

Justice Reinvestment Initiative (JRI) Update Annual Report to the Legislature – November 2021 Utah Commission on Criminal & Juvenile Justice



Background

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

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

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

As these reforms pass the six-year mark, it is hard to overstate the massive undertaking this process has been. Utah is one of [over 30 states](#) who have participated in JRI in some form, and other states (e.g., Georgia, Oregon, etc.) often return to their reform legislation (sometimes annually) to make changes and improvements. Utah has made other recent changes consistent with JRI (i.e., in [indigent defense](#), [pretrial reform](#), [supervision length guidelines](#), and [juvenile justice reform](#)), but it remains important to continue making necessary improvements to the original legislation in order for the spirit of the reforms to be more effective and sustainable. This is especially important in these unprecedented times due to effects of the ongoing pandemic on the criminal justice system (and everyday life in general), and recently completed audits have provided the system with a good roadmap to move forward.

Impact of the Ongoing Pandemic and Scope of Report

Just as it is hard to overstate how large of an undertaking these criminal justice reforms have been, it is also hard to overstate just how much of an impact the ongoing pandemic has had on the criminal justice system – large scale releases from the prisons and jails (along with restrictions on admissions) necessitated by health conditions and virus spread concerns; drastically reduced hearing and trial schedules, and a continuing backlog, in courts around the state; and police practices that have been challenged not only by the public health situation but also by a social justice movement that arose in the midst of it, are just a few examples. While last year's update came after the initial months of the pandemic, this current update comes after another full fiscal year has passed to take perspective on the effect of these massive system disruptions. This includes a recently released [2020 crime report](#) that showed a significant increase in both violent and property crime in Utah ([and around the country](#)) in this rather tumultuous year. Thus, this report will focus mainly on updating the general criminal justice system indicators and the effect the ongoing pandemic has had, with an eye to how some responses to the pandemic in certain parts of the system may have affected other parts of the system. The report will still include analysis of issues important to the overall criminal justice reform effort, and is organized like last year's report around the themes that drove the reforms, but caution should be taken in comparing data from the most recent fiscal year to previous years due to the extraordinary nature of the context in which they occurred. Please refer to the [2020 report](#) for additional in depth analysis on some of the ongoing issues that still need to be confronted as the new phase of implementation proceeds, though may not appear in the current report.

Legislative Audits, H.B. 44, and the JRI Listening Tour

At the end of 2020, the Office of the Legislative Auditor General completed a [comprehensive audit of Utah's JRI reforms](#), as well as another related audit addressing [information sharing in the criminal justice system](#). While generally positive in tone, this audit focused on several themes of improvement, and mostly targeted the goals of the reforms that it determined had not yet been implemented successfully (2-5 above). These include a) better information sharing for oversight and accountability (particularly for connecting offenders to treatment); b) improved coordination and communication at the local level through criminal justice coordinating councils; c) increased access to treatment for offenders, and better monitoring of its effectiveness and outcomes; and d) better implementation of evidence-based supervision practices. These themes will be touched on throughout this update.

Addressing the findings and recommendations of the two audits has been an ongoing process. While the pandemic has delayed some of the progress, 2021 has also been a year of major transition, with new leadership at many of the agencies involved in the criminal justice reform efforts, including CCJJ, the Department of Corrections, the Administrative Office of the Courts, and the Department of Human Services. Additionally, during the 2021 Legislative Session, [H.B. 44](#) passed as a committee bill from the Law Enforcement and Criminal Justice Interim Committee, which called for CCJJ to update the committee annually on the progress that has been made in implementation of the JRI goals that the audit targeted as not yet implemented (2-5 above).

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

Overview of This Update

This annual update of the JRI reforms builds on last year's report, which was extensive and had many new features. As mentioned above, the current report focuses more on the effects of the ongoing pandemic on the system as a whole, in the context of the criminal justice reforms. For more in depth analysis of some of the specific features of the reforms that may not appear in this year's update, please refer to the [2020 report](#). CCJJ's goal in the future is to provide these updates through dashboards on our website with greater user interactivity. In the meantime, this report is organized to provide the key points in summary form, with extensive graphics to illustrate these points linked in supplementary pages for readers interested in more information on a given topic. To navigate the document, there are links within the summary (i.e., [see A1-2](#)) to the supplementary materials for that topic. To return to the summary, each page in the supplementary materials has a link button at the bottom (“Click to Return to Report Summary”).

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

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

Key Points A: Prison – Historic Lows, Parole Driven, and Continued Focus

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

- 1. In the midst of the ongoing pandemic, the prison population reached historic lows in FY2021. Even though there has been a slight increase in recent months, the population still remains at levels not seen in almost 20 years (see A1-2).**
- 2. With this recent pandemic-driven readjustment, the prison population is now well below initial projections made prior to the implementation of the reforms (see A3).**
- 3. The interplay of admissions and releases drives the prison population numbers, and the period starting in March 2020 through the first half of FY2021 was unprecedented in terms of the extent to which releases exceeded admissions. This has since stabilized, with admissions slightly exceeding releases over the full course of FY2021 (see A4-5).**
 - In just March and April 2020, there were 1,052 releases from prison, and releases exceeded admissions by 938 in only a 4-month period (March-June 2020).**
- 4. An increasing proportion of admissions continue to be from parole, as many of the recent admissions are returning after previously being released (see A6-7).**
- 5. Overall, prison beds continue to be increasingly focused on serious and violent offenders, particularly as the pandemic restrictions continued into FY2021 (see A8).**

Key Points B: Community Supervision – Shift in Risk Profile, Need to Refocus Evidence-Based Supervision Practices

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

- 1. The parole population has continued to show steady growth, amplified by the unprecedented number of pandemic-related releases, particularly as more offenders are released to parole vs. being discharged or expired at release (see B1-4).**
- 2. The probation population has dropped significantly in the past two years, including both felony and Class A probationers. Like the prison population, the probation population is at historically low levels not seen in over 15 years (see B5-8).**

3. **More supervised offenders are now on high and intensive supervision, putting a strain on otherwise stable caseloads and contributing to supervision failures affecting the prison and jails (see B9-10).**
4. **Prison admission rates from parole have generally been increasing over the years, though accounting for the shifting risk profile of both parole and probation populations helps explain much of the increases that have been seen (see B11).**
 - **The same is true when looking at probation-specific outcomes like orders to show cause (OSC) hearings for probation violations and associated jail sentences (see B12; this is also discussed more in Section E below in the context of how probation violations affect local corrections systems).**
5. **Despite the increased risk profile and too many prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years (see B13-14).**

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

One of the biggest changes that was part of the JRI reforms involved reclassifying the penalty for the main “Possession of a Controlled Substance” statute ([58-37-8\(2\)\(a\)\(i\)](#)) from a 3rd degree felony to a Class A misdemeanor for the first two offenses (it could still be enhanced back to a 3rd degree felony after two convictions). Relatedly, lower-level possession of marijuana was also reclassified from a Class A misdemeanor to a Class B misdemeanor. Aside from these drug statute changes (which also included restrictions on drug free zones, the significant impact of which was described more in [last year’s report](#)), it is also important to acknowledge some contextual factors. Utah, and the whole country, was experiencing an opioid epidemic for over a decade that encompassed the start of the reforms, and many of the trends through FY2018 reflect this. Additionally, Operation Rio Grande in Salt Lake City, starting in August 2017, was responsible for a large uptick in drug arrests and prosecutions in that year in particular (FY2018). While drug offenses have dropped significantly since this peak, the COVID-19 pandemic of the past 18 months may have effects on drug use that are yet to be seen or reflected in official crime indicators.

1. **Drug arrests and citations had been on the rise for years and peaked in FY2018, but we have now seen three consecutive years of significant decline (see C1).**
2. **Court case filings with drug possession only charges reflect the arrest trends, with three consecutive years of decline (see C2). While there has been an expected shift from felony to Class A misdemeanor filings since the reforms, the greatest number of drug possession case filings continue to be consistently at the Class B misdemeanor level (see C3).**
 - **Drug possession with intent and drug distribution/manufacturing charges rose slightly in FY2020, but both remain at their lowest levels in years (see C4).**
 - **Justice Courts, which bore the brunt of the increase in drug cases through FY2018, have seen a 29% reduction in drug cases over the three years that followed (see C5).**
3. **The Department of Corrections continues to see substantially fewer felony drug possession offenders, and prison admissions for these offenders are at historic lows (see C6-7).**
4. **The decrease in drug possession arrests and Court cases is also influencing the overall number of Class A probationers the Department of Corrections is supervising, with a marked decline in recent years after previously being at record highs in the initial years following the reforms (see C7).**
5. **More work needs to be done to investigate this recent decrease in drug offenses, and whether it has been driven by a successful increase in treatment funding and capacity, or**

whether there has been a fundamental change in law enforcement practices related to drug offenses (or some combination of these and other factors).

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

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

- 1. After reaching highs in FY2019, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources continued to decline in FY2021 (see D1-3).**
- 2. The COVID-19 pandemic appears to have contributed to the decline in the FY2020 and FY2021 SUD treatment numbers (see D4), though there are also other factors that might be influencing these numbers, including the declining number of drug offenders seen in Section C above and new funding sources.**
- 3. The new Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment in FY2020 and 2021 help to account for some of the declining numbers seen above (see D5-6).**
 - This, along with Medicaid expansion, provides another major funding source beyond state-exclusive funds for treatment of justice involved individuals with SUD and/or mental health issues, but will also affect both SUD and mental health client numbers reported through the public treatment system to DSAMH (D1 above).**
- 4. Drug Court participation continues to be down in FY2021 as drug offenses have declined and the pandemic effects have persisted (see D7).**
- 5. Next steps include examining criminal justice outcomes of offenders at various treatment levels, working to connect Courts and treatment data, and working with the Department of Health to match criminal justice data to billing for Medicaid and TAM. This is a large and important undertaking, as with the expansion of Medicaid and TAM and the increased use of these sources of funding for offender populations, it is no longer possible to look to only state-funded treatment sources to get a full picture of SUD and mental health treatment in offender populations.**

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

Apart from controlling the state prison population and strengthening supervision practices, one of the main goals of the JRI reforms was to strengthen local corrections systems so that relieving the strain on the state system would not transfer offenders and create burdens on the local system of jails and related services. One of the areas where this can occur is through probation violations and revocations – just as parole revocations can drive the prison population, probation revocations can impact jail populations as judges impose jail sentences on probationers with much greater frequency than prison (particularly with Class A probation, where prison is not an option). While some transfer was inevitable, the reforms addressed areas that may also offset the impact. These

offset policies included large scale changes to traffic offense codes that shifted the bulk of these offenses to infractions from Class B and C misdemeanors; drug free zone enhancement restrictions, which previously made more offenders eligible for extended jail and prison stays; probation revocation caps that shortened and standardized time spent in jail following revocation; increased treatment funding (both State, and now federal, as discussed above in Section D) that has bolstered capacity in many local areas to help high risk and high need offenders stay out of jail; and county incentive grants that have helped several counties start local supervision and reentry programs. While it has been difficult for CCJJ to obtain historical data from the jails to assess the impact of the reforms on their population, the audit analysis determined there has not been a significant negative impact. In 2020, CCJJ began receiving annual data from county jails, and in 2021, county and municipal prosecutors are starting to send quarterly data to CCJJ. We must continue the work to improve local support through local-state coordination and improved data flow. Other solutions, including regional detox facilities and receiving centers, could also substantially assist local corrections systems.

- 1. Just as the pandemic has affected the prison population, it has had a similar impact on jail populations throughout the state. Using new data received from the county jails, the changes in the populations of many of the jails can now be shown across the 2019 and 2020 calendar years (see E1-2).**
- 2. There has been an increase in orders to show cause (OSC) hearings for probation violations in Courts throughout the state in recent years, though these numbers have leveled out over the past four years and there are important differences across districts (see E3-5).**
- 3. This increase in OSC hearings has resulted in more jail sentences for probation violations, though there has been a significant decrease over the past two years, and average sentence lengths have decreased significantly as well. As with the hearings, this activity is more evident in certain districts (see E6-8).**
- 4. Traffic case filings at the Class B and Class C misdemeanor levels continue to be significantly lower than pre-reform levels, offset by an increase in infraction filings (see E9).**
- 5. Detox facilities outside of Salt Lake, Utah, and Davis counties are almost nonexistent, and the county jails too often need to take on the burden of assisting with the detox process of drug offenders. There is also a lack of residential SUD treatment beds outside the Wasatch Front, relative to the population (see E10).**
- 6. CCJJ and its state partners need to improve coordination with counties and local partners and improve the flow of information to ensure ongoing successful implementation of the reforms.**

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

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

1. After five years of relative stability (violent crime) and significant decline (property crime), 2020 saw a marked increase in both violent and property crime reported to law enforcement (see F1).
 - While the increase in violent crime was matched nationally and in most states in the region, the increase in property crime reversed a significant 4-year downward trend (down 28% from 2015-19) and was relatively unique to Utah and only ten other states (including neighboring Colorado and Wyoming; see F2).
2. Much of this uptick in reported crime was isolated in the second half of 2020 (compared to 2019), after the onset of the pandemic in March 2020 and alongside large scale social unrest that occurred in the summer through the Presidential election in the fall (see F3).
3. Of particular concern was an increase in homicides in Utah and across the country, and several important factors can help shed some light on the differences between 2020 and previous years (see F4-5).
4. There is some indication that the unprecedented release of offenders from prisons in jails (and corresponding restrictions on admissions) necessitated by the pandemic, particularly in the period of March-June 2020, may have contributed to the spike in crime in 2020 (see F6).
5. While reported crime increased in 2020 (calendar year), other crime indicators, including arresting activity and Court case filing rates, significantly decreased in FY2021 (see F7).
6. It is important to consider that statewide trends may not be reflected in all localities, and other factors both broad and local can affect crime. Additionally, crime rates are restricted to the number of crimes reported by the public to law enforcement, and arrest and case filing rates can be influenced by changing law enforcement and prosecutorial practices.

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

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

1. **The criminal justice system needs to create a better information sharing environment, and this needs to connect better to associated systems (particularly treatment, health, and human services).**
2. **There needs to be increased training and oversight of supervision practices associated with the RIM and other evidence-based supervision practices.**
3. **The treatment system needs more monitoring and accountability to ensure substance use disorder (SUD) treatment practices are effective and offenders are connecting to treatment when required.**
4. **Coordination between the State and local criminal justice systems and associated partners needs to improve, including the creation of local coordination councils to communicate with CCJJ.**

Conclusion and Next Steps

As mentioned above, the pandemic we are currently experiencing clearly plays a large role in the historic low population levels in the prison and on probation at this time. Nevertheless, this situation also creates an opportunity to recalibrate our approach to the implementation of the reforms and redouble our efforts to ensure that the prison population remains stable at these lower levels. While Utah has been fairly successful in refocusing the prison population on serious and violent offenders, it is time to focus even more on community supervision and the support services (particularly treatment and housing) needed to stem the tide of admissions and releases directly tied to supervision failure that are driving the instability in our corrections populations.

The next steps start with the ongoing Listening Tour across the state, which is gathering feedback from localities on how best to proceed. A report summarizing the common themes heard on this tour is forthcoming, and along with the audit recommendations, will help to provide a path forward that effectively addresses concerns of individuals at the local level as well as missteps in implementation that were identified by the audit.

As the audit has suggested, any effective path forward will need to involve better coordination between the state agencies and local entities, most likely through the formation of coordinating bodies in counties or regions and increased information flow. The latter is already in the process of being addressed, with both the county jails (directed by 2020 [S.B. 193](#)) and prosecutors (directed by 2020 [H.B. 288](#)) across the state now sending important information regularly to CCJJ. Additionally, a data working group is currently meeting regularly (as directed by 2021 [S.B. 159](#) and larger data integration efforts) to develop solutions to include local law enforcement data and improve the back and forth flow of information between state and local entities, both for those who work directly with offenders and those who are involved in making criminal justice policy. It is the hope that these current efforts related to data and information sharing will broaden to include the ability to more seamlessly integrate and track offenders through the system and monitor outcomes, particularly following treatment involvement. Finally, any path forward must also include more training and emphasis on effective, evidence-based supervision and treatment practices to ensure that more offenders are able to remain in the community rather than revolving in and out of our prison and jail systems. These essential elements (local coordination, data flow for better decisions and oversight, and implementation fidelity with supervision and treatment practices) will be supplemented by the findings of the Listening Tour, and this new plan will be put into practice starting in 2022.

In partnership with the Listening Tour and the ongoing response to the audit and recalibration of JRI implementation, a special email account has been set up to receive additional feedback on the criminal justice reforms. Anyone who has concerns or other feedback (or was not able to attend one of the Listening Tour stops) is encouraged to send it to cjreform@utah.gov.

Acknowledgments

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



Prepared by:

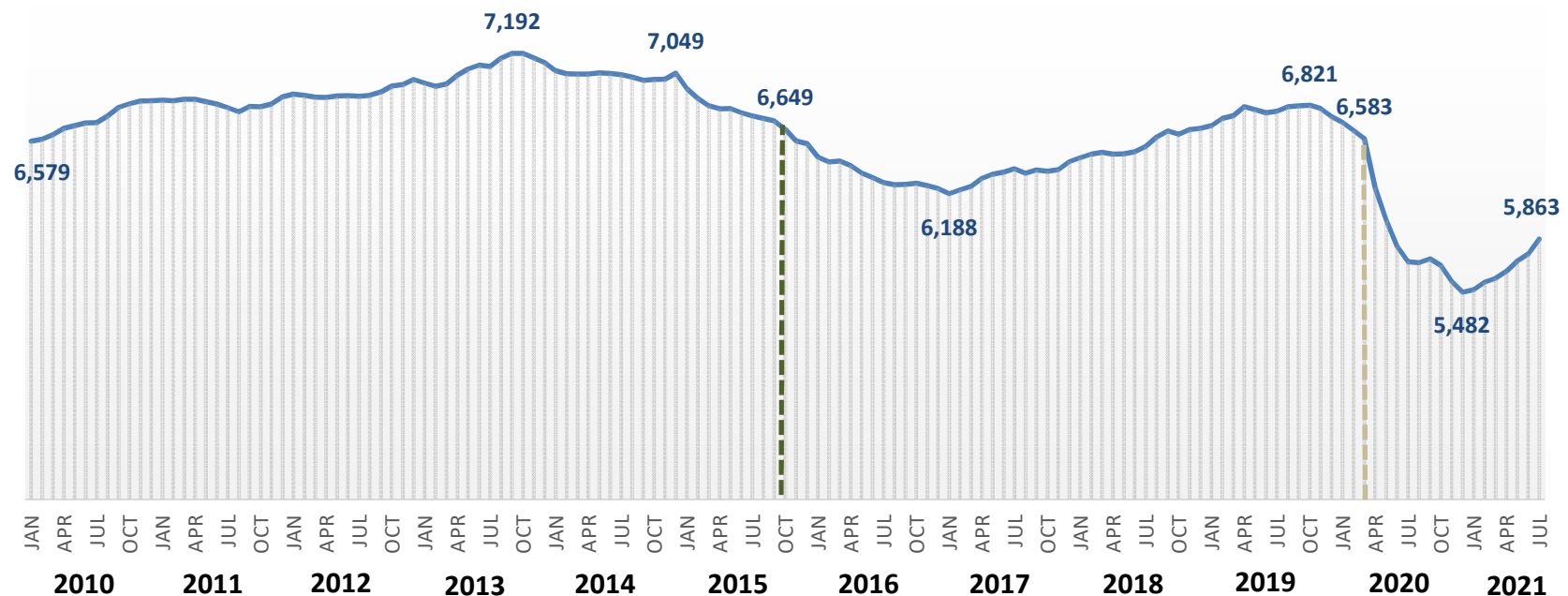
Ben Peterson, Ph.D.
Director of Research & Data

Utah Commission on Criminal & Juvenile Justice
State Capitol Complex
Senate Office Building, Suite 330
P.O. Box 142330
Salt Lake City, UT 84114-2330
Phone: 801.538.1031 ■ Fax: 801.538.1024
<https://justice.utah.gov>



In the midst of the ongoing pandemic, the prison population reached historic lows in FY2021. Even though there has been a slight increase in recent months, the population still remains at levels not seen in almost 20 years,

Prison Average Daily Population (ADP) by Month (January 2010 - July 2021)



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

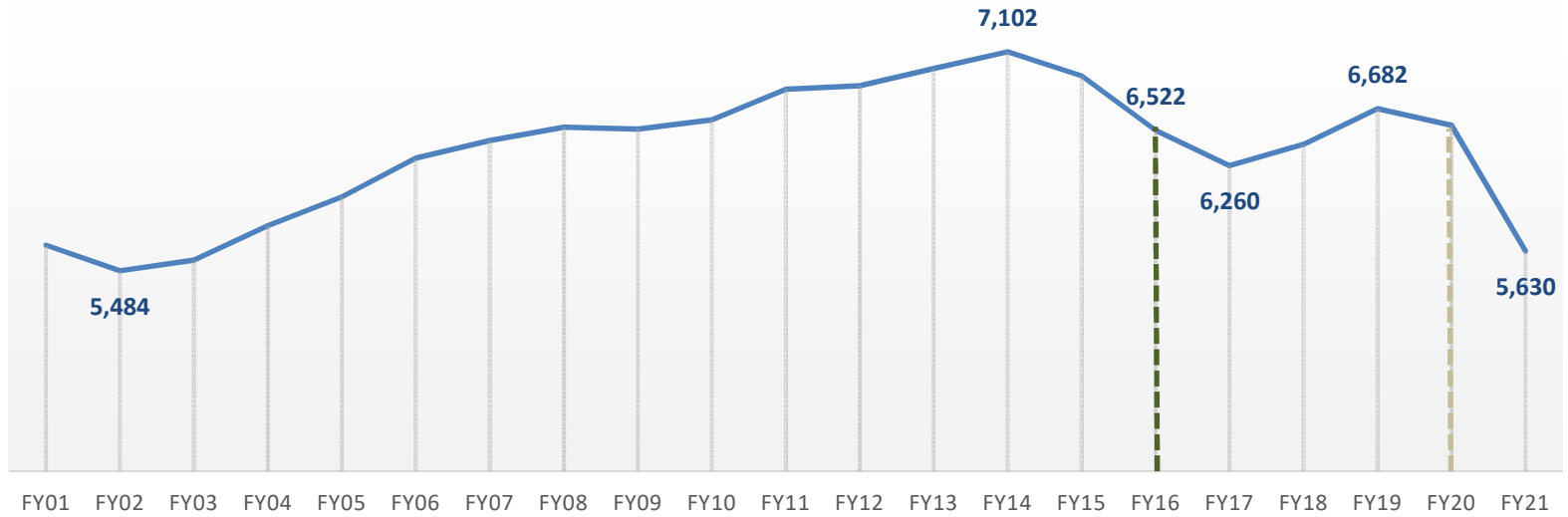
The figure above shows the average daily population (ADP) by month for inmates in the prison system operated by the Utah Department of Corrections since 2010 (and through July 2021). The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The prison population had peaked at 7,192 inmates in September 2013, just prior to convening a group of stakeholders to discuss reform. Post-reform, the population reached a low of 6,188 ADP in January 2018 before steadily climbing back up to a post-reform peak in October 2019. The population had begun to decline somewhat before the COVID-19 pandemic hit, though by December 2020 stood at 5,482, a low not seen since October 2002. The two figures on the next page show both a longer context (by fiscal year back to FY2001) and a magnified context before and after the start of the pandemic to illustrate these historic lows.

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

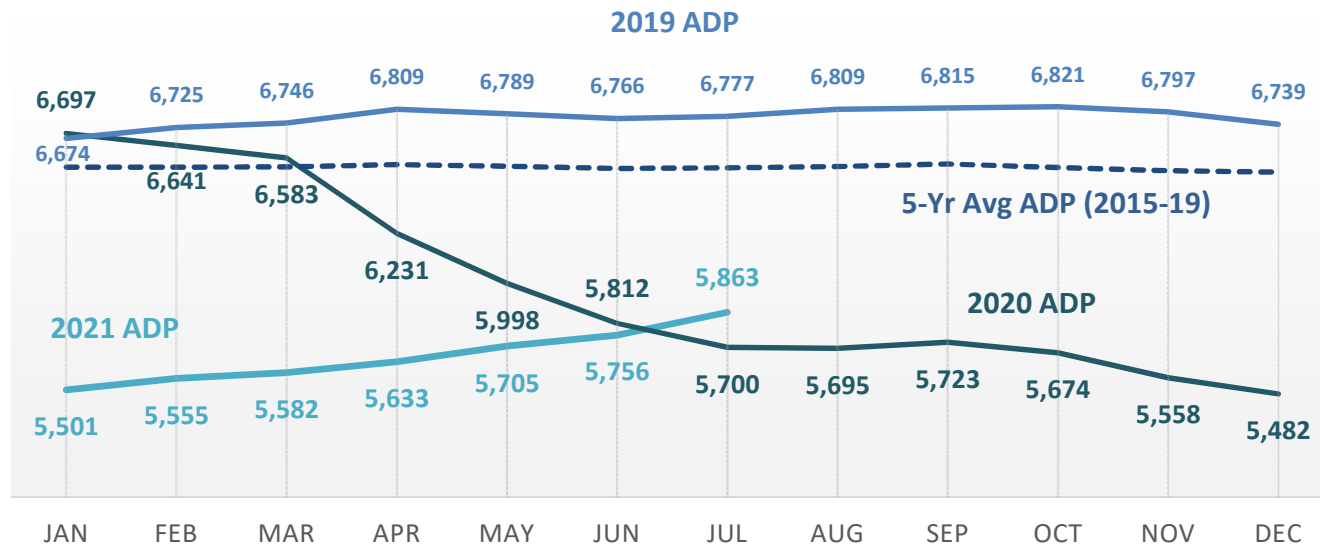


In the midst of the ongoing pandemic, the prison population reached historic lows in FY2021. Even though there has been a slight increase in recent months, the population still remains at levels not seen in almost 20 years,

Prison Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2021)



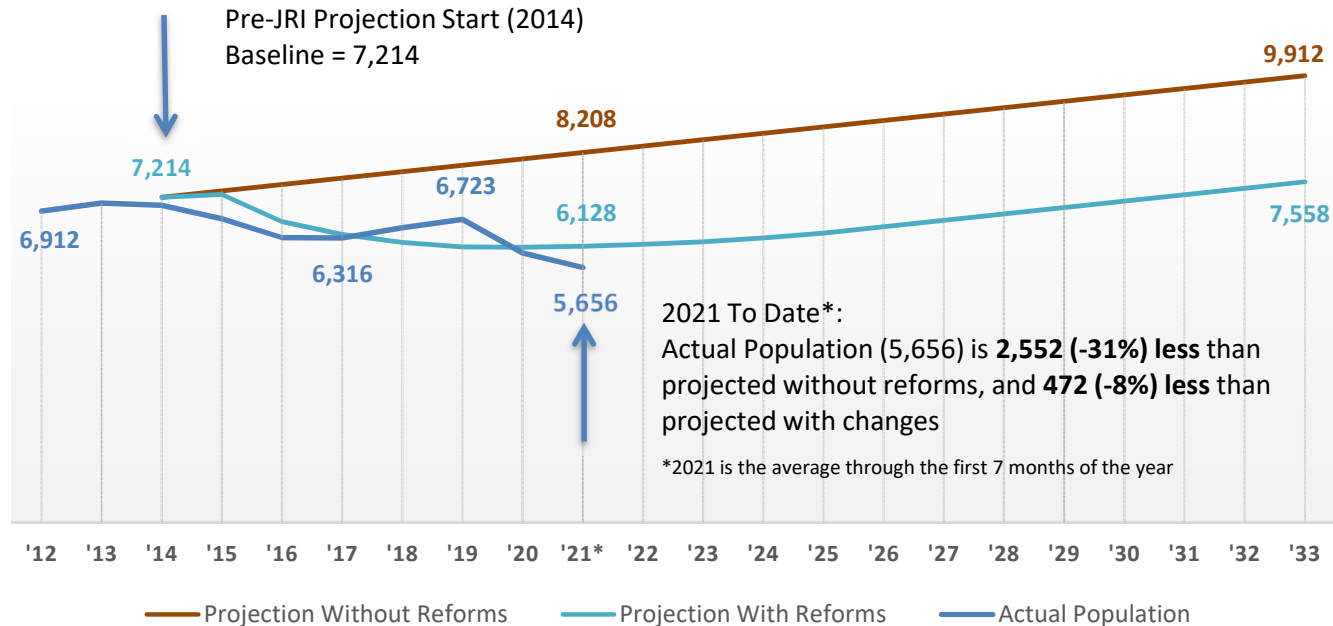
The COVID-19 Pandemic and the Prison Population





With this recent pandemic-driven readjustment, the prison population is now well below initial projections made prior to the implementation of the reforms.

Utah Prison Population Actual vs Projected



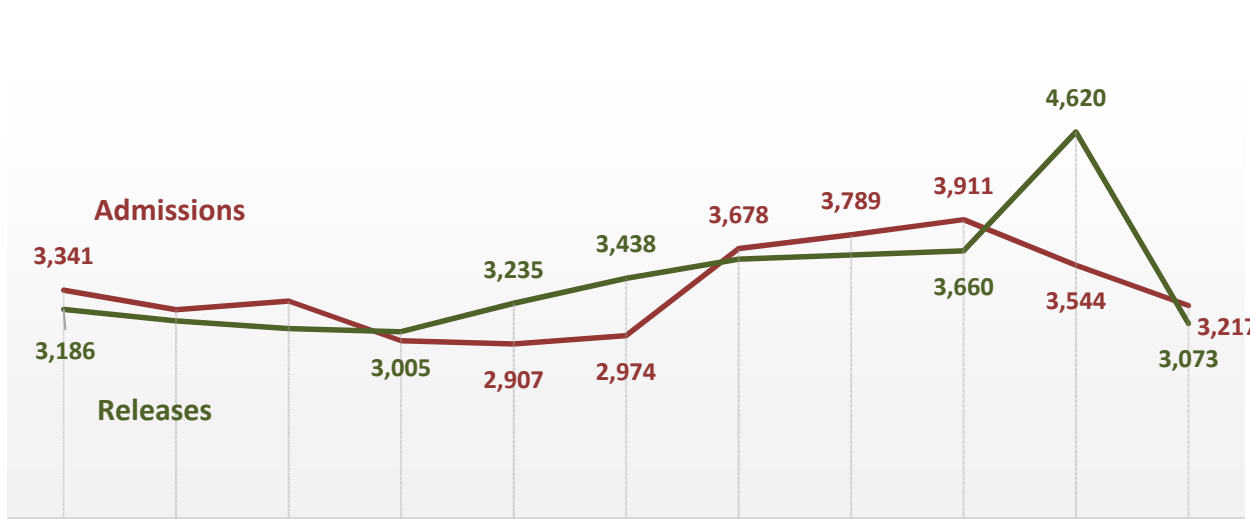
Source: Utah Department of Corrections, O-Track database; data pulled August 2021

Projections from original JRI report November 2014

The figure above shows how the actual prison population stands in comparison to projections made prior to the reforms - one based on doing nothing (without reforms) and the other estimating the impact of the proposed reforms (with reforms). This shows that the ADP to date in 2021 (5,656) is now below (-8%) the reform projections, and almost a third (31%) less than what had been expected if nothing was done.

