



## UPAN Newsletter Volume 2 Number 11 | **NOVEMBER 2015**

*“Empowerment and Growth Through Knowledge and Unity”*

\* \* \* \* \*

**NEXT UPAN MEETING : MONDAY, JANUARY 11, 2016 6:30-8:30 PM**

**Location:** 1136 East Pioneer Rd (124th South) Draper, Utah **NOTE:** There Will Be NO UPAN Meeting in DECEMBER

**Next FOCUS Meeting: Monday, January 4, 2016 6-8 PM**

Location: Adult Probation and Parole Office, 36 W. Fremont Avenue, Salt Lake City UT 84101

Deputy Director of Administrative Services Mike Hadden will be present to talk about the upcoming legislative session and how the process works. This will be very informative to all who attend.

(FOCUS meetings are held every other month on the first Monday of the month)

### **IN THIS ISSUE**

UPAN January Meeting Agenda – You With Your Legislator – See below Page 1

The Season of Giving Thanks Page 2 – 6

Guidelines for Mailing Holiday Cards and Letters Pages 6 – 7

Legislative Audit Update Pages 7 – 8

November FOCUS Meeting Notes Pages 8 – 10

Possible Scam Alert & Make Donations to UPAN Page 10

UPAN Directors, UPAN Contact Information, and Information Disclaimer Page10

\* \* \* \* \*

### **January 11, 2016 “Get to know your Legislator” (Bring Your Legislator To UPAN Meeting)**

We are asking our UPAN participants to contact their local representatives and senators and invite them to our January 2016 meeting. You can find out who they are by going to: [le.utah.gov](http://le.utah.gov). E-mail them, call them, and send them a written invitation. This will only be successful if we all do our part to invite them!

**This meeting will have three objectives:**

**First:** This will put a face to the names we hear about up on the Hill. And they will get to put a face to the constituents they represent.

**Second:** We can give first hand stories about the real people being affected by the laws they are passing.

**Third:** We can let them know what we would like to see happen with new criminal justice reform.

This will be accomplished the same way we did when Ron Gordon of the CCJJ came. There will be a list for participants (you) to sign up in order to speak. Each speaker will get up to five minutes to express their views. We would like this to be a positive experience for all involved, so no negativity will be accepted. Our representatives should come away with an appreciation of everything we as families, and our incarcerated loved ones, are going through. We hope to share, ideas that continue to facilitate positive change. We need their help, they need our experience, and we need them to be on the side of truth, fairness, and healing.

## THE SEASON OF GIVING THANKS

**Introduction:** November is a time in American culture when many of us take a moment or a day to stop and look at what we are thankful for. With the Thanksgiving holiday coming close, UPAN Directors have been thinking about who and what we appreciate and are thankful for this year. Much of this newsletter is devoted to coming from a place of gratitude.

### Gratitude from Inmates

UPAN has received a significant number of letters from incarcerated individuals expressing their gratitude for what UPAN's volunteers do. Here are some samples we would like to share.

*"I have been receiving newsletters from you guys and would like to thank you for that and everything you guys do for us, the prisoners. Thank you for keeping us informed." M.R.*

*"UPAN, I have read your two most recent newsletters and am impressed by the issues that were mentioned. The sex offender issues along with the IPP program issues are the same ones that we as inmates talk about. Hopefully something can be done. At least there are some people in the real world that are aware of the issues that inmates and their families deal with on a daily basis." K.J.*

*"I am very humbled with all the hard work your staff puts in to help us inmates and our families. Your work gives me hope for my future. Knowledge is power as I am sure you all know. You all help light the dark tunnel I am going through. Thank you for your time and energy." C.C.*

*"UPAN, I want to thank you for all the good work you do for us prisoners. I want to thank you for forwarding my request to PrisonEd Foundation. This will be of great benefit to myself and others that I share this information with." K.T.*

*"I would like to take this chance to thank you and everyone else at UPAN that gives a voice to those whom might, under this time of duress, not be heard! Thank you very much!" V.E.*

*"Enclosed is a \$5 donation to support the work that you do on behalf of prisoners within the UDC. I know it's not much but I hope that it can be of at least some help in spreading the word about reform and other rehabilitative issues. Thank you for the work you do on our behalf. If there is ever anything else I can do to be of service, please ask." P.L.*

*"A good Samaritan let me read two of your newsletters. I find that your network has a great deal of helpful information. Your staff has a lot of great ideas and I personally am grateful for their time and effort in everything they do and advocate for a better way to help change the Utah prison. Prisoners should be getting the help that each one needs." I.H.*

*"I thank all of you who make up the foundation and function for UPAN for your time, service, vision, commitment, and moral compass to help those of us who've fallen for the poor choices and behaviors we have made." C.R.*

From a prisoner who expressed appreciation for UPAN's part in influencing and supporting USP to get the Verbal Authorization to Release Medical Information put into place in June 2015.

