



UPAN Newsletter Volume 8 Number 1 | JANUARY 2021

“Empowerment and Growth Through Knowledge and Unity”

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UDC Case Managers – COVID Updates – Video Visiting - Gov Appoints New UDC & CCJJ Directors – Impact of COVID in Utah’s Prisons – Contacting Legislators

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February 8, 2021 Meeting Location: Virtual - Zoom Registration Topic: Family meeting. Topics will be determined by participants. Free and open to the public. Live stream on Facebook Live will be available. Virtual Zoom Meeting – link is <https://bit.ly/2UJ2RA3> If you are on the UPAN mailing list you will receive an invite.

UPAN continues virtual meetings during the pandemic. Also available, as usual, on our Facebook page afterwards . All UPAN Meetings and those posted on this page are free and open to the public.

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Prayers for UPAN Volunteers Suffering from COVID-19

UPAN requests your prayers for all UPAN volunteers and families that are suffering from the Virus. At the beginning of January, 2021, UPAN’s devoted newsletter editor, Warren Rosenbaum, came down with COVID-19. He was hospitalized and as of January 15, he was discharged to home with supplemental oxygen. UPAN’s Ernie Rogers suffered through the virus beginning on Christmas day and now reports he is recovered. Ernie’s wife Audrae, who manages the yearly Holiday Card program is currently experiencing symptoms and is awaiting results of her test. Due to Warren’s illness, Molly attempted to put this newsletter together and apologizes that it does not have the quality of editing and polish it normally does

“In 2021 we will keep working to make the world a better place”

“Out of the mountain of despair, a stone of hope.” Martin Luther King Jr.

“I can accept failure. Everyone fails at something. But I can’t accept not trying.” —Michael Jordan

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

Changes in the Correctional Case Manager Program in Utah's Prisons

By Molly Prince

While it is not a new complaint, over the past several months, UPAN has received a variety of letters with concerns from incarcerated persons regarding the availability and responsiveness of some of the case managers in Utah's prison system. I reached out to David Loden, LCSW, Deputy Director of Programming for the UDC with questions about what should be expected from Utah's correctional case managers.

UDC is changing the structure of Correctional Case Management. Mr. Loden explained that UDC is still going through the transition from having a different case manager assigned in each housing area to a new structure that assigns one correctional case manager (CCM) to an inmate who is intended to work with that person from intake until release. This works that way only if the inmate remains in the same prison.

He explained that CCM's are "assigned to a constant case load with offenders throughout the prison." The CCMs in Draper have a caseload of all Draper inmates. CCMs in CUCF have a caseload of only those housed in CUCF. If someone is transferred through IPP to a county jail, they will be assigned to the CCM over that jail until they return to a prison. If the person is temporarily assigned to restrictive housing, that person will be assigned to the CCM in that area.

The basic idea is for an incarcerated person to keep the same case manager throughout the prison stay, but any moves to another prison or jail, or to restrictive housing within the prison will result in a change in the CCM. It appears that this may work very well for some inmates, and not so well for those who are moved throughout the state during their incarceration.

Loden acknowledged that prior to this change, many people were falling through the cracks. He stated that an incarcerated person has the potential to change housing locations (from cells in the same block, to different areas in the same institution, to different facilities) dozens of times in a given year. While it does not often happen to that degree, the old case management structure meant that individual could potentially have dozens of different case managers per year – a different one in each housing area.

Programming developed a Case Management Training Program. In 2020, the Division of Programming implemented a training program to assist case managers in learning the additional skills required to be correctional case managers, rather than simply correctional officers. The UDC CCM's recently completed two training sessions in the principles of effective case management and the Carey Guides case management program. Carey Guides are evidence based trainings for how to work in a correctional setting

and how to address criminogenic risks. For more information see <https://careygroupublishing.com/FAQ-About-the-Carey-Guides-and-BITS.pdf>

Case Managers to attend BOPP Hearings. Utah's CCM's are now attending Board of Pardon & Parole hearings so they can better understand the expectations being set by the Board. I was personally pleased to learn of this. I have heard of positive things in other states that have had case managers involved in Board Hearings. They can be supportive of the incarcerated person and lend information to the Board that may not be in the notes the Board receives from the prison administration.

UDC is also updating how Case Action Plans are being developed and is now able to track the individual's progress in making and maintaining change.

How often do CCM's meet with assigned inmates?

Dir. Loden told me that CCM's meet with the people on their assigned caseload every 30, 45, or 60 days. Frequency depends on the person's LS/RNR risk assessment score (high, moderate, or low). However, this structure could result in a low risk person feeling ignored and forgotten by their case manager.

He said the UDC has other CCMs assigned to go to each building that houses prisoners several times a week for an hour or two to complete notaries and answer inmate questions. For the purpose of this article I will refer to the CCMs that go to housing units simply to answer questions or do notary work as "visiting CCMs," not to be confused with "assigned CCMs" who are assigned a regular caseload.

