



*children's*  
**JUSTICE CENTER**  
SALT LAKE COUNTY

# Salt Lake County District Attorney

Organizational Overview

August 13, 2019

# Ongoing Challenges

---

Recruitment & Hiring

Employee Compensation

Rising Caseloads

---



# Challenge – Recruitment, Hiring & Retention

17 total recruitments, 4 of which are currently open and in process

Average size of applicant pools – 44

Average number interviewed – 9

14 offers of employment in 4 different classifications declined due to salary and/or benefits

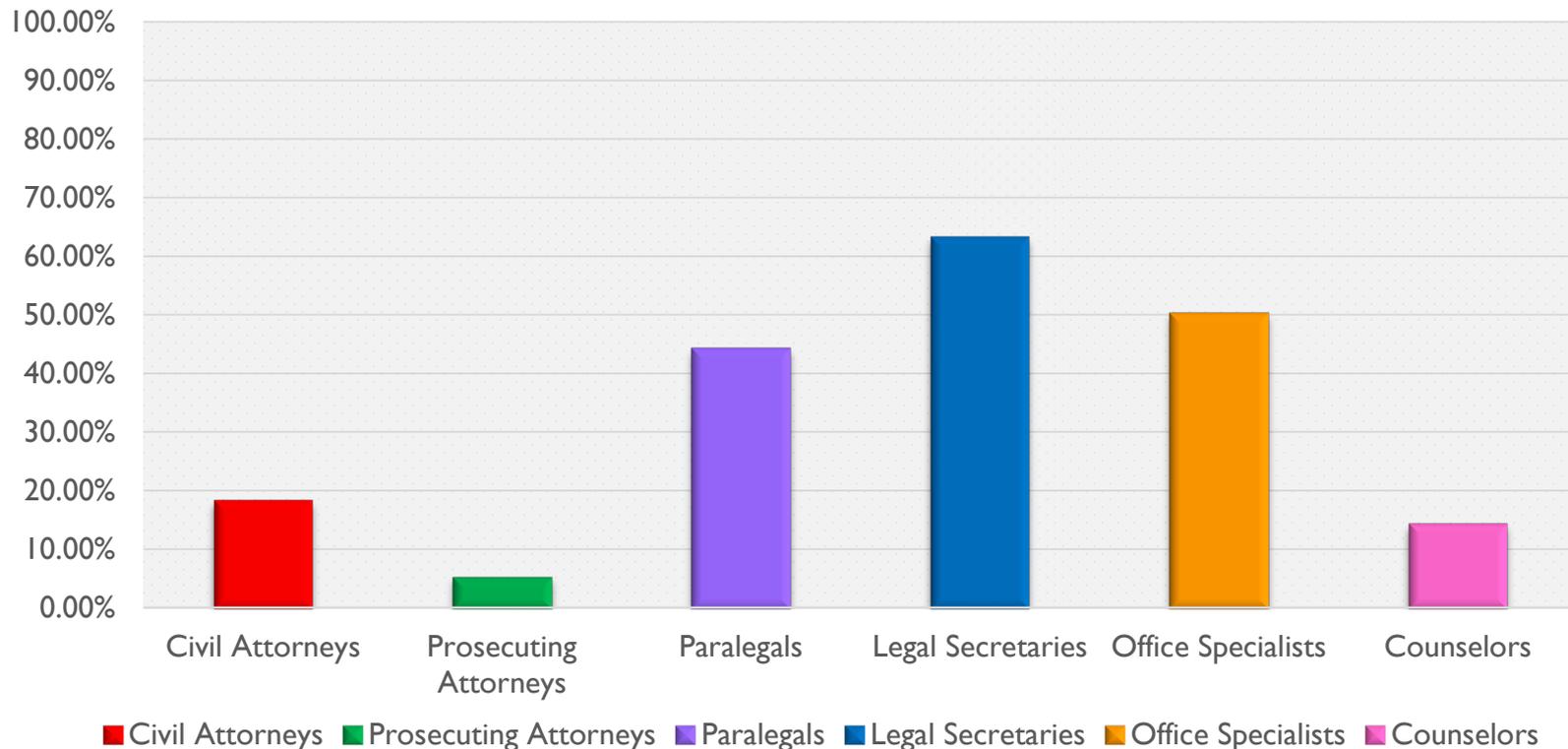
Low Unemployment

Heavy Workloads/Caseloads

# Challenge – Compensation & Compression

- ▶ **Only 37% of District Attorney employees are at midpoint of their respective grade**
- ▶ **Hiring and retention becoming increasingly affected**