*"It took me many months of paying \$5 a visit to prove I had (a medical condition.) Even then, it wasn't until my mother was able to call and speak with them, thanks to the Authorization to Release Medical Information, that UPAN was instrumental in getting approved, I was put on medication. My mom calling and actually speaking with someone (in Medical) has been a Godsend. They listen to your family and will get things done much quicker." Initials withheld*

*"I have read several of the newsletters and have seen in some cases what families and the public are told about how the system is, isn't always how things are in here. Inmates are also told different things regarding programming, IPP, board reviews, and potential reform than what actually happens. I am grateful for all of the work UPAN does to try to bring truth to light. I am grateful for your efforts to push for reform. Though we did some terrible things, some of us really want to get better." R.G.*

*"I do enjoy your newsletter when I can get it. I find it very informative and gives me a little hope that things may really being changed. Also, where can I send donations so that I can help out a little?" S.S.*

*"I really appreciate the things you guys are doing and how you're handling the UPAN. I will keep you in our prayers." B.Y.*

*"Dear UPAN, Thank you all very much for everything you do for us prisoners and our families and friends. May God protect you all, keep you safe, healthy and happy. I sincerely hope you all have a Happy Turkey Day and Christmas." E.A.*

## Gratitude from Families

*"I found UPAN's website. I want to thank you for everything you are doing. I live out of state and cannot be there to help my son. I have signed up for your email list so I can send him the newsletter."*

*"I had almost lost hope having my loved one incarcerated for so many years. It is so hard to have someone you love locked up for so long. And being given false hope in parole board hearings only to have it crushed when the board decision comes out. Until I heard about UPAN and what you are doing to try to help get information for the Board Audit. Thank you for emailing back and sharing encouragement. Thank you for helping to restore hope."*

*"Thank you for returning my call and guiding me in the right direction of who to talk to about the problems my husband has not been able to get resolved through the*

*grievance process. When I spoke to "X" she was able to put me in touch with the right people and there is some progress in getting it resolved."*

*"Thank you for all the emails back and forth sharing how the system works there in Utah. It is so hard living far away from where my brother is. It has been extremely hard on my mother and now that we understand the privilege levels and how the phone calls and visiting works and what to expect at his first board hearing we can sleep better at night. We now go to the Corrections website for answers to many of our questions and have received the last two issues of UPAN News. Also, my mother and I both are grateful for the return phone calls and your listening ear. You are amazing. I think we can manage this now." A sister on the east coast when her brother first entered USP.*

## Molly's Gratitude to Inmates

As the President, I would like to share that I am grateful to our incarcerated loved ones and all the prisoners who have written UPAN sharing their stories of both struggle and success. Many have written their frustrations with how the system actually works versus how policy says it is supposed to work. A few have written strong criticisms of UPAN and their belief that we are foolish to try to work with a system that they experience as corrupt and hostile to inmates. I would estimate that 90% of the letters we receive include some sort of expression of gratitude to UPAN and its volunteers for all that UPAN does to try to improve the conditions that inmates and their families live in and with, day in and day out, throughout their prison journey.

I will only speak for myself here, but I suspect it applies to the other directors. I have come to appreciate all the comments, concerns, criticisms and thank-you's that we receive from incarcerated individuals. The comments and stories of what is going wrong inside help me look at what direction we need to take in the future to work with Corrections to remedy problems. The criticism helps me to look at myself and UPAN in general to see if we are doing what we need to be doing to move toward UPAN's purpose and goals. The letters of appreciation are the things that keep us going when we are simply so exhausted and burned out trying to juggle UPAN issues with our own work and families and incarcerated loved ones that we wonder if we can go on.

One of the most humbling experiences I have had was when our newsletter kept growing and grew to about 12 pages one month. I was wondering how we – meaning myself and the other directors who print and send out

newsletters to inmates who have no one else to do so, as well as our newsletter mailing volunteers – will afford to add one more page front and back to the newsletter. I worried about the postage and how it will increase the costs. I had talked with Warren, our newsletter editor about this. He had meticulously researched and calculated how many pages of lightweight paper we can stuff into a #10 envelope so that we can still mail out with one Forever stamp. I was worried about how we were going to keep up at the pace of growth that we have experienced over the last year.

That weekend, while stressed about how big it was all getting and wondering how I could keep up, I opened a small stack of about ten envelopes from CUCF. I had worried those letters would contain more questions that I had no easy answers for, or more heart wrenching stories that I would share with Heather or Shauna in an attempt to figure out what direction to take and how to advise them.

