



## UPAN Newsletter Volume 2 Number 7 | JULY 2015

*“Empowerment and Growth Through Knowledge and Unity”*

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Newsletter Preview: Oh-h-h, there's GOOD NEWS this month!

### Success from Prison to Parole - A New Transitional Program

#### **Development Of This Prison To Parole Program**

UDC Transition Division Director Steve Gehrke presented at the July 6, 2015 FOCUS Meeting. He reported that for the past two years there has been a Transitional Model Initiative that corrections and a variety of representatives of state agencies have been working on to identify ways to assist incarcerated individuals transition to parole and be successful upon parole. This is part of the Justice Reinvestment Initiative, which was mandated by the Governor in conjunction with prison relocation.

#### **An Unprecedented Funding By The Legislature**

As part of the Criminal Justice legislation this year, 10 positions for Transition Specialists were funded for the State of Utah. According to Gehrke, these positions will most likely be filled by current probation/parole officers who have a social work background. Their purpose will be to start working with inmates approaching parole dates prior to release, and following them after release.

#### **Mentoring Before And After Release**

This program is in the beginning phase in terms of implementation. The goal is to start working with inmates while still incarcerated to prepare them for release. These things will include a mentoring program, available for both male and female inmates. This starts prior to release and continues after release. There will also be assistance to access programs in the community. One idea is for the Housing Authority to provide housing vouchers to parolees good for a few months as they get on their feet.

#### **New Approach To Utilizing Case Managers**

We discussed the importance of Case Managers in the prison system so all will have the same training and

knowledge of everything that they need to know in order to be effective in doing their jobs. We were told that under the new structure, all case managers would be under one director whom they report to. This would be much more consistent, efficient, and effective, as opposed to the current model in which every housing captain determines the duties of the case managers now.

#### **An Opportunity To Participate Via Your Input**

Mr. Gehrke is seeking ideas and input from UPAN families as well as individuals on parole who can help him with ideas on not only areas of concern and need, but also ideas of how to address these needs. One idea that was discussed is helping people who have worked successfully in UCI to access employment possibilities prior to release by having job fairs in the prison. Also by using the evaluations of UCI supervisors as part of the individual's resume prior to release. (UCI = Utah Correctional Industries)

#### **Parole Orientation For Families – A New Suggestion**

An idea that was discussed in the FOCUS meeting is the value of inmate's families and friends learning what is expected of them on parole and what standard parole stipulations are. This way the support system will not inadvertently sabotage their loved one's parole. It was recommended by attendees that the Department of Corrections develop a Family Release Orientation program to facilitate helping families know what to expect for their loved one and from Adult Probation and Parole when their loved one is released to parole.

If you have ideas or questions please contact Mr. Gehrke at [sgehrke@utah.gov](mailto:sgehrke@utah.gov).

## More Information About HB 348 Implementation

### Earned Time Credits – The Basics

Mr. Gehrke also discussed the provisions of HB 348 regarding earning time cuts. These are called Earned Time Credits. Basically, when an inmate completes a certain CAP (Case Action Plan) requirement he/she will automatically receive 4 months off their sentence. This applies to SOTP, SATP\*, High School Diploma, Vocational Trade Certificate.

### Other Opportunities If The Above Doesn't Fit

There are some other psychoeducational skills classes that would also qualify for time cuts, but they must be taught by staff rather than other inmates. There is a maximum of 8 months time cut possible. However these are time cuts to a parole date already in place or the "top" of a sentence, so cannot apply across the board to inmates with a life top.

\*SO = Sex Offender & SA = Substance Abuse Treatment Programs

### Risk Assessment – Who I Was vs Who I Am Now

Another aspect of HB 348 is the revision of risk assessments used by the UDC which would help the parole board understand more accurately the current risk of an offender. The old version focuses more on the static (unchangeable) factors such as the offense, rather than dynamic (changeable) factors regarding who the offender is now.

### Here's The Downside

These changes go into effect October 1, 2015. The disappointing part of this news is that the time cuts are only available for individuals sentenced on or after October 1, 2015. (Sorry about this only truly bad news in the whole newsletter. Remember, rules can change. If this is good enough for new offenders it should be good for everyone! Talk about discrimination....! Ed.)

## INMATE PLACEMENT PROGRAM (IPP)

by Molly Prince

### This Article Addresses State Inmates In County Jails Only – Not County Inmates in County Jails

One of UPAN's areas of focus this year is the Inmate Placement Program. IPP is a method that the Utah Department of Corrections (UDC) uses to house state inmates in county jails around the state. A state inmate is one who has been sentenced to prison, not jail. For our purposes in this article, we are only addressing state inmates housed in county jails, and are not addressing issues related to county inmates in the jails.

