

Office of the
Legislative Fiscal Analyst

FY 2003 Budget Recommendations

Joint Appropriations Subcommittee for
Executive Offices and Criminal Justice

Commission on Criminal and Juvenile Justice

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1.0 Utah Commission on Criminal and Juvenile Justice

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. This Commission reports directly to the Governor. It is designed to promote philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice. They also help coordinate state wide efforts to reduce crime and victimization in Utah.

	Analyst FY 2003 Base	Analyst FY 2003 Changes	Analyst FY 2003 Total
Financing			
General Fund	1,579,000	(2,100)	1,576,900
Federal Funds	15,216,500		15,216,500
Dedicated Credits Revenue	65,000		65,000
Crime Victims Reparation Trust	810,700		810,700
Total	<u>\$17,671,200</u>	<u>(\$2,100)</u>	<u>\$17,669,100</u>
Programs			
CCJJ Commission	11,951,300	(1,900)	11,949,400
Crime Victim Reparations	4,706,500		4,706,500
Extraditions	276,300		276,300
Substance Abuse and Anti-violence	239,000	(100)	238,900
Sentencing Commission	210,100	(100)	210,000
Crime Prevention Grant	288,000		288,000
Total	<u>\$17,671,200</u>	<u>(\$2,100)</u>	<u>\$17,669,100</u>
FTE/Other			
Total FTE		30	30

2.0 Issues: Commission on Criminal and Juvenile Justice

2.1 FY 2003 Budget

The Analyst FY 2003 budget recommendation includes the Revised Estimate from FY 2002 as approved by the Executive Appropriations Committee and the following items:

- Adjustment for FY 2002 one-time programs;
- Payroll cost of an extra day in FY 2003
- Transfers of Market Comparability Adjustments; and
- Net changes for Internal Service Fund rates.

FY 2003 changes reflect the incremental costs of across the board reductions and annualization of partial budget cuts approved for FY 2002.

2.1 Nonlapsing Intent Language

It is the intent of the Legislature that funding for the Commission on Criminal and Juvenile Justice be nonlapsing.

3.1 Commission on Criminal and Juvenile Justice

Recommendation

The Analyst recommends \$11,949,400 for the Commission. Federal funds in this budget are passed through to other state and local agencies in the form of transfers. In addition the Commission has established a trust account to implement the new Juvenile Justice Accountability Block Grant. Approximately \$2,800,000 is deposited into this trust account each fiscal year to assist with juvenile justice.

	2001	2002	2003	Est/Analyst
	Actual	Estimated	Analyst	Difference
Financing				
General Fund	634,100	670,000	608,700	(61,300)
General Fund, One-time		(68,300)		68,300
Federal Funds	8,462,200	11,340,100	11,340,700	600
Transfers		3,000		(3,000)
Beginning Nonlapsing	204,400	203,300		(203,300)
Closing Nonlapsing	(74,400)			
Total	<u>\$9,226,300</u>	<u>\$12,148,100</u>	<u>\$11,949,400</u>	<u>(\$198,700)</u>
Expenditures				
Personal Services	732,200	706,400	674,900	(31,500)
In-State Travel	11,100	20,400	14,100	(6,300)
Out of State Travel	33,500	45,500	19,800	(25,700)
Current Expense	94,400	154,500	87,100	(67,400)
DP Current Expense	42,400	65,400	35,600	(29,800)
Other Charges/Pass Thru	8,312,700	11,155,900	11,117,900	(38,000)
Total	<u>\$9,226,300</u>	<u>\$12,148,100</u>	<u>\$11,949,400</u>	<u>(\$198,700)</u>
FTE/Other				
Total FTE	11	11	10	

Purpose

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. This Commission reports directly to the Governor. It is designed to promote philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice. They also help coordinate state wide efforts to reduce crime and victimization in Utah.

CCJJ has four standing subcommittees: the IT Subcommittee, the Utah Council of Victims of Crime, Juvenile Justice, and Cross Education Between Justice System and Mental Retardation.

