



UPAN Newsletter

Volume 8 Number 4 | APRIL 2021

“Empowerment and Growth Through Knowledge and Unity”

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New Phone Service – New UPAN Director, Women’s Issues Changes to SO & K Registry – SO & SU Treatment Programs Update BOPP Decisions Guidelines – Correctional Facility Ops Amendments Jobs as Parole Nears – Inspirational Success Story, About Change

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APRIL 12, 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 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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“The greatest compassion is the prevention of human suffering through patience, alertness, courage and kindness.” — Amit Ray, Walking the Path of Compassion

“Perseverance is not a long race; it is many short races one after the other.” – Walter Elliot

“It’s the action, not the fruit of the action, that’s important. You have to do the right thing. It may not be in your power, may not be in your time, that there will be any fruit. But that does not mean you stop doing the right thing. You may never know what results come from your action. But if you do nothing, there will be no results.” Mahatma Gandhi

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

UDC Moving to New Phone Service Provider with Lower Rates

Much of this Information is from UDC Website, March 31, 2021

The Utah Department of Corrections will move its phone system at the Utah State Prison in Draper (USP) and the Central Utah Correctional Facility (CUCF) in Gunnison to the new vendor Global Tel*Link Corporation (GTL). The new system will go live on April 5, 2021, for USP and April 7, 2021, for CUCF. **This does not apply to IPP jails.**

UDC will continue to provide 10 free 15-minute phone calls per week. GTL has committed to provide one free five-minute phone call per incarcerated person per week for the life of the contract. The rates going into effect are lower than with the previous vendor. Exact costs are listed below.

Rates and Charges for Inmate Telephone Services will be as follows:

The per-minute-of-use call rate shall not exceed the maximum rates authorized by the state's telecommunication regulatory authority ("PUC") and the Federal Communications Commission ("FCC").

Interstate ITS calls made using a collect format: \$0.23 per minute of use.

Interstate ITS calls, whether made using a debit, prepaid/AdvancePayTM format: \$0.19 per minute of use.

Local and Intrastate ITS calls, whether made using a collect, debit, prepaid/AdvancePayTM format: \$0.10 per minute of use.

International ITS calls, whether made using a debit, prepaid/AdvancePayTM format: Rates published on the Company website.

Families and friends of incarcerated individuals can set up their account at <https://web.connectnetwork.com/>

The website said an announcement was posted and distributed to the incarcerated prison population about the transition to GTL the first weekend of April. https://corrections.utah.gov/images/Utah_DOC_New_Pi_n_Debit_1.pdf

Frequently Asked Questions:

COVID-19 Update for Utah Prisons

Compiled by Molly Prince as of April 3, 2021

The COVID Numbers. As of April 3, 2021 the UDC website reports the following totals for COVID cases: USP Draper has had 1,764 confirmed cases; CUCF Gunnison has had 1,108 total confirmed cases and UDC inmates housed in county jails have totaled 442 confirmed cases. This is a total of 3,314 inmates who have suffered through COVID. The UDC statistics webpage continues to be down, so I cannot ascertain the total number of inmates in state's custody without updated figures. The breakdown by jail is not available without contacting each jail individually.

Q: Will I need to set up a new account?

A. Yes, you can set up a new account. Go to: <https://web.connectnetwork.com/> To add funds you can call ConnectNetwork at +1 (800) 777-2522. Friends and families can deposit funds online or over the phone.

Q. Who can I call if I am having trouble with the change over?

A. All customer service numbers are on the website above and via phone at: +1 (800) 777-2522

Q. How will this impact video visiting?

A. Video visiting is facilitated through a different vendor, and the UDC does not anticipate any impact.

Incarcerated individual's funds will be transferred over from CenturyLink to the GTL phone system. If inmates had a balance it will be ported over. (Families will need to call and set up their own phone accounts with GTL.

Request a refund of funds. UPAN recommends that I family / friends in the community that have a phone account to which they have deposited funds with the previous Inmate Calling Service (ICS) provider make sure they check the balance of funds they have on the account and call to request a refund of that balance.

Experience has taught us that **1)** they will not automatically refund the funds to credit/debit card accounts of people in the community; **2)** it is wise to check your balance prior to calling to request the refund, as some people have been told they did not have any funds left by the customer service representatives - when they really did have a balance; **3)** call the week of the change in the ICS provider to request the refund, as **many will not refund after a month of the UDC contract being cancelled.** The sooner you request your refund, the better. It often takes two to four weeks to actually receive it. Some ICS will refund to the credit card that it was deposited from, and others have sent paper checks in the mail.

