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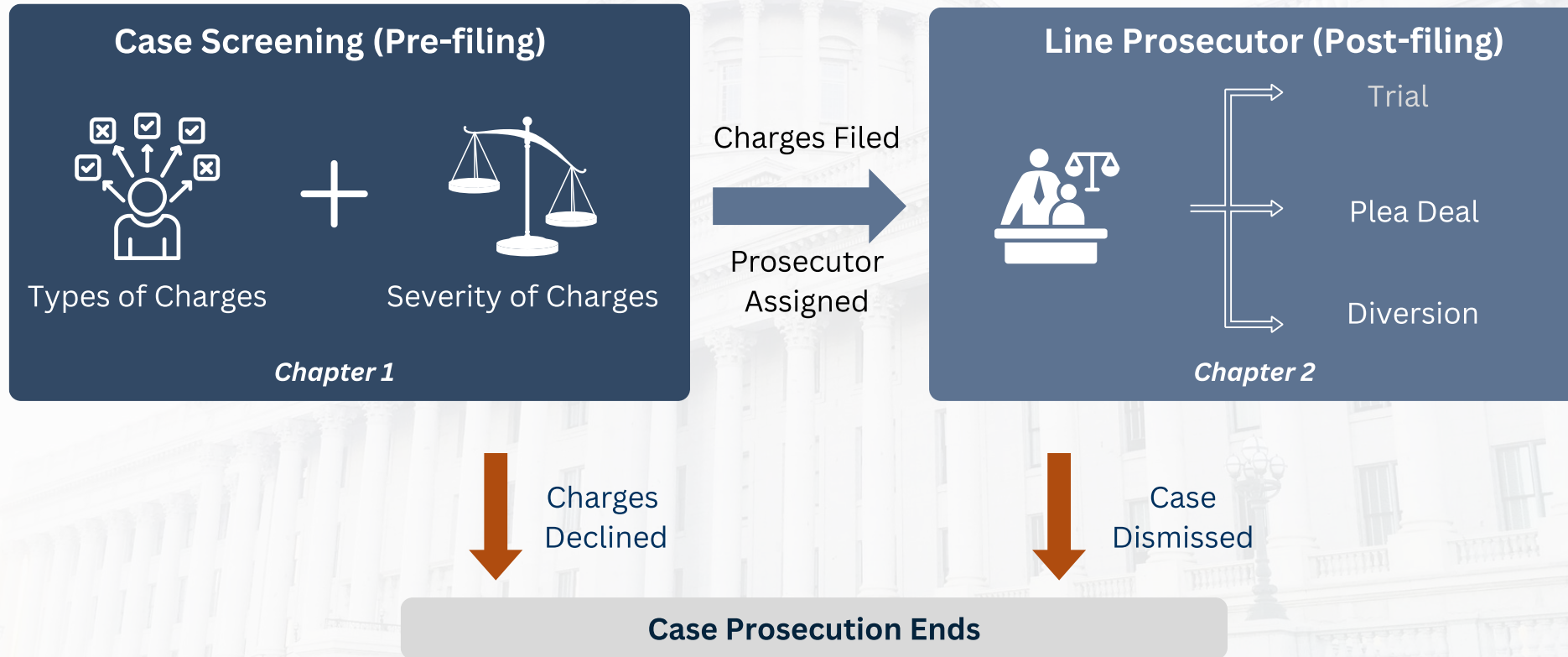
Heard in the Law
Enforcement
and Criminal Justice
Interim
Committee meeting on
9-16-26.

Performance Audit of the Salt Lake County District Attorney's Office

Improving Governance and Transparency

Law Enforcement And Criminal Justice Interim Committee
September 16, 2026

This Audit Focuses on Prosecutorial Discretion in the Pre-filing and Post-filing Phases





Chapter 1

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

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



Lack of Written Policies



Confusion between office policies and practices (informal guidelines)



Downtown Safety Initiative (DSI) case criteria



Toxicology report requirements for DUI cases



Medical record requirements for assault cases

- The DA's Office has issued limited formal filing policies, leading to confusion among staff and external organizations.
- Recent policy guidance has not fully addressed these gaps.

Conflicting Guidance Led to Questionable Declinations and Misconceptions About Screening Practices

