



**UPAN Newsletter** Volume 4 Number 9 | **SEPTEMBER 2017**

*“Empowerment and Growth Through Knowledge and Unity”*

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# New Prison, Soc Sec Filing, New Medical Info Form

**NEXT UPAN MEETING: Monday, October 9, 2017, 6:30 – 8:30 p.m.**

**Kafeneio Coffee House 258 West 3300 South, Salt Lake City**

**TOPIC: Guest speaker – Retired Corrections / A P & P Officer. Free and open to the public.**

**NOVEMBER UPAN MEETING: Monday, November 13, 2017 6:30 – 8:30 p.m.**

**Kafeneio Coffee House 258 West 3300 South, Salt Lake City**

**TOPIC: Family Meeting Planned. Free and open to the public.**

**FOCUS MEETING: Monday, October 2<sup>nd</sup> 6 – 8 p.m. LOCATION: Region 3 Adult Probation & Parole Office, 36 W. Fremont Ave (Just West of State St.) SLC Subject: TBA**

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**Disclaimer: Formulate your own opinions about the information presented.**

**This information is presented for the reader’s enlightenment and evaluation.**

*“Each one of us is capable of both the dark and the light, good and evil...our direction can be re-routed by the choices we make, by the love we hold on to, and the promises we keep.” Season Three, Heroes*

**“I don’t have to attend every argument I’m invited to.” Unknown**

***“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.” Margaret Mead***

## **FOR INMATES: MAILING UPDATES & ARTICLE SUBMISSIONS**

### **If You Have Family or Friends to Send UPAN News to You Please Ask Them To**

We now have 42 volunteers who mail out to 352 inmates as of August 30. We have a stack of letters and postcards from close to 30 inmates who are asking to receive the UPAN newsletter. The Newsletter is sent out every month via email to our volunteers (who are mostly family members of incarcerated individuals), and who are part of an email mailing list of approximately 742 interested individuals. If you have family or friends who have access to email and a printer, please ask them if they would be willing to subscribe to the UPAN newsletter by contacting us at the email address below. Then they can read it themselves to learn what is going on, print it out, and then mail it to you. If you have no one to do this, then you can write us and request to be assigned to a volunteer. When you write, please inform us if you have no one on the outside to print and mail to you. Email address: [utahprisoneradvocate@gmail.com](mailto:utahprisoneradvocate@gmail.com)

Please let us know if you are on our mailing list but have loved ones who are sending it to you and we will remove you from the list. This opens up spots for our volunteers to mail newsletters to other inmates who are on a waiting list and have no one to do so for them.

### **Mailing Address Change or Upcoming Parole Dates**

A huge "Thank you" to all the folks who have notified us of their changes in housing or upcoming parole dates! It has cut down on the volume of returned mail we have received this past few months! We continue to ask that all inmates to please notify UPAN of facility ,changes of address or release. There continues to be a lot of moves between prisons and county jails, and if you notify us as soon as you can when those changes occur, it helps us immensely!!! This way the volunteers who send your newsletters in to you are not wasting funds on paper, printer ink, envelopes and stamps for returned mail. Thank you. **[Editor's Note:** Typical costs: double-sided page 15¢ x 5 pages = 75¢ + envelope 5¢ = 80¢ + stamp 49¢ = \$1.29 for each newsletter mailed. Five newsletters cost the volunteer about \$6.45 each month or \$77.40 per year. Computer printer ink is costly, usually about \$35 to \$48 for two or three ink cartridges depending on the printer brand so I use a commercial copy shop to make the copies.]

### **About Prepaid Postage**

We would like to thank all the inmates that send us envelopes with the postage prepaid to try to help with mailing costs, it is very helpful. It would be most helpful

***"Belief, like fear or love, is a force to be understood as we understand the theory of relativity and principles of uncertainty. Phenomena that determine the course of our lives. Yesterday, my life was headed in one direction. Today, it is headed in another. Yesterday, I believe I would never have done what I did today. These forces that often remake time and space, they can shape and alter who we imagine ourselves to be, begin long before we are born, and continue after we perish. Our lives and our choices, like quantum trajectories, are understood moment to moment. At each point of intersection, each encounter, suggest a new potential direction."*** Isaac Sachs, in *Cloud Atlas*

to us if they were not already addressed. Sometimes they are addressed to inmates who receive their newsletters from one of our volunteers who live outside the Salt Lake Valley and it is not always possible to get that envelope to the volunteer. Some of our volunteers who mail newsletters for us even live outside of Utah! The blank envelopes you send are then used by the main UPAN directors to respond to letters from inmates or given to those volunteers who attend our meetings and send newsletters out to inmates.