How someone accesses their CCM. If an inmate needs to see their case manager, they can submit a kite through the prison mail system or they can hand a written request to the visiting CCM when they come to the housing unit. It would then be delivered to the assigned CCM by the visiting CCM. The assigned CCM will either see that person when they come to the unit to see their caseload or see them earlier if the letter/kite suggests it is an urgent issue. The CCM also can write back to the prisoner with the answer to the question that was in the kite. It appears that the case managers will have regular times they go to a housing unit to see all of their caseload in that unit, but no information was given on how frequently assigned CCMs are expected to show up in any particular housing area.

I asked if there is a minimum standard of hours or number of days that a CCM is supposed to be available in a housing unit to check in with inmates who may need to see them. The answer I received is that visiting CCMs go to units to answer questions or do notary duties

“several times a week.” The assigned case managers do not appear to have a minimum required frequency to be on each housing unit.

When inmates are off the section for work or medical appointments, they may have problems connecting with case managers. This has also been impacted by COVID and UPAN has received several letters stating that during the lockdowns due to the pandemic, the case managers are not coming onto the blocks, into the pods, or into the dorms.

However, Loden’s responses seemed to indicate that there should be a case manager on each housing unit several times a week. If they cannot answer inmate questions, they will notify that person’s case manager, who should then schedule an appointment to see them.

Loden said annual reviews are still being held during COVID .

CCM access to Verbal Authorization to Share Medical Information (VASMI) form. All CCMs are supposed to have access to the VASMI form that

inmates must fill out and sign, and renew every 90 days. Loden also said that all housing officers also have access to this form. He said that residents can ask the visiting CCM to provide them with the authorization form, they can fill it out, and then the visiting CCM can witness their signature, scan into the computer, and send the form to medical, all the same day. UPAN urges everyone to take advantage of this and let us know (attn: Molly) if it is not happening so we can inform Dir. Loden. As with any concern, please include dates, times, names and situation specifics.

In USP Draper all CCMs are Notaries. Loden also indicated that all of Draper CCMs are notaries and visit housing units several times a week to notarize documents and answer questions from inmates.

In CUCF he advised that, “the secretaries are notaries and complete those during OMR once a week when the offender requests it.”

Dir. Loden advised us that case managers are not authorized to submit a recommendation for early release to the Utah Board of Pardons & Parole due to COVID.

COVID-19 Update, January 13, 2021 By Wendy Parmley, RN

As we begin the New Year, we are mindful that Covid-19 outbreaks have continued since September and our loved ones have been in an out of quarantine in both prisons, with reports of meal disruption, medication delays, property disruption, and discouragement as they are moved from location to location dependent on if they test positive or negative. UPAN has contacted UDC about the many problems associated with these moves.

We are looking forward with anticipation to the Covid-19 vaccine and advocating for inmates to be included in the second tier of immunizations.

There have been 15 deaths total reported (up 6 from 12/8/20), 12 in Draper and 3 in Gunnison. Our hearts go out to the families and friends of loved ones who have died or who have been ill or hospitalized. As of January 11, there have been a total of 23 outbreaks (up 7 from 12/8/20) with 3199 (up 1131 from 12/8) individuals who have tested positive in our jails and prisons, and 78 hospitalizations (up 23 from 12/8/20). <https://coronavirus.utah.gov/case-counts/>

As of January 11, there are 904 active cases of COVID-19 between the Utah State Prison (USP) in Draper (595), CUCF (141), and state inmates housed at a county jail (168).

<https://corrections.utah.gov/index.php/home/alerts-2/1237-udc-coronavirus-updates>

Lack of Visitation in Utah Prisons Takes its Toll By Anela Hansen

COVID-19 has dramatically changed our way of life for almost a year now. We see it everywhere; many employees now work from home, family gatherings are often held virtually, and even a simple trip into a gas station requires a mask. No one could have predicted this pandemic world, but the resultant outcomes are being analyzed every day. Unsurprisingly, many of these effects relate to human interaction. Measures such as social distancing, wearing masks, and decreased social Activity have helped curb the public health crisis, but not without a price.

In May, a Kaiser Family Foundation poll reported that nearly half of Americans experienced a dip in their

mental health due to coronavirus. Another poll in October allowed 1 in 5 American adults to express that their mental health was still worse than the year before. Youth struggled, too; 81% of teens said school closures impacted their mental health and 67% of college students felt that planning for the future was now impossible.

Research is ongoing and lessons will be studied for years to come, but a few themes of the COVID era remain consistent: disconnect, isolation and hopelessness. To some degree or another, these have been shared by all this year as we try to find a new normal in our daily lives. Imagine, though, how much more these

heavy circumstances have impacted our incarcerated friends.

Beginning March 12, 2020 all visitation to Utah prisons was suspended to prevent spreading coronavirus. Video calls had already replaced in-person visits in most local county jail facilities, but these meetings also often took place on-site—meaning visitors had to be on the grounds. With all in-person visiting in Utah jails and prisons now prohibited, contact with incarcerated loved ones was lost.

