



UPAN Newsletter Volume 10 Number 4 | **APRIL 2023**
“Empowerment and Growth Through Knowledge and Unity”

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April, the Month of Hope – BOPP Data Available to Public – Phone Scams – Drug & Mental Health Trmths to be paid by Medicaid – AP&P Audit Part 4 – BOPP Audit Part 4 – BOPP Strategic Plan – Inspiring Speakers at CUCF
Dell-Emerald Topics **Prenatal & Postnatal Care – New CO’s – New Laws**

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Next Meeting: Monday, Apr 10, 2023 6:30 pm - 8:30 pm Guest Speakers: Liz Landry, from the Rape Recovery Center, and Doug Fawson, PREA Coordinator for the state, will present in April on the Prison Rape Elimination Act implementation in Utah.

Meeting Location: Virtual Zoom Meeting – link <https://bit.ly/3vqQjiA> Free and open to the public

Following Monthly Meetings: Monday May 8, 2023 Family Meeting

UPAN continues virtual meetings. Also available on UPAN Facebook Live and on Facebook page afterwards. Use link above or visit UPAN website for link (p. 10), or Utah Prisoner Advocate Facebook Page for link to current monthly meeting. Free to public.

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

April is National Month of Hope

April is National Month of Hope, which is all about celebrating the power of Hope — the belief that things will work out, especially when it seems otherwise. Have you ever noticed how frequently the word ‘hope’ is used in our everyday conversations? Well, this is because hope is a concept that is deeply rooted in our culture and society.

So don’t give up!!! Let’s become bearers of hope — spread it and teach it! Live your life with a vision of the future you want. Because this is the best you can do for yourself and others; to always choose hope over hopelessness.

“Hope is being able to see that there is light despite all of the darkness.” —Desmond Tutu.

Utah Prison and BOPP Data Now Available on the BOPP Website

The Utah Board of Pardons and Parole receives weekly reports containing a variety of measures and is now available to the public. It can be reviewed in the charts/graphs at website: <https://bop.utah.gov/current-data/>

The data in these charts posted at this website will be updated weekly. The instructions say that if you hover your pointer over a bar in a chart, it will provide you with a specific number and the date it was reported.

Medicaid To Pay For Drug and Mental Health Treatment in Prisons

Source: National Commission on Correctional Health Care (NCCHC) March 8, 2023 (**website link** at end of article) more effective.

In February, the White House Office of National Drug Control Policy announced that it will allow Medicaid funds to be used in jails and prisons for mental health and drug treatment. More details will be announced by the U.S. Centers for Medicare and Medicaid Services this spring.

This announcement may fuel the biggest change in correctional health care in decades, says Deborah Ross, CEO of the National Commission on Correctional Health Care (NCCHC). She continues, "Medication for opioid use disorders (MOUD) in correctional facilities improves medical and mental health outcomes and reduces relapses, recidivism, and overdose deaths. NCCHC strongly supports the provision of MOUD in prisons and jails and is delighted that new funding will be available."

NCCHC's position statement, "Opioid Use Disorder Treatment in Correctional Settings," released in 2021, recommends that jails and prisons establish MOUD programs that involve universal screening, offer MOUD treatment, and *ensure continuity of care upon release*. The position statement also recognizes the need for concurrent mental health treatment and psychosocial counseling. (*Utah's jails and prisons have a very limited mental health treatment capacity at this time*).

NCCHC offers multiple resources for correctional facilities investigating expansion into MOUD:

- NCCHC Resources, NCCHC's nonprofit consulting arm, can help facilities investigate and implement new MOUD programs or help existing programs be

- NCCHC's *Standards for Opioid Treatment Programs in Correctional Facilities* are based on federal regulations while also addressing the special nature of care provided in correctional facilities.
- NCCHC accreditation for Opioid Treatment Programs helps assure that the opioid treatment programs in facilities are meeting national standards.
- Jail-Based Medication-Assisted Treatment: Promising Practices, Guidelines, and Resources (2018, NCCHC and National Sheriffs' Association)
- From the General Public to American Jails: MAT Saves Lives (2021, NCCHC Foundation and Indivior)

From the General Public to American Jails: MAT Saves Lives (2021, NCCHC Foundation and Indivior) [*Indivior* is working to change patients' lives by developing medicines to treat substance use disorders and serious mental illnesses. Ed.]

