



UPAN Newsletter Volume 11 Number 4 | **APRIL 2024**
“Empowerment and Growth Through Knowledge and Unity”

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**Enhanced Visitor Screening – ADA/Hearing Impaired & Court Webex – Med Appt
 Tips – Helping Inmates’ Children – Income Taxes – 2024 Legislative Recap – HB
 248 Inmate Amendmts/Records of Inmate Programs/Case Mgrs & Higher Ed –
 Education Summit – IPP Garfield Jail Programs – *Dell-Emerald Topics***

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Next Meeting: Monday, April 8, 2024 6:30 pm - 8:30 pm. **Speaker:** Jennifer Springer, Managing Attorney, Rocky Mountain Innocence Center. Check their website at <https://rminnocence.org/about-us/> Meetings are **FREE** and open to the public. **Join all meeting at** <https://bit.ly/UPAN-Meet>

Following Monthly Meetings: Monday, May 13, 6:30 pm–8:30 pm. **Speaker:** Pace Johnson, Managing Attorney with Pace Johnson Law
Presenter for June: Evan Done, Associate Director of Utah Support Advocates for Recovery Awareness (USARA)

UPAN continues virtual meetings the 2nd Monday of every month EXCEPT July & December. Zoom link <https://bit.ly/UPAN-Meet> Available on UPAN Facebook Live and on UPAN’s 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 the 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.***

*“When you can’t control what’s happening, challenge yourself to control the way you respond to what’s happening.
 That’s where the power is.” Unknown.*

Enhanced Screening Processes for Entering Utah Prisons

By Molly Prince, LCSW

During the March Stakeholder meeting between UDC and various community agencies and organizations, attendees were informed of the new, firmer approach that UDC is taking to find and stop illegal drugs and contraband coming into USCF and CUCF.

This includes enhanced screening steps that are being implemented in response to the increased amount of illicit drugs that have been coming into Utah’s prisons. A graphic was shared that states, “The Department is implementing a targeted effort to focus on drug detection, prevention and treatment.”

As anyone who has been on the prison journey understands, illicit drugs create problems for everyone associated with prison, from our incarcerated loved ones, to staff members, to families and entire support systems.

Immediate action steps that the department is implementing include enhanced drug interdiction strategies to prevent the influx of illegal substances. This includes increased surveillance including drug detection technology, K-9 officers, screening, and staff training. In addition, UDC is expanding housing that supports substance abuse treatment opportunities and contingency-based behavior management.

Enhanced screening processes for visitors, staff, volunteers, and contractors are being implemented. UDC acknowledges that the majority of individuals going into its facilities have good intentions and support the mission of public safety and safe correctional facilities. Most people are willing to follow rules and not transport any contraband into Utah's prisons. However, unfortunately there remain a small number of people who threaten the security of the prisons that house our incarcerated loved ones by smuggling in contraband, including drugs.

What should you expect when going to either prison?

- Body scanners. All visitors, staff, volunteers, and contractors will be screened through body scanners.

- Visitors - don't take anything extra in. You will be required to empty all pockets, and all people entering may be asked to remove layers of clothing including outerwear and bulky tops.
- K-9 officers may be present with their handlers.
- Additional pat downs could be required in private screening rooms.
- Bags belonging to officers, contractors, and volunteers will be scanned and may be searched.

It is also possible that people's vehicles could be searched at entry into the prison grounds. Random vehicle searches are not an uncommon practice in various prisons and has been exercised by UDC in the past. People could be turned away from entering the facility if they refuse a search.

UPAN encourages everyone to comply with ALL visiting rules and the dress code. It is not worth pushing to see if any particular group of visiting officers will let something slide, as it compromises the privilege of visiting for everyone.

We are told that anyone caught taking in contraband will be suspended from visiting, and those who take in drugs **will be suspended from visiting permanently**.

In-person visiting is too valuable an option to lose, and the UPAN directors encourage all visitors to do their best to demonstrate that we can follow the rules, not smuggle in contraband, and preserve in-person visiting.

What UDC is Doing to Improve ADA Communication with Hearing Impaired Individuals

By Molly Prince, LCSW

UPAN has had a conversation with Steve Gehrke, Director of Administrative Operations and Quality about what UDC is doing to train staff and improve communication with hearing impaired people in the custody and care of the state.

We have shared resources and training information between us. He also shared what UDC is currently doing to improve the ability to communicate in a productive way with incarcerated individuals.

He said that Corrections is emphasizing to staff that they need to pay particular attention to the individual's preferred method of communication and is asking staff to use that as much as possible.