### **Article Submission**

Incarcerated writers who wish to submit an article for possible publication in the UPAN newsletter should know that we will review any submitted article that is sent to us at the UPAN P.O. Box. The draft you send needs to be legible so that we can read it easily. We also need to know if you want your full name used in the byline as the author, or if you want us to use initials, first name only, last name only, or be Anonymous. Please understand that any submitted articles that are used are subject to editing by UPAN. We will not publish articles that use foul language. Articles that address the problems faced by inmates, as well as ideas about possible solutions are welcome. Stories and poetry will also be considered, based on the relevance to our primary readership, which are inmates and their families and friends. We always have more articles than will fit in the newsletter each month, so we have a file of pending articles. We also do not have a lot of time for correspondence about articles, so we may not respond or notify you if or when your article will be used. Lack of written response from us is not a sign that we did not receive your article, or that we do not appreciate it.

### **Who Else Receives the UPAN Newsletter?**

In addition to the families and friends of inmates who have subscribed to the UPAN Newsletter, there are a variety of other people who receive it via email. This includes a variety of Utah Dept. of Corrections administrators and staff, volunteers and staff at some county jails, some legislators, attorneys, news reporters, Utah educators, and Utah government officials – including the directors of the CCJJ, the BOPP, and the Governor's office. We also email the newsletter out to staff and a handful of individuals at universities and prisons in other states who have requested it.

## **VOLUNTEERS NEEDED TO MAIL OUT INMATE NEWSLETTERS**

### **We Have A Waiting List**

UPAN currently has about 42 volunteers who are dedicated to print and mail out monthly newsletters to over 352 incarcerated individuals who don't have family or friends in the community to do so. Our waiting list of inmates who have no one to mail in to them is growing weekly. We currently have some inmates on the waiting list, with more requests coming in daily. UPAN directors, as well as the inmates that receive the newsletters, DEEPLY APPRECIATE the volunteers who pay the costs and currently print and mail out newsletters each month to the individuals they are assigned.

### **To Tug At Your Heart – An Appreciation Letter**

Here is an example of appreciation from an inmate who has no family to send it to him, so a UPAN volunteer does. He then shares his newsletter with others in his section. He writes, "Some of the quotes hit the nail right on the head, especially the one of it taking a small group of people to make a change. It reminds me of what UPAN is doing right now. There's a group of guys...we always have in depth conversations about

our newsletter and we always say, 'we have a voice now.' It is nice to have that voice. Thank you. And thank you for sending me the newsletter."

**What Is Involved** If you are interested in becoming a newsletter mailing volunteer, please email us (address pg. 10) and let us know of your interest and how many newsletters you would be able to mail out each month.

Once the newsletter is complete, we email you a copy as an attachment, which you can then print. The newsletter is generally 10 pages long, so if you print it front and back, that ends up being 5 pages, which then fits into a standard #10 envelope and can be mailed for one Forever stamp. Anything more than one ounce will require additional postage (21¢ for the second ounce). When considering how many inmates you would like to mail to, please consider the cost of paper, printing ink, envelopes, and postage. [Costs in article above. Ed.]

Inmates wanting the newsletter are located in both Draper and Gunnison prisons and on Inmate Placement Program (IPP) in county jails throughout the state.

***"Volunteers do not necessarily have the time; they just have the heart." — Elizabeth Andrew***

## **ACCESSING SOCIAL SECURITY BENEFITS AFTER PRISON**

compiled by Molly Prince

The challenge of many elderly and disabled felons being able to access their social security benefits upon release can be daunting. We hope this article will help those of you who qualify for these benefits to be informed on the process. This information came from the Social Security Website <https://www.ssa.gov/reentry/benefits.htm>.

### **Who Is Eligible?**

Individuals released from incarceration may be eligible for Social Security retirement, survivors, or disability benefits if you have worked or paid into Social Security enough years or Supplemental Security Income benefits if you are 65 or older, or are blind, or have a disability and have little or no income and resources.

### **What Happens When Someone Receiving Social Security Goes To Prison Or Jail?**

Social Security and/or Supplemental Security Income (SSI) benefits are suspended when people are confined to jail or prison. For Social Security beneficiaries, their benefits remain suspended until the inmate is released. For SSI beneficiaries, benefits are terminated when the person is incarcerated for a year or more. People need funds to cover living expenses when they're released from prison. To help them make a successful transition back into the community, benefits need to be started as soon as possible.

### **Social Security's Definition Of Disability**

Someone is considered disabled under Social Security rules if:

-- You cannot do work that you did before; the SS Administration determines that you cannot adjust to other work because of your medical condition(s); and your disability has lasted or is expected to last for at least one year or to result in death. SSA does not pay partial or short-term disability benefits. If the person leaving prison meets the above requirements, Social Security benefits also may pay:

-- Your child who is under age 18, or severely disabled before age 22, or  
-- Your wife who is age 62 or older, or is caring for your child who is under age 16 or severely disabled before age 22.