Instead, those envelopes contained nothing in them asking anything of UPAN. Each contained a gift to UPAN and the other inmates and families we serve. Two contained blank stamped envelopes with instructions to use them for mailing newsletters to either themselves or others. Others contained money transfers with short notes saying they wanted to contribute to help keep UPAN moving forward. One of those checks was for \$2. Another was for \$10. The others were for \$5. One of those pledged to send something every month and has kept that pledge. All are deeply appreciated. So are all other contributions from other inmates at other times and from other locations.

I sat at my kitchen table with tears gathering and my heart filling, touched by the gifts that were sent to UPAN to help our cause - from people who have so much less than I have. From people inside who may have 40 or 60 cent an hour jobs. And from others who don't even have jobs, but are willing to share whatever they do have provided from their families to help sustain UPAN. These men gave from their hearts. They didn't know we had to pay for our website domain hosting, or the internet security for our website and email account. They didn't know we had post office box rent coming due. But, because of their appreciation for UPAN, they chose to share what they did have to help not only themselves, but others who benefit from what UPAN offers.

We have received offers from inmates to do artwork and to write articles. We will get back to you when we

have room for things other than the most pressing issues in our newsletters (Board Audit, CJ Reform, Prison Relocation, etc.). We have received a lot of information from you and offers to share more about how things actually are in various parts of the Utah State Prison System. The outpouring of appreciation UPAN has received from our incarcerated UPAN family throughout 2015 is heartwarming and at times simply amazes me!

To all the incarcerated men and women that UPAN touches, I want to share my appreciation for what you have to offer and what you have already shared. I send my gratitude. I send blessings with the hope for you to walk in balance no matter what challenge you may face. You matter.

### Essay on What We are Thankful For By Shauna Denos UPAN Director

Five years ago our family experienced the biggest shock of our life, bigger than losing our second son Kyle 27 years ago in a tragic auto pedestrian accident or losing our grandparents. Nothing in this life can prepare you for having one of your children accused of a horrible crime, being found guilty and then being sentenced to prison five to life. Losing Kyle was so heart breaking, his little life cut short at four years of age. But because of our beliefs we know that he is safe, we know he is happy and engaged in good works. And if he can't be with us then he is with the next best person, our "Savior".

But five years ago, some 23 years after Kyle's' death, another of my sons has been taken from our family. We still get to see him and talk to him on the phone, but he can't be with us. He works hard at being engaged in good works, but he isn't always in the best of places and not always with the best of people, and this too breaks our hearts. As time has passed we have begun to see good things happen, not only for our son, but for us also. We are grateful for all the learning opportunities he has had, grateful for the job he had at the prison, and grateful he got into programming as soon as he did. (We are trying to be grateful for the drive down to Kanab, too.) We are grateful for the good friends he has made while on the inside, that he has been safe and healthy, and he is still the same strong, compassionate young man he was when he went in. We are so grateful that not only has he been watched over but so have we. There are many people who this has affected: he has three living brothers and two sisters, four in-law brothers and sisters, two nieces, six nephews, and grandparents. We are very grateful for our family. Then there are the friends both his and ours who have helped emotionally and financially, who have believed in our son and in our cause, love to them all. Grateful for our former Bishop who went to see our son very week he was in Salt Lake County, and in R.O.

We are very thankful for all the friends and acquaintances we have met through UPAN and visiting. We're grateful for the knowledge we have gained about how the Justice system works and sometimes does not work; our eyes have been opened. We believe the truth matters in all things, and being forthright is very important in getting that truth out. How grateful we all should be for the three caring ladies that started UPAN, Molly, Heather and Chris. Through their vision we have all had a small part in affecting change. UPAN has given Rusty and me opportunities to meet and speak with inmates and with the men at the DOC, so that we can see their life from both sides. We are grateful to see that everyone wants to see the issues before all of us in UPAN and at the DOC change for the better.

One thing we have learned from this is that sometimes very good people can get caught up in and do very bad things, make mistakes they never thought they could make. But that doesn't make them bad people and it doesn't mean they can't change. It's what we choose to learn from those mistakes and how we choose to help heal those who have been hurt. We have also learned that the officers can be our friends. Mutual respect has been a blessing for us and we are sure they appreciate it too.

We want to thank our Savior, who has taught us to be forgiving, who wants us to see all the good things life has to offer us even when it looks so grim sometimes. Do we still worry? Yes we do. Do we sometimes slide backward in the forgiveness department? Yes we do. But we know that we are progressing forward most of the time and those steps backward are fewer and fewer every day.