The Utah Department of Corrections (UDC) adjusted and allows inmates 10 free 15-minute phone calls a week, which has helped preserve interaction with friends and family to some extent. However, in a time of global discouragement, concern for safety, and loneliness, can a person's emotional needs be met or even accurately gauged without seeing facial expressions and physical cues?

In a time when the incarcerated face exacerbated risk of exposure to the virus and feelings of isolation, this limited connection has been the only means of communication between them and their beloved for nine months. If in the last year, Zoom, texting and masked visits have left us living on the outside still feeling disconnected. Imagine the burden of using 15-minute increments—2.5 total hours—to try to connect with those from whom you have been long separated.

The incarcerated, as well as family members, have been sharing their frustrations and concerns about the phone calls. Some phones are not operational in some blocks. Other housing areas do not have enough phones for the number of residents living there to be able to make calls on their rec or out of cell time. During times of isolation due to lockdowns related to lack of officers, or due to positive tests on a block, no matter how many free phone calls are offered, not being able to access a phone stops people in prison from being able to call home.

For some, the lack of contact with their support system on the outside is creating significantly increased anxiety and depression. It can intensify other mental health issues. It is particularly frightening when someone is ill with COVID and they cannot reach out to their loved ones for the support they need. Sometimes it is just

***“A person is a person through other persons; you can't be human in isolation; you are human only in relationships.”
Desmond Tutu***

Video Visit TESTING Has Begun Utah Prisons from UDC Communications Office, Dec. 17, 2020
<https://corrections.utah.gov/index.php/home/alerts-2/1260-udc-begins-testing-of-video-visiting-system>

The following was taken directly from Corrections' website at www.corrections.utah.gov regarding the announcement that the prison is starting a pilot test program to begin video visitation in Utah prisons:

hearing the voices of those they love that can make a difference between a day or night of anxiety and misery and a tolerable 24 hours. The incredible uncertainty and stress that inmates have been experiencing this past nine months is hard to comprehend for people who have never been incarcerated.

The anxiety in families in the community is extremely high when they do not hear from their incarcerated loved ones for days at a time. This exacerbates the stress already present when having a loved one in prison.

The UDC is currently testing out a program called ThrIVE, a video visitation program they have been trying to make possible since September. In a video update shared on the Corrections Website on December 17, Lt. Chuck Kimber said, “we understand the need ... of [the incarcerated] to be able to remain connected to their families and friends ... their support that's out on the street.” He further stated that the prisons plan to return to contact visiting once the threat of COVID is over.

Hurdles are significant; this new technology requires large financial investments and strategic social distancing, and also highlights the lack of WiFi access throughout both facilities. However, in the video post, incarcerated people who are currently testing the program shared that it is the best replacement for in-person visitation available in the face of COVID. If you are interested in helping more inmates gain access to this program, the UDC website that announced this program is asking for visitors to make sure they are signed up so they can be included in the ThrIVE program.

<https://corrections.utah.gov/index.php/home/alerts-2/1260-udc-begins-testing-of-video-visiting-system>

In a time that has been difficult for us all, may we remember that our incarcerated friends and family bear especially weighty burdens and may we do what we can to help alleviate those.

Sources: <https://www.apa.org/news/press/releases/2020/10/stress-mental-health-crisis>
<https://www.washingtonpost.com/health/2020/05/04/mental-health-coronavirus/>
<https://www.sltrib.com/news/2019/11/02/utah-jails-embrace-video/>

We are beginning the testing phase of the Utah Department of Corrections' video visitation system. We need your help to complete this testing phase. We cannot begin full-scale implementation until the testing

phase is complete.

In order to help us test, please do the following as soon as possible: **ThrIVE Instructions:**

Step 1:

Apply to be a Utah Department of Corrections Visitor

Visitor Application Form & Renewal (PDF)

<https://corrections.utah.gov/images/visiting/Forms/New-Visiting-Application.pdf>

Visiting Minor Request Form (PDF)

https://corrections.utah.gov/images/visiting/Forms/FD04_Visiting_Minor-Visitation-Request-Form.pdf

Anyone who wants to be approved to visit via video need to renew their application. This includes submitting a completed visitor application form and a completed visitor consent form to Utah State Prison Visiting or Central Utah Correctional Facility Visiting.

Visitors may submit applications for themselves and for minors. Once you have the forms, please complete the portion marked "Visitor Section."

Step 2:

Email a copy of your government issued photo ID to uspvisiting@utah.gov (Utah State Prison in Draper) or cucfvisiting@utah.gov (Central Utah Correctional Facility in Gunnison).