Federal Drug Funds

In response to the Anti-drug Abuse Act of 1986, the Governor designated the Commission on Criminal and Juvenile Justice as the Utah Agency responsible for coordinating and administering the Edward Byrne Memorial Drug Control and System Improvement Formula Grant Program. Utah’s funding allocations for the past 10 years follow:

Year	Amount
1992	\$3,530,000
1993	\$3,546,000
1994	\$3,580,000
1995	\$3,160,000
1996	\$3,913,800
1997	\$4,165,000
1998	\$4,376,000
1999	\$4,491,000
2000	\$4,484,400
2001	\$4,511,400

3.2 Substance Abuse and Anti-Violence

Recommendation The Analyst recommends \$238,900 for Substance Abuse and Anti-Violence.

	2001 Actual	2002 Estimated	2003 Analyst	Est/Analyst Difference
Financing				
General Fund	225,800	259,400	238,900	(20,500)
General Fund, One-time		(20,400)		20,400
Beginning Nonlapsing		10,100		(10,100)
Closing Nonlapsing	(43,100)			
Total	<u>\$182,700</u>	<u>\$249,100</u>	<u>\$238,900</u>	<u>(\$10,200)</u>
Expenditures				
Personal Services	87,000	154,100	149,600	(4,500)
In-State Travel	1,200	800	1,200	400
Out of State Travel	500	500		(500)
Current Expense	6,600	5,500	7,100	1,600
DP Current Expense	1,100	1,100	1,000	(100)
Other Charges/Pass Thru	86,300	87,100	80,000	(7,100)
Total	<u>\$182,700</u>	<u>\$249,100</u>	<u>\$238,900</u>	<u>(\$10,200)</u>
FTE/Other				
Total FTE	3	3	3	

Purpose

The Utah Substance Abuse and Anti-Violence Coordinating Council was established by the 1990 Utah Legislature. The Council consists of a 26 member executive body and four committees targeting justice, judiciary, prevention, and treatment. The mission of the USAAV Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity and violence.

The Legislature provided an initial \$500,000 for gang suppression in the Supplemental Appropriations Act of 1993 (Senate Bill 212, item 3). This was augmented by an additional \$ 100,000 in the 2nd Special Session (House Bill 13, item 2). These funds were to be used to promote local gang suppression activities throughout the state.

3.3 Sentencing Commission

Recommendation The Analyst recommends \$210,000 for the Sentencing Commission.

	2001	2002	2003	Est/Analyst
	Actual	Estimated	Analyst	Difference
Financing				
General Fund	245,900	210,600	210,000	(600)
General Fund, One-time		(500)		500
Closing Nonlapsing	(57,400)			
Total	<u>\$188,500</u>	<u>\$210,100</u>	<u>\$210,000</u>	<u>(\$100)</u>
Expenditures				
Personal Services	180,800	179,800	200,300	20,500
In-State Travel	(1,200)	4,900	1,400	(3,500)
Out of State Travel	2,600	14,000	900	(13,100)
Current Expense	4,400	8,100	5,500	(2,600)
DP Current Expense	1,900	3,300	1,900	(1,400)
Total	<u>\$188,500</u>	<u>\$210,100</u>	<u>\$210,000</u>	<u>(\$100)</u>
FTE/Other				
Total FTE	2	2	3	

Purpose

The Sentencing Commission was created by the Legislature in the 1993 General Session (Senate Bill 127) with the following purpose:

“The purpose of the commission shall be to develop guidelines and propose recommendations to the Legislature, the governor, and the Judicial Council about the sentencing and release of juvenile and adult offenders in order to:

1. respond to public comment;
2. relate sentencing practices and correctional resources;
3. increase equity in criminal sentencing;
4. better define responsibility in criminal sentencing
5. enhance the discretion of sentencing judges while preserving the role of the Board of Pardons and Parole and the Youth Parole Authority.”