Website link: https://www.ncchc.org/us-to-allow-medicaid-to-pay-for-drug-treatment-in-prisons/?utm_medium=email&utm_source=rasa_io&utm_campaign=newsletter

NOTE: For more info on each of the preceding bullet points shown, **using your computer copy**, put your cursor on any of the first few words following the "bullet", press Control (Ctrl) and click your mouse button for automatic contact with that website info. For more generalized information, contact: info@ncchc.org

Telephone Scams Targeting People On Registries & With Criminal Histories

By Molly Prince, LCSW

Over the past few years, scams that target people with criminal records have been on the rise across the country. The past year, more and more scams are targeting people on the various registries in Utah. These include the Sex Offender Registry, Child Abuse Offender Registry, and the White Collar Crime Registry. Even if someone is not found on a registry, people that are (or have been) justice involved are targets of those who would exploit them in a financial scam, usually over the telephone.

How to tell if it is a scam. If you receive a call from someone claiming to be from the Sheriff's Office or Police Department who tells you that a warrant has

been issued for you and that you need to pay a fee to avoid being arrested – IT IS A SCAM!!

The callers often give names, badge numbers and sound really official. They may go so far as to give names of actual detectives, police investigators, or deputy sheriffs. It is easy to hang up and call the police or sheriff department the caller identified and ask to speak to that law enforcement officer.

BEWARE if they also demand that you put money – (from small amounts to hundreds and thousands of dollars) on a prepaid debit or credit card, beware, - IT IS A SCAM!! Plus, if they also insist that you stay on the phone line with them as they direct you where to take a

payment “to take care of a warrant and avoid arrest” – IT IS A SCAM!!! Law enforcement agencies will not call you to say that a warrant has been issued that can be cleared up by you paying some fee over the phone or

dropping off a prepaid debit card at various locations. If you are targeted by this scam, hang up on the caller and report it to your local law enforcement agency and to the Federal Trade Commission at: 1-877-382-4357.

Part 4 - A Performance Audit of the Oversight and Effectiveness of Adult Probation and Parole

Summarized by Faye Jenkins, UPAN Director of Sex Offense Issues
Information in this article comes directly from the November 2022 auditor's report.
https://olag.utah.gov/olag-doc/2022-13_RPT.pdf

AP&P NEEDS AN UPDATED SOFTWARE PROGRAM TO MORE EFFECTIVELY AND EFFICIENTLY MANAGE ITS CASELOAD

(UPAN is sharing this portion of the audit because it is well known that UDC is operating with antiquated software systems. Gaps in the system are negatively impacting inmates and those on parole as they make their way through their criminal sentence. Hopefully, by the direction given to UDC and specifically AP&P in this audit, those who are incarcerated, on community supervision, and their families will come to discover noticeable improvement in Corrections' management of the supervised population in the coming years.)

Developed originally in the 1990s, Adult Probation and Parole's (AP&P) O-Track information system has been improved over the years, but still has a number of deficiencies that negatively impact agent efficiency and effectiveness. The Audit states that AP&P agents expressed the following concerns about O-Track:

- Slow response time
- System down time
- Unreliability of entering data
- Double entry of data
- Inability to edit some reports
- Lack of an effective supervisor audit function

Not only do these problems impact agent efficiency, but the Audit also identified shortcomings in the information system that may impact public safety. The lack of a direct connection to Court databases means O-Track lags behind in having crucial information. Also, the system design makes it difficult to evaluate data on treatment and case action plans (CAP), making it nearly impossible to determine the effectiveness of treatments. Finally, the system's lack of data history means changes to the database are not tracked internally, which can create concerns of data integrity.

O-Track Functionality Concerns Create Reliability Issues with Court Records

Although O-Track is critical to the proper functioning of AP&P, its shortcomings can create reliability issues. For example, O-Track is integrated with the Board of Pardons and Parole (Board) database, and thus Board updates are automatic. However, automatic updates from the Court's electronic system are limited to jail sanction and presentence investigations. This means that agents must spend time checking the Court database for updates on those they supervise, which then must be manually entered into O-Track. Therefore, some court changes in an offender's status may not get into O-Track in a timely manner.

In one such case, an agent arrested an offender who was no longer under their legal jurisdiction because the offender's status changed in the Court database but

was not yet updated in O-Track. One supervisor expressed frustration that in some situations, they only have access to O-Track at night and do not have access to the Court database. The Audit Team was told that the Courts can close a case, and it can be five days before this change is reflected in O-Track. These delays compromise the reliability of court data in O-Track.

O-Track's design and data that is not consistently updated makes it difficult to evaluate data for treatment and case action plans, making it nearly impossible to determine the effectiveness of treatments. Discussions with UDC's O-Track manager by the Auditors revealed that because of the way treatment categories are programmed into the system, using O-Track to understand treatment effectiveness would be unreliable. Also, the Auditors' discussions with agents revealed that data from case action plans are also unreliable for analysis purposes.

