



UPAN Newsletter Volume 5 Number 9 | SEPTEMBER 2018

“Empowerment and Growth Through Knowledge and Unity”

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BOPP Updates – Compassionate Release

NEXT UPAN MEETING: MONDAY, OCTOBER 8, 2018 6:30 – 8:30 p.m.

Kafeneio Coffee House 258 West 3300 South, Salt Lake City

TOPIC: Family Meeting All UPAN Meetings are free and open to the public.

November UPAN Meeting, Monday, November 12, 2018 6:30 – 8:30 p.m.

Kafeneio Coffee House 258 West 3300 South, Salt Lake City Topic: TBA

FOCUS MEETING: Monday, October 1, 2018 6:30 – 8:00 PM

LOCATION: Region 3 Adult Probation & Parole Office, 36 W. Fremont Ave (Just West of State St.) SLC

Meet and hear updates from some of the new leadership at the Utah Department of Corrections, including the recently appointed Executive Director, Mike Haddon, and Division of Prison Operations Director, Jeremy Sharp.

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

CALL FOR SHORT ARTICLES FROM INMATES AND FAMILIES ABOUT WHAT YOU ARE THANKFUL FOR ON YOUR PRISON JOURNEY

It has become traditional that the UPAN newsletter in November focuses on what we are thankful for. With Thanksgiving quickly approaching, once again we ask you to reflect on what you are thankful for in your lives. This experience we call our Prison Journey is an integral part of our lives, whether we are inmates, family

members, friends, or others involved in helping and supporting incarcerated and paroled individuals in Utah. The Prison Journey forever influences and changes us, for better or worse. We welcome any short articles from you about what you have found to be thankful for during your time in the prison system from any perspective –

inmate, family, corrections staff, service provider, etc. We will consider them for publication in the November UPAN Newsletter. If you submit, please let us know if we can use your full name, initials, or other identifying information in the byline if it is chosen for publication. We cannot respond to everything submitted, but please

know we read everything and deeply appreciate the time, thought and energy that goes into writing an article, even if it does not end up in the newsletter. **Deadline is October 15, 2018.** Submissions can be sent to UPAN's PO box or emailed to us. Addresses are on page 10 of this newsletter.

UPDATES ON THE UTAH BOARD OF PARDONS & PAROLE

by Molly Prince

UPAN has been involved in an advisory committee with the BOPP since the audit of the Board was released in 2016. Each month (except December) UPAN representatives attend a meeting along with representatives from the Utah ACLU, Disability Law Center, Human Justice Foundation, Fresh Start, Journey of Hope, and others. As this is written, UPAN anxiously awaits an update from the Board on the creation of and implementation of the Structured Decision Making Tool that we were told would be put into place at some point this year.

Progress on Automation

In the August meeting of the Criminal Justice Appropriations Committee, the BOPP presented their progress in getting its record keeping transferred from a labor intensive, manual filing and tracking system to an automated system that will eventually be contained fully in an electronic database.

The Board has accomplished getting the Sentencing Guidelines automated. This has been helpful because the Sentencing Commission is regularly updating and changing sentences for various crimes. Because an offender's sentence must be based on the sentencing guidelines in place at the time the crime was committed, it was a very labor-intensive task to look up that person's guideline many years later. This was complicated if the offender had committed multiple crimes over a period of years, then each crime must be evaluated on the guidelines in place at the time of that sentencing. The Board presented a 10-minute power point presentation in which they were able to demonstrate the difference between how the old manual system and the new automated system works. View PowerPoint and hear to audio of the meeting at: <https://le.utah.gov/interim/2018/pdf/00003272.pdf>

Inmate Handbook

This summer board member Clark Harms began a project to create an Inmate Handbook explaining how the Board works and how to prepare for a hearing. The goal is to create understanding of the processes and procedures relating to indeterminate sentencing and board hearings, while promoting positive growth and change of prisoners. It is intended to be made available to inmates upon their arrival in prison and also in binders available in housing sections throughout their stay. Over the past several months the community advisory committee has collaborated and shared ideas and feedback, asked questions, and gathered questions

from inmates and families that should be answered in the handbook. Board staff has worked to clarify answers, and a document on the Board that was completed in the past by the ACLU is being incorporated into this informational booklet. Board staff and the committee are working to make sure there are understandable answers to a wide variety of questions about the Board, how it works, and how an inmate should prepare for a hearing. Hopefully the finished product will be available by the end of the year.