If an inmate and their spouse or child was receiving Social Security benefits on the inmate's account prior to prison, their spouse or children may be eligible to continue to receive the benefits during the inmate's incarceration.

### **How Soon Can Benefits Be Started After Release?**

The amount of time it takes to start benefits depends on the person's situation. If Social Security benefits were only suspended, Social Security can usually restart them without much delay. If benefits were terminated, benefits can take a few months to resume.

If the inmate wasn't previously entitled or eligible for benefits, and is alleging a disability, or SSI benefits were terminated, a new application and disability determination are required. In this situation, a decision about the person's disability could take from three to five months. The initial disability application is often denied.

#### **How To File An Application If You Are In Prison**

After you know your release date, notify someone at your facility that you want to start your Social Security or SSI benefits. If your institution has a pre-release agreement with the local Social Security office, it will notify the Social Security Office if you're likely to meet the requirements for SSI or disability benefits. Then the SS Administration will get an application from you several months before your anticipated release. That way, they can begin processing your application and your benefits can start as soon as possible after your release.

#### **Utah Dept. Of Corrections Does Not Currently Have A Pre-Release Agreement With The Local SS Office**

When UPAN asked about this, Maria Peterson, Public Information Officer for the DOC replied, "We have been working with the Social Security Administration since last fall when Director Kersey first met at their office. As part of our forthcoming Transitional Living Program (TLP) as well as regular release practices, caseworkers and/or transition agents can provide offenders with information up to 90 days prior to their release, on how to apply for social security benefits." Peterson added, "As part of our offender TLP manual, there are forms and statewide office information provided. Since TLP has not technically started, case-workers are providing

offenders with this information." She added that as of August 16, 2017, all caseworkers and programming sergeants had been briefed on this process.

#### **Current Action Inmate Must Take For SS Benefits**

According to the Social Security Administration website, if there is no pre-release agreement, between your institution and the SSA, then when you know your anticipated release date, YOU contact Social Security to apply for benefits if you think you may be eligible. You (or a family member) can call the SSA toll-free at 1-800-772-1213 and tell the representative that you are scheduled to be released from a correctional facility and want to ask about receiving benefits. Please have your Social Security number handy when you contact them. They can set up an appointment with your local Social Security office to take your application after you are released.

#### **Filing For Benefits Based On A Disability**

If you're filing for benefits based on disability, the SSA will gather medical evidence from your doctors to help them decide whether you still meet Social Security's definition of disability. Family members or a social worker can help you by contacting Social Security to let them know of your upcoming release. A family member also may be willing to serve as your representative payee if your medical condition prevents you from handling your own finances.

UPAN hopes to continue to research and attempt to gather more information regarding social security benefits and disability for parolees and update you in future issues of the UPAN News.

### **The Benefit of Pre-Release Procedure with Social Security Administration for Benefits Upon Release**

Source: SSA website, SSA Publication No. 05-10504 ICN 382004 Nov. 2015 (May 2007 edition)

*Currently the Utah DOC has not coordinated a pre-release procedure with the Social Security Administration for inmates preparing to leave prison. UPAN is hoping Transition Services will set something up for Utah for the following reasons.*

#### **A special procedure can be established between USP and SS Administration**

By following a special procedure before release, Social Security can pay benefits much sooner. This is referred to as the pre-release procedure. When an institution has a pre-release agreement with Social Security, the SS Administration can:

- Begin processing an inmate's application up to several months before the inmate's scheduled release date;
- Make a prospective determination of potential eligibility and payment amount based on the inmate's expected circumstances after release; and
- Start paying benefits shortly after the inmate is released from the institution.

When notified by the institution, Social Security will follow this procedure if the inmate is likely to be eligible

for benefits within 30 days of his or her scheduled release date.

According to the website, either the local Social Security office or the Prison may initiate a discussion about setting up a pre-release agreement. It makes sense that Utah's DOC could do this. The pre-release agreement may be an informal verbal agreement; or may be a written agreement signed by the DOC and the Social Security Administration.

#### **What are the responsibilities of each party?**

*Social Security's responsibilities.* In a typical pre-release agreement, the Social Security office will:

- 1) Provide guidelines about what evidence is needed;
- 2) Provide a contact person to assist the institution and the inmate in applying the pre-release procedures;

3) Process claims and reinstatements in a timely manner; and 4) Notify the institution promptly when Social Security has made a decision about the inmate's eligibility for benefits.

*Institution's responsibilities.* The institution will agree to:  
1) Notify Social Security of people scheduled for release in the near future who may be eligible for benefits; 2) Provide available current medical evidence

or nonmedical information for the inmate including a statement about the inmate's ability to handle funds; 3) Provide Social Security with the anticipated release

date; and 4) Notify Social Security as soon as the inmate is released or changes that delay the release date.

