
From Policy to Practice: Ten Years of HB348 in Utah

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The Crime and Justice Institute (CJI) is a trusted, nonpartisan leader in justice system improvement, uniquely combining policy expertise, practitioner experience, and rigorous data analysis with deep partnerships and cross-system collaboration. We help stakeholders uncover root causes, build consensus, and implement evidence-based responses to complex justice and behavioral health challenges. For over two decades, CJI has partnered with leaders, practitioners, and communities across the country, providing strategies that strengthen systems and improve outcomes.

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Executive Summary

Utah is growing – people are moving to the state, the economy is diverse and resilient, and the education system is strong. The state is safer than most, with crime rates below the national average. But Utah is facing complex problems – some that have lingered for years and others that have only recently emerged. Behavioral health and substance use needs are high among Utahns but access to treatment can prove challenging, especially in more rural areas. An acute lack of affordable housing deepens the struggle of those suffering with addiction and mental illness and has created a homelessness crisis that is at the forefront for citizens and politicians alike.

As is often the case, these challenges collide in the criminal justice system. For many years, Utah has made meaningful, thoughtful reforms to their justice system with the primary goal of better resourcing rehabilitation and incarcerating people who pose a true risk to public safety. The Justice Reinvestment Initiative (JRI) of 2014 represented a data-driven approach to accomplishing these aims, and resulted in comprehensive legislative action with HB 348 enacted in 2015. While the stated goals of the JRI effort—to reduce the cost and size of the criminal justice system and improve recidivism—have been carefully tracked, the impact of specific policies has not been analyzed. This report seeks to fill that gap and assesses five key policies enacted through those reforms using a qualitative and quantitative approach.

To conduct this assessment, the Crime and Justice Institute (CJI) analyzed publicly available data from federal sources such as the Federal Bureau of Investigation and the Bureau of Justice Statistics, and state sources such as reports from the Utah Commission of Criminal and Juvenile Justice and the Board of Pardons and Parole. This report examines ten years of available data from 2014 to 2024 and supplements the quantitative analysis with qualitative interviews with stakeholders across the state, including judges, attorneys, law enforcement, corrections staff, parole board, directly impacted individuals, and reform advocates. These interviews help fill in information gaps and provide important context that deepens understanding of the data. Based on this combined analysis, CJI identified several key findings regarding how these policies are impacting the state a decade later. They include:

- After years of culture change, on-going implementation support, and making slight changes to the policy, revocation rates have been declining for both probationers and parolees since 2023.
- Expanding eligibility for drug courts, along with other HB 348 policies, resulted in fewer individuals entering jail and prison for drug possession convictions. However, drug courts still do not fully meet the intervention needs of the justice-involved population.
- Removing duplicative criminal history counting in sentencing guideline scoring did not reduce the amount of time individuals spent under the Board of Pardons and Parole.
- Since 2016, both the number of individuals served through mandatory incarcerations cuts and the total days of incarceration reduced through these cuts have decreased.
- Directing more behavioral health resources to the justice involved population increased access to state funded services, with a three percent rise in individuals receiving mental health treatment and a 29 percent increase in those receiving substance use disorder services. However, additional investment is still needed to expand resources for the broader community and reduce the high volume of unmet needs that contribute to involvement in the criminal justice system.

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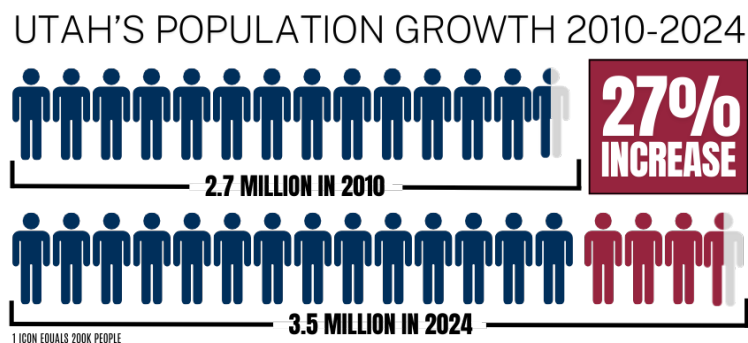
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State Background & Socioeconomic Trends

A proper analysis of the specific policies must first consider that much has changed in the last 10 years in Utah, including the state's demographics, major social and economic issues, spending decisions and funding streams, politics, and public sentiment around public safety. Below is a look at how Utah has changed over the past decade.

Population

In 2024, Utah's population was just over 3.5 million residents, up 27 percent from 2.8 million in 2010.¹ Since 2015, Utah's population has grown consistently, at a rate of roughly two percent each year, exceeding the national average.² It is largely driven by natural population increase and domestic migration, specifically of young adults between the ages of 20 and 24, migrating from California, Arizona, Idaho, and Texas.³



The population growth is highly concentrated along the Wasatch Front, which includes Weber, Davis, Salt Lake, and Utah counties.⁴ These counties contain the state's largest cities, major employers, transportation infrastructure, and higher education institutions. In contrast, large portions of Southern and Eastern Utah remain rural and sparsely populated, with significantly lower population density and fewer service hubs.⁵ In Utah, nearly 65 percent of land is federally owned or managed, limiting where housing, infrastructure, and economic development can occur.⁶ This has led to urban development being primarily concentrated along the Wasatch Front.⁷

In 2024, nearly 90 percent of the population largely identified as white, with 17 percent identifying as Hispanic or Latino residents representing the state's largest racial or ethnic minority group.⁸ The population is shifting to 13 percent identified as Hispanic or Latino, reflecting gradual demographic change towards more diversity.⁹ As of 2024, smaller population shares identify as Black or African American alone (1.7%), Asian alone (3.1%), American Indian and Alaska Native alone (1.6%), Native Hawaiian and Other Pacific Islander alone (1.2%), and two or more races (3.1%).¹⁰ Females also make up slightly less of the Utah population compared to nationally: 49 percent in Utah and 50 percent nationwide.¹¹ On average, Utah also has a younger population than the nation. Forty-six percent of Utah residents are between the ages of 15 and 44, while nationally this number is 40 percent.¹² Further, over one in four Utahns are under the age of 18 whereas only about one in five Americans are under 18, nationally.¹³

Economic Development

As more people move into the state, Utah's economic output has similarly expanded steadily over the past decade. In 2024, Utah's Gross State Product (GSP) totaled \$299,471.3 million.¹⁴ GSP growth has been sustained year over year.¹⁵ Utah leads the nation in GSP growth, with a growth rate of five percent, compared to three percent nationwide.¹⁶ In 2025, the state's unemployment rate was slightly lower than the national average at 3.6 percent, compared to 4.4 percent.¹⁷

Education

Like its GSP, Utah surpasses the national average in educational outcomes as well. As of 2024, Utah ranks in the top five in mathematics and top ten in reading for fourth and eighth graders on the National Assessment of Educational Progress.¹⁸ Its statewide four-year high school graduation rate was 90 percent, exceeding the national average of 87 percent.¹⁹

Educational attainment (i.e., the highest education level an individual has completed) among adults ages 25 and older varies across Utah counties. Several of the state's most populous counties, including Cache, Davis, Salt Lake, and Weber, report 93 percent of residents hold at least a high school diploma. This exceeds the national attainment rate of 89 percent. While some rural areas report levels comparable to or above those of larger counties, others, including Uintah, San Juan, and Piute, fall below the national average.^{20,21} Thirty-nine percent of Utah residents 25 and older have a bachelor's degree or higher, which is higher than the national average of about 37 percent.²²

Housing

Another byproduct of the state's growing population is the lack of available housing. Studies estimate that the state will be short 153,000 housing units by 2030, driven by population growth and underbuilding.²³ Housing affordability is reported to be the number one issue facing Utahns, with the cost of housing significantly rising.²⁴ One way to measure affordability is called the median multiple ratio which compares median home sale price to median household income. The median multiple ratio from 2024 indicates Washington and Salt Lake counties are classified as *severely unaffordable* (ratios above 5.1), while Weber, Davis, and Utah counties fall into the *seriously unaffordable* range (ratios between 4.1 and 5.0).²⁵ The growing costs also apply to the rental market, with rental rates across the Wasatch Front counties increasing more than 30 percent since 2018.²⁶ These findings contribute to Utah's ranking as the 9th most expensive housing market in the country.²⁷

This housing unaffordability coincides with significant growth in the state's unhoused population. Between 2014 and 2024, the total number of unhoused (i.e., those who are in an emergency shelter, transitional housing, or unsheltered) rose 26 percent from 3,081 to 3,869 residents.^{28,29} The largest increase occurred within the unsheltered population. This group increased nearly 222 percent between 2014 and 2024, compared to the national unhoused population, which grew only 56 percent during the same period.³⁰ Vulnerable populations, such as

UNHOUSED POPULATION GROWTH 2014 TO 2024



those with serious mental illness (SMI) and substance use issues, experience a lack of housing in Utah at higher rates. Unhoused residents with SMI increased significantly in the last 10 years – from 746 to 1,378, an increase of 85 percent – while those with substance use needs increased by 21 percent.³¹

Mental Health

Looking at Utah’s vulnerable populations more broadly, Utah has higher rates of behavioral health and more difficulty providing treatment than most other states. In 2023, Utah ranked second in the country for adults with any mental illness (AMI) and second for having a high prevalence of adults with mental health needs and limited access to treatment.^{32,33} Utah is one of three states where one third of adults experience mental illness.³⁴ This is not a new problem for the state; Utah has remained in the top 10 states for highest prevalence of mental illness since 2015 and within the top three since 2019.³⁵