There have been a total of 129 reported positive cases in Utah's five community correctional centers (Atherton, Bonneville, Fortitude, Northern Utah, and Orange Street) with the majority of 63 being in Fortitude. <https://corrections.utah.gov/index.php/home/alerts-2/1237-udc-coronavirus-updates>

The website reports a total of 399 cases have been confirmed in correctional staff with 396 recovered, but it does not break down based on facility where they work.

Deaths. The UDC website also reports a total of 16 deaths due to COVID, with 13 in USP and 3 in CUCF.

Vaccines Administered. This is the most frustrating area to try to get information on. As of March 31st, the UDC continues its same report that they “continue to collaborate with the Utah Dept. of Health and local health departments.”

The only way to search for vaccines administered in USP or CUCF is to look on the coronavirus.utah.gov website at <https://coronavirus.utah.gov/case-counts/> This page only lists vaccines administered by “Corrections” (which seems to mean UDC, not jails) as follows: 261 inmates have received one dose; 162 of those 261 people have received both doses. The website reports the total vaccines administered by UDC are 346. This is discouraging as this means only 77 individuals were vaccinated in the past three weeks, and seems to be only those who needed a second

dose. It appears that no additional inmates have received their first dose of the vaccine. There is no breakdown between Draper and Gunnison. There is no information from either UDC or Utah Health Department on which housing units have been given the opportunities for vaccination.

UCD Provides No Information about IPP Inmates. There is absolutely no meaningful information provided by the UDC about what is happening regarding COVID in the county jails they pay to house state inmates regarding COVID. The website simply says that each jail needs to be contacted for specific information. It seems that the UDC IPP office should be responsible for providing information and transparency on the UDC website about the inmates in their custody and care who they farm out to counties and make sure that information is collected from each county jail and reported in one place so families and the community can easily access it.

“He who has health, has hope; and he who has hope, has everything.” Thomas Carlyle

Introducing Gayle Dawes as UPAN’S Director of Women’s Issues

UPAN Is pleased to announce that Gayle Dawes has taken the position of Director of Women’s Issues in our organization. Britnee Webb, who formerly held the position, has stepped down to pursue other interests in her life. Gayle introduces herself in this article.

Yaâ-ah-teeh (Greetings in Dine’) and blessings to our UPAN team. My name is Gayle Dawes. I was born in Arizona, living most of my early years on the Dine’ (Navajo) reservation. What drew me into community engagement is my grandmother’s leadership lifestyle, communal focus and a vision that sparked the spirit of servitude in me for a lifetime. She spearheaded the building of an elementary school in our community, encouraged self-employment for artists, and summer youth employment & programs for our local chapter. *(The Navajo Nation is divided up geographically into Chapters which are similar in function to municipalities.)*

Since 1984, I have volunteered at the Salt Lake Urban Indian Center (SL-UIC), as an advocate for our Indigenous Native community. I served as the secretary and most recently have taken the position of Vice-Chairwoman for our Wisdom Keepers elder’s group. This center has been such a blessing to my community in providing behavioral health specialists, spiritual advisers, mentors, youth activities, social events, and BINGO for the grandmas and grandpas!! Our Indigenous Native community has plenty of challenges to face, fight, and faithfully overcome. First and foremost, we pray for guidance, wisdom, and we are thankful for the Creator’s help.

I am a Para-Educator for the Salt Lake School District, Special Education & Title IV Indian Education. This

work has been a significant focal point in my livelihood. My goal and purpose are for the betterment of the lives and future of our children and their families. Our families continue to be the most challenged economically, with overwhelming health needs, enduring generational trauma, and personal hardships. Our special, most challenged children are truly a blessing from our Creator. We must not allow mere men to diminish their light, life, and liberty.

I am also a board member on the Salt Lake Crossroads Urban Center (SLCRC). This has assisted me to remain dedicated to advocacy, serve with humility, and sharpen my knowledge about our diverse and underrepresented communities. CRC has been a beacon of love, faith, and hope since 1966, by providing food, clothing, bedding, diapers, shoes, emergency funds, and warriors in good trouble!!

As a mother of a daughter serving time at the Timpanogos Women’s Unit at Utah State Prison, and a citizen concerned about mass incarceration, juvenile justice, pardons, parole, and recidivism, I joined UPAN when it was first organized. Prior to that and continuing since then, our prison FOCUS group has been significant to me. I believe that the Utah Juvenile Justice System and Utah State Prison system incessantly need our prayers, focus and service.

In conclusion, Ahee’hee’ (Thank you) for the call to serve and support our women at Timpanogos. Thank you, UPAN, for your spirit of servitude in the betterment of our society. We have been blessed with much and in return, much is expected of us.