Directions for attaching a photo ID:

Please take a picture of your photo ID with a cell phone. Make sure the picture is a close up of the entire ID. Once the picture is taken, please share it via email to

uspvisiting@utah.gov or cucfvisiting@utah.gov with the following information:

1. Incarcerated person's full name, offender number, housing assignment
2. Visitor's first, middle, last, and maiden (if applicable) name, email, and phone number
3. Nature of relationship to the incarcerated person (wife, mother, brother, etc.)

NOTE: visitors cannot be reviewed or approved without the above information sent.

Upon submission, your application will be reviewed and verified by the Utah Department of Corrections. Following, you will receive an email with details on how to schedule a call.

Molly Prince discussed with PIO Director Kaitlin Felsted the video visiting and how it continues to be tested and will hopefully move into being available to everyone soon. Felsted clarified it will happen at different times in different housing areas, and said that they are excited, "this is a huge deal, we have worked on this for so long."

As listed on the website, Felsted advised that all visitors must renew their visitation forms and do the two-step process which includes 1) renewing the visiting application and 2) uploading a government issued photo ID. It is important to complete that additional section in the application which requires visitors to email a copy of their government issued photo ID in order to be eligible for video visiting.

There should be instructions on the application form.

Volunteers Needed to Print & Mail Newsletters to Inmates by Molly Prince

UPAN again needs to ask for more volunteers to print out and mail our monthly newsletters to inmates in the Utah State Prison system. UPAN is all volunteer. We rely on the kindness and generosity of prison families and community members to help us print and mail newsletters to inmates who have no one else to do so. We have been publishing a monthly newsletter since June 2014. UPAN emails it to over 1,100 individuals that include family members and friends of incarcerated persons, interested community members, various community agencies, legislators and other elected and appointed government officials, corrections officials, and news reporters.

UPAN asks that any incarcerated person who has family or friends in the community to print and send the newsletter into them to ask them to do so. Otherwise, for inmates who have no one to do this, UPAN has volunteers who generously donate their time and money

to provide this service. UPAN currently has over 50 volunteers that print and mail monthly newsletters to over 400 state inmates who do not have family or friends to do this for them.

Several of our long- time volunteers have had to step back from this job over the past year. This has left a waiting list for incarcerated persons who have no one on the outside to print and mail it in to them. We hope to be able to assign these folks to new Newsletter Mail Volunteers. It has been said that volunteers do not necessarily have the time; they just have the heart.

If you want to help, please email us at:

deon.corkins@utahprisoneradvocate.org. Let us know how many individuals you wish to send newsletters to. Deon, UPAN's Newsletter Volunteer Coordinator, will get back with you on instructions as well as assigning the incarcerated people you can send to.

***When you do something beautiful and nobody notices, do not be sad.
For the sun every morning is a beautiful spectacle and yet most of the audience still sleeps." John Lennon***

When Will Utah's Incarcerated be Eligible to Receive COVID Vaccine?

Compiled by Shane Severson and Molly Prince

https://coronavirus-download.utah.gov/Health/COVID-19_Vaccination_Plan.pdf

There has been a lot of speculation and discussion among prison families about when Utah's incarcerated population will be able to receive the coronavirus vaccine. According to the Utah Health Dept (UHD), the COVID-19 Vaccination Plan is as follows, but "will likely change as more vaccines become available, more people are vaccinated, and timelines become more clear."

The answer is Phase 2. The following is taken from a public document on the UHD website:

March - April Phase 2 Wave 1 - 3

Incarcerated populations: People who are incarcerated/detained in correctional facilities

Prisons - 4,200

County jails - 5,000 to 9,000

County correctional facilities (jails) will receive vaccines in coordination with their Local Health Departments (LHD) and the phase they will be enrolled/provided vaccine. In the event the correctional facility does not have capacity, the LHD will assist them in their plans for vaccination.

State-run correctional facilities (meaning prisons and community correctional centers / halfway houses) will receive vaccines for inmates as part of the statewide coordination jurisdiction. Additional support can be provided by LHDs and mobile vaccination providers, as identified.

The Utah Immunization Program will gather population information (including age and location, if possible) on all incarcerated individuals in Utah from the Utah Department of Corrections and Utah Commission on

Criminal & Juvenile Justice (county jail and detention center inmates).

According to a December 14, 2020 Deseret News article, by Annie Knox, the UDC and each county jail will actually decide who in their custody is first in line for the shots. While Utah is not requiring anyone to get the vaccine, UDC and county jails will set their requirements.

Knox continues reporting that sheriffs and prison officials in Utah haven't yet laid out any plans on how they will immunize thousands of inmates across the state. But as cases continue to grow inside the facilities, advocates are calling for outside investigations into their pandemic preparations and response.

According to the Deseret News article, more than 1 in 4 of Utah's roughly 4,100 prison inmates are considered to have active cases after the virus erupted in USP Draper in late September and later spread to CUCF in Gunnison. Also, inmates in the state's county jails have tested positive for COVID-19.