Dir. Gehrke also informed UPAN that there are a number of improvements that have been taking place. In mid-March, with the coordination of DPO Director Randall Honey and his staff, all the deputy wardens (including newly appointed ones) were trained in detail on both the Americans with Disabilities Act (ADA) and on UDC's agency policy and processes around implementation of the ADA. A significant portion of that training focuses on hearing impairments.

Hearing Awareness Cards. The department is starting to use some specific Hearing Loss Awareness Cards that should have been given to incarcerated individuals with hearing impairments to be used. There is also an option for communication to take place through writing or typing.

The card that the inmate with a hearing impairment can use when communicating with staff states, "I have hearing loss, and I can lipread. Please make sure you face me. Please make sure I can see your face and that you get my attention before you start speaking. Please speak normally without exaggerating your lip movements. If I don't understand you, please re-phrase what you said. Please be patient with me."

It also has words across the bottom of the card that the person can point to and help facilitate clearer communication. The words are "yes," "no," "please repeat," "I don't understand," "please write / draw," and "please type it on a phone (tablet)". Obviously, there is not a phone allowed in the housing units but it allows for a more smooth and understandable communication so that what is being said can be communicated more clearly and understood accurately.

Director Gehrke also informed us that UDC has been ensuring they have adequate Ubi Duo machines or access to TTY for incarcerated individuals to use for communication. He states that individuals from the ADA division have met individually with a couple of different incarcerated individuals to listen to their individualized concerns and to ensure the prison is taking steps to address their needs.

Other improvements that have been made:

- OMRs are being requested to address ADA concerns and conversations are beginning to be better tracked and documented,
- Pre-service training has been updated and is being presented,
- In-service training has been updated,
- ADA approved commissary items have been expanding to offer more options,
- White boards and dry erase markers are being added for yet more communication methods,
- Hearing impaired insignias were added for orange uniform tops (front and back),

- Hearing impaired notices are available for placement in cell windows.

Dir. Gehrke also stressed that there is an ADA Committee that renders decisions related to individualized ADA accommodations. UDC receives complaints or appeals when there are concerns that accommodations are improperly denied - or when there are accommodations granted that are allegedly not being met.

Gehrke reassures us that UDC administration is pleased to do what it can in an effort to make life better for all folks needing ADA accommodation, including those with hearing impairments. He reminds us that the best avenue to ensure this happens is for the hearing impaired inmate to request an individualized accommodation.

By exploring appropriate accommodations with the ADA Committee, the ADA director can look at assigning ADA helpers or otherwise ensuring there are accommodations in place.

What To Know About Court Webex if Your Loved One is Disabled

Information provided by a wife of a hearing impaired inmate

Webex.com is the online program used for online video court. It's what brings the courtroom to the facility. If an incarcerated person has any disabilities as defined by the Americans with Disabilities Act (ADA) like blindness or is deaf or hearing impaired, they need to ask to have ADA accommodations.

You, as family, can call the courthouse ahead of time and ask for the ADA Program they provide for people with these needs, explain who your loved one is, the disability your loved one has, and they can help to make sure that closed captioning in the Webex program is used for hearing impaired.

The court also is required to get American Sign Language interpreters for court hearings, or they can get someone to read things to the blind person. They need a 5-day notice for this, even if it is an online hearing. It is

at no cost. But it is the responsibility of the defendant / inmate, family members, or lawyers to notify the courts to get these ADA accommodations.

The incarcerated person can also ask the housing officers about the Webex program which should be downloaded to specific tablets. The housing officers should know about Webex.

The direct line ADA number for the 4th district courthouse is 801-429-1037. For other districts, families should call the appropriate courthouse ahead of the court date to ask for the ADA office and arrange for these accommodations.

Statewide ADA Coordinator Keisa Williams 801-578-3856

Facilities Questions Chris Talbot 801-578-3881

Your Medical Appointments: Ask These Questions to Get the Most Out of Your Visit

Summarized by Molly Prince, LCSW

This article is based on an article provided to all military veterans on the VA web portal at end of article. This article has been revised to be applicable to incarcerated individuals. It is relevant to ANY patient and while we understand that you do not have easy access to your medical records while inside the prison, you can still do your best to make the most of your appointments.

Have you ever left your doctor's appointment and realized you forgot to mention a symptom or ask a question? Health care appointments are often shorter than we might like, but there are ways to make the most of every visit. You and your health care team can come away from each appointment feeling more satisfied by following some simple steps.