While needs grow, individuals’ access to treatment is limited. In 2023, nearly half of Utah adults with AMI did not receive treatment.³⁶ A behavioral health workforce shortage is one major factor driving lack of treatment. Behavioral health workforce shortages are common across the United States, with an average of one provider for 320 individuals seeking treatment.³⁷ Although Utah is outperforming the national average, with one provider for every 260 individuals,³⁸ nearly 67 percent of the state’s total population live in a community without enough mental health professionals.³⁹ As recently as 2023, Utah’s behavioral health providers reported average wait times of 37 days for a first appointment – more than triple the recommended guideline of 10 days, and a 20 percent increase in caseloads since April 2020.⁴⁰



Another barrier to treatment is that many people lack health insurance or cannot afford care. Approximately 10 percent of adults with AMI in Utah are uninsured, despite Utah having expanded Medicaid.⁴¹ Ongoing changes to Medicaid could widen that gap. The passage of US H.R.1 adds work requirements, which could reduce Medicaid enrollees by approximately 30 percent. Additionally, if the federal government were to reduce the Federal Match Percentage to below 90 percent, Utah’s “trigger law” would, without legislative intervention, end Medicaid expansion, leaving nearly 72,000 people without coverage.^{42,43} Further, treatment costs are prohibitive even for those that have private insurance. Between 2022 and 2023, 13 percent of individuals with private insurance reported their insurance did not cover mental or emotional problems and 28 percent of adults experiencing 14 or more days of mentally unhealthy days were unable to afford the cost to see a doctor.⁴⁴

Utah has undertaken a coordinated effort to address its growing mental health treatment needs, prompting the Utah Behavioral Health Coalition to release a 2024 statewide needs assessment identifying major system challenges, including limited coordination, administrative burdens, rural workforce shortages, and insufficient sustainable funding.⁴⁵ In response, the Coalition developed the state’s first Behavioral Health Master Plan, a framework outlining guiding principles, strategic priorities, and systemwide reforms across prevention, crisis services, care integration, and workforce expansion, intended to be a continually updated roadmap for long-term behavioral health improvement.⁴⁶

Substance Use

Mirroring the trends with mental health, the past eight years of available data (2016-2023) show illicit drug use in Utah (as reported by individuals 18 and older within the most recent month) increasing by 84 percent. Utah's adult population with substance use disorder (SUD) who need treatment but did not receive it grew to 71 percent in 2023, just below the national rate of 77 percent.⁴⁷ It is worth noting that trends of use across substances are inconsistent; past-year use of marijuana, alcohol, methamphetamine, and opioids has increased, while past-year use of cocaine, heroin, and misuse of pain relievers has decreased.⁴⁸

DIAGNOSED WITH A SUBSTANCE USE DISORDER



69% OF INDIVIDUALS INCARCERATED



18% OF STATE POPULATION

Further illustrating this trend is the increase in overdose rates. From 2000 to 2015, Utah's drug overdose death rate increased significantly, peaking in 2015 and remaining steady until 2023. While national trends mirrored Utah from 2000-2015, the national rate continued to climb from 2015-2023.⁴⁹ In 2023, Utah experienced 693 overdose deaths and 48 percent of those deaths were the result of Fentanyl overdoses.⁵⁰ The state's substance use overdose deaths disproportionately affect Indian/Alaska Native and Black/African American populations.⁵¹ Despite the growing fatality rate, Utah's overdose mortality rate was 38 percent lower than the national rate and ninth lowest amongst all states and Washington, D.C in 2023.⁵²

Like the efforts to address mental health needs, Utah has taken steps to reduce barriers to access treatment for SUD. It has established opportunities for Medication Assisted Treatment (MAT); however, this is often inaccessible for individuals living in rural counties.⁵³ It has also opened Receiving Centers in six counties, with the goal of opening one in every county. These crisis centers provide access to mental health and substance use services 24 hours a day, seven days a week including detox, peer support, and MAT.⁵⁴ Lastly, in 2025, Weber County was the first to install free Narcan vending machines with the goal of reducing overdoses in the community through easier access to the opioid overdose reversal drug.⁵⁵

Budget Trends

As Utah's population has grown, so has the state budget. Public safety related expenditures and funding for behavioral health services have increased and come to rely on federal funding. While Utah is less dependent on federal funding than most states, the funding streams that have underpinned critical services and new innovations in recent years were either temporary or are vulnerable due to shifting legislative priorities nationwide.

Overall Budget Trends and Reliance on Federal Funding

Utah's total state budget rose from \$14.24 billion in 2016 to \$30.85 billion in 2026, based on the state's appropriated funding level for 2026. This represents a 116.6-percent increase, meaning the budget more than doubled over the decade.^{56,57} Increased federal funding and non-general fund sources drove budget growth over this period. In 2016, general fund appropriations totaled \$2.26 billion (including

\$224.89 million in one-time general funds), representing 16 percent of the total budget, while federal funds accounted for \$3.80 billion (26.68%). By 2026, general fund appropriations increased to \$3.75 billion, though this share of the total budget declined to 12.15 percent, while federal funding rose to \$8.34 billion, accounting for 27.02 percent of the budget. While federal funding has increased over the past decade, the state remains less reliant on federal dollars than most states, ranking 39th nationally in federal fund share. On a per-capita basis, Utah ranks even lower at 48th nationally, on average, from 2015 – 2024, and 41st in 2024 alone.⁵⁸

Looking closely at how the state uses its federal funding, Medicaid accounts for the largest share, representing approximately half of all federal dollars the state receives.⁵⁹ Similar to other states, those federal dollars fund a large portion of Utah's Medicaid program – about 68 percent of total Medicaid spending in 2024.⁶⁰ The remaining share is spread across social services, housing and community development, education, and transportation.⁶¹ Utah also received nearly \$1.4 billion through the American Rescue Plan Act (ARPA), in addition to other ARPA-related resources such as the Capital Projects Fund.⁶² Utah used these dollars to support a wide range of one-time investments, including infrastructure, economic recovery initiatives, public health responses, and capacity-building efforts that would have been difficult to fund with ongoing state revenues alone. Federal law required funds to be fully expended by December 31, 2026,⁶³ and recent state reporting shows that Utah has already drawn down a significant share of its ARPA allocation, meaning the remaining balance will continue to decline as projects are completed.⁶⁴

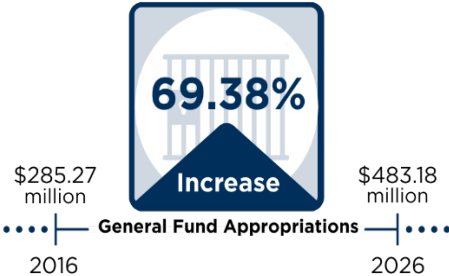
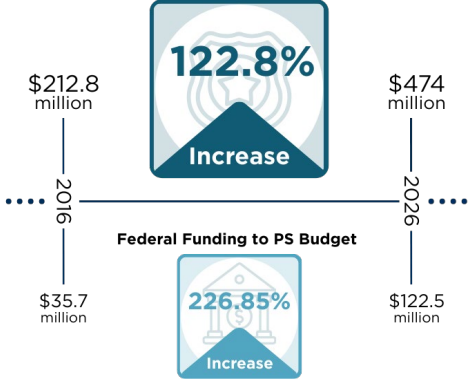
Changes to Tax Revenue & Impact on Public Safety Funding

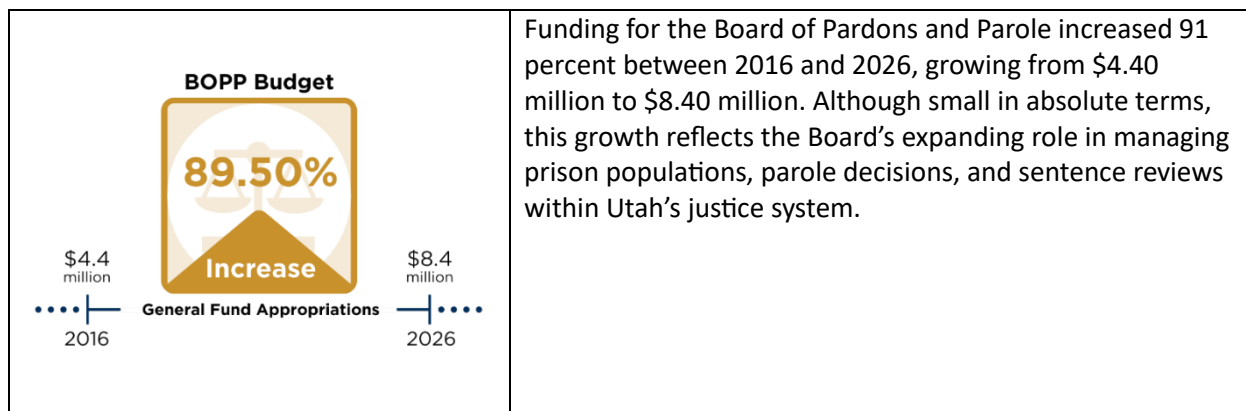
Over the past decade, Utah has gradually reduced ongoing state revenue from the individual income tax. Utah maintained a flat income tax rate of 5.0 percent from 2008 through 2017, followed by incremental reductions nearly every legislative session: 4.95 percent (2018–2021), 4.85 percent (2022), 4.65 percent (2023), 4.55 percent (2024), and 4.50 percent beginning in tax year 2025.⁶⁵ This reflects the Legislature's repeated enactment of tax-cut packages, particularly in the post-pandemic period.