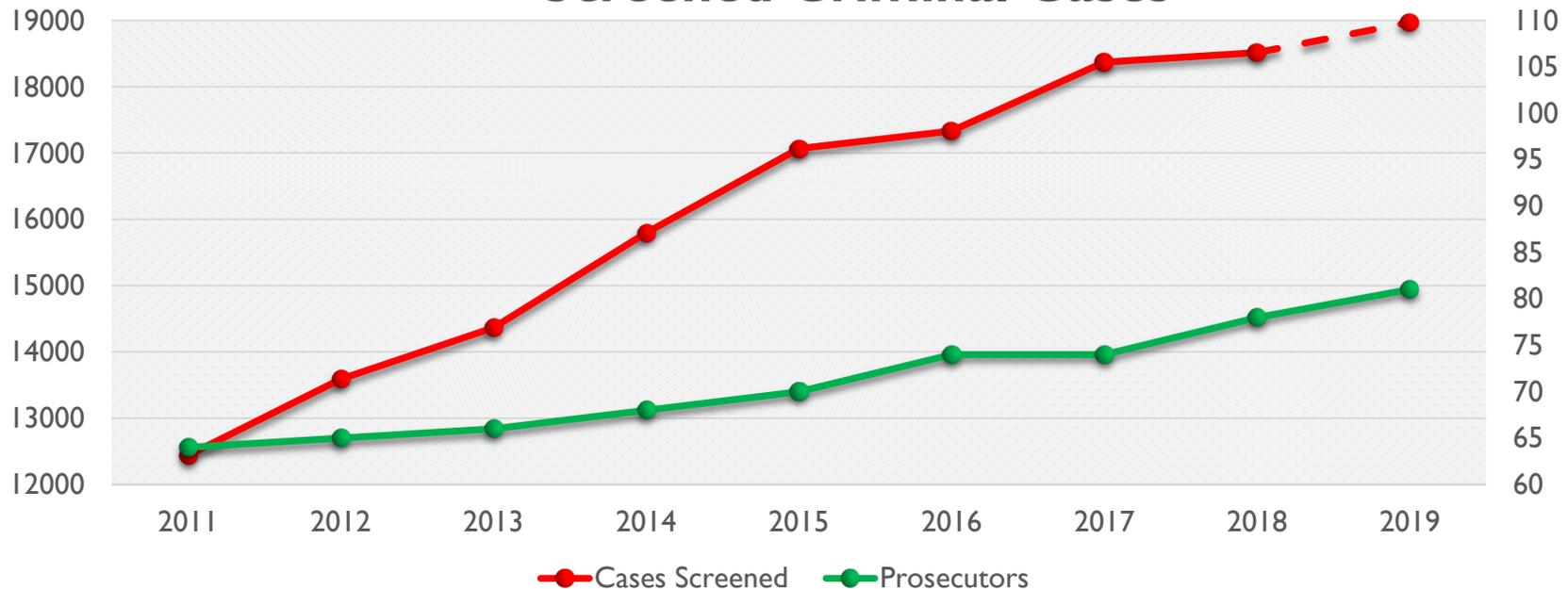
## Classifications at Midpoint of Range



# Continued Increase in Screening of Adult Criminal Cases

- ▶ In 2011, the District Attorney's Office screened 12,436 cases for criminal charges.
- ▶ In 2019, the District Attorney's Office is on track to screen 18,970 cases for criminal charges.
- ▶ ***The District Attorney's Office is handling over 6,500 additional adult cases with only 17 more prosecutors than 2011.***