UPAN reached out to Medical Director Tony Washington with some questions about the roll-out of vaccine in Utah's prisons. He stated that he could not speculate on the UHD timeline for vaccinations for inmates. If prisoners have a choice in getting the vaccine, he responded, "Inmate vaccination is optional and inmates may refuse as with any other medical procedure." He stated that UDC does not manage vaccinations for staff, so he could not comment or speculate on when correctional staff will be offered COVID vaccine through the state. However, UPAN was told through other sources that paid culinary (civilian) staff received their first round of vaccinations on January 13, 2021.

Families Encouraged to Reach Out to Their Representatives & Senators

UPAN's January meeting included a presentation from Marina Lowe of the ACLU on how to contact your lawmakers about concerns that you are having regarding proposed or existing laws, with state agencies, the prison processes in Utah, or individual bills that you support or are concerned with. The current legislative session begins on January 19.

You may find an audio transcript of this presentation on Utah Prisoner Advocate Network's Facebook Family Group and listen to the entire meeting.

Legislators want to hear from their constituents and can be wonderful allies in helping to promote positive change. UPAN families have shared examples of positive interactions with legislators on the Facebook UPAN Family Group Page. UPAN families have been

especially concerned about such issues as the current COVID-19 pandemic and prison outbreaks, medical care, dietary issues, frequent moves, quarantine and lockdowns, lack of visitation, missing property, missing medications, or other issues related to the prison COVID response or practices.

Wendy Parmley, UPAN's Director over Medical and Mental Health Issues has reached out to her own Senator to share concerns that have come her way in hopes that medical and other processes can be improved. Families are encouraged to reach out to their respective representatives and senators and share their own personal stories and suggestions for change.

Your personal elected representative and senator can be found, based on your address, at the Utah Legislative

website at www.le.utah.gov under the “Find My Legislator” tab at the bottom right corner of the page. By clicking on the names of your Senator and Representative that show up in the search, you will be led to their respective page that includes their email and phone number.

There are a variety of legislative committees that are involved with funding or following criminal justice and prison, or health related issues, including: Executive Offices and Criminal Justice Appropriations Committee; Senate Judiciary; Law Enforcement and

Criminal Justice Committee; House Law Enforcement and Criminal Justice Committee; or House Judiciary Committee. The committee you might send a copy of your email or letter to your personal elected officials will depend on the issue you are concerned with and what your own legislators recommend.

You can learn a little about the committee by reviewing past or future agendas. Your legislator might sit on one of these committees and would be an important voice. You will find a list of legislators sitting on each committee on the le.utah.gov website.

“A change is brought about because ordinary people do extraordinary things.” Barack Obama

Governor Cox Selects Sanpete County Sheriff Brian Nielson as Director of UDC by Molly Prince

The week of Christmas we learned that newly elected Governor Spencer Cox has selected Sanpete County Sheriff Brian Nielson to take the position of Director of the Utah Department of Corrections, recently vacated by Mike Haddon.

According to an article in the San Pete Messenger on December 23, 2020 by Ben Lasseter, Cox has known Nielson for several years starting when they both served the county at the same time. He selected Nielson based on what Cox stated is a “track record of dedicated service in Sanpete County.” Cox was a County Commissioner for Sanpete between 2008 and 2013. Nielson was elected sheriff in Sanpete in November, 2010.

The same article states, “The governor-elect was very impressed with the way the [Central Utah Department of Corrections] has been run in Gunnison, and his experience in running that facility,” and the same goes for the Sanpete County Jail, Napier-Pearce said. “The Department of Corrections are completing a new prison and will continue to work closely with counties.” UPAN is unsure what role Sheriff Nielson has had in running the Gunnison prison, as Shane Nelson has been the warden since Chuck Bigelow retired several years ago.

Prior to the 2010 election, Nielson worked as the school resource officer and did patrol with both the Salina and Gunnison Police Departments. He has been a probation officer with the Utah State Courts and worked crime scenes for the Division of Wildlife Resources.

According to the Daily Herald He is known for “improving local agency communication and working relationships” and strengthening relationships with county, state and federal departments and agencies early in his tenure, according to a 2014 endorsement from John Christensen, former Mayfield mayor.

Some CJ reform contacts with UPAN have told us that Sheriff Nielson is a “good person” and some have said they believe he can do a good job at the helm of UDC.

Why did Cox choose a county sheriff to run the UDC? An opinion article on January 10, 2021 by Robert Gehrke in the Salt Lake Tribune stated Nielson was one of three people that Cox’s Transition Team was looking at to fill the position as head of the Utah Department of Corrections. It is unclear what all the underlying reasons were for Cox to choose Sheriff Nielson for the far reaching and daunting position as head of the Utah Department of Corrections.

There is speculation, though. Gehrke’s article pointed out that Cox thinks that Nielson can solve some disagreements between the UDC and the county jails that UDC contracts with to house state inmates who, while in the care and custody of the State, are placed on the Inmate Placement Program which sends them out to various county jails around the state to be housed. In a few of those jails, state inmates receive treatment for either sexual offenses or substance abuse. But many other jails offer no programs, education, or employment.