Legislative Changes to the Sex and Kidnap Registry

by Faye Jenkins

If you talk to anyone who was convicted for a sexual offense or a member of their family, one of the most difficult parts of the sentence is to be placed on the public sex offender and kidnap offender registry. Tied to the registry is public awareness of past convictions along with restrictions and requirements one must follow long after the termination of their criminal sentence, enforced by the threat of new criminal charges if one does not comply (knowing full well those criminal charges disregard the fact there are no victims in the crime of not following registration rules).

Thankful to many legislators who recognize the burden of being placed on the registry, several changes to the registry passed during the 2021 legislative session and have now been signed into law by Governor Cox. Here is a summary of the changes to the registry laws this year.

Juvenile Offender Penalty Amendments, SB50 – Sponsors Sen. Daniel Thatcher and Rep. Stephanie Pitcher

This bill changes the punishment and sentencing for a person when the sexual crime they are convicted of was committed when they were a minor. This bill changes the sentencing guidelines for district court judges, “the district court shall impose a sentence consistent with the disposition that would have been made in juvenile court.” If the judge decides incarcerations is warranted, based on the severity of the case, new maximum lengths of incarceration are imposed, seven years for aggravated sexual abuse and four years for any other felony.

The bill states those who are convicted for an offense that was committed when they were ages 14 through 17 do not register with the state Sex and Kidnap Offender Registry. Those who are currently registering for an offense that occurred between at ages of 14 through 17 and do not have another conviction for a registerable offense will be automatically removed from the registry.

Sex Offender Registry Amendments, SB215 – Sponsors Sen. Jacob Anderegg and Rep. Craig Hall

This bill allows people to be removed from the Sex and Kidnap Offender Registry after they are granted a pardon from the Board of Pardons and Parole. The BOPP is required to send notification to the Registry Department for the person to be removed from the registry after a pardon is granted.

This bill also allows everyone who is required to register for life to petition the courts after 20 years in the community to be removed from the registry based on an evidence-based risk assessment showing a low risk of reoffending in the future.

To be able to petition:

- a person cannot be convicted of another class A misdemeanor or felony offense during the past 20 years,
- completed all treatment required by the BOPP or other sentencing authority,
- has paid all ordered restitution,
- and completes an evidence-based risk assessment within 6 months of the petition for removal that certifies the petitioner has a risk level that is similar to the level the BOPP used to allow the person to terminate their sentence.

“When considering a petition filed..., the court shall determine whether the offender has demonstrated, by clear and convincing evidence, that the offender is rehabilitated and does not pose a threat to the safety of the public.” The court will take into consideration:

- the nature and degree of the offense,
- the age and number of victims,
- the age of the individual when committing the registerable offense,
- the individual’s performance while supervised for the registerable offense,
- a person’s stability in employment, housing,
- their community and personal support system,
- other criminal and non-criminal behavior before and after the offense that required registration,
- the results from the evidenced-based risk assessment,
- and any other relevant factors.

If the petition for removed from the registry is denied, a person will have to wait 8 more years to repetition the courts for removal.

Sex Offender Registry Revisions, SB165 – Sponsors Sen. Todd Weiler and Rep. Craig Hall

Senator Todd Weiler’s bill was created to improve on the bill he passed last year in allowing people to be removed from the registry who were required to register for offenses that are no longer registerable. His new bill requires the Registry Department to directly notify people who are currently on the registry for the specific offenses that are no longer registerable. If a person believes they are registering for one of the offenses listed in the bill, they can request removal by contacting the Registry Department themselves. There is no longer a fee to request removal under this specific circumstance.

SB165 also makes a small change to the process for petitioning off the registry after 10 years in the community. Perfect compliance to registry rules is no longer required to receive a certificate of eligibility from the Bureau of Criminal Identification (BCI) to petition the courts for removal. However, the courts will not grant a petition for removal unless the applicant has

“substantially complied with all registration requirements under this chapter at all times”.

Summary: These three bills make some pretty significant changes to the state’s registration laws. All of these changes came about from the efforts of people

on the registry and their families advocating for change with their state senators and representatives.

There is power in sharing your stories and talking to your state representatives! Keep up the advocacy – it makes a difference!

An Update to Treatment Programs in the Prison

By Faye Jenkins

As most know, COVID-19 created serious challenges to the operation of treatment programs in the prisons and jails during 2020. From the initial shutdowns and delays in programming during the spring and summer months to weeks of quarantine during the fall and winter months. Beginning and ending one’s CAP priorities became very frustrating for many. There is good news for any who are not yet aware: life is returning to normal as treatment is back on track. According to Deputy Director Greg Hendrix, “Today we are running all groups and treatment at this point. Substance use programming is at full operation as well as education classes. We have experienced a small backlog, but at this point I believe we are caught up on enrolling all individuals needing treatment.”

