



**A Report to the Citizens  
of Salt Lake County, the County Mayor  
and County Council**

**September 2001**

**A Report of Salt Lake County's**

**Compliance with Senate Bill 168:  
“Detective Investigations” and  
Related Issues**

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Salt Lake County Auditor**

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A Report of Salt Lake County's

# Compliance with Senate Bill 168: "Detective Investigations" and Related Issues

## I. Executive Summary

### Background

The "Committee of the County Council Regarding Sheriff's Office Operations and Funding" recently completed its work regarding the County's compliance with Senate Bill 168. The Subcommittee, chaired by Councilman Steve Harmsen, consisted of members of the Sheriff's Office, Auditor's Office, and District Attorney's Office. Created in January 2001 by the newly formed Salt Lake County Council, the Subcommittee was to report on Senate Bill 168 and other issues relating to the Sheriff's Office operations and funding.

Senate Bill 168 became effective April 30, 2001 and amended Utah code 17-34-1 and 17-34-3. The bill contained two provisions: (1) that "detective investigations" be classified a Municipal Service and therefore funded out of the Municipal Services Fund, and (2) that the County's General Fund certified tax rate be lowered in an amount to reduce revenues at least \$4.4 million in 2001, with an additional reduction in 2002 that would bring total revenue reductions up to \$9.2 million.

### Findings and Analysis

The following are the primary findings in this report.

***The budget cut of \$4.5 million, made during the June 2001 budget adjustments, completed the \$9.2 million reduction required by the bill.*** Compliance has been achieved through three separate actions. First, during the 2001 budget setting process, the County Commission (under the previous form of County government) created Municipal Services budget 1411 titled "Investigations." Detective investigative expenditures in the amount of \$3.1 million were transferred into this budget from General Fund budget 1430 "Investigations and Support." Secondly, cuts in the amount of \$1.57 million had been made to General Fund 1430, prior to the June adjustments, in the form of funded positions that will not be filled. These two actions accounted for \$4.7 million in credit toward the requirements of the bill. The final step in compliance

occurred during the June budget adjustments in the form of a \$4.5 million cut to General Fund 1430, bringing the total actions taken to \$9.2 million.

***The unincorporated County falls below the countywide average in both patrol and investigative officers per 1,000.*** After the decision to cut \$4.5 million from General Fund 1430 (instead of transferring that amount to the newly created Municipal Services budget 1411), the unincorporated county's ratio of detectives per 1,000 fell to .14. The countywide average is .26 detectives per 1,000 residents. Although Patrol was unaffected by the cut, at .96 it also falls below the countywide average of 1.24 patrol officers per 1,000.

In areas where crime is less prevalent, a low level of officers per 1,000 may be justified. However, the unincorporated area's rate of crime is close to the average rate occurring countywide. To bring the County's level of detectives per 1,000 up to the *countywide average*, the \$4.5 million cut would have to be restored. The Sheriff estimates the cost per deputy to be \$90,863. Bringing the level of patrol officers per 1,000 up to the *countywide average* would require additional funding in the amount of \$5.2 million.

***The contract cities ratio of patrol and detective officers per 1,000 falls below any of the surrounding jurisdictions.*** The sheriff contracts with six cities to provide patrol and other public safety services. These cities contract for the level of officers they feel is appropriate for their area. However, the level for which they have contracted, on average .60 patrol and detective officers per 1,000 residents, is below any of the non-contracting jurisdictions. Those jurisdictions who provide their own public safety services average 1.50 patrol and detective officers per 1,000 residents.

The rate of crime in the contract cities is about the same as the average occurring countywide. Additional Municipal Services funds in the amount of \$6 million to \$6.5 million could be generated if the cities with interlocal agreements contracted for the same level of officers as that found in the unincorporated county. If the contract cities were brought up to the *countywide average*, between \$9 and \$10.6 million would be required from those jurisdictions.

***The Sheriff has statutory authority to maintain a countywide response or "back bone" in the General Fund.*** This authority to enforce state law comes into play when local authorities "*refuse or fail to act.*" In accordance with this duty, the Sheriff can maintain resources in the general fund for "countywide response." In addition, task forces which support the entire county population can also be left in the General Fund.

Please refer to Section IV of this report for more details on these and other findings.

## II. Introduction

Historically, the Sheriff's Office provided investigative services on a countywide basis, and had statutory authority to do so. Like all expenditures relating to services performed countywide, investigative functions were accounted for in the General Fund. However, city incorporations and the subsequent growth of city police departments, led to the development of investigate forces in most of the incorporated areas. Concerns arose that residents of cities with detective forces were being charged twice for duplicate detective investigative services, once through their city general fund tax and a second time through the County's General Fund tax. These concerns eventually led to the passage of Senate Bill 168, which became effective on April 30, 2001 and amended Utah Code 17-34-1 and 17-34-3.

The bill designated "detective investigations" as a municipal service in all first class counties and therefore restricted these services to the unincorporated areas. Like all other functions performed in only the unincorporated areas, detective investigations would be funded and accounted for in the Municipal Services Fund. In 2000, this fund consisted of patrol, justice courts, animal services and public works and safety functions, such as fire fighting, paramedics and street lighting. The General Fund in contrast, contained almost three times the volume of expenditures and a much longer list of organizations. Under the bill, revenue for detective investigations would be provided by ". . . levying a tax on taxable property in the county outside the limits of cities and towns, or charging a service charge or fee to the persons benefitting" from such services. The Sheriff's detective investigative function would fall on a much smaller base of taxpayers, and be accounted for in a much smaller fund.

In addition to the definitional requirement regarding "detective investigations" the bill specified a dollar amount of required General Fund reduction. The bill stated that the certified rate for the General Fund ". . . be decreased: in the fiscal year 2001 by an amount necessary to reduce revenues, by at least \$4.4 million, and in fiscal year 2002 by an amount necessary to reduce revenues in that fiscal year by . . . the difference between \$9,258,412 and the amount of the reduction in 2001." This reduction in revenue necessitated corresponding reductions in expenditures from the General Fund. The County had the options of transferring expenditures to the Municipal Services Fund, cutting expenditures, or completing some combination of cuts and transfers.