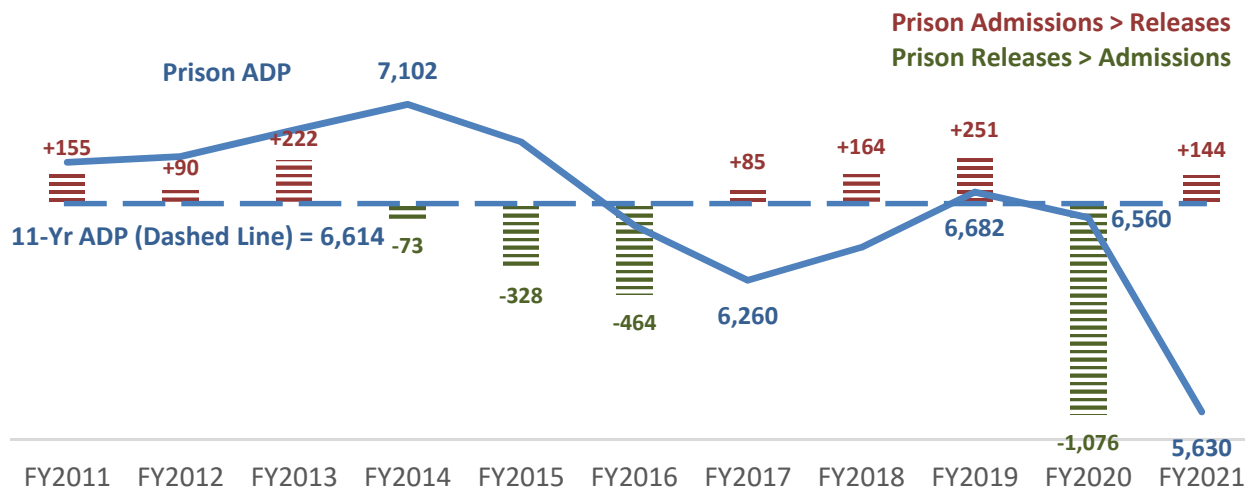
The interplay of admissions and releases drives the prison population numbers, and the period starting in March 2020 through the first half of FY2021 was unprecedented in terms of the extent to which releases exceeded admissions. This has since stabilized, with admissions slightly exceeding releases over the full course of FY2021.

Prison Admissions vs. Releases by FY (2011-21)



The first figure on the left shows the interplay between admissions and releases at the prison over the period between FY2011-21. This demonstrates the increase in volume of both admissions and releases, particularly since FY2017 (and longer for releases, starting pre-reform). This culminated in the unprecedented number of releases that occurred in conjunction with the pandemic in FY2020, with 4,620 total releases - more than one thousand more than any other year in the period. Both admission and release activity decreased considerably in FY2021.

Prison Average Daily Population (ADP) & Net Admissions-Releases by FY (2011-21)



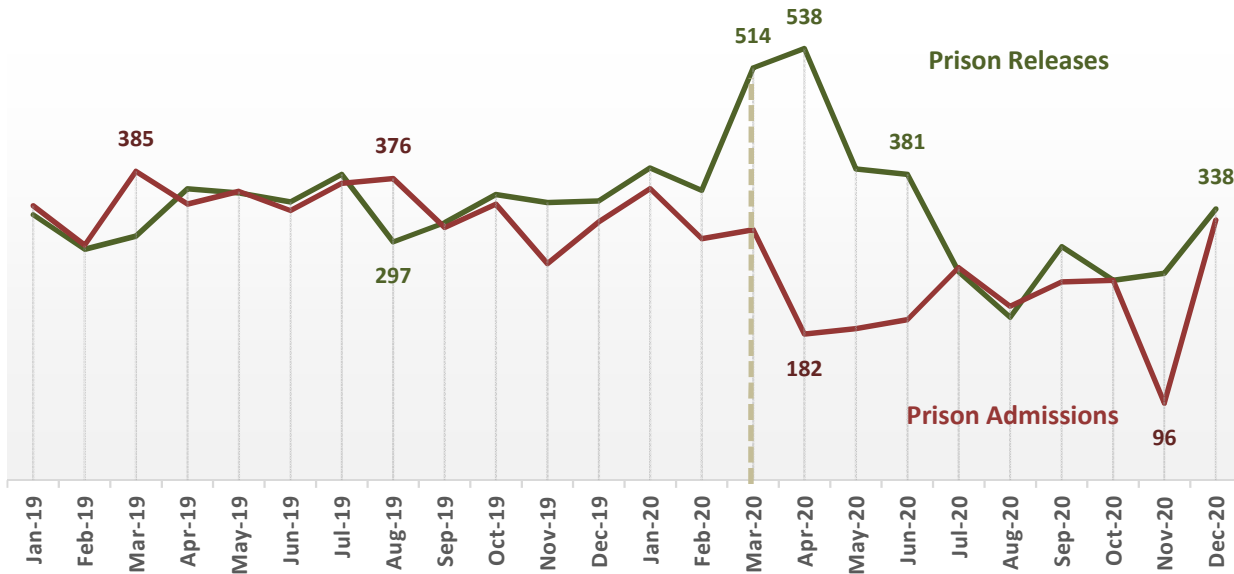
The second figure on the left attempts to give a better representation of this admission and release activity in relation to changes in the ADP. It represents the 11-year average population as the baseline with net (admissions - releases) going above or below this and leading to either upswings or downswings in the population depending on the magnitude or how sustained the activity is in either direction. As you can see, our last big peak in FY2014 was preceded by several years in which admissions exceeded releases. Then, just prior to and subsequent to the reforms, releases exceeded admissions to lead to the low in FY2017 before reversing once again. Finally, FY2020 saw releases once more exceed admissions in just one year by more than this initial 2-year period at the beginning of the reform efforts. This stabilized in FY2021, with admissions slightly exceeding releases.

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



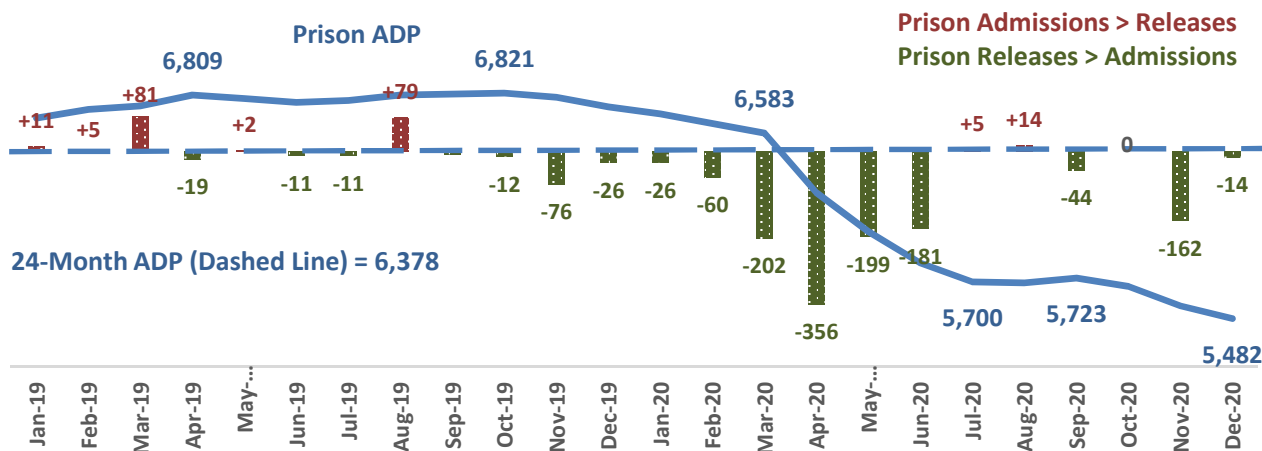
The interplay of admissions and releases drives the prison population numbers, and the period starting in March 2020 through the first half of FY2021 was unprecedented in terms of the extent to which releases exceeded admissions. This has since stabilized, with admissions slightly exceeding releases over the full course of FY2021.

Prison Admissions vs. Releases by Month (2019-20)



These next figures to the left attempt to portray the same information as the previous page, but this time focus on the monthly admission and release activity during 2019 and 2020 specifically, in the period before and just after the beginning of the pandemic (gold dashed vertical line).

Prison Average Daily Population (ADP) & Net Admits-Releases by Month (2019-20)



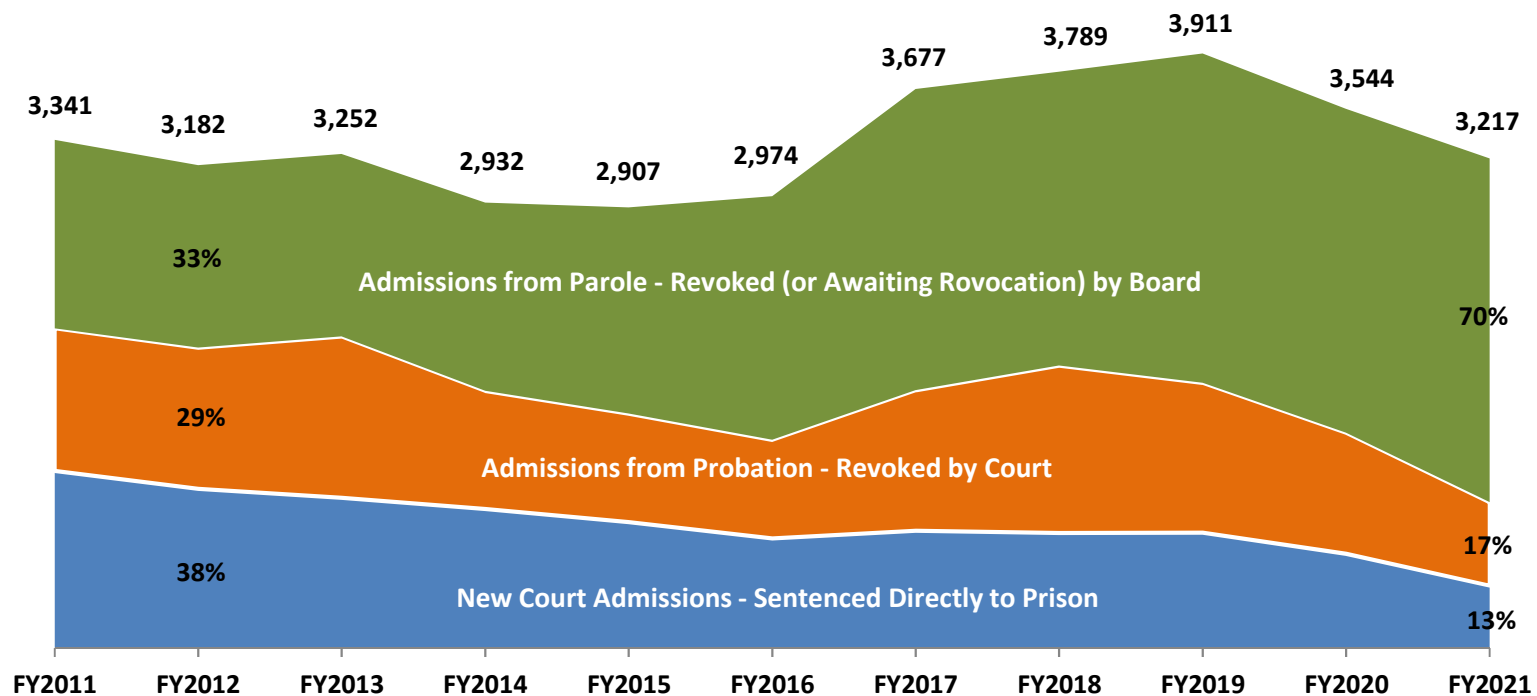
The figure above shows that, in just March and April of 2020, there were 1,052 releases from prison. Likewise, the figure below shows that in just a brief 4-month period (March-June 2020), releases exceeded admissions by 938. This was truly an unprecedented response by the criminal justice system to the pandemic, as officials attempted to do their part to control the spread of the virus within our institutions and communities.

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



An increasing proportion of admissions continue to be from parole, as many of the recent admissions are returning after previously being released.

Total Prison Admissions by Source and FY (2011-21)



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

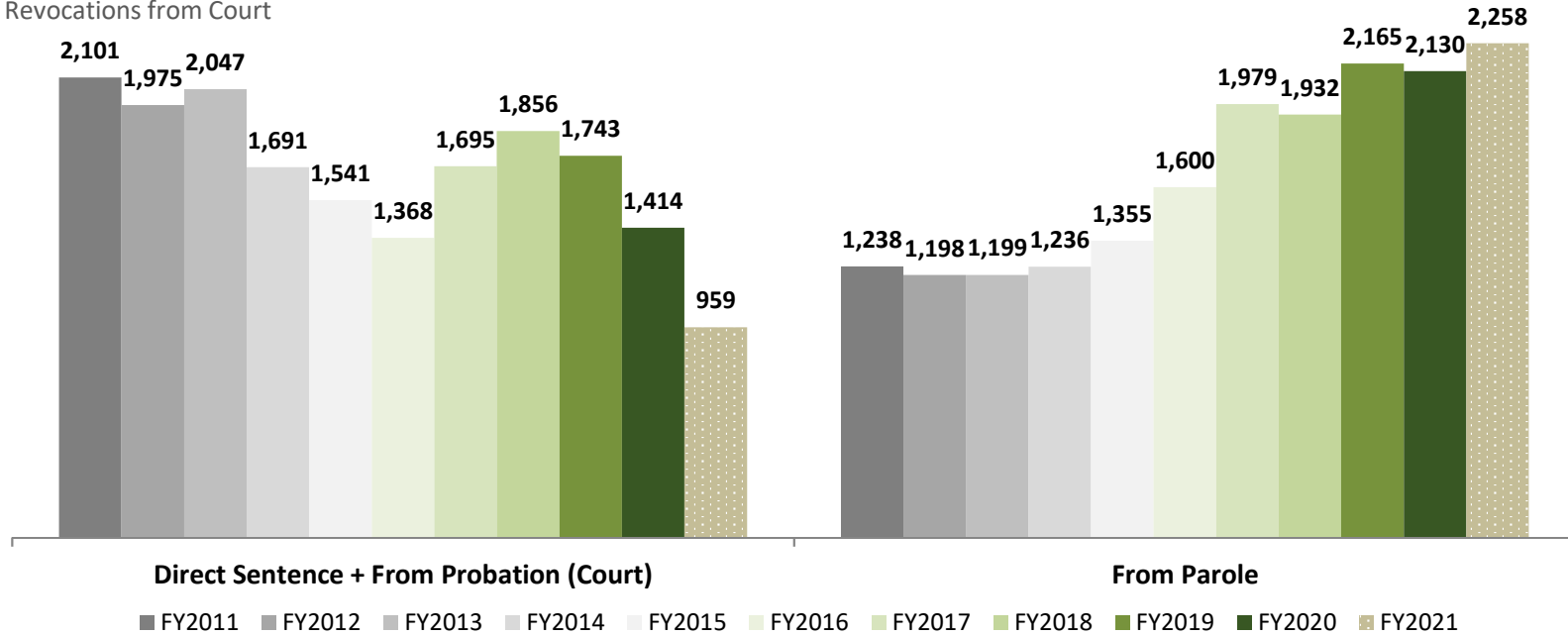
The figure above shows all admissions to the prison since FY2011 broken down by three basic categories based on where these offenders are coming from - from parole (revoked or awaiting revocation from the Board of Pardons and Parole (BOPP)); from probation (revoked to prison by the Court); or those sentenced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

The figures on the next page further summarize this trend and show how the number and proportion of admissions from parole vs. those sentenced by the Courts (either directly or through probation revocations) has changed before and after reforms. Parole admissions have increased 88% from FY2013 to FY2021, while Court admissions have mostly remained below pre-reform levels (apart from the spike in probation admissions around FY2018), and dropped to a low of 959 in FY2021. The proportion of admissions from parole has nearly doubled between FY2013 and FY2021.

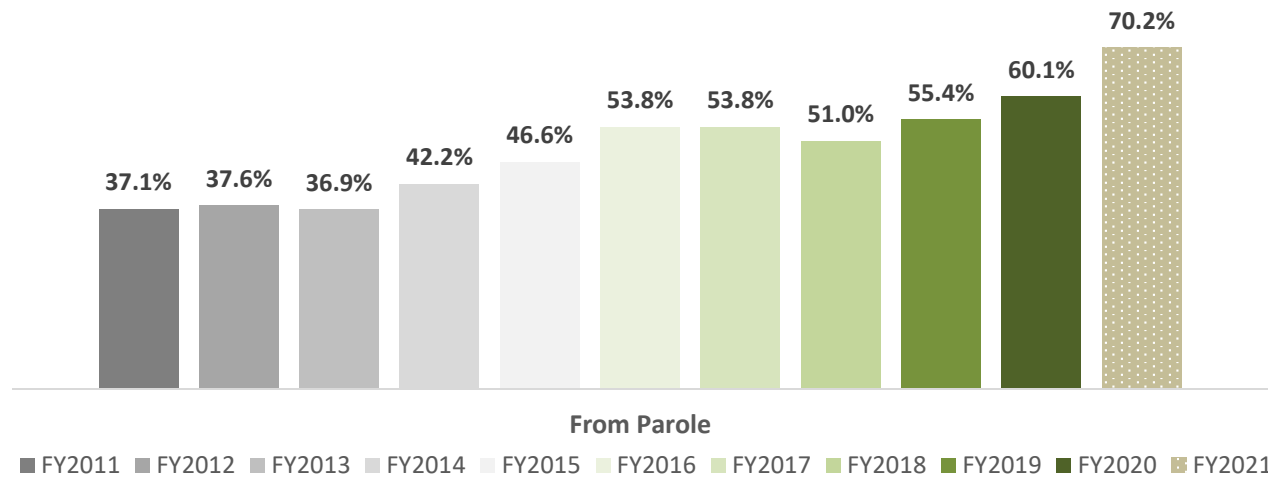


An increasing proportion of admissions continue to be from parole, as many of the recent admissions are returning after previously being released.

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



Proportion of Admissions from Parole FY2011-21

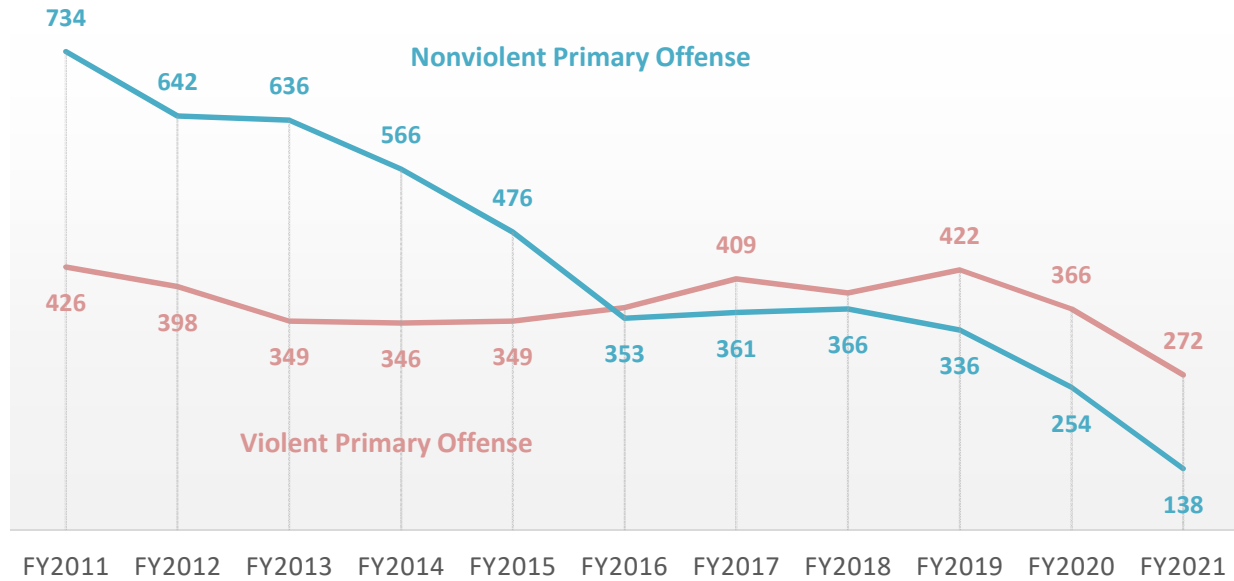


Source: Utah Department of Corrections, O-Track database; data pulled August 2021



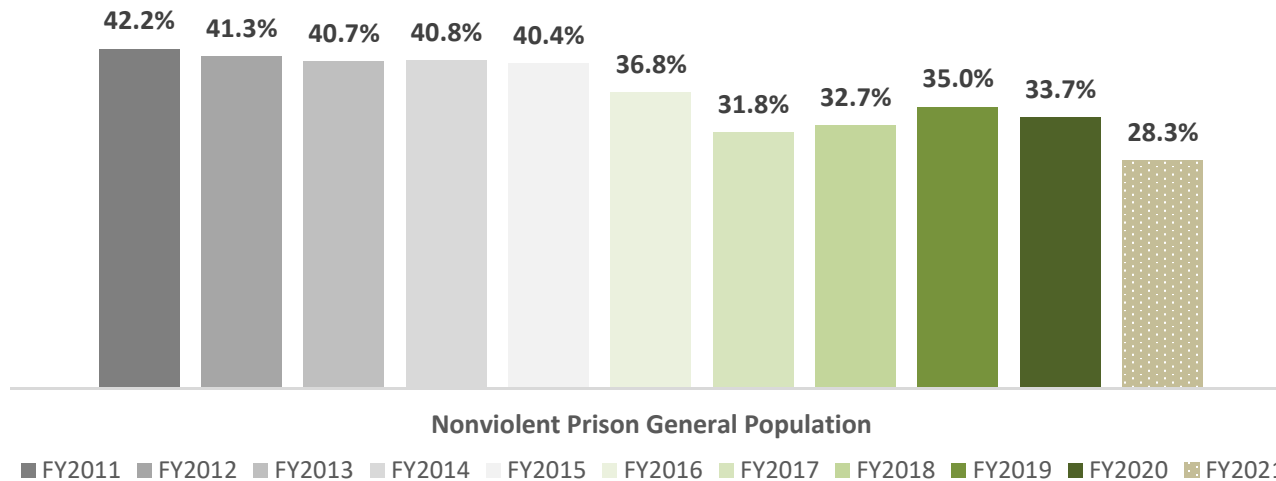
Overall, prison beds continue to be increasingly focused on serious and violent offenders, particularly as the pandemic restrictions continued into FY2021.

Direct Prison Sentences from Court - Offense Types by FY



The figures on the left show the breakdown of offenders with nonviolent vs. violent primary offenses sentenced directly to prison from the Courts (top) and in the general prison population at the midpoint (January 1) of the fiscal year (bottom) between FY2011-21. Fewer direct prison sentences for nonviolent offenses, combined with stability of admissions for violent offenses, has contributed to a downward shift in the nonviolent prison population. Direct prison sentences for nonviolent crimes in FY2021 were close to one-sixth (only 18%) of the number admitted in FY2011. As a result, while the percentage of nonviolent offenders in the general prison population hovered in the low 40s pre-reform (41% on average), this has now consistently dropped to the low 30s, and further dropped to 28% by January 1, 2021.

Nonviolent Primary Offense in Prison Population* FY2011-21
 (*Snapshot of prison population on January 1)

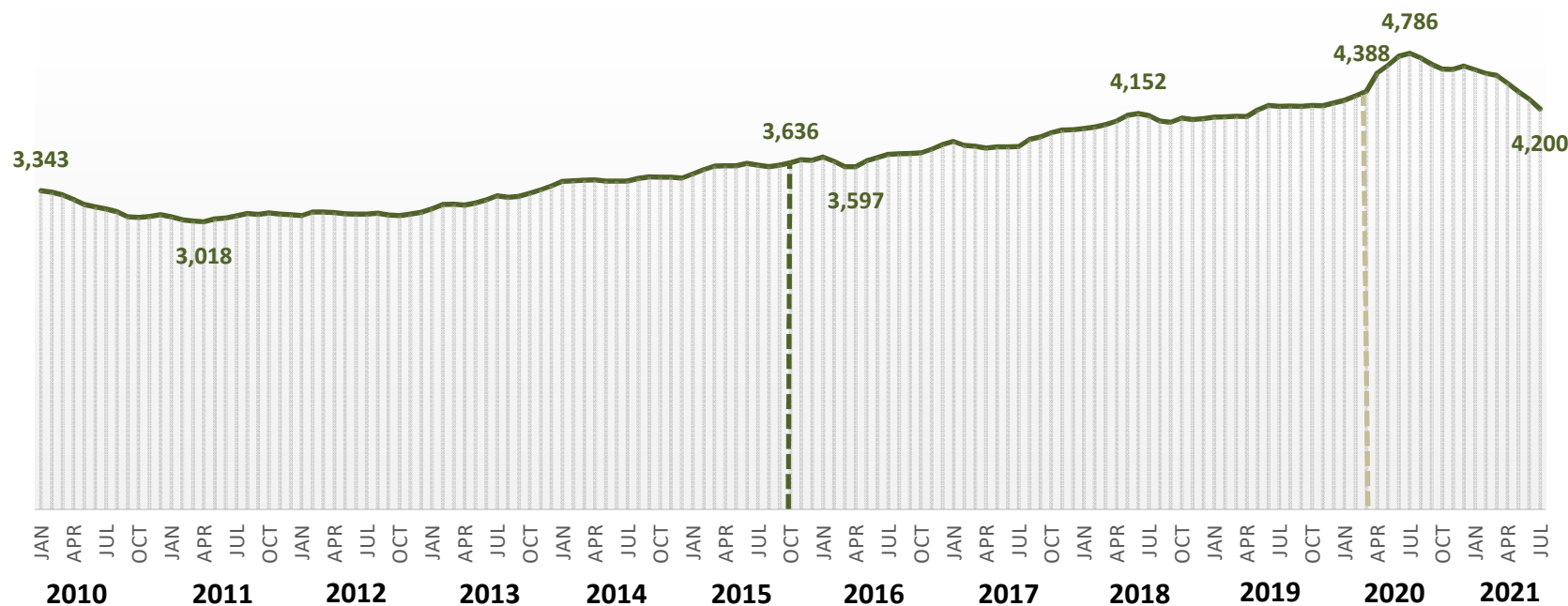


Source: Utah Department of Corrections, O-Track database; data pulled August 2021



The parole population has continued to show steady growth, amplified by the unprecedented number of pandemic-related releases, particularly as more offenders are released to parole vs. being discharged or expired at release.

Parole Average Daily Population (ADP) by Month (January 2010 - July 2021)



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

The figure above shows the average daily population (ADP) by month for parolees supervised in the community by the Department of Corrections' Adult Probation and Parole (AP&P) division since 2010 (through July 2021). The figures on the next page (B2) show the ADP by fiscal year since FY2001, and also a more detailed visual of ADP by month in the period just before and after the pandemic started.

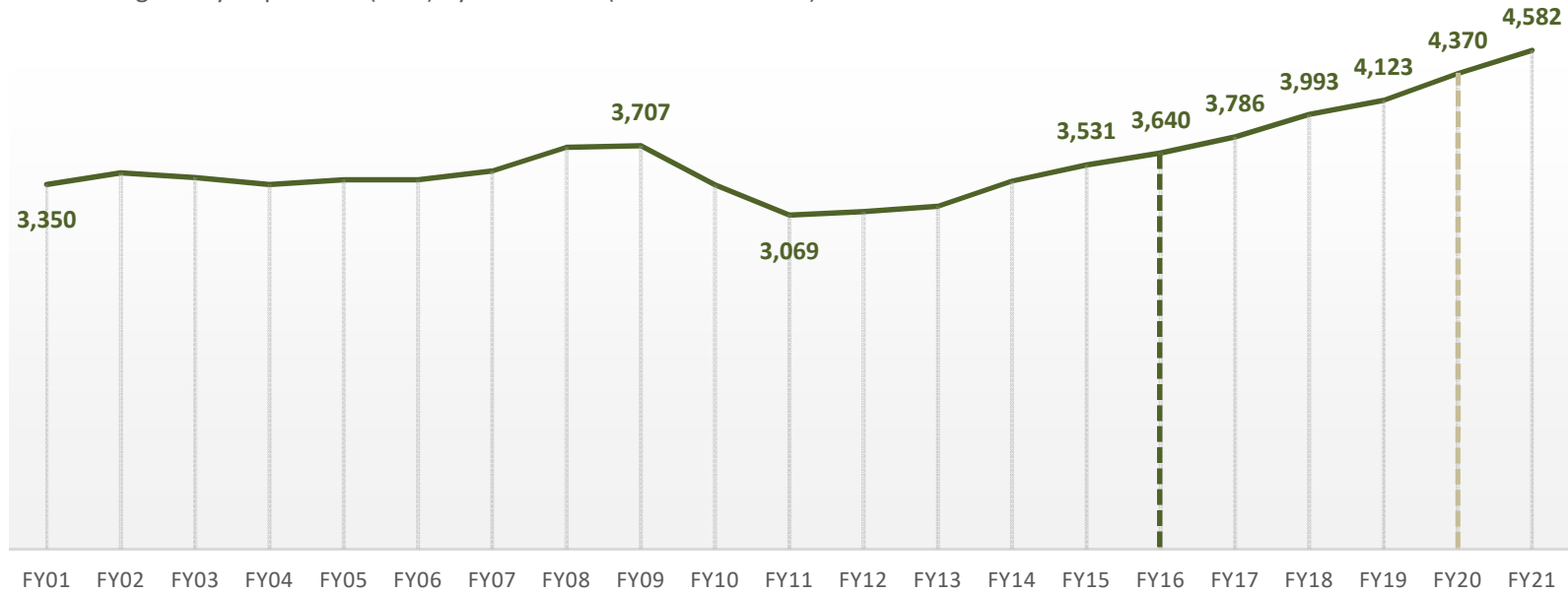
The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The parole population was on the rise almost continuously since 2011, and it has reached its ten-year peak in July 2020 at 4,786 after the period of increased releases following the pandemic (see Section A for more on this). Since July 2020, however, the parole population decreased 12% over the course of FY2021 to 4,200 in July 2021 - approaching the 5-year average from 2015-19. Even though the population decreased from the beginning to the end of FY2021, the ADP for the most recent fiscal year as a whole was still the highest it has been in history. Since a low point in FY2011 (3,069), the annual parole ADP has increased 49%, though this trend appears to be reversing.