Along with education and skill building programs, substance use treatment program (SUTP) and sex offense treatment program (SOTP) are the two major treatment programs the Board of Pardons and Parole (BOPP) requires people to complete before they are considered for parole.

SUTP is offered at Draper and CUCF along with Beaver, Kane, Millard, Garfield, and Tooele county jails. Tooele’s program is for females only. It is a 12-month substance use program structured within a therapeutic community which teaches responsible living habits to enable inmates to successfully re-entry society. It includes a thorough relapse prevention component that enables recovering addicts to live cautiously, knowing their next relapse could be around the corner. A companion goal in this behavior modification program is the recognition and elimination or reduction of criminal thinking and anti-social behavior after a return to the outside community. The women’s Excell program also includes help to resolve trauma (physical and emotional abuse) that often underlie criminal behaviors.

<https://corrections.utah.gov/index.php/family-friends/programs-for-inmates>

SOTP is broken up into pre-treatment and core treatment programs. After one’s original hearing with the BOPP, if the board decides completion of SOTP is required before the next scheduled rehearing, a person is moved to the top of programming’s list of inmates required and qualified to receive SOTP. Pre-treatment is a six-month group class offered in Draper, CUCF, Kane, and Sanpete County Jails. Pre-treatment begins within two years of the next expected board rehearing date.

Based upon risk assessments and individual needs, a person is then placed into one of the different core treatment paths. The primary core treatment program in the prison is called CBI-SO (cognitive behavior intervention for sexual offenses). The primary areas of focus in this treatment program include:

- Accountability
- General empathy
- Pro-social attitudes
- Adequate coping skills/styles
- Adequate social skills
- Positive self-esteem
- Control over impulses
- Emotional Regulation/Distress Tolerance
- Control over substance use
- Normative sexual views/interests
- Understanding risk factors
- Quality of self-management plans
- Quality of supports
- Quality of release plans
- Commitment to maintenance

The full CBI-SO treatment program is currently offered in Draper and San Juan, Sanpete, and Kane County Jails. In Draper, core treatment is further divided into specific group programs based on individual needs including: treatment for those identified as low-risk and low-needs; those who are developmentally delayed; a Spanish speaking group; internet specific offenses; and treatment specific for women. Most of the treatment programs in Draper are facilitated in the Promontory Facility. Core treatment is expected to take six to eight months to complete. It is now followed up with a three to six-month relapse prevention program called NavCon. <https://corrections.utah.gov/index.php/family-friends/sex-offender-treatment>

USP SOTP to be staffed with UDC employed therapists. May 1, 2021, UDC is ending their service provider contract with Alpha Counseling. Correction’s programming department has had a long-term vision of bringing treatment services in-house and they finally found the means to hire and maintain their own therapists. The contract with Alpha ends on positive terms where UDC Programming is pleased with the partnership they shared with them over the past two years. These changes are in line with the 2017 Legislative Performance Audit of the Sex Offender Treatment Program. The audit outlined many inefficiencies in working with contract therapists versus

providing in-house services. Primary inefficiencies can include delays in treatment due to employee turnover (a common problem) and the costs and time needed to manage the contracts. The recommendation given by the audit is for the "Institutional Programming Division [to] evaluate the costs and benefits of hiring full time therapists instead of contracting for therapy."

Reunification processes while in prison SOTP. For those who are restricted from contact with non-victim minor children, completion of treatment brings other important milestones. According to department procedures, reunification with children begins two months into core treatment with permission to write letters to one's children. Four months into treatment one may be granted permission to call and talk to their children on the phone. Six months into core treatment or upon completion one may be granted permission to visit with their minor children who are approved visitors. This goes for either video visits or contact visits when visiting resumes in the prison. Policy requires the inmate's therapist to call and verify with the children's parent or guardian to make sure the visits are approved on their side. After which, these are the instructions I was given by Greg Hendrix to get the children approved by the prison's visiting department. "The policy states the warden and programming division director will approve or deny the visitation application.

The incarcerated individual should complete and send their application to their case manager. The case manager will send the application to the visiting department. At that point, the captain should send the application to be reviewed by the programming division director. They will either approve or deny and also seek the approval from the warden. That is the official procedure."

Notification to BOPP of completion of treatment. Upon completion of either SUTP or SOTP, Programming will check the completion of treatment box in their system and the computer automatically notifies the BOPP. Programming will also send the BOPP a treatment discharge summary within 7-14 days of completion. The board then sends notification to the inmate letting them know they did receive notice of their completing this important CAP priority. State law requires BOPP to give a 4-month time cut for completion of required treatment or educational programs, but it is not quite clear what a 4-month time cut means on an indeterminate maximum sentence of 5 years, 15 years, or life.