Although the bill eliminated duplication of services in cities with detective forces, it did not provide any overall tax savings. Under the bill, incorporated cities and towns were allowed to increase their tax levy to generate the same amount of revenue as the County would have collected from their citizens for countywide detective investigative expenditures. The cities' tax increase would be exempt from "truth in taxation" to the extent that the County's General Fund tax rate was lowered by at least an equivalent amount. Under truth in taxation, taxing

entities are required to publish an advertisement and hold a public hearing before budgeting an increased amount of property tax revenue. Cities would be free to use the increased revenue generated to fund public safety or to use it as they saw fit. This was an unintended consequence of the crafting of the bill, and in the words of Howard Stevensen, State Senator and head of the Utah Taxpayer’s Association, “an embarrassment to the Utah Legislature.”

Incorporated cities and towns with no police force could contract with the Sheriff’s Office or other agency to obtain detective investigative services. Prior to the bill, the Sheriff’s Office contracted with cities to provide patrol deputies, crossing guards, traffic deputies and COP (community oriented policing) deputies. Contracts dated July of 2001 could also include detective services. Like all incorporated cities, contract cities were allowed to raise their taxes in an amount equal to the County’s required General Fund revenue reduction.

### **III. Scope and Objectives**

Partially in anticipation of this issue, and as the result of other concerns, the newly formed Salt Lake County Council voted on January 16, 2001 to establish a “Committee of the County Council Regarding Sheriff’s Office Operations and Funding.” The Subcommittee was intended to “*review, research, and resolve various issues of importance to the Council regarding the operations and funding of the Salt Lake County Sheriff’s Office.*” Councilman Steve Harmsen was appointed chair of the committee which initially consisted of the following individuals and their respective roles:

<b>Agency</b>	<b>Representative</b>	<b>Role/Purpose</b>
Sheriff’s Office	Jared Davis Kimball Ball Ben Doctorman	“ . . . to provide full cooperation with the Auditor’s Office in the complete and timely production, discussion, and clarification of data and information requested through these inquiries.”
Auditor’s Office	Lance Brown Jeff Shreeve Jim Wightman	“ . . . to verify data and other information presented by the Sheriff’s Office in response to questions raised by the committee.”
Attorney’s Office	Karl Hendrickson	“ . . . to provide legal interpretation and advise related to these inquiries as those requests may arise.”

**Table 1.** *The Subcommittee consisting of members of the Auditor’s Office, Sheriff’s Office, and Attorney’s Office represented a collaborative effort to provide and communicate meaningful information to decision makers.*

The Mayor’s Office was also invited to provide representation. Accordingly, Dave Marshall, from the Mayor’s Office, attended several subcommittee



meetings and presentations. The County Council's Fiscal Manager, Darrin Casper, was also a welcome and active participant at Subcommittee meetings.

The scope of this paper is limited to the Subcommittee's efforts to comply with Senate Bill 168. Our objectives were to:

- Determine what positions, activities and resources within the Sheriff's Office met the legal definition of "detective investigations."
- Assess actions taken to meet the requirements of the bill, including actions already completed (in the form of transfers and budget cuts) and any additional positions to be cut and/or transferred from the General Fund.
- Determine the County's ratio of officers to population, correlate the ratios to crime rate and compare to the same ratios in the surrounding jurisdictions.
- Determine the level of resources remaining in General Fund 1430 after the required cuts and transfers.
- Determine which functions and resources can appropriately be left in the General Fund.

## **IV. Findings and Analysis**

Findings and analysis are divided into five sections: Defining Detective Investigations, General Fund Cuts and Transfers, Level of Officers, Contract Cities, and Countywide Response and Other General Fund Resources.

### **1.0 Defining Detective Investigations**

Senate Bill 168 contained two separate provisions. The first provision of the bill was definitional in nature and stated that "detective investigations" be classified as a municipal service. Viewed in isolation, the first provision seems to indicate that all expenditures relating to detective investigations be transferred out of, or cut from the General Fund on the effective date of the bill, which was April 30, 2001. The second provision of the bill conflicted with this deadline. It required only a \$4.4 million reduction in General Fund tax revenues during 2001. The remaining amount, up to \$9.2 million, was to follow in 2002.

In addition, the bill did not provide a definition of "detective investigations." Arriving at a definition to apply to specific functions within the Sheriff's Office was one of the first challenges facing members of the Subcommittee. Seeking guidance on how to harmonize and implement the definitional and budgetary provisions of the bill, the Salt Lake County Council requested and received an opinion from the District Attorney's Office dated May 8, 2001.

We found that:

- **The Sheriff’s General Fund budget 1430 titled “Investigations and Support” contained a mixture of unrelated expenditures.**
- **No legal precedent defines the term “detective investigations” as used in the language of the bill.**

### **1.1 The Sheriff’s General Fund budget 1430 titled “Investigations and Support” contained a mixture of unrelated expenditures.**

Prior to the passage of Senate Bill 168, investigation-related expenditures were accounted for in General Fund budget 1430 “Investigations and Support.” Examples of investigation-related expenditures include: *vice and licensing, domestic violence, child abuse, robbery, homicide and task forces*. Personnel performing functions considered to support the entire Sheriff’s Office were also accounted for in 1430. Some of these support functions included: human resources, accounting, payroll, media relations, information systems and fleet management. Other functions accounted for in 1430, included: the portion of dispatch considered to support investigations, Olympic Planning, and the SAY and DARE school programs.

This mixture of unrelated expenditures within 1430 made it difficult to isolate costs directly related to investigations. A second challenge was identifying portions of 1430 which qualified under the bill and related to the specific term “detective investigations.” This identification was necessary to ensure that all expenditures were correctly accounted for in the Municipal Services or General Fund.