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

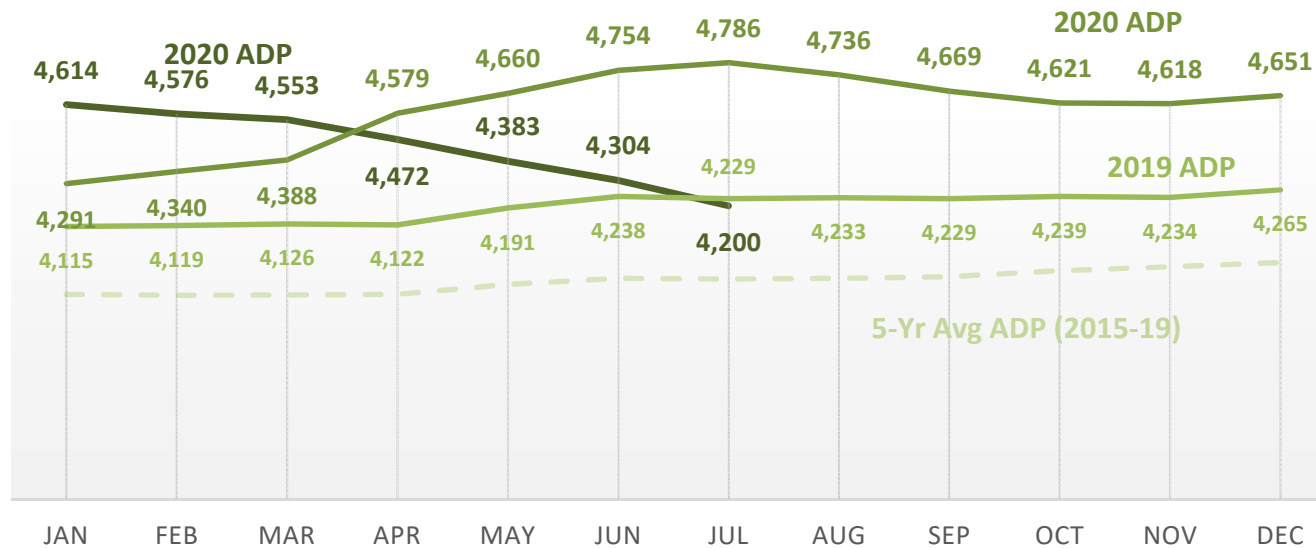


The parole population has continued to show steady growth, amplified by the unprecedented number of pandemic-related releases, particularly as more offenders are released to parole vs. being discharged or expired at release.

Parole Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2021)



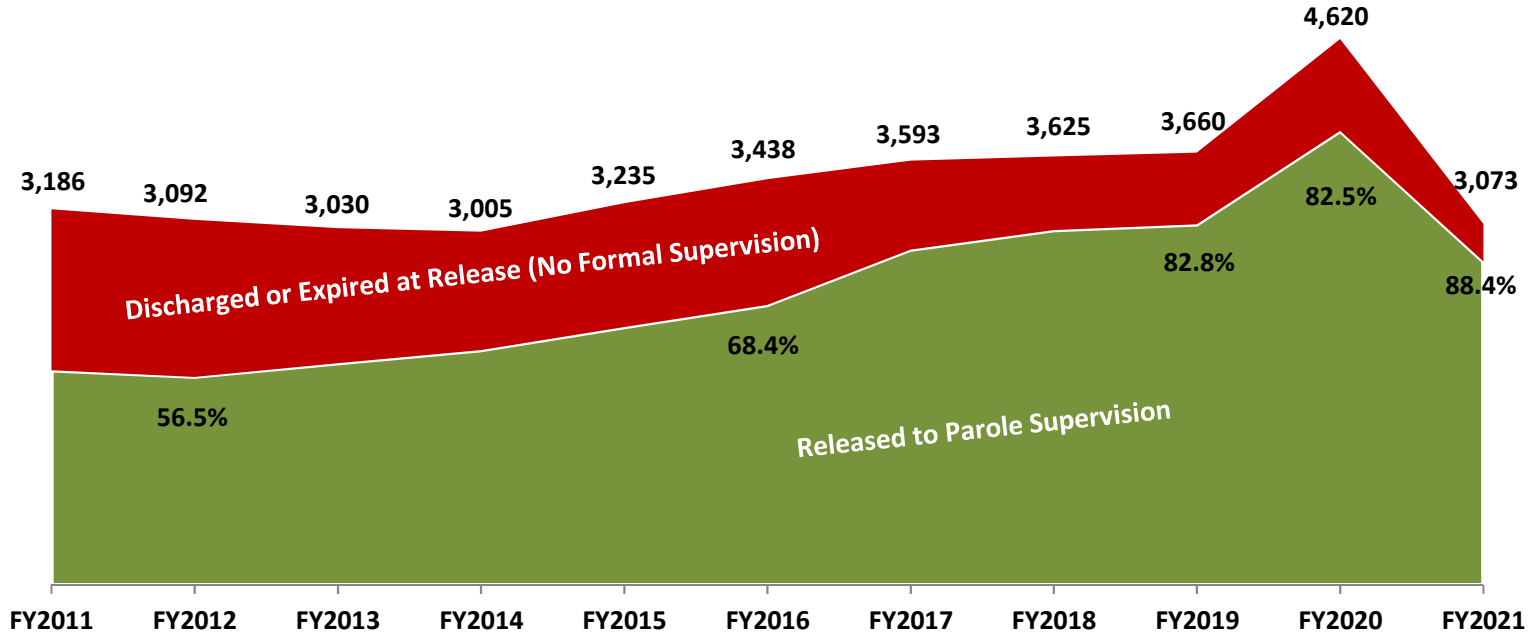
The COVID-19 Pandemic and the Parole Population



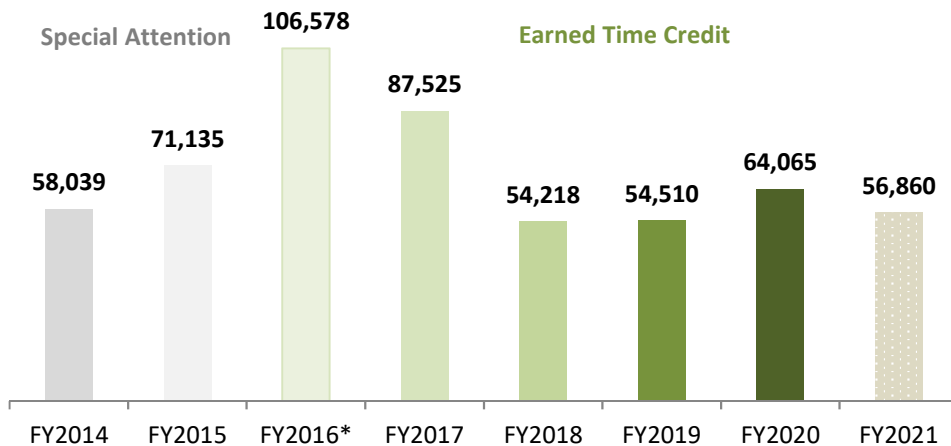


The parole population has continued to show steady growth, amplified by the unprecedented number of pandemic-related releases, particularly as more offenders are released to parole vs. being discharged or expired at release.

Prison Releases by Type and FY (2011-21)



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



As seen in the figure above, a far greater proportion of offenders released from prison are being released to parole in recent years. This has helped contribute to the rise in the parole population numbers.

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

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

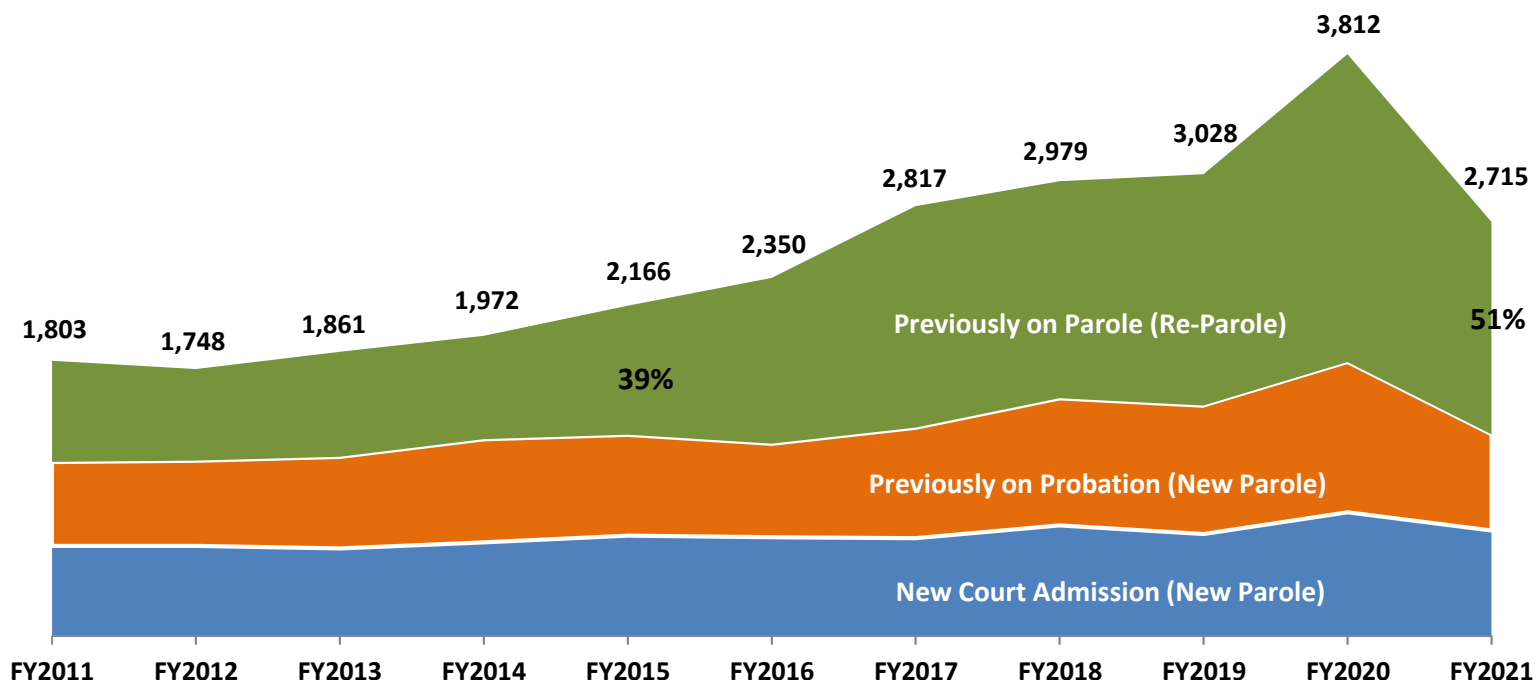
Source (left): Utah Board of Pardons and Parole

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



The parole population has continued to show steady growth, amplified by the unprecedented number of pandemic-related releases, particularly as more offenders are released to parole vs. being discharged or expired at release.

Parole Releases by Admission Type and FY (2011-21)



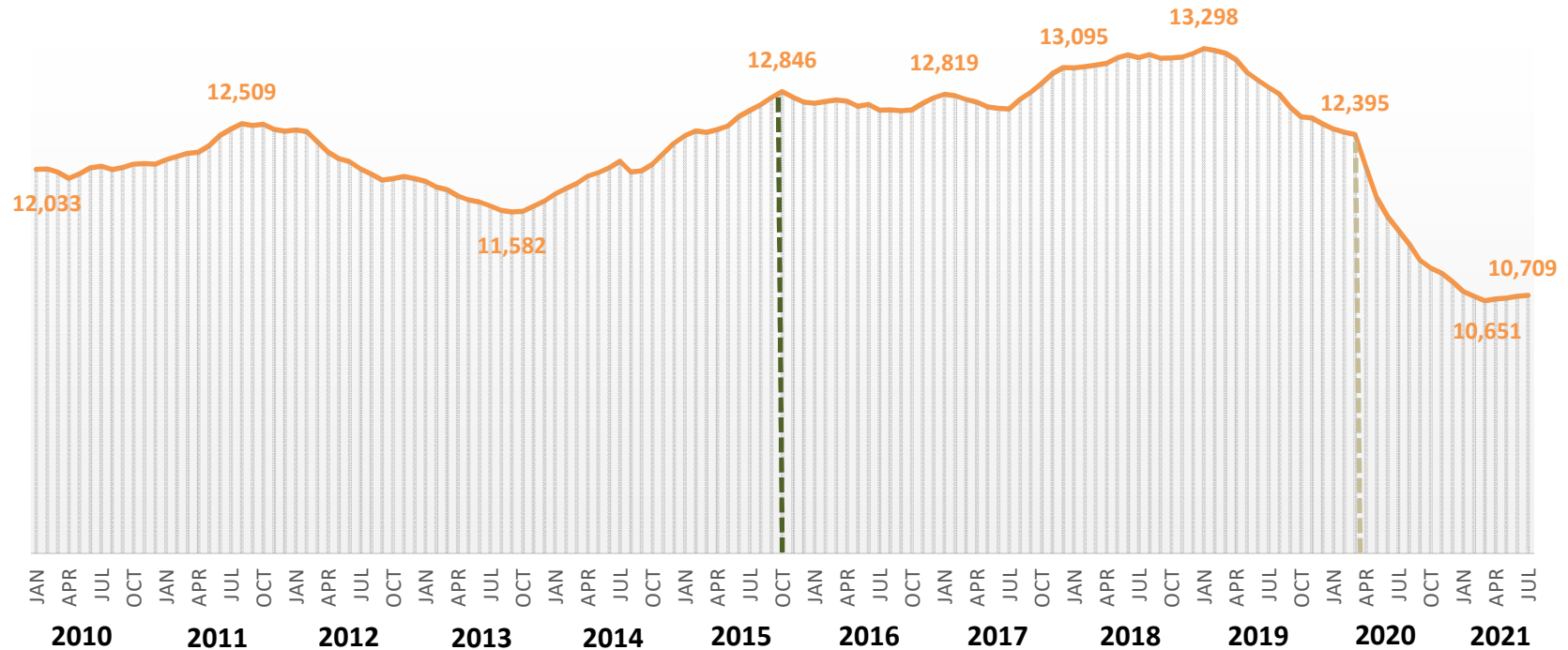
Source: Utah Department of Corrections, O-Track database; data pulled August 2021

Parole releases have increased at a high rate in recent years, peaking with the pandemic-related surge of releases toward the end of FY2020. As this has occurred, more of these offenders are starting their second or subsequent parole. In FY2021, 51% of the 2,715 offenders released to parole had previously been on parole prior to their most recent prison admission, compared to 39% in FY2015.



The probation population has dropped significantly in the past two years, including both felony and Class A probationers. Like the prison population, the probation population is at historically low levels not seen in over 15 years.

Probation Average Daily Population (ADP) by Month (January 2010 - July 2021)



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

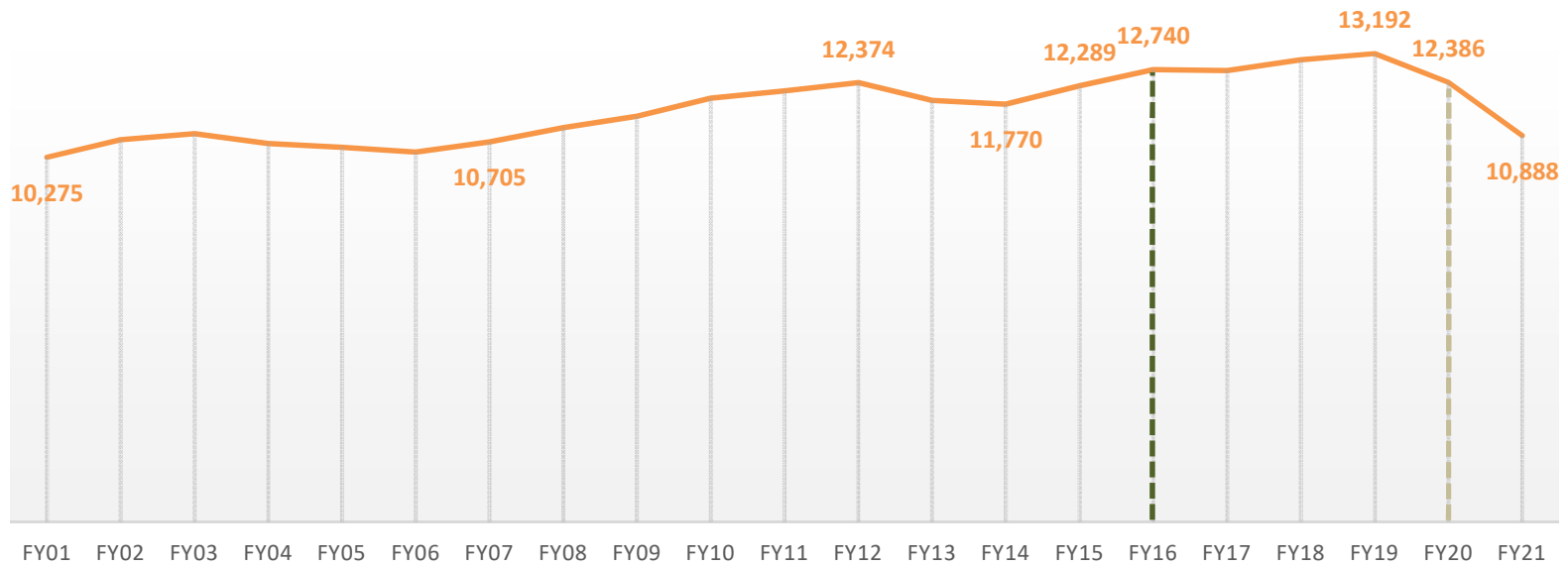
The figure above shows the average daily population (ADP) by month for probationers supervised in the community by the Department of Corrections' Adult Probation and Parole (AP&P) division since 2010 (through July 2021). The figures on the next page (B6) show the ADP by fiscal year since FY2001, and also a more detailed visual of ADP by month in the period just before and after the pandemic started.

The green dashed line marks the implementation date of the JRI criminal justice reforms (October 2015), and the gold dashed line marks the start of the pandemic (March 2020). The probation population has dropped significantly since its peak in January 2019, and reached a 10-year low point in March 2021 (at 10,651) - a level not seen in Utah since October 2006. While the ADP was already in decline for over a year prior to the pandemic, this decline accelerated between March 2020 and March 2021, losing a total of 1,744 probationers on average (-14%) as courts operated at limited capacity. In total, the ADP has decreased by 2,600 (-20%) since its peak in January 2019. Historically, the annual ADP for FY2021 of 10,888 is the lowest since 10,705 in FY2007, and down 2,304 probationers on average (-17%) since the historic highs in FY2019. The second figure on the next page shows that the population has stabilized at this low level between January to July 2021, over 2,000 below the 5-year average between 2015-19.

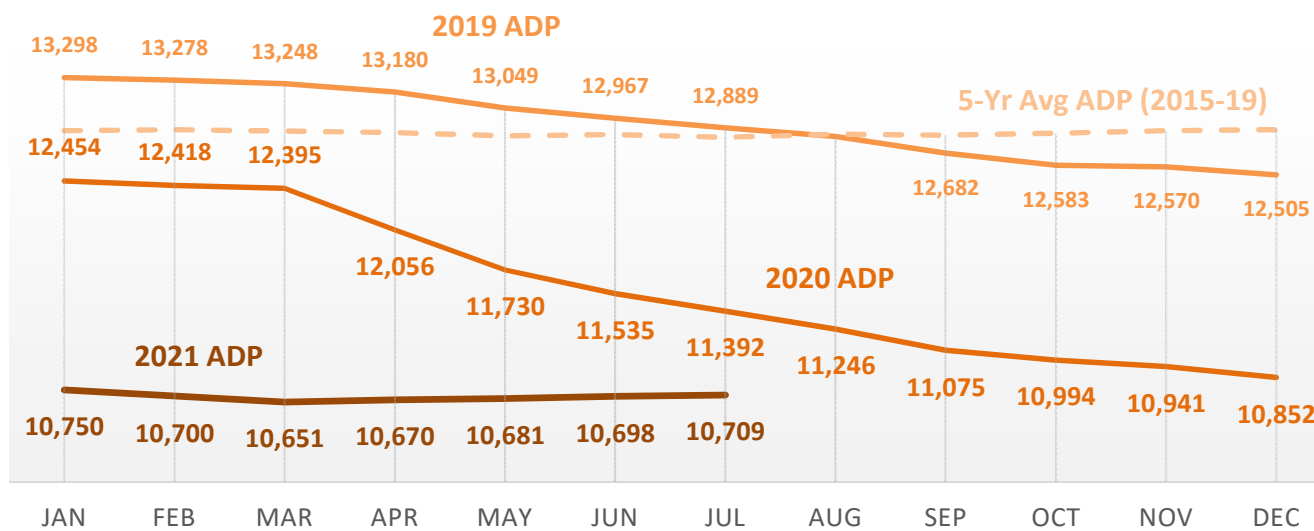


The probation population has dropped significantly in the past two years, including both felony and Class A probationers. Like the prison population, the probation population is at historically low levels not seen in over 15 years.

Probation Average Daily Population (ADP) by Fiscal Year (FY2001 - FY2021)



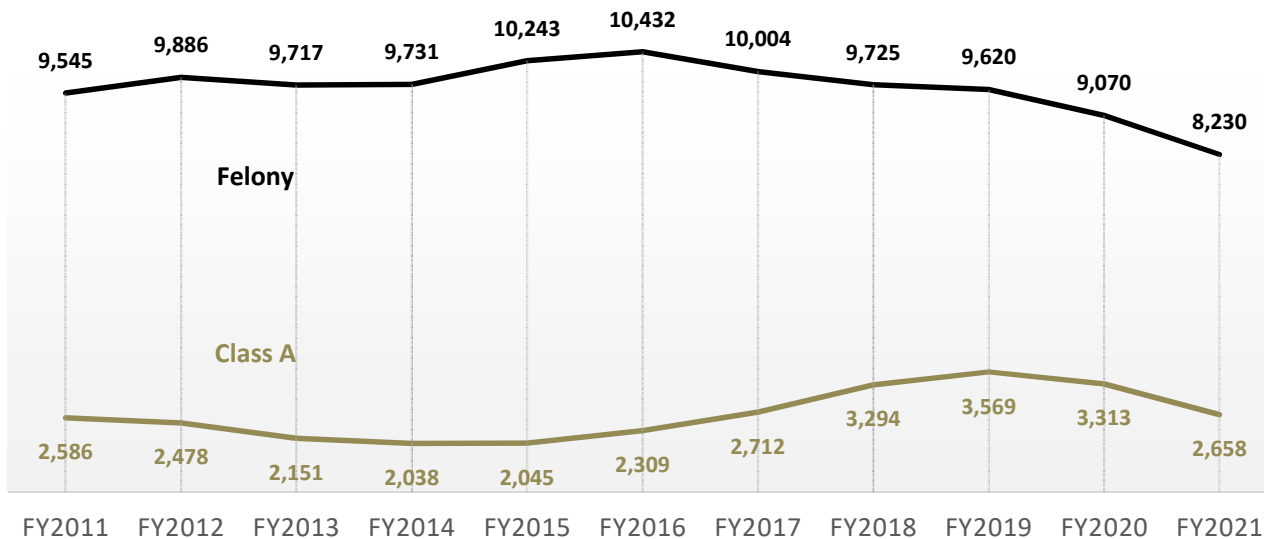
The COVID-19 Pandemic and the Probation Population



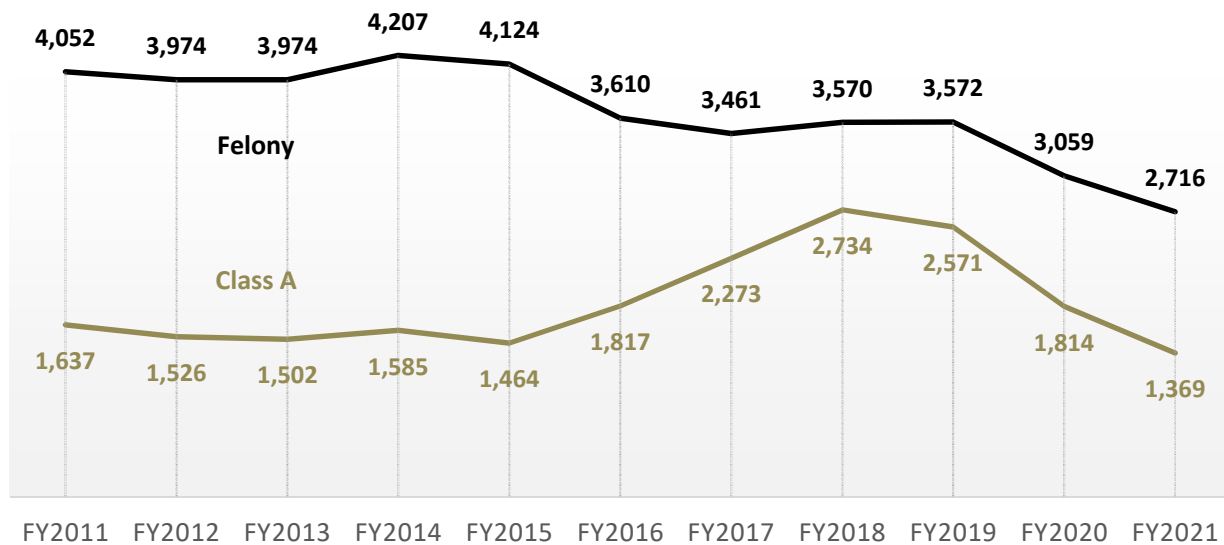


The probation population has dropped significantly in the past two years, including both felony and Class A probationers. Like the prison population, the probation population is at historically low levels not seen in over 15 years.

Felony vs. Class A Probation Average Daily Population (ADP) FY2011-21



Offenders Starting Probation on Felony vs. Class A Probation FY2011-21



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

There has been a decreasing number of offenders on felony probation since the start of the reforms, though most of the growth that corresponded with the reforms was at the Class A level. FY2020 marked the first time since FY2014, however, that there was a decrease in the number of Class A probationers. Since FY2019, there has been a 26% (-911) decrease in the average annual Class A probation population. Likewise, since FY2016, there has been a 21% (-2,202) reduction in the average felony probation population.

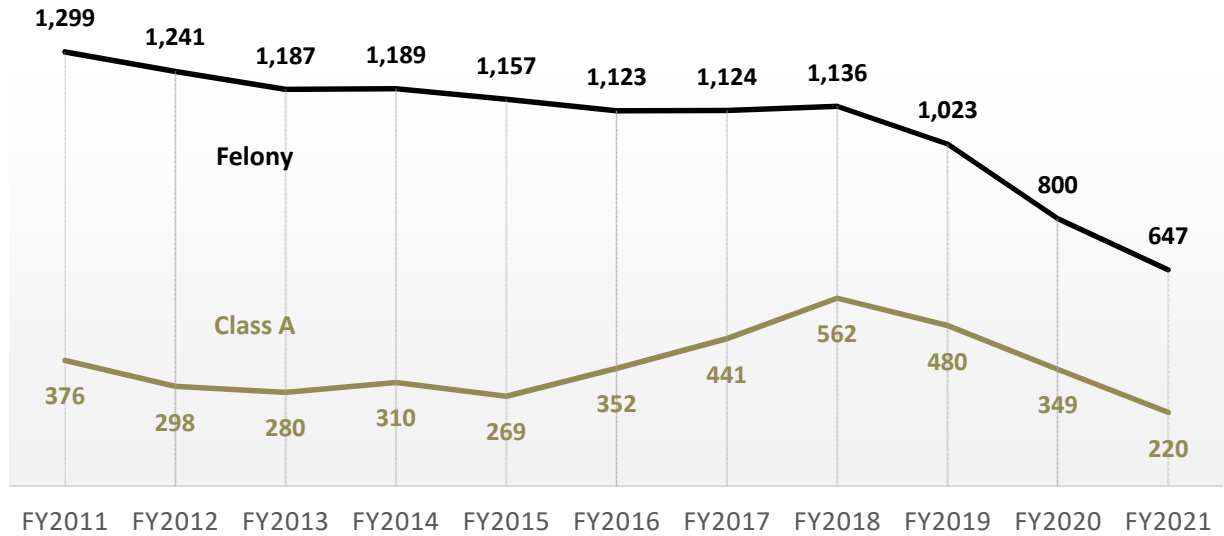
Over the first several years after reform, the gap between the number of offenders starting felony vs. Class A probation narrowed. Prior to reform, 28% of offenders starting probation did so at the Class A level on average; since reform, this has grown to 39%. Less offenders are starting probation in recent years, however, at both the felony and Class A levels, and this is helping to drive the overall population numbers above down (similar to how decreased admissions relative to releases has driven the prison population lower). Since FY2015, the number of offenders starting felony probation is down 34% (-1,408), while the number of offenders starting Class A probation has been cut in half (-1,365) since FY2018.

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

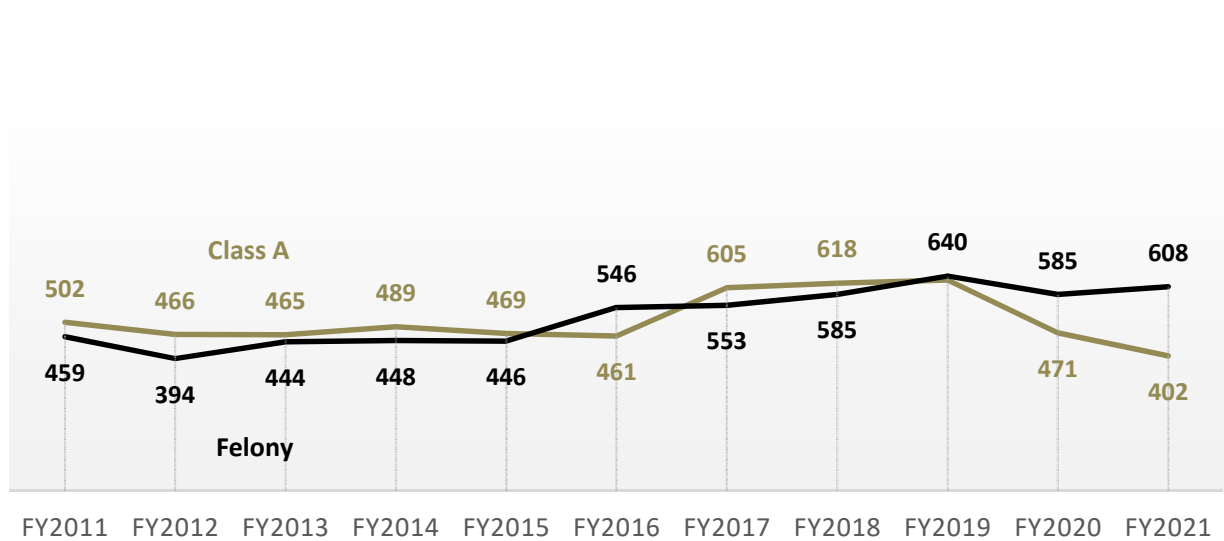


The probation population has dropped significantly in the past two years, including both felony and Class A probationers. Like the prison population, the probation population is at historically low levels not seen in over 15 years.