For further information about UDC treatment programs, you may contact Greg Hendrix, Deputy Director over Institutional Programming, or Candice Waltrip who oversees SOTP.

Utah Code 77-27-9 Guiding BOPP Decisions

UPAN receives numerous letters and other communications regarding challenges incarcerated individuals experience related to decisions made by the Utah Board of Pardons & Parole (BOPP). UPAN cannot do anything to intervene in these concerns because it does not have attorneys who provide legal advice. However, we can share one of the Utah laws which the BOPP has to follow. Here it is in entirety:

77-27-9. Parole proceedings.

(1) (a) The Board of Pardons and Parole may parole any offender or terminate the sentence of any offender committed to a penal or correctional facility under the jurisdiction of the Dept of Corrections except as provided in Subsection (2).

(b) The board may not release any offender before the minimum term has been served unless the board finds mitigating circumstances which justify the release and unless the board has granted a full hearing, in open session, after previous notice of the time and location of the hearing, and recorded the proceedings and decisions of the board.

(c) The board may not parole any offender or terminate the sentence of any offender unless the board has granted a full hearing, in open session, after previous notice of the time and location of the hearing and recorded the proceedings and decisions of the board.

(d) The release of an offender shall be at the initiative of the board, which shall consider each case as the offender becomes eligible. However, a prisoner may submit the prisoner's own application, subject to the rules of the board promulgated in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(2) (a) An individual sentenced to prison prior to April 29, 1996, for a first degree felony involving child kidnapping, a violation of Section 76-5-301.1; aggravated kidnapping, a violation of Section 76-5-302; rape of a child, a violation of Section 76-5-402.1; object rape of a child, a violation of Section 76-5-402.3; sodomy upon a child, a violation of Section 76-5-403.1; aggravated sexual abuse of a child, a violation of Subsection 76-5-

404.1(4); aggravated sexual assault, a violation of Section 76-5-405; or a prior offense as described in Section 76-3-407, may not be eligible for release on parole by the Board of Pardons and Parole until the offender has fully completed serving the minimum mandatory sentence imposed by the court. This Subsection (2)(a) supersedes any other provision of law.

(b) The board may not parole any offender or commute or terminate the sentence of any offender before the offender has served the minimum term for the offense, if the offender was sentenced prior to April 29, 1996, and if:

(i) the offender was convicted of forcible sexual abuse, forcible sodomy, rape, aggravated assault, kidnapping, aggravated kidnapping, or aggravated sexual assault as defined in Title 76, Chapter 5, Offenses Against the Person; and

(ii) the victim of the offense was under 18 years [of age] old at the time the offense was committed.

(c) For a crime committed on or after April 29, 1996, but before January 1, 2019, the board may parole any offender under Subsections (2)(b)(i) and (ii) for lifetime parole as provided in this section.

(d) The board may not pardon or parole any offender or commute or terminate the sentence of any offender who is sentenced to life in prison without parole except as provided in Subsection (7).

(e) On or after April 27, 1992, the board may commute a sentence of death only to a sentence of life in prison without parole.

(f) The restrictions imposed in Subsections (2)(d) and (e) apply to all cases that come before the Board of Pardons and Parole on or after April 27, 1992.

(g) The board may not parole any offender convicted of a homicide unless:

(i) the remains of the victim have been recovered; or

(ii) the offender can demonstrate by a preponderance of the evidence that the offender has cooperated in good faith in efforts to locate the remains.

(3) The board may rescind:

(a) an inmate's prison release date prior to the inmate being released from custody; or

(b) an offender's termination date from parole prior to the offender being terminated from parole.

(4) (a) The board may issue subpoenas to compel the attendance of witnesses and the production of evidence, to administer oaths, and to take testimony for the purpose of any investigation by the board or any of [its] the board's members or by a designated hearing examiner in the performance of its duties.

(b) A person who willfully disobeys a properly served subpoena issued by the board is guilty of a class B misdemeanor.

(5) (a) The board may adopt rules consistent with law for [its] the board's government, meetings and hearings, the conduct of proceedings before [it] the board, the parole and pardon of offenders, the commutation and termination of sentences, and the general conditions under which parole may be granted and revoked.

(b) The rules shall ensure an adequate opportunity for victims to participate at hearings held under this chapter, as provided in Section 77-27-9.5.

(c) The rules may allow the board to establish reasonable and equitable time limits on the presentations by all participants in hearings held under this chapter.