1- Keep a Medical Notebook. This should include both chronic and temporary (acute) conditions and diagnoses. Include dates of all medical, dental, eye, and mental health visits and with each date write down what the problem is, what the medical staff said to you, what you said or asked for, what was prescribed (both medications and ways to care for yourself and the condition), and anything else relevant to keeping your

own record of your medical history. Because it is so extremely difficult for incarcerated patients or their family members to obtain medical treatment records, it is recommended that you keep your own. It is never too late to begin.

2- Go prepared for the visit. Before your visit, make a list of the prescription medications you are taking as well as any over-the-counter medications and vitamins or other supplements you take regularly. Yes, the prison medical record system should have a list of your active prescribed medications, but just in case, make sure you keep them updated of any changes that may have occurred, or medications you may have chosen to discontinue yourself, and vitamin or other supplements you receive through commissary.

Let the medical provider know if there are changes to your medications or how you have been taking them. For example, you may have been prescribed a particular medication such as antibiotics for an infection that is now resolved. Make sure you remember to inform them if you no longer take that medication. The same for other prescribed or over the counter medications including ibuprofen, Tylenol, antacids, etc. You can also review notes in your notebook from previous visits to refresh your memory when going to a medical appointment.

3- Bring a written list of any changes you have noticed in your health. Include symptoms, any medical history, or other information you think might be helpful for your health care team to know.

4- Bring a pen to write notes in your notebook or on paper. Also, it's a good idea to write down the answers to your questions or what new information you learn from the medical appointment.

5- Speak up. In the community, members of your health care team are your partners. It may seem more difficult to think of the CHS providers as being your partners, but

they are since they are the path to receiving the appropriate treatment for your health conditions. Remember to respectfully speak up during your visits to be involved in your health care decisions. Your input can make your visits much more productive.

Early in your visit, talk about your concerns and worries you have about your health. Don't wait until the end of the visit to mention important concerns or symptoms, describe any pain, symptoms, or side-effects you have been having. Tell the truth, even if it's embarrassing. Your health care team needs to know the full picture.

6- Be sure to ask questions. If you have trouble understanding what your medical provider is saying, let them know. Ask for an easier explanation or for them to speak more slowly or loudly. You can even ask them to draw a picture – whatever would help you understand. Ask for written instructions and information about your condition if it's available.

7- Examples of questions you can bring to the appointment.

- What can I do to stay healthy?
- What can I do to better manage my health problems?
- What do my symptoms mean?
- What is the cause, or why is this happening to me?
- What are my treatment options?
- What will the treatments be like?
- How will these treatments make me feel?
- What do you recommend I do?
- Where can I get help if I need it before my next visit or referral to a specialist?
- How can I find out more info about my condition?

Overall, do your best to be pro-active in your own health care. More and more in the community it is the patient's responsibility to ask questions and gather information about how to care for their medical, dental, or mental health condition. This is relevant to prison health care as well.

VA Link: <https://www.myhealth.va.gov/mhv-portal-web/web/myhealthvet/ss20170507-talk-with-your-doc-simple-steps-to-be-involved>

Mentorship Opportunities for Children of an Incarcerated Parent

By Kennedie Starr

The Dream Academy is a nonprofit organization dedicated to supporting children with the resources, tools, and mentorship they need to succeed and fulfill their dreams. The organization is headquartered in Silver Spring, Maryland, and has locations in several states, including West Valley City, Utah.

Specifically, the Dream Academy is focused on empowering children who have an incarcerated parent(s). According to data from the Bureau of Justice Statistics' *Survey of Prison Inmates*, about half of incarcerated individuals are parents of children under the age of 18. It is estimated that approximately 2.7 million children have at least one parent in prison. If we look at

the estimate of children who are impacted by having a parent involved in *other aspects* of the criminal justice system beyond incarceration—including processes like parole, pre-trial detention, and probation—the number of children rises to 10 million.

Parental incarceration can significantly impact the well-being of youth and families. From psychological stress to negative educational outcomes to compounding social stressors, children exposed to parental incarceration are at risk of experiencing a variety of consequences that are not in their control. This is why organizations like the Dream Academy are such important resources for children and families.

How it Works: The Dream Academy provides after-school mentoring, programming, and inspiration for children in a safe, secure learning environment or virtually. Since 1998, the program has served over 10,000 DreamKids across ten cities nationwide. Generally, the Academy partners with a local school to provide these afterschool opportunities for children, ranging from grades 2-12. The Dream Academy based in West Valley City operates its in-person programming at Endeavor Academy (2614 Decker Lake Ln, West Valley City).

The Dream Academy offers in-person academic support, mentorship, and other activities, as well as a virtual program, guided by the "DreamJourney Curriculum." The online curriculum provides weekly video conference sessions to facilitate mentorship and other activities that support character development and relationship building.