CAPs are used by agents to address the offender's criminogenic needs through treatment, classes, and other programs. Agents often make status updates to CAPs in their note sections, which must be entered again into separate CAPs screens. This redundant step may or may not happen. Therefore, determining whether CAPs are conducted properly would require a time-intensive review of all case notes and CAPs data. These issues pose serious limitations to evaluating treatment effectiveness. Without major upgrades to the current system, many of these inefficiencies are unavoidable.

System enhancements are needed to address many of the inefficiencies identified in the Audit. UDC should develop their strategy and Division of Technology Service (DTS) should provide the necessary skill set to ensure the project is completed. The original development of the O-Track system began in the 1990s. The most recent major upgrade began in 2009, with other improvements occurring since then. A list of

future desired fixes has been maintained over the years and prioritized by AP&P to make small improvements and system enhancements when funding is available. This slow evolution of O-Track may have contributed to many of its current deficiencies.

The Audit states that AP&P needs to examine its procedures and processes, consider simplification, then develop a strategic business plan articulating the future state of the information system. This plan needs to consider the desired technology, such as cloud basing and mobility. A tactical plan should then be created to achieve the desired system. At that point, AP&P can determine whether it needs more resources. All future projects to upgrade the information system will need to be closely aligned with the strategic business plan. **Audit recommends that AP&P develop a strategic business plan for a new information system and require that all future development projects be aligned with that plan.**

Database Does Not Track Data Changes

O-Track's database does not maintain records of changes to data. Consequently, once data are edited or deleted from the database, there is no way for the database to determine what was changed, and by whom. This is a separate issue from agents' ability to edit reports as previously mentioned. Because of this

lack of historical tracking, only a limited number of people are authorized to make changes to the database. These employees use various methods to track these changes, such as spreadsheet logs and logs of emails requesting changes. However, human tracking systems are more subject to error than electronic-based tracking systems.

O-Track's current database does not maintain an audit trail of what changes were made, when, and by whom. **The Audit recommends that UDC create database history tables to store the change log data and further assist in database security and integrity. Until UDC can make effective improvements to O-Track, standard logs should be required.**

This concludes the legislative auditor's recommendations regarding the oversight and effectiveness of AP&P. Utah Department of Corrections Executive Director, Brian Nielson, responded to the auditors' report with appreciation for the professionalism in which they conducted the audit. The Department concurs with the recommendations of the audit and has outlined actions and timelines to demonstrate their agreement. Executive Director Nielson concludes by saying, "We value the insight this report provides on areas that can be improved."

"Learn from yesterday, live for today, hope for tomorrow. The important thing is not to stop questioning." —Albert Einstein.

A Performance Audit of the Board of Pardons & Parole – Part 4 of 5

Summarized by Heidi Kubbe, UPAN Director of BOPP Issues

This article is referenced and quoted directly from *A Performance Audit of the Board of Pardons and Parole #2022-14* dated November 2022. https://olag.utah.gov/olag-doc/2022-14_RPT.pdf

THE PUBLIC STILL LACKS KEY DATA ELEMENTS AND INFORMATION ON THE BOARD'S OPERATIONS

While the Board has identified the importance of publicly providing information such as strategic plan, key data elements, and performance metrics and has taken steps over the past few years to address these recommendations, the current Audit still found that improvements are still needed to increase its transparency.

While the Board now tracks the number of those who successfully completed their parole, number of paroles closed by revocation to prison, and consistency of Board decisions with guidelines, it does not share them with the public. It only provides population data and the number of decisions made, factors that do not fully demonstrate the Board's impact on the criminal justice system.

The Board provides prison and parole population data on its website; however, it does not report on recidivism, time under the Board's jurisdiction, prison releases by category, number who successfully completed their parole, and consistency of Board

decisions with guidelines. Although the Board has made improvements by adding population data to its website, publicly reporting on the metrics mentioned in our previous audit will add an important layer of transparency. Doing so will also increase accountability by indicating the effect parole has on public safety, which is very important to the citizens of the State of Utah. Sharing this information will show the Board's operations and how they impact the criminal justice system.

Other states that the Auditors studied for this Board Audit report their data publicly.