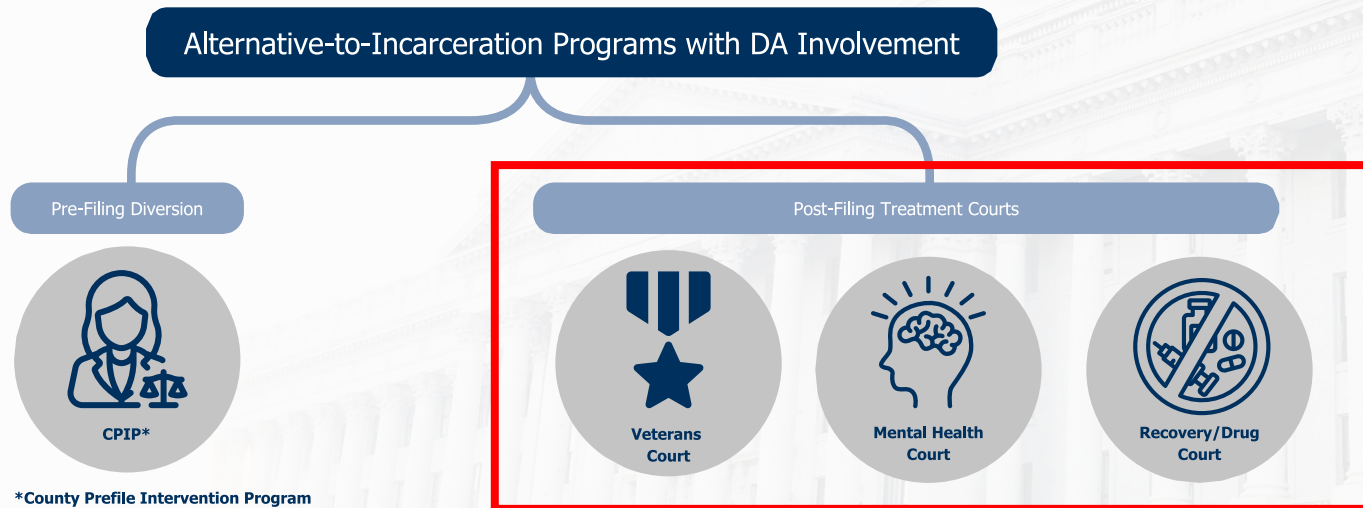
- One prosecutor did not enhance theft charges, believing there was a directive against enhancements.
- This perception was also widespread among police agencies and city prosecutors' offices.

A case example where confusion about repeated thefts led to no enhancements



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

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



- The DA's office hindered our evaluation of treatment courts, citing major concerns with auditors attending.
- Our office is conducting a separate audit of the Utah Court system, which will likely examine the court's role in these programs.

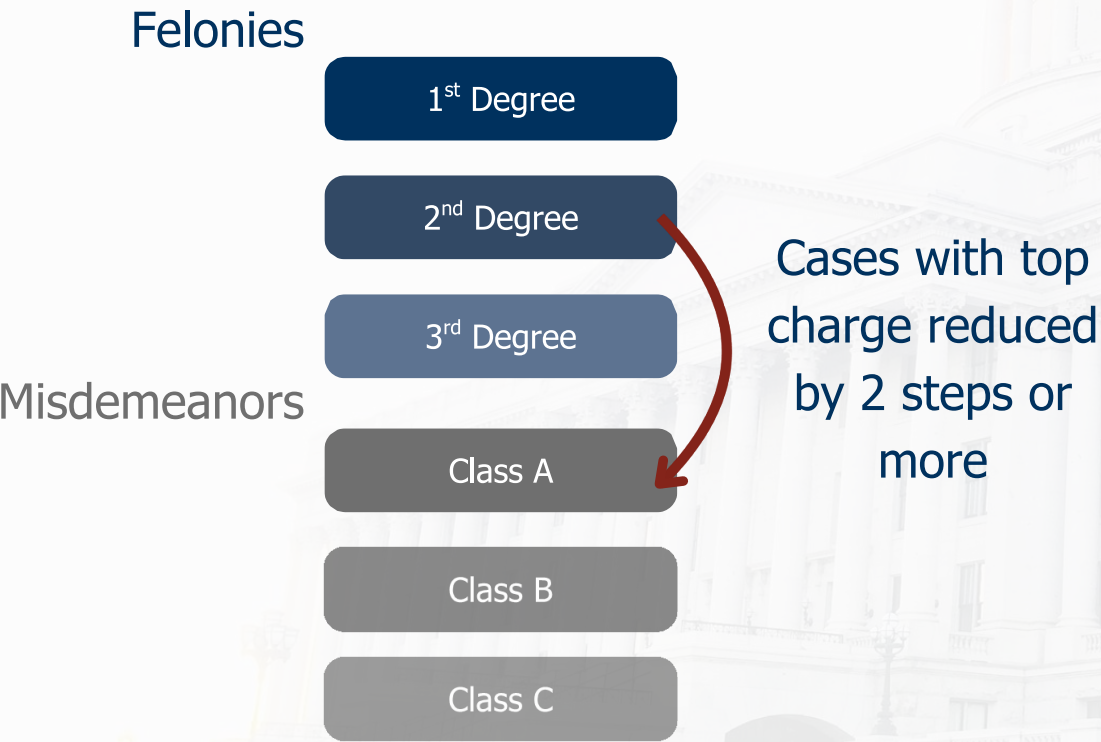


Chapter 2

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

A Lack of Documentation, Case Notes, and Guidelines Makes it Difficult to Analyze Plea Deals

Selection Criteria



Missing Plea Deal Documentation in 100 Reviewed Cases

Plea Deal Element*	# of Cases
 Missing Plea Deal Terms	26
 Missing Plea Deal Reasoning	70
 Missing Supervisor Approval	84

*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.



Chapter 3

Opportunities Exist for Utah's District and County Attorney's to Improve Performance

Prosecuting Offices Can Improve Operational Performance by Actively Using Performance Data



The DA's Office Could:

- Track violent crimes referred to their office along with the filing rate and dispositions of these cases.
- Measure how long it takes for each phase in a case to move through prosecution.

In a collective letter, 27 counties stated

“We support efforts to ensure accountability and effectiveness but **caution against measuring prosecutorial performance solely in terms of outputs or statistics.**”

Opportunities Remain to Improve Prosecutorial Transparency and Accountability



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





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