A county inmate is someone who is in a county jail awaiting arraignment or going through the legal and trial process prior to adjudication who has not posted bail, or someone who has been sentenced by the judge to JAIL time rather than PRISON. A state inmate is an offender who is under the jurisdiction of the Utah Department of Corrections who is referred to a contracted county jail for housing. The contracted county facility has the

authority to approve or deny the referral. The UDC reimburses each contracted county jail for housing state inmates.

### A Little Background And History

IPP was created in 1987 when the Draper facility was operating at maximum bed capacity. This was prior to the construction of Central Utah Correctional Facility (CUCF) in Gunnison.

The UDC contracts with 21 county jails around the state of Utah to house offenders for various reasons (there are 26 counties in Utah). A big reason is related to bed space in the two Utah prisons, Draper and CUCF. According to the *Utah Department of Corrections Jail Programs* booklet dated January 2015, (found on [www.corrections.utah.gov/images/Brooke?JAILBOOK2015.pdf](http://www.corrections.utah.gov/images/Brooke?JAILBOOK2015.pdf)) the UDC sees the benefits of jail contracting as follow:

- 1) A cost savings for the State to house 1,774 inmates in county jails rather than build another prison facility to hold that number of inmates.
- 2) A cost savings for the State by not needing the additional full time employees to staff a facility to house the 1,774 state inmates housed in county jails.
- 3) Inmates can be housed in their local areas near families, jobs upon release, and community ties.
- 4) Protection and security issues can be resolved for some offenders because the state inmates can be housed in smaller, more manageable groupings.
- 5) Counties benefit from the income from the contract which are required to be used to establish effective jail systems.
- 6) State inmates housed in county jails can contribute significant labor which helps reduce the costs of operating the county jails. In the past, inmates have assisted in the construction of jail facilities, saving substantial tax dollars on jail expansion projects.
- 7) The infusion of state funds to the counties has improved the economies of some counties. In some counties the county jail has become a significant employer.
- 8) Contract inmates in the county jails can provide labor for important community projects, including repairing county facilities, assistance to the forest service, and other community projects. (continued on page 3)

### **Positive Reasons For Jail Over State Prison**

UPAN directors have gained an understanding that some state inmates prefer county jail placement for a variety of reasons, including being closer to loved ones who couldn't travel hundreds of miles to visit them. County jails have been very useful for safety and security purposes, such as when an individual cannot be safely housed in general population in one of the prisons but also shouldn't be housed in maximum security for protective custody purposes. Currently, there are also treatment programs available to state inmates in several county jails, allowing for state inmates to participate in a therapeutic community environment that may not be available to certain inmates in the larger prisons.

### **Financial Pluses And Minuses In County Jails**

As listed above, other reasons that have been cited by the Department of Corrections as to the reasons IPP was created had to do with allowing offenders to be housed in a county jail closer to their families to facilitate support from the family and ease of visiting. While being housed in a county jail close to family can in some ways reduce the cost to the family in helping to support their incarcerated loved one, such as phone calls costing less locally than long distance and easier access for onsite visiting, other financial costs to offenders and their families are significantly increased when they are housed in county jails. Commissary prices are often significantly more expensive in county jails. UPAN has been having discussions about some of these issues with the UDC administration and IPP Director Glenn Ercanbrack

### **Programs, Physical Fitness, And Employment**

Historically, Utah's county jails are designed and intended for short term incarceration, not long term (over one year) incarceration. This is a concern to some UPAN families who have loved ones who are on lengthy sentences. Jails often do not have the programs, employment opportunities, and recreational/physical fitness opportunities that long term inmates would benefit from in their process of incarceration and rehabilitation.

Despite the UDC's assertion that employment opportunities are available for all state inmates housed in county jails, the numbers show differently. Employment opportunities are significantly reduced in county jails. Despite the benefits cited by Corrections, many county jails do not have enough jobs available to provide state inmates a way to spend their time productively and earn their own way to purchase their own commissary. This leaves the burden to help the inmate obtain hygiene and other necessities on family and friends.

One example is that as of June 10, 2015, Beaver County jail had 359 state inmates housed there. According to the January 2015 Annual Report, Beaver

has a total of 85 inmate jobs available (but it doesn't identify how many of those 85 jobs go to state inmates versus county inmates).

### **Inconsistencies In Personal Property Rules**

Another issue that UPAN is looking into is the expense to the inmate when the inmate is transferred to a county facility. Often the jails do not have an equivalent property matrix to the prisons, and the inmate loses a lot of property in the move. The UDC cannot force county jails to adopt prison property matrices, and each county jail is governed by their county and run by the county sheriff, not the state.