While each individual reduction was modest, the cumulative cuts reduce baseline revenue growth as population growth, inflation, and service demands continue to rise. Utah's revenue policy over the last decade has favored incremental income tax reductions, resulting in a permanent narrowing of the state's revenue base.⁶⁶ This presents a current challenge with the expected revenue reductions included in US H.R.1 which will lower Utah's income tax revenue by approximately \$300 million in 2026 alone.⁶⁷

With such shifts at the state and national level, individual counties are beginning to develop their own plans. For example, in November 2024, Salt Lake County leaders placed a public safety bond proposal on the ballot aimed at expanding jail capacity and related criminal justice infrastructure.⁶⁸ The County planned to fund these initiatives through additional property taxes estimated at nearly \$60 per year for the average homeowner; however, voters ultimately rejected the measure.⁶⁹ For the 2026 budget year, Salt Lake County approved an operating budget property tax increase of approximately 14.65 percent on the County portion of the property tax bill. The County cited rising costs, inflationary pressures, and the need to maintain core services, including public safety operations, as its rationale for the increase.⁷⁰

Public Safety Funding

Department	Summary
<p style="text-align: center;">Utah Corrections Budget</p>  <p style="text-align: center;"> \$285.27 million (2016) — 69.38% Increase — \$483.18 million (2026) General Fund Appropriations </p>	<p>While the Department of Corrections budget has not increased as dramatically as the state’s overall budget, costs have grown. Over the past decade, Utah’s Corrections budget grew 69 percent, increasing from \$285.27 million to \$483.18 million in general fund appropriations. However, changes in budget structure over time complicate direct comparisons. Notably, correctional medical services, previously housed within the Corrections budget, were shifted to the Department of Health and Human Services beginning in 2025. In addition, funding that was once consolidated under a single “programming and operations” line item, is now distributed across more specific functions, including reentry, rehabilitation, and adult probation and parole. Regardless of these structural changes, spending on correctional medical services has increased substantially since 2016, growing from \$31.18 million to \$55.62 million in 2026, an increase of 78.38 percent. Additionally, jail contracting expenditure also rose 57.90 percent, from \$33.69 million to \$53.19 million.</p>
<p style="text-align: center;">Total Utah Public Safety Budget</p>  <p style="text-align: center;"> \$212.8 million (2016) — 122.8% Increase — \$474 million (2026) Federal Funding to PS Budget: \$35.7 million (2016) — 226.85% Increase — \$122.5 million (2026) </p>	<p>Between 2016 and 2026, Utah’s Public Safety budget more than doubled, increasing 122.70 percent from \$212.80 million to \$474.00 million. General fund appropriations grew from \$74.10 million to \$182.80 million, while federal funding increased from \$37.50 million to \$122.50 million, representing a 226.67 percent increase. This growth reflects expanding public safety responsibilities and a growing reliance on federal grants and pass-through funds to support statewide law enforcement, emergency response, and related initiatives.</p>



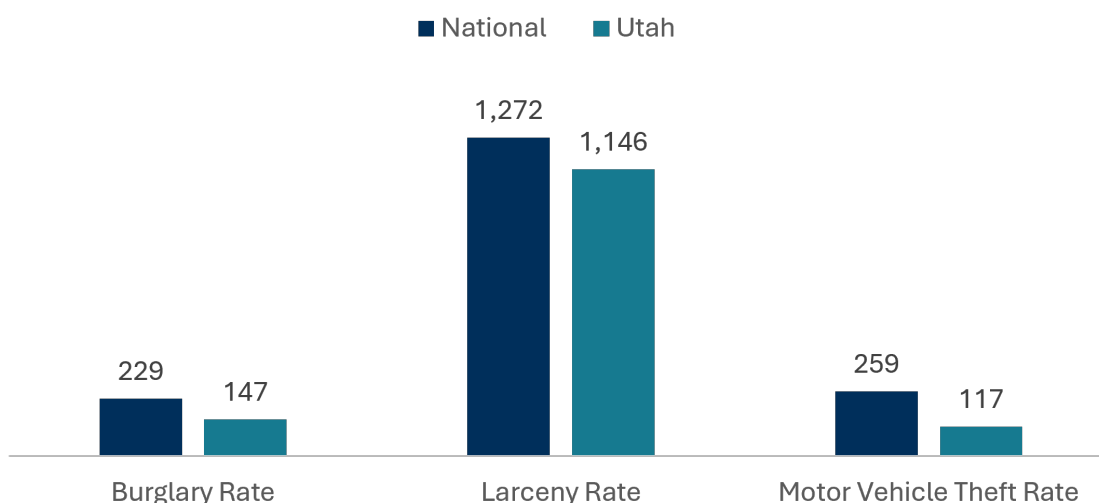
Justice Trends Over the Last Decade

In addition to changes in population and socioeconomic trends, Utah’s criminal justice landscape has shifted in the last decade. The section below moves through publicly available data at key decision-making points in the criminal justice system to present the current landscape of the Utah criminal justice system.

★ Utah’s crime rate is lower than national trends in recent years, especially violent crime, though property crime rates have decreased more dramatically.

Over the past 10 years, Utah’s crime rate has nearly halved (from 3,241.3 to 1,638.5 crimes per 100,000 people), compared to a 27 percent drop in the national crime rate.⁷¹ Since 2022, Utah’s overall crime rate is lower than the national crime rate, dropping from 12 percent higher in 2015 (238.7) to 26 percent lower in 2024 (229.6).⁷² Utah’s violent crime rate has consistently been about 40 percent lower than the

Figure 1. National and Utah Property Crime Rates, 2024



national crime rate over the past 10 years, but has decreased slower than the national rate – a four percent decrease compared to a seven percent decrease.⁷³ The property crime rate, by contrast, has only been lower than the national property crime rate since 2022, decreasing by 53 percent compared to a 30 percent national decrease, and going from 18 percent higher (at 3,002.6) to 22 percent lower (at 1,408.9).⁷⁴

Looking specifically at violent crime, Utah’s homicide rate has grown by 37 percent over the past decade, but remains 63 percent lower than the national rate in 2024 (2.6 compared to 5.0).⁷⁵ Homicides in 2024 were concentrated in Salt Lake County, with the highest number occurring in Salt Lake City, West Valley City, and Murray.⁷⁶ The rates of rape and aggravated assault have stayed relatively steady, growing by one percent and six percent, respectively; the aggravated assault rate was 58 percent lower than the national rate in 2024 (at 141.7), but the rape rate was 43 percent higher (at 58.0).⁷⁷ The robbery rate, meanwhile, has decreased by 46 percent from a peak in 2016, and is less than half of the national robbery rate (27.3 compared to 60.6).⁷⁸

Shifting to property crime, the rates of burglary, larceny, and motor vehicle theft have all more than halved in Utah over the past decade, compared to smaller national decreases in burglary and larceny and a growth in the national rate of motor vehicle theft.⁷⁹ Utah’s burglary rate was 44 percent lower than the national rate in 2024 (at 146.6), while the larceny rate was 10 percent lower (at 1,145.8) and the motor vehicle theft rate 76 percent lower (at 116.5).⁸⁰ **Figure 1** above illustrates these differences.

★ Though Utah’s overall arrest rate has declined, the violent arrest rate has increased.

Mirroring a decline in the crime rate, Utah’s arrest rate has declined from 4,810 arrests per 100,000 people in 2015 to 3,168 in 2024, a 34 percent decrease. The national arrest rate is consistently lower than Utah’s and has declined more quickly – a 41 percent decrease – meaning that Utah’s arrest rate has, over the past decade, grown from 28 percent to 38 percent higher than the national rate. In this time frame, Utah’s violent arrest rate has grown by 20 percent (from 80 to 96), while the national rate has decreased by 11 percent; this means that although Utah’s violent arrest rate is consistently lower than the national rate, this gap has grown from 50 percent lower in 2015 to 22 percent lower in 2024. Utah’s nonviolent arrest rate has decreased, but again, less than the national rate (35 percent rather than 42 percent), meaning it has grown from 31 percent higher in 2015 to 41 percent in 2024.

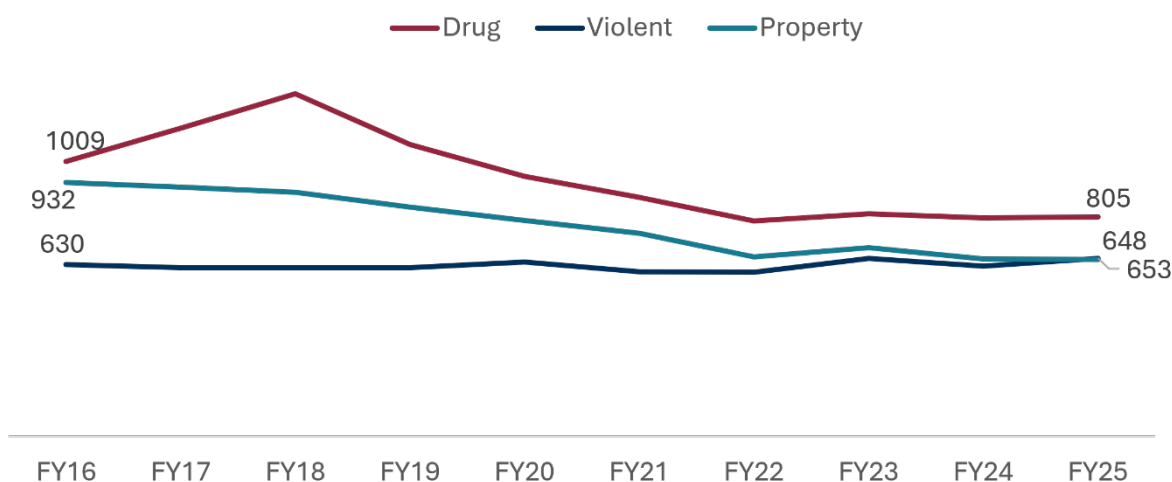
★ Utah’s criminal case filings have grown, driven by low-level offenses; drug cases are more common than person or property cases.