Gehrke’s article shared that Nielson had written a report that was highly critical of Utah’s Justice Reinvestment Initiative, which was passed in 2014 and was designed to shorten sentences of non-violent offenders by allowing them to be diverted into substance abuse and mental health programs. However, the Utah Legislature has each year failed to sufficiently fund the treatment programs to accomplish the goals of JRI. UPAN is unsure specifically what Nielson’s critical opinion of the principles of JRI could mean for reform in the UDC.

How does one transition from being a county sheriff in a small rural county to heading a state agency as huge as the Utah Department of Corrections? UDC website has no information about Nielson yet. For a variety of reasons, UPAN has not been able to gather more information on Nielson’s vision for his new position, once he is confirmed by the Utah senate. He is already working with the UDC, learning the structure and how things work there. Hopefully we can provide more insight in a future newsletter. For now, we have learned that Nielson is known to have efficiently run a 128 bed county

jail that has expanded to 350 beds during his tenure. He managed the Sanpete's sheriff's office and a budget of \$7 million. The Sanpete County Jail contracts with the Utah Dept. of Corrections to house state inmates and the state provides some treatment programs for state inmates in that facility.

Nielson is now facing overseeing a workforce of over 2300 employees. The Department is responsible for the care and custody of over 5,700 people, and supervises more than 16,000 parolees. The UDC budget is over \$350 million. USP and CUCF are in currently in the middle of the COVID-19 crisis, which has been

overwhelming to correctional staff as well as incarcerated individuals and their families. He is walking into a hot bed of problematic issues that will need to be dealt with efficiently and humanely.

The kind of shift it will take for Sheriff Nielson to move into the new position feels tremendous. UPAN directors hope to have a meeting with him and other UDC administration in the coming weeks.

We wish Brian Nielson the best in his new role and hope to forge a positive working relationship with him to achieve change for the better.

Bountiful Police Chief Tom Ross to Replace Kim Cordova as Head of Utah's CCJJ

By Molly Prince

Utah's new governor, Spencer Cox, is making major changes in leadership in the Criminal Justice system.

One such change is Cox's replacement of Kim Cordova as Director of Utah's Commission on Criminal and Juvenile Justice (CCJJ) with Tom Ross, the long-time Bountiful police chief. This is a definite shift of focus brought in by Cox, as an attorney has normally been at the head of CCJJ. Kim Cordova brought balance with legal experience both as a prosecutor and defense attorney as the Director for the past few years.

Former Governor Herbert had appointed Cordova in 2017 as a replacement for Ron Gordon, who held the position for nearly nine years before he moved to serve on Herbert's general counsel. At that time Herbert is quoted in the Desert News (December 13, 2017) as saying, "Kim Cordova will bring exceptional dedication and passion to this role. Her extensive experience and dedication to the rule of law make her a good fit for this position, and the commission will benefit from her strong leadership." UPAN has seen that has proven to be true over the past three years.

There is speculation within UPAN and other advocacy circles about what this shift could mean for sentencing and prison reform in Utah.

What is CCJJ? In 1983, the Utah legislature created the CCJJ which is made up of 22 key criminal justice leaders throughout the state. The CCJJ website states that the Commission was created to:

- a) Promote broad philosophical agreement concerning the objectives of the criminal justice system in Utah.
- b) Provide a mechanism for coordinating the functions of various branches and levels of government concerned with criminal and juvenile justice.
- c) Coordinate statewide efforts to reduce crime and victimization in Utah.

Robert Gehrke stated in an opinion article in the Salt Lake Tribune on Sunday, January 10, 2021 that, "The commission has a broad mandate, managing the vetting of judicial nominees, the state indigent defense program, substance abuse policy, victims assistance, gang crime reduction, and the sentencing commission. Policing is only a small part of that mission."

Cox's Transition Team recommended keeping Cordova in the leadership position. Gehrke further reports that there was a transition task force to assist in Cox's move from Lt. Governor to Governor of Utah which "studied CCJJ and recommended keeping Cordova in place." The task force also" noted the commission had in the past been overwhelmingly tilted toward law enforcement, but in recent years become more balanced." Criminal Justice advocates (including UPAN) were pleased that with more balance in the CCJJ in recent years. Gehrke writes, " They (task force) report noted frustration from law enforcement members who believed the policies developed by CCJJ "are not always inclusive of all viewpoints."

Cox's rationale for the change. On January 2, 2021 Gephardt Daily quotes the Governor as saying, "Chief Ross has a deep knowledge of criminal justice issues and a track record of leadership that will serve Utahns well...I look forward to working with him as he engages with the commission in the important work of criminal justice policy." <https://gephardtdaily.com/local/gov-elect-cox-taps-bountiful-police-chief-tom-ross-to-helm-commission-on-criminal-and-juvenile-justice/>

The article goes on to report that Ross was born and raised in Salt Lake City, and has been in law enforcement for 34 years, the most recent 14 years as the Chief of Police for Bountiful. He is currently the president of the Utah Chiefs of Police Association. He is reported to have been involved in a wide variety of legislative issues impacting all areas of criminal justice. The Gephardt article states that Chief Ross has also "served on several boards and committees for civic organizations and for social service providers with an emphasis on substance use and mental health." He graduated with a

bachelor's degree from Columbia College in Criminal Justice with a minor in Legal Studies.