Colorado State Parole Board is required to issue a report regarding outcomes of their decisions. They may vary but usually have the follow data points:

- Release and deferral decisions bypassing their guidelines
- Number of inmates in risk and readiness categories
- Number of release and deferral decisions by the Board

- Total number of agreements and departures between Board decisions and guidelines
- Number of agreements and departures by matrix categories
- Reasons for departure from recommendations for all decisions
- Reasons for departure by matrix categories

Idaho Commission of Pardons and Parole requires they submit a report that describes the most common reasons for delay or denial of release. This report has also included a formerly required statistic of the percentage of property and drug offenders released before they serve 150% of the fixed portion of their mandatory sentence.

Georgia Board of Pardons and Parole requires that they create an annual report. The following are examples of what is included:

- Number of releases
- Number of pardons
- Success rate on parole
- Revocations
- Number of decisions
- Number of commutations
- Records transferred to electronic system
- Victim services statistics
- Average time serviced for violent felonies
- Parole population
- Parole violations
- Number of warrants

Nevada Board of Parole Commissioners requires that Nevada's Board compiles and maintains detailed information regarding parole. This report must be generated and published on their website every three months and must contain the following:

- Reasons for each decision to grant, deny, revoke, or continue parole.
- Number of decisions made to grant, deny, revoke, or continue parole.
- Nevada statute also requires that its Board pull a sample and determine the probability of breaking the law again if parole is granted or continued. The results must be made available to the public.

Many of the data items and performance measures used by other states were mentioned in the 2016 Audit of the BOPP as being important for Utah's Board to track. Providing fundamental data points like these will help the public understand more about the Board's operations and its impact on Utah's criminal justice system.

Utah's Board does not report statistics on the reasons for its decisions to grant, deny, or revoke parole when it goes above or below the sentencing guidelines. Among the four states noted above, three monitor their reasons for decisions and share results with the public.

The sentencing guidelines provide a time frame for the Board to work within; however, reasons for

deviation from the guidelines are not reported to the public, except via scanned copies of individual rationale sheets, which are available upon request.

Transparency. The lack of transparency in the Board's decisions may contribute to a perceived lack of accountability to the public and lawmakers. The current Audit cites the Prison Policy Initiative in its report *Grading the Parole Release Systems of 50 States*, "*Institutions with oversight over parole boards should receive reports detailing release rates and their deviations from recommended guidelines and assessments. While parole boards are still expected to exercise personal discretion – otherwise, all parole decisions could be made by a computer, - parole boards should be required to publicly explain why they might be consistently denying release when published guidelines recommend release.*"

Utah's Board has made efforts to increase transparency in response to the recommendations made in the 2016 Audit. For example, the Board's hearings are now publicly available online. The Board's website contains valuable information about how the Board functions.

Rationale sheet. The Audit still found deficiencies in the rationale sheet the BOPP is currently using. It states that additional improvements to the rationale sheet, such as ensuring that responses clearly articulate the reason for granting, denying, or revoking parole, along with improvements to the strategic plan, will further improve the Board's transparency.

The Board's rationale sheet is how the Board informs offenders and their families of the reasoning for their decisions to grant or deny parole. The sheet includes a list of aggravating and mitigating factors that contributed to the Board's decision, however these factors are vague, making it difficult to understand the rationale for the Board's decision.

The rationale sheet used in 2016 had several aggravating factors and nearly as many mitigating factors. The newest version, which was developed after 2016, has only five mitigating factors and three aggravating factors. This approach continues to leave out the specifics in explaining the Board's decision. The audit also found that examples were left blank in those rationale sheets provided to inmates.

As the BOPP transitions to an electronic voting format, the Board will also be updating the rationale sheet. During this audit process, the Board shared its plan for an updated rationale sheet which provides an automatic, written response linked to each factor. Each board member will be able to include their own rationale. However, to further improve its transparency, the Board should clearly articulate the reasons to grant, deny, or revoke parole.

The Board did create a strategic plan and released it internally in 2018. It was finally made public in March

2022. This plan includes the Board's mission statement, vision, value statement, goals, and objectives. See related article next in this newsletter.

Recommendations: 1. The Audit recommends the Board of Pardons and Parole publicly provide metrics on its website, including but not limited to the following:

- Recidivism measures
- Time under Board jurisdiction
- Prison releases by category
- Measure(s) of a successful parole such as number of parole revocations

2018 Utah Board of Pardons & Parole Strategic Plan

<https://bop.utah.gov/wp-content/uploads/2022/2018%20BOPP%20Strategic%20Plan.pdf?t=1648129353>

This information was created in 2018, and finally made public in March 2022 and the following is taken directly from the Board of Pardons and Parole Website bop.utah.gov

Executive Summary – As recommended by the 2016 Legislative Audit, the Board has created a strategic plan to be implemented in FY18. The Board has thoughtfully produced this plan with the input of all employees in the agency. The Board's strategic plan is collaboration between the Board, the National Institute of Corrections, and the National Parole Resource Center.