1. Here is the link for families to sign up (copy and paste the links into your browser):
https://docs.google.com/forms/d/e/1FAIpQLSewa1-0nd-xKJ5UWF0oP6f0q0Vlibu_oomVO0n705AHIS3DmEQ/viewform

2. If interested in volunteering, use this link: <https://www.surveygizmo.com/s3/5685943/Volunteer-Application>

Do Incarcerated Individuals Need to File Income Taxes? An Overview for Prisoners and Families

Always consult a tax professional for the latest laws and guidelines

Wondering whether you need to file income taxes while in prison? Here is some information we found to help guide you in making this decision. Families are encouraged to go to the IRS and Utah Tax Commission websites and print out any information their incarcerated loved one should have to make this decision.

Incarcerated people in Utah are required to file state and federal taxes if they have income that meets the minimum filing requirements for any given tax year. The fact that they are incarcerated does not exempt them from tax obligations to either the IRS or the state of Utah.

If anyone in a jail or prison has income from sources such as investments, rental properties, or a business, they may be required to file taxes. Additionally, inmates who have income from wages earned prior to their incarceration may also need to file taxes. In such cases, they may be able to request an extension to file their taxes while they are incarcerated. The IRS offers a program called the Volunteer Income Tax Assistance (VITA) program, which provides free tax preparation assistance to low-income taxpayers, including prisoners.

It is important for inmates to understand their tax obligations and to file their taxes on time to avoid penalties and interest charges. Failure to file taxes could also jeopardize their eligibility for certain tax credits, such as the Earned Income Tax Credit (EITC), which is a refundable tax credit for low- to moderate-income workers.

According to the Internal Revenue Service (IRS), all U.S. citizens and residents, including prisoners, are required to file a federal income tax return if their income exceeds certain thresholds. The income thresholds vary depending on the taxpayer's filing status, age, and other

Mentors with the Dream Academy come from a variety of backgrounds, including university students, retired seniors, working professionals, and other members of the community. Mentors undergo screening, a criminal background check, and program training to ensure they're equipped to best support the youth they get paired with.

To Mentor, Sign Up Your Student, or Learn More: If you or a loved one is interested in participating in the Dream Academy's programming as a virtual mentor, please email Jasmine McWilliams:

jmcwilliams@usdreamacademy.org.

For those interested in pursuing the Dream Academy for their child to connect them with empowering mentorship opportunities, please email Amber Hesleph:

ahesleph@usdreamacademy.org

factors. As stated above, if an incarcerated person has income from sources such as investments, rental properties, or a business, they may be required to file a tax return. Families should be able to find the requirements and income thresholds on the irs.gov website.

Utah state tax laws also require people in jail or prison to file taxes on income earned within the state. The Utah State Tax Commission provides guidance on how to file state taxes and it offers free tax preparation assistance to low-income taxpayers. It is recommended families contact the Tax Commission with specific questions related to their incarcerated loved one's circumstances.

It is important to note that residents in prisons may face unique challenges when it comes to filing taxes, such as limited access to tax documents and restricted communication with tax professionals. However, they are still responsible for complying with tax laws and meeting their tax obligations.

Inmates who are unsure about whether they need to file taxes or how to do so from prison are encouraged to seek assistance from the prison's education or re-entry programs, or from a tax professional. Some prisons offer tax preparation assistance to inmates, and there are also organizations that provide tax preparation services specifically for incarcerated individuals. At this time, UPAN is not aware that Utah prisons provide this support to those in its custody.

For those in Utah, we encourage you to reach out to your family and support system in the community if you fit the above categories (owning investments or rental

properties or a business) from which you receive income while locked up, or if you had earned income prior to going to prison in 2023.

<https://www.hrblock.com/tax-center/filing/personal-tax-planning/filing-taxes-loved-one-prison/>
https://www.irs.gov/pub/irs-utl/reentry_council_mythbuster_federal_taxes.pdf

“You’ll never reach your destination if you stop and throw stones at every dog that barks.” Winston Churchill

2024 Legislative Session Recap — Bills of Note for UPAN Volunteers, Families, & Incarcerated Individuals

Written by Kennedie Starr

The month of March not only kicked off spring, but also closed out the Utah Legislative Session—the state’s intense 45-day lawmaking period. The Legislature passed more than 591 bills, creating minor tweaks to state statutes and large policy changes that will impact the lives of Utahns.