Property Offenders Starting Probation



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



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

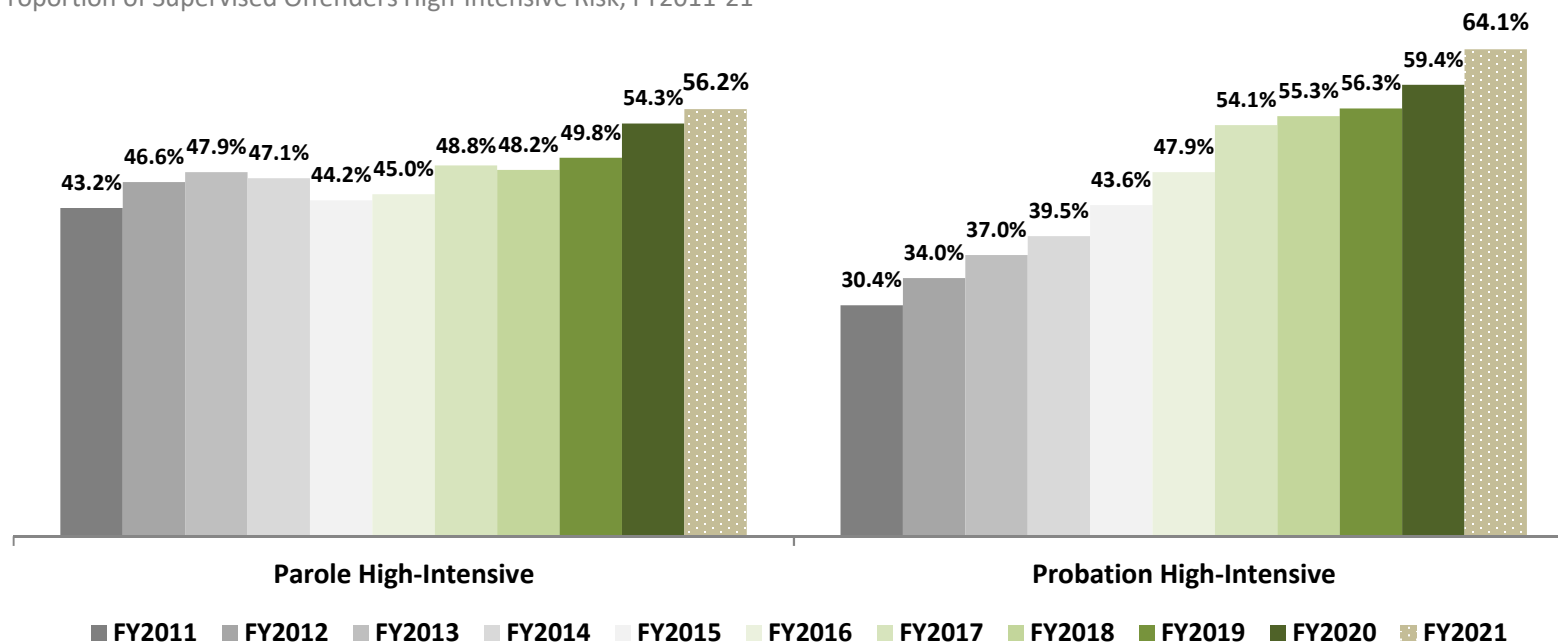
Even though the Department of Corrections and the Adult Probation and Parole division agreed to take on more Class A probationers as a result of the change in certain drug statutes that decreased initial drug possession charges from a felony to a Class A misdemeanor, it is clear that other offenders with Class A property, person, and other offenses were also brought on in the initial years after the reforms. For example, property offenders starting Class A probation more than doubled, increasing from 269 in FY2015 to 562 in FY2018. But, like the overall numbers, the number of offenders with property or person crimes starting Class A probation has greatly reduced in the past several years. Property offenders starting felony probation have also decreased significantly (-43% since FY2018) as property crime in general has declined (see Section F), though the number of offenders with person crimes starting felony probation has stayed flat while the Class A numbers reduced.

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



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

Proportion of Supervised Offenders High-Intensive Risk, FY2011-21



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

The figure above demonstrates how the risk profile of the supervision population in Utah has changed over time, with the proportion of parolees and probationers assessed as either high or intensive risk to recidivate (using the Level of Service Inventory (LS/RNR) risk assessment tool) increasing considerably over the past ten years. This is particularly true of the probation population, which has risen to 64% high-intensive in FY2021, more than double the percentage in FY2011. But, as the probation population declines considerably in recent years, those that are left will tend to be higher in risk, as evidence-based practices recommend lower periods of supervision for low risk offenders on probation.

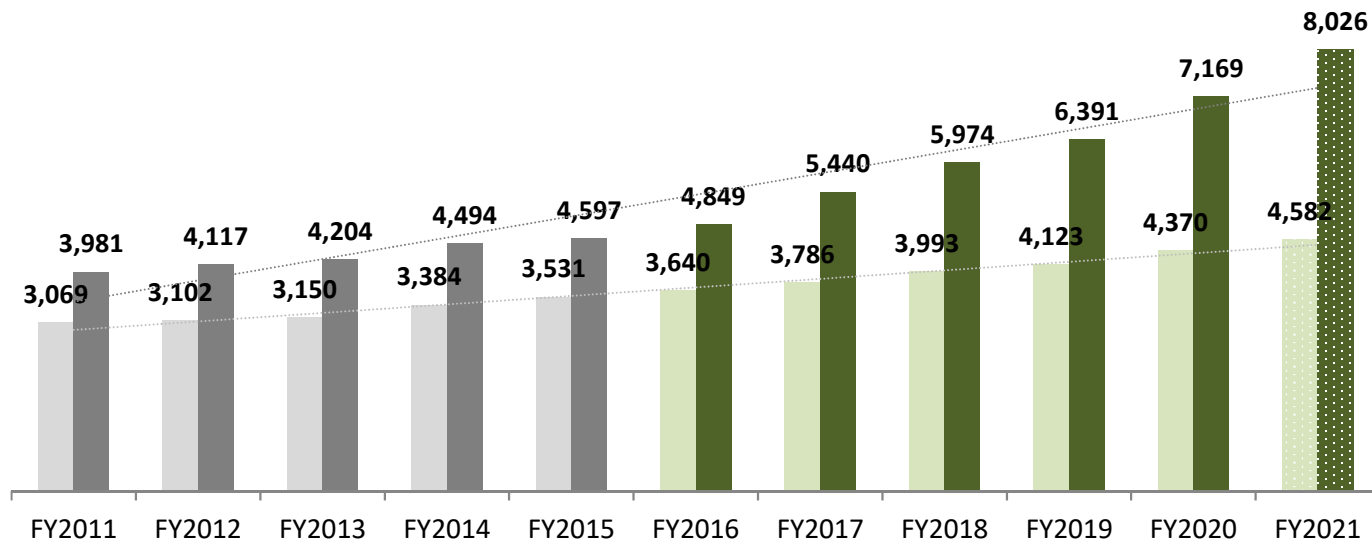
The situation on parole is somewhat different, as these offenders are released directly from prison to parole, and the risk profile is a little more constrained (for example, many first-time violent offenders sentenced to prison may be a lower risk to recidivate upon release than a drug offender on probation, but such offenders are still required to serve a period on parole). Despite these constraints, the percentage of parolees that are high-intensive risk has risen to 56% in FY2021 from 44% in FY2015.

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



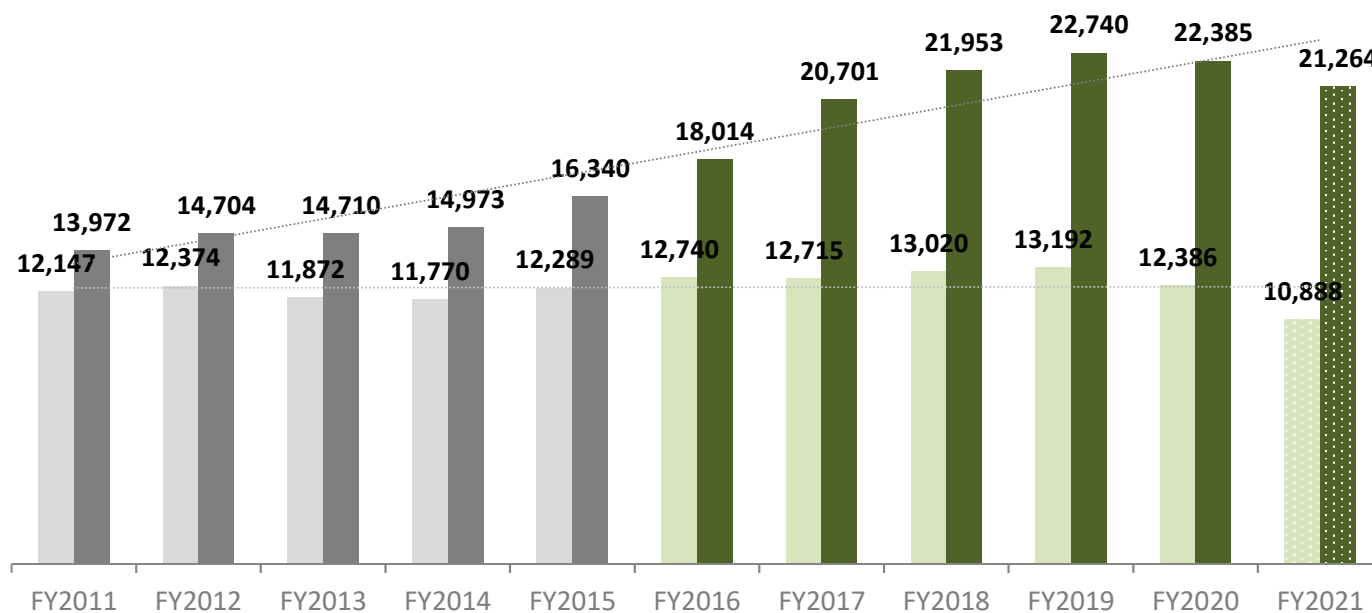
More supervised offenders are now on high and intensive supervision, putting a strain on otherwise stable caseloads and contributing to supervision failures affecting the prison and jails.

Parole ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2011-21



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

Probation ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2011-21



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

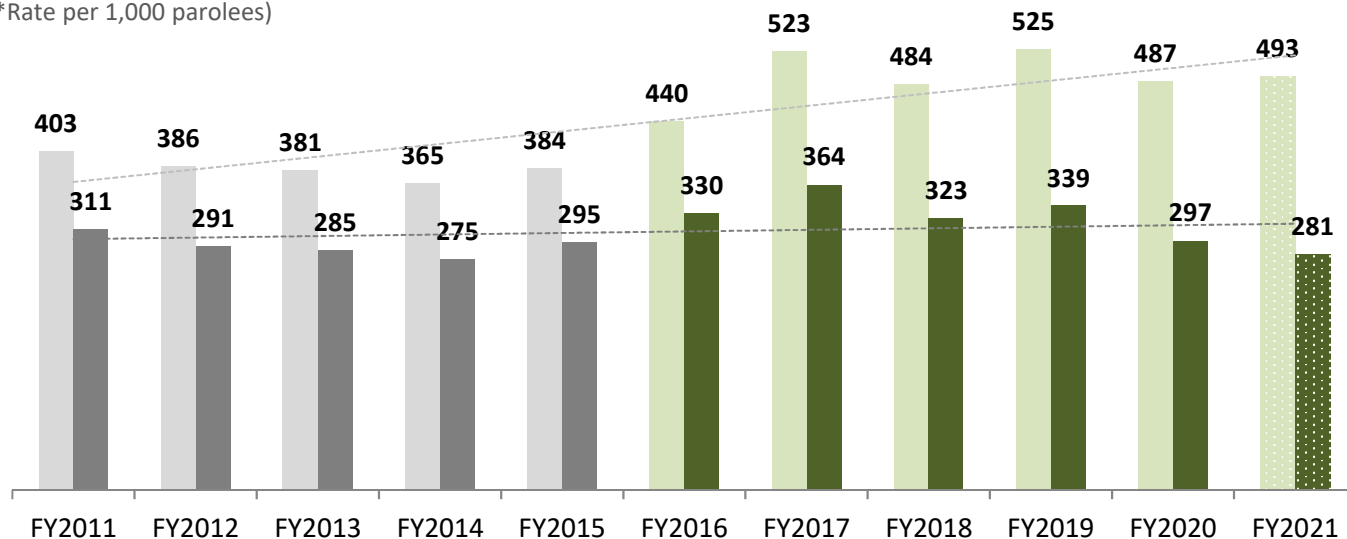
Source: Utah Department of Corrections, O-Track database; data pulled August 2021

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



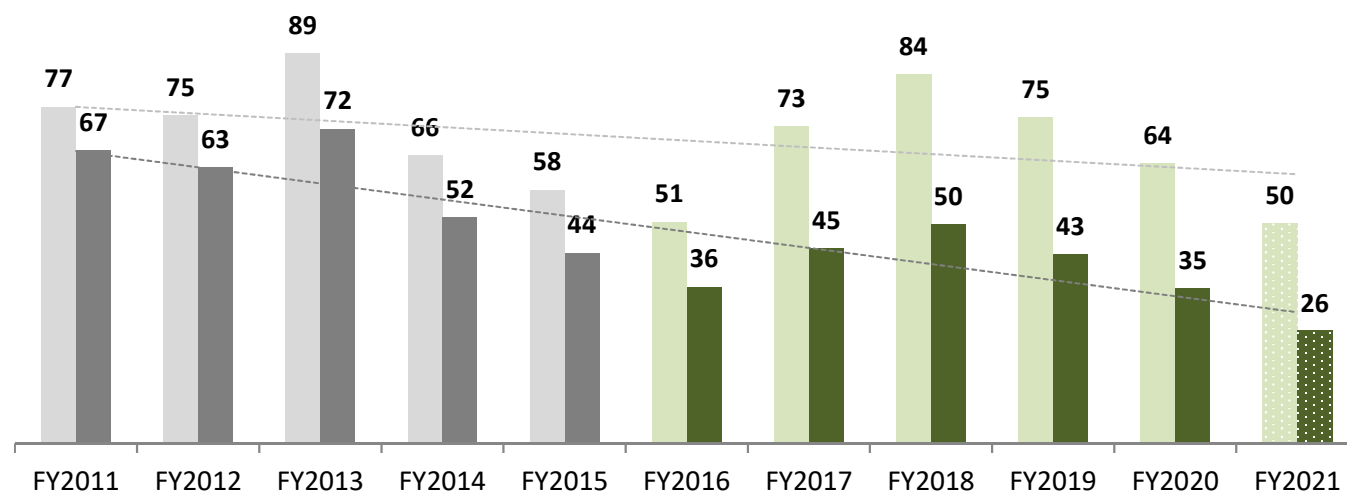
Prison admission rates from parole have generally been increasing over the years, though accounting for the shifting risk profile of both parole and probation populations helps explain much of the increases that have been seen.

Prison Admission Rates* from Parole by ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2011-21
 (*Rate per 1,000 parolees)



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

Prison Admission Rates* from Probation by ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2011-21
 (*Rate per 1,000 probationers)



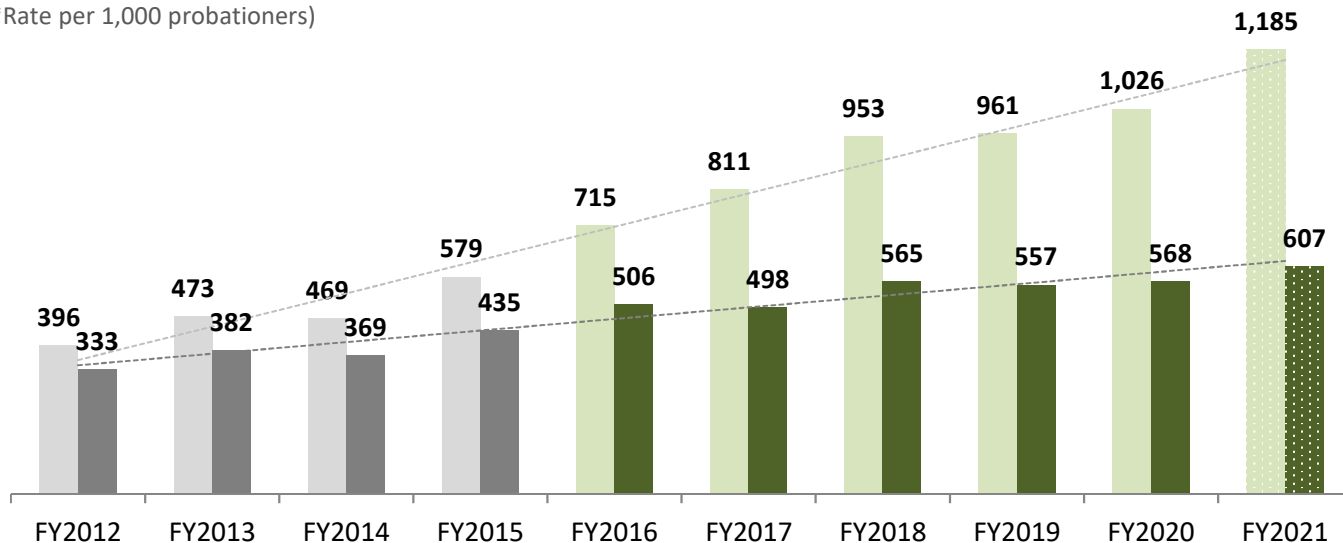
The second figure on the left (below) shows prison admission rates from probation using the same two metrics. Once again, controlling for risk greatly reduces the already low and declining rates coming to prison from probation.

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



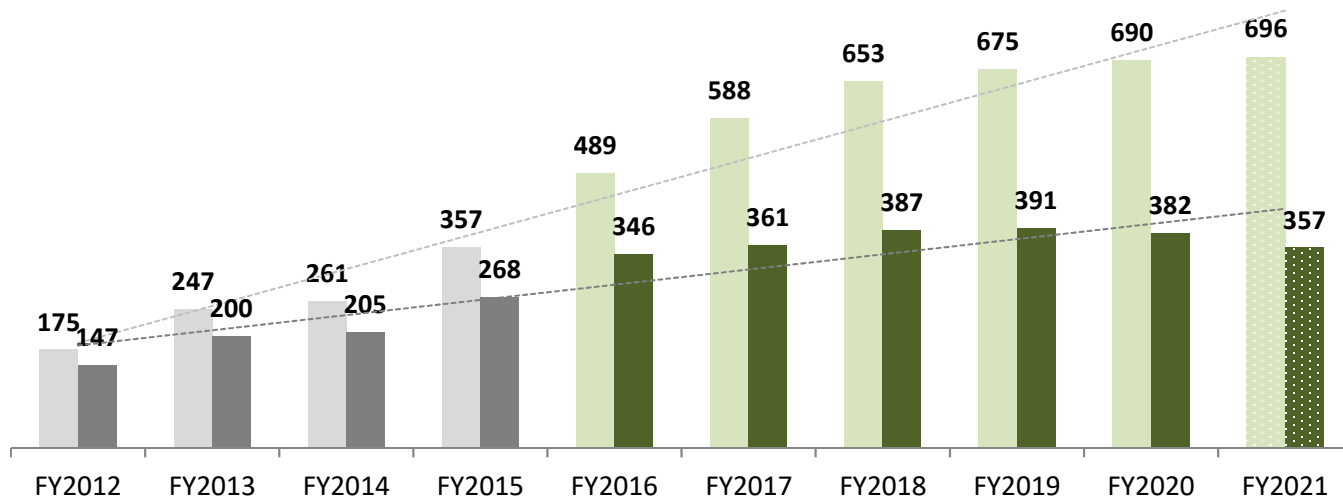
The same is true when looking at probation-specific outcomes like orders to show cause (OSC) hearings for probation violations and associated jail sentences (see Section E for more on OSC hearings and the jails).

AP&P Probation OSC Hearing Rates* from Probation by ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2012-21
 (*Rate per 1,000 probationers)



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

AP&P Probation OSC Jail Sentence Rates* from Probation by ADP (left) vs. Risk-Adjusted Population Intensity (right), FY2012-21
 (*Rate per 1,000 probationers)



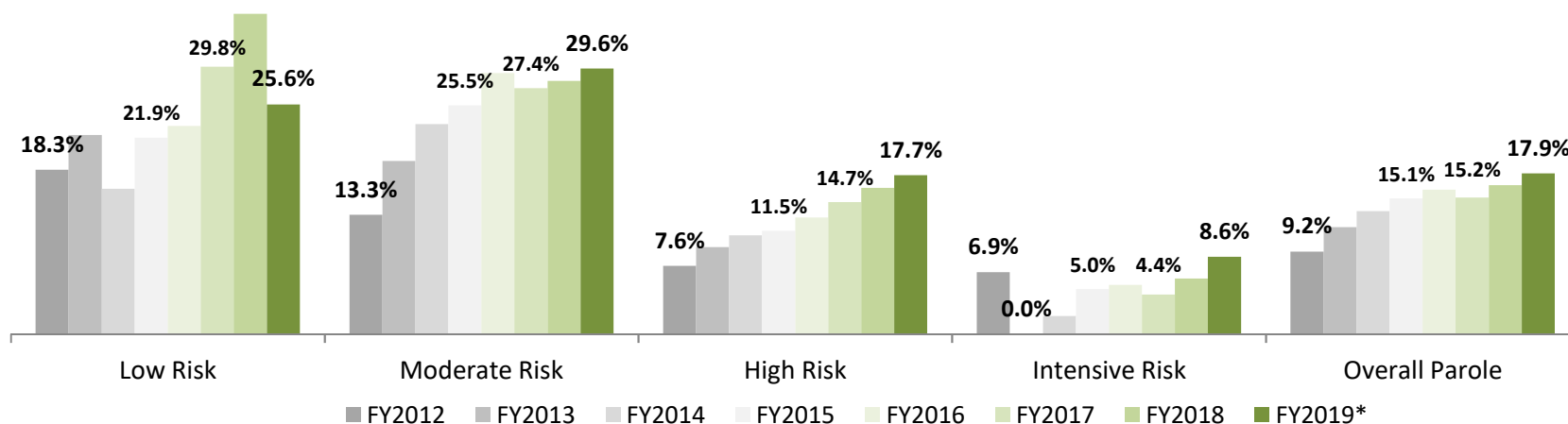
The hearing rates (above) can be considered a proxy for general higher-level action on probation violations, while the jail sentences (below) are similar for probation to the prison admission rates on the previous page are for parolees. As mentioned above, the OSC hearings and resulting jail sentences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

Source (probation ADP/risk-adjustment): Utah Department of Corrections, O-Track database; data pulled August 2021
 Source (OSC hearings and jail sentences): Utah Administrative Office of the Courts, CORIS database; data pulled September 2021 (Note: Hearings where defendant present, cases that showed with AP&P probation on that hearing date)

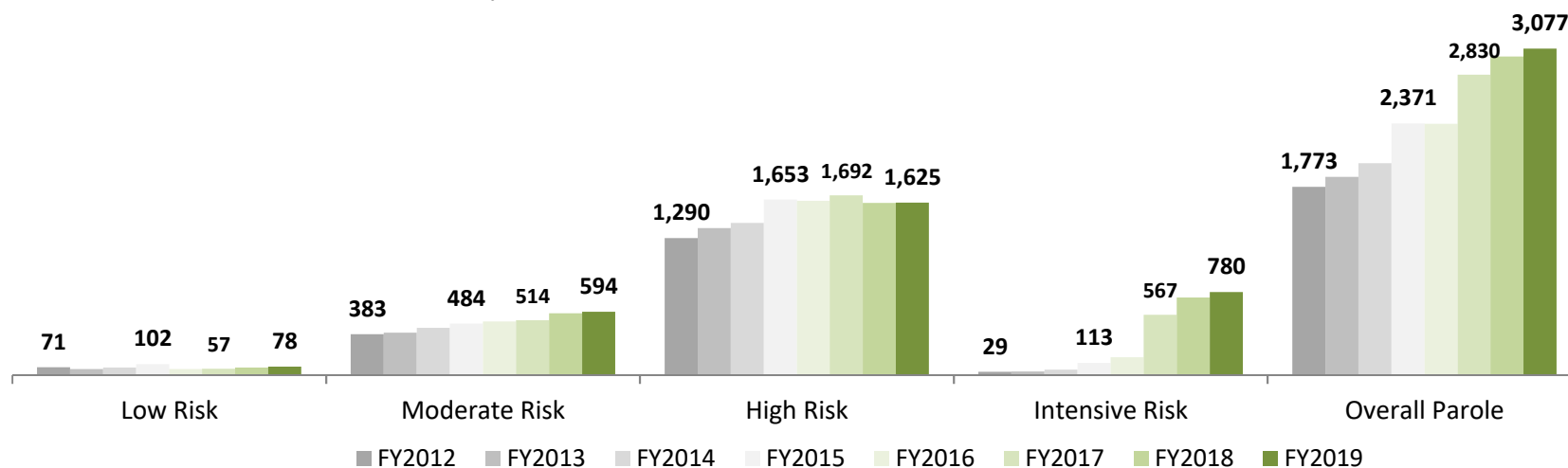


Despite the increased risk profile and too many prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years.

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



Number of Offenders Released to Parole by Risk Level and FY

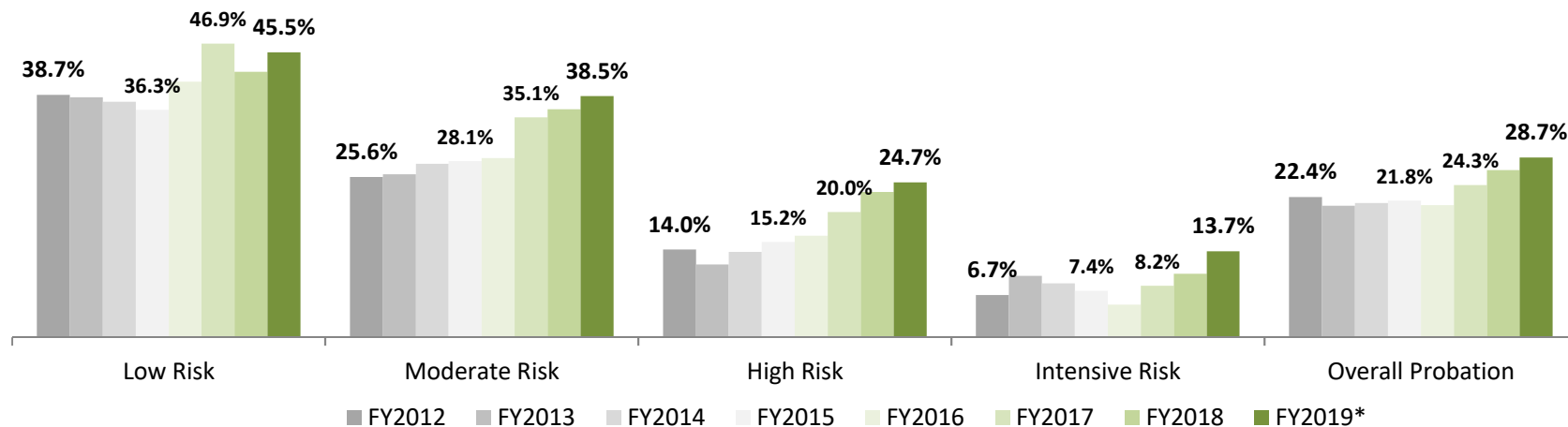


This analysis, portrayed in the figures on this page and the next, looked at whether offenders on parole and probation achieved successful discharge from supervision (defined as "Discharged/Successful" and "Expiration of Sentence" exit codes) within two years of supervision start. This is a high bar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

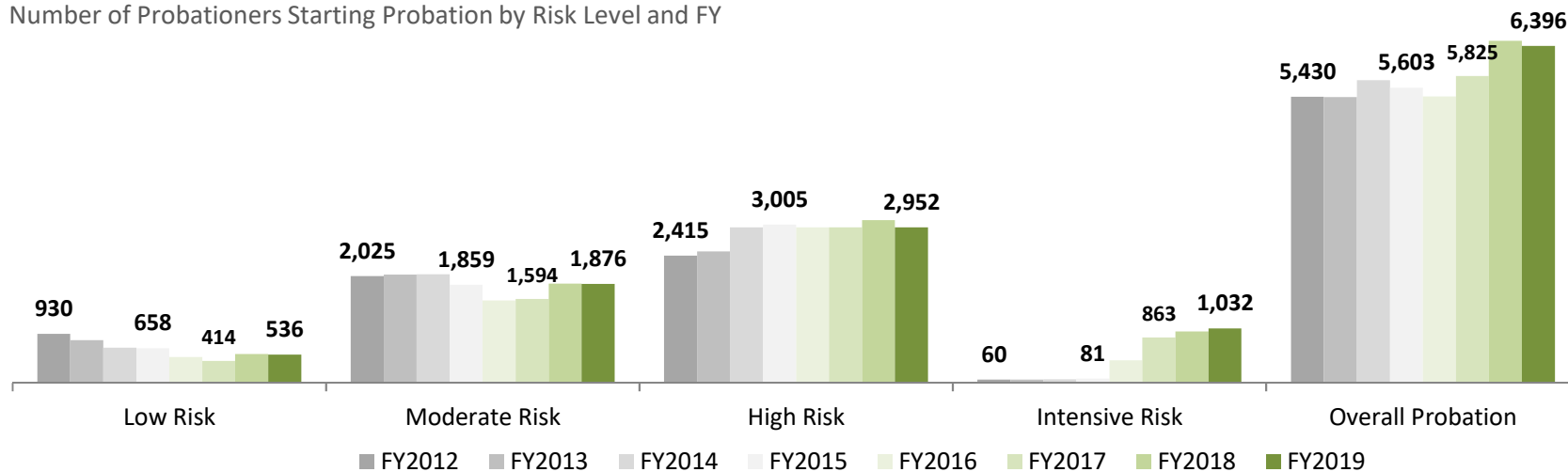


Despite the increased risk profile and too many prison admissions from supervision, there also continues to be a greater number of both parolees and probationers earning successful early termination within two years.

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



Number of Probationers Starting Probation by Risk Level and FY



Source (both this page and B11 above): Utah Department of Corrections, O-Track database; data pulled August 2021

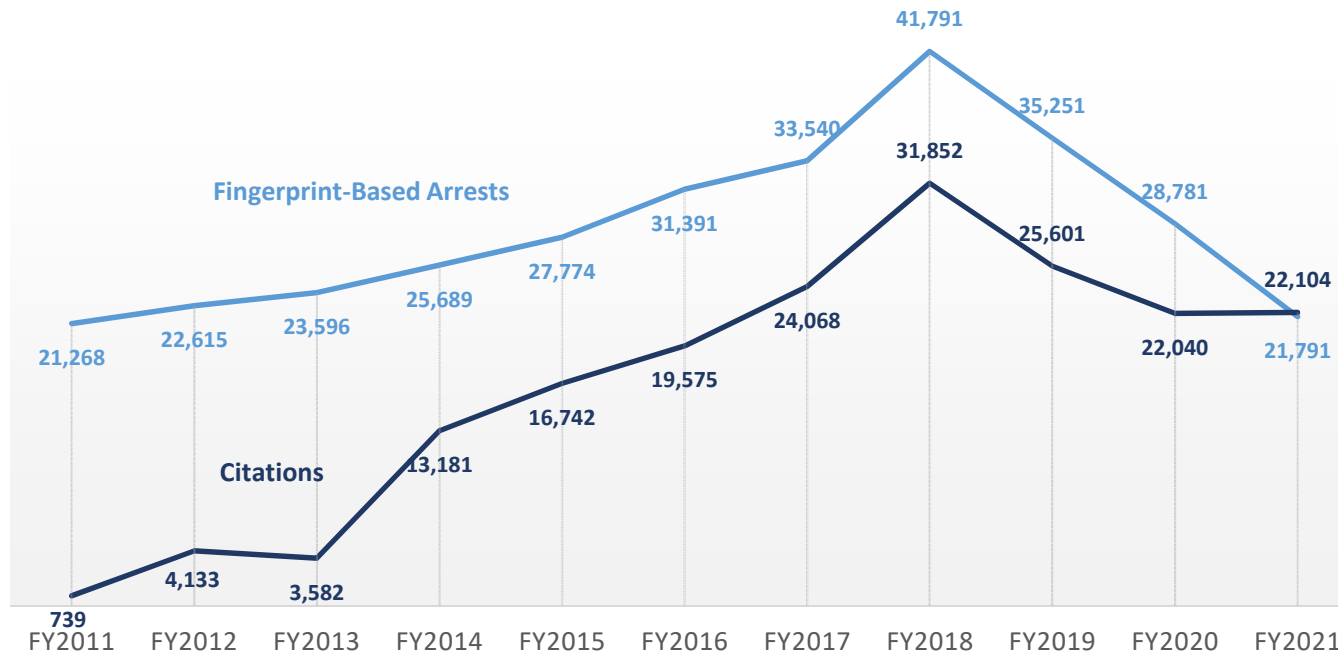
The figures above show the same analysis for the probation cohorts starting supervision from FY2012-19. As with the parole cohorts above, there has been a clear increase in achievement of successful early discharge, even for the highest risk groups.