A pre-release agreement allows both parties to streamline the process for starting/restarting benefits promptly after an inmate is released; and facilitates the inmate's return to the community by providing him/her with an adequate source of income. To contact Social Security visit: [www.socialsecurity.gov](http://www.socialsecurity.gov) , or call toll-free at 1-800-772-1213.

Salt Lake City SS Office address is: 175 E 400 S #500, Salt Lake City, UT 84111 or call (866) 851-5275.

## **MYTHS AND REALITIES REGARDING BENEFITS FOR EX-FELONS**

By Molly Prince

### **Old Resource List Is Not Truthful Or Accurate**

UPAN has been receiving a variety of inquiries over the past few months regarding an old copy of a resource list that continues to circulate in USP on so-called benefits from the federal or state government that ex-felons are eligible for upon release. We have done what we can to research this and most of what is listed is not true. We also have received updated information from an incarcerated person who dedicated himself to writing these agencies and received very few responses.

It is not true that you will automatically qualify for help from the Utah Division of Vocational Rehabilitation simply because you served time in prison. You must have some type of documented physical or mental disability to qualify for assistance for schooling or therapy through Voc Rehab. Being on parole does not qualify someone as disabled.

### **No Automatic Entitlements – You Must Apply**

It is not true that you will automatically qualify for food stamps, financial assistance, or Medicaid in Utah simply because you have been in prison or jail. The Department of Workforce Services administers the programs, and you must apply through them. There are certain criteria that must be met prior to being approved for these forms of assistance. It is worth applying to find out, but please do not count on these services as an entitlement when you are released.

### **Soc Sec Adm Response To Inquiry + Contact Info**

Thanks to the inquiries of one inmate, (Mr. Miller) UPAN has learned that the myth that there is a benefit for former inmates at the federal level as a "disadvantaged minority" is untrue. He informed us that he wrote to the Department of Human Services asking for benefit information and received the following response:

***Two men meet on opposite sides of a river. One shouts to the other "I need you to help me get to the other side!" The other guy replies "You are on the other side!"***

"Regarding your request, the Social Security Administration does not have a benefit for former inmates qualifying as disadvantaged minorities. This is a common misconception often circulated among current or former correctional institution inmates and staff. If you would like to file for a Social Security Benefit (if you are disabled or eligible for retirement, for example) you can do so at our website at [SocialSecurity.gov](http://SocialSecurity.gov) or calling 1-800-772-1213."

### **Small Business Adm Response + Contact Info**

Mr. Miller also shared a response he received from the Small Business Administration (SBA) which stated they have training and business consulting for "motivated ex-offenders interested in opportunities to start their own business." The training is provided by Counselors to America's Small Businesses (SCORE); Small Business Development Centers (SBDC); and Women's Business Centers (WBC). Information on free or low-cost training is on the SBA website: <https://www.sba.gov/tools/local-assistance>. Further, the SBA also extends financial assistance through its lending partners, such as Microloan Intermediaries, who now can make small loans to businesses with individuals who may be on parole or probation. More information can be found at <https://www.sba.gov/content/microloanprogram> .

### **UPAN At Work – Compiling Helpful List**

UPAN continues to work on compiling a list of viable resources for ex-felons available in Utah. We appreciate the information provided to us on what is and is not available out there and hope to have a comprehensive list put together at some point in the future. In the meantime, as we become aware of things, we will share them in the UPAN Newsletter.

# **The New Utah Correctional Facility**

by Molly Prince

## **Ceremonial Groundbreaking**

On August 16, 2017, the Department of Corrections and State of Utah officials conducted a ceremonial groundbreaking at the site of the new Utah State Correctional Facility. This event acknowledged and celebrated the collaborations between Utah government and private organizations to build a new prison. It is also considered a milestone for paving the way for the future of corrections in the state of Utah.

Governor Gary Herbert spoke at the ceremony. He stated, "This is more than building a building. This is about restoring lives." He is referring to the approach to rehabilitation that has been a goal of the DOC over the past four years under the direction of Rollin Cook.

## **Direct Supervision Model**

The new Prison will be located off I-80 and 7200 West in Salt Lake City. It will be the direct supervision model, which is a type of prison that has proven to be a more effective design to ensure the safety of both staff and inmates. Direct supervision combines two key elements—the physical design of a correctional facility and an inmate management strategy—to significantly reduce the problem inmate behavior commonly seen in prisons and jails. Direct supervision facilities focus on actively managing inmate behavior to produce a prison that is safe and secure for inmates, staff, and visitors.