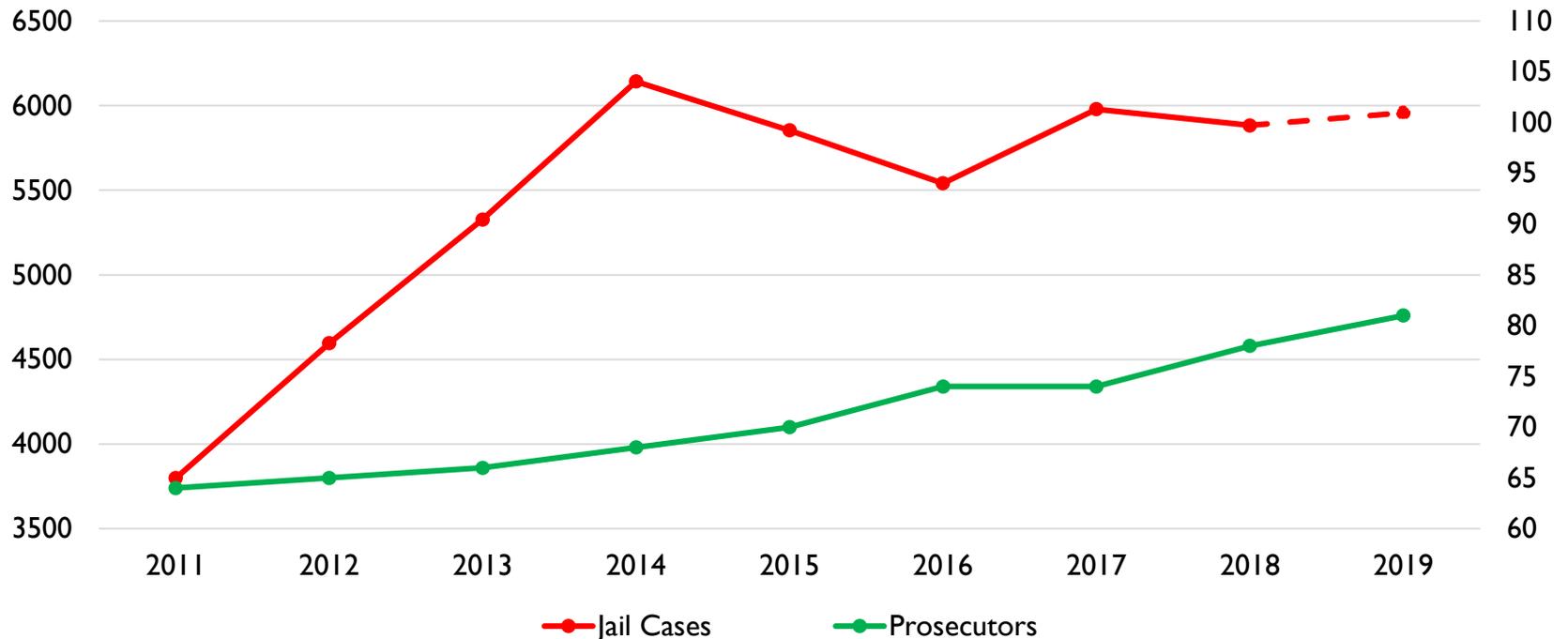
## Screened Criminal Cases



# Jail Cases Submitted for Screening

- ▶ In 2011, the District Attorney's Office received 3,799 jail cases.
- ▶ In 2019, the District Attorney's Office is on track to receive 5,957 jail cases, more than a 40% increase over the past 8 years.