This results in different policies and rules even between the jails. The result is that a state inmate in one county jail may be allowed certain property items but when moved to another jail may not be allowed to keep that property due to different property policies and matrices, and lose it. There is almost always a big difference between the property matrix in the prison and the property matrix of a county jail. All property not allowed to follow the offender must either be picked up by family designated by the offender, or it is discarded and destroyed by the facility. Collectively, this costs offenders and their support systems thousands of dollars each year.

UPAN directors are working with Director Ercanbrack on this problem. We are heartened by his response that IPP is reviewing the possibility of standardizing a property matrix list between USP and country facilities. This means he will be working with the County Sheriffs to try to find solutions and resolutions regarding property matrices.

### **Delay in Forwarding Inmate Funds**

The delay in an inmate's funds following him to the county jail can create financial burden on the inmate and family. In some cases it has taken up to four weeks for funds to be transferred from the UDC Inmate Accounting to the county jail accounting department. UPAN directors have inquired about how this can be addressed to have the funds follow in a timely manner. We were assured that IPP and the DIO are looking into ways to expedite that, including the possibility of electronic transfer that we suggested.

### **More On Jail Commissary Costs**

Another concern that UPAN has not yet pursued is the vast difference in the cost of commissary between prison and county jails. In some cases the cost of commissary in the counties is significantly higher than in the prison system.

### **Lack Of Education Classes And SATP And SOTP Opportunities** (Substance Abuse & Sex Offender)

Non-monetary issues that need to be considered include the lack of consistency between the jails in the types of education, classes, and programming they offer, as well as which of these a state inmate is eligible

for. There are two jails that offer sex offender treatment funded by the Department of Corrections (San Juan and Sanpete). According to the above referenced 2015 Annual Report the following six county jails have UDC approved male inmate substance abuse programs at this time: Beaver, Davis, Millard, Garfield, Kane, and Weber.

At this time, UPAN is waiting for an updated list of other programs including educational, life skills, psycho-educational, vocational, and self-help classes that are offered to state inmates in the contracted county facilities. Once we receive this list we will send it out via email.

#### **Physical Wellbeing, Sunshine And Fresh Air**

Another concern UPAN directors have, related to housing state inmates in jails, is the lack of availability of recreation and a healthy amount of yard time outside. In jails there is very limited yard space. Recreational activities outside in the yard are very limited. For short term inmates, this may not present a serious problem, but for long term inmates, to go several years without adequate access to direct natural sunlight, fresh air and whatever connection to nature they can access is debilitating to not only physical wellbeing, but to the emotional/psychological wellbeing and the spirit.

#### **Mental Health And Medical Care**

Medical care and mental health treatment is a huge concern for individuals housed in county jails. The prison has a screening system that is supposed to be used to insure that offenders with certain chronic medical or mental health problems are not sent to county jails where there may not be the appropriate level of medical care available for them. However, over the past two years, UPAN has been receiving more and more letters from inmates as well as calls from family members regarding offenders who have chronic medical issues as well as mental health management needs who were referred into IPP, accepted by the county facility, and subsequently suffered from being moved away from the locations where the medical care they required could be quickly accessed, not to mention the need to be close to a high level hospital such as the University Medical Center.

In discussing medical concerns with UDC Administration, we have been assured that they are interested in making sure that the screening processes are used and decisions to refer inmates into county facilities are made with the most current information on the inmate's needs as well as the prison's need to address their reasons for using the contracted bed space in jails.

#### **Mail Limitations And Telephone Contact**

UPAN has concerns about the differing policies concerning mail in the various county facilities. Some jails limit written mail to postcards with an added form of

written communication via email. Email works for families who can afford computers, internet service and the cost of sending emails into jails. It doesn't work for families who cannot afford the technology, or for many elderly individuals who have loved ones incarcerated, but who are, for whatever reason, unable to learn and access that type of communication technology. Sometimes Grandma (or mom) would like to write a letter to her loved one and can't; it is limited to postcards. We have been assured that legal mail and publications that are approved from the publisher are exceptions to the postcard rule.

Communication is an important component of staying in touch with incarcerated loved ones. We are all aware of the extremely high cost of phone calls from jails and correctional facilities throughout the state. Having a loved one in Washington County when the family lives in Cache County can result in significant expense on phone calls. Some UPAN families have found it is less expensive to acquire a cell phone with a local number where their loved one is housed, and even with the basic monthly phone fee, it can be less expensive in the long run to pay local fees for calls rather than the long distance fees for calls, which are often in the double digits between northern and southern Utah.

#### **Contact, Barrier, And Video Visits**

This brings us to visiting. Some county jails have the facilities to offer contact visits. Most have changed to either barrier or video visiting on the premises. This can also be very challenging for not only the offenders, but their visitors. We have had experiences and reports from numerous UPAN participants who visit in county jails that many times the video monitors don't allow them to look at each other; the cameras are not positioned to be able to look at each other's faces, but instead one sees the top of their loved one's head. It is difficult for families to take young children long distances and then the children cannot see and talk to their daddy in person, even through glass.

