencies Within Salt Lake County DA’s Office Cannot Be Identified Without Performance Measures**

Without a basic framework of metrics, there is no way to evaluate office performance. An absence of metrics can result in prosecution offices facing several inefficiencies, as illustrated in the following figure using the Salt Lake DA’s office as an example:

<sup>19</sup> The full response letter can be found in Appendix A.



## Inefficiencies Resulting from a Lack of Prosecutorial Performance Metrics

MISSING METRIC	RESULTING INEFFICIENCIES
Habitual Offender Tracking & Public Safety	The office's effectiveness in achieving public safety goals is unclear. It lacks a countywide list of habitual offenders and relies solely on Salt Lake City law enforcement to identify high-priority individuals, potentially leaving the district attorney unaware of prolific offenders elsewhere in the county. 
Case Processing Times & Bottlenecks	The office cannot identify delays or bottlenecks in the prosecution process. As an example, this led to a habitual offender's felony case stalling for over two years—during which time the individual had nearly 80 additional criminal cases opened against him. 
Staffing Analysis	Leadership may struggle to justify staffing and budget needs if based on inaccurate assumptions. Although management cites excessive caseloads, the office relies on national public defender guidelines instead of conducting its own analysis or staffing study, which may not reflect prosecutors' actual workload. 

The DA has emphasized the office's need for additional staff. However, the office has failed to demonstrate how excessive caseloads may limit its ability to adequately prosecute cases. High caseloads may limit the time a prosecutor can spend on cases and may have contributed to the problems discussed in Chapters 1 and 2 of this report. Metrics tied to caseloads could justify additional staff and lead to shorter case processing times, better communication with victims, and improved public safety.

Several national institutions<sup>20</sup> support the use of performance measures to evaluate prosecutors' offices. These measures can help determine whether an office's functions contribute to safer communities, promote system coordination, and ensure that justice is pursued fairly, impartially, and efficiently.

### The Salt Lake County DA's Office Does Not Track Outcomes, Making Its Impact Difficult to Determine






Salt Lake County DA leadership reported that office operations are not guided by data-driven decision making. Instead, they follow an organizational model that utilizes courtroom teams. The teams are composed of prosecutors, and a supervisor is assigned to each courtroom. Supervisors provide qualitative assessments of team performance, which offer insights into operations. However,

<sup>20</sup> National District Attorney's Association, Association of Prosecuting Attorneys, and the American Prosecutors Research Institute.



this approach does not measure quantitative metrics such as the number of plea deals offered, case processing times, or case outcomes.

We found examples of metrics used by counties in other states, as well as suggested metrics from professional organizations.<sup>21</sup> Some of these categories can be seen in the left column of the following figure. Currently, the only measurements tracked by the DA’s office are the case-filing rate and prosecutorial caseloads.

Performance Metrics	Does the DA Track It?	Usefulness
 Case-Processing Time (Post-Filing)	No	May help prevent case-processing delays, help victims and defendants, and prevent unnecessary backlogs.
 Plea Deals & Case Outcomes	No	By analyzing plea deals, prosecutors enhance transparency, increase oversight, and promote consistency.
 Habitual Offenders & Violent Crime	No	Tracking violent crimes through the prosecution process allows prosecutors to identify their impact on public safety and recidivism.
 Filing Rate	Partially	The DA’s office tracks its overall filing rate but does not break it down by crime type. Breaking this down could improve resource effectiveness and case prioritization.
 Prosecutorial Caseload	Yes	Monitoring caseloads enables offices to evaluate whether prosecutors are properly handling cases and have an adequate workload.

While case filings and prosecutor caseloads are helpful for tracking the number of active cases and promoting workload equity among prosecutors, they do not inform how cases are being handled or resolved. The lack of performance data was evident when we requested data on how long criminal cases took from the time of filing to completion. Despite several meetings and requests over several weeks, we were unable to obtain this data.<sup>22</sup> Senior management reported that it

<sup>21</sup> Case-processing time, violent crime, and filing rate are metrics tracked by prosecuting offices in other states. Case outcomes and prosecutorial workload are supported by prosecutorial performance indicators.

<sup>22</sup> It should be noted that the DA’s office granted our team access to their case management system and fulfilled most of our audit requests. However, some data requests were either delayed or never fulfilled. For example, we requested data on case processing times in mid-May but did not receive any information until mid-October. Even then, the data was provided in aggregate form, which prevented us from verifying its accuracy. Additionally, because it arrived late in our writing process, our ability to analyze it was limited.



is challenging to produce this data from the office's case management system. However, they also reported that it could be done.

As an example, Broward County, Florida, began measuring the time between case filings and conclusion. The county gained valuable information about why cases were taking longer than recommended. The office can report this information to the public and policymakers while also working on internal process improvements.

To identify the root cause of long processing times, the Broward County State Attorney's office analyzed delays in criminal cases. It found that 90 percent of continuance requests came from defense attorneys. While the office has limited direct control over these delays, the data now enables it to engage in meaningful discussions with other stakeholders to improve case resolution times.



### **The Absence of Performance Measurements Limits The DA's Ability to Evaluate Individual Prosecutors Effectively**

The Salt Lake County DA does not utilize metrics to evaluate staff. Interviews with various prosecutors' offices revealed that each office relies on supervisors' subjective perceptions to measure employee performance. While we recognize the value of qualitative data, the absence of quantitative measures may result in an incomplete picture of employee performance. For example, the Salt Lake DA's office utilizes the same employee evaluation template used for all county employees.<sup>23</sup> This form covers items such as general time management, teamwork, and other areas. Yet, there are no measurements for prosecutor-specific areas like time spent on cases, plea deals offered, or how workload was managed. For those areas, supervisors rely on qualitative reviews, such as "They did well in court today."



**The DA does not utilize metrics to evaluate staff. Instead, they rely on supervisors' perception to measure employee performance.**

While prosecutors cannot control variables such as judicial decisions or victim cooperation, performance metrics still provide valuable insight. For example, prosecutor metrics can inform supervisors if one attorney files more cases for similar crimes, goes to trial more often, or offers more plea deals than the average. Without these types of metrics, measurable attorney performance remains unknown.

<sup>23</sup> The district attorney reported that Salt Lake County's human resources department prohibits his office from using any evaluation template other than the standard county template to measure prosecutor performance.



We highlight an example from King County, Washington, to illustrate how these metrics could be applied to individual prosecutors:



King County tracks the time it takes for cases to move through its office, categorized by case type and referral agency. This data is then used to evaluate teams and prosecutors to ensure they meet the office's filing time standards.

### **Prosecutors' Offices Should Establish Basic Metrics to Measure Performance for Public Safety and Prosecution**

Best practices suggest elected prosecutors should establish metrics to drive office performance. Established metrics may be different depending on the county and what the public cares about. While we do not list all possible metrics, we highlight examples that could identify areas of improvement for the Salt Lake County DA's office and others. The Legislature may also consider requiring county attorneys to collect and report specific data.<sup>24</sup>



Collecting and evaluating how long it takes for cases to move through prosecution is a simple metric to help offices identify inefficiencies and better inform decision-making. Additionally,

leadership can track how cases are disposed (resolved) to inform them of the performance of prosecution teams or individual prosecutors. Finally, as noted in Chapter 2, offices can measure plea deals to ensure they are consistent.