There are still some hurdles we have to jump and each one will bring new challenges and new feelings to deal with. With the help of our friends, family and our faith in the truth, we will be okay and so will our son. With thankful hearts, Shauna and Rusty Denos

Gratitude and Thanksgiving By Warren Rosenbaum UPAN Newsletter Editor

November, the month of gratitude and thanksgiving – I see many things for which I’m thankful. The Utah Prisoner Advocate Network (UPAN) begins my journey of gratitude for:

- 1) Reminding me and others that inmates are, first and foremost, human beings, and deserve to be treated with respect and dignity, a first step in rehabilitation;
- 2) For the enormous amount of work that Molly Prince does on behalf of inmates, their families, coordinating with Department of Corrections officials, out-of-pocket expenses (hundreds of dollars per year) she generously bears, leadership and guidance of UPAN, and the ability to attract dedicated volunteers and followers;
- 3) The UPAN Board members with their commitments of time, energy, and money they spend to participate;
- 4) The UPAN volunteers who mail newsletters, holiday cards, visit inmates, and perform a multitude of essential tasks that allow UPAN to continue and to grow, all with only occasional “thank you’s” for recognition;
- 5) The Department of Corrections officials and staff, with their cooperation in seeking solutions to mutually observed problems; and
- 6) The recent Legislatures, Executive Branches, and the public’s statewide and national concerns and efforts to overhaul a proven marginally effective system, with the hope and goal of eliminating the lifetime stigma that follows incarceration.

I also give thanks to the many insightful observers and authors who provide us with quotations of wisdom for all to appreciate. We will scatter these bits of wisdom in many of the UPAN Newsletters as space permits.

Be thankful for the blessings you have and Best Wishes for a bright and better tomorrow, Warren Rosenbaum  
UPAN Newsletter Editor

Be Thankful (Author Unknown)

Be thankful that you don’t have everything you desire,  
If you did, what would there be to look forward to?  
Be thankful when you don’t know something  
For it gives you the opportunity to learn.  
Be thankful for the difficult times.  
During those times you grow.  
Be thankful for your limitations  
Because they give you opportunities for improvement.  
Be thankful for each new challenge  
Because it will build your strength and character.  
Be thankful for your mistakes  
They will teach you valuable lessons.  
Be thankful when you’re tired and weary  
Because it means you’ve made a difference.  
It is easy to be thankful for the good things.  
A life of rich fulfillment comes to those who are  
also thankful for the setbacks.  
GRATITUDE can turn a negative into a positive.  
Find a way to be thankful for your troubles  
and they can become your blessings.

Gratitude

By Shane Severson *UPAN Director of Communications*

Another year has gone by, as we all become a little wiser (hopefully) with life experiences. Traditionally for those of us that celebrate Thanksgiving—November is a time of reflection about the people and things for which we are thankful. So when the UPAN Directors were asked to write about what we’re thankful for—I see a great opportunity to take a moment to say that which is often left unsaid in our day-to-day interactions.

Which brings me to *opportunity*. I’m extremely appreciative and humbled that the UPAN Directors have given me the opportunity to join them in their community outreach efforts as Director of Communications. While running a non-profit organization like UPAN can be challenging at times, and as we’re all unpaid volunteers with full-time jobs—it’s completely worth the reward of “giving back” and feeling like you’re making a difference in peoples’ lives.

This is one of my greatest joys. I’m thankful for Molly Prince with her experience, compassion, and leadership; who made us believe that ordinary people feeling voiceless while facing the struggles of a loved one that’s been incarcerated could make a difference by sharing our common experiences and finding ways to make it better. I’m thankful for the support and friendship of the other UPAN Directors: Heather, Shauna, and Warren for their enormous contributions to UPAN.

I would also like to thank Anna Brower at the ACLU of Utah for showing us how to be effective community advocates. A big thank you to Director Rollin Cook at the Utah Department of Corrections and his staff for allowing us to be part of the conversation, and for taking our questions and concerns to heart. Thank you to the numerous legislators who have championed criminal

justice reforms, we look forward to continuing to work with you on many more issues in the next session. And finally, a most heartfelt thank you to all of the UPAN volunteers, coalition members, network families, guest speakers, attorneys, media, corrections staff, venues, inmates, and our families for supporting UPAN.