Although both crime rates and arrest rates in Utah are down, criminal case filings in Utah’s district courts have increased by about five percent over the past decade, staying relatively steady over the past three years following a 16 percent decrease between 2018 and 2022 and a subsequent 13 percent increase in 2023. While felony case filings comprise about half of all criminal cases and misdemeanors an additional 37 percent, the number of cases filed in 2025, for both, is similar to the number filed in 2016 (with felony case filings two percent lower). The modest growth in criminal case filings is predominantly driven by infractions, misdemeanor DUIs, and administrative filings; these only comprised 14 percent of

criminal cases filed in 2025, but over the past decade they grew, respectively, by 67 percent, 107 percent, and 38 percent.

When looking at types of criminal cases, court case filing rates (per 100,000 population) for property offenses have decreased by 30 percent, while filing rates for violent offenses have increased by four percent; 2025 was the first year of data in which the rate for violent offenses outpaced the rate for property offenses. As **Figure 2** below shows, filing rates for drug offenses, however, remain higher than both (805 compared to 653 for violent offenses and 648 for property offenses in 2025), despite having decreased by 20 percent over the past decade (and by 36 percent from their highest point in 2018).

Figure 2. Court Case Filing Rates by Offense Type, FY2016-FY2025



More specifically, cases filed with drug possession charges have decreased almost every year since a high of 26,695 in 2018; they have dropped by 29 percent and remain six percent lower than a decade ago.⁸¹ Most of the drug charges filed are Class B misdemeanors, close to or over half in every year of the past decade; Class A misdemeanors represent about a third of drug possession charges, while felony drug possession charges have been between 11 and 16 percent since 2017.⁸² Cases filed with drug possession with intent as the highest drug charge have also decreased, down by 31 percent from a high of 2,046 in 2018 and 24 percent lower than in 2016; cases filed with drug distribution or manufacturing as the highest drug charge have nearly halved from their high point of 1,132 in 2016.⁸³

★ Utah's jail population has grown, primarily driven by unconvicted individuals.

Though both arrests and crime rates are down, Utah's jail population has grown to 4,784 individuals in 2023 (the last available year of data), over two-thirds of whom were not convicted.⁸⁴ Over 45 percent of Utah's jail population is in Salt Lake County, where the average daily population has grown by nearly 50 percent between 2020 and 2025.⁸⁵ Average daily bookings have grown by 48 percent during this time frame, while average daily releases have grown by 42 percent.⁸⁶

Over the past 10 years, 20 percent of individuals in this jail had no prior bookings; over a third had been previously booked between one and five times.⁸⁷ Information on current charges for those booked were not available, but over the past 10 years, the most frequent previous charges for individuals booked in this jail have been drug charges (about 30 percent of the total population), about half of which have been use or possession of drug paraphernalia.⁸⁸ The frequency of this charge may reflect the shift in classification of drug possession from a felony to a misdemeanor enacted by HB 348 in 2014. Of individuals with previous charges, just over 20 percent had at least one felony charge. The most common (43%) previous charge was a Class B Misdemeanor.⁸⁹

★ Utah’s prison population has decreased, with prison admissions predominantly driven by violent and sex offenses, as well as revocations from parole.

Operational capacity for Utah’s prisons is 6,967, staffed by nearly 2,300 staff members; Utah’s average daily prison population was 6,391 individuals in 2025.⁹⁰⁹¹⁹² The prison population declined over the past 10 years – primarily driven by a 14 percent drop in 2021 due to the COVID-19 pandemic, but despite steady growth in the years since, the population remains two percent lower than it was in 2016.⁹³ Prison admissions peaked in 2019, but have since decreased to 3,016 in 2025, only 42 individuals higher than a decade earlier in 2016.⁹⁴ Releases, meanwhile, have declined by 17 percent over the past decade; after 2020, admissions have outpaced releases for all but one year, leading to the recent steady growth in prison population.⁹⁵ **Figures 3** and **4** illustrate this trend.

Figure 3. Average Daily Prison Population, Admissions, and Releases, 2016-2025

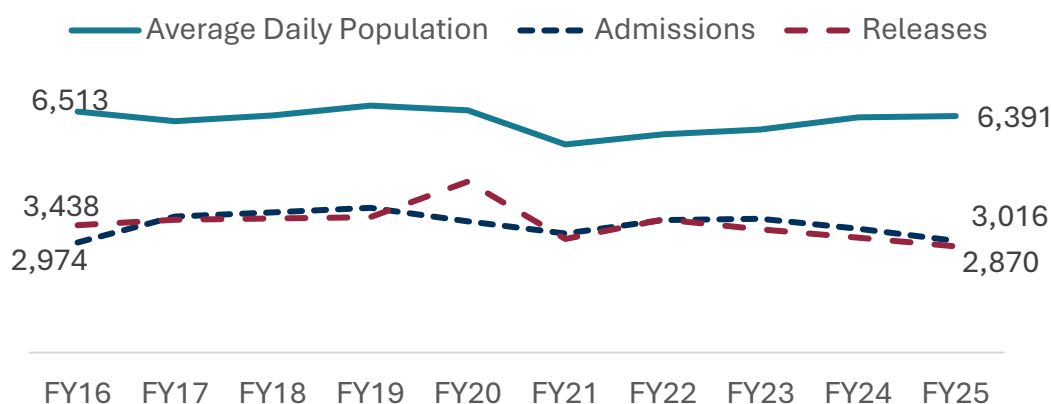
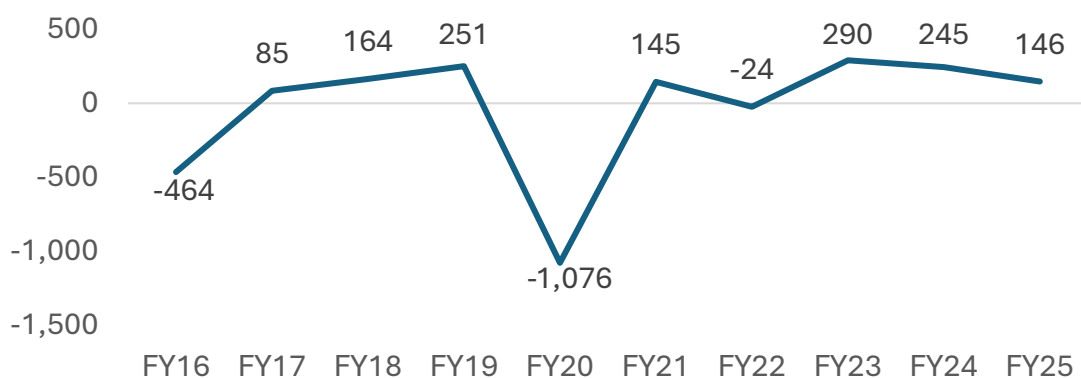
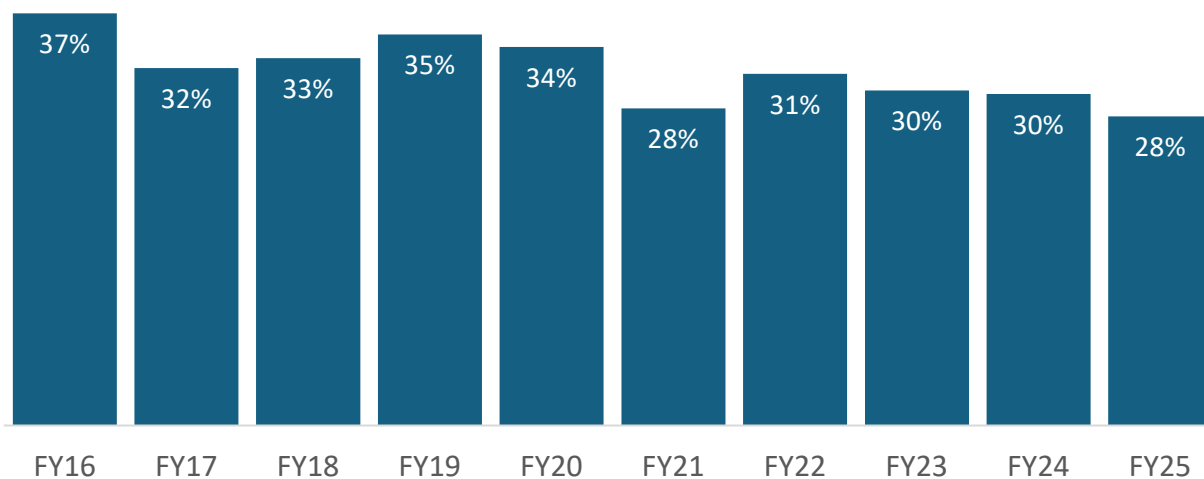