(6) The board does not provide counseling or therapy for victims as a part of their participation in any hearing under this chapter.

(7) The board may parole a person sentenced to life in prison without parole if the board finds by clear and convincing evidence that the person is permanently incapable of being a threat to the safety of society.

“Quiet isn’t always peace. The norms and the notions of what just is, isn’t always justice.” Amanda Gorman

Governor signs HB 102 That Allows Women in Utah Jails Access to Contraception

In an article on March 18, 2021 McKenzie Stauffer of KUTV reported that HB 102, sponsored by Rep. Jennifer Daily-Provost and Sen. Luz Escamilla was signed into law by Gov. Spencer Cox. This revision to an existing law governing medical treatment in jails now requires jails in Utah to provide a prisoner with the option of continuing certain medically prescribed methods of contraception once they are incarcerated.

Stauffer’s article states, “The bill also states generic forms of the medications may be provided. Birth control is not only used to help with pregnancy prevention but also with painful menstrual periods, heavy bleeding, PMS and more, according to Planned Parenthood.”

Rep. Daily-Provost is quoted as saying, “If the medication is stopped, (when the person enters the jail from the community), when the individual is released, the protection of the medication is gone and won’t be regained for at least another month,” once back in the community.

In addition, it is common knowledge in the medical community that hormonal therapy is widely used for many other health conditions besides to avoid pregnancy. Daily-Provost stated, “There are literally dozens of health conditions, besides pregnancy prevention, for which hormonal contraceptives are used.” For more information here is the bill:

<https://le.utah.gov/~2021/bills/static/HB0102.html>

“Adversity can be divided into three categories. First, there is the adversity that results from plain bad luck—such as being in the wrong place at the wrong time, or being born with some genetic disease. Second is the adversity that we bring upon ourselves by making some mistake or error of judgment. Finally, there is the adversity that we actually seek out, as when we take a calculated risk, set off on an adventure, or let slip the dogs of war. Although adversity is not generally the stated goal of such an enterprise, it is an accepted and integral part of the process. Each type of adversity carries its own challenges and has the potential to yield its own form of wisdom.” Norman E. Rosenthal, MD

SB 139 Utah State Correctional Facility Operational Amendments

by Molly Prince

Governor Spencer Cox signed SB 139 into law on March 16, 2021. It was sponsored by Sen. Derrin R. Owens and Rep. V. Lowry Snow. This bill addresses Department of Corrections (UDC) operations, and the amendments target the treatment and programming opportunities for those in the care and custody of UDC. This bill:

- ▶ requires the Department of Corrections to offer offenders program opportunities that are evidence-based and evidence-informed;
- ▶ requires the UDC to implement direct supervision where appropriate to reduce violence and enhance offenders' voluntary participation in program opportunities;
- ▶ requires the UDC to develop an individual Case Action Plan (CAP) for each offender that includes program priorities based on assessments of the offender's risk, needs, and responsivity (RNR assessment);
- ▶ requires the UDC to share an individual's case action plan, including changes to or progress made in the plan, with the sentencing and release authority;
- ▶ requires the sentencing and release authority to consider an individual's CAP when making decisions;
- ▶ requires the UDC to provide training in direct supervision and trauma-informed care; and
- ▶ exempts the UDC shooting ranges from public access.

There is not any financial support appropriated in this bill to help meet its objectives.

Mark Hugentobler, former Academy Principal at CUCF in Gunnison between 2011-2019, advocated for this bill.

He provided perspective, advice and consulted with the lawmakers who sponsored this bill.

Hugentobler wrote the book based on his experience building educational programs for UDC in CUCF, *All My Friends are Felons.* In his book he recommends changes to Utah law that guides Utah's statewide correctional programming. These would improve recidivism outcomes throughout the state. He recommends that voluntary, evidence-based and evidence-informed programming options of Utah's prisoners need to be expanded.

He believes this bill is timely since the UDC has already been considering a plan to implement system-wide changes to its programming and supervision models in the new prison being built west of Salt Lake City.

Mr. Hugentobler is a passionate advocate for improved programming and increasing the involvement of incarcerated persons in their own education and evolution, as well as ensuring that access to behavioral, cognitive, education, and career-readiness options are available for all offenders. He also advocates regular reporting on progress / completion to the sentencing and release authorities (the Courts, and Board of Pardons and Parole) to increase the potential and incentive for early release upon completion of a person's Case Action Plan.

Mark Hugentobler commented on the passing of SB 139, "It is not everything we were hoping for, but it is a good start." I am betting Mark will be back with his legislators in Utah's legislative session next year to build on these changes.