It is expected that Governor Cox believes that Police Chief Ross, who was head of the state police chiefs association and has been well-known among law enforcement and with legislators, "will appease the law-and order types." Gehrke's article goes on to state that the new governor believes that Ross also understands "the need for reform and how to improve things."

"Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."
—Martin Luther King, Jr.

Changes in the Middle of Crisis: UDC Executive Director Mike Haddon Resigns!

By Karen Thompson

Note – this article was originally written the beginning of December, but due to space restrictions in the December newsletter, it was postponed for inclusion. It has been updated and edited by UPAN staff for the developments in the past month.

It was confirmed by Gov. Gary Herbert in November that the executive director of the UDC would step down from his position on Dec 12, 2020 for a job with the Board of Pardons and Parole. This announced resignation, reported by Gina Roe, KUTV News on 19 Nov 2020, is in the middle of pandemic crises and other UDC transparency issues. As the KUTV announcement stated, prison staff was caught off guard with staff and correctional officers stating that this news is a "huge shock". This announcement came one day after reports that more than 1,100 inmates in the state prison system had been infected with COVID-19.

Haddon reported the first infections at the end of September, and in a pre-record video released on Oct 6, 2020, that there were only 200 cases and they were confined to two housing blocks in the Wasatch facility at Draper. It has not left.

It was reported by Clinical Services Director, Tony Washington, on Dec 9, 2020 that the cases had increased to 1140 active cases, 44 staff member cases and is found throughout Draper, Gunnison and county facilities housing state inmates. As of that time, there had been 9 COVID Deaths reported in the Utah DOC.

As of January 13, 2021 there have been 15 deaths of inmates attributed to COVID-19. UPAN has questions about how deaths are counted, however. In the past, if a person in the care and custody of the state were to be transported to a hospital and die there, it did not count as a prison death. It does appear that UDC is reporting deaths of COVID patients who pass away in the hospital at this time. What is unclear is the number of inmate deaths that may be related to the virus, but are recorded based on co-morbidities the patient had.

While Utah's prison system kept the virus at bay between March and September, many families are concerned about the rapid increase of cases, the spread

Gehrke's article quotes Cox as saying, "I was trying to find that sweet spot," the governor said, "where we could get somebody who could unify the warring factions when it comes to criminal justice reform."

UPAN and other criminal justice reform groups will closely observe how this plays out. It is necessary that the Executive Director of the CCJJ balance the interests and legal rights of all the stakeholders in Utah's criminal justice system.

throughout the entire campuses of Draper and Gunnison facilities, as well as the resulting deaths. Prison families have repeatedly expressed concern and feelings that this quick spread once the virus was introduced into the prisons reflects a lack of serious pre-planning for prevention, containment, or spread of the virus.

UPAN has repeatedly communicated various concerns to Corrections Administration Directors regarding the lack of consistent and full compliance with safeguards by staff and officers who are in contact with the incarcerated. It is believed that this lack of strict compliance with CDC and Utah Health Department guidelines for correct use of masks, gloves, and hand washing or sanitizing has contributed to the spread in the facilities.

Another concern is that those in the custody of UDC are reporting being moved back and forth between infected and non-infected housing areas without proper disinfectant or cleaning supplies, and with the new uninfected prisoners being placed in a cell that a COVID positive person was just moved out of, without it being cleaned fully. Also, in the process of moving back and forth, inmates are losing property and have reported being moved with only the clothes on their backs and have not received their belongings for the duration of being isolated.

There may be reasons that the incarcerated are being moved back and forth, but it appears that there is not always coordination between housing units to make sure these moves are safe, that the people being moved into a negative unit have been tested negative prior to the move, and those moved back to a negative area from a quarantine or isolation area are not always tested prior to that move. Families feel that there is an assumption that if a person was positive and isolated for two weeks, then they will be deemed over it if they no longer have a fever. One report states that officers told concerned

inmates that they were all going to get COVID, so they may as well just get it over with.

According to at least one news report and personal communications, correctional officers and staff have been commenting on the lack of sufficient and proper PPE, have expressed complaints about their increased duties as a result of the increased cases in the inmate population which have stopped prisoners from being able to work in the kitchens preparing meals, or now, in commissary. On Oct 6, 2020, KUTV interviewed an officer, who wished to remain anonymous regarding the unsanitary conditions in USP as a result of understaffing and the discontinuation of inmate workers where COVID had infiltrated the housing units. According to that interview, there is not enough PPE. – They state, “We lack N95 masks, gloves, gowns and full paper gear.” That person went on to say that officers and staff do not understand why Haddon and his administration have not asked for outside help. That person also expressed concern that Haddon was uninformed about conditions in the facility. That officer referred to working in the prison as “Hell on Earth” and referred to Haddon’s comments of limited cases in and effective controls the officer said, “That was pretty much lying to the public. He is not being transparent”.