*Note: For both analyses above and on the previous page, offenders starting supervision in FY2020-21 did not have the full two year follow-up period necessary.



Drug arrests and citations had been on the rise for years and peaked in FY2018, but we have now seen three consecutive years of significant decline.

Fingerprint-Based Arrests and Citations for Drug Offenses, FY2011-21



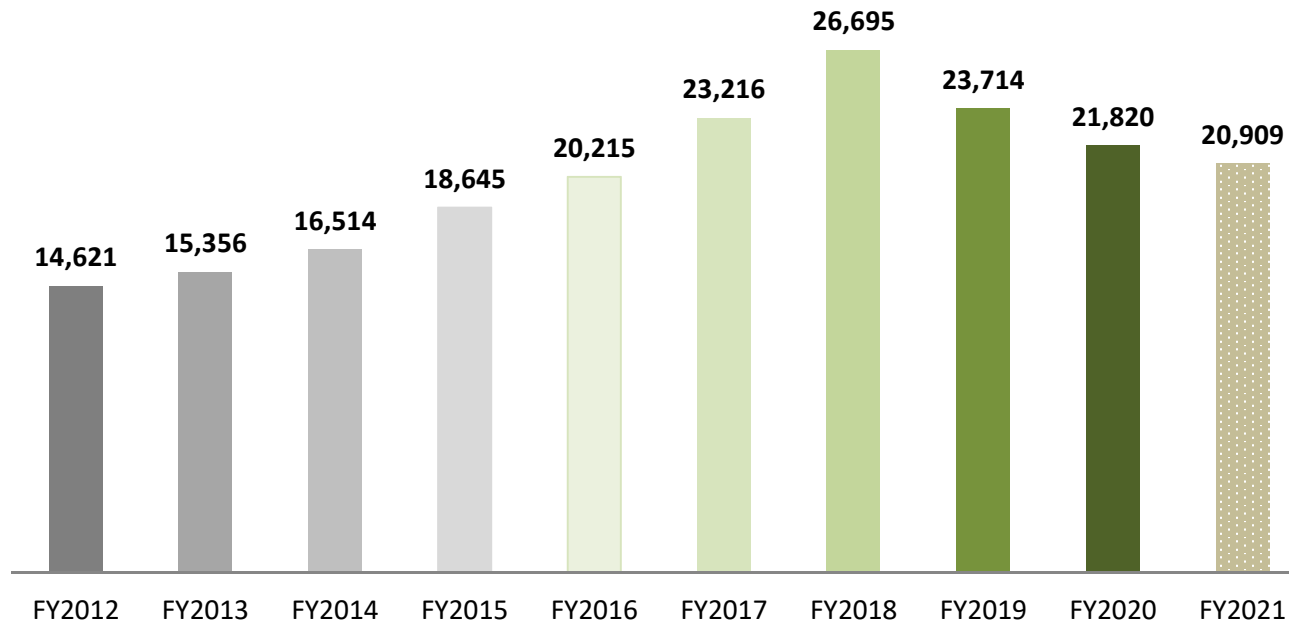
Source: Utah Department of Public Safety, Bureau of Criminal Identification

The first figure on the left shows the trends in both fingerprint-based arresting incidents and citations for drug-related offenses. Both indicators had been increasing for years up to FY2018, but arrests have decreased for three straight years and citations decreased for two years before leveling off in FY2021. Since FY2018, arrests for drug offenses have dropped 48% and drug citations have dropped 31%.



Court case filings with drug possession only charges reflect the arrest trends, with three consecutive years of decline.

Cases Filed with Drug Possession Charges by FY



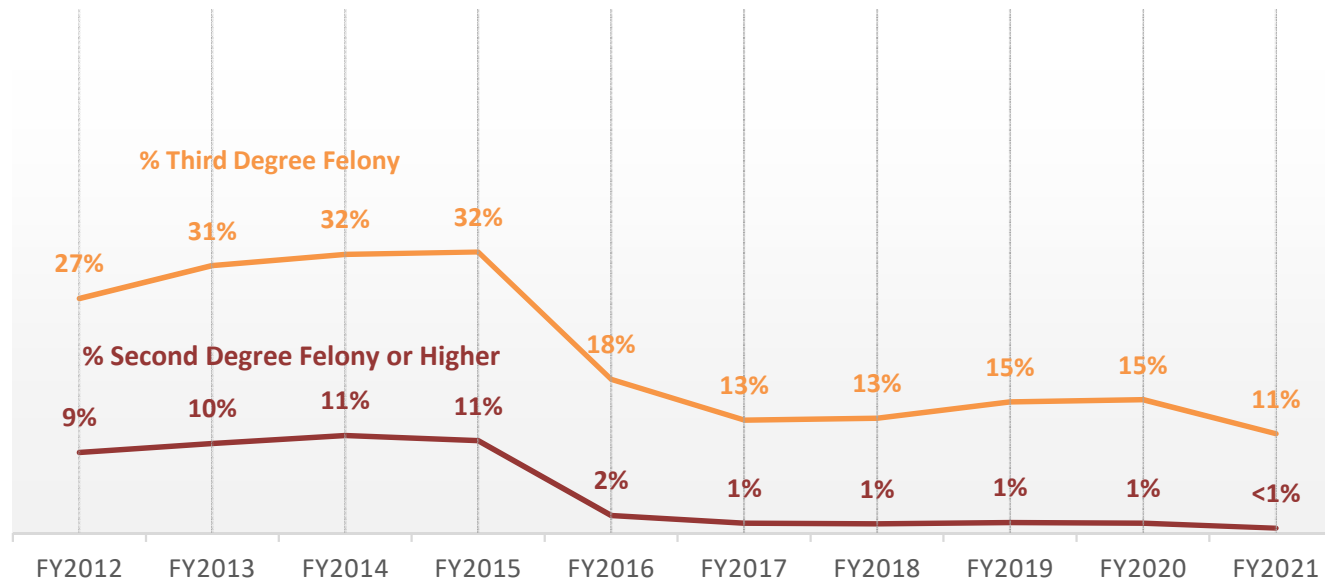
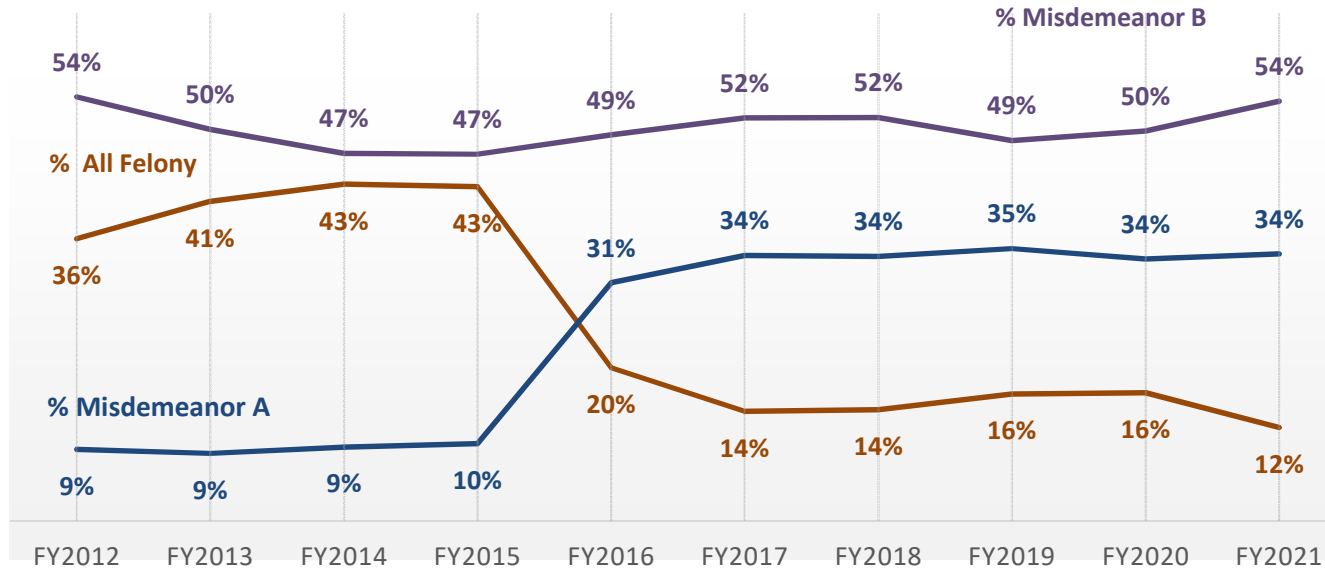
Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

The figures above and on the next three pages show the number of cases filed in the Courts with any charges for drug possession only from FY2012-21 (above), the distribution of the severity level of the highest drug possession charge within these cases in the time period before the reforms compared to after (C3), and trends in other types of drug cases compared to drug possession (C4). Drug possession cases in the Courts were on an upward trajectory through FY2018 before receding significantly the past three years. Additionally, with the drug possession statute change that was implemented as part of the reform package, there was a clear shift (see page C3) in drug possession cases from felony charges (41% before to 16% after on average) to Class A misdemeanors (9% before to 34% after). Just around half of drug possession cases remain at the lower-level Class B misdemeanor level. There are also far fewer drug possession cases enhanced to second degree felonies. The figures on C4 show the trends in all cases involving drug charges by the highest drug charge within that case (i.e., most serious is distribution, followed by possession with intent, possession only, and paraphernalia). Most of these follow similar trends to drug possession and overall drug, with the exception of drug distribution, which did not peak. The figures on C5 isolate the trends in the Justice Courts for the most prevalent cases at the Class B misdemeanor level, which include drug possession and drug paraphernalia charges.



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

Change in Distribution of Severity Level of Drug Possession Cases Filed

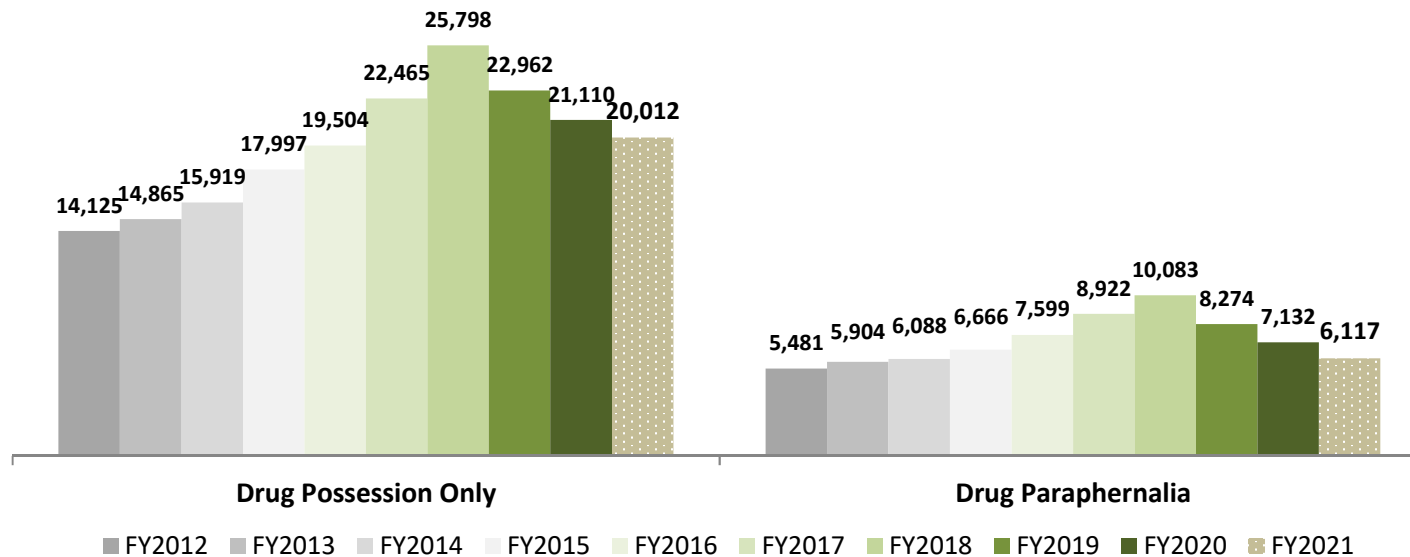


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

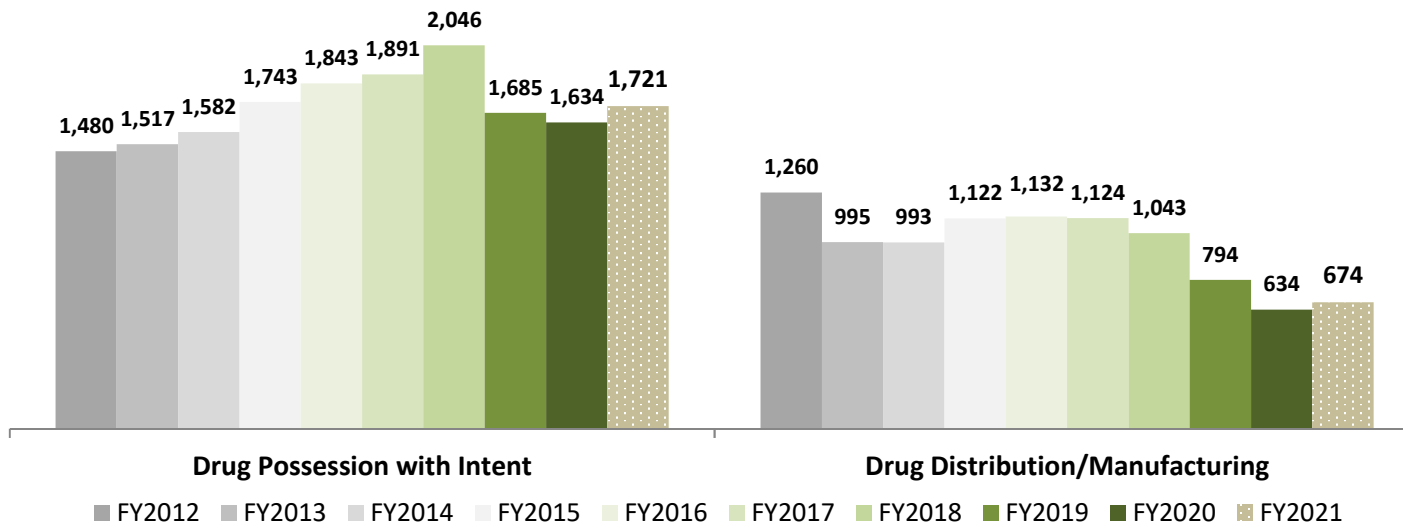


Drug possession with intent and drug distribution/manufacturing charges rose slightly in FY2020, but both remain at their lowest levels in years.

Cases Filed with Possession Only or Paraphernalia as Highest Drug Charge, FY2012-21



Cases Filed with Possession with Intent or Distribution/Manufacturing as Highest Drug Charge, FY2012-21

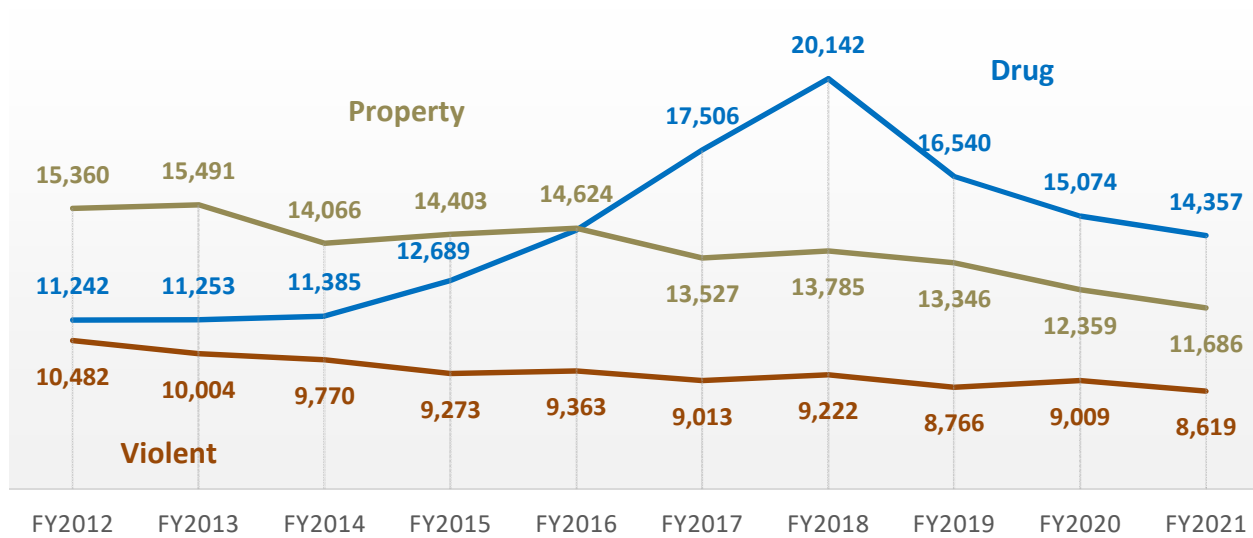


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls

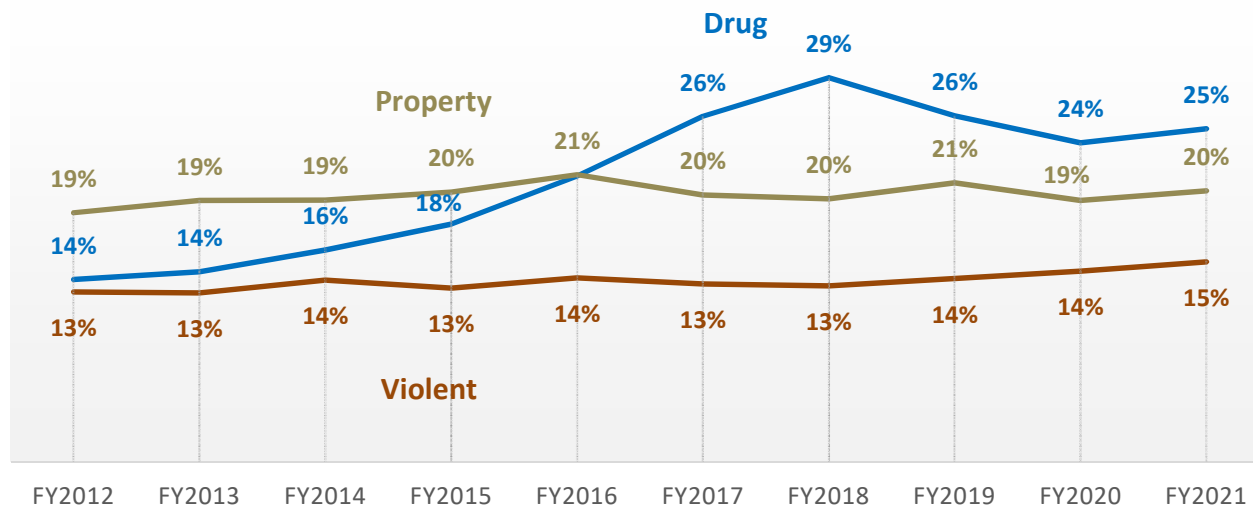


Justice Courts, which bore the brunt of the increase in drug cases through FY2018, have seen a 29% reduction in drug cases over the three years that followed through FY2021.

Justice Court Cases with Drug, Property, or Violent Charges, FY2012-21



Justice Court Drug, Property, and Violent Cases as Percentage of All Nontraffic Cases, FY2012-21

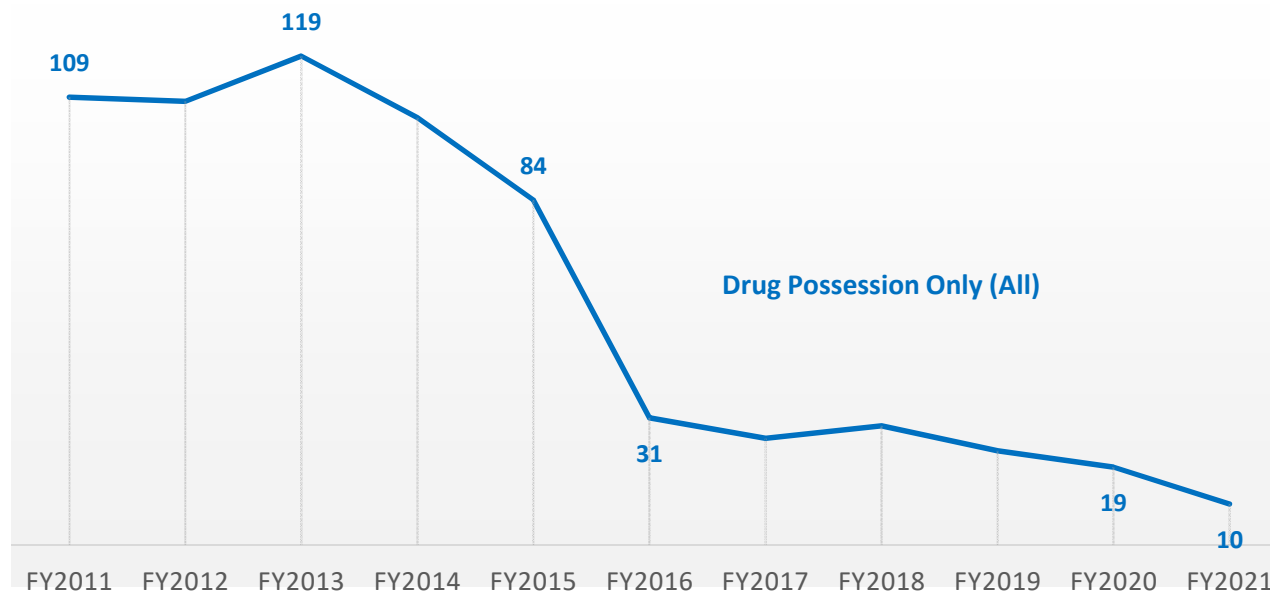


Source: Utah Administrative Office of the Courts, CORIS database; cumulative quarterly data pulls



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

Direct Prison Sentences from Court on Drug Possession Only Offenses



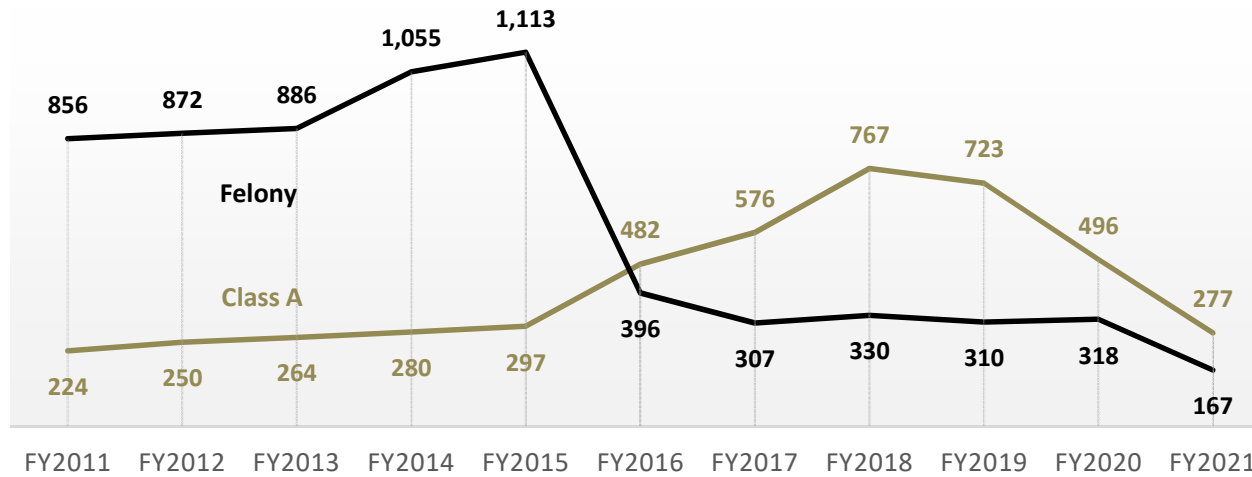
The Department of Corrections is now also seeing far fewer drug possession only offenders at the felony level, with only 10 offenders directly sentenced to prison from the Courts on drug possession only primary charges in FY2021, down from 84 in FY2015 and consistently over 100 prior to that. Additionally, drug possession offenders on felony probation dropped from a high of 1,113 in FY2015 to only 116 in FY2021 (next page).

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

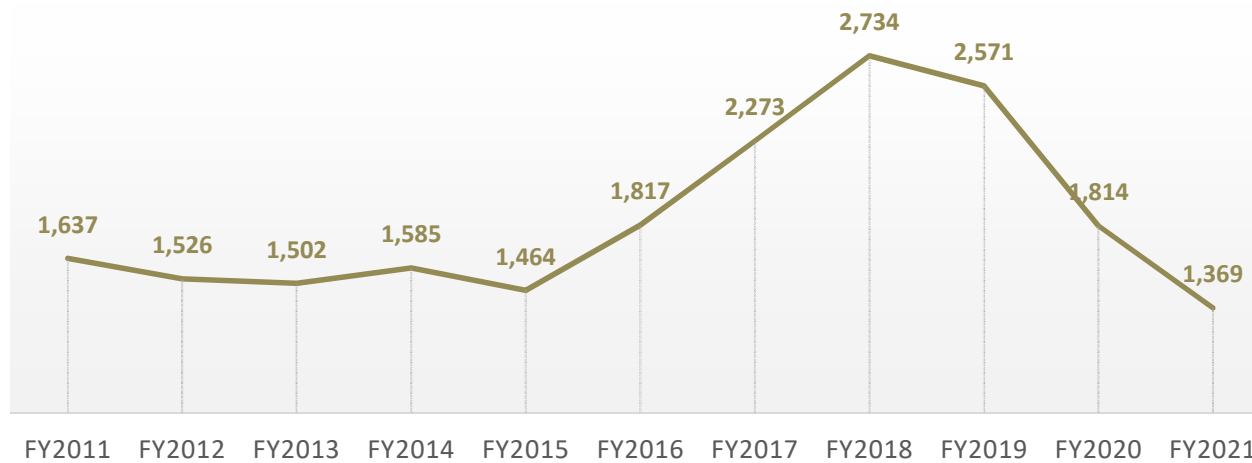


The decrease in drug possession arrests and Court cases is also influencing the overall number of Class A probationers the Department of Corrections is supervising, with a marked decline in recent years after previously being at record highs in the initial years following the reforms.

Drug Possession Only Offenders Starting Probation FY2011-21



Overall Offenders Starting Class A Probation FY2011-21

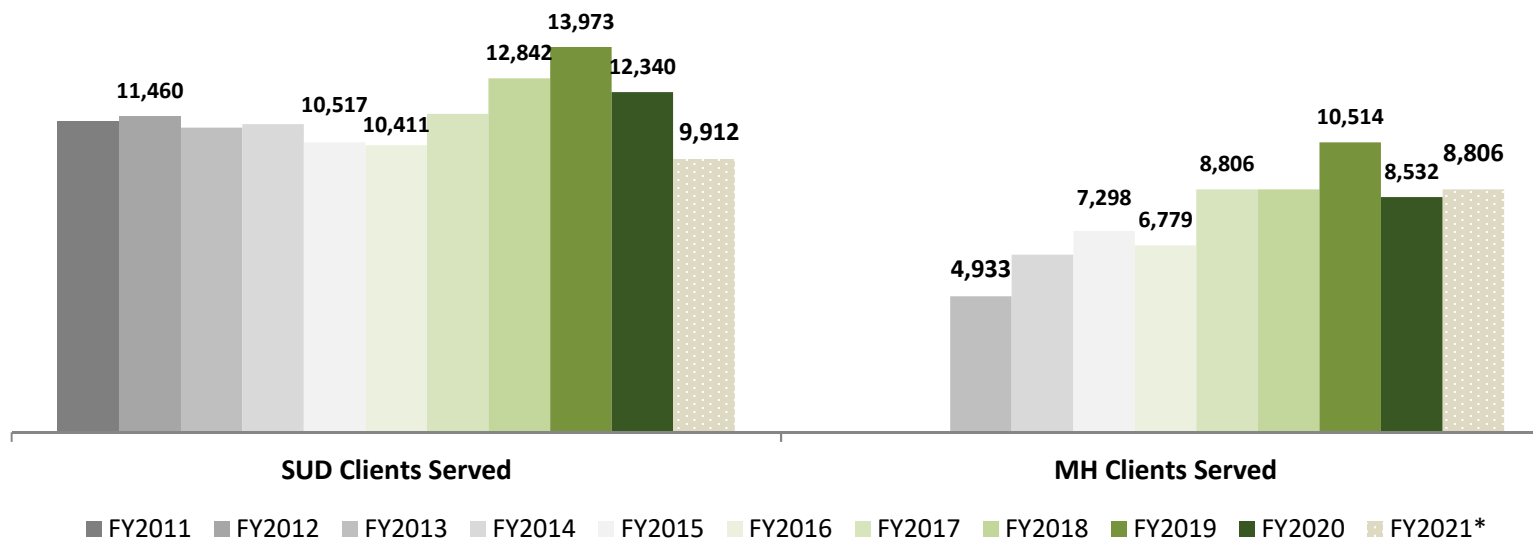


Source: Utah Department of Corrections, O-Track database; data pulled August 2021



After reaching highs in FY2019, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources continued to decline in FY2021.