### **1.2 No legal precedent defines the term “detective investigations” as used in the language of Senate Bill 168.**

The Attorney’s Office found no legal precedent which defined “detective investigations” and therefore advised the Council to rely on commonly understood definitions such as that found in Websters Revised Unabridged Dictionary (1996) “*follow up step by step [with] patient inquiry or observation.*” All positions and activities relating to “detective investigations” should be classified Municipal Services, with the exceptions of certain “task forces” and the amount of resources necessary for “countywide response,” required by the Sheriff’s role as chief law enforcement officer of the County.

Although the bill specified a \$9.2 million General Fund reduction, the cost of “detective investigations” could in reality fall short of or exceed that amount. The

Attorney's opinion addressed this issue stating the “. . . *definitional component is an absolute requirement independent of any budgetary cost associated with it.*” However, because the \$9.2 million reduction could be implemented over two years, the Council was advised that it need only transfer a minimum of \$4.4 million in detective investigations during 2001. The remaining amounts could be transferred the following year, up to or beyond the \$9.2 million specified in the bill.

Members of the Subcommittee, using the Attorney's opinion as guidance, analyzed the descriptive titles of positions within General Fund 1430 “Investigations and Support,” as well as the Sheriff's activity coding system, to identify areas relating to investigations. The work completed during this stage of the Subcommittee's inquiries was later used to identify cuts and transfers of personnel discussed in the following section.

## **2.0 General Fund Cuts and Transfers**

In anticipation of the issues surrounding Senate Bill 168, the Sheriff's Office, at the direction of The Board of County Commissioners, created Municipal Services budget 1411 titled “Investigations” during the 2001 budget setting process. This new budget was intended to hold investigation-related expenses transferred from General Fund 1430 and was funded for just six months in the amount of \$3.1 million. In addition to the transfer, cuts to General Fund budget 1430 were made in the form of funded positions that remained unfilled. The Subcommittee sought to identify to what extent these two actions could be taken as credit toward the \$9.2 million reduction required by the bill. The Subcommittee reached the following conclusions:

- **Cuts made to General Fund 1430 in fiscal year 2001, compared to fiscal 2000, in the amount of \$1.57 million counted as credit toward the requirements of the bill.**
- **Transfers made to Municipal Services 1411 counted as credit toward the General Fund reduction required by the bill in the amount of \$3.1 million.**
- **An additional \$4.5 million in cuts or transfers from General Fund 1430 were necessary to fully meet the requirements of the bill in one year, rather than the two years allowed by Senate Bill 168.**

### **2.1 Cuts made to General Fund 1430 in fiscal year 2001, compared to fiscal 2000, in the amount of \$1.57 million counted as credit toward the requirements of the bill.**

According to the District Attorney’s opinion, any cuts to General Fund 1430, that were not a part of the transfers to the Municipal Services budget 1411 (to be discussed in section 2.2) could be counted as revenue adjustments required by the bill. Credit could be taken to the extent that the cuts were directly related to detective investigations. Positions not directly related to detective investigations could be partially taken as credit if allocated by some rational methodology.

The Sheriff’s fiscal managers provided a list of employees, shown in Table 2 below, that had terminated from General Fund budget 1430. This list was verified by the Auditor’s Office. The majority of the positions cut were directly related to detective investigations. These vacant positions remained unfilled and no new positions were created that might have offset them.

<b>Assignments Cut</b>	<b>FTE’s</b>	<b>Salary and Benefits</b>
Community Relations	1	\$9,699
Investigations Division Gen. and Bureau Gen.	6	345,924
Communications Division Gen.	1	99,945
Criminal Intelligence Unit	1	13,651
Detective Division General	1	99,945
Crime Lab	1	61,599
DEA Metro Narcotics Task Force	1	99,945
Robbery/Homicide	3	219,189
Olympic Planning Group	1	99,945
Information Services	3	28,323
Property, Evidence, Printing	1	9,030
Support Services Div (Gen)	<u>2</u>	<u>108,975</u>
Subtotal	<u>22</u>	<u>1,196,170</u>
Operating Cost Factor (25%)		362,471
Increase for Merit (1%)		<u>11,963</u>
Total Credit for Cuts to GF 1430	<u>22</u>	<u>\$1,570,604</u>

**Table 2.** *There were 10 civilian positions cut, and 12 sworn positions cut, within the Sheriff’s Office General Fund budget 1430 during fiscal year 2001 compared to 2000.*

A cost savings was applied to each position, derived by the salary and benefits that would have accrued had it been filled, plus an operational expense factor of 25 percent. Historically, patrol budget operational expenses ran about 25 percent of total budget expenditures. The other 75 percent related to salaries and benefits. Because expenditures for investigations had historically been paid out of the same budget as those made for support and other functions, the ratio of detectives to operational expenditures had yet to be established. The Patrol operating cost factor was felt to be the best and most closely related substitute.

**2.2 Transfers made to Municipal Services 1411 counted as credit toward the General Fund reduction required by the bill in the amount of \$3.1 million.**

According to the District Attorney’s opinion, the \$3.1 million transfer to the new Municipal Services budget 1411 from General Fund budget 1430, counted as credit toward the requirements of the bill to the extent that the transferred costs related to detective investigative services. While there were some unrelated functions being funded out of the budget earlier in the year, the Sheriff’s Office agreed to reverse these entries and retroactively fill the budget with only investigative related positions and activities, as illustrated in Table 3, below.