Figure 4. Difference Between Admissions and Releases to Utah Prisons, 2016-2025



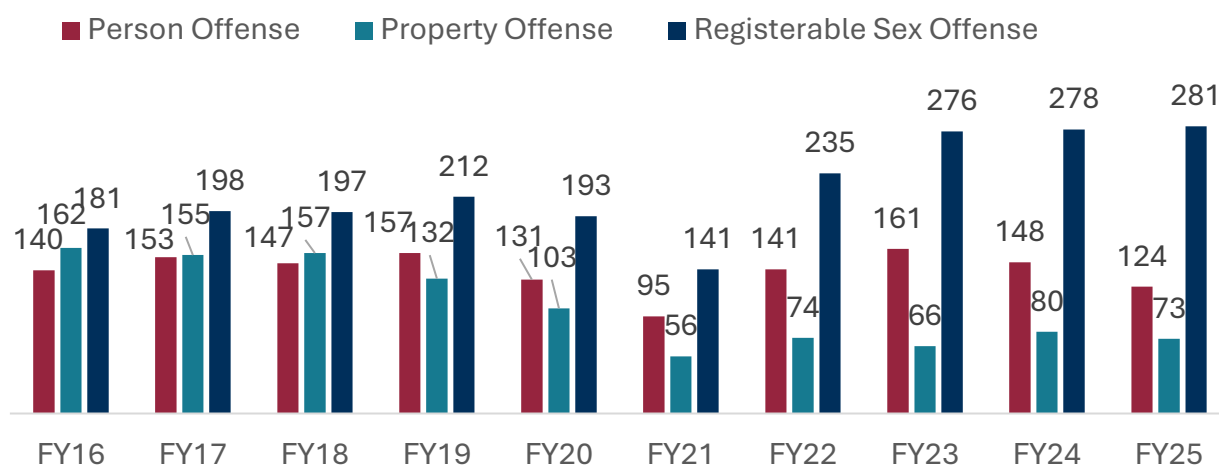
Looking at the specific offense types in prison, the proportion of individuals with nonviolent offenses as their primary (most serious) offense decreased nearly every year since 2019, going from over a third of the standing population to just over a quarter in 2024 (34.9 percent to 27.6 percent, a 21 percent decrease).⁹⁶ Figure 5 illustrates this trend. Among new admissions (as opposed to admissions due to community supervision revocations), the number of individuals admitted for a nonviolent offense dropped from 353 individuals in 2016 to 141 in 2021; the number has since grown by 57 percent, but remains 37 percent lower than in FY 2016.⁹⁷ Meanwhile, there has been a nearly 30 percent increase in individuals admitted to prison for violent offenses over the last decade.⁹⁸

Figure 5. Proportion of Individuals in Prison Population with a Nonviolent Primary Offense, FY2016-FY2025



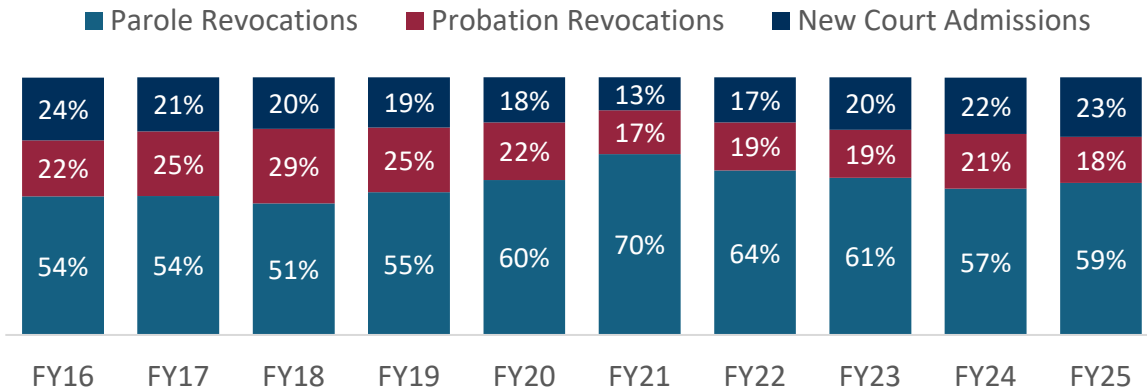
Furthermore, new admissions for individuals with property offenses, the most common nonviolent offense, declined 55 percent, and new admissions for person offenses declined 11 percent. This is in stark contrast to the 55 percent increase in individuals admitted for registerable sex offenses (more than twice as many as those with person offenses and nearly four times as many as those with property offenses admitted in FY 2025).⁹⁹ Individuals with sex offenses as their primary offense jumped significantly, comprising 25.1 percent of direct prison sentence admissions in FY 2016 to 40.4 percent in FY 2025.¹⁰⁰ **Figure 6** shows these trends. By contrast, new admissions due to drug possession offenses have plummeted – down to 31 individuals in FY 2016 (from 119 in FY 2013), and only six individuals were admitted as a direct prison sentence in FY 2025.¹⁰¹ As noted earlier, the changes to the classification of possession likely contributed to this trend.

Figure 6. Prison Sentence Admissions for New Offenses by Offense Type, 2016-2025



Beyond offense category and diving into admissions type, over the past decade prison admissions have primarily been driven by revocations from community supervision, especially parole, as **Figure 7** shows. While the number of parole revocations has recently decreased (down by 22 percent in FY 2025 from a high of 2,284 people in FY 2022), parole revocations have comprised well over half of all prison admissions over the past decade and close to or over 60 percent of prison admissions over the past 6 years.¹⁰² By comparison, probation revocations have decreased by 18 percent (and consistently comprise between 17 and 29 percent of admissions) and new court admissions have decreased by five percent (comprising between 13 and 24 percent of admissions).¹⁰³ The Utah Board of Pardons and Parole reports that 81.8 percent of parole revocations in FY 2025 were due to violations other than a new conviction; this proportion grew from 72.5 percent in FY 2021, but is lower than the peak of 84.5 percent in FY 2023.¹⁰⁴

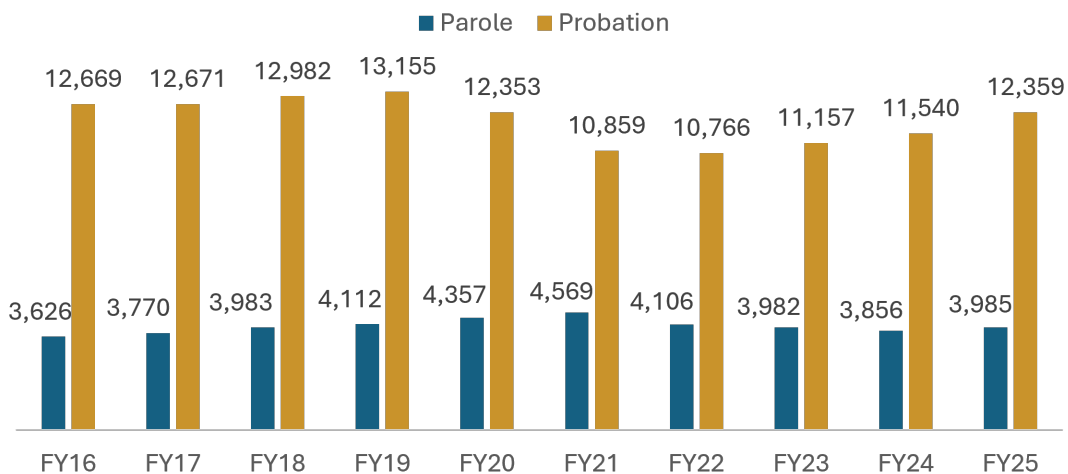
Figure 7. Utah Prison Admissions by Admission Reason, FY2020-FY2025



★ **Utah’s community supervision population is increasingly comprised of higher risk individuals; rates of successful discharge from supervision are growing as recidivism rates decline.**

The daily average population of individuals on parole in Utah steadily grew over the first half of the decade, reaching a high of 4,569 individuals in FY 2021 (a 26 percent increase); by FY 2025, this population decreased by 13 percent, though it remains 10 percent higher than in FY 2016.¹⁰⁵ The average daily probation population, by contrast, peaked at 13,155 individuals in FY 2019 (a four percent increase from FY 2016), then dropped for the next several years before beginning to increase again in FY 2023, remaining two percent lower in FY 2025 than in FY 2016.¹⁰⁶ **Figure 8** below shows these trends. The proportion of individuals on supervision assessed at high or intensive risk grew considerably over the past decade; between FY 2017 and FY 2025, this group grew by 27 percent for parole (from 48.9 percent to 61.9 percent) and by 15 percent for probation (from 54.1 percent to 62.1 percent).¹⁰⁷

Figure 8. Utah Community Supervision Average Daily Population, FY2016-FY2025



Rates of successful discharge from parole stayed between 24 and 33 percent over the past decade, showing modest but consistent upward trends, with a growth of 20 percent in successful discharges between FY 2016 and FY 2025 (as illustrated in **Figure 9**).¹⁰⁸ Average time spent on parole prior to successful discharge decreased during this time, from 33 months in FY 2013 to 21 months in FY 2022 (the most recent start date cohort for which there are three full years from the start of supervision), a decrease of a full year.¹⁰⁹ Individuals rates of successful termination within two years have also grown during this time, from 13.9 percent in FY 2014 to 16.7 percent in FY 2023, a 20 percent increase.¹¹⁰