UPAN would not exist without your continued support. We've experienced tremendous growth over the past year, and with your help we will continue to move the needle on our advocacy issues to make a positive impact in our community. Here's to another great year!  
ShaneSeverson

### Thank You Restatement From Heather Fabian, UPAN Board Member

I wanted to let the UPAN world know that my role as a board member will be changing. I am moving out of state in November with my family. I am happy to be able to stay on UPAN's board and help in the ways I can from a distance. When we started UPAN over 2 years ago I never imagined that this organization would reach and potentially help so many. It has been such a privilege to

help start this organization, to work with inmates and families to realize needed improvement in the prison system, and work with Corrections to advocate for meaningful change. What an incredible honor it has been to get to know so many amazing individuals along this journey. Thank you for all of your support. I know UPAN has a great road ahead and I am glad to get to be a part of that in a new way! Heather Fabian

\* \* \* \* \*

### GUIDELINES FOR MAILING HOLIDAY CARDS AND LETTERS By Molly Prince

In preparation for the upcoming holiday season and the UPAN Holiday Card Program, I called the Mail Room in Draper to learn about any new mailing rules or recommendations the prison has to expedite our incarcerated loved ones receiving their holiday mail. I spoke with Lynette, who was very helpful and informative. This information will apply to both Draper and Gunnison prisons. For county jails, this information may be a guideline, but if you are sending holiday cards to them, please make sure you know their rules as well.

In Draper, they have a staff of 8 in the mail room. During December, they can expect to sort and screen approximately 8,000 and sometimes up to 10,000 pieces of mail per week.

In order to make this process go more smoothly for the mail room staff, which results in our inmates receiving their letters and cards more quickly, it will be helpful to be aware of and comply with the following restrictions and recommendations.

#### **Restrictions:**

- Only plain bi-fold cards are accepted. No layers, including clear plastic cover layer, and no cards that have two pieces glued together. Sometimes the best place to find this type of card is at dollar stores. Hallmark seems to be mostly layers and glitter these days.
- No musical cards or cards with anything sealed within them.
- No glitter, and no cards with things glued on them. This includes glitter pens / ink.
- No stickers can be affixed to either the card or the envelope.
- Do not use crayon, markers, Sharpies. Ball point pen is preferred and recommended.
- Seal the envelope the way it is intended to be sealed. Do not use scotch tape or decorative tape on the envelope or card.
- Do not include any blank envelopes or blank paper in the correspondence or it will be returned to you. The prison requires that any envelopes used by the inmates must be purchased through commissary.
- Do not use mailing envelopes with the plastic bubbles inside for padding.
- Sign the card. Cards without signatures will be returned.

#### **Recommendations:**

The prison mail room staff are now required to examine underneath anything that is adhered to the envelope. That is because contraband can be underneath it. This includes stamps and any address labels.

- Write or type the return name and address on the upper left corner of the envelope rather than using adhesive return address labels. If address labels are used, they may be pulled back which can result in tearing.
- The mail room will tear the stamp off the corner of the envelope. This means they will tear the right hand upper corner of the envelope off. To reduce the damage to the envelope, please place your stamp in the far right top corner. Metered stamps (printed on the envelope) will not be torn off.
- White envelopes are preferred. While there is not an official restriction on colored envelopes, it is recommended we use white envelopes to cut down on processing time. The reason is that colored envelopes are supposed to be taken apart at the glued seams to make sure there is nothing hidden there. They can often see through white envelopes to make sure there is no discoloration or contraband. They cannot with colors. (We were

advised two years ago that the prison now must examine for drugs that may be dissolved and hidden in the seams of colored envelopes).

- If sending large envelopes, the prison recommends that rather than using the gold manila envelopes, use large white envelopes without a clasp. Clasps are glued onto the envelope so the mail staff will have to tear it off. This delays processing.
- If you are sending holiday cards in to inmates other than your own, you can sign your name or you can sign UPAN or both, whichever you prefer.
- MAIL EARLY. In past years, holiday cards have been delayed for weeks after Christmas or New Years due to the challenges for the mail staff to sort and screen. Each year it seems they have more tasks to do in order to screen the mail.

Following these rules and recommendations will contribute to our incarcerated loved ones receiving their mail in a timely manner during the very busy holiday season.

### **Update on Legislative Audit of the Utah Board of Pardons and Parole**

The data gathering phase by the Auditors came to a close at the end of October. UPAN wants to thank everyone who filled out the surveys and sent useful information about their situations to help with providing the Auditors with information. UPAN received close to 500 letters over the past two months. Of those nearly 300 were relevant to the Board Audit. Shauna and Molly have forwarded everything to the Auditors that met the criteria of being over matrix as well as any other important information related to the Board.

We have learned a lot and forwarded information from many incarcerated individuals and/or their families on issues related to how the Board has been operating, presiding over hearings, their focus on past versus present behavior, rendering decisions, and dealing with some relatively unusual cases and situations.

We had no knowledge of some issues that a number of Utah's incarcerated population faces. One unusual but very important issue that has come to our attention is how the Board is handling - and frequently denying - requests by some inmates from other countries (both legal and illegal) for use of International Transfer to do their time in prison in their home countries. Their length of incarceration and their fates would remain in the hands of Utah's BOPP but the cost of their incarceration would be borne by their home country and not the State of Utah. This will be the focus of another article in a future newsletter as we learn more about it. We truly appreciate the incarcerated individuals who brought this matter to our attention and one prisoner who provided all the laws related to this little known Federal Program of which Utah is a participating state.