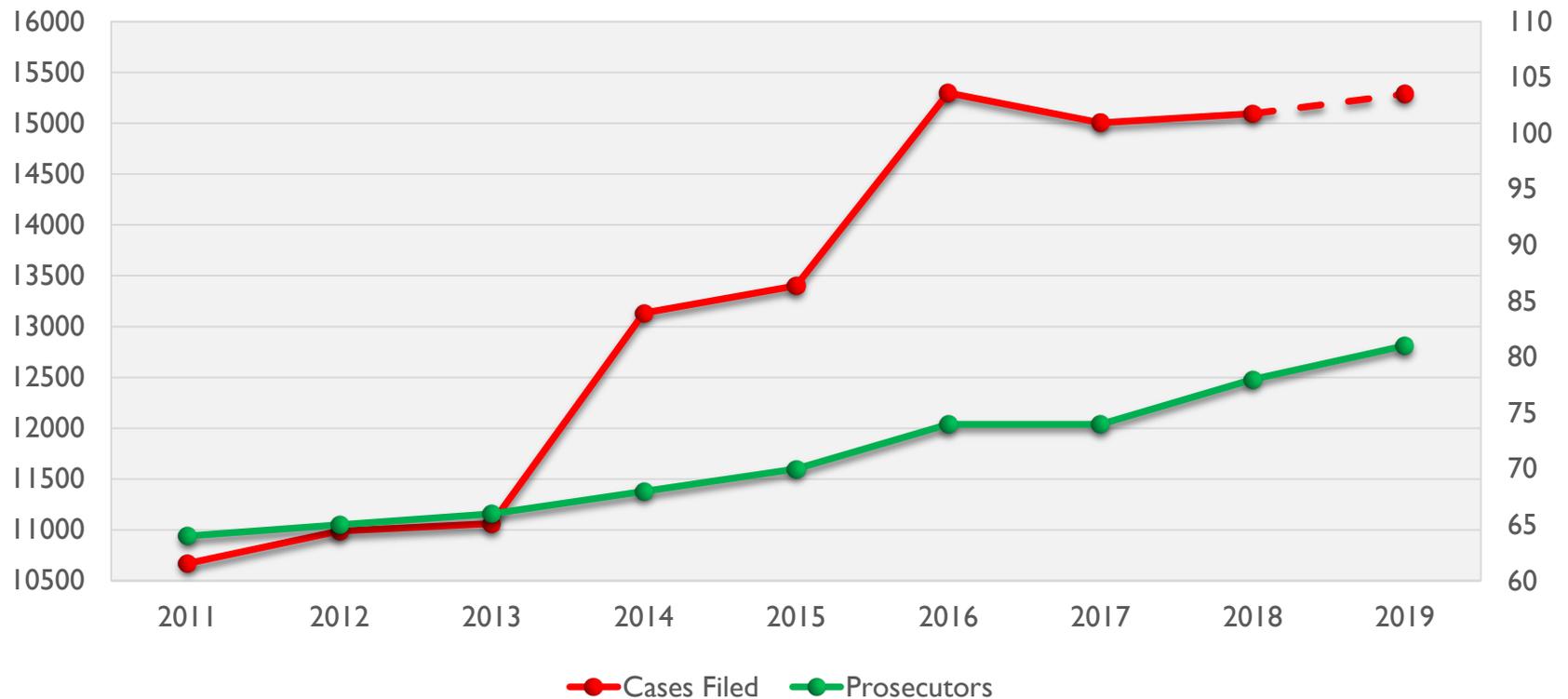
## Jail Cases Submitted for Screening



# Continued Increase in Filing of Adult Criminal Charges

In 2019, the District Attorney's Office is on track to file 15,286 criminal cases.