Justice Involved Substance Use Disorder and Mental Health Clients Served Statewide, FY2011-21



Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health (DSAMH)

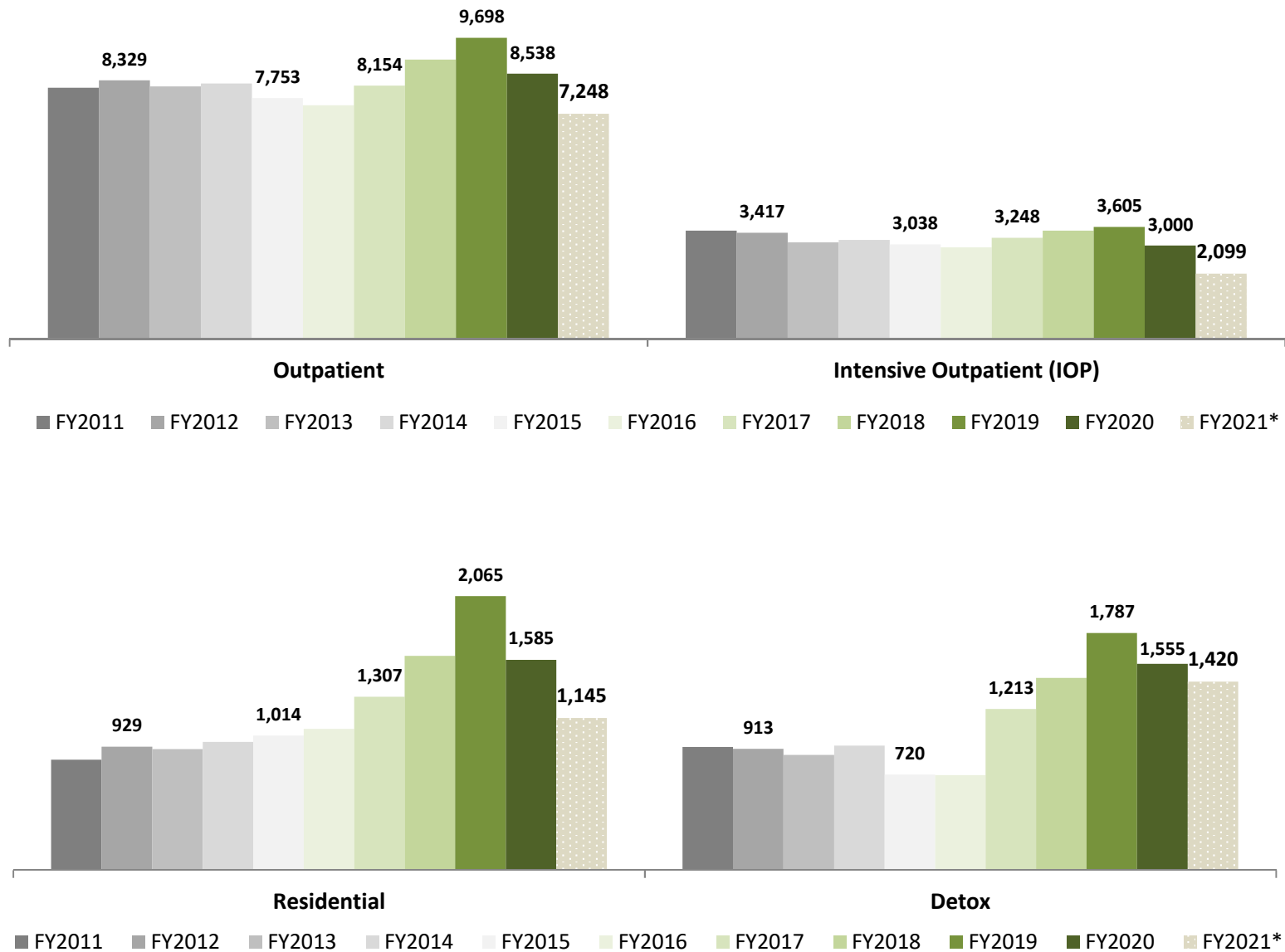
It is clear in the figures above that increased funding into the treatment system expanded capacity for both substance use disorder and mental health treatment, as both types of treatment reached highs in clients served in FY2019. There was, however, a significant fall off in FY2020-21 that was in part related to the COVID-19 pandemic (see D4 below; see also D5 and Section C for additional explanations). The next page (D2) provides a breakdown of the SUD clients served by the level of treatment they received. Most of the treatment capacity added through FY2019 has been at the outpatient and residential levels, in addition to detox beds (it should be noted that the only significant accumulation of detox beds is in Salt Lake, Utah, and Davis counties, with only a handful across the rest of the state - see Section E (E10) for more). All levels showed continued decline in FY2021. The following page (D3) shows both SUD and mental health treatment trends for justice involved individuals in the context of overall clients served for each across the state. While justice involved individuals account for roughly 80% of all clients served for SUD treatment historically (though down to 68% in FY2021), they only make up closer to 25% of all mental health treatment clients.

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



After reaching highs in FY2019, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources continued to decline in FY2021.

Justice Involved SUD Clients Served Statewide by Level of Service, FY2011-21

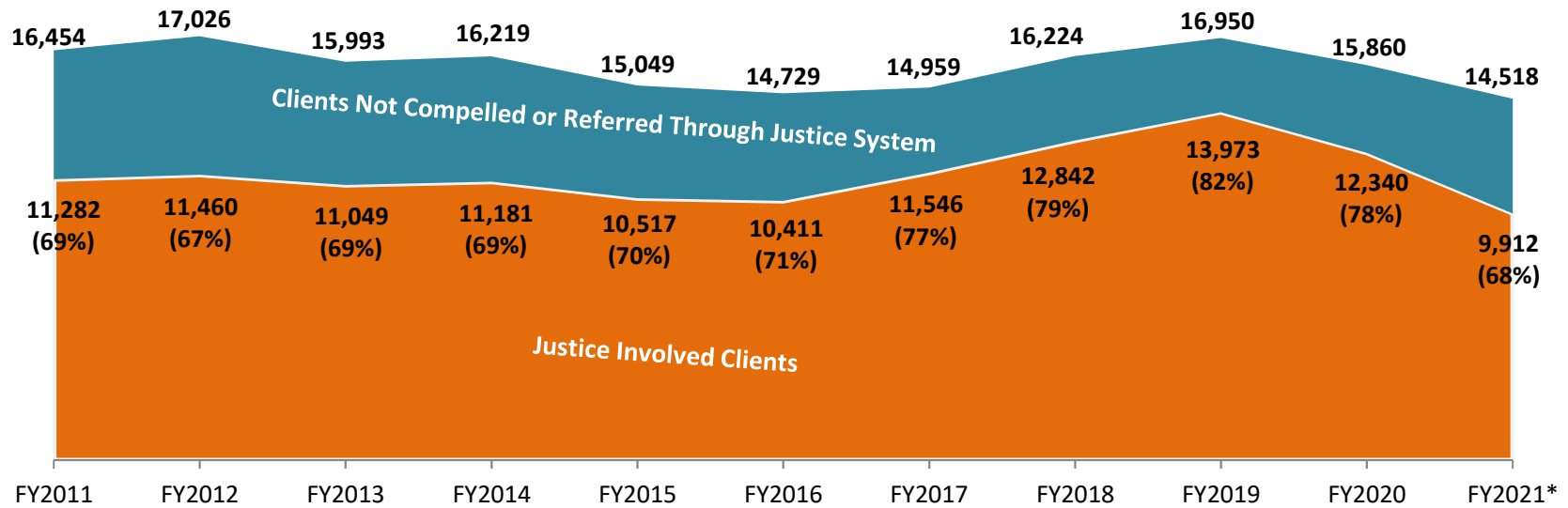


Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health (DSAMH)



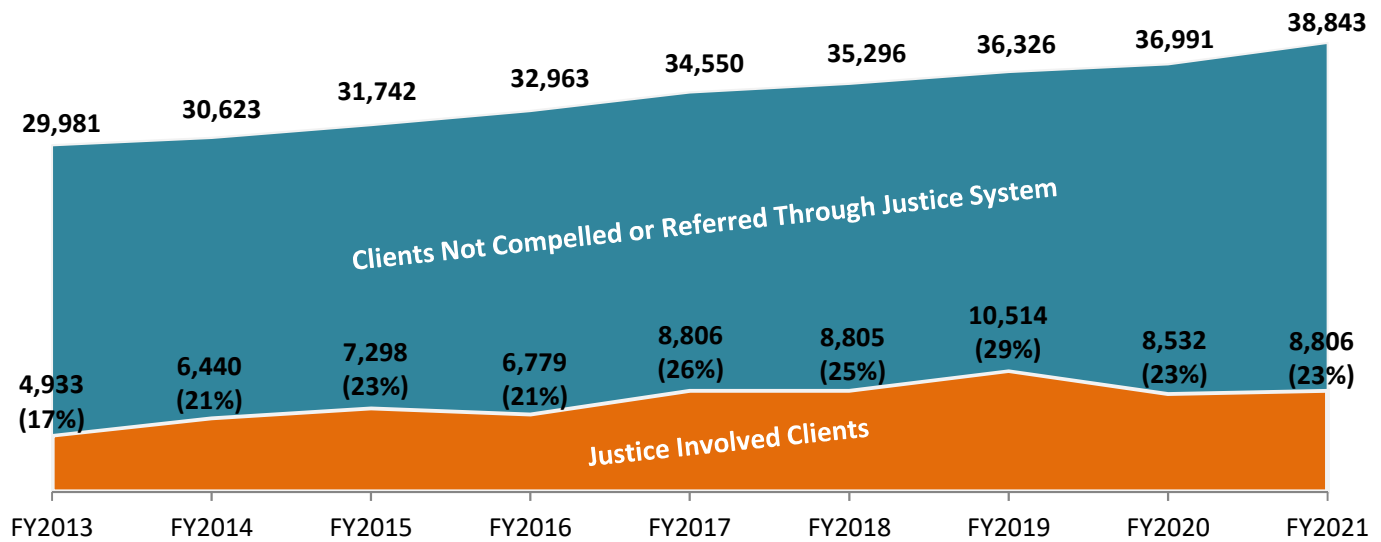
After reaching highs in FY2019, the number of justice involved clients served for both substance use disorder (SUD) and mental health treatment through state-exclusive funding sources continued to decline in FY2021.

Substance Use Disorder Clients Served Statewide FY2011-21



Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health

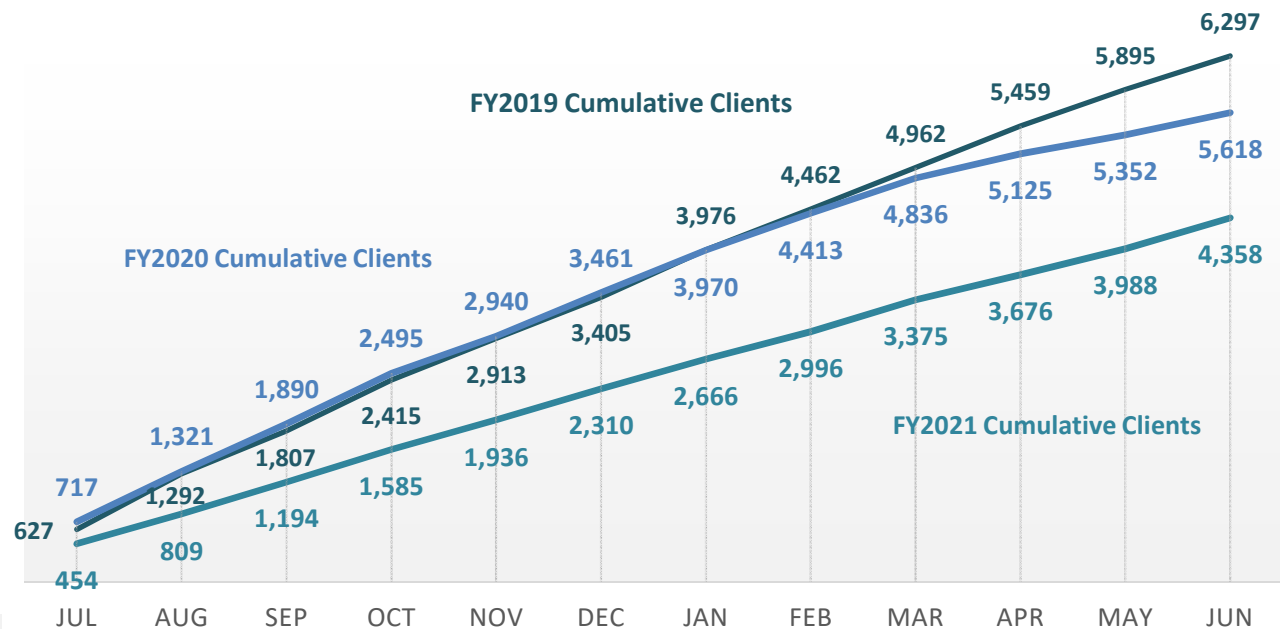
Mental Health Clients Served Statewide FY2013-21





The COVID-19 pandemic appears to have contributed to the decline in the FY2020 and FY2021 SUD treatment numbers, though declining numbers of drug offenders and new funding sources offer additional explanations for the decline.

The COVID-19 Pandemic and Justice Involved SUD Clients Served (Cumulative)
 *Uses New Restrictive Definition of Justice Referral at Admission



	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
FY2019	627	1,292	1,807	2,415	2,913	3,405	3,976	4,462	4,962	5,459	5,895	6,297
FY2020	717	1,321	1,890	2,495	2,940	3,461	3,970	4,413	4,836	5,125	5,352	5,618
FY2021	454	809	1,194	1,585	1,936	2,310	2,666	2,996	3,375	3,676	3,988	4,358
FY20 % of FY19	114%	102%	105%	103%	101%	102%	100%	99%	97%	94%	91%	89%
FY21 % of FY19	72%	63%	66%	66%	66%	68%	67%	67%	68%	67%	68%	69%

Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health (DSAMH), Data pulled November 2020

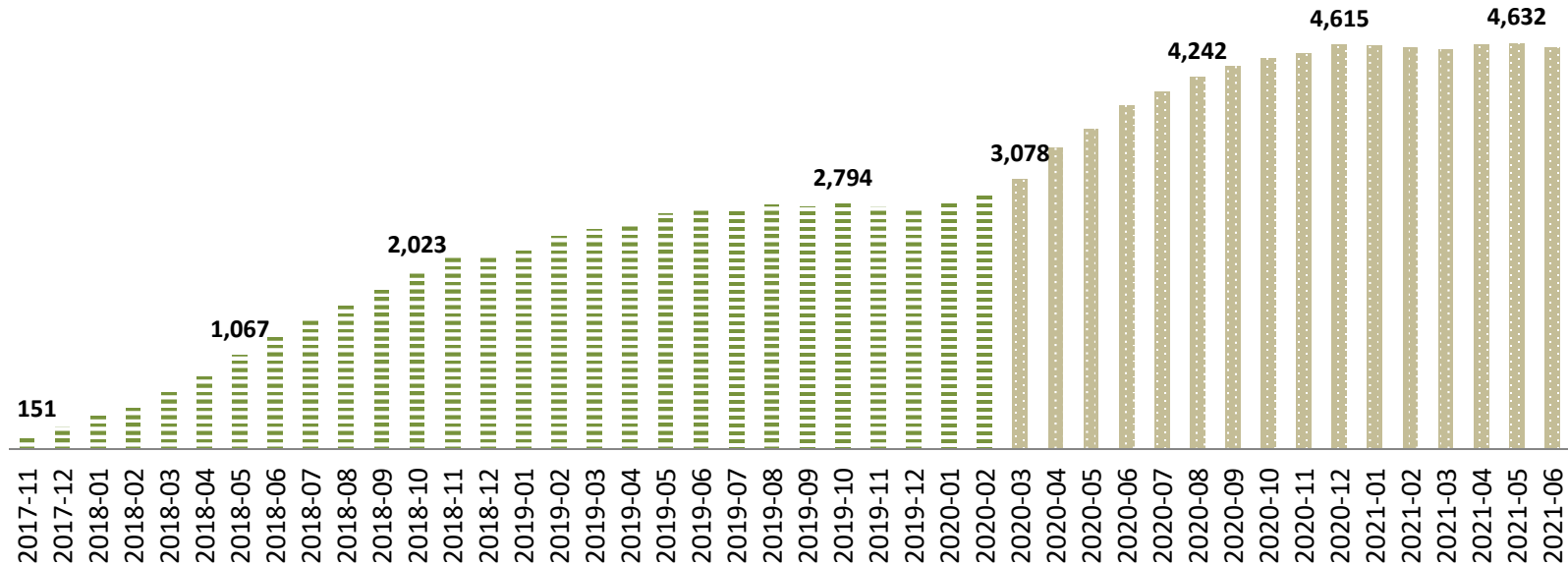
As the figures on D1-D3 showed, the number of clients served for SUD treatment was down in FY2020 and further decreased in FY2021. The figure above attempts to show the impact of the COVID-19 pandemic on this ongoing decline by presenting the cumulative clients by month of FY2020 and FY2021 compared to FY2019 (this starting number and subsequent accumulations do not include clients served that carried over from the previous fiscal year). The table above also shows the percentage of the FY2019 numbers for each subsequent year. This shows that, while FY2020 was likely going to be below the historically high numbers of FY2019 anyway, the separation clearly accelerated starting in April through June of 2020 after the start of the pandemic, and continued below normal levels into FY2021. It is encouraging, however, to see the percentages for FY2021 of FY2019 increasing toward the end of the year.



The new Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment in FY2020 and 2021 help to account for some of the declining numbers seen above.

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

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



Source: Utah Department of Health, Division of Medicaid and Health Financing

Utah began enrolling clients in the new Targeted Adult Medicaid (TAM) program in November 2017, and this has had a significant impact on justice involved populations (including both SUD and mental health treatment). This program, operated by the Utah Department of Health with enrollment assistance by the Department of Workforce Services (DWS), is a fee for service opportunity for any enrolled Medicaid provider, and not all Medicaid providers are contracted with the local substance abuse authorities who submit data to DSAMH (and the data reported above on D1-4).

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

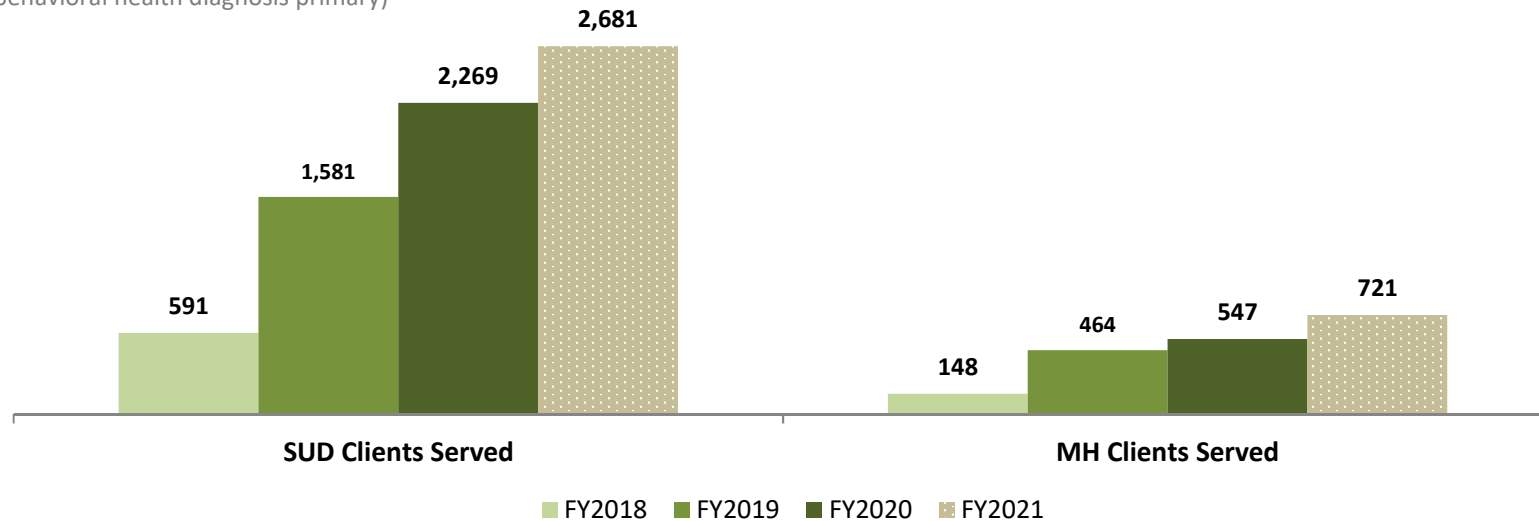
Note: The numbers reported above include anyone that is enrolled in the TAM Justice-Involved program. This simply means that DWS enrolled them in that program, and does NOT necessarily mean that they accessed services (mental health or SUD).



The new Targeted Adult Medicaid (TAM) program has enrolled a significant number of justice involved individuals in the past several years, and the numbers that have been served in SUD and mental health treatment in FY2020 and 2021 help to account for some of the declining numbers seen above.

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

(*Program began enrollment in November 2017; Justice Involved includes categories "Court Ordered Treatment", "Jail or Prison", "Probation or Parole", "Drug/Mental Health Court"; Served in outpatient treatment settings with behavioral health diagnosis primary)



Source: Utah Department of Health, Division of Medicaid and Health Financing

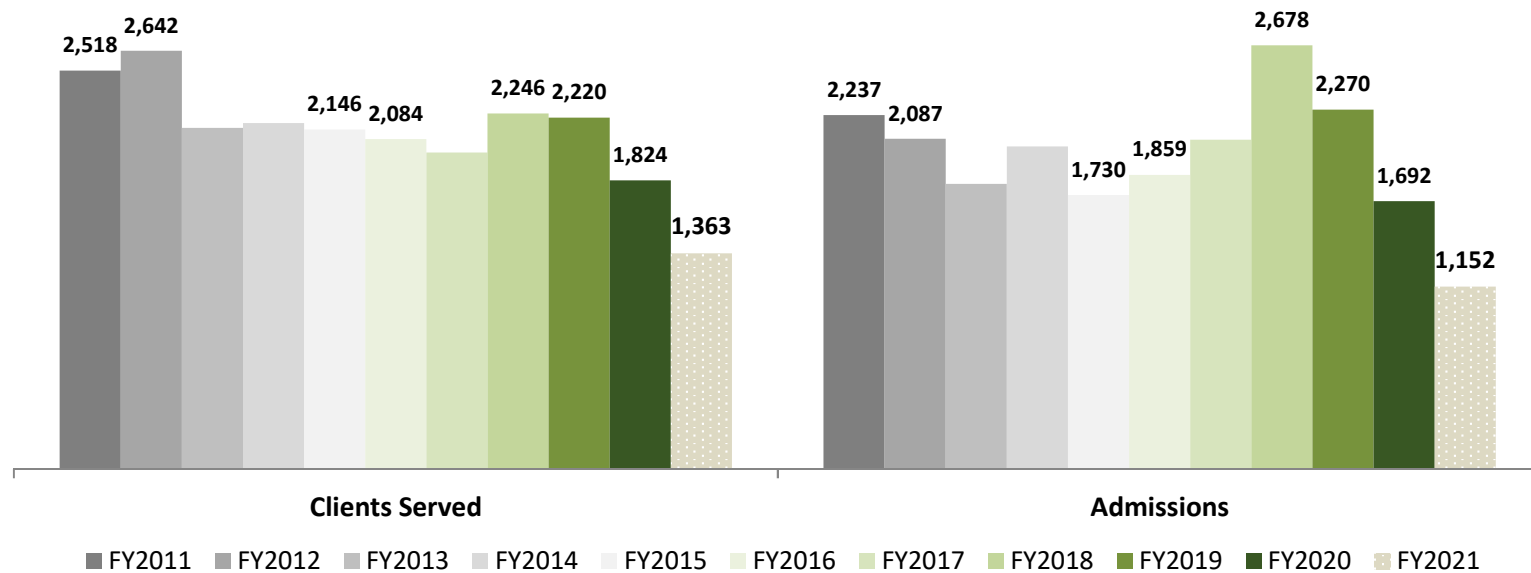
While the previous page showed enrollment number is Targeted Adult Medicaid (TAM), the figure above shows the number of justice involved clients who have been served since the program started, with a behavioral health diagnosis and receiving either substance use disorder (SUD) and/or mental health (MH)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

For SUD treatment, 2,269 clients were served through TAM funding in FY2020 and an additional 2,681 were served in FY2021. Despite the pandemic effects and the decrease in drug offenders, the numbers from these two years make up a significant amount of the decrease seen in these years in D1 above. For MH treatment, the gains have been more modest but still impactful.



Drug Court participation continues to be down in FY2021 as drug offenses have declined and the pandemic effects have persisted.

Drug Court Clients Served and Admissions Statewide, FY2011-21



Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health (DSAMH)

In addition to overall justice involved clients served for SUD treatment, we also continue to track clients served and admissions specifically for Utah's drug courts. As the figures above show, drug court clients served were down considerably in FY2020-21, and admissions to drug court continued a decline that started in FY2019 (after a peak in FY2018). While both are these measures were also likely influenced by the ongoing pandemic, the significant decrease in all drug-related offenses in the past three years (see Section C) has probably had as much or more of an influence. As with the general treatment population, more drug court participants are being funded through Targeted Adult Medicaid (TAM) in recent years (see D5-6 above).



Just as the pandemic has affected the prison population, it has had a similar impact on jail populations throughout the state. Using new data received from the county jails, the changes in the populations of many of the jails can now be shown across the 2019 and 2020 calendar years.

Note: Data for the figure to appear on this page is still being compiled from some of the county jails, and this page will be updated once that data is more complete (rather than showing figures based only on partial data).



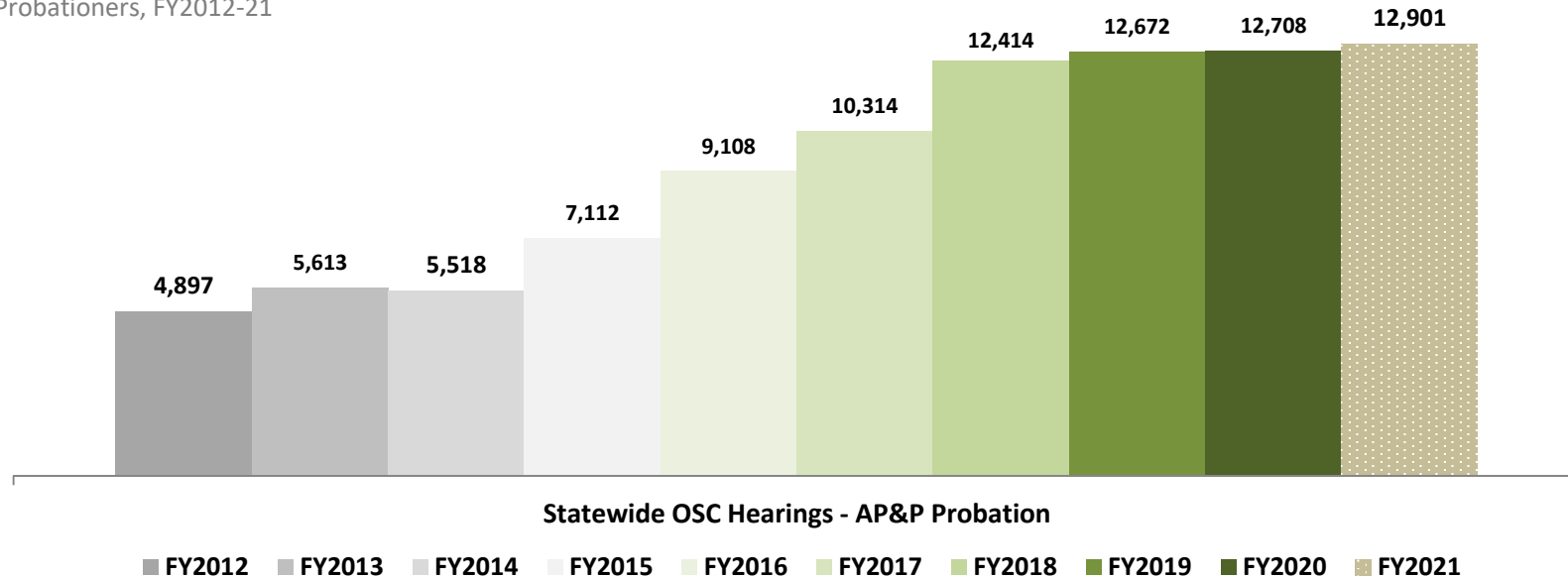
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There has been an increase in orders to show cause (OSC) hearings for probation violations in Courts throughout the state in recent years, though these numbers have leveled out over the past four years and there are important differences across districts.

Statewide Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-21



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

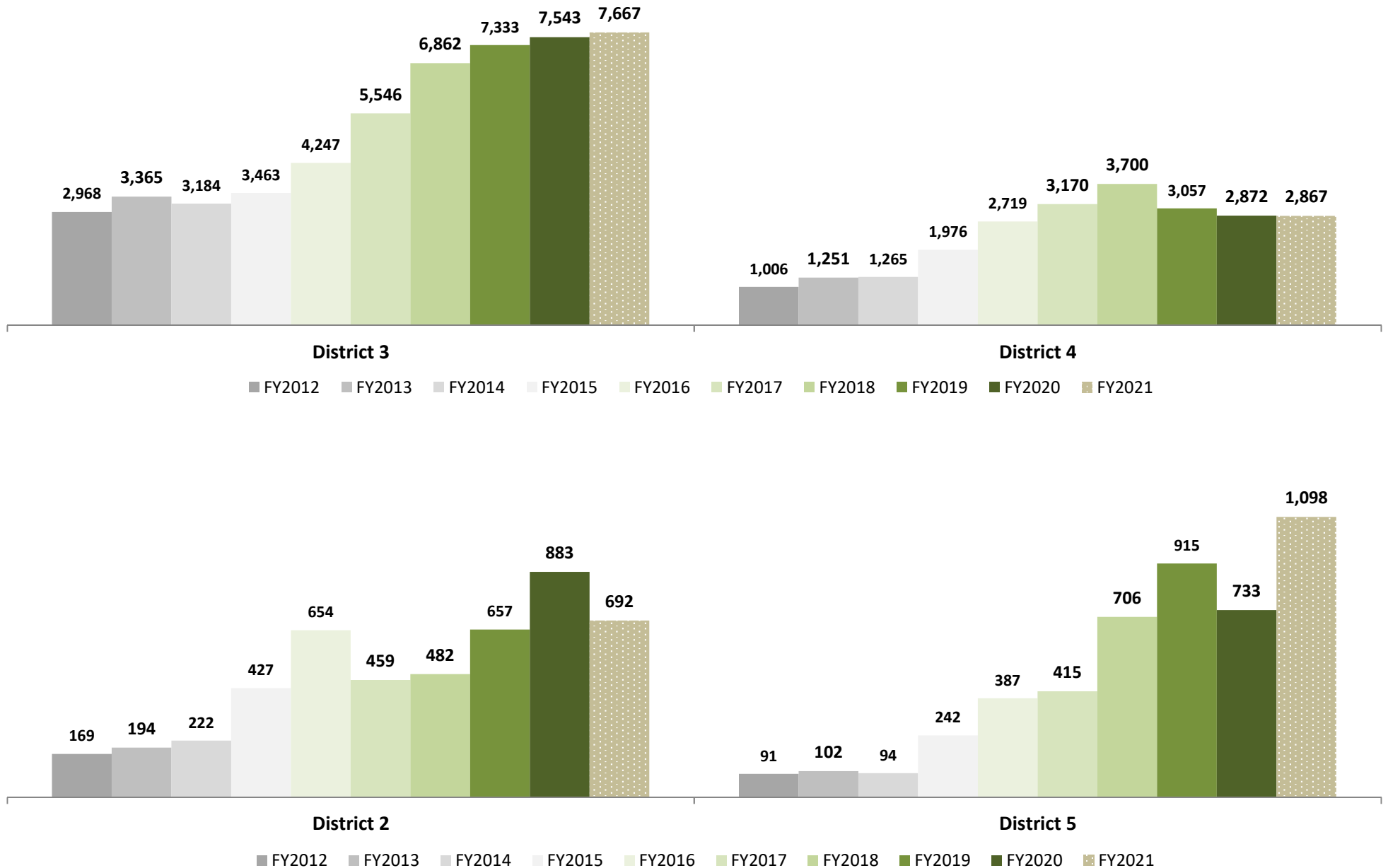
Source: Utah Administrative Office of the Courts, CORIS database; data pulled September 2021

The issues discussed in Section B with community supervision, particularly probation, have likely been felt at the local level as well, as the figure above shows the increase in orders to show cause (OSC) hearings in District Courts across the state that are directly associated with violations by probationers supervised by AP&P. This is important to local corrections systems, as these probationers are not only supervised in the community, but the penalties for these violations are more likely to involve jail sentences than parolees (see below starting on E6). The increase had started in FY2015 but continued through FY2018 before leveling off at a rate 80% higher than in FY2015. OSC hearings were up slightly in FY2021, but there has now been four years of relative stability. This statewide trend, however, has not been standard across districts, as the figures on the next two pages show (E4-E5). While District 3 mostly mirrors (and likely drives) the statewide trends, Districts 1, 6, 7, and 8 showed a decline in OSC hearings post-reform or remain relatively unchanged. District 2 had a significant drop in hearings in FY2021, while District 5 showed a substantial increase; District 4 peaked in FY2018, but has stabilized at a lower level the past three years. These overall OSC case trends from AP&P probation are important to present first, as they then lead into the subsequent figures on E6-8 that show the trends in jail sentences that result from the OSC hearings for probation violations. This analysis is discussed further on E6 below.