Corrections has cited a variety of pros and cons regarding the county jails' use of video and barrier visits. The bottom line at this time is that nothing is going to change quickly. There may be a possibility in the future, if there continues to be the push for criminal justice reform and increased funding across the board for purposes related to incarceration that multiple modes of visiting could be used in county jails. IPP Director Ercanbrack discussed that working with the Sheriffs of each county will be the only way IPP can try to have input into the potential for contact visits in county jails. However, the staffing required for contact visits costs money that many counties do not have. Contact visiting also increases the chance that contraband will be introduced into the facility, so at this time, the counties seem to prefer non-contact visiting to reduce introduction of illicit substances and the associated security problems. (continued on page 5)

On the Corrections website under County Jail Programs there are links to the various websites of county jails that house state inmates. Some of these may provide information about the types of visits and visiting rules. Others may only provide phone numbers and prospective visitors will need to call the facility to gain information about visiting.

#### **Medication Transfers And County Jail Orientation**

We get calls from family members and letters from state inmates when problems arise after a transfer to a county facility and the offender's medication doesn't follow him or the prescription is not transferred. We have asked about this problem. We have been informed that inmates should be taking their blister packs with them to the new facility; it should be in their property when they arrive. Sometimes it could take a "little while" for the property to be gone through and their medication returned to them. If this happens, UDC administration said the inmate should talk to a line officer to see if they can get their property checked for the medications. If it is a medication that is controlled and dispensed through pill line, the inmate needs to be pro-active and talk to the caseworker or other jail personnel to find out the process for pill line or medication dispensing if they have not been instructed on this upon arrival. If the newly transferred inmate does not receive his medications on time through medical, he needs to talk to the officers.

On the UDC website, it states that "*once transferred, IPP staff will see the inmate for an initial orientation at the county facility.*" UPAN Directors have been advised by a variety of sources that this doesn't happen. When asked, Director Ercanbrack stated that the inmate should have an orientation within the facility, not necessarily by an IPP staff caseworker. He said most county jails provide an orientation for new arrivals every three days, often in the form of a video.

An OMR (Offender Management Review) is required to be held with the state inmate within 30 days of arrival at the county facility. In some jails that have contracts for a significant number of state inmates, there are state caseworkers that are there daily during the work week. Others which only house a few state inmates have a caseworker that rotates between several jails and will be there at least once per week. Inmates can put in request forms to see their caseworker. In some facilities these requests are handwritten on forms. Some jails are putting in kiosks for inmates to use computers to put in these requests.

#### **Critical Injustice: Earned Privilege Levels Not Reinstated Upon Return To State Prison**

The UDC policy covering the privilege level of an inmate returning to Draper or CUCF after being housed in a county jail requires that the inmate enter the prison housing at the lowest level. This has become a problem for inmates who were moved to a county

facility from the prison when they were at the highest privilege level and then return to the prison at a later date. Then, rather than being placed back on the same privilege level they had when they were moved, with no disciplinary problems in the county facility, they were dropped down levels and it took weeks and months to regain full privilege levels. We have been assured that the prison administration (which includes Wardens Bigelow and Crowther, as well as DIO Director Jerry Pope) are looking at changing that policy in the near future. The goal is to have the policy state that if there are no disciplinary issues present, the inmate will maintain his privilege level. We see this as a positive step and hope it becomes reality soon!

#### **Summary And Conclusions**

UPAN does understand there are benefits to using county jails for safety purposes for some offenders. We also understand that there are benefits to certain inmates who are sent to county jails for specialized programming and treatment. Some offenders request to be housed in a jail close to their loved ones, and we support this option. However, sending someone to a county jail for a limited period of time such as 1 or 2 years to complete programming is vastly different than arbitrarily choosing an inmate who is stable and settled into a job and classes in the prison to be moved to a jail simply due to needing to juggle for bed space.

Internet information on IPP cites the following criteria used to determine a fit for placement in a county facility:

1. Inmate's security classification
2. Inmate's medical situation
3. Inmate's programming and treatment needs
4. Degree of inmate's crime(s) of record
5. Gang affiliation and other management issues

**Go to:** <http://corrections.utah.gov/index.php/prisons-visitation/jail-contracting.html>

**Please Note:** UDC is in the process of reviewing and revising the way it classifies state inmates. Any changes will most likely impact the county jail program.