Mission – The Board of Pardons and Parole's mission is to provide reasoned and balanced release, supervision, and clemency decisions that address community safety; victim needs; and offender accountability, risk reduction, and reintegration.

Vision – The Board of Pardons and Parole's vision is to be a leading authority dedicated to:

- Making informed and just release, revocation, and clemency decisions
- Improving community safety by holding offenders accountable
- Ensuring crime victims the opportunity to participate in the Board's process
- Encouraging successful offender re-entry through constructive release conditions
- Fostering productive relationships with all stakeholders
- Continuously striving to meet advancing standards of excellence

Value Statement

- - We value and RESPECT all individuals
- - We aspire to be FAIR, BALANCED, and COMPASSIONATE
- - We strive for EXCELLENCE, TRANSPARENCY, and INNOVATION
- - We SERVE our community and COLLABORATE with PROFESSIONALISM and INTEGRITY

Goals 1) Quality and equitable decision-making processes. 2) Maximum organizational effectiveness and capacity. 3) Optimal transparency and collaboration.

- Consistency of Board decisions with guidelines
- Aggregate reasons for departure from the sentencing guidelines

2. The Audit recommends the Board of Pardons and Parole continue to make its strategic plan publicly available and update it to include what was discussed in Chapter III of this report (See UPAN March Newsletter for the summary of Chapter 3). Continuing to publicly share the Board's strategic plan will promote a greater understanding of the Board's role.

Objectives – The Board has implemented the National Parole Resource Center's ten best practices into its strategic plan as a guide for the agency to align individual performance measurements.

- 1) Use good, empirically-based actuarial tools to assess risk and criminogenic needs of offenders.
- 2) Develop and use clear, evidence-based, policy-driven decision-making tools, policies, and guidelines that reflect the full range of a paroling authority's concerns (e.g., punishment, victim issues, community safety, etc.).
- 3) Maintain meaningful partnerships with institutional corrections and community supervision (and others) to encourage a seamless transition process and the availability of sound, evidence-based programs.
- 4) Use their influence and leverage to target institutional and community resources to mid- and high-risk offenders to address their criminogenic needs.
- 5) Consider for release at the earliest stage possible—in light of statutes and other sentencing interests—offenders assessed as low risk.
- 6) Use the parole interview/hearing/review process as an opportunity to—among other goals—enhance offender motivation to change.
- 7) Fashion condition setting policy to minimize requirements on low risk offenders, and target conditions to criminogenic needs of medium and high risk offenders.
- 8) Develop policy-driven, evidence-informed responses to parole violations that incorporate considerations of risk, criminogenic need and severity, assure even-handed treatment of violators, and utilize resources wisely.
- 9) Develop and strengthen case-level decision making skills/capacities in these areas.
- 10) Develop and strengthen agency level policy making, strategic management and performance measurement skills/capacities.

Employee Performance Goals – All Board employees created goals appropriate to one of the ten best practices in the objectives section of the strategic plan,

which will be monitored and tracked on the State of Utah's Department of Human Resource Management

performance evaluation tool.

Inspirational Speakers Now Speaking at CUCF as Part of UDC Strategic Plan

By Molly Prince, LCSW

In the March 15 UDC Stakeholders Meeting, Assistant Regional Administrator of AP&P Eric Barker announced that as part of the Strategic Plan, CUCF has implemented a program that brings in guest speakers to discuss how they overcame substance use issues and became happy, successful people.

Gary Fisher, one of the speakers in March, spoke to incarcerated individuals in the Chapel at CUCF. Mr. Fisher was incarcerated in the federal system between 1986 – 1990. He stated that his “raging alcohol and drug program” contributed to his choices that resulted in his incarceration. Since then, he participated in treatment and he stated, “I loved treatment” and his recognition that he got honest with himself and then others. That contributed to his success in doing his program, maintaining sobriety, and eventually his re-entry into the community. He eventually became a night clerk in a program, but the title of the job was “associate counselor.” He returned to his halfway house determined to become a counselor. Since that time he has rebuilt his life and has been involved in behavioral health for more than 30 years. He shared items that are important for people to know and how they need to be to help them become successful after incarceration. He talked about not putting expectations on others or having your success depend on others when returning to the community.

Mr. Fisher is currently the Emeritus Director at the Cirque Lodge Rehab Center in Utah. Cirque Lodge caters to a variety of people seeking sobriety and a new direction in their lives, including celebrities, athletes, and musicians.