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

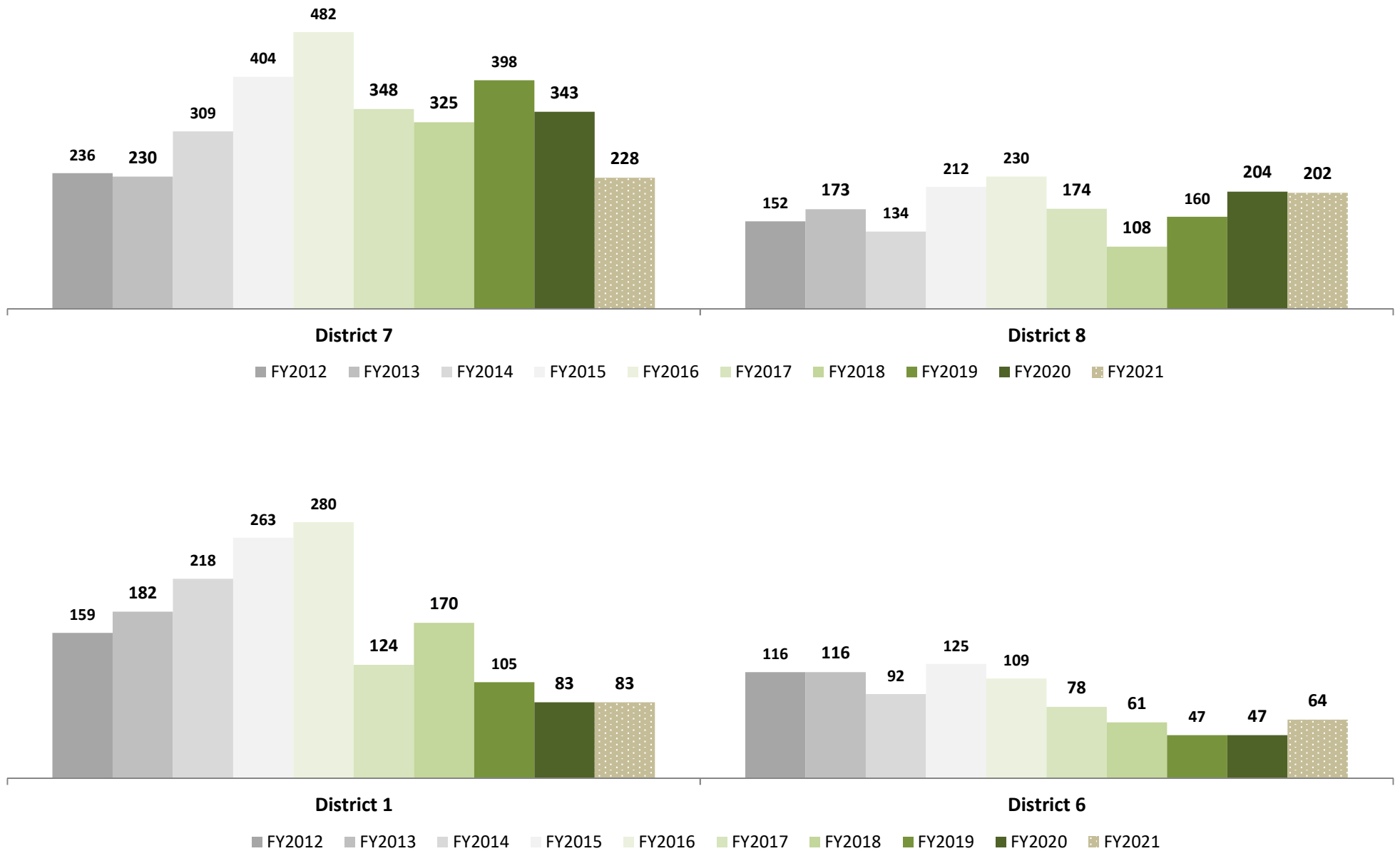
Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-21 - By Judicial District





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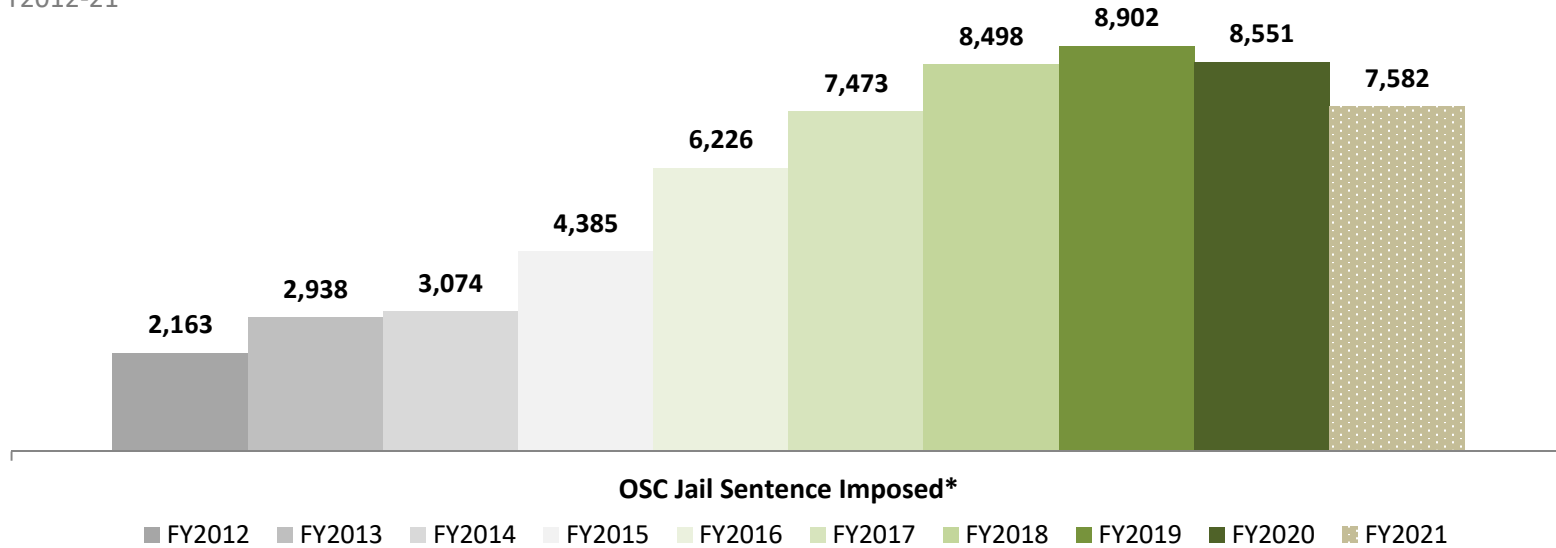
Orders to Show Cause (OSC) Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-21 - By Judicial District



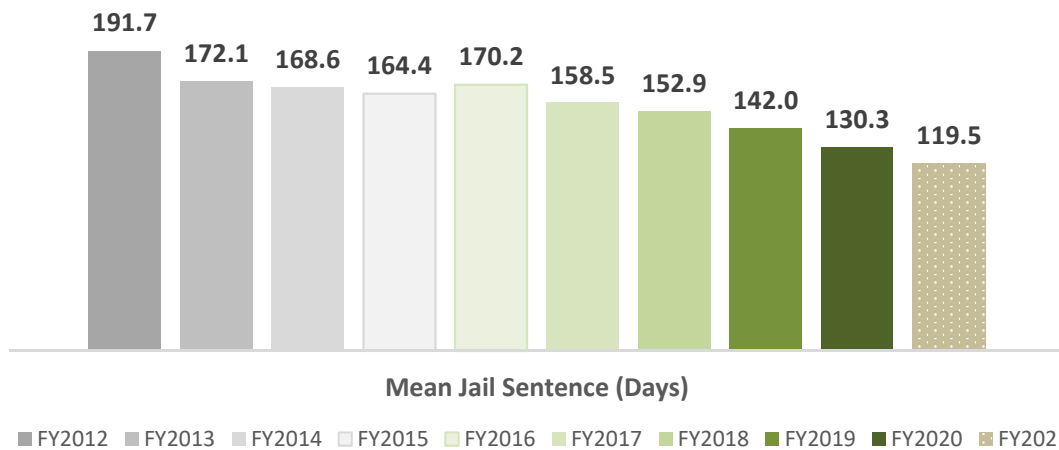


This increase in OSC hearings has resulted in more jail sentences for probation violations, though there has been a significant decrease over the past two years, and average sentence lengths have decreased significantly as well.

Jail Sentence Imposed* by Judge at OSC Hearing for Probation Violations Involving AP&P Probationers, FY2012-21



Average Jail Sentence Imposed at Probation OSC Hearings



The figures on this page and the two subsequent pages follow up on the OSC probation violation hearing trends by showing the impact this increase may have on local jails through jail sentences imposed. As the above figure shows, jail sentences imposed for probation violations in the AP&P probation population are trending downward in the past two years (-15%, and 1,320 sentenced offenders from FY2019 to FY2021) after years of steady increase. As with the jail numbers overall, the pandemic likely plays a large role in this decline. Although there are significantly more jail sentences for AP&P probation violations than previous years, the probation revocation caps that were instituted as part of the reform package appear to have decreased the average jail sentence (left) that is imposed, somewhat lessening the impact of the increased numbers.

As with the general OSC hearing trends, there was variation across the districts in the number of hearings with jail imposed (see E7-E8 below). Districts 2 and 8 saw a large jump in jail sentences in recent years, while most others (particularly Districts 1, 5, and 7) saw fairly large decreases.

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

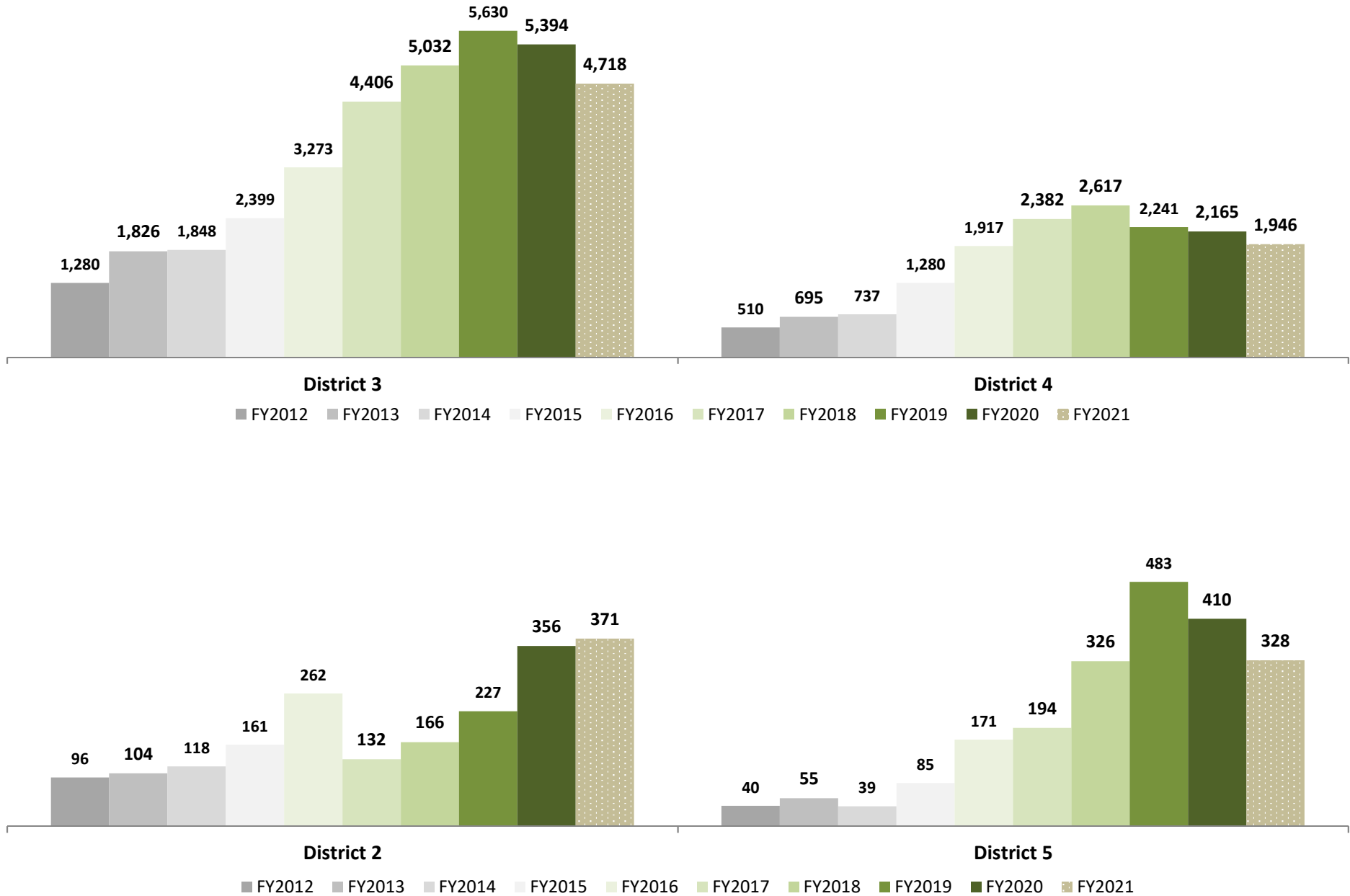
* OSC hearing resulted in a Post Jail Sentence; days served may be less than the days sentenced.

Source: Utah Administrative Office of the Courts, CORIS database; data pulled September 2021



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

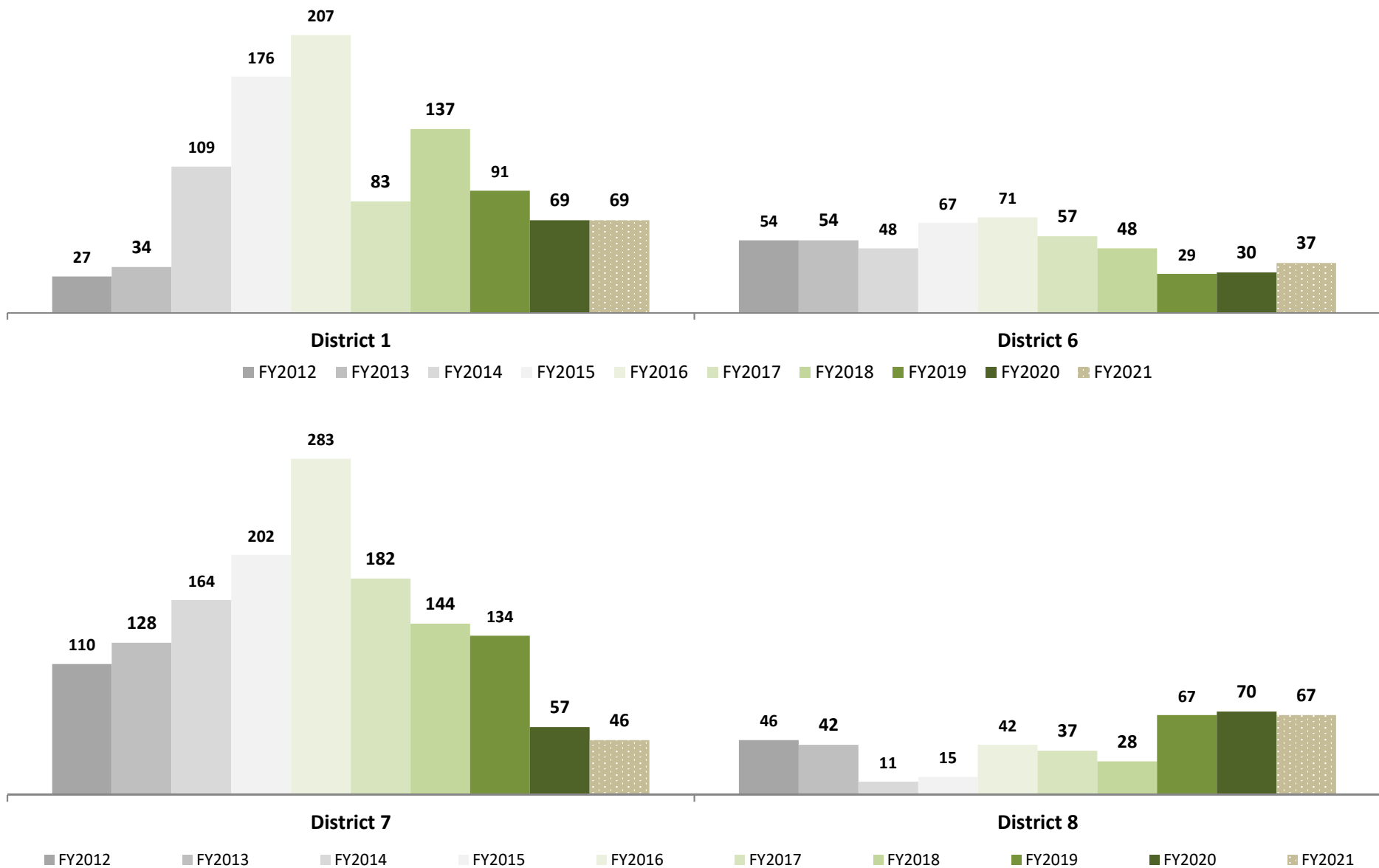
Jail Sentence Imposed at OSC Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-21 - By Judicial District





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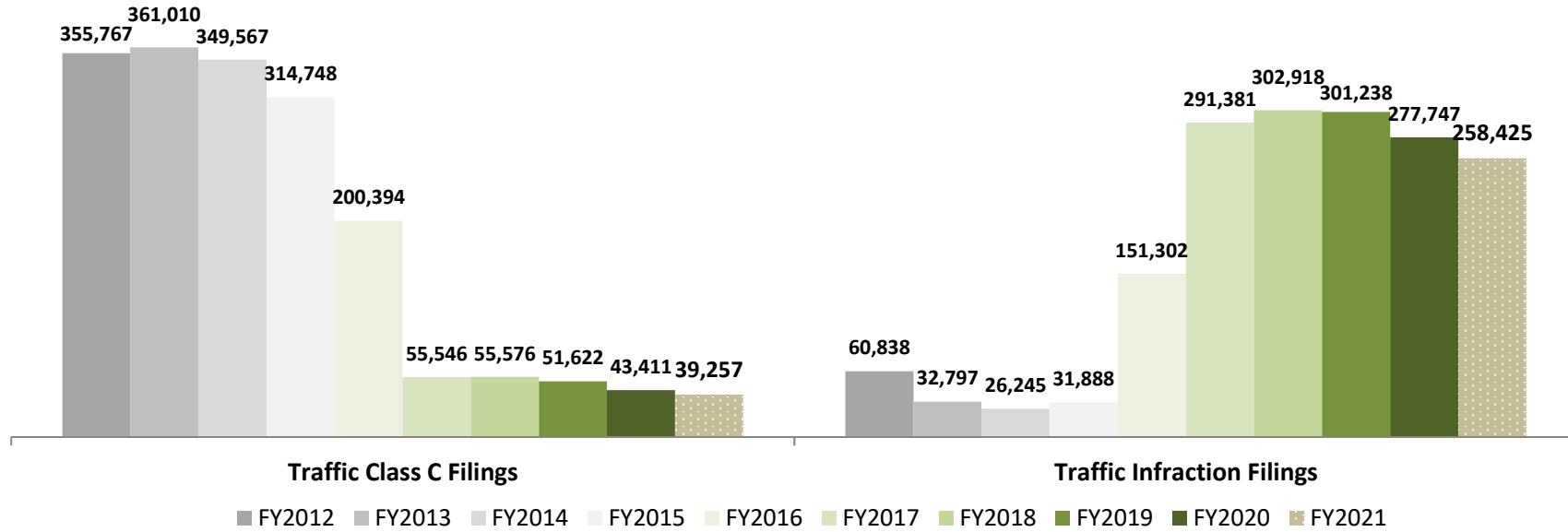
Jail Sentence Imposed at OSC Hearings for Probation Violations in District Courts Involving AP&P Probationers, FY2012-21 - By Judicial District





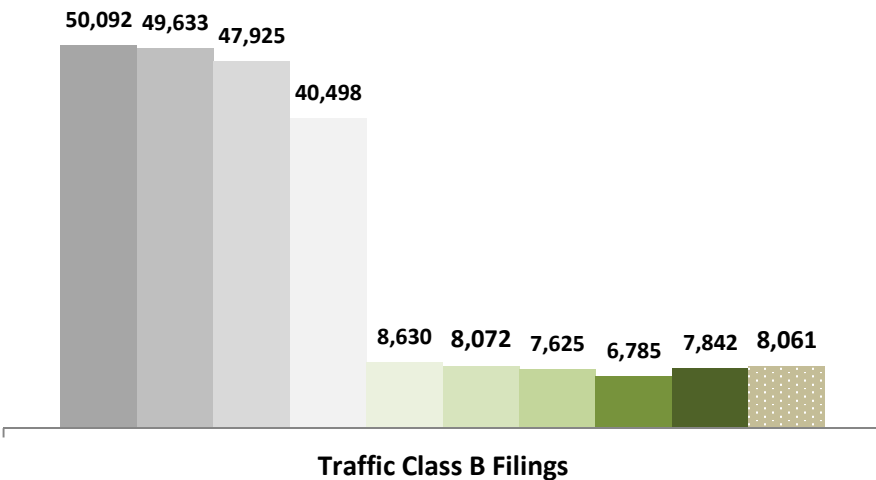
Traffic case filings at the Class B and Class C levels continue to be significantly lower than pre-reform levels, offset by an increase in infraction filings.

Court Case Filings for Traffic Offenses by Level, FY2012-21



The figures on this page demonstrate the extent of the shift in the predominant severity levels of traffic traffic case filings since the reform effort began, which included a reclassification of many traffic offenses that were Class B or C misdemeanors down one level or to infractions. Class B traffic case filings are now at a fraction of what the levels used to be pre-reform (the 8,061 cases in FY2021 are just 16% of the levels in FY2012-14. Class B offenses obviously can be more impactful for local corrections systems through the potential for jail sentences, though the decrease in Class C traffic case filings has been even more dramatic - the 39,257 cases in FY2021 is only 12% of the level in FY2015, with a drop of almost 300,000 cases. Not surprisingly with the statute changes, there was a large increase in traffic cases at the infraction level following reforms.

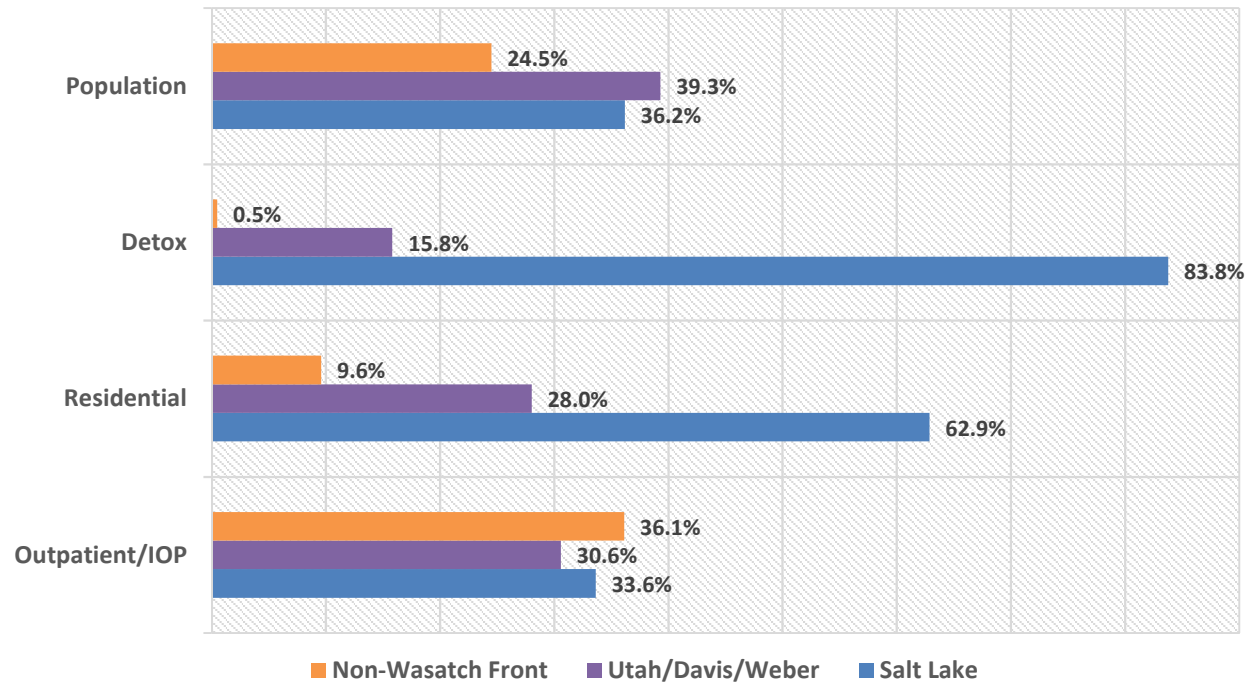
Note: Traffic cases shown in these figures are classified according to the highest charge severity level in the case (i.e., Class B cases may have also had Class C or infraction charges but the case was counted as a Class B case).





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

Distribution of Treatment Services by Region Compared to Population (Average of FY2019-21)



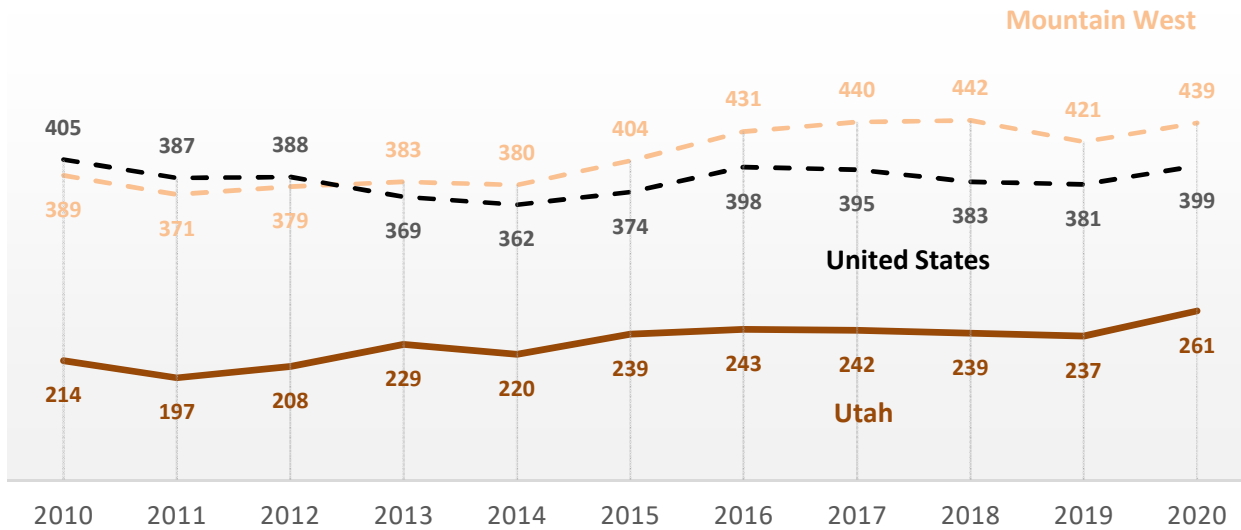
Source: Utah Department of Human Services, Division of Substance Abuse and Mental Health (DSAMH)

The figure above shows the distribution of treatment services across urban and more rural regions in Utah, using an average of FY2019-21 to avoid some of the recent effects of the pandemic on treatment numbers (see Section D). While counties and local area treatment authorities have a good number of outpatient treatment slots, they are seriously lacking in residential treatment beds and detox facility beds. Just 9.6% of residential beds are outside the Wasatch Front, and the bulk of these are in Washington County. Even more important to local corrections systems, there are almost no detox facilities outside of Salt Lake, Utah, and Davis counties, meaning the county jails often are forced to take on this responsibility.

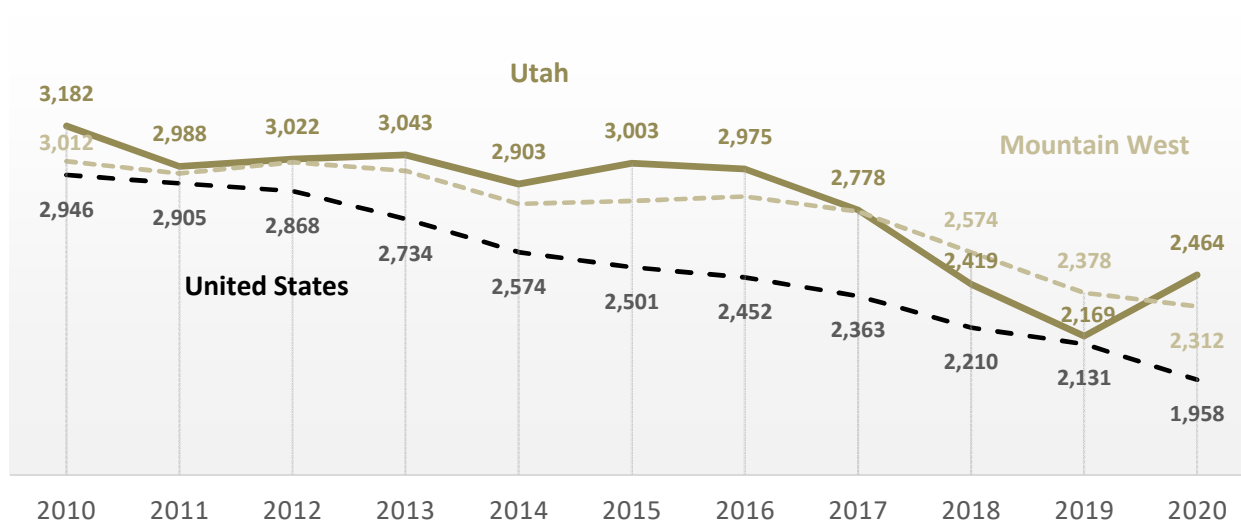


After five years of relative stability (violent crime) and significant decline (property crime), 2020 saw a marked increase in both violent and property crime reported to law enforcement.