Prosecutors mentioned that prosecuting violent crimes is a priority for them. However, the number of violent crimes filed and those ending in dismissal or acquittal are not

tracked. Performance metrics associated with these public safety outcomes could be used to evaluate the effectiveness of prosecutors' offices. Otherwise, prosecutors' offices rely on anecdotal evidence to determine if they are effective and consistent at prosecuting serious, violent offenses. Metrics would ensure that offices are properly focusing on violent crimes, shootings, gangs, and repeat offenders.



Victim satisfaction metrics can ensure timely contact, ensure victims' voices are heard throughout the process, and prevent future victimization. Some prosecutors cited victim

<sup>24</sup> This is discussed in Finding 3.2.



satisfaction as a reliable way to determine whether they were successful. However, this measure does not appear to be tracked by any prosecutor’s office within Utah. Measuring satisfaction with the criminal justice process is crucial to protecting victims. Victims who are unsatisfied with the outcome of their case are less likely to report future incidents to the police.

Again, we recognize that no single performance measure can fully capture the complex responsibilities of prosecutors. However, prosecuting offices are responsible for keeping stakeholders informed and making clear, well-supported conclusions. Effective performance management demands a thoughtful selection of a balanced set of metrics to ensure meaningful evaluation.



**Effective management demands a thoughtful, balanced set of metrics to make evaluations meaningful.**

### **The Salt Lake County District Attorney Could Benefit from a Performance Manager Who Regularly Evaluates Office Metrics**

Other large prosecuting offices around the country utilize performance managers to measure office performance. These managers regularly evaluate metrics to gauge office performance. Multiple jurisdictions in other states have also published a public dashboard with key metrics for prosecutorial performance. A sample of some metrics utilized by counties in other states is seen in the following figure:

#### **Performance Measures in Other Jurisdictions**



##### **High-Priority Repeat Offenders**

Active cases where the defendant is identified as a prolific repeat offender are tracked.



##### **Case-Processing Times**

The time to case resolution is tracked, and the office works to identify delays in the process.



##### **Addressing Serious Crime**

The office tracks the number of violent crimes referred for prosecution, along with the outcomes of those cases.



##### **Cases Categorized by Outcome and Type**

The number of referrals, filings, declinations, and final case resolution are tracked by the top criminal charge type in each case.



##### **Charging Integrity**

The office tracks whether charges were filed and resolved at the same level of severity.



Established metrics, combined with data visualization and proper communication, can help promote transparency and accountability. Our office's 2025 *Performance Audit of the Office of the Attorney General* stated that other attorneys' offices have used performance managers to evaluate their processes and performance. This has resulted in greater efficiency and cost savings. Given the current lack of performance measurements across the DA's office, we recommend that the office create the role of performance manager. This position could be helpful in developing measures to offer insight, measure operational efficiency, and improve transparency.

The following recommendations are directed specifically to the Salt Lake County District Attorneys's Office. However, we recommend all county attorneys' offices establish and implement meaningful performance measurements to assess and improve office and prosecutor performance.

#### RECOMMENDATION 3.1

The Salt Lake County District Attorney should establish clear performance metrics to evaluate the office's effectiveness. These metrics should be published on the office's website and updated regularly to promote transparency. Making this information publicly available enhances both transparency and accountability in the prosecution process by allowing the public to assess the district attorney's performance.

#### RECOMMENDATION 3.2

The Salt Lake County District Attorney's Office should establish a performance manager role to proactively collaborate with leadership. The district attorney should work closely with this role to develop data collection standards and performance metrics that offer meaningful insights into both office-wide operations and individual prosecutor effectiveness.

### **3.2 The Legislature Has Helped Improve Prosecutorial Transparency and Accountability; Progress Has Occurred, but Opportunities Remain**

In the absence of performance measures in district and county attorneys' offices, the Legislature has taken steps to increase transparency and accountability across the state. In 2020, the Legislature passed House Bill 288 to gain insight into prosecution offices. The bill's sponsor described prosecuting offices as a "black



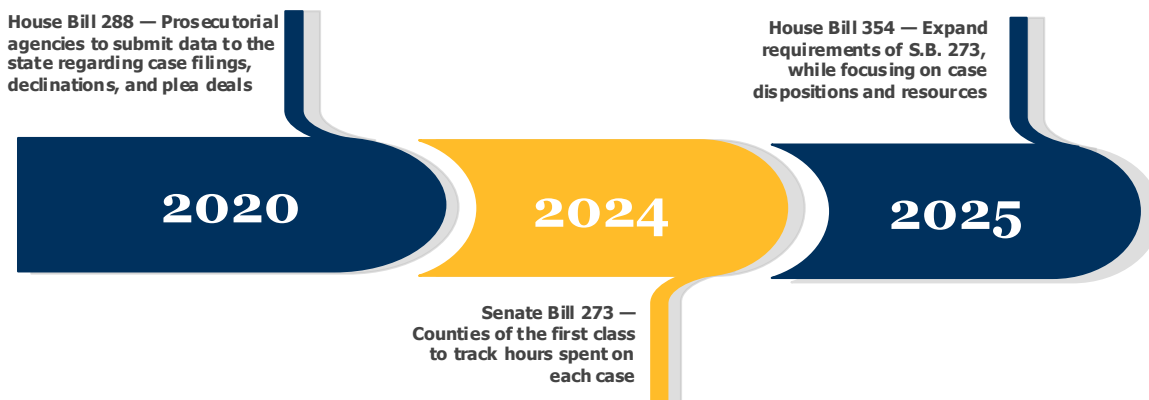
box” due to the lack of data being collected. The bill requires district and county attorneys to submit case-level data to the Utah Commission on Criminal and Juvenile Justice (CCJJ). The data includes whether cases were filed or declined, diversion status, bail amounts, and the dates of discovery and disposition.



**Although prosecutorial agencies report case-level data, they are not required to analyze trends or outcomes to drive improvement.**

However, prosecutorial agencies only report data on individual cases. They are not required to analyze trends or outcomes to identify areas for improvement. In fact, several offices interviewed expressed uncertainty about how the state uses the data they submit. Despite five years of data collection, the state has yet to release any reports evaluating prosecutorial performance based on this data.<sup>25</sup>

The Legislature sought further transparency in 2024 and 2025 by passing legislation that required some counties to report the average resources prosecutors spent on cases. Sponsors of these bills repeatedly mentioned that there was a demand for prosecutorial data, a need for informed decision-making, and a desire to increase the effectiveness of prosecution offices. The following timeline shows some recent bills that were passed with the intent of increasing transparency and the data collected by prosecuting offices:



As the Legislature seeks further insight into prosecuting offices, we provide some options it could consider to gain a better understanding of these offices.

<sup>25</sup> CCJJ reported that four counties have never submitted any data during this five-year period.



## The Legislature Has Multiple Options to Improve Transparency of Prosecuting Offices

To ensure greater transparency and accountability, the Legislature could consider creating additional performance tracking requirements for prosecutors. The Legislature could choose to implement one or more of the following options. Any of these options will likely require statutory changes to be properly implemented statewide.

### The Legislature Could Consider Defining Specific Performance Metrics for Prosecutors’ Offices

The Legislature could revise *Utah Code* to clarify the responsibilities of both prosecutors and CCJJ. For example, it could expand reporting requirements beyond case-level data to include specific performance outcomes that prosecutorial offices must track and report. This would involve defining which metrics should be monitored, how measures should inform internal decisions, and what happens if offices fail to comply with reporting requirements.