Jobs and Income as Parole Approaches

For men and women, to encourage HOPE for your successful parole, and success for the rest of your life.

By Warren Rosenbaum (aka Ed.)

Employment and its associated income can be a worrisome subject as parole nears. Worry is caused by fear of the unknown. Will I be able to get some kind of job? A job seems to be the focus subject that will supply the needed income to pay for housing, food, mobility (public transportation or private vehicle), and the myriad other expenses associated with living (including paying monthly supervision fees).

Molly (Prince) saved my bacon last November when she pulled an op-ed article I'd written that was critical of the requirements of AP&P, the Board (BOPP), and others within the system, regarding jobs. It would have surely brought some wrath and vinegar from the DOC to UPAN, to Molly, and eventually to me. "Why do you tolerate that dummy as your newsletter editor? Do you have an answer?" Well, due to COVID (me) and other interruptions, we have yet to coordinate on the subject of income and the leniency of AP&P over the last

decade that enables parolees to work at things that are not classified strictly as a "job" but do provide an income or a pending income via schooling.

This "Jobs and Income" subject will likely become a UPAN series as space permits, with the goal to assure those expecting parole that obtaining an income after release offers many avenues to travel. The purpose is to show you that there are plenty of opportunities for an income or job, including some of my personal experiences, both in developing an income as well as the four different times I hired persons with a prison record. In traveling this road, I hope we instill a strong sense of HOPE that will offset any fear and dread you may have about "What happens when I'm released?". So, let's look at a few unusual jobs that people don't think of. (Median salary means half of those employed in this job earn more than the stated amount and half earn less.)

Automatic Door Repairer, Median Salary: \$41,570
 automatic doors sometimes malfunction
 Airplane Painter, Median Salary: \$41,850
 airplanes often need a fresh coat of paint
 Acoustic Ceiling Tile Installer, Median Salary: \$45,700
 walls and ceilings to improve acoustics
 Bulldozer Mechanic, Median Salary: \$53,370
 large machines need repair & maintenance
 Wind technician, Median Salary: \$52,910
 maintain and repair wind turbines
 Costume Attendant, Median Salary: \$41,410
 backstage, assist entertainers change costumes
 Voice-Over Artist, Median Salary: \$64,012
 distinct voice, narrate films, TV scripts, commercials
 Theatrical Makeup Artist, Median Salary: \$75,730
 entertainers need theatrical makeup artists

This small list is an example that there are jobs around that the job-hunter usually has no idea exist. I selected these as examples from a list of 30 jobs I researched. I could report more but that shouldn't be necessary. The point being, there are endless opportunities available, so don't let fear of the unknown cause you distress. The opportunities should be a new adventure that you can look forward to. Even if you have a mediocre or disappointing job lined up to begin with, take it with a smile, knowing you can also pursue something more suitable that fits your interests, personality, skills, and goals while you're employed.

The innovative mind of the human species often amazes.* This is where endless opportunities originate and what propels them forward. Both men and women possess this innovative (or creative) ability and many income opportunities arise from using it. A question like "What if..." or "What about doing that..." starts a project and keeps it on track.

Example: a few years ago I spotted a very rundown, vacant house in a neighborhood. I wondered "What if I fixed that house up for the owner?" I checked the public records for ownership and found the owner was an elderly man that owned and operated a small trucking company in a state some 2,500 miles away. I wrote a letter to him about my idea. He was delighted that I showed some interest in repairing this house so it could be sold. I would operate as his local representative, overseeing the renovation.

I didn't need any of my own money for this project. I had arranged with a local finance company for the funds needed for repairs. However, the owner said he would send the money as needed to fix up the house. I arranged with a CPA (public accountant) for \$200 to validate my expenses and assure the owner that the funds were being spent on the house. I hired repair people for roofing, tile work in the bathroom, sheetrock repairs from a leaky roof, and septic tank replacement.

I found a buyer for the renovated house and made \$22,000 for me and over \$30,000 for the owner. **More importantly, anyone with an interest in this could have done this also.** Women often take care of balancing the checkbook, paying the bills, and managing the family finances. That ability, applied to this property renovation project, would have been sufficient for them to do as I did, and with a similar income reward. More on income opportunities for both men and women in the coming UPAN Newsletters. Offering hope. Love you all. Stay tuned. WR (aka Ed.)

* This was the starting sentence of an article I wrote for another newsletter. The second sentence read, Sometimes simply said, "Who'd a-thunk it!" The article showed innovative ideas that solved problems. (Ed.)