There were many bills related to Utah’s correctional facilities that UPAN volunteers and families may be especially interested in learning more about. Some of these include H.B. 26, H.B. 248, H.B. 358, H.B. 316, S.B. 63, S.B. 109, S.B. 212, and S.B. 11. Below is a short summary of a few of these bills, but you can learn more about each one by visiting le.utah.gov and putting the bill number in the search bar.

H.B. 26, *Correctional Facility Amendments*, passed the House and Senate unanimously. It strengthens regulations related to communication devices (cell phones) in correctional facilities, making it a crime to transport, provide, sell, or possess a communication device at a correctional facility in violation of facility policy. The aim is to add teeth to the law to prevent the smuggling of phones into facilities.

H.B. 248 *Inmate Amendments* is discussed in a separate article (see page 7 below).

H.B. 358, *Pregnant and Postpartum Inmate Amendments*, passed the House and Senate unanimously. This bill eliminates the possibility of a prison nursery program for incarcerated mothers and infants in correctional facilities. Instead of the nursery, the sponsor of the bill and the Department of Corrections would rather see a wider application of diversion programs, placing infants and incarcerated mothers outside of a correctional facility. While diversion programs are a preferred policy route, there are still a few concerns with the implementation of this bill. Hopefully, the Correctional Postnatal and Early Childhood Advisory Board can explore diversion programs and best practices used in other states in the coming months and make effective recommendations for implementation to ensure mothers and children are best supported. *More coming on this in the May UPAN News.*

H.B. 316, *Inmate Assignment Amendments*, passed both the House and Senate with some opposition that came primarily from members of the House Democratic Caucus. This bill prohibits—with limited exceptions—the Department of Corrections or a county jail from assigning inmates of the opposite biological sex to live in the same housing area. Upon request, the bill provides a pathway for transgender individuals who are incarcerated to be assigned to a living area that does not correspond with their assigned biological sex at birth “if certain criteria are met and the Dept. of Corrections undertakes an individualized security analysis that considers many factors that are outlined in the bill.”

S.B. 109, *Corrections Modifications*, passed both the House and Senate unanimously. The bill does quite a bit, and one of the main provisions directs the Dept of Corrections to create a **reentry division** that focuses on the successful reentry of incarcerated individuals into the community. It also clarifies that the Dept. of Health and Human Services shall provide comprehensive health care to incarcerated individuals at each health care facility owned or operated by the Dept. of Corrections. This was already in place when the bill passed.

S.B. 212, *Substance Use Treatment in Correctional Facilities*, allows the Dept. of Corrections to cooperate with medical personnel to provide medication assisted treatment (MAT) to incarcerated individuals with substance use disorder who had an active MAT plan prior to incarceration. MAT is the use of medications in combination with behavioral therapies for the treatment of substance use disorders. It is highly effective in the treatment of opioid use disorders. This bill passed unanimously in the House and Senate.

Bill Files for 2025. The “normal effective day” for bills is May 1, 2024, unless otherwise specified in the language of the bill. May 1st is also the first day that legislators can open new bill files to work on during the rest of the year for future consideration in the 2025 Legislative Session. If you have an idea for a bill file, consider reaching out to your legislator to begin discussions about it. You can determine who your legislators are by visiting: <https://le.utah.gov/GIS/findDistrict.jsp>

“When we love, we always strive to become better than we are. When we strive to become better than we are, everything around us becomes better too.” Paulo Coelho, The Alchemist

HB 248 Inmate Amendments Has a Lot of Requirements of Interest to Inmates

By Kennedie Starr and Molly Prince, LCSW

H.B. 248, Inmate Amendments, passed the House and Senate unanimously. It is a BIG bill. Its provisions include a variety of requirements for Education and Programming opportunities and many other guidelines as follow:

- The UDC is to create a Reentry division that focuses on the successful reentry of incarcerated individuals into the community (*note – this reorganization of the Division of Programming to become the Division of Re-Entry & Rehabilitation took effect in UDC in January 2024 prior to this bill's passage.*)
- Directs the Higher Education and Corrections Council to facilitate college education for incarcerated individuals housed in county jail.
- Directs the Utah Board of Higher Education (USBE) to assign student success advisors to correctional facilities.
- Requires an institution of higher education to consider a person under the custody of the State of Utah a state resident for tuition purposes.
- Provide certain student support and assistance to an inmate who is participating in a postsecondary certificate or degree program. (*See more information in separate articles below*)
- Provide certain assistance to incarcerated individuals who participate in a postsecondary certificate or degree program. (*See more information in separate articles*).
- Coordinate with the Board of Pardons and Parole (BOPP) regarding inmate records and ensure that inmate records are complete and, when applicable, shared with the BOPP.
- Report on UDC's inmate program implementation progress.
- Use the incarcerated person's BOPP hearing date when determining the timing of an inmate's programs.
- Create an incentive program to encourage an incarcerated person to complete their required programs by their BOPP hearing.
- Ensure that an inmate may continue participating in programs under certain circumstances.
- Under certain circumstances, get an incarcerated individual started in at least two of that individual's required programs as soon as their Case Action Plan is created.
- Allow an inmate to participate in more than one program at a time throughout the inmate's time within the correctional facility, under certain circumstances.
- Prioritize placement of incarcerated individuals in the custody of the state in county correctional facilities that meet specified requirements regarding inmate programs.
- Periodically consult with an incarcerated person to determine whether they are on track to complete their required programs by their board hearing.
- Include in an incarcerated person's record the reason why certain program requirements were not met, if the department is unable to meet specified program requirements.
- The UDC will coordinate with the BOPP regarding inmate records that are necessary for the Board of Pardons and Parole to make necessary determinations regarding an inmate.
- Ensure that inmate records regarding discipline, programs, and other relevant metrics are complete and updated in a timely manner; and when applicable, shared with the BOPP in a timely manner.
- Provide an annual report on the UDC's public website concerning inmate program data.
- Ensure that an inmate has reasonable access to legal research.
- UDC will continue to provide an annual report to the Law Enforcement & Criminal Justice Interim Committee regarding the department's implementation of and offender participation in evidence-based and evidence-informed treatment and program opportunities designed to reduce the criminogenic and recidivism risks of offenders over time and the progress of the department's implementation of the inmate program requirements described in Section 64-13-50.

HB248 Section 64-13-50 Reporting and Records Requirements of Inmate Programs in UDC

This information is taken directly from the signed and enrolled HB248 of Inmate Amendments

An new section of HB 248 Inmate Amendments focuses on how Program records are kept and reported to the Board of Pardons & Parole.

Definitions: As used in this section of the law, "Board" means the Board of Pardons and Parole. "Board hearing" means a hearing established under Utah Law Subsection 77-27-7(1), which is the earliest possible point at which the Board may consider an inmate's release from a correctional facility.

"Program" includes online and in-person programs. "Program" means a part of an inmate's case action plan that is required or optional and includes:

- (A) sex offense treatment;
- (B) substance use treatment;
- (C) educational programs, including literacy programs;
- (D) career-readiness programs;
- (E) life-skills training; and
- (F) transition programs meant to prepare an inmate who is about to leave a correctional facility.

On or before January 1, 2026, the department shall:

- (a) use an inmate's board hearing when determining the timing of an inmate's programs to ensure that an inmate will have the ability to complete all of the inmate's programs by the inmate's board hearing.
- (b) create an incentive plan to encourage an inmate to complete the inmate's programs by the inmate's board hearing;
- (c) use the department's best efforts to ensure that when an inmate is transferred within a correctional facility or to a different correctional facility, the inmate is able to continue all programs that the inmate has already started and has not yet completed, without requiring the inmate to restart a program from the beginning or wait on a waiting list for the program, unless the program's continuation would be impossible due to the inmate's transfer to a more restrictive setting due to a behavioral or disciplinary violation;
- (d) use the department's best efforts to ensure that if an inmate opts out of an optional program, the inmate is able to rejoin the program within six months without being required to restart the program from the beginning or wait on a waiting list;
- (e) as soon as an inmate's case action plan is created, use the department's best efforts to start the inmate in at least two of the inmate's programs;
- (f) use the department's best efforts to allow an inmate to participate in more than one program at a time throughout the inmate's time within the correctional facility, including, if applicable, providing technological methods for an inmate to participate in an online program;
- (g) prioritize the placement of inmates within county correctional facilities that offer, allow, or facilitate department-specified programs for inmates; and collect and provide inmate program completion data to the department; and
- (h) periodically confer with an inmate and, if necessary, the board, to determine whether the inmate is on track to complete all of the inmate's programs by the inmate's board hearing.

If the department is unable to meet a requirement described above, the department shall include in the inmate's records the reason why the requirement was not met; and ensure that information is made available to the board.

The department shall provide an annual report on the department's public website that states how many inmates are currently participating in one or more programs; and have successfully completed one or more programs during the prior year.

Responsibilities of Case Managers based on HB248 Related to Higher Education

By Molly Prince, LCSW

One of the new requirements included in this year's HB248, section 64-13-6 under Department duties of the Inmate Amendments require that a correctional case manager for state inmates will do the following:

- 1) Ensure that an assessment of the education level, occupational interests, and aptitudes of the inmate has been completed.
- 2) Refer the incarcerated student to a higher education student advisor at an institution offering programs consistent with the student's interests and aptitudes

for advisement on educational preferences and plans.