If this option is pursued, we recommend the Legislature also require CCJJ to produce regular reports that highlight best practices in prosecutorial performance metrics. Statute should define the frequency and content of these reports to ensure usefulness.

### The Legislature Could Consider Requiring Coordinating Councils To Determine Prosecutor Performance Indicators

The Legislature could expand the role of county criminal justice coordinating councils (coordinating councils) to include prosecutorial performance metrics in their strategic plans.<sup>26</sup> Since 2023, counties have been required to establish these councils to coordinate and improve components of the criminal justice system. To fulfill this mandate, councils must develop a strategic plan, set goals for reducing recidivism, and enhance data sharing across the county’s criminal justice agencies.



**Salt Lake County’s coordinating council uses law enforcement and county jail data. However, prosecutorial data is not included in its strategic planning.**

<sup>26</sup> Recommendations for broader oversight of county criminal justice coordinating councils are found in our report *A Review of Salt Lake County’s Criminal Justice System (2025-32)*.



Currently, Salt Lake County’s coordinating council uses data from law enforcement agencies and the county jail in its strategic planning. However, prosecutorial performance data is not included. Additionally, coordinating councils lack enforcement mechanisms to implement their strategic plans and cannot clearly define the roles and responsibilities of each agency in achieving overarching goals.

If the Legislature assigns additional responsibilities to coordinating councils, it should require them to clearly define each local agency’s role within the strategic plan. Statute should also specify how counties may hold agencies accountable for fulfilling their part in the strategic plan.

**The Legislature Could Consider Requiring Prosecutor’s Offices to Set Performance Metrics with State Input**

Tracking performance metrics allows offices to inform their decision-making and focus on improvement areas. However, we also recognize that there are several factors to criminal prosecution which may require cases to differ in some circumstances. Therefore, prosecutors may require some flexibility when determining which performance metrics to track and how these metrics are utilized to inform process changes.

To allow for this flexibility, the Legislature could consider requiring prosecutors’ offices to draft potential performance measures and submit them to the state for approval. As the entity responsible for developing data standards across state criminal justice agencies, CCJJ could fill that role for local criminal justice systems as well. Requiring prosecutors’ offices to receive approval for their performance measures may help increase accountability and transparency while ensuring that metrics are appropriately capturing the impact of prosecutorial activities.

**RECOMMENDATION 3.3**

The Legislature should consider the options presented to improve the transparency and accountability of prosecutors’ offices. Transparency should improve if the Legislature requires county attorneys’ offices to establish metrics, regularly evaluate trends, and report on these measurements.





# Complete List of Audit Recommendations





## Complete List of Audit Recommendations

This report made the following ten recommendations. The numbering convention assigned to each recommendation consists of its chapter followed by a period and recommendation number within that chapter.

### **Recommendation 1.1**

The Salt Lake County District Attorney's Office leadership should expand and implement standard policies in their newly updated screening handbook and train all staff on the new policies. This can assist the DA in ensuring that the office is run with consistency and remove confusion about filing standards.

### **Recommendation 1.2**

The Salt Lake County District Attorney's Office should regularly evaluate a sample of screening decisions. This can help the office ensure filings and declinations are consistent with office practices and policies.

### **Recommendation 1.3**

The Salt Lake County District Attorney's Office should clearly define the admission criteria for its alternative-to-incarceration programs to emphasize the focus on public safety and criminal activity drivers. This can ensure that the appropriate individuals are admitted into the programs by addressing the underlying cause of their criminal activity while also improving outcomes.

### **Recommendation 1.4**

The Salt Lake County District Attorney's Office should actively track alternative-to-incarceration programs' participants and relevant data points. This should help promote accountability while enhancing the transparency of program operations.

### **Recommendation 2.1**

The District Attorney's office should establish policies and standards to make sure adequate notes and documentation is included for each case, including plea deals. This will create a prosecution trail, allow for a review, and assist in the transfer of cases when needed.

### **Recommendation 2.2**

The Salt Lake County District Attorney's office should establish methods and processes to regularly review plea deals and case notes. This could help provide consistency across similar cases in the criminal justice system.

### **Recommendation 2.3**

The Salt Lake County District Attorney should adopt and implement a formal management framework and hold management accountable for their performance in planning, implementing, and evaluating work. This framework should clearly connect work activities to outputs and outcomes through its measurement and reporting practices. The district attorney should assess the impact of these changes by monitoring progress on organizational goals, and improvements made to the office's oversight structures and transparency.

### **Recommendation 3.1**

The Salt Lake County District Attorney should establish clear performance metrics to evaluate the office's effectiveness. These metrics should be published on the office's website and updated regularly to promote transparency. Making this information publicly available enhances both transparency and accountability in the prosecution process by allowing the public to assess the District Attorney's performance.

### **Recommendation 3.2**

The Salt Lake County District Attorney's Office should establish a performance manager role to proactively collaborate with leadership. The District Attorney should work closely with this role to develop data collection standards and performance metrics that offer meaningful insights into both office-wide operations and individual prosecutor effectiveness.

### **Recommendation 3.3**

The Legislature should consider the options presented to improve the transparency and accountability of prosecutor's offices. Transparency should improve if the Legislature requires county attorney offices to establish metrics, regularly evaluate trends, and report on these measurements.



# Appendix



**A. Collective Response from 27 of Utah's 29 Counties  
Regarding Performance Metrics**



**July 21, 2025**

Erick Bravo  
Office of the Legislative Auditor General

**Re: Request for Input on Measuring Prosecutor Office Performance**

Dear Mr. Bravo,

On behalf of Utah’s County and District Attorneys, thank you for reaching out regarding your audit of prosecutor offices across the state. We appreciate the opportunity to provide input on how prosecutorial performance might be evaluated and share some context on the ethical and practical considerations that shape our work.

At the outset, we believe it is important to recognize that the mission of a prosecutor’s office is not merely to secure convictions or resolve cases quickly, but rather to seek justice in each individual matter. As the United States Supreme Court has emphasized, a prosecutor’s interest is “not that it shall win a case, but that justice shall be done.” (*Berger v. United States*, 295 U.S. 78, 88 (1935)). The American Bar Association similarly recognizes that “[t]he primary duty of the prosecutor is to seek justice within the bounds of the law, not merely to convict,” and that “[t]he prosecutor is not merely a case-processor but also a problem-solver responsible for considering broad goals of the criminal justice system.” (ABA Criminal Justice Standards for the Prosecution Function, Standard 3-1.2(b)-(f)). Prosecutors must consider many unique factors of each individual case and then exercise independent judgment and discretion in the pursuit of justice. This is not easily captured in numbers.

**Organizational Measures**

At the organizational level, some offices already track filing rates, total case counts, and case dispositions. Additionally, several offices in counties of the first, second, and third class have been directed to track metrics such as the average time from filing of charges to trial, and the average taxpayer cost per case, as required by H.B. 354 from the most recent legislative session. While these figures provide some information, they cannot capture the qualitative aspects of a prosecutor’s role, like ensuring fairness, exercising discretion in charging decisions, or fostering public trust.