Rates of successful discharge from probation are considerably higher than from parole – between 52 and 69 percent over the past decade – and show similar if less consistent trends of increase, with a growth in successful discharges of about nine percent between FY 2016 and FY 2025 (as shown in **Figure 10**).¹¹¹ The average time for successful discharge from probation has also steadily decreased, from 26.8 months in 2013 to 21.7 in FY 2022, a nearly 20 percent decrease.¹¹² Rates of successful termination within two years of starting probation have also grown, from 21 percent in 2014 to 30 percent in 2023.¹¹³

Figure 9. Rates of Successful Parole Discharge by Termination Year, FY2016-FY2025

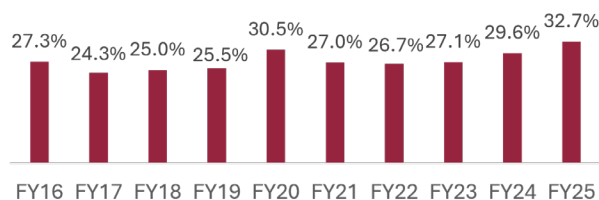
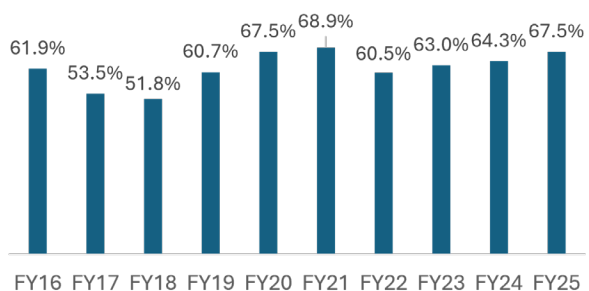


Figure 10. Rates of Successful Probation Discharge by Termination Year, FY2016-FY2025



In turn, recidivism measures for community supervision – returns to prison with a new conviction for those on parole and any return to prison for those on probation – decreased over the past decade. Parole recidivism peaked at 27.3 percent in FY 2017 but decreased to 17.7 percent for the FY 2022 start cohort, four percent lower than in FY 2013.¹¹⁴ Similarly, probation recidivism peaked at 13.9 percent in FY 2016 but has decreased to 10 percent for the FY 2022 cohort, about 13 percent lower than in FY 2013.

Justice Reinvestment Initiative in Utah

Utah launched the Justice Reinvestment Initiative (JRI) in 2013–2014 in response to sustained growth in prison and jail populations, rising corrections costs, and evidence that existing sentencing and supervision practices were not producing commensurate public safety returns.

In 2014, state leaders requested and received funding under the JRI Grant to address the state’s criminal justice challenges. The Commission on Criminal and Juvenile Justice (CCJJ) led the initiative in Utah, examining data from the Courts and Department of Corrections.¹¹⁵

Problem Identification and System Diagnosis

The central objective of Utah's JRI effort was to reduce corrections population growth while improving public safety outcomes by focusing prison and jail resources on higher-risk individuals and strengthening community-based supervision, treatment, and reentry practices. The analysis found that Utah's prison population was projected to increase substantially absent reform, driven primarily by supervision revocations, long lengths of stay, and limited use of alternatives to incarceration for lower-risk individuals.¹¹⁶

The Commission identified particularly high rates of returns to custody for technical violations, extended supervision terms not closely tied to risk, and insufficient alignment between institutional programming and community-based services. The analysis also highlighted capacity constraints in jails and prisons and warned that continued growth would require costly facility expansion without clear evidence of improved public safety.¹¹⁷

Legislative Reform Package and Key Policies

The Legislature enacted Utah's primary JRI reform package during the 2015 General Session, most notably through HB 348 (Criminal Justice Reform). These reforms implemented a coordinated set of sentencing, supervision, treatment, and reentry policies designed to operationalize CCJJ's recommendations. Of the many policies enacted through legislative and administrative change, this report focuses on the outcomes of the five key policies listed below:

- **Revocation caps and graduated sanctions** to limit incarceration for technical violations and promote proportionate supervision responses;
- **Expanded eligibility for alternatives to incarceration**, including treatment-based and community correctional placements;
- **Reductions in the use of criminal history to drive sentence length**, with greater reliance on offense severity and risk;
- **Creation of earned time and earned compliance credits** to incentivize program participation and sustained supervision compliance; and
- **Investments in behavioral health and substance use treatment capacity**, including reinvestment of projected savings into community-based services.

Policy Changes Since Justice Reinvestment

In the years since JRI, the Legislature has continued to address criminal justice challenges, sometimes directly related to the JRI policies, and sometimes to increase penalties for criminal behavior. For example, organized retail theft (ORT) has become a nationwide talking point and Utah legislators responded by expanding the definition of ORT and enhancing penalties for related offenses.¹¹⁸ Efforts to address rising overdose rates through increasing penalties for drug possession and trafficking follow the same pattern. HB 87 created a new crime specific to the trafficking of fentanyl and fentanyl-related substances of 100g or more of any composition, including pills with any quantity, as a first-degree felony with a presumptive prison sentence.¹¹⁹ Similarly, several bills have increased penalties for sleeping outside and addiction-related offenses where it overlaps with homelessness. HB 329 now requires

homeless shelters to allow law enforcement, with reasonable suspicion, to complete random searches for illegal substances while also penalizing homeless shelters for willful failure in complying with zero-tolerance policies.¹²⁰ HB 199 limited access to syringe exchange programs, a harm reduction tool, by prohibiting these programs from operating outside of a homeless shelter or permanent supportive housing program.¹²¹

Another key legislative trend has been increasing capacity and access to mental health treatment and boosting reentry services for individuals leaving custody. HB 199 increases access to mental health and substance use services to those who survive an overdose by requiring first responders to provide real-time connections, calls to 988, or a list of local treatment resources.¹²² Additionally, HB 39 requires the Department of Corrections (DOC) to contract with telehealth psychiatrists to improve access to mental health services during incarceration, as well as requiring DOC, the Department of Health and Human Services (HHS) and the local mental health authorities to collaborate on transition planning three months prior to release, or completion of parole, with certain high risk/high need individuals, including assessing for assisted outpatient treatment or assertive community treatment need.¹²³ And HB 167 requires local criminal justice coordinating councils develop and implement strategies for connecting individuals returning to the community with resources such as housing, employment, and behavioral health services and establishes a Special Revenue Fund to provide direct services to individuals releasing from DOC who require support to increase success and reduce the likelihood of recidivism.¹²⁴

In 2025, the legislature introduced 86 bills that increased criminal penalties and over half of them became law. After the conclusion of the legislative session, the leadership in the legislature and the Governor expressed a need for a cohesive criminal justice plan for Utah rather than a scattershot approach of increased penalties for a variety of different offenses, without analyzing how these changes will affect the capacity and cost to the prison and jail systems, and whether penalties are necessary. To kickstart this effort, the Governor issued an executive order entitled Enhancing Utah's Criminal Justice Strategy Task Force to develop a comprehensive framework for informing future criminal justice policy. The Task Force is charged with addressing key factors such as public safety, deterrence, proportionality, rehabilitation, and resource capacity. This framework was delivered to the Governor and the Law Enforcement and Criminal Justice Interim Committees by October 1, 2025. State agencies are then required to utilize the framework to review criminal offenses and submit a final report by July 1, 2026.

Analysis of Key Policies

This next section focuses on five of the new policies enacted as a result of the 2014 JRI effort. Under each policy is (1) an examination of why the policy was pursued, (2) the details of how Utah enacted the policy either in statute or administratively, (3) any updates to the policy in last decade, and (4) an evaluation of the policy's impact.

1. REVOCATION CAPS

As part of the comprehensive criminal justice bill HB 348, Utah enacted statutory limits on how long a person could be incarcerated for a revocation on a technical supervision violation. The new law directed the Sentencing Commission to develop these guidelines, which took the form of Tool 5 within the guidelines.¹²⁵ Tool 5 outlined maximum periods of 30, 60, and 90 days of incarceration for parole revocations and 15, 30, 45 days of incarceration for probation revocations.¹²⁶ This policy was in response to the Commission on Criminal and Juvenile Justice (CCJJ) finding that the majority (67%) of prison admissions in 2013 were for community supervision revocations; 43% of which were for violating technical conditions and not a new criminal offense.¹²⁷ This recommendation was based both on positive outcomes from other states adopting similar policies¹²⁸ and research finding that people on supervision who served a period of confinement had higher rates of recidivism than those who were sanctioned and remained in the community.¹²⁹

Utah has since modified this policy through both legislation and administrative action as implementation challenges emerged, and political priorities shifted.¹³⁰ Interviews noted that the main driver of this change included the practicality of the judge or parole board not seeing an individual before the suggested capped period had tolled. For example, in 2018, 51 percent of individuals on parole incarcerated on a technical revocation stayed in prison at least 120 days.¹³¹ In response, in 2023, the Sentencing Commission removed the 30, 60, 90 and 15, 30, 45 guidance for first, second, third, and subsequent revocations and replaced them with a wider range of 180 days for parole violations and 90 days for probation violations.¹³² Later in 2025, the Commission amended the guidelines again to exclude three or more revocations from receiving any caps at all.¹³³