- 3) Incorporate the incarcerated student's interests, aptitudes, and student advisement into an education plan consistent with the guidance provided by the Higher Education and Corrections Council created in this bill.
- 4) Refer the inmate to the student advisor at the institution called for in the case action plan for guidance and assistance with the education process.

This is taken from Part 3, lines 535 – 545 of the bill which is found at <https://le.utah.gov/~2024/bills/static/HB0248.html>

Colleges & Universities in Prisons & Jails to Provide Student Advisors per HB248

Section 53B-35-301 of HB248 requires that colleges and universities of higher education that provide education to incarcerated persons will provide Higher Education Student Advisors. The bill reads that "A degree-granting institution of higher education providing education to inmates in a correctional facility shall provide relevant academic and career advising services that are

substantially similar to services provided to a student who is not a confined or incarcerated individual." It further states that each participating college or university offering higher education is required to file an annual report to the Higher Education & Corrections Council regarding the guidance and support provided to incarcerated students in its programs.

IPP Information: Garfield County Jail Offers Education and Substance Use Treatment

A review by Evelyn Matue

Garfield County is one of the 7 contracted jails under the Inmate Placement Program (IPP) which offer a Substance Use Treatment Program (SUTP). In addition to their renowned "Dare to Soar" SUTP and After Care

Program, they now have a Pre-Substance Use Treatment Program to supplement treatment opportunities available to incarcerated men housed in Garfield County.

According to the 2023 Jail Programs Booklet (which can be found here: [County Jail Program - Utah Department of Corrections](#)), there are a total of 96 beds available for housing state inmates, with 42 of those reserved for the "Dare to Soar" SUTP. The smaller number of residents in the program and the staff involvement make this a very cohesive and successful unit. The inmates feel that they gain a lot from the relaxed atmosphere. The classes are intensive and cover the many facets of addiction, as well as the road to recovery and success outside of prison life.

The education department at Garfield shines. The diligence of the Adult Education Coordinator is apparent in the number of successful graduates. The jail has focused on addiction recovery and a plan to succeed outside the prison walls. The classes and education available are meant to give viable tools for employment upon release and success in personal and family life. The jail has recently added a guitar class, and an arts class that not only provide a positive outlet for incarcerated men to make the best use of their leisure time but will also count towards adult education credits toward electives or arts if progress is being made towards earning a high school diploma.

Garfield County is also notable for its vocational training. They have introduced Building Trades where small

buildings that can be transported off the facility are being constructed to specific orders. There is a Basic Welding program that teaches a new skill to help with employment as well as a program for Silk Screening and Embroidery which expand the student's knowledge and skills. These various employment and job skills classes are all designed to slow recidivism and help build acceptable lifestyles for those who participate and are released.

There is no shortage of things to do at Garfield County Jail. There are 69 inmate jobs to choose from. The road crew and car wash crews are rotated together, the car wash inside and the road crew of four is outside of the facility. Both of these crews, along with the Jail Ink print shop provide inmates with employment opportunities as well as services to the local community.

Despite things being a bit more expensive, I feel like Garfield makes up for it in many other ways. Inmates are allowed to receive one Amazon order per month from their loved ones. The jail's visiting guidelines aren't as strict as the prison. You can send messages back and forth for \$0.25 per message, and more! But one of my favorite parts about this facility is that they make it a point to treat these men like human beings. The staff do a great job of maintaining a positive and encouraging environment, it's just so different.

"No one has the power to shatter your dreams unless you give it to them." Maeve Greyson

Utah Dept. of Corrections Education Summit

By Deon Corkins (*UPAN's Deon Corkins attended this year's Education Summit.*)

Instructors, program coordinators, correctional officers, and representatives of volunteer organizations met at the Fred House Academy on January 19, 2024. These 125 participants shared ideas on educational techniques and classroom strategies in correctional settings. University, college, and high school instructors in jails and prisons mixed with correctional officers in breakout sessions and shared ideas.

Brigham Young University, Salt Lake Community College, University of Utah, Weber State University, Utah Valley University, Snow College, and a number of local school districts either provide or are interested in offering educational programs to justice involved students throughout the state.

School districts typically offer GED and other classes in the county jails.

Increasing consistency to more students. More tablets were suggested as a solution to several problems, including when students missed class because of lockdowns. Students might be able to still attend class virtually through Zoom. Pell Grant availability to inmates will provide more opportunities to qualified students when post-secondary institutions partner with UDC to provide college education.