Staff interact continuously with inmates in the housing units, actively supervising them to identify problems in their early stages. They use basic management techniques to prevent negative behavior and encourage positive behavior. Staff assume control of the jail and establish a professional supervisory relationship with inmates. There are no barriers separating staff and inmates in the housing units other than cell doors.

The physical design of Utah's new correctional facility will support the management of inmate behavior by reducing physical barriers that impede staff/inmate interaction. It will ensure there are clear sightlines into all areas of the housing units, and it will incorporate design elements, fixtures, and furnishings that have been shown to promote positive inmate behavior.

This approach to the new correctional facility will play an important role in improving public safety for the entire state. "The future of corrections is all about providing treatment, education, programs and job training we know are proven to help prepare people for successful and safe return to our communities," said UDC Executive Director Rollin Cook at the groundbreaking ceremony.

During an interview for the Deseret News with Lee Benson on July 24, 2017, Dir. Cook responded to the question asking what his idea of an ideal prison is. He

responded, "First of all, it's a facility that is safe and secure for everyone that works there, that is housed there, that comes to visit there. And it's something that can be used as part of a criminal justice plan that allows for incarceration for those who need it. But while they're incarcerated, it's built with the ability to program, educate and prepare these folks to come back into our community and make a real difference."

## **Location Intended for Easy Access to Resources**

In that same interview, Dir. Cook explained about his involvement in the process of moving toward a new correctional facility in Utah. He states, "I'm pleased with how the process has worked. The relocation process has certainly been one of the most challenging times of my career, just trying to find a place that will work for everybody. I don't want to jinx things because we still have to build it ... but I think we've chosen the very best spot to put the new prison.

We're in close proximity to all the important resources we need: correctional officers, doctors, psychologists, nurses, all the support functions. The other thing that's great about the location is it keeps us close to the criminal justice system, it keeps us close to the families, and it keeps us close to reinvestment and community-based programs. Yet it's far enough away that it's not on anybody's doorstep. You could fly over the site right now and you'd have no idea it's a prison site."

## **State Officials and Contractors Participate**

In addition to Governor Herbert and Director Cook, the event included remarks from Executive Director of the Department of Administrative Services Tani Downing, State Representative Brad Wilson, Director of the Division of Facilities and Construction Management Jim Russell, and Director of Salt Lake County Regional Development Carlton Christensen.

Following remarks, prison officials, representatives from the Governor's office, state agencies, BDK Joint Venture, and Layton-Okland construction joined shovel lines to mark the symbolic groundbreaking to begin construction. UPAN President Shauna Denos and her husband Rusty were present at the ceremony, as was UPAN Secretary Michael McAinsh (see next article for his experiences).

## **Completion by 2020**

On-site infrastructure and transportation construction has been underway since January 2017. The new prison is slated for completion in late 2020. It is anticipated that the DOC will begin moving inmates from the old Draper prison to the new facility at the beginning of 2021. For more information go to: [newutahstateprison.utah.gov](http://newutahstateprison.utah.gov)

# **THE NEW PRISON: GROUND BROKEN, BLUSTERY WINDS AS SPEECHES ARE MADE**

By Michael J. McAinsh, UPAN Secretary

## **Interesting Adventure For Two Ex-Felons**

The sky overhead was blue and cloudless as Paul and I set out on our trip to the grasslands south-east of the Great Salt Lake. Paul is an ex-felon who expired his sentence shortly after I did. After a period of homelessness, he found his way to Homelnn where he currently resides. I recruited him to drive me out to the site of the groundbreaking for Utah's new prison. He wasn't enthusiastic about it, preferring to keep as far away as possible from all corrections-related activities.

As we wheeled our way along the freeway towards the site, I marveled at how well this 72 year-old man was able to handle freeway traffic after not having driven a vehicle in nearly 12 years. He had recently passed his driving test, and we were now heading to the groundbreaking ceremony in the shiny, red Ford F150 truck with matching camper shell which he had recently purchased. It was obvious to me that Paul still had great instincts for driving.

## **Many Improvements Since Previous Visit**

Arriving at exit 111, I noticed that the work that was being done to widen the frontage road when I had last been out that way had been completed. Also, the two-mile gravel road leading from the frontage road to the prison site was much smoother than when our little band of "roundtable" participants had first made a sojourn there several months previously. Quite a lot of ground had already been broken in preparation for this glorious morning's groundbreaking!

## **Conservationists Protected Land To The West**

The trip down that gravel road through the bucolic grassland made me sad, as I pondered the development that would shortly follow the prison to the home where the antelope played. I was grateful for the conservationists who had made sure that future development would halt at the western perimeter of the prison, and that the remainder of the scarce land would be preserved for nature. We rounded a corner and drove onto the ample lot that the construction crews had already prepared. The buildings that house the "nerve-center" of the construction process had already been built the last time we had visited.