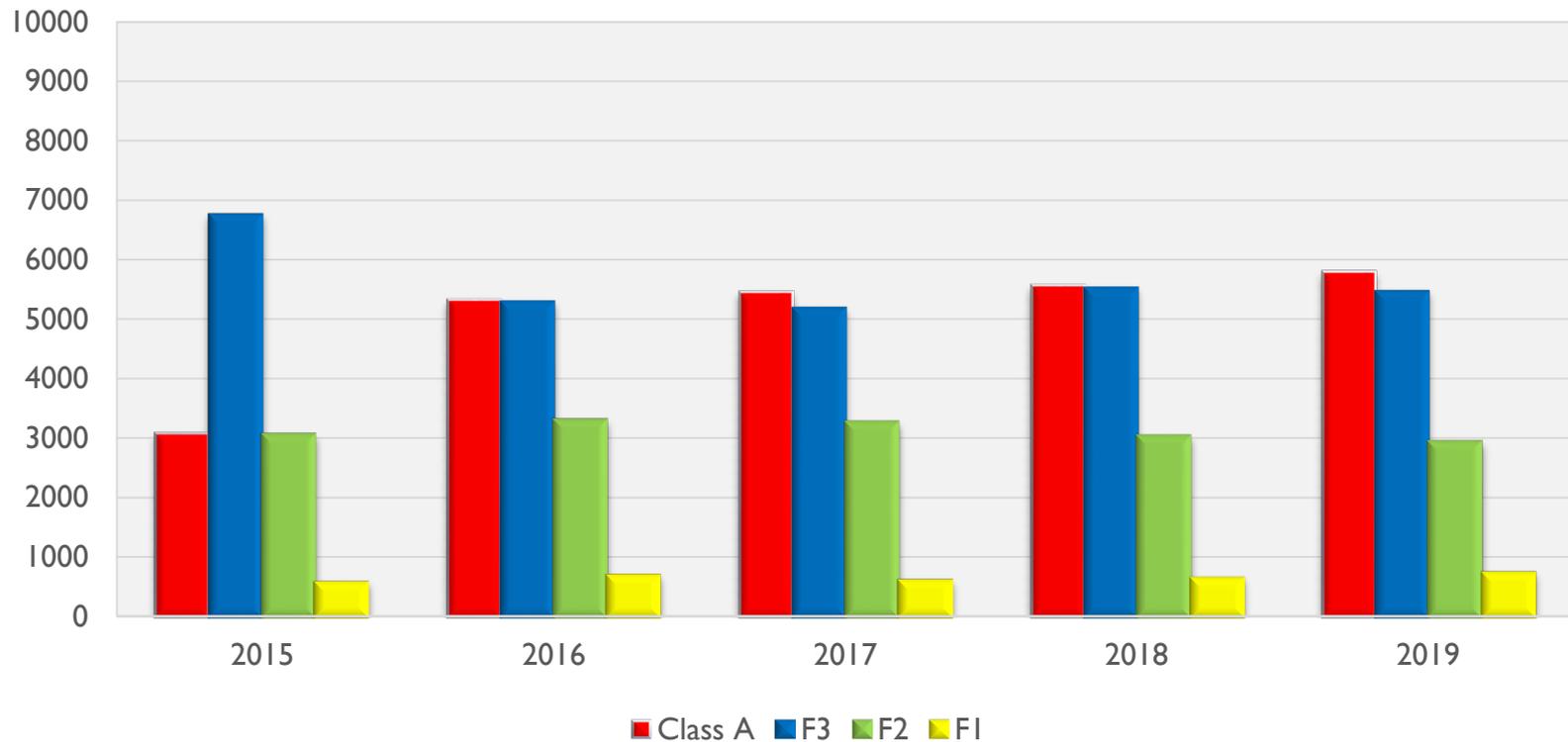
## Cases Filed



# Filed Cases and Workloads

More than 90% of cases filed are Felonies and Misdemeanor A, aka *Felony Light*

## Case Types Filed



# Rising Caseloads – External Factors

---

Population Growth

Local Law Enforcement or Municipal Public Safety Initiatives

Increase in Judicial Appointments

Statutory Changes

Opioid Epidemic

---



# Rising Caseloads – Doing More With Less

## Major Crimes Unit

- Current average caseload ranges from 150-200 per prosecutor
- Handles everything from Class A misdemeanors to First Degree felonies

## Special Victims Unit

- Should generally have smaller caseload due to complexity of cases
- Current average caseload is approximately 140 cases per prosecutor

## Homicide Unit

- Folded into other existing units (Gang, SVU, MCU) in order to deal with rising caseloads
- 
- 

# Rising Caseloads – Doing More With Less

## Screening Unit

- Screens cases submitted to District Attorney's Office except for SVU, FPU, Homicide & Juvenile
- Handles ALL arraignments for filed cases
- Since 2011, screening 6,500 additional cases with only 5 additional staff

## Family Protection Unit

- Should typically have smaller caseload due to complexity of these types of cases.
- Current average caseload hovers around 110 cases per prosecutor
- Dismissal rate, which in other jurisdictions ranges anywhere from 50-80%, is only 24%.