Assignments Transferred	FTE’s	Salary and Benefits
Auto Theft	6	\$375,474
Burglary Unit	6	375,474
Child Abuse Unit	3	156,806
Canyon Patrol	6	364,573
DEA Metro Narc. Task Force	2	88,279
Domestic Violence Unit	5	312,895
Fraud/ Financial Crimes	4	250,316
Neighborhood Narcotics Unit	2	125,158
Robbery/Homicide	1	62,579
DARE Program	1	61,933
SAY Program	4	<u>233,360</u>
Total	<u>40</u>	<u>\$2,406,847</u>
Operating Cost Factor (25%)		730,744
Increase for Merit (1%)		<u>24,064</u>
Total Credits for Cuts to GF 1430	<u>40</u>	<u>\$3,161,155</u>

**Table 3.** 39 sworn and 1 non-sworn positions, the majority of which directly relate to investigations, were transferred into the MSF 1411 budget. These positions count for \$3.1 million of credit toward the \$9.2 million required.

Accordingly, the Sheriff’s Office fiscal managers provided documentation of the positions related to detective investigations to be transferred from the General Fund to the Municipal Services Fund, in the amount of \$3.1 million. Again, the full cost of these positions was derived by adding salaries and benefits to an operational expense overhead factor. This list and subsequent journal vouchers transferring these expenditures were verified by the Auditor’s Office.

**2.3 An additional \$4.5 million in cuts or transfers from General Fund 1430 were necessary to fully meet the requirements of the bill in one year, rather than the two years allowed by Senate Bill 168.**

Senate Bill 168 required a General Fund reduction of at least \$4.4 million in 2001. This requirement would have been met by the \$3.1 million transfer, and the \$1.57 million in cuts from General Fund 1430. These two actions account for a \$4.7 million reduction in General Fund spending, leaving \$4.5 million to be reduced in 2002 (\$9.2 million less \$4.7 million). Although the bill allowed another year for full compliance, the Subcommittee, at the impetus of the Sheriff’s Office, sought to determine how the full \$9.2 million reduction could be accomplished in 2001.

Credit Toward Senate Bill 168	Amount
Transfer to Municipal Services Investigations 1411	\$3,161,655
FTE Allocation Reductions to General Fund 1430	<u>\$1,570,604</u>
Total Credits Toward Senate Bill 168	<u>\$4,732,259</u>
Required Reduction to General Fund Investigations 1430	<u>(\$9,258,412)</u>
<i>Additional Transfers or Cuts Required at June</i>	<u><u>(\$4,526,153)</u></u>

**Table 4.** An additional \$4.5 million transfer or cut made in fiscal year 2001 would mean that the County had fully met the \$9.2 million dollar requirement of the bill in one year.

Accordingly, the Sheriff’s fiscal managers developed a list of positions to comprise this *transfer* of \$4.5 million. A transfer meant continuation of the existing detective investigative service level provided by the Sheriff’s Office. However, Senate Bill 168 did not require a transfer of all expenditures. The bill only mandated that the General Fund expenditures for detective investigations be reduced.

Therefore, in an effort to reduce the burden on Municipal Service taxpayers, the County Mayor’s budget proposal included a \$4.5 million *budget cut*, which the County Council eventually voted to approve. Table 5, on page 11, illustrates the Mayor’s proposal, which in addition to the cut included a separate transfer of Canyon Patrol to Municipal Services. In the final decision reached by the Council, however, Canyon Patrol was left in the General Fund.

Credit Toward Senate Bill 168: Mayor’s Proposal	Amount
Existing Municipal Services Investigations Budget 1411	\$3,161,655
FTE Vacant Unfilled Allocations in General Fund 1430	\$1,570,604
<del>Additional FTE Transfers</del> <sup>Cuts</sup> at June Budget Reopening	\$4,539,407
Canyon Patrol Transfer to Municipal Services	<u>\$1,302,771</u>
Reduction to General Fund Invest. Cuts and Transfers	<del><u>\$9,271,666</u></del>
	<u>\$10,574,437</u>

**Table 5.** *The Mayor proposed that the additional \$4.5 million reduction needed from General Fund 1430 be cut instead of transferred.*

Table 6 on page 12 contains those positions originally identified by the Subcommittee to be transferred in the amount of \$4.5 million. These same positions can be used to illustrate a \$4.5 million cut. It is important to note, however, that the Mayor’s plan did not specify individual positions, only that the cut relate to detective investigations. In addition, in the final decision reached by the Council, the Sheriff was directed to make the necessary cuts to “detective investigative services” without specifying allocations. Canyon Patrol Officers were left in the General Fund. Therefore, the 22 Canyon Patrol Officers (16 included in the \$4.5 million transfer and 6 in the \$3.1 million transfer), transferred to Municipal Services under the Subcommittee proposal, would have to be replaced by additional investigative personnel.

<b>Additional Assignments</b>	<b>FTE's</b>	<b>Salary and Benefits</b>
Administrative Services (DARE, SAY)	2	\$145,376
Auto Theft	2	113,187
Burglary Unit	1	74,681
Crime Lab	4	147,756
Domestic Violence Unit	2	100,752
Investigations Division	2	106,291
Neighborhood Narcotics Unit	5	298,534
Robbery/ Homicide	5	279,099
Sex Crimes	8	457,286
Accident Investigations	2	127,505
K-9 Unit	7	430,508
Communication Services	2	109,231
Information Systems Services	1	25,998
Fleet Management	2	99,637
<i>Canyon Patrol</i>	<i>16</i>	<i>938,198</i>
Support Services	<u>1</u>	<u>4,357</u>
Total	<u>62</u>	<u>\$3,458,396</u>
Operating Cost Factor (25%)		1,046,423
Increase for Merit (1%)		<u>34,588</u>
Additional Transfers from GF 1430	<u>62</u>	<u>\$4,539,407</u>

**Table 6.** *The above assignments were identified by the Subcommittee for transfer to Municipal Services and include 48 sworn and 14 non-sworn positions. With the exception of Canyon Patrol, this list can also be used to illustrate the effect of the budget cut.*

Only the amount transferred in the original \$3.1 million funding for Municipal Services 1411, would be left to support investigations in the unincorporated area. Using this list as a basis for measuring the effect of the proposed cut, 62 employees would be lost, 48 sworn and 14 civilian. However, the Sheriff was allowed to allocate the budget cut to various positions at his discretion.