**Evaluating Individual Prosecutors**

For individual prosecutors, offices typically rely on their county’s annual performance evaluation forms, some of which have been already shared with your office. While offices may consider caseload management and timeliness of filings in these evaluations, they place greater emphasis on qualitative factors such as ethical decision-making, legal judgment, professionalism, and adherence to constitutional and statutory obligations. These factors are difficult, if not impossible, to quantify and are best assessed through direct supervisory observation, peer

feedback, and interactions with defense counsel, victims, law enforcement, judges, and the broader community.

## **A Caution on Quantification**

Our offices are mindful of the risks of over-emphasizing numerical measures in a profession where success is not always reflected in a conviction or short timeline. A just outcome may involve securing a conviction and prison sentence in one case, dismissing charges where the evidence is insufficient in another, or referring an offender to a treatment court—each of which can be an equally important contribution to a fair and effective system.

We support efforts to ensure accountability and effectiveness, but caution against measuring prosecutorial performance solely in terms of outputs or statistics. The unique ethical duties of our profession demand judgment, independence, and often, restraint. As noted in the comments to Rule 3.8 of the Utah Rules of Professional Conduct, “[a] prosecutor has the responsibility of a minister of justice and not simply that of an advocate.” Any performance evaluation framework must respect this principle.

We appreciate the Legislature’s interest in the vital work of prosecutors and look forward to further dialogue. We would welcome an opportunity to further discuss how Utah’s prosecutors balance accountability with our constitutional and ethical obligations.

Sincerely,

**Von Christiansen, Beaver**  
**Stephen Hadfield, Box Elder**  
**Taylor Sorensen, Cache**  
**Christian Bryner, Carbon**  
**Kent Snider, Daggett**  
**Troy Rawlings, Davis**  
**Stephen Foote, Duchesne**  
**Mike Olsen, Emery**  
**Barry Huntington, Garfield**  
**Stephen Stocks, Grand**  
**Chad Dotson, Iron**  
**Perry Davis, Juab**  
**Jeff Stott, Kane**  
**Elise Harris, Millard**

**Garrett Smith, Morgan**  
**Scott Burns, Piute**  
**Ben Willoughby, Rich**  
**Sim Gill, Salt Lake**  
**Mitch Maughan, San Juan**  
**Casey Jewkes, Sevier**  
**Margaret Olson, Summit**  
**Scott Broadhead, Tooele**  
**Jaymon Thomas, Uintah**  
**Jeff Gray, Utah**  
**Scott Sweat, Wasatch**  
**Michael Winn, Wayne**  
**Chris Allred, Weber**

[27 of the 29 County and District Attorneys of Utah]



# Agency Response Plan





**Ralph Chamness**  
Chief Deputy  
Civil Division

**Bridget Romano**  
Chief Deputy  
Civil Division

**SIM GILL**  
DISTRICT ATTORNEY

**Jeffrey William Hall**  
Chief Deputy  
Justice Division

**Anna Rossi Anderson**  
Chief Deputy  
Justice Division

**Lisa Ashman**  
Chief of Administrative  
Operations

December 1, 2025

Kade R. Minchey, CIA, CFE, Auditor General  
Office of the Legislative Auditor General  
Utah State Capitol Complex  
Rebecca Lockhart House Building, Suite W315  
Salt Lake City, UT 84114-5315

Dear Mr. Minchey,

Thank you for the opportunity to respond to the recommendations in A Performance Audit of the Salt Lake County District Attorney's Office, Improving Governance and Transparency (Report #2025-31). We appreciate the effort and professionalism of you and your staff in this review and your willingness to communicate with our team throughout the audit process.

We welcome the audit process as a mechanism to better understand how our organization might improve our processes and sincerely appreciate the focus on the criminal justice system. Our organization is one participant among many who comprise this complex system and we strongly believe in the positive impact our office can have on our communities. Shining a light on how we can better serve these communities and the resources needed to accomplish that is something that all partners in the criminal justice realm continuously strive for.

Our goal will be to utilize the audit recommendations to make necessary and ongoing improvements to our operations, as that is what our community should expect from their public institutions. Again, thank you for the opportunity to engage in this audit process.

Sincerely,

Sim Gill  
Salt Lake County District Attorney



# Audit Response Plan

## CHAPTER 1

**FINDING 1.1: Inadequate policies and guidelines have led to inconsistencies and confusion regarding case screenings and filings.**

**RECOMMENDATION 1.1:** The Salt Lake County District Attorney’s Office leadership should expand and implement standard policies in their newly updated screening handbook and train all staff in the new policies. This can assist the DA in ensuring that the office is run with consistency and remove confusion about filing standards.

**RESPONSE:** The Salt Lake County District Attorney’s Office (“DAO”) agrees that leadership should train all Screening staff on standard policies. Screening leadership and executive leadership have developed and implemented standard policies that should be discussed regularly to ensure consistency and remove confusion regarding filing standards.

**What:** The DAO agrees that increased training is needed for staff to educate them about the existing screening standards. The DAO disagrees that the standards should be expanded. The Screening Division has, over the last several years, regularly developed and expanded their handbook. In the fall of 2024, the Division initiated efforts to streamline previous versions into one updated version. The final version was completed and distributed to Screening staff in the spring of 2025. Legislative auditors were provided the updated screening handbook. They were also offered the previous versions for review, which they declined.

The current handbook thoroughly outlines Screening policies for all staff, supplementing the gold standard for screening guidelines—the Utah criminal code. While screening standards are needed, Screening staff are not merely encouraged but are required to exercise discretion in their screening decisions to ensure fairness to all individuals entering the criminal justice system. To this end, the American Bar Association provides: “[a] prosecutor should seek or file criminal charges only if the prosecutor reasonably believes that the charges are supported by probable cause, that admissible evidence will be sufficient to support conviction beyond a reasonable doubt, and that the decision to charge is in the interests of justice.”<sup>1</sup> These standards require Screening attorneys to exercise reasonable discretion using somewhat amorphous standards. Implementation of strict guidelines for every type and level of criminal charge would disallow this discretion and violate ethical guidelines for Screening prosecutors.

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<sup>1</sup> American Bar Associate Standard 3-4.3: Minimum Requirements for Filing and Maintaining Criminal Charges.

DAO leadership understands the importance of consistency in charging decisions to the extent possible but also stresses the ethical and moral imperative of prosecutorial discretion.

This being said, while working with audit staff, it has become apparent that implementation of the Screening Division guidelines has not been consistently messaged to Screening staff. Staff have been notified of the existence of the guidelines, generally, and more specifically as individual issues have arisen. However, because the guidelines have been undergoing changes at the same as Screening personnel assignments have changed, the regularity and quality of training pertaining to the handbook has been inconsistent. The DAO is committed to resolving this issue and will implement regular training for Screening staff to ensure the guidelines are fully implemented.

**How:** Chief Deputies will request that Screening Division leadership discuss the recommendation and present a training implementation plan at the first monthly executive meeting after the release of the audit findings. Chief Deputies will regularly attend Screening Division meetings to ensure training is sufficient. Screening Division leadership will keep records of attendance to ensure that all staff receive training and will ensure that any staff member who misses a particular course of training is required to meet with leadership to discuss the information provided.

**Who:** Justice Division leadership, including Screening Division Director, Team Supervisors, and Screening Division Support Staff Director, and Chief Deputy District Attorneys.