The Commission was funded at \$225,000 (House Bill 337) for the first year of operations. House Bill 30, 1994 General Session added members to the Commission and the responsibility to review juvenile sentencing. The composition of the Commission at this time is 27 members.

Current Sentencing Commission Subcommittee’s include the following:

- Sentencing Guidelines Revision
- Standardization Subcommittee
- Intermediate Sanctions
- Juvenile Justice
- Others as needed

3.4 Crime Victims Reparations

Recommendation The Analyst recommends \$4,706,500 for Crime Victims Reparations. This includes funding for a crime victims reparation officer and a rent increase.

	2001	2002	2003	Est/Analyst
	Actual	Estimated	Analyst	Difference
Financing				
Federal Funds	3,402,900	3,830,700	3,875,800	45,100
Dedicated Credits Revenue	24,000	20,000	20,000	
Crime Victims Reparation Trust	734,200	809,300	810,700	1,400
Beginning Nonlapsing	90,400	99,300		(99,300)
Closing Nonlapsing	(99,300)			
Total	<u>\$4,152,200</u>	<u>\$4,759,300</u>	<u>\$4,706,500</u>	<u>(\$52,800)</u>
Expenditures				
Personal Services	628,600	736,200	726,600	(9,600)
In-State Travel	1,200	1,500	1,500	
Out of State Travel	9,400	10,900	10,900	
Current Expense	166,900	169,700	149,000	(20,700)
DP Current Expense	16,600	25,100	56,800	31,700
DP Capital Outlay		64,200		(64,200)
Capital Outlay		35,000		(35,000)
Other Charges/Pass Thru	3,329,500	3,716,700	3,761,700	45,000
Total	<u>\$4,152,200</u>	<u>\$4,759,300</u>	<u>\$4,706,500</u>	<u>(\$52,800)</u>
FTE/Other				
Total FTE	16	16	15	(1)

Purpose

The Crime Victim Reparations Program was created in 1986 to help compensate victims of violent crime. Approximately \$61.6 million dollars have been awarded through compensations and victim services grants during this time period. The Office of Crime Victim Reparations provides compensation to victims of violent crime and administers and monitors Victim of Crime Act Compensation and Assistance grants.

The Office is responsible for administering the Crime Victim Reparations Trust Fund under guidelines established both by Statute and the Crime Victim Reparations Board.

No state tax dollars are used to fund the Crime Victim Reparation Program. Expenditures from the Trust Fund may include reparations for victims, funding for other victim services, and administrative costs for the Crime Victim Reparation office as appropriated by the Legislature.

The Victim of Crime Act (VOCA) provides for imposed costs to be levied on offenders of federal crimes. State compensation programs that comply with the Victims of Crime Act Guidelines are eligible to receive up to 40 percent of all awards made to victims during the federal fiscal year.

3.5 Extraditions

Recommendation The Analyst recommends \$276,300 for Extraditions.

	2001	2002	2003	Est/Analyst
	Actual	Estimated	Analyst	Difference
Financing				
General Fund	235,300	249,400	231,300	(18,100)
General Fund, One-time		(18,100)		18,100
Dedicated Credits Revenue	40,900	45,000	45,000	
Closing Nonlapsing	(38,500)			
Total	<u>\$237,700</u>	<u>\$276,300</u>	<u>\$276,300</u>	<u>\$0</u>
Expenditures				
Personal Services	18,900	21,700	23,100	1,400
Out of State Travel	217,300	253,100	252,000	(1,100)
Current Expense	1,500	1,500	1,200	(300)
Total	<u>\$237,700</u>	<u>\$276,300</u>	<u>\$276,300</u>	<u>\$0</u>
FTE/Other				
Total FTE	1	1	1	

Purpose This program is responsible for paying the travel related costs of prisoner extraditions from other states and countries to Utah. Such payments are authorized under the Utah Code and typically include travel, lodging, and meals for the officers and the prisoner. The officer’s salaries are paid by the jurisdiction requesting the extradition.