**According to the Corrections website,** "*An inmate must speak to his or her caseworker or housing captain in order to inquire about being referred out to a county jail. Writing to IPP will not get the inmate referred. It goes on to state, "IPP staff are at the county jails routinely to meet with inmates on various issues or questions. Family may contact IPP at: Inmate Placement Program 14717 S. Minuteman Drive Draper, UT 84020 801-545-5558".*

Data provided to UPAN by UDC Public Information Officer Brook Adams indicates that as of June 10, 2015, the number of state inmates housed in county jails on that day totaled 1,594. The breakdown of state inmates on June 10, 2015: (continued on page 6)

Beaver	359	Grand	3	Sevier	58
Box Elder	22	Iron	14	Summit	22
Cache	61	Juab	4	Uintah	80
Daggett	70	Kane	153	Wasatch	29
Davis	70	Millard	48	Washington	145
Duchesne	86	San Juan	74	Weber	136
Garfield	91	Sanpete	69		

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On A Cheerful Note: This month we begin a new feature, quotations of hope and encouragement for inmates and their families. Sprinkled randomly in the newsletter, we sincerely hope these quotations give you food for thought.

***What lies behind us, and what lies before us, are tiny matters compared to what lies within us***  
***Ralph Waldo Emerson***

**ACLU Looking for Natural Life Parole Decision Stories of Young Offenders**

The ACLU is interested in interviewing people who have been denied parole in Utah. If you (or your loved one):

[annabrower@acluutah.org](mailto:annabrower@acluutah.org) (see last line for U S Postal Service address):

1. Were 25 or younger at the time of the offense
2. Have spent AT LEAST 10 years in prison AND been denied parole,

- Name of prisoner
- Current age, AND age at time of offense
- Number of years spent in prison
- Number of times denied parole
- Information about any rehabilitative programming prisoner has completed, other activities showing a "change of heart"
- Contact information (address where incarcerated) for prisoner
- Contact information (email and phone #) for primary prisoner contact outside facility (mother, husband, son, friend, etc.).

Please contact Anna Brower who will have some follow up questions for you. This is part of a larger advocacy effort to draw attention to practices and PROBLEMS with the Utah Board of Pardons and Parole. Anna's email address is: [annabrower@acluutah.org](mailto:annabrower@acluutah.org),

These interviews may be used as part of a national ACLU research project about parole practices for YOUNG PRISONERS.

Inmates who fit the above criteria can send MAIL to:

If you are interested in participating (this will NOT result in the ACLU "taking your case"), please send the following basic information to Anna Brower at:

ACLU, ATTN: BOPP RESEARCH YOUTH OFFENDERS - 355 N. 300 W. SLC UT 84103

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**Let's Stop Rewarding Landlords for Discrimination! Share YOUR Story!**

"Good Landlord Programs" are city-level programs that offer financial incentives for landlords and property owners to participate in trainings and comply with requirements such as: checking the criminal background of any potential tenant; prohibiting

individuals with a criminal record within the last four years from living in a rental property; and evicting any individual (as well as family members) should an arrest occur.

Help the ACLU reform these restrictive Good Landlord Programs in Utah by sharing YOUR story.

- Have YOU been denied housing in Utah based on a recent criminal conviction?
- Has a landlord in Utah rejected YOUR application because of an arrest record or old charges?
- Did a Utah property owner ever give the Good Landlord Program as a reason to deny your housing application or evict you from a rental?
- Or are you a landlord in Utah who wanted to rent to someone with a recent criminal conviction, but were threatened with higher city fees?

Tell the Utah ACLU about it. Follow this link to share your story now:

[https://action.aclu.org/secure/ut\\_good\\_landlord\\_programs?ms=web\\_150622\\_aff\\_UT](https://action.aclu.org/secure/ut_good_landlord_programs?ms=web_150622_aff_UT)  
**Comments On 2015 Utah Sentencing Guidelines (Draft)**

The Utah Sentencing Commission (USC) has released the 2015 draft of the Adult Sentencing & Release Guidelines based on the requirements of [HB348](#). The USC will be accepting public comment to end on Monday, July 27th at 5:00 pm. After the comment period has ended the USC will incorporate comments and make final edits for approval at their August 5th meeting.

USC Director Jennifer Valencia will schedule any further revisions to be incorporated between August 20<sup>th</sup> – September 30<sup>th</sup>. The approved guidelines will be published and effective on October 1st, 2015.

Any questions, concerns or comments should be sent to **USC Director Jennifer Valencia** at: [sentencingcommission@utah.gov](mailto:sentencingcommission@utah.gov).

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**Additional Comments On The Sentencing Guidelines Draft – Available On The UPAN Website. (see last page)**

By Warren Rosenbaum

**Recommended For Everyone**

This is very interesting reading and with few exceptions, everyone who has a loved one incarcerated will find this informative. Don't let the software page number (71 pages) deter you; it is divided into four easily defined sections. The document is 65 pages with two pages for Index and four pages for introduction.