Mr. Fisher related to how it feels to be sentenced to prison, taken from home and immersed in prison, as well as how it is possible and from his own experience, how he achieved and maintained sobriety for the past 36 years. He discussed how, since that time, he became successful in his life. He processed various definitions of success, as it may not be defined the same way for every person. He expressed his appreciation for the opportunity to speak with the residents of CUCF and share his inspirational story.

Diesel Brothers. On March 16th, Keaton Hoskins of the Diesel Brothers arrived at CUCF in the Diesel Brothers helicopter to share his message as part of this program. (As of writing this, there is not a full YouTube video to watch of this presentation, so it will not be detailed here).

According to the press release posted that day on the UDC website, “It’s not every day that a reality television star lands a helicopter on prison property, so they can share a message of hope with incarcerated individuals. Actually, it’s never been done in the history of Utah Corrections ... as far as we can tell,” writes Kaitlin Felsted of the UDC Public Information Office. But that is what occurred for incarcerated individuals at the Central Utah Correctional Facility (CUCF) in Gunnison that day.

The Diesel Brothers is a reality television series that kicked off in 2016 and features a team of friends in Utah who repair and customize pickup trucks.

“Now, I don’t know what will happen in your life if you decide to do nothing but change your life and work on [yourself] – but I know for sure that if you decide to go all in on yourself, you will change, and you will become a better [person] because of it,” said Hoskins to the audience during his talk with them.

The UDC post indicates that Mr. Hoskins is one of several speakers who will be visiting with the incarcerated at CUCF over the next few months to share messages of hope. These messages are being archived to be made available on tablets for incarcerated individuals in order to inspire those preparing to leave prison and return to their communities. They are also going to be available on the UDC YouTube channel.

“Every individual under our supervision has two roads to choose from – they can choose to lead productive lives, or choose not to,” said CUCF Warden Bart Mortensen. “The speakers for these events have all had struggles to overcome; but chose a productive path. Their stories can provide hope or help others choose productivity through their examples of struggles to success.”

Dell-Emerald Topics **HB429 Prenatal and Postnatal Care in Correctional Facilities**

<https://le.utah.gov/~2023/bills/static/HB0429.html>

HB429 2nd Substitute sponsored by Representative Candice Pierucci and Senator Stephanie Pitcher. This law addresses the prenatal and postnatal care provided

to incarcerated pregnant women and includes the establishing a nursery in the state’s prison facilities.

This bill expands the prohibition of using restraints on incarcerated pregnant women during labor and delivery of a new baby to include during the third trimester of pregnancy unless there are compelling grounds to believe that the incarcerated woman presents an immediate and serious risk of harm to herself or any other person or a substantial risk of escape.

After giving birth, the mother is allowed to remain with the infant at the health care facility for a minimum of 48 hours. The correctional facility must provide pregnant women, or women who have given birth within the past six weeks, access to a social worker to help them arrange childcare, establish a reunification plan, and establish a substance abuse treatment plan if needed. An incarcerated mother in postpartum recovery may receive access to postpartum care for up to 12 weeks.

This bill creates the Correctional Postnatal and Early Childhood Advisory Board. The advisory board will review research regarding childhood development and best practices for infants placed in a nursery located within a secure correctional environment. The study will include the benefits of having a nursery for infants and

D-E Fun Time: It's about time I fulfilled a previous promise. Here are some things to smile over, Ed. From T-shirt ads, **Liliput Says:** "My kids laugh because they think I'm crazy – I laugh because they don't know its hereditary." "I'm on my Second Guardian Angel, my first one quit and is in therapy." "I'm not short, I'm just concentrated awesome!" One more? Okay. "First thing in the morning, don't talk to me. That's when I think of cats, humans make my head hurt."

UDC Reports it is Making Progress in Recruiting New Correctional Officers

By Molly G. Prince, LCSW

During a UDC Stakeholders Meeting that I attended on March 15, 2023, along with a variety of community organizations and Corrections administrators, we were given an update on the efforts Corrections has been putting forth to recruit new correctional officers to help fill the empty positions to better staff the prisons.

We were told that the Department was 135 recruits away from moving away from mandatory overtime for existing COs and other corrections staff filling in at the prisons. Also told that all the academies for new recruits are full.

I looked for more information on the UDC website. It said that significantly more individuals are joining Corrections now than are leaving. A post in the UDC's Hot Topics on March 9 includes a statement from Assistant Deputy Executive Director Spencer Turley, "Everyone's efforts to help both recruit and retain certified staff are paying off." His message to UDC staff said, "Thank you to everyone for your diligent efforts, please continue doing all you can to improve our staff retention and help recruit new staff. As you have additional ideas, please share them."