Outcome of the Policy

Data show that, while the intended goal of this policy was to reduce the number of prison admissions for revocations by improving successful supervision outcomes, **revocations have continued to drive prison admissions in Utah**. Since the policy was enacted, revocations have consistently comprised at least three-quarters of admissions to prison, peaking at 87.2 percent in 2021.¹³⁴ Closer analysis shows that revocations from probation have decreased, down 18 percent since 2016, but that parole revocations have increased, growing 10 percent since 2016 and comprising 59 percent of prison admissions in 2025.¹³⁵ **However, since 2023, the revocation rate, number of revocations, recidivism from revocations, and admission to prison due to revocations are all decreasing**. Revocation rates, meaning the total number of revocations accounting for changes in the overall parole population, have dropped 21 percent since 2023 from .33 to .26.¹³⁶ Similarly, the number of parole revocations overall have declined, dropping 27 percent from 2,265 in 2023 to 1,652 in 2025.¹³⁷ Further, data shows parole recidivism

decreasing, down 17 percent between 2020 and 2022 (dropping from 21.4% to 17.7%) with largest decline for the time periods of 13-24 months and 25-36 months (dropping 32 percent and 18 percent, respectively). Lastly, prison admissions due to violations are also decreasing, down three percent since 2023.¹³⁸

The composition of parole violations driving revocation has shifted modestly over the review period. Absconding remains the most prevalent violation type, though its share has declined over time. Substance use and programming violations continue to represent a significant portion of revocations and have increased slightly.¹³⁹ When examining trends among primary offenses for which individuals recidivating on parole were originally incarcerated for, alcohol and drug offenses had the largest percentage of violations (24.8%), followed by person and weapons offenses.¹⁴⁰ Lastly, age reveals another common trend amongst individuals violating parole, with the majority of those violating (58%) being under 29 years old (33.3 percent for under 20 and 24.6 percent between 20 and 29).¹⁴¹

Interviews suggest that one main barrier to the success of this policy was that it fundamentally changed the culture of supervision practices and such a shift takes time to become established. The cap on revocations was part of a broader shift in thinking about supervision responses based on the risk an individual posed and their needs to rehabilitate. Without that framework in mind and with limited ability to depart from the guidelines, some found the cap on revocations limiting and a threat to public safety. Practitioners from many parts of the system emphasized that changing culture takes time and these shifts continue to occur and that subsequent changes to the guidelines have increased discretion in response to this feedback.

2. EXPANDED ELIGIBILITY FOR ALTERNATIVES TO INCARCERATION

Additionally, stakeholders noted that even if individuals embraced the culture shift to use community-based options in lieu of incarceration, those options do not exist for individuals on supervision. Urban areas with access to more funding and existing community resources struggled less with this challenge than rural areas with fewer community-based options. The lack of Medicaid expansion contributed to these challenges. Several stakeholders expressed that a delay in enforcing the revocation caps policy to allow counties to strengthen their network of community-based options could have improved implementation.

Another significant policy included in HB 348 was changes to the eligibility criteria of Utah's drug courts. The law required that the Judicial Council develop rules prescribing eligibility requirements for participation in adult criminal drug courts, specifically mandating a clinical need for treatment established by results of a risk and needs assessment.¹⁴² This policy emerged in response to Commission on Criminal and Juvenile Justice (CCJJ) findings that more individuals were sent to prison in 2013 for possession than any other criminal offense, 30% percent of whom had zero or one prior felony offense.¹⁴³ Moreover, the length of stay for these individuals convicted of drug possession grew, up 22 percent over the decade.¹⁴⁴ The CCJJ developed this policy focusing on noncarceral alternatives based on findings that for individuals with drug offenses, especially for those on their first offense, prison increases the likelihood of recidivating after release, due to the criminogenic effect.¹⁴⁵

Since enactment, the policy has continued to evolve in alignment with these principles. In 2022 the legislature amended it to specifically state that a plea to, conviction of, or adjudication for a felony offense is not required for participation in a drug court. The legislature again addressed it in 2024 to make clear that the eligibility requirements that the Judicial Council establishes target individuals who are high risk and high needs, further aligning the specialty court process with evidence-based practices.¹⁴⁶

Outcome of the Policy

Data show that **prison admissions for drug offenses have plummeted**. Since 2014, admissions for drug possession offenses have dropped significantly, from 84 admissions in FY 2015 to only six in 2025, a number 14 times smaller than 11 years ago.¹⁴⁷ However, it is unknown whether this outcome can be attributable to this specific policy relating to eligibility criteria, or a combination of the broader policies in HB 348 focusing on drug offenses, particularly the policy changing the first two drug possession offenses from a third-degree felony to a class B misdemeanor.¹⁴⁸

Aside from prison admissions, data shows the number of individuals in county jails whose most serious offenses are drug possession or drug paraphernalia has also decreased since JRI. Between the third quarter of 2015 (the last count prior to JRI taking effect) and the second quarter of 2019, this jail population has dropped by 32 percent (from 920 individuals to 627).¹⁴⁹ Similar to declining admissions for jail and prison, the number of case filings for drug possession have also declined, by 20 percent between 2016 and 2025 and by 36 percent from their peak in 2018.¹⁵⁰

Significant data limitations on drug court participation and outcomes exist that make tracking outcomes related to this policy difficult. Overall, **participation in treatment courts has declined since 2019**. Data prior to 2019 is largely unavailable. In 2025, 1,312 justice-involved individuals with substance use disorder participated in a treatment court program, a decline of 40 percent since 2019, when 2,220 individuals participated.¹⁵¹ While participation has declined, data shows improved outcomes since 2019, with 66 percent of individuals successfully completing treatment in 2025, up three percentage points.¹⁵²

Interviewees similarly noted continued opportunity to support this policy change. **Communication between all system actors responsible for alternative court operations is key**. Alternative courts rely on a multidisciplinary team for treatment and an even wider team of system stakeholders to successfully move an individual through the alternative court process. Alignment between judges, district attorneys, defense attorneys, treatment providers, and supervising staff is critical to making drug courts yield positive outcomes for the individual moving through them. Without a shared vision for the program as a whole, the alternative courts can be overly complex and onerous for all involved. Interviewees further noted that assessing whether alternative courts could accommodate a greater number of participants under an expanded eligibility framework is difficult to determine absent open communication among all team members, and that capacity limitations may vary significantly across the state.

Two primary forces were identified as undermining the effectiveness of drug courts: (1) the threat of incarceration upon drug court failure often exceeds what a defendant would face through a negotiated plea deal, given that sentencing guidelines on the low end — combined with jail overcrowding — may

allow defendants to avoid incarceration altogether or serve only minimal time; and (2) many individuals with the most acute addiction needs are charged with lower-level offenses, such as misdemeanors, and therefore do not meet the eligibility threshold for drug court participation.

3. REDUCE RELIANCE ON CRIMINAL HISTORY FOR SENTENCE LENGTHS

Similarly, in response to the data showing a high prevalence of nonviolent admissions to prison with limited criminal history (nearly one in five nonviolent admissions had no prior felony history), HB 348 directed the Sentencing Commission to remove duplicative elements of criminal history scoring for nonviolent offenses.¹⁵³ The goal of this recommendation was to reduce long lengths of stay for nonviolent offenses, which research shows yields little to no recidivism reduction benefits for this cohort of individuals.¹⁵⁴ The Sentencing Commission made the following changes:

- Reducing criminal history points given for misdemeanor offenses and counting only more serious (Class A) misdemeanors in the criminal history score.
- Eliminating factors that are already counted in another criminal history category, including prior supervision or residential placement, and prior failure to report.
- Eliminating factors that are not major indicators of an individual's risk of re-offense, including offenses that took place more than 10 years ago.

Since the initial post-2015 guideline revisions, Utah passed legislation that increased sentence lengths for specific offenses and particularly for those who commit multiple offenses.¹⁵⁵ For example, in 2024, SB 213 required changes to the habitual offender rules by directing the sentencing guidelines to recommend enhanced sentences for people classified as habitual -offenders.¹⁵⁶ However, the criminal history scoring changed enacted in 2015 remain unchanged to date.

Outcome of the Policy

While publicly available information on length of stay in Utah prisons is limited, reports published by the Utah Board of Pardons and Parole (BOPP) indicate that **time under BOPP jurisdiction (including both prison and parole, as well as both violent and nonviolent offenders) increased by 19 percent in recent years**, from an average of 6.4 years in 2022 to 7.6 years in 2025.¹⁵⁷¹⁵⁸ Looking specifically at length of stay by felony class, the data shows that time under BOPP jurisdiction has remained consistent for Felony 3 offenses (4.6 years) and Felony 2 offenses (8 years) with increases in time for Felony 1 offenses between 2023 and 2025.¹⁵⁹ These reports also indicate that sentencing guidelines (the point an individual's sentence upon which they are released onto parole) are generally followed by the Board in about two-thirds of cases, with the most common departure from guidelines resulting in individuals remaining in prison (about 32 percent of cases in both 2024 and 2025).¹⁶⁰

Interviewees have indicated, and as noted above, state leaders have focused on penalty enhancements related to criminal history over the past several years. In 2025, lawmakers introduced over 100 public-safety-related bills, and at least 77 of them specifically increased criminal penalties; 43 of which

became law.¹⁶¹ Many included new aggravating factors, mandatory minimums, or expansions of existing enhancements.¹⁶² This suggests that while the criminal history scoring policy has remained intact, it may be overshadowed by other enhancements for criminal history that are contributing to increased lengths of stay.