Citing the document page numbers, pages 1 thru 10 are two-column wide margins narrative covering the foundation of the document, i.e. Philosophy Statement, Purpose, Evidence-based Sentencing Framework, Research Approach, and criminal justice system prosecution guidelines.

**Forms And Addenda Are Tools Used By Staff**

Tools for Risk Management are Forms 1 thru 5 on pages 11 thru 28. Risk Reduction tools are Forms 6 thru 10 on pages 29 thru 37. Eight Addenda entries that relate to the type of offense and that supplement some of the Forms are on the final pages, 38 thru 65. All sections are laid out clearly and generally understandable for the average person. Changes from the 2014 Sentencing Guidelines are not clearly noted with the exception of this quote from page 2:

"The 2015 guidelines are intended to provide a more comprehensive explanation of evidence-based practices, a framework for implementing them, and tools which may be useful in doing so." The "tools" are the Forms mentioned above that are used by staff for evaluation of inmate progress toward rehabilitation and acceptable social behavior.

**Some Personal Application Of Effort Needed**

Be aware that many of the pages require considerable review, study, and analysis for understanding (plus a

good dictionary is helpful). The following details in quotation marks are excerpts from the 2015 Draft Sentencing Guidelines:

The narrative explains that "expert opinion, individual case studies, and cohort studies, while potentially promising, do not constitute evidence-based practices. A significant addition to our understanding of evidence-based practices includes the use of validated risk/needs assessments to appropriately identify proper treatment/services and necessary level of offender control."

**Here Are Some Generalized Changes**

"The 2015 guidelines incorporate the concept of evidence-based practices comprehensively and represent significant revisions to the philosophical approach, revisions to the current forms, the addition of new forms and addenda, and a reference section with available digital links.\* As such, the 2015 guidelines are intended to provide a more comprehensive explanation of evidence-based practices, a framework for implementing them, and tools which may be useful in doing so." (Underlining for emphasis added by editor.)

\*Nineteen references with 16 accessible online and three requiring other sourcing (book, conference presentation, and published study).

**In Conclusion**

Don't let the above examples of the content scare you away from familiarizing yourself with the 2015 Draft content and possibly making some comments or suggestions to the USC Director as specified in Molly's writing above. Note that this must be quick for the public comments deadline is Monday, July 27, 2015.

Families can send their incarcerated loved ones copies of the proposed draft. UPAN is not equipped to do so.

***The pessimist sees the difficulty in every opportunity; the optimist sees the opportunity in every difficulty.***

**Winston Churchill**

**Meetings – Dates, Times, Locations**

August UPAN meeting Monday August 10, 2015 6:30 - 8:30 PM at the Ruth Tyler Vine Library 8041 So. Wood Street (55 West) Midvale, UT 84047 Family meeting.

September UPAN meeting Monday September 14, 2015 6:30 - 8:30 PM at the Hunter Library 4740 West 4100 South West Valley City, UT 84120 Topic TBA

NO FOCUS MEETING IN SEPTEMBER

November FOCUS Meeting Monday November 2, 2015. 6:00 – 8:00 PM Adult Probation and Parole office, 36 West Fremont Avenue, Salt Lake City, UT 84101. Speaker TBA (Tentative subject announced at July meeting: IPP)

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**Board of Pardons and Parole – Public Meeting July 13, 2015**

On Monday, July 13, 2015 the Board of Pardons and Parole held a regular meeting at 8 a.m. This meeting was to discuss revisions on the following Administrative Rules for the Board:

- R671-201 Original Hearing Schedule and Notice;
- R671-205 Credit for Time Served;
- R671-316 Redetermination Hearings.

**Limited Access And No Sound**

Approximately 60 citizens were present prior to the 8 a.m. meeting and waiting in the lobby at the BOPP offices. We were told by staff that only 34 individuals would fit in the Board’s conference room per fire code, and 8 of those in attendance were Board members and staff. 26 public citizens were allowed into the conference room and the remainder were allowed to stand in the lobby outside with the door open. However, the Board members chose to not turn on their microphones, so those outside the conference room were unable to hear what was being said. Chair Angela Miklos said they normally don’t have spectators attend their meetings.

The Board and staff members present who introduced themselves included Angela Miklos, Jesse Gallegos, Chyleen Arbon, Clark Harms and Robert Jakes. Three other staff including Board Administrator Greg Johnson were also present.

**Public Comment Allowed – No Questions Answered At Meeting**

Each of the above rules were reviewed by the Board with the changes they included. The changes were all basically verbiage and nothing to substantially change in content. Public comment was asked for on each, however the Board refused to take questions on clarification of anything in the rules, only received comment. The primary comments offered by various citizens were an encouragement to make any changes retroactive rather than starting on October 1, 2015.