An Inspirational Success Story – No One Lives Outside the Ability to Change

By Dave Donaldson

The other day we were having dinner at a local restaurant that (it seems) we hadn't been to in a LONG time. It was good to be out having a nice meal. You know how when you walk into some places of business, that, absent name tags or titles displayed overtly, you can sometimes just kind of tell who the owner or manager is by the way that they're treating the customers? That was this place, on this day.

The manager was an effusive, gregarious man who positively "spilled over" onto everyone in his presence. The food there has always been pretty good (my brisket is actually better, but I digress), but the experience ensured that I will eat there many more times in the future.

I engaged with him a bit when ordering, and, when he brought the food, a bit more. As I ate, I watched him as

he interacted with all the customers. There was a large group that was obviously an "after funeral" gathering of family and friends spread out in this place. This man was as gentle and accommodating with them as he was outgoing and friendly with me. He could read people and knew how to respond. Toward the end of our meal he made a pass by our table again and I took the occasion to stop him and chat him up a bit.

We are (I'll own it – I have been...) inclined to let the world (or at least Yelp) know when we've had a bad oil change, a bad haircut, or a bad meal. For the past few years I've purposefully decided to not let that kind of displeasure slip out of me (except in egregious cases of observed hatred), but rather make it a point of noticing and talking about good service, good interactions, and even thanking employees of places that I patronize for just being there. It has changed my experiences, my

attitude, and I've made lots of new friends. Such was my experience this day last week.

I asked him if he was the owner or the manager, and he replied that he was the assistant manager (even more impressive to me, given the care that flowed out of him to everyone). I introduced myself and told him what a great experience it was to be in his restaurant, and how he had made it so. I offered to him that, though I didn't know his background, he was CLEARLY suited for his job, as he was expert at reading people, anticipating their needs, and cheerfully taking care of them. He thanked me, and we exchanged pleasantries for a minute before he asked, "What do you do?"

I told him about my company, and about the non-profit, Fresh Start Ventures. That always leads to conversations about why we do the things that we do in the world, and for my part, I'm always happy to explain my justice-involvement and motivations. Then, my new friend, knowing that he was in a safe space, disclosed his journey to where he is today.

He was raised in the projects in South Central Los Angeles by a single Mom. He came from a family with a grandfather who came to L.A. from Texas in the 1950's and who bought a home in L.A. He revered his grandfather, but because of the path his Mom was on, was raised without a male role model in his home, and as so many young men in that area, earned his first income hustling on the streets. Then jail, then prison- you've heard this story before.

When he was in prison, he found a Bible. In the pages he read about love for the first time. Love of God; love for his fellow man. He made a resolve to himself – in prison – to each day tell three people that they were loved. Some of you have been there, and you know that is a powerfully vulnerable and brave thing to commit to in that environment; most of us don't even do that outside the walls of our own homes - OUTSIDE of prison walls. As you may imagine, that experiment produced some beautiful – and sometimes confused – responses from other inmates and guards.

When he was released, he determined to get as far away from his old life as possible; reasoning that if he went back, there were no opportunities for change there in the neighborhoods. He said, "I mastered 'bad', now I wanted to master 'good'." He heard that there were job opportunities for ex-offenders in Las Vegas, so he bought a bus ticket and left as soon as he was released. He got a job, and then stayed with the Flamingo for 16 years. He married, started a family with his wife, and when this opportunity for restaurant management presented itself, they moved here, and this is how we became friends.

No one is beyond the reach of love. No one lives outside of the ability to change. We all have chapters that are written and finished – but we all have chapters yet to be written, and they can contain ANY stories that we can imagine. I love my friends.

"Define me not by who I once was, but by who I have become." Prison Entrepreneurship Program

A Couple of Smiles and Maybe a Laugh

An invisible man comments on his invisible wife, "She's really great but not much to look at." ~~
Geology rocks, but geography is where it's at. ~~ What do you call a story about a broken pencil? Totally pointless! ~~
What do you call a bear with no teeth? A gummy bear. ~~ I have a split personality" said Tom, being frank.

Thru COVID: relocating, illness, delays, trying times, you've been tolerant and patient, the epitome of being cool. Ed.

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Utah Prisoner Advocate Network.

Director, Co-Founder & Treasurer: Molly Prince
Director of Communications: Shane Severson
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Director, Newsletter Editor: Warren Rosenbaum
UPAN Volunteer Coordinator: An Bradshaw
Inmate Newsletter Volunteer Coord; Deon Corkins
Holiday Card Program Coordinator: Audrae Rogers

Our Contact Information:
Utah Prisoner Advocate Network
P. O. Box 464, Draper, UT 84020
Website: UtahPrisonerAdvocate.org
Email: Utahprisoneradvocate@gmail.com
Facebook: Facebook.com/UtahPrisoner

"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