# Rising Caseloads – What is the Right Number?

## No National Standard for Prosecutors

- Standards for *defense counsel* established in 1968, set at 150 felonies OR 400 misdemeanors
- Too many factors that are specific to each jurisdiction to calculate a national standard

## eProsecutor

- Will implement new case weighting analysis that assigns point value to certain attributes of a case
- Case weighting will allow us to more equitably compare workload rather than simply looking at numbers of cases



# Rising Caseloads – Thinking Outside the Box

---

## Vertical Prosecution

- Prosecutors assigned to specific criminal court judges
- Responsible for cases from filing to disposition
- More efficient use of time in court
- Better able to serve victims, witnesses and LE involved in the prosecution

## Major Crimes Unit Restructure

- Assign cases matching severity of case with experience level of prosecutor
    - 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> degree felonies, Class A Misdemeanors
- 



# Rising Caseloads – Thinking Outside the Box

## MDT Coordinated Screening

- Promote a thorough understanding of case issues and to monitor the progress of investigation and intervention, so as to ensure the most timely and effective system response possible;
- Facilitate efficient gathering and sharing of information and communication between team members so as to broaden the knowledge base with which decisions are made by the team, agencies or individual team members;
- Develop joint solutions for problems by allowing team members a forum to voice opinions, while preserving and respecting the rights and obligations of each agency represented to pursue their respective mandates;
- Coordinate intervention and assess services provided by various team agencies so as to reduce potential trauma to children and families;



# Rising Caseloads – Thinking Outside the Box

---

## VOCA Grant (Victims of Crime Act)

- Awarded 2-year grant funding in 2017 totaling \$598,237 for our Counseling Unit and \$97,107 for the CJC provided 5 Case Managers and 1 Child & Family Specialist
  - Child & Family Specialist provided services to 1,899 individuals
  - Case Managers provided services to 3,532 victims
- Awarded 2-year grant funding in 2019 totaling \$1,101,952 for our Counseling Unit and \$174,320 for the CJC is providing 1 additional Case Manager, 1 Forensic Interviewer, 1 MDT Manager, .5 Data & Evidence Specialist as well as previously funded 5 Case Managers and 1 Child & Family Specialist



# Rising Caseloads – Thinking Outside the Box

## Out of State Recruitment

- Reaching out directly to top Law Schools for candidates who may have connection to Utah
- Marketing the unique professional experience of working for a top tier public prosecution office

## Paralegal Internship Program

- Developed partnership with Salt Lake Community College paralegal program to bring 3-4 interns to our office each academic term
- Provides valuable professional experience to paralegal candidates
- Provides additional support to existing DA paralegal staff

# Rising Caseloads – What is the Risk

---

## Harm to Victims

- Unable to spend adequate time with victims and keep them fully informed and encouraged about the process
- Can make them feel revictimized by the criminal justice system

## Harm to Public

- Premature jail release of offenders who put the public at risk
  - Risk of failing to attain convictions of guilty defendants
  - Accepting plea bargains of some guilty defendants that are too lenient
  - Acquittals or lighter plea bargains for clearly guilty defendants may encourage policy makers to enact “reforms” that may be harmful
- 



# Rising Caseloads – What is the Risk

---

## Harm to Defendants

- Overburdened prosecutors may have trouble exercising their discretion as effectively
- Potential for *Brady* violations
- Possible delayed dismissal in cases with weak evidence or possible innocence

## Harm to Salt Lake County

- Difficulty in hiring and retaining quality attorneys
    - Additional burden placed on existing staff
    - More time and resources spent on hiring process
- 



# How Do We Do What We Do?