Public comment on these rule changes will be taken for 30 days, ending August 12, 2015. There is no space in this newsletter to include the rules and proposed revisions. If families will send their loved one’s copies that can be obtained off the internet at an address below, then inmates can write for public comment.

**Your Opportunity To Be Involved**

Proposed rules are published biweekly on the rules page. The link to the rules that were discussed on July 13<sup>th</sup> is below. See pages 41-43.

- R671-316 Redetermination;
  - R671-205 Credit for Time Served;
  - R671-201 Original Hearing Schedule
- [http://www.rules.utah.gov/publicat/bull\\_pdf/2015/b20150701.pdf](http://www.rules.utah.gov/publicat/bull_pdf/2015/b20150701.pdf)

If you are interested you can check this link regularly to see what rules are being proposed:  
<http://www.rules.utah.gov/publicat/bulletin.htm>

The Board is considering public input & likely redrafting the rules. The new drafts will also be published in the bulletin (Internet address above – bulletin).

**Correspondence Instructions With Example**

All correspondence with comments should have the Rule number and rule name (example: R671-316 Redetermination) on the letter as well as the envelope. These can be sent to:

Utah Division of Administrative Rules  
5110 State Office Building  
Salt Lake City, UT Å 84114

Comments can also be sent directly to the BOPP (but will need to also go through the Utah Division of Administrative Rules)

Greg Johnson, Utah Board of Pardons and Parole  
448 East 6400 South Suite 300  
Salt Lake City, UT Å 84107

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**Updated Information on Current Members of Board of Pardons and Parole**  
**(taken directly from <http://www.bop.utah.gov>)**

**Chair: Angela F. Micklos**

Angela F. Micklos was born in Illinois and was raised in Illinois, Maryland, New York, and Utah. She completed undergraduate studies at Utah State University and received her Juris Doctorate degree from the University of Utah College of Law in 1992. Angela litigated felony post-conviction matters statewide as an Assistant Attorney General for six years. After leaving the Attorney General's Office, Angela spent almost eleven years as a Deputy Salt Lake County District Attorney where she served as a line prosecutor and supervisor of the Narcotics Enforcement Unit and later the Special Victim Unit. Angela was appointed to the Board by Governor Gary Herbert in October 2009, was named Vice Chair in August 2010, and appointed Chair in August 2014.

**Vice Chair: Robert S. Yeates**

Robert Yeates has a Bachelor of Science degree in Sociology, a Master of Social Work degree, and a Juris Doctorate from the University of Utah. He is a former Deputy Salt Lake Attorney and previously served as a Division Chief with the Salt Lake District Attorney's Office. He is a retired Third District Juvenile Court Judge and a former Director of the Utah State Sentencing Commission. Just prior to being appointed to the Board of Pardons, he was the Executive Director of the Utah State Commission on Crime and Juvenile Justice. Bob was appointed to the Board in August 2009 and has served as Vice Chair since August 2014.

**Board Member: Jesse Gallegos**

Jesse Gallegos has a Bachelor of Science degree in Political Science and a Juris Doctorate from the University of Utah. Jesse began his career with the state at the State Auditor's Office, and then with the Department of Administrative Services/Finance. He then moved into to the legal arena with several law clerkships and teaching fellowships. Jesse returned to state service with the Department of Corrections where he served in various capacities, including Project Coordinator, Legislative Liason, Community Relations Director, and Deputy Executive Director. Jesse was appointed to the Utah Board of Pardons and Parole by Governor Leavitt in July 2003.

**Board Member: Clark A. Harms**

Clark A. Harms was born and raised in Utah. He received a Bachelor of Arts in Political Science from the University of Utah in 1986, and his Juris Doctorate from J. Reuben Clark Law School at Brigham Young University in 1990. After practicing law in Salt Lake City for five years, Clark joined the Salt Lake County District Attorney's Office in 1995. At the District Attorney's Office, Clark initially prosecuted asset forfeiture, drug, and public employee cases. In 1998, he began working

with the Special Investigations Unit and Wasatch Range HIDTA Task Force, investigating and prosecuting organized crime, gang crime, and drug trafficking organizations. Clark was cross-designated as a Special Assistant United States Attorney in 1998, a capacity in which he served until his appointment to the Board. Following several years with the Wasatch Range Task Force, Clark eventually was made Unit Chief in Special Investigations. He later served as Unit Chief of the Gang Prosecution Unit and the General Felony Unit of the District Attorney's Office. He is a member of the Utah State Bar, the Bar of the United States District Court for the District of Utah, and the Bar of the United States Court of Appeals for the Tenth Circuit. Clark was nominated to the Utah Board of Pardons and Parole by Governor Jon M. Huntsman, Jr., in May 2006. He served as Vice Chair from May 2007 until August 2010, and as Chair from August 2010 until August 2014.