**Documentation:** Screening Division leadership will maintain a master copy of the guidelines for all staff to access on a shared network drive. Training schedules will be developed in advance and sent to staff via email or Webex messaging. Attendance at training sessions will be recorded to ensure each staff member receives all information provided. All guidelines, trainings schedules, and attendance records will be maintained by Screening Division leadership.

**Timetable:** Screening leadership will present a plan for implementation of training, education, and record keeping at the first executive meeting after the audit report's release. Executive leadership commits to review and formalize the plan within two weeks of presentation. Screening Division leadership will implement the training plan no later than the end of Q1, 2026. The Screening Division Director will present to executive leadership the status of training implementation at each monthly division meeting and will include updates as to the content of the training provided in the previous month, the level of participation/attendance, and any issues that arise. Screening leadership and the rest of executive leadership will work together to amend guidelines in accordance with statute changes or other guiding principles.

**When:** This commitment is ongoing and thus does not have a final date for implementation. The DAO anticipates regular updating of Screening guidelines and regular training on the document and practices will occur on an ongoing basis in perpetuity.

**RECOMMENDATION 1.2:** The Salt Lake County District Attorney's Office should regularly evaluate a sample of screening decisions. This can help the office ensure filings and declinations are consistent with office practices and policies.

**RESPONSE:** We agree with the recommendation that the DAO regularly evaluate a sample of screening decisions to ensure consistency in filings to the extent possible.

**What:** Screening Division leadership will develop a plan to evaluate samples of recent case submissions monthly.

**How:** Screening Division leadership will work to develop a timeline and process for case evaluation. Division leadership will communicate the plan with executive leadership within 30 days of the release of the audit findings. Executive leadership will discuss monthly findings with the Screening Division Director at each monthly executive meeting, and with Screening Team leadership at each monthly justice division leadership meeting.

**Who:** Justice Division leadership, including Screening Team supervisors and division director; Screening Division Support Staff Administrator, and Chief Deputy District Attorneys.

**Documentation:** Screening Division leadership will utilize documentation from the DAO case management system to evaluate screening decisions for accuracy and consistency. Leadership should develop a way to compile the findings from each month's data pull, including case numbers, charges, and screening decisions, at a minimum. This data will be compiled into a monthly report and stored in an internal folder accessible to Screening Division leadership and executive leadership.

**Timetable:** Screening leadership will present a general plan for implantation to executive leadership within 30 days of the audit release. Screening leadership will begin monthly evaluations no later than March 2, 2026. Data and trends will be analyzed throughout 2026, with a goal of noticeable increased consistency by the end of 2026.

**When:** This commitment is ongoing and thus does not have a final date for implementation. The DAO anticipates regular evaluation of screening decisions and commits to evaluating decisions to ensure consistency.

**FINDING 1.2: Salt Lake County’s alternative-to-incarceration programs need clearer admission criteria and transparency.**

**RECOMMENDATION 1.3:** The Salt Lake County District Attorney’s Office should clearly define the admission criteria for its alternative-to-incarceration programs to emphasize the focus on public safety and criminal activity drivers. This can ensure that the appropriate individuals are admitted into the programs by addressing the underlying cause of their criminal activity while also improving outcomes.

**RESPONSE:** The DAO submits this guidance is misleading in that it confuses, and thereby conflates, two disparate programs: treatment or specialty courts and prefiling diversion. Treatment courts were developed and are managed by the Third District Court, under the Supervision of the Utah Supreme Court, and diversion programs were developed and are managed by the DAO. Regarding treatment courts, DAO staff already use nationally recognized and recommended admissions criteria. Having the DAO adopt its own admission criteria would tend to upset an already well-defined and well-accepted process. For this reason, the Office cannot concur with this recommendation.

**What:** The audit report addresses “alternative-to-incarceration” programs within the DAO. These programs consist of both court-administered specialty or treatment courts (Mental Health Court, Veterans Court, and multiple Adult Recovery Courts (formerly known as “drug courts”)) and diversion programs which are run by the DAO.

Treatment courts are developed, funded, and managed through the courts and are based on national models developed and proven effective over time in many jurisdictions throughout the country. DAO staff utilize criteria set by these programs in their admission decisions. As support for the recommendation that the DAO more clearly define admission criteria so as to ensure public safety and improve outcomes, the auditors compare the DAO admission criteria for Adult Recovery Court to that utilized by Davis County, specifically regarding language in the DAO’s handbook that a successful applicant must have “a charge related to drug use” versus Davis County’s requirement that an applicant must show an “offense that was committed due to the defendant being drug addicted or drug dependent.”<sup>2</sup> Though worded differently, these standards are the same. DAO applicants to Adult Recovery Court are screened for drug dependency using a nationally utilized tool that determines whether the person does, in fact, suffer from drug addiction or dependency. If the applicant is found to be drug addicted or dependent (an evaluation conducted by qualified personnel from an agency independent of the DAO), they are found

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<sup>2</sup> A Performance Audit of the Salt Lake County District Attorney’s Office: Improving Governance and Transparency, Office of the Legislative Auditor, 2025, p. 15.

to be eligible for treatment court and further review is undertaken by DAO staff to determine whether the individual should be disqualified for any other reason.

The audit further compares (1) language from the DAO's handbook that indicates a person may be disqualified from program admission if they face "charges and/or criminal history that raise significant concerns about the safety of the public" but that notes such charges are not "outright disqualifying" and should be reviewed on a case-by-case basis to (2) language from the Davis County guidelines that apparently state a person is "ineligible for Drug Court if they have a current offense and/or criminal history that includes a crime that suggests the applicant poses a present danger to Drug Court staff, other participants, or the community at large."<sup>3</sup> The audit report credits the Davis County language, when in fact, the criteria are the same. Each allows for the exercise of prosecutorial discretion when determining whether an individual poses a danger to the community and should be disqualified from the program; neither of the criteria suggest that certain charges automatically disqualify a person from participating.

Salt Lake County's Adult Recovery Court programs have been nationally recognized for their effectiveness in treating drug addicted individuals and resulting in positive outcomes. In February 2025, one of Salt Lake County's Adult Recovery Courts was selected as a national mentor court, which are courts that are shown to be exemplary in their function and serve as mentors for other programs across the country. There were just ten courts selected for this honor by All Rise, the training, mentorship, and advocacy organization for adult treatment courts in the United States. Salt Lake County's selection as a mentor court is an acknowledgement that its program not only *is not* in need of revamping or reevaluating its standards, but that it is functioning in exactly the manner determined to be most effective by those who set best practices for these courts.

Overlooking this data, the audit report's main focus regarding the success of the DAOs alternatives to incarceration pivots on the DAO's perceived lack of transparency regarding the auditors' ability to attend Mental Health Court staffings, which are the multidisciplinary team meetings where admission decisions are made. Different from reviewing a resume or other publicly available information to determine a candidate's fit for a job opening, treatment court staffings are specialized meetings wherein an individual's confidential mental health diagnoses and treatment records are reviewed and discussed in great detail. Under the normal course, no one can participate in these meetings unless the individual whose history is being discussed has consented, in advance, by executing a waiver or other release of information. To this end, not only DAO staff, but the courts themselves, treatment providers, and defense counsel for the applicants were concerned with

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<sup>3</sup> Id. at 16.

legislative auditors attending staffings without having obtained waivers regarding the sharing of private health information.