The report states that UDC is now gaining officers at a rapid rate. It illustrated with a snapshot of the past 12

incarcerated mothers located within a secure correctional environment and the benefits of placing an infant or incarcerated mother in a diversion program removed from a secure correctional environment.

The advisory board will make recommendations to the Department of Corrections regarding rules and policies for any nursery established by the department to provide space for incarcerated mothers and infants. The nursery will provide space for mothers and infants 18 months or younger unless extended by the advisory board, based on individual circumstances, up to 24 months old. The Department of Health and Human Services will certify that the nursery is in compliance with the rules established by the advisory board.

On or before November 30, 2024, the advisory board will provide a report of the board's research and study to the Law Enforcement and Criminal Justice Interim Committee and the Executive Offices and Criminal Justice Appropriations Subcommittee.

More info on this bill in the May UPAN Newsletter.

months. It reads as follows: "From February 2022 through July 2022, 87 correctional officers left the agency, and 28 correctional officers were hired into the agency. This was a net loss of 59 people. In August 2022, following the opening of USCF, and after correctional staff received a substantial pay increase, these numbers reversed themselves.

"From August 2022 through February 2023, 34 correctional officers left the agency, 105 correctional officers were hired into the agency. This is a net gain of 71 people. After the August 2022 compensation increase, Governor Spencer Cox personally sent a letter to previous employees and asked them to return to work for Corrections. From August 2022 through February 2023, UDC has had 27 former staff members return to work as officers.

"During the 2023 calendar year, there are 10 academies scheduled, with seven in Salt Lake and three in Gunnison. There is also potential to add more classes if needed. Currently there are two academies underway in Salt Lake and one in Gunnison with a second Gunnison class starting March 28. For the two Salt Lake classes, there are 38 officers that were hired for the Utah State Correctional Facility (USCF) and 12 that were hired for Community Correctional Centers.

“The current Gunnison academy has 21 correctional officers for CUCF. Hiring for the March 28 academy, to be held in Gunnison, is still underway. At this point, it looks like CUCF will be really close to filling - or will actually be able to fill - every correctional officer position they have. And once the academy is complete, they will be fully staffed. This alone will help lessen the overtime load on all of our staff.”

According to UDC, as of January, 2023, there was a need for an additional 135 officers at USCF to eliminate mandatory overtime. It is anticipated that if UDC is able

to retain these new officers as well as established staff, and if UDC can average a minimum of 20 officers in each of the seven academy classes this year, that should be enough to nearly eliminate all mandatory overtime at USCF.

<https://corrections.utah.gov/category/hot-topics/>

This is good news for the UDC staff as well as incarcerated individuals and families and visitors. With fingers crossed, hopefully things will move forward as planned!

New Laws from the 2023 Legislative Session

Summarized by Faye Jenkins

Utah's 2023 legislative session concluded on March 3rd with the passage of 575 laws in 45 days. Here are a few noteworthy laws that positively impact the lives of those who are incarcerated.

Modifications to prison medical services.

SB188 3rd Substitute sponsored by Senator Luz Escamilla and Representative Ryan Wilcox.

This newly enacted law requires the creation of policies and procedures for providing medical services to people who are incarcerated and to develop standard population indicators and performance measures relating to the health of inmates. These indicators and performance measures will be made public by the Department of Corrections on its website.

Beginning in July 2023, the department will evaluate and study the use of medical monitoring technology and create a plan for a pilot program that identifies the type of medical monitoring technology that will be used during the pilot program and eligibility for participation in the pilot program. (Medical monitoring technology is a device, application, or other technology that can be used to improve health outcomes and the experience of care for patients, including evidence-based clinically evaluated software and devices that can be used to monitor and treat diseases and disorders.)

Beginning in July 2024 the pilot program will be implemented for 5 years. Each October a report of the indicator and performance measures will be presented to the Health and Human Services Interim Committee and the Law Enforcement and Criminal Justice Interim Committee.

Upon intake of an inmate, the correctional facility will provide the inmate with a medical release form to designate a contact person with whom the correctional facility may release the inmate's medical information. The correctional facility is required to attempt to notify an incarcerated person's designated contact within the following timelines and conditions.

- Within 5 days when an incarcerated person sustains a serious injury or illness. Or if an incarcerated

person is transported to a health care facility as a result of a serious injury or illness, the day the person is released from the health care facility.