**Board Member: Chyleen A. Arbon**

Chyleen A. Arbon was born and raised in California. She received a Bachelor of Arts in English (1994) and a Master of Public Administration (1996) from Brigham Young University, and received her Ph.D. in Political Science (2004) from the University of Utah. She worked as a criminal justice policy analyst for the Office of Legislative Research and General Counsel from 1997-2003 and then as an assistant professor for the Romney Institute of Public Management at BYU from 2003-2010. Chyleen was appointed by Governor Gary R. Herbert in February 2012.

**Pro Tem Board Member: S. Camille Anthony**

S. Camille Anthony was appointed as a Pro Tempore Member of the Utah Board of Pardons and Parole by Governor Gary R. Herbert in February 2012. In addition to her service on the Board, she is the Associate Director for the Office of Special Projects for the Center for Homeland Defense and Security (CHDS) at the Naval Postgraduate School (NPS) in Monterey, California. She also serves as the evaluator for the Executive Leaders Program and the Fusion Center Leaders Program at CHDS. Camille has worked for the University of Utah in several capacities. She served as the Executive Director of the Utah Criminal Justice Center (UCJC), Principle Investigator for Global Justice Project Iraq, Hazard Mitigation Plan Coordinator and Associate Instructor for the Master of Social Work, Master of Public Administration and Political Science programs. Camille's professional assignments have also included: Coordinator for the Criminal Justice Advisory Council for Salt Lake County Mayor Peter Corroon; Executive Director of the Utah Department of Administrative Services; and, Executive Director of the Utah Commission on Criminal and Juvenile Justice.

Camille received her Juris Doctor degree from the  
 (Continued on page 10)  
 University of Utah College of Law and her Master of  
 Arts in Security Studies (Homeland Security and  
 Defense) from NPS, CHDS.

**Pro Tem Board Member: Earl Xaiz**

Earl was appointed as a pro tempore member of the  
 Utah Board of Pardons and Parole, in 2012, by Utah  
 Governor Gary Herbert.

**Pro Tem Board Member: Jennifer K. Bartell**

Jennifer was appointed as a pro tempore member of  
 the Utah Board of Pardons and Parole, in 2014, by Utah  
 Governor Gary Herbert.

**Pro Tem Board Member: Bradley P. Rich**

Bradley was appointed as a pro tempore member of the  
 Utah Board of Pardons and Parole, in 2014, by Utah  
 Governor Gary Herbert.

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**PrisonEd Report June, 2015 Abbreviated Due to Space Limitations.**

Inmates Enrolled By Month:

8	June 30
17	July 31
34	August 31
49	September 30
61	October 31
73	November 30
101	December 31
122	January 31, 2015
134	February 28, 2015
149	March 31, 2015
152	April 30, 2015*
150	May 31, 2015*
175	June 30, 2015

\*(dropped several inactive students from the roles)

<u>JAILS 77</u>	Previous Month	Current Month
Beaver	3	5
Daggett Co	13	13
Davis	4	5
Kane Co	2	2
Millard	0	5
Purgatory	16	15
San Juan Co	18	22
Wasatch Co	<u>9</u>	<u>10</u>
	65	77

TOTAL 175 STUDENTS ENROLLED

Assignments Received: We have received at least one  
 assignment back from 75% of enrolled students.

Participation By Facility:

<u>DRAPER 66</u>	Previous Month	Current Month
TOTAL DRAPER	55	66
<u>GUNNISON 32</u>		
uPrep Academy	30	32

Comment of a Student Responding to Freedom Behind  
 Bars: Mentors from Prison: "Being in prison I got to  
 know people and not inmates. This changed my way of  
 thinking from 'The people in prison need to rot and die'  
 to 'these are good people who made a bad choice.'  
 They can change and so can I." Submitted by Don  
 Wright, PrisonEd

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Disclaimer

Formulate your own opinions about the information  
 presented, intended for neutrality, not intending any  
 opinion or comment to be UPAN's position other than  
 where specifically noted. This information is presented  
 for the reader's enlightenment and evaluation.

Utah Prisoner Advocate Network

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 Vice-president: Shauna Denos  
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 Website Design: Shane Severson  
 Graphic Designer: Holly Moore  
 Newsletter Editor: Warren Rosenbaum

**Hope and Inspiration**

***Life offers no guarantees...just choices;  
 No certainty...but consequences;  
 No predictable outcomes...just the privilege of  
 pursuit.***

***Tim Conner***

"Th-th-th-that's all folks!" Ed.