On being notified by the auditors they were being denied attendance at these meetings, the District Attorney, himself, intervened in an attempt to achieve the transparency desired. Getting to yes took some time. And when after reviewing the complex network of state and federal law surrounding this issue, Counsel for the courts determined the auditors should be allowed to attend, the DA immediately took action. Sadly, this turn of events occurred too late in the audit timeframe to permit meaningful participation. However, recognizing the ongoing audit of the role Utah's courts play in the criminal justice system, the DAO looks forward to working with audit staff as they evaluate treatment courts through the completion of that separate, but interrelated audit.

**Specification:** To be clear, the DAO is not refusing to implement Recommendation 1.3. The DAO is simply stating that the criteria used for admission to the various treatment courts in which they participate is sufficiently clear, is addressed in cooperation with a multidisciplinary team assigned to each court and is evidence-based utilizing nationally recognized best practices regarding admission criteria. DAO staff will continue to follow those guidelines, which will ensure appropriate admission to the programs and the best outcomes.

**Who:** Treatment Court and Diversion Program leadership and Criminal Chief Deputy District Attorneys.

**RECOMMENDATION 1.4:** The Salt Lake County District Attorney's Office should actively track alternative-to-incarceration programs' participants and relevant data points. This should help promote accountability while enhancing the transparency of program operation.

**RESPONSE:** The DAO agrees with this recommendation and will continue to improve our data tracking as resources allow.

**What:** The performance of treatment court participants and of diversion program participants is tracked by various entities. Treatment courts are not DAO programs; they are developed and managed by the Third District Court under the Utah Supreme Court's supervision and are staffed by employees of the DAO, Salt Lake County Legal Defenders Association, Adult Probation and Parole, treatment providers, and other entities. While the DAO can track certain data points (i.e. application and acceptance rates), other entities are better equipped to track others. Similarly, diversion program participants' success is tracked by not only DAO staff, but by staff at Salt Lake County Criminal Justice Services who supervise participants in the program and monitor their progress.

The DAO long has recognized the need for effective and meaningful data tracking, analysis, and review. However, previously, the Office lacked sufficient resources to recruit and hire a data specialist. Recently, as part of its 2026 budget request, the DAO renewed its request for funding to hire a data specialist to meet this important need. Mayor Wilson included this important request in her budget recommendations to the County Council, and it was included among the measures the Council voted to approve on November 25, 2025. Though the Salt Lake County 2026 budget will not be final until December 9, 2025, at the earliest, or by December 31, 2025, at the latest, the DAO has already taken steps to begin to fill this position. DAO leadership remains optimistic that it will be able to recruit and hire a well-qualified data specialist by the end of Q1 2026.

**How:** DAO personnel will continue to utilize its case management system and other methods to track data as to acceptance rates to treatment courts and diversion programs. If additional resources (i.e. personnel) are made available through the budget process, additional tracking will be implemented.

**Who:** Treatment Court and Diversion Program leadership and Criminal Chief Deputy District.

**Documentation:** Records will be kept via the DAO case management system, as well as internally by treatment court and diversion program staff.

**Timetable:** Unknown, and dependent upon final budget decisions by Salt Lake County.

**When:** Unknown, and dependent upon final budget decisions by Salt Lake County.

## CHAPTER 2

**FINDING 2.1: A lack of documentation, case notes, and guidelines make it difficult to analyze plea deals and the management of cases.**

**RECOMMENDATION 2.1:** The District Attorney's Office should establish policies and standards to make sure adequate notes and documentation are included for each case, including plea deals. This will create a prosecution trail, allow for review, and assist in the transfer of cases when needed.

**RESPONSE:** The Office concurs with the auditors' concern regarding inconsistent, and in some instances absent, note taking or record keeping, specifically regarding plea deals and plea negotiations.

**What:** The DAO has provided each prosecution team with a handbook that includes guidelines for plea offers and dispositions. Each subject matter (Domestic Violence, Special Victims, etc.) and each internal team (court teams, screening teams, etc.) have

developed handbooks related to these efforts. The DAO similarly has provided every prosecution team member—leadership and line prosecutors, alike—with specific training regarding the eProsecutor electronic case management system used by the DAO. That system has a robust feature that enables prosecutors and their staff to make case notes.

Sadly, with caseloads that eclipse those carried nationally by many prosecuting offices of similar or even larger size than the Salt Lake County District Attorney’s Office, and which caseloads are significantly higher than any other prosecuting office in the State of Utah,<sup>4</sup> having line prosecutors attain full compliance with expected note taking standards has proven problematic. While primarily a resource issue, the DAO concedes that leadership has not done all it can to ensure that every case charged contains notes regarding the reason for its given disposition.

The DAO similarly recognizes and agrees that maintaining complete case notes is critical to accurately “documenting the trail of casework”, enhancing transparency, and building and promoting public trust and confidence. While internal spot reviews and discussions by and among leadership, and discussions between Division Directors and team leads and the line prosecutors they supervise, show that line prosecutors do adhere to internal policies and best practices when making and accepting offers and plea agreements (and otherwise, when engaging in active and efficient case management), the lack of robust notetaking or documentation demeans those efforts.

**How:** DAO leadership will (1) review and update its policies, both online and in written manuals or handbooks, making clear the District Attorney’s expectations for note taking and documentation; (2) promote more frequent in-person training with line prosecutors, senior attorneys, and office leadership to reinforce internal and well-accepted standards for making, accepting, and documenting plea deals; and (3) where appropriate, engage in progressive discipline of employees who demonstrate they are unwilling or unable to comply with office policies and prosecutorial best practices.

As part of its 2026 budget request, the DAO requested funding for more than 60 additional full-time-employee positions which included 28 additional line prosecutor positions. Of those additional positions, the DAO specifically highlighted the need for 16 “court coverage attorneys”, i.e., the addition of one line prosecutor to each courtroom team. The reasons for making these personnel requests are straightforward and pressing: Rising caseloads and the need to promote and protect public safety and increase transparency.

In her annual budget address, Salt Lake County Mayor Jenny Wilson highlighted the complexity of the criminal justice system and likewise underscored the DAO’s resource

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<sup>4</sup> A Performance Audit of the Salt Lake County District Attorney’s Office: Improving Governance and Transparency, Office of the Legislative Auditor, 2025, n. 13.

needs. Mayor Wilson recommended a strategic approach to addressing the County's growing public safety needs and accordingly recommended that the County Council fund the first phase of growth in the District Attorney's Office by adding up to 31 new employees to the Office; 17 of which would be line prosecutors. On November 25, 2025, the County Council voted to tentatively approve the DAO's 2026 budget and to support a more modest expansion in the District Attorney's Office. The Council's proposed budget will allow for the addition of 25 new employees to the Office, 19 of which can be line prosecutors. Once final, these additional personnel assets will support the DAO's direct need to add one more line prosecutor to each courtroom team. This development is significant. Adding an additional prosecutor to each courtroom team will enable the DAO to draw down individual caseloads to a more manageable—yet still remarkably high—level, which in turn, will permit already high-performing individuals to come closer to meeting the gold standard for documentation and note taking.

**Who:** Justice Division leadership, including division directors, courtroom leads, and subject matter experts, and Chief Deputy District Attorneys.

**When:** This commitment is ongoing and thus does not have a date for final implementation. The DAO anticipates regular and ongoing review and evaluation of case notes and documentation.