4. CREATE CREDITS FOR PROGRAM PARTICIPATION TO REDUCE LENGTH OF STAY

Another policy enacted as part of HB 348 to address increasing length of stay, up 18 percent between 2004 and 2014, and reduce recidivism, was establishing the use of earned time credits for program participation in custody.^{163,164} The policy specifically allowed the Board to award (1) no less than four months of earned time credit for the completion of the highest ranked priority in an individual's case action plan; (2) no less than four months of earned time credit for the completion of one additional recommended program from an individual's case action plan; or (3) a discretionary amount of earned time credit in addition to those provided above.¹⁶⁵ The Board may not allow credits for individuals serving a life sentence or those who didn't have enough time to complete programming prior to their anticipated release date and authorized the forfeiture of credits for a major disciplinary infraction.¹⁶⁶ The policy was in response to research findings that incentives such as credits function to increase program participation and reduce recidivism.¹⁶⁷ The law was amended in 2024 to prohibit the Board from providing credits to those that receive a termination date from the Board.¹⁶⁸

Outcome of the Policy

The legislation required the BOPP to track and report the number of incarceration days these credits cut as well as the number of individuals receiving these cuts. **Since 2016, both the number of individuals served, and total days of incarceration cut as part of these mandatory cuts decreased.** A total of 28,789 days were cut in the fourth quarter of 2016, compared to 15,372 in the fourth quarter of 2025, a 47 percent reduction.^{169,170} Additionally, fewer individuals are receiving these cuts, from 206 in Q4 of 2016 to 132 in Q4 of FY 2025, a 36 percent reduction.^{171,172} The fact that fewer individuals receive incarceration cuts now than a decade ago also contributes to the previous finding that length of stay as demonstrated by being under the jurisdiction of the BOPP has increased 19 percent since 2022.

Interviewees did not indicate awareness that the number of days for incarceration cuts were decreasing. Many shared concerns that although the law requires that for the program to be eligible for credit it must be included in the individual's case plan, tailored to their specific risks and needs, it is not always the case. Examples shared included the fact that sometimes a person will participate in a program developing a vocational skill for post-release employment, but they in fact have an offense that would prohibit them from receiving a license to be able to utilize those skills in a professional setting.

5. CONSISTENT BEHAVIORAL HEALTH AND SUBSTANCE USE TREATMENT

Lastly, a major component of the changes in HB 348 focused on treatment for justice-involved individuals with behavioral health needs. In 2013, data showed that an estimated 84 percent of substance use needs and 88 percent of mental health needs in Utah were unmet by the state's behavioral health system.¹⁷³ This resulted in the Commission on Criminal and Juvenile Justice (CCJJ) recommending policies establishing statewide standards and certification for substance abuse and mental health treatment programming that specifically addressed criminality and criminogenic needs and directing the Division of Substance Abuse and Mental Health to take on many duties targeting the justice involved population.¹⁷⁴ These duties include: (1) requiring the Division to establish and promote an evidence-based continuum of screening, assessment, prevention, treatment, and recovery support services in the community for individuals with substance use disorder and mental illness that addresses criminal risk factors; (2) ensuring that each local substance use authority incorporates services focusing on justice-involved individuals; (3) establishing minimum standards and requirements for treatment providers serving justice-involved individuals, including performance goals and data collection metrics; and (4) establishing a certification process for providers who treated justice-involved individuals. The goal of these changes was to align with research and best practices to have providers address the specific behavioral health needs of the justice-involved population.¹⁷⁵ Research shows that treatment tailored specifically to justice-involved individuals is more effective at reducing recidivism than treatment designed for the general public due to their unique risks, needs, and responsivity factors.¹⁷⁶

Since the policy was enacted, the law was clarified in 2019 to ensure that providers didn't have to be licensed specifically by the Division of Substance Abuse and Mental Health but included those licensed by the Division of Occupational and Professional Licensing and the Department of Health.¹⁷⁷ Then in 2022, the statute was amended to remove the establishment of minimum standards and the certification process for providers of justice-involved individuals.¹⁷⁸ At the same time, the Utah Department of Health (UDOH) and the Utah Department of Human Services (DHS) were consolidated into a single agency the Utah Department of Health and Human Services (DHHS).

Outcome of the Policy

Data show that following the enactment of the policy, more justice-involved individuals received treatment. Specifically for SUD treatment, justice-involved participation increased 34 percent (from 10,411 individuals to 13,973) between 2016 and 2019, then dropping to its lowest point in 2021 during the COVID-19 pandemic (down to 9,912), and then increasing again up to 10,722 individuals in 2025, comprising 73 percent of the entire population receiving state SUD services.¹⁷⁹ Overall, this represents a three percent increase since the law changed in 2016.¹⁸⁰ Treatment for justice-involved individuals with mental illness followed the same trajectory, although consistently comprising less of the overall population receiving state-funded services.¹⁸¹ Participation increased 55 percent between 2016 and its peak in 2019 (from 6,779 individuals to 10,514), dropping during the pandemic (to 8,532 individuals), and then increasing back to 8,714 individuals, representing an overall 29 percent increase in

participation since the policy was enacted, but notably just 22 percent of the entire population receive state-funded resources.¹⁸²

Looking at the justice-involved population that received state-funded treatment in 2025, data shows that 39 percent received SUD treatment, seven percent participated in treatment court, 62 percent received mental health treatment, and 13 percent received behavioral health crisis services with law enforcement involved.¹⁸³ Of those receiving SUD treatment, individuals reported an increased use of opioids, and the majority of the individuals were male.¹⁸⁴ The northern counties including Box Elder, Cache, and Rich, had the highest utilization of justice-involved individuals receiving state-funded SUD treatment.¹⁸⁵ Shifting to those receiving mental health treatment in 2025, 47 percent received treatment in a jail setting, 39 percent by referral at system contact, and 16 percent received treatment as part of a civil commitment.¹⁸⁶ Conversely to SUD treatment, mental health treatment for this population was concentrated in urban areas (81%).¹⁸⁷

Interviewees reiterated these findings, noting that most of the justice-involved population has a behavioral health need. They indicated that **jails have become the defacto behavioral health treatment providers** in the state. While some interviewees reported that custodial stays can assist with stabilization, all agreed that jails are not designed to, nor capable of, providing the necessary services. This problem is most acute in counties outside the Wasatch front. Some interviewees noted that more rural areas have been hesitant to build out the behavioral treatment capacity and have instead opted to send high needs individuals to counties with existing treatment options.

Another major theme in the interviews included the **lack of affordable housing that undermines the success of people struggling with behavioral health and substance use**. Nearly all stakeholders agreed that a lack of affordable housing is the top barrier to successfully reentry, especially for those struggling with their mental health and addiction. People are frequently stabilized in residential treatment programs but upon release are unable to find housing, fall back into addiction or do not engage in ongoing mental health treatment, and then violate the terms of their release and are returned to custody. Without an influx of affordable housing options for people upon release, and for those in treatment and recovery, this cycle will continue.

One explanation offered for the increased participation noted in the data was the JRI Provider List, which **created standards for treatment and improved communication between relevant stakeholders**. The former JRI approved treatment provider list established minimum standards to ensure providers understood justice-involved populations and criminogenic needs. It also improved coordination and communication by promoting consistent reporting and alignment with supervision goals, and it gave supervision officers confidence that providers were properly vetted and trained. While some interviewees acknowledged that removing the list expanded provider choice or access, they emphasized several drawbacks: updates on client progress are now harder to obtain, there is less assurance that treatment aligns with criminogenic-risk work, and supervision officers cannot effectively advocate for early termination or intervene early when issues arise. Interviewees described situations where they learned months later that someone had never begun treatment, which created conflict in court and hindered timely support.

Lastly, many stakeholders cautioned that **losing Medicaid would significantly undermine behavioral health services** and halt any progress the state has made to date. The loss or destabilization of Medicaid—particularly Targeted Adult Medicaid (TAM)—would jeopardize services for justice-involved individuals with substance-use or mental-health needs. TAM was specifically designed for justice-involved and homeless populations, offering automatic 12-month eligibility, and functioning as the primary payer for community-based treatment programs. TAM is a major support for specialty courts by enabling more reliable funding and quicker access to services. Interviewees mentioned two specific concerns about changes to or loss of TAM; the risk that a six-month eligibility redetermination could cause people to lose coverage mid-recovery and the possibility of work requirements for continued coverage if SUD does not qualify for a “medical frailty” exemption.

Conclusion

Utah is in an enviable position. The state benefits from a healthy economy, high educational attainment, comparatively low crime, and well-regarded public health systems and research organizations, making it an attractive destination for young people and families. Utah has also been a national leader in collecting and using criminal justice data and aligning its policies with research on what reduces crime and recidivism. The Justice Reinvestment Initiative reflects that commitment, demonstrating that strategic reforms can improve outcomes while protecting public safety and stewarding taxpayer resources.

Yet this report also underscores a persistent challenge: the pull toward anecdote-driven and reactive policymaking—the same dynamic that fueled rapid prison growth and rising corrections costs in the early 2000s. As Utah confronts complex and interrelated issues including behavioral health needs, housing instability, and supervision capacity, the durability of past reforms is being tested. The state’s continued growth and stability will depend on whether policymakers remain anchored to evidence and long-term outcomes, or whether these principles give way when political priorities shift or isolated incidents dominate the public conversation.

Utah’s future public safety success will be determined by the state’s commitment to sustaining research, proportionality, and reinvestment in solutions that work.

Endnotes

- ¹ U.S. Census Bureau, *QuickFacts: Utah*, Population Estimates, July 1, 2024, <https://www.census.gov/quickfacts/fact/table/UT/PST045224>
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