### **3.0 Level of Officers**

To aid in the decision making process, the Subcommittee analyzed the Sheriff's level of officers compared to the cities within Salt Lake County. Officers per 1,000 residents is the most straightforward measure of the level of officers used. The number of officers for each jurisdiction was provided by the Sheriff's Office, and verified by the Auditor's Office through communication with the respective jurisdictions. Population figures used are those reported in the 2000 census.



In areas where crime is less prevalent, a lower level of officers per 1,000 residents may be justified. The number of index crimes for each jurisdiction was therefore analyzed to assess the comparability of different cities. “Index” or “Part I” crimes are the most serious in nature and include: homicide, rape, robbery, aggravated assault, burglary, larceny/theft, motor vehicle theft and arson. “Index crimes” are reported by state law enforcement agencies and published by the State Bureau of Criminal Intelligence. The number of “index crimes” for the unincorporated area and contract cities are those reported by the Sheriff’s Office. Analysis of “index crime” statistics revealed that:

- **The unincorporated County falls below the countywide average in both patrol and investigative officers per 1,000 residents.**
- **The unincorporated County’s level of crime, at 56.54 index crimes per 1,000 residents, is close to the countywide average of 61.44.**

### **3.1 The unincorporated County falls below the countywide average in both patrol and investigative officers per 1,000 residents.**

The Subcommittee’s personnel roster accounting for the \$3.1 million original transfer, as well as the additional \$4.5 million transfer from General Fund 1430 to Municipal Services 1411 included 87 sworn officers. Assuming these positions had in fact all transferred to Municipal Services, the County’s number of detectives per 1,000 residents would have been .27. This ratio is very close to the countywide average of the surrounding jurisdictions, .26.

However, the Mayor and Council’s eventual cut of \$4.5 million left only the original 41 FTE’s, 39 of which were sworn, transferred in the \$3.1 million (discussed in section 2.2). As a result, the unincorporated County’s ratio of detectives per 1,000 residents dropped to .14, see Table 7, on page 14. *To raise the unincorporated area’s level of officers to the countywide average of .26 per 1,000 residents, the \$4.5 million cut would have to be restored.*

Area	Population	Patrol		Detective		All
		FTE's	Ratio	FTE's	Ratio	Ratio
So. Salt Lake	22,038	54	2.45	10	.45	2.90
Salt Lake City	181,743	288	1.58	109	.60	2.18
Murray	34,024	51	1.50	12	.35	1.85
Midvale	27,029	38	1.41	5	.18	1.59
West Valley	108,896	111	1.02	48	.44	1.46
Sandy	88,418	99	1.12	15	.17	1.29
Unincorporated	209,642	202.3	.96	30.3	.14	1.11
West Jordan	68,336	63	.92	10	.15	1.07
South Jordan	29,437	26	.88	2	.07	.95
Contract Cities	128,454	67.7	.53	8.7	.07	.60
<b>Countywide Averages</b>			<b>1.24</b>		<b>.26</b>	<b>1.50</b>

**Table 7.** Both the unincorporated County and contract cities are well below average on the number of officers per 1,000 residents compared to the surrounding jurisdictions.

The unincorporated County’s level of patrol officers was unaffected by the cut. However, at .96 patrol officers per 1,000 residents, it is lower than the countywide average of 1.24. The countywide average was derived by summing the ratio of officers per 1,000 residents in each jurisdiction and dividing it by the number of jurisdictions. To raise the level of Patrol officers to average would require an additional 57.7 officers. The Sheriff’s Office estimates the full cost of the average officer to be \$90,863, requiring additional funding in the amount of \$5.2 million.

**3.2 The unincorporated County’s level of crime, at 56.54 index crimes per 1,000 residents is close to the countywide average of 61.44.**

The crime rate of a given area is relevant when assessing the number of officers needed. According to Sheriff’s Office records, there were 11,853 index crimes committed in the unincorporated County during 2000. The unincorporated county’s level of crime, as shown in Table 8 on Page 15, is about average compared to the rate of crime occurring countywide.

<b>Area</b>	<b>Population</b>	<b>Index Crimes</b>	<b>Crimes/1,000</b>	<b>Total Officers</b>	<b>Crimes Per Officer</b>
South Jordan	29,437	668	22.69	28	23.86
Sandy	88,418	3,151	35.64	114	27.67
So. Salt Lake	22,038	1,873	84.99	64	29.27
West Jordan	68,336	2,711	39.67	73	37.14
Midvale	27,029	1,754	64.89	43	40.79
Salt Lake City	181,743	16,830	92.60	397	42.39
West Valley	108,896	7,062	64.85	159	44.42
Murray	34,024	3,180	93.46	63	50.48
Unincorporated	209,642	11,853	56.54	232.6	50.97
Contract Cities	128,454	7,582	59.03	76.4	99.15
<b>Countywide Averages</b>			<b>61.44</b>		<b>44.61</b>

**Table 8.** *Although unincorporated Salt Lake County has about the average rate of crime, it is well below average on the number of officers per 1,000 compared to the surrounding jurisdictions.*

Since the County’s level of officers falls below average in comparison to surrounding jurisdictions, the number of major crimes that, in theory, each officer would have to process in the unincorporated county is 50.97—greater than in any other area except the contract cities. While “crimes per officer” is not a standard or accepted public safety ratio, it does help to shed light on the level of officers available compared to the rate of major crimes committed in the unincorporated county.

#### **4.0 Contract Cities**

The Sheriff’s Office contracts to provide patrol deputies, crossing guards, traffic deputies and COP deputies in the incorporated cities without police departments. Cities appear to enter into such contracts because they find the cost of contracting with the Sheriff’s Office less than the required investment to develop and maintain their own departments. Because detective investigative services will no longer be provided on a countywide basis, beginning in 2001, this service will also have to be contracted for by cities desiring it.