**RECOMMENDATION 2.2:** The Salt Lake County District Attorney's office should establish methods and processes to regularly review plea deals and case notes. This could help provide consistency across similar cases in the criminal justice system.

**RESPONSE:** As set out in its response to Recommendation 2.1 set out above, the DAO concurs in the auditors' concern for consistency in case management and the need to develop methods and metrics to review plea deals, particularly, and to enhance the use of case notes and documentation. The DAO agrees that greater oversight of plea offers prepared by attorneys will allow not only for better consistency across case types but also provide regular teaching opportunities for proper case management.

**What:** The DAO wishes to underscore that each case contains a unique set of facts and circumstances and must be screened, charged, prosecuted, and dispositioned based on its own merits. That said, the standard by which prosecutors should approach and analyze individual cases should adhere to basic, core concepts and best practices. Ensuring this goal is an exercise that requires diligence, communication, documentation, and data.

**How:** The DAO will implement the objectives in response to Recommendation 2.2 set out above. In addition, the DAO has developed a search tool that will more easily allow managers to randomly review the content and substance of plea offers prepared by

prosecutors. The tool allows managers a simple and efficient method to search plea offers by date, attorney, plea offer type and plea offer status. The search results are linked to the corresponding case in our case management system to allow managers to quickly review the notes and circumstances of individual cases.

**Who:** Justice Division leadership, including division directors, courtroom leads, and subject matter experts, and Chief Deputy District Attorneys.

**When:** This commitment is ongoing and thus does not have a date for final implementation. The DAO anticipates regular and ongoing review and evaluation of case notes and documentation.

**RECOMMENDATION 2.3:** The Salt Lake County District Attorney should adopt and implement a formal management framework and hold management accountable for their performance in planning, implementing, and evaluating work. This framework should clearly connect work activities to outputs and outcomes through its measurement and reporting practices. The District Attorney should assess the impact of these changes by monitoring progress on organizational goals, and improvements made to the office's oversight structures and transparency.

**RESPONSE:** The DAO concurs with this recommendation, specifically, the critical need for the DAO to be able to monitor and assess compliance and progress toward attaining organizational goals and achieving public safety outcomes and objectives.

**What:** Striking the right balance between management and line staff is a delicate dance. It requires clearly expressed objectives, expectations, and desired outcomes. Measuring success requires not merely raw data but having sufficient and qualified personnel who possess the skills and ability to analyze, interpret, and report out on the same.

The DAO has long recognized this as a critical need but has lacked sufficient resources to recruit and hire a data specialist; someone skilled in the art of data analysis. As part of its 2026 budget request, the DAO renewed its request for funding to hire a data specialist to meet this important need, generally, and more specifically, to address performance measures mandated by the Utah State Legislature through the passage of HB 288 in 2020, SB 273 in 2024, and HB 354 in 2025.

Mayor Wilson included this important request in her budget recommendations to the County Council, and it was included among the measures the Council voted to approve on November 25, 2025. Though the Salt Lake County 2026 budget will not be final until December 9, 2025, at the earliest, or by December 31, 2025, at the latest, the DAO has

already taken steps to begin to fill this position. DAO leadership remains optimistic that it will be able to recruit and hire a well-qualified data specialist by the end of Q1 2026.

**How:** In addition to capitalizing on the enhanced information that will be made available to DAO leadership by way of the newly funded data specialist position, to address Recommendation 2.3 the Office will (1) ensure that already-settled expectations are complied with, and (2) alongside the performance review system already required by the Salt Lake County EPIC Performance Evaluation program—the metrics for which the DAO does not have independent control—introduce and implement an internal Employee Evaluation and Performance Review Process designed to better track performance inside in the DAO, specifically. Stated differently, the DAO will:

- Ensure Chief Deputies attend monthly meetings with the collective Division Directors and to also attend meetings regularly held by each Division Director with the employees in their portfolios. Issues or concern raised at these meetings should be documented and reported to the District Attorney so they may be discussed during Executive Leadership Meetings held every Monday morning.
- Ensure Division Directors randomly review electronic case files and other documentation to determine whether case notes, and specifically case dispositions, are recorded and include sufficient detail to determine why a disposition was achieved.
- Ensure Chief Deputies, Office HR, and Administrative Staff collaborate to develop, maintain, and refine comprehensive onboarding of new employees and the transfer of existing employees to new assignments, which should include the preparation and dissemination of employee reference materials or manuals that make clear portfolio assignments and objectives.
- Introduce and deploy an Employee Evaluation and Performance Review Process (see Evaluation and Performance Review from attached as Ex. A hereto and discussed further below) using metrics and measures geared toward the unique and important functions District Attorney employees—specifically, prosecutors—perform individually, as members of a courtroom team, and as partners in the collective criminal justice system.

## CHAPTER 3

### **FINDING 3.1: Prosecuting offices can improve operational performance by actively using performance data.**

**RECOMMENDATION 3.1:** The Salt Lake County District Attorney should establish clear performance metrics to evaluate the office’s effectiveness. These metrics should be published on the office’s website and updated regularly to promote transparency. Making this information publicly available enhances both transparency and accountability in the prosecution process by allowing the public to assess the District Attorney’s performance.

**RESPONSE:** The DAO agrees that performance metrics would be helpful in promoting transparency and recognizes the difficulty in doing so for an office employing more than 100 prosecutors and addressing more than 18,000 cases each year.

**What:** We appreciate the auditors’ acknowledgement that prosecuting agencies across the country do not use formal quantitative metrics to measure performance, and that such metrics do not capture the myriad aspects of criminal prosecution.

The DAO can track various data points effectively at present. Namely, in 2022, the DAO implemented a new case management system—eProsecutor— which allows for the tracking of certain data points but not others. While an effective court and case management system, as a data management system, however, eProsecutor’s limitations are not lost on the Office. To address some of the “missing” data points outlined in the audit report and to enable to the DAO to better gather, analyze, and track still other measures and metrics requires the investment of significant additional resources; principally, personnel. At present, the DAO employs neither a data analyst nor a performance manager (see Recommendation 3.2 below). As set out in response to Recommendations 1.4 and 2.2, above, with recent, tentative approval of the DAO’s 2026 budget requests, leadership is optimistic that it will be able to recruit and hire a well-qualified data specialist by the end of Q1 2026. Doing so will permit the Office to lean into this objective and audit recommendation.

Not content, however, to wait for the inclusion of a data analyst on its roster, over the past year, Office staff have worked closely with Salt Lake County IT employees and specialists, to create a public-facing dashboard. Assuming no hiccups or glitches, the DAO believes this feature will “go-live” by the date this audit report is released. Working closely with IT partners, office staff have taken special care to capture and review myriad measures, access by the public to which will enhance transparency and engagement. It will also help the office identify weak spots and trends and to drive improved outcomes

**How:** DAO personnel will continue to utilize its case management system and other methods to track data and to populate the soon-to-released dashboard. When additional

resources (i.e. personnel) are made available through the budget process, additional tracking will be implemented.

**Who:** Sim Gill, District Attorney, DAO, Salt Lake County IT, and Chief and Administrative Office and DAO Admin Staff.

**Timetable:** Unknown, and dependent upon final budget decisions by Salt Lake County.

**When:** Unknown, and dependent upon final budget decisions by Salt Lake County.

**RECOMMENDATION 3.2:** The Salt Lake County District Attorney's Office should establish a performance manager role to proactively collaborate with leadership. The District Attorney should work closely with this role to develop data collection standards and performance metrics that offer meaningful insights into both office-wide operations and individual prosecutor effectiveness.