## **Warm Greeting & Meeting With Executive Director**

The first thing that we noticed as Paul was parking was the large number of corrections officers in attendance. Most were wearing their blue uniforms. As we crossed the lot, I noticed executive Director Rollin Cook who was in his uniform that day. He remembered me from previous meetings, and greeted me warmly. I then introduced him to Paul, and they shook hands. Later, Paul commented on the meeting with Director Cook, stating, "That man with the stars on his collar didn't greet me like I was a felon, but looked me in the eyes and greeted me like I was an ordinary person." "How

true," I thought. "For all the challenges that corrections faces, there's a man who runs the prison knowing that he's dealing with human beings who are more than mere felons."

Since we were arriving just minutes before the event was supposed to start, Paul and I headed for the tent that was set up for the speeches. The dignitaries were assembling on the dais in preparation for the program—lesser dignitaries in the second row, the important folks in front.

## **Director Spoke Of Preparing Inmates For Release**

As speaker after speaker stood at the lectern to make their remarks, I thought about the remarks that Abraham Lincoln made at the dedication of the Soldiers' National Cemetery in Gettysburg, Pennsylvania in 1863; "The world will little note, nor long remember what we say here." A joke was made about the "exclusive gated community" that was to be built at the site. "Heck," I thought, "Inmates made that same joke years ago." However, director Cook spoke in all seriousness about the fact that 95% of all inmates would one day leave the prison, and how it is the job of Corrections to prepare them for that day.

## **Hoping For More Art and Ecological Activities**

After the last of the remarks were made, and promptly forgotten, the dignitaries hurried over to the spot where the "first" shovels-full of dirt would be turned. However, a reporter from the Salt Lake Tribune hustled over to where I was, to get some memorable remarks for his article. I told him of my hope that a greater emphasis on the arts would be brought to the college-like prison campus, and that level 4 & 5 inmates could participate in ecological activities to help preserve what remained of the wildlife refuge at the edge of the Great Salt Lake. My remark that the prison wouldn't have "those towers that remind [inmates] every day they are in prison," drew a few comments from readers of the on-line edition. "McAinsh must be the stupidest man in the world," wrote one. Me, the stupidest man in the world? I can think of maybe two or three others who've got me beat in that category! ;>)

After reporter #1 finished, reporter #2 from the Deseret News made her appearance. However, just as she was gearing up for the interview, UPAN's president, Shauna Denos, and her husband, Rusty showed up. "Oh, good!" I thought. "Here's the president of UPAN," I told the reporter, and made my way to the food tent. A turkey sandwich was calling my name!

## **Some UPAN Concerns And Hopes Are Addressed**

UPAN continues to have concerns about environmental issues of the site including the soft ground and the

construction process that will add fill and create a stable base to build on. We have been assured by the builders that the process to create that solid foundation and the type of construction will assure that there will not be structural problems in the prison due to ground shifting or sinking.

UPAN President Denos was quoted in the Deseret News on August 16, 2017 in an article by Katie McKellar, "You have to have faith in the engineers and the geologists and hope that it works out." She explained that her son is an inmate at the Utah State Prison and could potentially be moved to the new prison if he does not get an early release. Shauna explained that initially, UPAN didn't support moving the Draper prison but eventually came to the realization that

"moving it was the only way we were going to get a facility that is not only safe for the inmates, but safe for the staff." She went on to say that at this point, we are really hoping for the best. Overall, UPAN directors are doing our best to be optimistic that the design of the new facility will promote more rehabilitation opportunity for prisoners than the old one.

### **We Take Our Turn With The Shovels**

After the other important people lifted shovels of earth to symbolize the groundbreaking for the new prison, Shauna, Rusty and I grabbed the golden shovels and lifted a bit of dirt ourselves. We plan to pay close attention as the construction of this facility moves forward!

## **September UPAN Meeting Featured *Not for Rent!* Documentary Film**

By Molly Prince

### **A Sobering And Sometimes Tearful Experience**

The September 11, 2017 UPAN meeting was held at Kafeneio Coffee House in Salt Lake City. It featured a free screening of *Not for Rent!* This documentary film examines the challenges ex-felons along the Wasatch Front face every day as they attempt to find appropriate and affordable housing and to reintegrate back into society. It addresses the "not in our town" mentality of so-called "Good Landlord Programs" in Utah that contribute to the ostracism of people attempting to rebuild their lives after serving their time. Directed by Matt Duhamel, an ex-inmate himself, the film opens viewers' eyes to the millions of men and women all over the country who combat housing restrictions while attempting to move on from a past that the community does not want them to forget. The feature length film begs the question, "Who deserves a second chance?"

from prison. Smith was present at the meeting. He answered questions and shared his perspective on ways to successfully move forward after prison.