Current contract cities include Herriman, Bluffdale, Holladay, Draper, Riverton and Taylorsville. Like all incorporated cities, under the bill these areas were allowed to raise taxes in the amount that would have been assessed to their citizens by the County had investigations remained a countywide function. In contracting for detective services these additional resources would theoretically be returned to the County in the form payments for service contracts.

- The contracting cities’ ratio of patrol and detective officers per 1,000 falls below any of the surrounding jurisdictions.
- The contract cities’ combined rate of crime, 59.03 index crimes per 1,000 residents, is close to the countywide average of 61.44.
- Additional Municipal Services funds in the amount of \$6 million to \$6.5 million could be generated if the cities with interlocal agreements contracted for the same level of officers as that found in the unincorporated county.

**4.1 The contracting cities ratio of patrol and detective officers per 1,000 falls far below any of the surrounding jurisdictions.**

As seen in Table 9 below, the overall ratio of officers per 1,000 residents in contract cities is .60. This is below the countywide average and lower than even the lowest self-providing jurisdiction in the area, South Jordan, by .35 officers per 1,000 residents.

Area	Population	Patrol		Detective		All
		FTE’s	Ratio	FTE’s	Ratio	Ratio
Bluffdale	4,700	1.00	.21	0.57	.12	.33
Herriman	1,523	1.00	.66	0.17	.11	.77
Riverton	25,011	9.36	.37	1.00	.04	.41
Taylorsville	57,439	29	.50	4.00	.07	.57
Draper	25,220	14.74	.58	2.00	.08	.66
Holladay	14,561	12.63	.87	1.00	.07	.94
Contract Totals	128,454	67.7	.53	8.74	.07	.60
Unincorporated	209,642	202.3	.96	30.26	.14	1.11
Combined Total	338,096	270	.80	39.00	.12	.91
<b>Countywide Averages</b>			<b>1.24</b>		<b>.26</b>	<b>1.50</b>

**Table 9.** Both the unincorporated County and contract cities are below average on the number of officers per 1,000 compared to the surrounding jurisdictions.

In 1996, the Auditor’s Office performed an informal review in which it agreed with the Sheriff’s contract methodology for arriving at a cost per deputy. However, the Auditor’s Office never reviewed or addressed the level of officers or services that contract cities decided to pay for. In fact, the contract cities themselves, not the Sheriff’s Office, determine what level or number of officers is appropriate for their area.

The low level of officers per 1,000 led to concerns among members of the Council and Subcommittee that contract cities may be receiving a higher level of service than that for which they have contracted. Although no detailed tracking of resources consumed per area exists, the Sheriff's Office has indicated that the amount of service they provide to these cities is limited to the amount of resources paid for. In practice this policy would mean that residents of a city that has contracted for fewer deputies than are really needed, would receive a lower level of service. This may result in more unresolved crimes, higher rates of crime and/or longer response times. A detailed listing of index crimes by area and type can be found in Appendix A. The number of crimes by area could demonstrate a need to raise the level of service above the current contract level.

**4.2 The contract cities' combined rate of crime, 59.03 index crimes per 1,000 residents, is close to the countywide average of 61.44.**

The contract cities rate of crime is about the same as that found throughout the county, and is somewhat higher than that found in the unincorporated areas. Table 10, below, provides a break down of the contract cities and the number of index crimes that occurred in each area during 2000.

Area	Population	Index Crimes	Crimes/1,000	Total Officers	Crimes Per Officer
Bluffdale	4,700	188	40.00	1.57	119.75
Herriman	1,523	71	46.62	1.17	60.68
Riverton	25,011	698	27.91	10.36	67.37
Taylorsville	57,439	4,684	81.55	33.00	141.94
Draper	25,220	993	39.37	16.74	59.32
Holladay	<u>14,561</u>	<u>948</u>	<u>65.11</u>	<u>13.63</u>	<u>69.55</u>
Contract Totals	<u>128,454</u>	<u>7,582</u>	<u>59.03</u>	<u>76.47</u>	<u>99.15</u>
Unincorporated	<u>209,642</u>	<u>11,853</u>	<u>56.54</u>	<u>232.56</u>	<u>50.97</u>
Combined Total	<u>338,096</u>	<u>19,435</u>	<u>57.48</u>	<u>309</u>	<u>62.89</u>
<b>Countywide Average</b>			<b>61.44</b>		<b>44.61</b>

**Table 10.** Officers in the contract cities are burdened by more crimes than officers in other areas of the County.

However, while the six contract cities have an average rate of crime, higher than the unincorporated county, the level of officers for which they have contracted is far below the countywide average. In theory, one Sheriff's deputy in the average contract city would have to process 99.15 index crimes. The next highest

non-contract city ratio is found in Murray, where officers would process only about one-half that amount or 50.48 index crimes.

The city of Taylorsville accounts for most of the disparity between crime rate and the level of officers. Deputies in Taylorsville would have to process 141.94 index crimes each. It has not been determined if the higher rate of crimes per 1,000 residents in Taylorsville is the result of an insufficient number of deputies, or simply that more deputies are needed because of the higher rate of crime. Although, “crimes per officer” is not a recognized or accepted public safety ratio, it is used in this report to indicate the level of crime compared with the level of officers in a given area. Bluffdale also has a high ratio of crime compared to officers, but its small population makes its overall impact more diminished, and may distort their analysis.

**4.3 Additional Municipal Services funds in the amount of \$6 million to \$6.5 million could be generated if the cities with interlocal agreements contracted for the same level of officers as that found in the unincorporated county.**

The unincorporated county’s number of crimes per officer is exceeded only by the number found in the contract cities. However, if the contract cities level of service was increased to the level found in unincorporated county, an additional \$6.5 million in contract amounts could be generated, as illustrated in Table 11, below.