- When a physician determines the incarcerated person has a medical condition that renders them incapable of making health care decisions or may result in a person reaching the end of life.
- Within 24 hours after the death of an incarcerated person, including the manner of death in the notification.
- The notification will include the serious injury or illness, the extent of the serious injury or illness, the medical treatment plan, and when applicable, the medical treatment recovery plan.

Along with transferring the oversight of prison Clinical Services Bureau from the Department of Corrections to the Department of Health and Human Services beginning July 1, 2023, the guidelines provided in this bill are welcomed improvements to the prisons' medical care of Utah's incarcerated population and improved communication with family and loved ones in the community.

HB111 4th Substitute Inmate Treatment Amendments sponsored by Representative Christine Watkins and Senator David Hinkins.

This law requires county and municipal jails to allow the continuation of medication assisted treatment plans for people who are incarcerated when they were active clients prior to their incarceration. A "medication assisted treatment plan" is a prescription plan that uses buprenorphine, methadone, or naltrexone to treat substance use withdrawal symptoms or an opioid use disorder. The law requires the County Sheriff to direct the administration of the medication according to the individual's prescription and allows for the medication to be paid for by the county.

HB429 2nd Substitute sponsored by Representative Candice Pierucci and Senator Stephanie Pitcher.

This law addresses the prenatal and postnatal care provided to incarcerated pregnant women and includes the establishment of a nursery in the state's correctional

facilities. (See *Dell-Emerald Topics in this newsletter for more information.*)

Laws to help individuals transition from prison to the community.

HB368 Inmate Identification Amendments sponsored by Karianne Lisonbee and Senator Todd Weiler. Most people who exit the prison do not have in their possession the required identification needed to obtain birth certificates, social security cards, government-issued identification cards, or driver's licenses which are required forms of identification to apply for jobs and access community services. This bill enacts a law requiring the Department of Corrections to assist those who are incarcerated in obtaining these important identification materials.

Within 15 days after a person is incarcerated in a state correctional facility and approximately six months before the date of the anticipated release, the Department of Corrections will determine whether the incarcerated individual has:

- a certified copy of their birth certificate,
- a copy of their social security card, and
- a current state-issued driver's license or state-issued identification card.

For any document a person does not possess, the department will inform the incarcerated individual that each document listed may be required to obtain employment upon release, inquire whether the person would like to apply for and obtain any of the documents, and provide for those who desire assistance to obtain the documents within 30 days of accepting assistance.

At least six months before the projected date of a person's release, the department will coordinate with the Driver License Division to obtain a duplicate of the person's state-issued driver's license or renew the state-issued driver's license or extend the state-issued regular identification card or issue a temporary regular identification card, unless the person will live outside the state immediately upon release.

The department will ensure that within the last seven days of a person's incarceration, they meet with the

Driver License Division to be issued a duplicate driver's license, a renewed driver's license, an extended regular identification card, or a temporary regular identification card. For those being released from a facility other than the state correctional facility, the department will coordinate with the correctional facility and the Driver License division in assisting individuals in receiving the needed driver's license or identification card.

HB181 Offender Employment Amendments sponsored by Representative Ashlee Matthews and Senator Derrin Owens. Another major roadblock many people face exiting prison is finding employment that will hire a person with a criminal history. This new law requires the Department of Workforce Services to create and maintain a web portal specifically for employment opportunities for people with criminal histories.

Through his portal, a business in the state may post job opportunities available to individuals with criminal histories, receive and review a resume or profile information for a job opportunity that is submitted by an individual with a criminal history, and review information regarding incentives for hiring an individual with a criminal history. The portal also allows individuals to review job opportunities posted within the web portal, apply for a job, and obtain information regarding resume creation, interviewing skills, and other job-seeking skills. The web portal is required to be fully operational by July 1, 2024.

The Division of Human Resource Management is directed to provide information and guidance to state agencies encouraging the hiring of individuals with criminal histories, ensure that state agency job opportunities available to individuals with criminal histories are included in the web portal, and report on information and guidance to the Law Enforcement and Criminal Justice Interim Committee.

The Department of Corrections is required to ensure that an incarcerated individual has access to the web portal prior to release from incarceration.

Couple of Smiles and Maybe a Laugh How does the ocean say hello? It waves ~~ What has four wheels and flies? A garbage truck ~~ If you want to buy a dead battery, there should be no charge ~~ Why shouldn't you trust atoms? They make up everything ~~ Why don't people play more hide-and-seek? Because good players are hard to find.

Five things to carry on your journey: hope, optimism, appreciation, love, and wisdom. They help you remain cool! Ed.

Utah Prisoner Advocate Network Contact Info

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"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