Snow College to offer courses in CUCF. Snow College Provost, Michael Austin announced that classes will be offered at Central Utah Correctional Facility in Gunnison, possibly starting with summer semester.

Salt Lake Community College will increase their class offerings during 2024.

University of Utah. The Education Justice Initiative at the U of U received a grant to establish a center for coordinating correctional education programs. A pilot program is being developed to learn the best way forward to establishing a program that will award a bachelor's degree. The University Education Project is reaching to outside organizations to enhance educational opportunities. The director, Andy, Eisen, PhD, reported on a successful collaboration with NASA that includes having some inmates view the eclipse at USCF.

The Sun Dance Film Festival will present two films at USCF during the festival.

Children of incarcerated parents were the topic in one breakout session. The percentage of U.S. prison inmates who are parents of minor children is 54%, and 65 to 75 % of incarcerated women are parents.

Family Programs. Trisha Reynolds, the Intergenerational Program director at the Department of Corrections is on a task force that was exploring how to establish a nursery in Dell, the women's section of the prison. They have been studying the programs in the eight states that offer nursery programs. Most of these include children age 18 to 24 months. Some state prisons have on-site nurseries, and some have diversion programs, where mothers and infants are housed elsewhere. Utah has one of the few Father and Baby programs.

UPAN's note: As of the end of February, HB 358 sponsored by Representative Candice B. Pierucci and Senator Heidi Balderree had passed. This stops UDC from establishing a nursery for female inmates and their infant within the a correctional facility. Its focus instead is focus advocating for alterative placement of pregnant inmates. More details will be in the May UPAN newsletter.

Special activities for in-person visiting for families at Easter are planned. It is unclear if this is just in USCF or CUCF as well.

A Family Day for Father's Day and Mother's Day are planned in USCF this year. (We have not heard if this applies to CUCF)

UDC is taking steps to improve education.

Recidivism, the return to prison, is greatly reduced among inmates who participate in educational programs. In the closing remarks, Brian Redd, Director of UDC, stated that incarcerated individuals involved in post high school education are 48% less likely to be re-incarcerated.

The growth of interest in improving educational programs in Utah Correctional setting is encouraging. Many participants in this Education Summit expressed an optimistic hope for more such conferences in the future.

"Sometimes you will never know the value of a moment until it becomes a memory." Dr. Seuss

Dell-Emerald Topics (Fun Times! Source: T-shirts by Lilicloth.com). Today I'm doing nothing, because I started it yesterday and I wasn't finished, and I'm not a quitter ~ My friends say I only have two faults: I don't listen and something else ~ I may be good at household chores but I can't fix stupid ~ Just because I'm awake doesn't mean I'm ready to do things ~ Life is better with cats and books ~ After God made me, He said, "TA DA!!" ~ Wait! What? I have an attitude? No! Really? Who knew!

"Yes, you'll rise from the ashes, but first comes burning. For this part, darling, you must be brave." Kalen Dion

What Hats, Haircuts & Tattoos Have In Common With Making Decisions

Credit: James Clear, author of the #1 New York Times bestseller, *Atomic Habits* <https://jamesclear.com/3-2-1/february-1-2024>

"I think about decisions in three ways: hats, haircuts, and tattoos.

Most decisions are like hats. Try one and if you don't like it, put it back and try another. The cost of a mistake is low, so move quickly and try a bunch of hats.

Some decisions are like haircuts. You can fix a bad one, but it won't be quick and you might feel foolish for a while. That said, don't be scared of a bad haircut. Trying something new is usually a risk worth taking. If it

doesn't work out, by this time next year you will have moved on and so will everyone else.

A few decisions are like tattoos. Once you make them, you have to live with them. Some mistakes are irreversible. Maybe you'll move on for a moment, but then you'll glance in the mirror and be reminded of that choice all over again. Even years later, the decision leaves a mark. When you're dealing with an irreversible choice, move slowly and think carefully."

"After all this is over, all that will really have mattered is how we treated each other." Anonymous

Couple of Smiles and Maybe a Laugh The problem isn't that obesity runs in your family. The problem is no one runs in your family ~ There are three kinds of people: those who can count and those who can't ~ My first job was working in an orange juice factory, but I got canned: couldn't concentrate ~ We have enough youth. How about a Fountain of Smart? ~ One more? Okay! ~ What do you call a hippie's wife? Mississippi.

You can be, or already are, the person that any team would like to have you on it. What's the rule? You're cool! Ed.

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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