Another area of concern that became evident is the Board's tendency to use parole violations that could have been filed as new charges to significantly extend the incarceration time of some individuals. We are not talking about technical violations here. While UPAN has no attorneys to advise us on these cases, it seems to those who reviewed these surveys that if someone was on parole and a new allegation was made that resulted in the individual being violated and returned to prison,

then new charges should be filed and that person should be given due process so that their guilt or innocence could be proven in a court of law. However, several situations that were reported to us were simply very serious allegations that were never charged or adjudicated. Yet the Board made a decision that either kept the individual in prison until expiration or gave them a release date many years away without any proof that the person was guilty of the new allegations.

It seems that the State and the Board would want to go through the legal process to make certain the person did commit the new crime, and therefore be justified in keeping them out of society. But there are cases where the Board has assumed that because someone was accused of committing a new offense, they were guilty. This is of great concern without an admission of guilt or without being found guilty in our judicial system..

It should be remembered that this is an Audit of the BOPP, so all the information that's been sent to them is used to determine trends by the Board and to determine if the Board is in line with their mandate and within the confines of the law and the policies they operate under.

We have received many letters from inmates and calls or emails from families asking UPAN to help them challenge Board decisions or help them get an earlier release date. UPAN is NOT able to do these things. We have been the source of providing a lot of information to the Auditors so they can gain an understanding of the sheer numbers of cases that may not have been appropriately handled. The Auditors' role is not one that can force the Board to change a decision on any particular case, but to discover if the Board is or is not doing its job in an ethical and legal manner.

A list of some of the concerns UPAN has about the Board were listed in the August 2015 UPAN newsletter. The Auditors have been receptive to all of the concerns presented to them and we believe they are looking into them.

-continued page 8

The Auditors have also educated themselves about how parole boards operate in other states, the national trends and best practice standards for these boards.

As for the process for the Audit, we will learn about it and write more in next month's newsletter explaining it.

For now, Auditors are in the process of sorting through and examining the data they have been gathering for several months and are working on their findings. They expect a report to be complete in January 2016. We will keep you posted as we know more. Please be patient as we all wait for the report.

## **Summary of FOCUS Meeting Monday, November 7, 2015 6:00 to 8:00 PM** **By Warren Rosenbaum with historical input from Molly Prince**

The focus of this meeting was Inmate Placement Program (IPP). Glenn Ercanbrack, Director of IPP, was kind enough to join this meeting to address concerns and guide attendees in the right direction when they have questions or concerns. Please refer to the July 2015 UPAN newsletter for a more detailed article on IPP including history and recent statistics.

### **Issues Discussed Covered Four Areas:**

**1. Commissary.** Each county jail has its own commissary inventory. Jails may have different vendors and prices can vary from jail to jail. The Department of Corrections has no input on commissary inventory or pricing, as each county handles their own commissary processes. While this is a difficult situation for inmates, currently there is no mechanism in place that can require all of the 20 county jails that currently house state inmates to have uniform commissary vendors, inventory, or pricing. Each county is independent and contracts with the DOC to house inmates, but these contracts allow the jails to operate under their own county administration.

**2. Visitation.** Visitation of state inmates in each county jail is subject to the rules and regulations of the individual county jail, not the DOC policies. Inmates and their visitors would do well to do their research prior to attempting to have visits. Visitors traveling long distances have at times been refused visitation. UPAN recommends that anyone traveling any distance to visit in either of the prisons or in a jail should call ahead of time and learn the rules and policies. The Utah DOC website has the visiting rules (not policies) posted there, but those are not applicable to each county jail. Some counties have some information on their websites and some do not. This is why it is wise to call first. Inmates can speak with their case managers in an attempt to learn the visiting rules and protocols and inform their visitors.

**3. Inmate property problems.** This has been a topic of discussion repeatedly in FOCUS meetings as well as between UPAN directors and IPP. The fact that the Utah DOC does not have authority to dictate a property matrix to any county jail can result in the incarcerated individual losing property when he/she is moved. This can occur between prison and a jail, as well as between jails. To inmates and their families, this is not simply an inconvenience. The difference in what property is allowed in the jail versus the prison (or even another jail) can be an enormous loss when property is purchased from 40 cents-per-hour earnings or are gifts from families who often can barely afford to contribute

funds to their loved one. This issue was discussed in depth in the UPAN directors' July meeting with Mr. Ercanbrack. At that time he reported he would look into this through his meetings with the sheriffs and county jail administrators. However, please remember that if there will ever be any steps to reduce the differences in property matrices, they will not come quickly. It would require 20 counties and the Utah Department of Corrections to all find a way to have the same policies.