3.6 Crime Prevention Grants

Recommendation The Analyst recommends \$288,000 for Crime Prevention Grants.

	2001	2002	2003	Est/Analyst
Financing	Actual	Estimated	Analyst	Difference
General Fund	295,000	295,000	288,000	(7,000)
Beginning Nonlapsing	40,400	24,200		(24,200)
Closing Nonlapsing	(24,200)			
Total	<u>\$311,200</u>	<u>\$319,200</u>	<u>\$288,000</u>	<u>(\$31,200)</u>
Expenditures				
Other Charges/Pass Thru	311,200	319,200	288,000	(31,200)
Total	<u>\$311,200</u>	<u>\$319,200</u>	<u>\$288,000</u>	<u>(\$31,200)</u>
FTE/Other				

Purpose The Utah Legislature established the Utah Crime Prevention Grant program with a \$295,000 appropriation in FY 2001. Nine programs were funded, ranging from child abuse prevention training to youth mentoring.

4.0 Additional Information: Commission on Criminal and Juvenile Justice

4.1 Funding History

	1999	2000	2001	2002	2003
Financing	Actual	Actual	Actual	Estimated	Analyst
General Fund	1,266,000	1,737,600	1,636,100	1,684,400	1,576,900
General Fund, One-time				(107,300)	
Federal Funds	10,477,400	19,660,900	11,865,100	15,170,800	15,216,500
Dedicated Credits Revenue	78,900	64,900	64,900	65,000	65,000
Crime Victims Reparation Trust	690,100	711,000	734,200	809,300	810,700
Transfers				3,000	
Beginning Nonlapsing	232,300	275,900	335,200	336,900	
Closing Nonlapsing	(275,900)	(335,100)	(336,900)		
Lapsing Balance	(22,900)				
Total	\$12,445,900	\$22,115,200	\$14,298,600	\$17,962,100	\$17,669,100
Programs					
CCJJ Commission	7,970,300	17,168,300	9,226,300	12,148,100	11,949,400
Crime Victim Reparations	3,779,200	3,968,900	4,152,200	4,759,300	4,706,500
Extraditions	242,400	278,800	237,700	276,300	276,300
Substance Abuse and Anti-violence	246,100	212,100	182,700	249,100	238,900
Sentencing Commission	207,900	232,400	188,500	210,100	210,000
Crime Prevention Grant		254,700	311,200	319,200	288,000
Total	\$12,445,900	\$22,115,200	\$14,298,600	\$17,962,100	\$17,669,100
Expenditures					
Personal Services	1,541,300	1,620,600	1,647,500	1,798,200	1,774,500
In-State Travel	18,700	22,600	12,300	27,600	18,200
Out of State Travel	259,400	298,500	263,300	324,000	283,600
Current Expense	250,300	269,100	273,800	339,300	249,900
DP Current Expense	44,300	107,800	62,000	94,900	95,300
DP Capital Outlay				64,200	
Capital Outlay				35,000	
Other Charges/Pass Thru	10,331,900	19,796,600	12,039,700	15,278,900	15,247,600
Total	\$12,445,900	\$22,115,200	\$14,298,600	\$17,962,100	\$17,669,100
FTE/Other					
Total FTE	28	31	32	31	30

4.2 Federal Funds

Source Program	FY 2001 Actual	FY 2002 Estimated	FY 2003 Analyst
Department of Justice Juvenile Justice (3030)	\$1,299,700	\$1,327,500	\$1,327,500
Department of Justice Drug Control Grants (3029)	4,845,100	4,836,300	4,836,300
Department of Justice Justice Statistics (3032)	880,600	212,600	212,600
Department of Justice Violence Against Women (3034)	1,255,900	1,536,600	1,536,600
Department of Justice Miscellaneous (3036)	915,800	772,000	772,000
Department of Justice Victim Assistance (3031)	2,147,000	2,294,100	2,339,800
Department of Justice VOITIS (3035)	521,000	4,191,700	4,191,700
Total	\$11,865,100	\$15,170,800	\$15,216,500