Area	Total Officers	Crimes per Officer	Needed to Reach 50.97	Officers Needed	Charge per Deputy	Additional Revenue
Bluffdale	1.57	119.75	3.69	2.12	x 90,863	\$192,488
Taylorsville	33.00	141.94	91.90	58.90	x 90,863	\$5,351,576
Herriman	1.17	60.68	1.39	.22	x 90,863	\$20,260
Holladay	13.63	69.55	18.60	4.97	x 90,863	\$451,514
Riverton	10.36	67.37	13.69	3.33	x 90,863	\$302,967
Draper	16.7	59.32	19.48	2.74	x 90,863	\$249,151
Unincorporated	232.60	50.97	232.60	N/A	x 90,863	N/A
<b>Total</b>	<b>309.00</b>	<b>62.89</b>	<b>380.41</b>	<b>72.28</b>		<b>\$6,567,956</b>

**Table 11.** *If the level of crimes per officer were the same in all areas serviced by the Sheriff’s Office, additional contract revenue could be generated.*

Officers per 1,000 residents is another statistic that can be used to calculate additional contract amounts the County could receive if the level of service for the contract cities was the same as that found in the unincorporated county. The unincorporated County's ratio of officers per 1,000 residents is currently 1.11. To bring the contract cities up to this level, from the current ratio of .60, an additional 66.11 deputies would be required. Using the current contract cost of \$90,863 per deputy, an additional \$6 million in revenue could be generated. Unincorporated county ratios are conservative measures because they reflect a lower level of service than that found in most of the surrounding jurisdictions, both in officers per 1,000 and crimes per officer.

## **5.0 Countywide Response and Other General Fund Resources**

The Sheriff's General Fund budget 1430 "Investigations and Support" contains expenditures relating to investigations as well as support functions, such as payroll and human resources. Funds for these support functions were left in the General Fund, and are allocated, in part, to the Sheriff's Municipal Service budgets through an indirect charge.

One additional task which the Subcommittee addressed was identifying and reviewing for appropriateness any expenditures remaining in General Fund 1430, after the cuts and transfers required by the bill. Our inquiries into this disclosed the following:

- **Most task forces in which the Sheriff participates are appropriate General Fund expenditures.**
- **The Sheriff has statutory authority to maintain resources in the General Fund for a countywide response force or "back bone."**
- **The amount left in the General Fund budget 1430 for funding sworn officers has minimal impact on the officers per 1,000 ratio.**

### **5.1 Most task forces in which the Sheriff participates are appropriate General Fund expenditures.**

In addition to the recommendation that the Council rely on standard definitions for "detective investigations," the District Attorney's Office recommended that positions and functions within the Sheriff's Office be analyzed and budgeted according to their "primary focus or area of service delivery." Services performed in the unincorporated areas only are municipal services that must be funded separately.

During the course of Subcommittee meetings, acting as a representative from the District Attorney's Office, Attorney Karl Hendrickson agreed that task forces in which the cities and County both participate, but over which the County had primary coordination and leadership responsibility, are appropriate General Fund expenditures. The majority of task forces in which the Sheriff participates in effect serve the entire county population and fall into this category.

In addition, according to the Attorney's written opinion, if the Sheriff acts as a representative of the unincorporated county, on equal footing with the cities, the task force is appropriately defined a municipal service. However, the Sheriff acting as a Countywide representative in a multi-county task force would appropriately be defined as a General Fund function.

## **5.2 The Sheriff has statutory authority to maintain resources in the General Fund for a countywide response force or "back bone."**

The Attorney's opinion indicated that in addition to support functions and task forces in General Fund 1430, the Sheriff can legally maintain resources for countywide response. Statutorily, the Sheriff has a duty to enforce state law within incorporated cities and towns, ". . . *when local law enforcement agencies refuse or fail to act.*" The opinion also states that to the extent the Sheriff maintains and utilizes resources for providing such services on a countywide basis, the cost of those resources are appropriately chargeable to the General Fund.

Although no detailed tracking of resources spent outside the unincorporated area currently exists, the Sheriff's Office estimates that crimes committed in the non-contract cities generate 5 to 10 percent of their investigations. Another possible standard is the number of calls for service received by the Sheriff's Office generated from areas outside the unincorporated county and contract cities. In 1999, 7.9 percent of calls for service received by the Sheriff's Office fell into this category. Accordingly, it would seem that a countywide response task force equaling 7.7 to 10 percent of all invest/patrol related expenditures would be appropriate. More detailed tracking in the future, possibly using GPS (Global Positioning Satellite) monitoring of patrol and detective vehicles would be useful in assessing resources spent by area.

## **5.3 The amount left in the General Fund budget 1430 for funding sworn officers has minimal impact on the officers per 1,000 ratio.**

Using lists of personnel generated in the course of the Subcommittee's work, the number of positions for sworn personnel left in General Fund budget 1430 as well as their function can be derived. After the transfer of \$3.1 million, the cut of



\$1.57 and the additional cut of \$4.5 million, positions for 29 sworn personnel are left in General Fund 1430. Eight of the remaining sworn officers perform functions that support the entire Sheriff's Office, including the Jail and Court Services. A portion of the cost of their salaries, benefits and operational expenses are allocated to Municipal Services through an indirect charge. Of the remaining 21 sworn personnel, 15 represent the "countywide response" force identified in the District Attorney's opinion and discussed in Section 5.2. The remaining six sworn officers represent countywide task forces discussed in Section 5.1.

Some concerns have been raised regarding the possible impact the positions for sworn officers left in the General Fund would have on the officers per 1,000 ratio discussed in Section 4. These officers were not included in the ratio because the population figure used is that of the unincorporated county. By definition "countywide response" and task force members serve the entire county population. However, it may be useful to point out that even if included, an additional 21 sworn officers makes little impact on the over-all ratios computed and does not change the relative position of the unincorporated county in comparison to the cities.