**4. Inmate privilege differences between prison and jail.** State offenders often lose privileges when assigned to a jail and upon return to USP, these same inmates are denied the previous privileges they had prior to being sent to a county jail. One problem the State has with standardizing the inmate privileges between the Draper or Gunnison prison and each county jail is because the sheriff in each county has the final word on the inmate privileges within his/her jail. For example, at least one jail (Purgatory) allows only postcards for mail contact with families and friends. Another (Davis) uses a kiosk for everything concerning correspondence. Some jails now use only email to reduce the written letter inspection expense. Email charges are 49 cents each and incoming emails are charged to the inmate's account.

Colorado tried electronic tablets for inmates but soon there was inappropriate material and banking problems that killed the idea and it was discontinued. Utah officials were monitoring the experiment while Colorado was trying to make it work.

Privilege level differences are an area that UPAN has discussed with prison administration in past meetings. We are hoping that at some point the policy of dropping a prisoner to the lowest privilege level when he/she returns to the prison (Draper or CUCF) from a jail will be changed. UPAN's hope is that the inmate could be restored to the privilege level earned prior to the move. There could be exceptions regarding behavior problems while in the jail, of course.

### **How Inmate Placement is Determined**

**Personal Classification.** Inmate placement in a county jail is partly based on the prisoner's personal



classification as to the ability to cooperate and get along with others. This is dependent on the current incarceration offense, previous offenses, and review and analysis of the individual inmate's behavior in the prison setting. There are 5 levels: from 5 (death sentence) to 1 (work release). P = Permanent, inmates assigned only to Draper because these are death penalty or considered totally incorrigible or unpredictable. These will never be considered for county placement.

**Medical Condition.** A major criteria for inmate's consideration for IPP is the inmate's medical condition. There are levels available for assigning to an inmate.

The four medical classifications and their potential for placement are as follows:

- 1 = Poor health conditions – will remain in Draper only
- 2 = Better health conditions but requiring frequent doctor guidance for health reasons – Draper or Gunnison
- 3 = Good-health conditions. Inmates with no need for constant observation or doctor guidance – good candidates for county jails & may be considered for IPP.
- 4 = Best-health. Inmates with no reason to be considered a health-issue inmate – Daggett, Kane

Please note that mental health issues are also a factor in approving an inmate to be placed in IPP. These have been discussed in previous newsletters.

#### **Inmate May Request IPP Housing.**

Of the 21 county jails that the State has individual contracts for inmate placement, 20 are now used, Price being the one unused jail. There are about 1,700 state inmates in county jails. Inmates can request to be moved to a jail for a variety of reasons. Based on the preceding criteria of classification and health, jail placement is considered. While some families and prisoners are opposed to the use of county jails to house state inmates, there are other families and offenders who prefer placement in a county jail over Draper or Gunnison, for a variety of reasons.

#### **History of Inmate Placement Program**

IPP was created in 1987 when the Draper facility was operating at maximum bed capacity. This was prior to the construction of Central Utah Correctional Facility (CUCF) in Gunnison. More about the history is included in the July 2015 UPAN newsletter. In a nutshell, the solution was to contract with county jails, thus saving the capital expenditure of increasing the capacity of the current prisons or building more prisons. In these contractual agreements, the counties often sold bonds to cover the cost of increasing their jail capacity and under the contracts, the State must provide inmates and pay the county so the county can meet its fiscal responsibility of bond interest and eventual redemption.

#### **Other Subjects Discussed Related to IPP**

**Emergency Procedures** are in place for all jails as well as the State prisons. Recently inmates at one county jail were removed under that jail's Emergency Procedures because there was a huge fire a few miles away and for prisoner protection the jail was evacuated. *Side note from Molly Prince: DIO director Jerry Pope and public information officer Brooke Adams shared with UPAN directors in October that if there is an emergency that involves the prisons, the public will be kept as informed in as timely a manner as possible via Twitter and the corrections website.*

The lengths that the State goes to for inmate protection is extensive. Editor Rosenbaum's note: *While the current prison administration has a reassuring perspective on the value of all people, this attention to protection is also related to the potential liability costs. The prison administration as well as the county jails prepare for a variety of emergency situations including natural disaster safety, fire safety, and food and sanitation safety. They also are conscious of the importance of having medical and other treatment available in the event of an emergency.*

**Goal to Standardize Classification.** Glenn Ercanbrack has a goal to have every jail categorized as to programming, etc. so each can be compared to the State's classification program. This will include attempts to more closely standardize many of the current differences between the county jails and the prisons that are currently irritants to all concerned. This goal is especially important in counties where more offenders are paroled, like Weber County. [Standardized procedures includes housing, transportation, and all the immediate needs of a person just released on parole.]