Until his departure from UDC, Haddon declined media interviews. He chose to use the Facebook Live feature and present briefings by himself and senior staff members. This did not allow live questions from those watching. Since October there have been three Facebook Live presentations: the one by former Director Haddon, one by Deputy Director Hudspeth and one by Director of Medical Services Hudspeth.

Over the past several months, family members, UPAN and other organizations including PAG and the ACLU have received phone calls and letters regarding the increasing challenges our incarcerated loved ones are having regarding the daily processes and services the UDC is required to provide to the incarcerated in Utah. This includes problems with the timeliness of response to requests for medical visits, assessments, and treatment, timely and consistent access to commissary, reduction in the nutritional quality in meals, and the failure of UDC to establish video visits following the discontinuation of onsite visits on March 16, 2020.

Families and their loved ones find themselves relying on free phone calls, limited to 15 minutes for information and support. Inmates talk about difficulty in finding time to use the phone when they are in lockdown with only 30 minutes out every two or three days. That 30 minutes includes the need to shower and take care of any business they need to. In addition, the phones, which

are always in need of repair at any given time in one or more housing unit are in disrepair, so the use of phones is further hampered by one or more phones in most housing areas that are not operational.

The lack of cleanliness has been a repeated concern of our incarcerated loved ones in Utah. Staff and inmates have reported to the media as well as in letters and phone calls to advocacy organizations and family members that garbage bags were stacking up in housing areas and not being removed. This is because the inmate workers responsible for removing trash on a daily basis have often been quarantined and not allowed to work. The job to remove the contaminated trash then would logically fall to the housing officers. Reports that we received and forwarded to UDC were that no one was taking out the trash. UPAN received the complaint from several sources that in the Oquirrh 5 area there was infectious medical waste that was allowed to pile up.

The DOC’s incoming Executive Director, Brian Nielson, will face very serious issues impacting the health of inmates, staff, officers and the community. Family concerns for our prisons include the reopening of visitation, either video right now and at some point soon, in person visits; overloaded Medical Services and inmates who are not receiving necessary care; commissary delays; cuts in programming and education programs; and the increasing reports of inadequate food on meal trays. In addition, families are worried about the delays and budget overruns with the new prison project.

Will the new director be able to make any real progress in improving the situation, will he be bold enough to implement the necessary changes quickly and efficiently? Or will inmates and staff be required to wait and hope that they are not infected before necessary improvements and changes are implemented?

Spending day after day in isolation, lockdown or quarantine while you hope you don’t become ill is not conducive to good mental or emotional health. Spending day after day in lockdown while suffering from the harsh and often life threatening symptoms of COVID-19 is also dehumanizing.

We wish Director Haddon success in his new position, as Administrative Director of the Utah State Board of Pardons and Parole. His leadership style will affect the safety and wellbeing of the people of the State of Utah.

We hope that the new candidate for Director will be up to the task. These are hard times and this position requires far reaching insight and wisdom not commonly found in appointed positions. **Deep within every crisis is an opportunity for improvement and progress. Here’s hoping progress begins soon!**

***No one can go back and make a brand new start. Anyone can start now and make a brand new ending.
UPAN wishes everyone a healthy and hopeful 2021***

“Go ahead, let it out. A good, hearty laugh relieves physical tension and stress, leaving your muscles relaxed up to 45 minutes after. Laughter boosts the immune system.” Dave Donaldson, Fresh Start Ventures

☺ A Couple of Smiles and Maybe a Laugh ☺

~~ What exactly IS a New Year’s Resolution? It’s a To-Do List for the first week in January ~~
~~I was going to give up all of my bad habits for the new year, but then I remembered that no one likes a quitter.~~
~~An iPhone and a firework were arrested on New Year's Eve. One was charged and the other was let off.~~
~~If 2020 was a person, I'd sue him for pain, suffering and lost wages.~~
~~Where should you go in the room if you’re feeling old? he corner—they’re usually 90 degrees. ~~
~~ ~~ ~~ ~~ ~~

A Brand New Year! “Ed” is not available for a fresh quote, so on his behalf, please know, it is January, a new year and you are doing the best you can - therefore YOU ARE COOL!

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Utah Prisoner Advocate Network.

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Director of Sex Offender Policy Issues: Faye Jenkins
Director of Women’s Issues: Britnee Webb
Director, Medical/Mental Health Issues: Wendy Parmley
Director, Board of Pardons Issues: Ernie Rogers
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“Tomorrow hopes we have learned something from yesterday. John Wayne

“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