Positions for Canyon Patrol officers are also left in the General Fund, but unlike sworn officers relating to investigations and support functions, these 22 officers have been included in the number of patrol officers available in the unincorporated county.

## 2000 Countywide Index Crime Rate by Area

	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Arson	Total	Cities' Percent of Total in Area
Midvale	-	19	24	61	211	1,328	109	2	1,754	4.71%
Murray	-	31	29	82	337	2,528	173	-	3,180	8.54%
Salt Lake City	9	137	576	578	2,169	11,828	1,533	-	16,830	45.21%
Sandy	5	21	25	93	512	2,369	106	20	3,151	8.46%
South Jordan	-	-	1	31	167	426	40	3	668	1.79%
So. Salt Lake	1	34	37	67	257	1,237	239	1	1,873	5.03%
West Jordan	-	27	17	83	310	2,121	153	-	2,711	7.28%
West Valley	4	68	116	308	921	5,046	572	27	7,062	18.97%
<b>Total Non-Contract Cities</b>	<b>19</b>	<b>337</b>	<b>825</b>	<b>1,303</b>	<b>4,884</b>	<b>26,883</b>	<b>2,925</b>	<b>53</b>	<b>37,229</b>	<b>100.00%</b>
<i>Crime's % of Total in Area</i>	<i>0.1%</i>	<i>0.9%</i>	<i>2.2%</i>	<i>3.5%</i>	<i>13.1%</i>	<i>72.2%</i>	<i>7.9%</i>	<i>0.1%</i>	<i>100.0%</i>	
<i>Crime Per 1,000 in Area</i>	<i>0.03</i>	<i>0.60</i>	<i>1.47</i>	<i>2.33</i>	<i>8.72</i>	<i>47.98</i>	<i>5.22</i>	<i>0.09</i>	<i>66.45</i>	
Taylorville	-	23	44	512	458	3,334	311	2	4,684	61.78%
<i>Crime's % of Total in Area</i>	<i>0.0%</i>	<i>0.5%</i>	<i>0.9%</i>	<i>10.9%</i>	<i>9.8%</i>	<i>71.2%</i>	<i>6.6%</i>	<i>0.0%</i>	<i>100.0%</i>	
<i>Crime Per 1,000 in Area</i>	<i>-</i>	<i>0.40</i>	<i>0.77</i>	<i>8.91</i>	<i>7.97</i>	<i>58.04</i>	<i>5.41</i>	<i>0.03</i>	<i>81.55</i>	
Draper	-	5	4	86	148	692	57	1	993	13.10%
Holladay	-	3	5	77	164	640	57	2	948	12.50%
Riverton	-	3	2	79	91	496	25	2	698	9.21%
Bluffdale	-	1	-	22	28	121	15	1	188	2.48%
Herriman	-	-	-	14	17	38	2	-	71	0.94%
<b>Total Contract Cities</b>	<b>-</b>	<b>35</b>	<b>55</b>	<b>790</b>	<b>906</b>	<b>5,321</b>	<b>467</b>	<b>8</b>	<b>7,582</b>	<b>100.00%</b>
<i>Crime's % of Total in Area</i>	<i>0.0%</i>	<i>0.5%</i>	<i>0.7%</i>	<i>10.4%</i>	<i>11.9%</i>	<i>70.2%</i>	<i>6.2%</i>	<i>0.1%</i>	<i>100.0%</i>	
<i>Crime Per 1,000 in Area</i>	<i>-</i>	<i>0.27</i>	<i>0.43</i>	<i>6.15</i>	<i>7.05</i>	<i>41.42</i>	<i>3.64</i>	<i>0.06</i>	<i>59.03</i>	
Little Cottonwood Creek	1	2	-	24	59	115	10	1	212	1.79%
Willow Canyon	-	-	-	-	3	6	-	-	9	0.08%
White City	-	4	1	25	26	87	12	-	155	1.31%
Granite	1	-	-	19	31	126	9	1	187	1.58%
Cottonwood Heights	-	7	6	167	220	967	87	4	1,458	12.30%
South East	-	-	1	10	19	47	-	-	77	0.65%
Kearns	-	23	24	374	247	1,375	210	6	2,259	19.06%
Copperton	-	-	-	10	7	13	3	1	34	0.29%
South Cottonwood	-	2	2	102	131	578	64	-	879	7.42%
Parley's Canyon	-	-	-	-	2	27	2	-	31	0.26%
Mt. Olympus	-	-	2	11	49	244	16	-	322	2.72%
Millcreek	-	24	33	344	364	1,684	255	4	2,708	22.85%
Magna	-	11	13	293	223	1,014	109	4	1,667	14.06%
Imperial	-	1	1	7	23	71	4	-	107	0.90%
East Millcreek	-	5	2	93	167	770	63	3	1,103	9.31%
Emigration Canyon	-	-	1	4	6	19	-	2	32	0.27%
Canyon Rim	-	3	4	29	78	291	20	-	425	3.59%
Big Cottonwood	-	-	-	7	6	170	5	-	188	1.59%
<b>Total Unincorporated</b>	<b>2</b>	<b>82</b>	<b>90</b>	<b>1,519</b>	<b>1,661</b>	<b>7,604</b>	<b>869</b>	<b>26</b>	<b>11,853</b>	<b>100.00%</b>
<i>Crime's % of Total in Area</i>	<i>0.0%</i>	<i>0.7%</i>	<i>0.8%</i>	<i>12.8%</i>	<i>14.0%</i>	<i>64.2%</i>	<i>7.3%</i>	<i>0.2%</i>	<i>100.0%</i>	
<i>Crime Per 1,000 in Area</i>	<i>0.01</i>	<i>0.39</i>	<i>0.43</i>	<i>7.25</i>	<i>7.92</i>	<i>36.27</i>	<i>4.15</i>	<i>0.12</i>	<i>56.54</i>	