**Contact the Wardens.** It was recommended that rather than contacting Mr. Ercanbrack if your inmate is moved to a county jail, contact the warden of the facility they were moved from. Mr. Ercanbrack has been receiving a large number of phone calls from families. The IPP makes decisions about if an inmate can be transferred to a county jail once the inmate's name is submitted for IPP. So the IPP program is not, on its own, selecting offenders to be transferred.

Family members can talk to their inmate to learn the rules of the county jail. Family and friends can also research the county jail their loved one has been transferred to, both online as well as by phone call, and talk to the visiting personnel or other staff to understand the differences between how the jail does things versus how the prison does things. It is recommended that inmates themselves also need to participate in talking to their caseworkers and helping to find solutions to the problems they experience as a result of placement in a county jail or a move back to a prison.

-continued page 10

Also, Mr. Ercanbrack may be the director of IPP, but he cannot fix all the problems that are inherent in the system. Hopefully, UPAN and families can work WITH the DOC to help remedy some of these issues and try to find solutions to the more glaring problems, faced not only by inmates and their families, but the correctional officials and personnel involved at both the state and county level.

### **Brief Update on the New Prison**

Other information shared in the FOCUS meeting was on the new prison. The new prison bill was signed by the Governor and the location will be on 500 acres 3 to 4 miles west of the SLC Int'l. Airport. Plans prior to construction will include a review and some changes in the inmate classification system to determine the best interior housing and general layout for optimum utilization of the construction costs. The new design will strive for more dormitory housing and less small cells.

Prison design will not have the exterior towers. By utilizing current technology in place of staffing the towers, a saving about \$7 to 8 million per year will be realized.

As UPAN News has previously reported, there is a new classification system being put into place for Utah DOC inmates. The new classification system will help determine the cell vs. dormitory ratio. There will also be more natural light in the design for inmate's physiological and psychological considerations.

The new prison construction is expected to be completed in 2019 and moving into it will be in 2020. (There are news articles regularly reporting on the progress of the Prison Relocation Commission.)

Gunnison is currently constructing a new 192-bed facility built to modern, required prison specifications.

### **POSSIBLE SCAM ALERT by Shane Severson**

It has come to our attention that an individual(s) has sent a letter to at least one inmate and possibly others on UPAN letterhead soliciting for donations. We're investigating this. If you have received a communication such as this or suspect something suspicious, do not reply or send money to the sender. Please send us a copy of the letter and record specific information such as return address or mailing address for the solicited donation and the signature on the letter.

Mail this information to: UPAN P.O. Box 464 Draper, UT 84020.

UPAN has not sent out letters asking for money. UPAN has explained to inmates and other individuals who have asked about how to contribute funds that we do accept donations in any amount. (See donation info below.)

### **HOW UPAN OPERATES FINANCIALLY**

Inmates have asked about the cost of the newsletter and we have explained that there is no subscription fee for it, but that we do accept donations to help cover postage and printing costs for the various efforts we are involved in (example – copying and sending the data surveys to the Auditors for the Board Audit). We do not charge for the newsletter at this point because: 1) we want to make sure every inmate has the ability to receive it, and 2) we are fortunate enough at this time to have volunteers who send newsletters to those inmates who have no family to do so. Those volunteers generously bear the cost of paper, envelopes, printing and postage.

Other costs that UPAN experiences during the year include operating costs for our website hosting and online security service, Post Office box rental, and other basic operating expenses.

UPAN is a grassroots community outreach, non-profit organization that operates on very limited funds. All of our staff are unpaid volunteers who work out of their homes. We advocate for better conditions within the prison, inmate family support, transparency of government entities involved in the criminal justice system, and criminal justice reform in the State of Utah.

### **HOW AND WHERE TO MAKE A DONATION**

UPAN accepts donations through: • our secure website at [www.utahprisoneradvocate.org](http://www.utahprisoneradvocate.org) • via mail at: P.O. Box 464 Draper, UT 84020 • in a donation box at our monthly meetings.

\* \* \* \* \*  
Utah Prisoner Advocate Network  
P.O. Box 464, Draper, UT 84020  
Website: [UtahPrisonerAdvocate.org](http://UtahPrisonerAdvocate.org)  
Email: [Utahprisoneradvocate@gmail.com](mailto:Utahprisoneradvocate@gmail.com)

\* \* \* \* \*  
President: Molly Prince  
Vice-president: Shauna Denos  
Secretary/Treasurer: Heather Fabian  
Website Design & Electronic  
Communications: Shane Severson  
Graphic Designer: Holly Moore  
Newsletter Editor: Warren Rosenbaum

***Disclaimer:*** Formulate your own opinions about the information presented. This information is presented for the reader's enlightenment and evaluation.