### **Several Utah CJ Reformers Featured In Film**

Also featured in this film are UPAN's Michael McAinch and Molly Prince. Stories of other former felons are depicted. Professor Monica Williams of Weber State University, ACLU's Anna Brower Thomas, and a variety of other authorities on the impact of housing challenges to felons and their families are featured. Utah's Rep. Brian King, who successfully sponsored the "Good Landlord Bill" this past legislative session, is featured in the film discussing the importance of curbing clauses in cities' Good Landlord laws so they cannot have financial penalties / incentives to coerce landlords to not rent to felons.

### **Q & A Period By Former Felon Landlord**

After this powerful film was shown, we had a question and answer session. Mike Smith, a former felon himself who is now off parole is featured in this film. He owns, remodels, and rents out housing to people released

### **See It Again And/Or Buy It And Show It To Others**

This meeting was streamed on UPAN's Facebook Live, where you can find it. You can also view it in two parts on the Metamora Films Facebook page. It is available to view or purchase through Amazon Prime.

## **UPAN DIRECTORS SPEAK AT SATURDAY FORUM IN CUCF**

by Shauna Denos and Molly Prince

### **Monthly Saturday Forum Features Interesting Speakers**

For the third year, UPAN directors were invited to speak at the Saturday Forum in CUCF. The Saturday Forum has been a program that brings various individuals from the community in to speak to approximately 80 inmates. It is our understanding that it's part of the STRIVE program, the brainchild of Jeff Kitchen about four years ago. Mr. Kitchen invited the speakers and organized the events, along with a small team of other inmates who assisted him. Past speakers have included Lt. Governor Spencer Cox, CCJJ Director Ron Gordon,

Karl Winsness of the annual Willy the Plumber Scholarship award, and Mike Smith who owns and manages housing units for felons in Salt Lake City. Mr. Kitchen arranged our September 9<sup>th</sup> visit five months ago and was recently transferred to Draper during the shuffle of inmates around the state as a result of Operation Rio Grande last month. Carl Wilckens is now the inmate who manages the Saturday Forum, with several other men who assisted to make sure things went smoothly. We are grateful for the hospitality extended to us by Mr. Wilckens and his team, as well as Sgt. Arnoldson who helped to facilitate this visit. Sgt.

Arnoldson goes above and beyond by going into work on his day off each month to make sure the Saturday Forum can take place.

### **UPAN's Adopted Song "I Won't Let You Go"**

As in past years, the Band played for us and the 77 inmates in attendance. We wish to extend our heartfelt appreciation to the band members Steve, John, Glenn, Bill, and Mack who sang and played meaningful songs for us. They also remembered the UPAN song, *I Won't Let Go* by Rascal Flatts which they learned and arranged for our visit last year. We were able to sing it together at the end of our visit.

### **UPAN Speakers Ask For Inmate Experiences**

UPAN speakers included UPAN President Shauna Denos, her husband Rusty, UPAN Secretary Michael McAinsh, who was released from USP in July 2015 when he expired his sentence, plus one of UPAN's founders, Molly Prince. What UPAN is and does was shared, as well as what UPAN can and cannot do. Inmates are encouraged to write and share their experiences – both good and bad – with us so we know what is happening inside and what is improving and what continues to need improvement.

***Just so you know - Medical care is not always so great on the outside. When I went to the lab to have some blood drawn, I was greeted with the following questions from the technician. "Has your address changed?" she asked. "No," I answered. "Your phone number?" "No." "What about your birthday?" That's when I laughed!***

## **A New Medical Power Of Attorney Form** **Promises to give inmates more control over when and how medical information can be shared with their families**

By Michael J. McAinsh

For years, families have looked on from afar in frustration as their incarcerated loved one suffered due to questionable clinical practices. If they called the prison to find answers, they were met with the answer, "Due to your son's right to privacy, we cannot discuss his medical condition with you."

Because of the clamor of inmates and their families for a way that medical information could be discussed with clinical staff in a timely fashion, the prison devised the "*Authorization to Verbally Discuss Health Information*" form a few years ago. This form gave a bit of autonomy to inmates who wanted their families' help when they felt that they weren't receiving adequate care, felt they been misdiagnosed, or needed family to help fill in blanks about medical history.