**RESPONSE:** The DAO agrees with this recommendation and requires additional funding to hire and maintain this position within the office structure.

**What:** The audit report indicates a need for an individual within the DAO to track performance of prosecutors and general office efficiencies. The DAO is aware of one other county in the nation who employs an individual assigned to these tasks: King County, Washington, which several years ago recognized the need and reassigned a prosecutor already employed by the office to take on this role. In conversations with this individual and King County leadership, it is clear the performance manager role necessitates the assignment of a prosecutor to track and measure performance of the attorneys within the office. Non-lawyers, specifically non-prosecutor staff, are not equipped to effectively study and address prosecutors' work. Optimally, with the addition of sufficient resources, the DAO would create the role of performance manager with the goal of providing increased tracking of performance metrics for the office.

Pending that, the DAO will assess current staffing and resource levels to determine whether it may reassign a prosecutor to the role of performance manager now. If this may be done without sacrificing attention to case work, the role will be assigned.

And as an adjunct to this process and as set out in partial response to Recommendation 2.3, above, the Office will introduce and deploy an Employee Evaluation and Performance Review Process using metrics and measures geared toward the unique and important functions that District Attorney employees—specifically, prosecutors—perform, individually, as members of a courtroom team, and collectively, as partners in the system of criminal justice.

**How:** Depending on final budgeting decisions by Salt Lake County, the DAO will review the potential for reassignment to this role.

**Who:** Sim Gill, District Attorney and Chief Administrative Officer, and DAO Admin and HR Staff.

**Documentation:** The documentation provided by a future performance manager will be extensive and developed in conjunction with the District Attorney and executive staff.

**Timetable:** Unknown, and dependent upon final budget decisions by Salt Lake County.

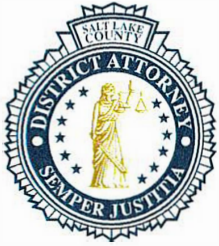
**When:** Unknown, and dependent upon final budget decisions by Salt Lake County.

**FINDING 3.2: The Legislature has helped improve prosecutorial transparency and accountability. Progress has occurred, but opportunities remain.**

**RECOMMENDATION 3.3:** The Legislature should consider the options presented to improve the transparency and accountability of prosecutors' offices. Transparency should improve if the Legislature requires county attorney offices to establish metrics, regularly evaluate trends, and report on these measurements.

**RESPONSE:** While not directed at the DAO, the Office does wish to signal caution regarding this recommendation. While the DAO can appreciate the desire of the auditors to involve the Legislature—and the Legislature, in turn, to involve itself—in the management of prosecution offices, absent collaboration and the varied and thorough input from each and every prosecution agency in the State, it is an idea with the potential for achieving more harm than good. Without assistance from the prosecution agencies that will be subject to the laws passed by the Legislature, prosecutors may be required to follow arbitrary standards that could appear targeted at certain agencies or certain classes of criminal defendants, or which may have inherent appeal, but which may unwittingly tie the hands of prosecutors from doing the jobs the public so desperately needs. For these reasons, and echoed in the letter signed by ## directly elected county attorneys and which accompanies this audit report, the DAO asks that additional statutory changes be carefully crafted, be made to apply to every prosecution agency statewide, and be enacted only after each agency is given the opportunity to meaningfully participate and to provide feedback regarding the proposed changes.

# Exhibit A



# Salt Lake County District Attorney's Office

## Evaluation and Performance Review

### Prosecuting Attorneys

Print Form

Employee Name:		Employee ID:	
Job Code:	Status:		Year:
Title:		Pyrl #:	Agency:
Reviewer:		Begin: ___/___/___	End: ___/___/___

**Ratings:**

- 1=unacceptable performance (the employee does not meet performance expectations for most essential functions)
- 2=needs improvement (the employee satisfactorily fulfills only some of the performance expectations for the position)
- 3=meets expectations (the employee satisfactorily fulfills the basic performance expectations for the position)
- 4=surpasses expectations (the employee meets and often exceeds the performance expectations for the position)
- 5=exceptional performance (the employee consistently exceeds performance expectations for the position)

NOTE: A Performance Improvement Plan must be completed for any goal with a rating of a 1 or 2. Refer to HR Policy 3-500 for additional details.

**1. Decision Making:**

- \_\_\_\_\_ Demonstrates willingness and ability to make decisions
- \_\_\_\_\_ Includes appropriate people in decision making processes
- \_\_\_\_\_ Exhibits sound and accurate judgment/Supports and explains reasons for decisions
- \_\_\_\_\_ Makes timely decisions

Overall  
**0**

Supervisor comments:

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**2. Public Trust:**

- Upholds spirit of the law/Promotes the interests of Justice
- Displays honesty and integrity
- Honors professional and ethical obligations

Overall

**0**

Supervisor comments:

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**3. Job Knowledge:**

- Demonstrates legal technical skills
- Demonstrates knowledge of law, statutes, rules, procedures
- Exhibits ability to learn and apply new skills
- Demonstrates understanding of office resources

Overall

**0**

Supervisor comments:

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**4. Teamwork:**

- Contributes to the team effort
- Exhibits objectivity and openness to others' views
- Welcomes feedback and input
- Contributes to building a positive team spirit
- Puts success of team and office above own interests
- Shares knowledge and skills
- Practices civility and shows respect to colleagues and others

Overall

**0**

Supervisor comments:

**5. Case Management:**

- \_\_\_\_\_ Effectively manages and prioritizes cases
- \_\_\_\_\_ Ensures proper case progression through justice system
- \_\_\_\_\_ Strives to maintain positive relationships with stakeholders
- \_\_\_\_\_ Ensures appropriate victim, witness, law enforcement, & defense attorney communication
- \_\_\_\_\_ Documents victim, witness, law enforcement, & defense attorney communication through CMS
- \_\_\_\_\_ Uses time and resources efficiently

Overall

**0**

Litigation:

**Overall:**

- \_\_\_\_\_ Strives for high quality work
- \_\_\_\_\_ Fulfills role as minister of justice
- \_\_\_\_\_ Brings honor to the District Attorney's Office and the justice system

Overall

**0**

Supervisor comments:

- 
- 0 Decision Making
  - 0 Public Trust
  - 0 Job Knowledge
  - 0 Teamwork
  - 0 Case Management
  - 0 Overall

Overall  
**0.00**

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**Career Development:**

- Complies with Salt Lake County & District Attorney's Office Policies and Procedures
- Fulfills professional licensing obligations
- Complies with team rules and policies.

**Team Assignments:**

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**Development Goals:**

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**Supervisor Comments:**

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**Employee Comments:**

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*Performance Appraisal Signatures*

This performance appraisal was discussed with me.  
Employee Signature & Date

This appraisal is based on my best judgment.  
Supervisor Signature & Date

I concur with this appraisal.  
Other Management Signature & Date

I concur with this appraisal.  
Agency Director Signature & Date







THE MISSION OF THE LEGISLATIVE AUDITOR GENERAL IS TO

**AUDIT · LEAD · ACHIEVE**

WE HELP ORGANIZATIONS IMPROVE

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