FBI UCR Violent Crime Rate* Trends - Utah vs. Mountain West and National
 (* Rate per 100,000 population)



FBI UCR Property Crime Rate* Trends - Utah vs. Mountain West and National
 (* Rate per 100,000 population)



The figures on the left show the 11-year trends in reported crime (2010-20), both violent crime (top) and property crime (bottom), for Utah compared to the collective rates of the Mountain West region that includes Utah and the national rates.

Utah is well below the national and regional rates for violent crime historically, and Utah's rates had been fairly stable across much of the ten year period prior to 2020, when violent crime increased in the state, regionally, and nationally. Violent crime in Utah jumped by 14 reported crimes per 100,000 population in 2020 over 2019 (and an increase of 18 per 100,000 both regionally and nationally).

Property crime in Utah, on the other hand, has historically been higher than national rates (and slightly above regional rates recently). After three years of sharp decline that brought Utah's rate close to the national average, property crime in Utah also showed a rather significant bump (up almost 300 reported crimes per 100,000 population). Unlike violent crime, this increase was not reflected nationally or regionally (and only in a couple neighboring states).

The next several pages explore these increases further in the context of the ongoing pandemic, both temporally by month in 2020 compared to 2019 and in relation to the unprecedented releases from the prison and jails discussed in earlier sections.

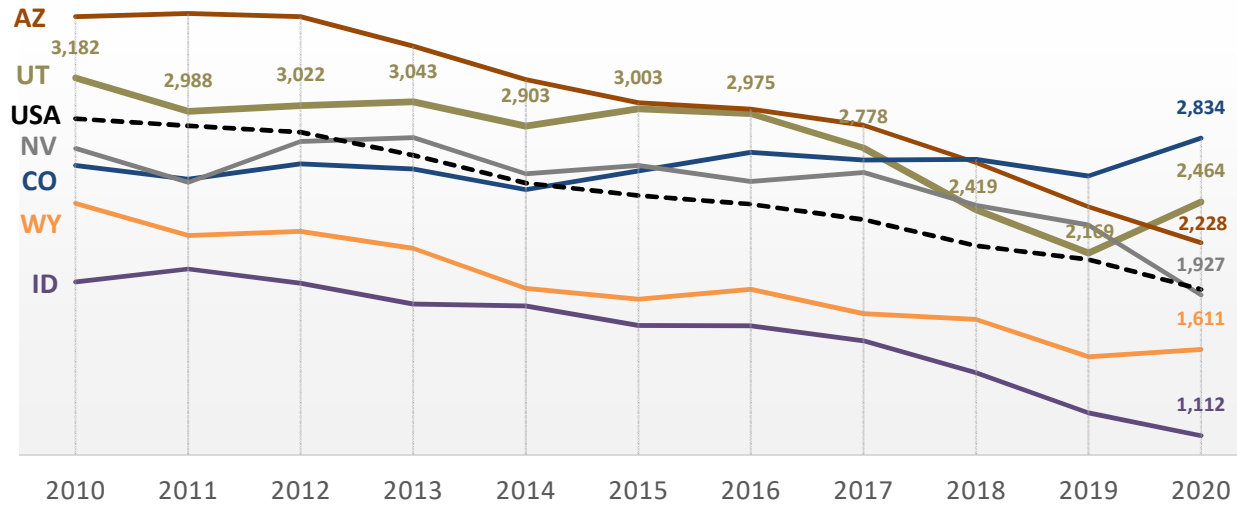
Source: FBI Uniform Crime Reports (UCR) - most recent report is for calendar year 2020

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

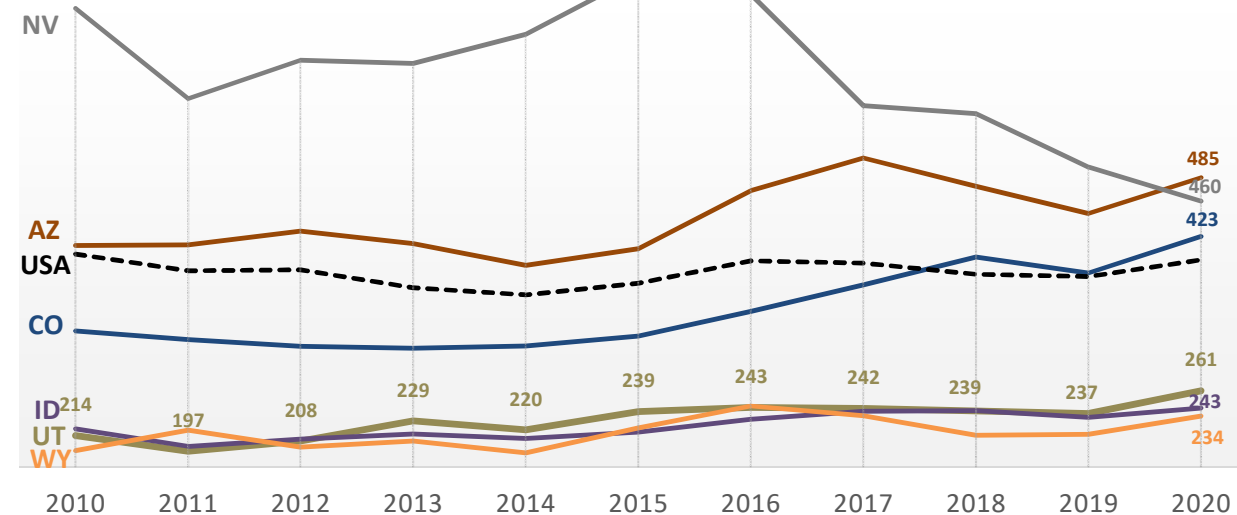


While the increase in violent crime was matched nationally and in most states in the region, the increase in property crime reversed a significant 4-year downward trend (down 28% from 2015-19) and was relatively unique to Utah and only ten other states (including neighboring Colorado and Wyoming).

FBI UCR Property Crime Rate* Trends - Utah vs. Neighbor States and National
 (* Rate per 100,000 population)



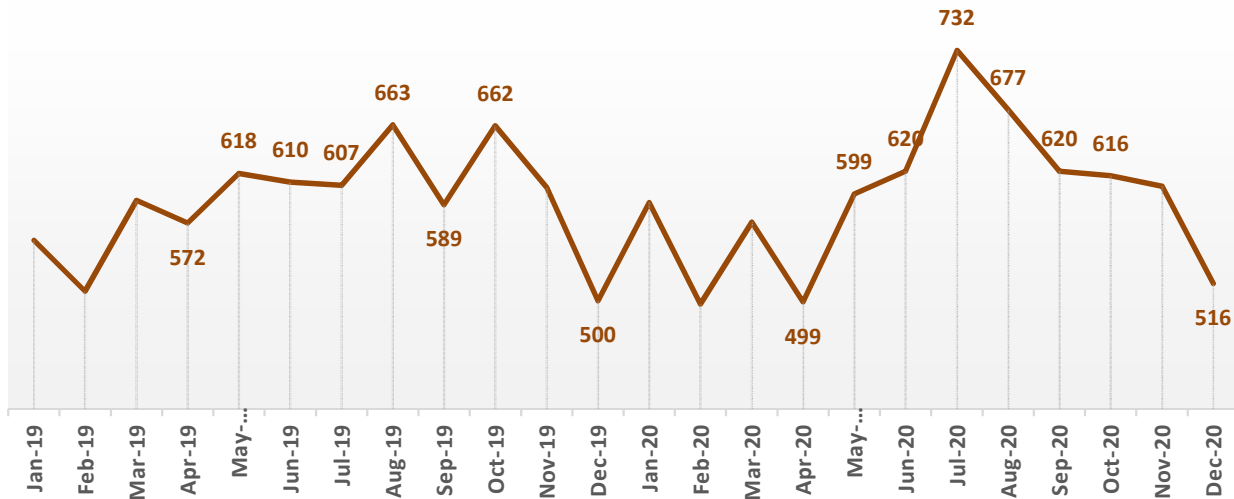
FBI UCR Violent Crime Rate* Trends - Utah vs. Neighbor States and National
 (* Rate per 100,000 population)





Much of this uptick in reported crime was isolated in the second half of 2020 (compared to 2019), after the onset of the pandemic in March 2020 and alongside large scale social unrest that occurred in the summer through the Presidential election in the fall.

Raw Violent Crimes Reported by Month, 2019-20

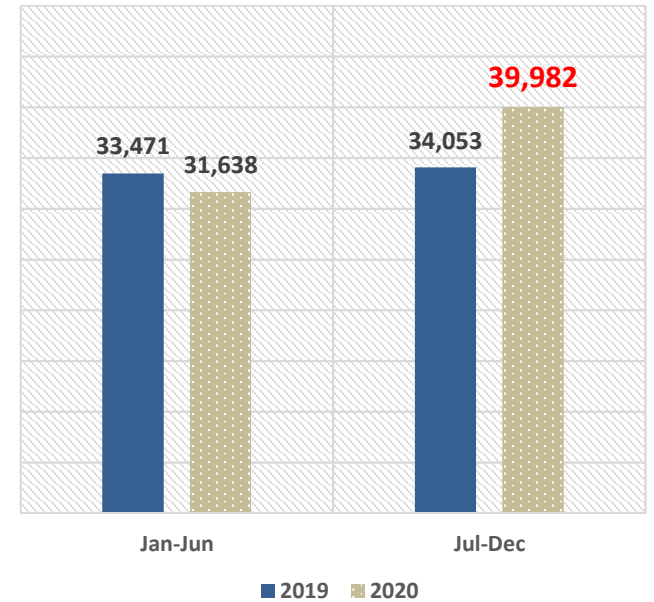


The figures on the left further break down the raw violent (above) and property (below) crimes that were reported to law enforcement for the 2-year period starting January 2019 and ending December 2020, before and after the start of the pandemic. It is clear from these figures that a large portion of the crimes that occurred in 2020 were concentrated in the second half of the year. For violent crime, there was a large spike in July, though overall there was not as great of an increase in violent crimes as property crime. For property, there were significantly more (+5,929, 17%) crimes reported between July to December 2020 than in the same period in 2019.

Source: Utah Department of Public Safety, Bureau of Criminal Identification, Crime in Utah 2020 report

Note: Reported crimes in each are Category 1 offenses only, which include murder/nonnegligent manslaughter, rape, robbery, and aggravated assault for violent crime; and burglary, larceny-theft, and motor vehicle theft for property crime (monthly arson numbers were not available).

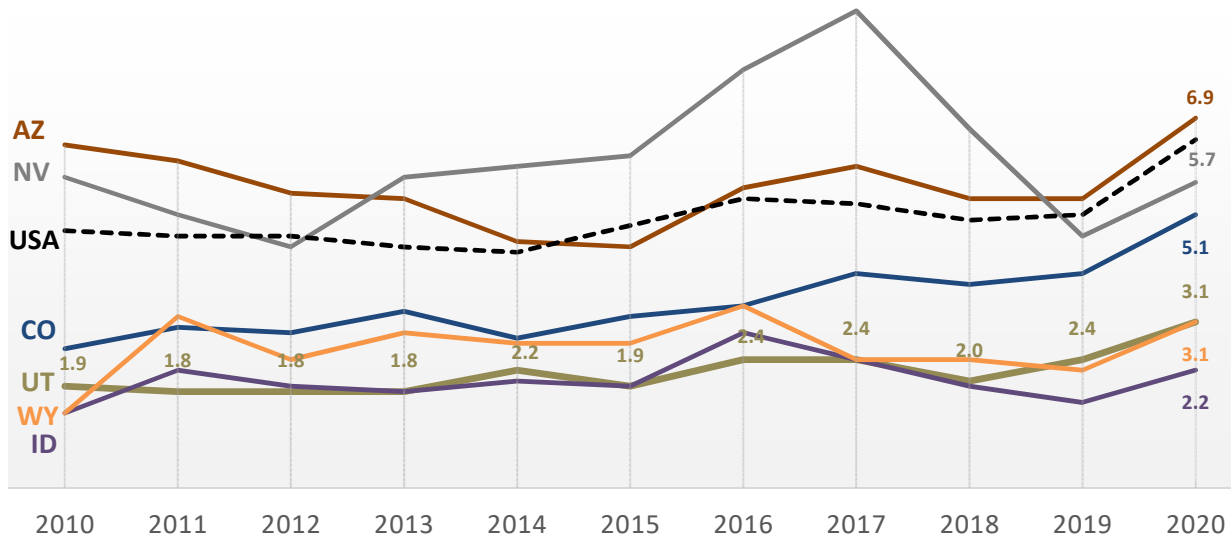
Raw Property Crimes (excl Arson) Reported by Month (below) and by First Half vs. Second Half of the Year (right), 2019-20





Of particular concern was an increase in homicides in Utah and across the country, and several important factors can help shed some light on the differences between 2020 and previous years.

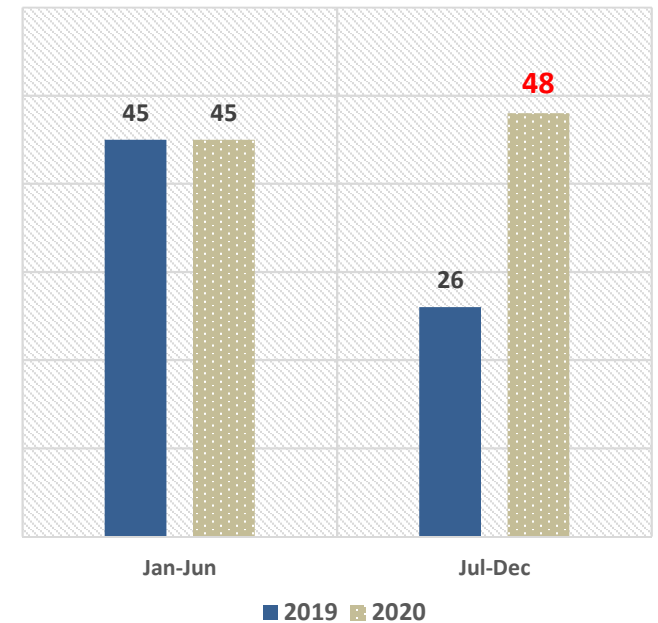
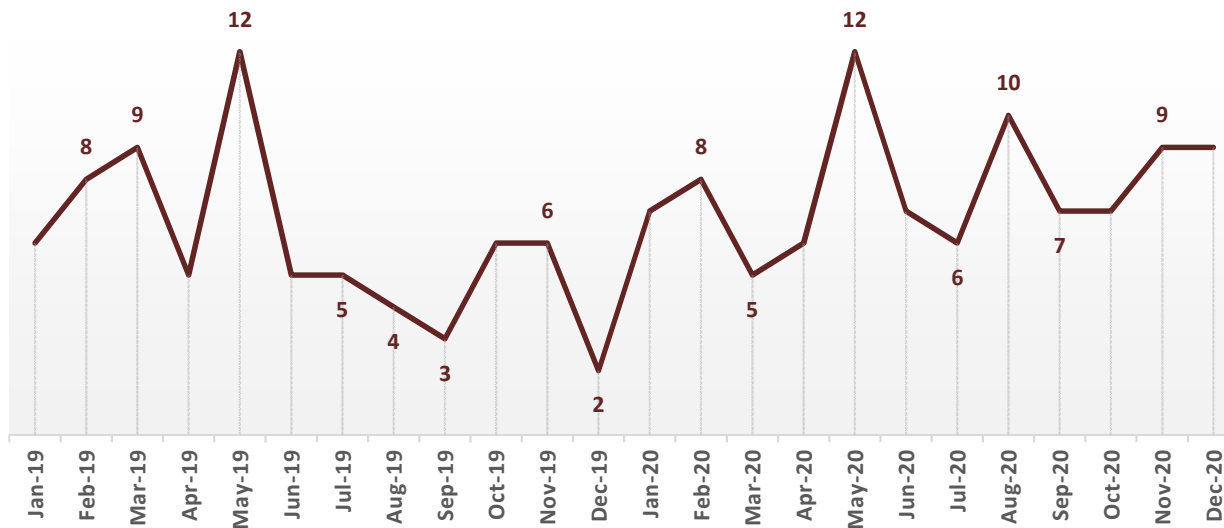
FBI UCR Homicide Rate* Trends - Utah vs. Neighbor States and National
 (* Rate per 100,000 population)



In addition to the slight increase in violent crime, there was a worrisome increase in homicides in Utah (from 71 in 2019 to 93 in 2020, or 2.4 per 100,000 population to 3.1). As the figure to the left (above) shows, this was a spike that was not unique to Utah, with the national rates and rates in all neighboring states (and 42 out of 50 states overall) all rising significantly in 2020. As we saw on the previous page, there was also a concentration of homicides in the second half of 2020. In the January to June period, there were 45 homicides in both 2019 and 2020. But, for the second half of the year, there were 48 in 2020 compared to 26 in 2019.

Sources: FBI Uniform Crime Reports (UCR) - most recent report is for calendar year 2020 (homicide rates); Utah Department of Public Safety, Bureau of Criminal Identification, Crime in Utah 2020 report (homicides by month in Utah).

Utah Homicides by Month (below) and by First Half vs. Second Half of the Year (right), 2019-20





Of particular concern was an increase in homicides in Utah and across the country, and several important factors can help shed some light on the differences between 2020 and previous years.

BCI Crime in Utah Homicide Information - Summary of Selected Factors 2010-20

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Homicides	46	52	43	51	56	54	77	75	64	71	93
Wasatch Front	39	35	35	34	44	49	65	68	50	52	64
Outside Front	7	17	8	17	12	5	12	7	14	19	29
Family	21	22	11	14	25	6	12	25	16	15	20
Stranger	4	1	11	5	14	6	14	14	12	6	1
Male Victim	22	27	26	34	31	38	53	50	39	48	69
Female Victim	24	25	17	17	25	16	24	25	24	23	24
Male:Female	0.9	1.1	1.5	2.0	1.2	2.4	2.2	2.0	1.6	2.1	2.9
Offender < 20	3	7	6	11	11	12	23	16	16	17	31
Fri/Sat/Sun	20	25	23	26	24	33	39	34	26	26	46
Other Days	26	27	20	25	32	21	38	41	34	39	44
Argument	9	8	20	8	14	24	25	14	19	19	18
Drug Dealing	2	2	2	3	2	7	5	5	0	2	3
Gang	0	2	1	1	1	4	4	1	0	0	1
Domestic Violence	12	26	7	5	5	5	1	5	4	8	5
Other Felony	4	7	3	1	2	4	6	0	2	1	4
Gun/Other Firearm	20	24	23	31	33	39	46	54	26	39	62

Some of the detailed information about homicides in Utah that the Bureau of Criminal Identification (BCI) reports in their annual Crime in Utah reports was compiled above for 2010-20 to show some of the unique characteristics and factors that might help inform why homicides increased substantially in 2020. Some key factors that stand out include:

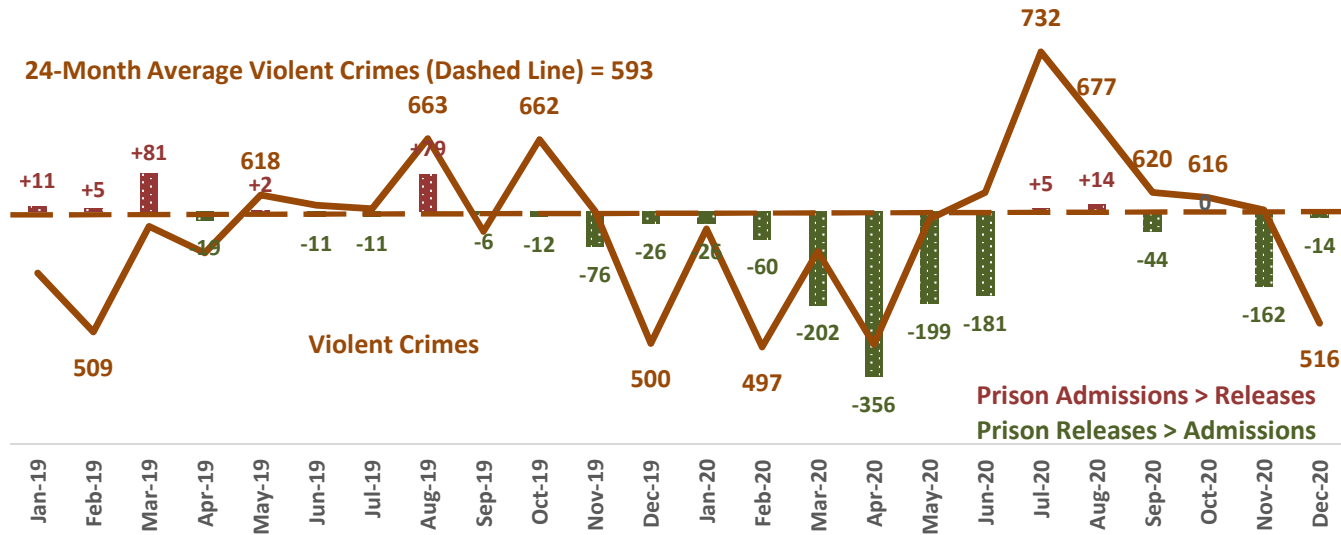
1. More homicides outside the Wasatch Front counties than we have ever seen
2. Only one was classified as "stranger", so all but one involved a victim-offender who knew each other in some way
3. The increase can almost fully be accounted for by a spike in male victims - the number of female homicide victims per year has been remarkably stable over this time period
4. More homicides by offenders under the age of 20 than ever before by far (most 15-19 years old, but a few under 15)
5. By far the highest number of firearm-involved homicides we have seen in some time (raw number, not percentage-wise)

Sources: Utah Department of Public Safety, Bureau of Criminal Identification, Crime in Utah reports 2010-20 (homicide detail).

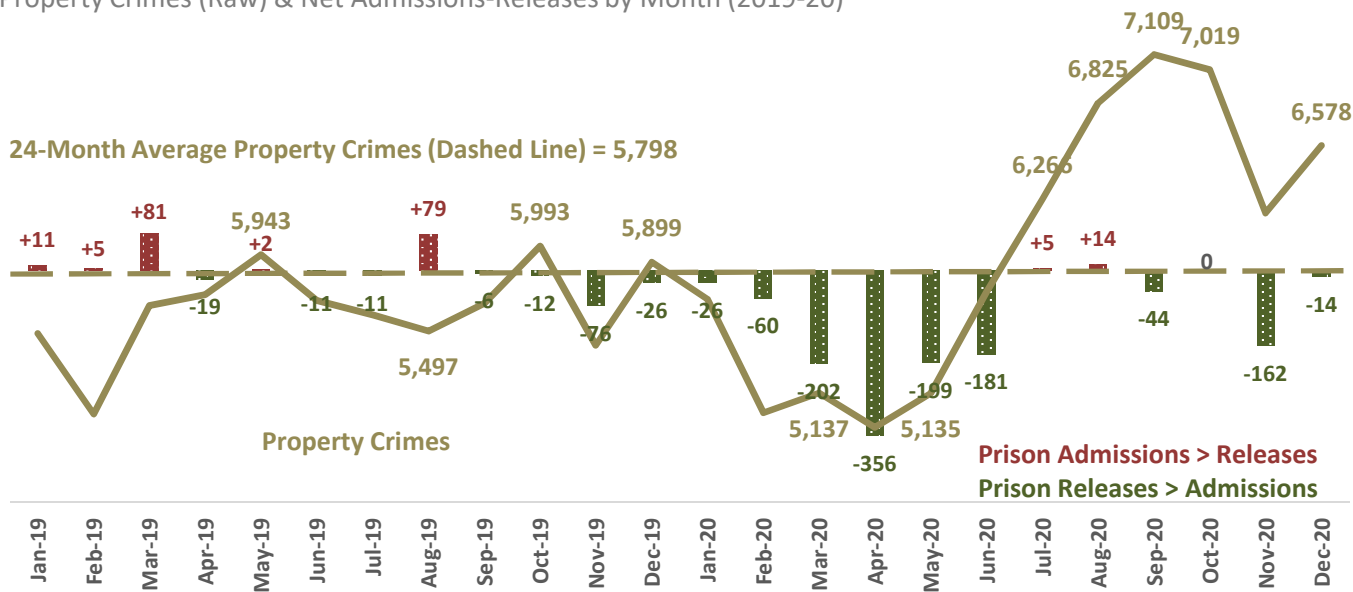


There is some indication that the unprecedented release of offenders from prisons in jails (and corresponding restrictions on admissions) necessitated by the pandemic, particularly in the period of March-June 2020, may have contributed to the spike in crime in 2020.

Violent Crimes (Raw) & Net Admissions-Releases by Month (2019-20)



Property Crimes (Raw) & Net Admissions-Releases by Month (2019-20)



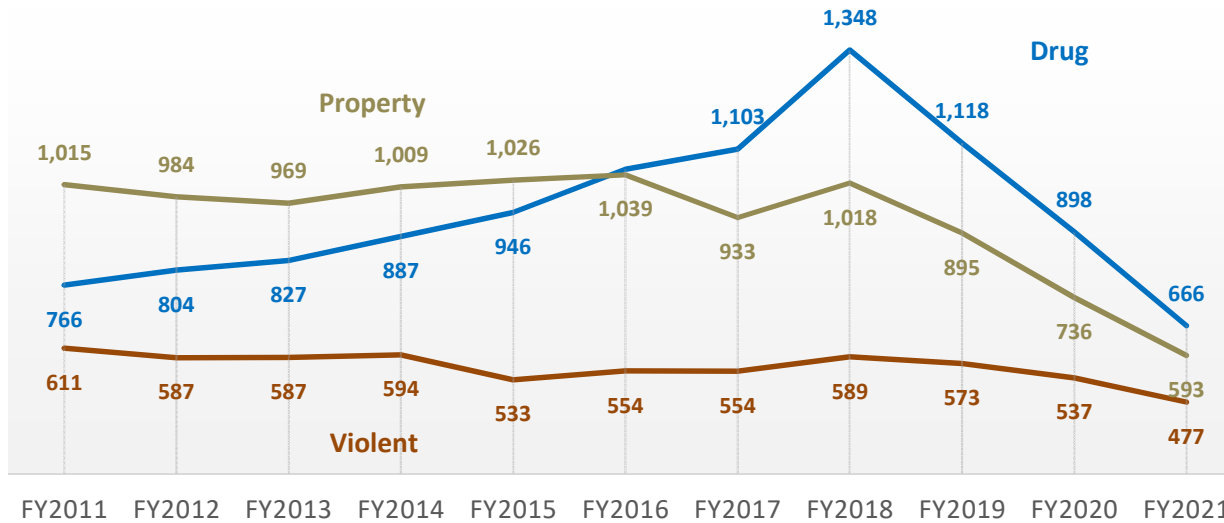
Apart from the ongoing pandemic's disruptions to people's lives and some of the social unrest that occurred in the middle of 2020 that may have contributed to an uptick in crime, Section A also showed that there was an unprecedented public health response by the prison, Board of Pardons and Parole, and Court systems that quickly brought prison and jail populations down to help prevent further spread of the virus. By necessity, there was a historic number of releases from prison in March and April 2020, and restrictions on admissions that lead releases to far exceed admissions between March and June (green bars in figures to the left). While this activity drastically decreased the prison (and jail - see Section E) population, the timing was such that it may have also contributed (along with other factors mentioned) to the spike in crime that occurred mostly in the second half of 2020. As seen to the left and discussed on page F3 above, violent crime had a spike in July that far exceeded 2019, and property crime between July and December 2020 was 17% higher (+5,929 reported crimes) than the same period in 2019. While there is no direct evidence that the drastic reduction in the prison (and jail) population drove this crime increase, it is one of several factors in an extraordinary year that may have contributed.

Sources: Utah Department of Public Safety, Bureau of Criminal Identification, Crime in Utah 2020 report (raw crime reports); Utah Department of Corrections (prison admissions and releases)

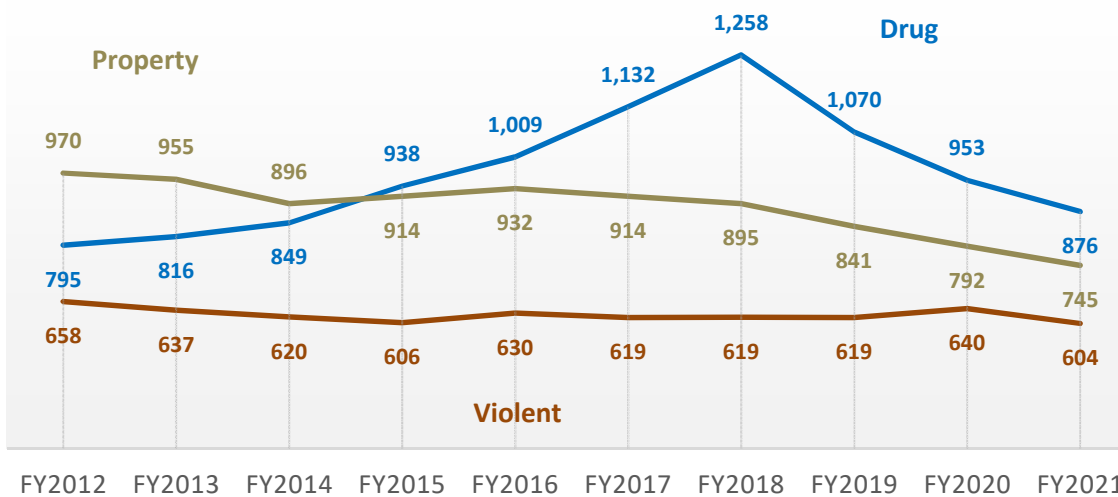


While reported crime increased in 2020 (calendar year), other crime indicators, including arresting activity and Court case filing rates, significantly decreased in FY2021

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



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



Reported crime and rates, as shown in the first part of this section, is one indicator of crime that should not necessarily be looked at in isolation. Other indicators from 2020 told a somewhat different story. For example, while Utah has not conducted their crime survey in some years, the annual [National Crime Victimization Survey](#) showed a decrease in both violent and property victimizations in 2020 compared to 2019. This is in contrast to the national reported violent crime rate, which increased 5%. In Utah, we also track trends in violent, property, and drug arrests and Court case filings as additional indicators of criminal activity.

The first figure on the left shows the trends in fingerprint-based arresting incident rates for violent, property, and drug-related offenses. All three categories of crime continued their declining trend in FY2021, with arrests involving property crime decreasing 19% and those involving violent crime decreasing 11% (the decrease in drug arrests and Court cases is discussed further in Section C).

The second figure on the left Court case filing rates for the same three categories. Once again, all three crime categories were down in FY2021, with slightly less of a magnitude than arrests (-6% for both property and violent crime-related cases).

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

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

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