Currently, there are a lot of difficulties associated with the "*Verbal Authorization*" form. For one thing, it is necessary to obtain the form from one's caseworker. This requirement slows down the process considerably. Inmates cannot obtain the form on weekends or holidays. The caseworker could be in meetings, taking classes, or any one of a thousand reasons why the caseworker cannot be reached by the inmate in a timely

### **Value Of Each Inmate And Their Responsibilities**

Also stressed was the need for prisoners to take responsibility for themselves, to be completely honest with themselves... which leads to honesty with others in their lives. Becoming responsible for their own rehabilitation, no matter how difficult, was also a message that was shared. Shauna and Rusty each shared a bit about their own challenges in their prison journey with their loved one and how important they have found it to be in their lives to do everything they can to improve the criminal justice and prison systems in Utah. Michael shared about his experience of leaving prison and becoming successful in his life after incarceration. Molly stressed the value of each individual, no matter what their reasons for being in prison, and in the end, all the presenters shared encouragement and hope for those in the audience.

### **This Rewarding Experience Helps Our Motivation**

We thank each person who attended and welcomed us so warmly. Our visits to the Saturday Forum each year have become a highlight of being involved in the administration of UPAN. We truly love seeing and meeting all of those who are incarcerated and working so hard to improve themselves on the inside, while we work to improve things on and from the outside.

fashion. Some inmates have been told by their caseworkers that they do not know what this form is or where to access it. Once obtained, the inmate has to make an appointment with a notary in order to have the form notarized. The requirement that the form has to be renewed every 90 days adds to the challenge.

So, you, as an inmate, and your loved one cannot see the need to go to all the trouble to fill out the prison's form every 90 days. "Why should I bother getting this form filled out, notarized, and submitted to Medical every 90 days?" you may ask. "I work out every day and I'm healthy." Then, one day, you're hurt in a fight, you trip and fall down the stairs, you suffer a heart attack or stroke. You are hospitalized; your family is worried about you, but nobody can get information on your condition. "Due to your son's right to privacy, we cannot discuss his medical condition with you."

Seeking a solution that would help families obtain timely information on their loved ones' health and well-being, UPAN did some research, and came up with its own *Medical Power of Attorney* form. This form is modeled on similar forms in use by attorneys. It does not have to be re-authorized every 90 days. One can authorize it

for any length of time from a month to 10 years or longer. Permission to obtain information can be withdrawn simply by having the inmate notify the parties—his family and the prison—in writing.

This form has been vetted by the DOC's own attorneys, and passes muster. Recently, UPAN asked a prominent Salt Lake City attorney for his opinion. He stated, "[The form] looks fine to me. The duration of the authorization (10 years) struck me as excessive, but perhaps given the length of sentences being served, it might not be."

*Inmate Name Here*  
*His/Her Number, (Utah State Prison/CUCF)*  
*PO Box (250/550)*  
*(Draper/Gunnison), UT (84020/84634)* **Medical Power of Attorney**

*This document authorizes and directs employees of the Utah Department of Corrections, including Clinical Services (Medical Department), and/or other prison personnel, to release to **Your Name Here** any and all documents and other materials in their possession pertaining to me or my health care.*

**This is how you change it:**

John Doe  
#012345, Utah State Prison  
PO Box 250  
Draper, UT 84020

**Medical Power of Attorney**

This document authorizes and directs employees of the Utah Department of Corrections, including Clinical Services (Medical Department), and/or other prison personnel, to release to **Mary Doe** any and all documents and other materials in their possession pertaining to me or my health care.

**Please note** that it will be necessary to go through the document and substitute **your own name** in each place where you see **Your Name Here** in bold, as is seen in the example above. Also, the 10 year date near the bottom of this document can be changed to a different length of time if it is desirable to do so.

After making the changes, print out the form and mail it to your incarcerated loved one to sign and have notarized. It would be a good idea to then send a photocopy of the completed form to Clinical Services at the prison with a note, asking that it be added to your loved one's file. Also mail a copy of the form to your inmate for his file. He/she can let the medical provider

**Instructions For Families**

This form will be available for families to download from UPAN's website in the coming weeks. (Until then, please email [utahprisoneradvocate@gmail.com](mailto:utahprisoneradvocate@gmail.com) and request a copy.) Once it is on our website, family members can simply go to [utahprisoneradvocate.org](http://utahprisoneradvocate.org) and click on the download button. The form comes as a Microsoft WORD document. Once the form is downloaded, change the heading information to the information for your loved one. Below is an example of what you will find:

and his caseworker know that he/she has a signed, notarized clinical power of attorney form on file in their medical chart, and can show their copy, if necessary.

In the case of an emergency, this form can be emailed as an attachment to the prison health-care provider, caseworker, or the hospital where a loved one is hospitalized.

It is UPAN's hope that this form can help families get answers in a medical emergency, or to give and receive information, and discuss treatment options with prison providers, caseworkers, or other prison officials when there is a valid reason to do so.

**A lesson in "Cool" (from the dictionary): not excitable, calm, composed, marked by control of one's emotions, able to handle unpleasant situations with internal strength that doesn't show agitation or anger, acceptance that "this too shall pass." Ain't it cool to be cool? Sure is!! Ed.**

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