Compassionate Release

UPAN directors have long had concerns about the limited availability for compassionate release in Utah, as have the ACLU and Disability Law Center. The committee has been working with BOPP Executive Director Greg Johnson to identify ways to expand the availability of this option to inmates who are terminally ill, or chronically ill beyond what the prison is able to care for in a compassionate and humane manner. In July, Medical Director Tony Washington was a guest at this meeting to share some information about how the prison medical service handles this issue. The DLC conducted research into what some other states do with compassionate release. Proposals have been made to expand the BOPP's administrative rule to allow compassionate release to be requested by specific persons other than just the prison medical staff. This is an ongoing topic of research and discussion. (See article on page 6.)

Inmate Hearing Information Packet is Being Revised

The BOPP is in the process of again revising the information packet it gives to inmates to fill out prior to a hearing. The goal is to make it more user friendly and simpler for all inmates to complete. Since this information packet is a permanent part of an offender's Board record, it is important that each inmate be able to fill it out fully and that everyone feels free to include more information on additional paper if there's not enough room in the packet to fully explain each question.

Other topics / issues on the agenda for discussion

in future meetings by this group include following up on Structured Decision Making Tool (SDM), the DOC's Re-entry program, Quick Turnaround Releases, & Pardons. UPAN appreciates that the BOPP has invited various individuals and organizations interested in improving Utah's system to the table to contribute to these discussions and advances.

BOPP'S PROGRESS ON CONVERTING TO ELECTRONIC RECORDS

Communication from Greg Johnson, Exec. Director of the BOPP

The Board is grateful for the support of the Legislature and the Governor in converting from paper-based filing to electronic records. Creating a system and converting approximately 20,000 files is a significant task.

The new calendaring system makes it possible to post real-time information on the web for victims, family, and friends. The calendar is accessible to Corrections and staff to provide up-to-date schedules to better coordinate transportation and hearings.

The Board leveraged existing resources to create an electronic document management system. Connecting its system with existing libraries in the Department of Corrections many thousands of documents are already available to the Board. The Board has started scanning paper files into the system but it will take some time before all active files are converted.

Calculating sentences correctly by accounting for time served, consecutive & concurrent sentences, toll time, etc. is critical. The Board worked with Corrections to clean up and vet an electronic time accounting system

to provide more transparency, better communication, and better data reporting.

Historically, the sentencing guidelines were completed on paper and as such were not readily accessible to anyone outside of the Board. An electronic system for calculating the guidelines is anticipated to be active in the fall of 2018. The module will provide information to the Department of Corrections to better work with incarcerated individuals and to the Sentencing Commission to better understand policy implications of the guidelines.

The next module under construction is the decision module. The decision process of the Board has been on paper. The electronic system will pave the way to improved communication of the Board's decisions and rationale to the incarcerated individual and the public.

After that the Board looks forward to improving its website and calendaring system. The Board appreciates the partnership with the Department of Corrections and Technology Services that is making this project possible.

CONTRACT AWARDED TO ALPHA COUNSELING FOR USP SEX OFFENDER TREATMENT PROGRAM

The Utah Department of Corrections awarded the new Contract for Sex Offender Treatment in Utah State Prison's Draper site to Alpha Counseling. The contract began on Tuesday, September 4, 2018.

Staffing requirements

According to the requirements of the contract, there will be a minimum of four full time therapists to serve the prison program (with the possibility of up to six), plus one Alpha clinical /program manager who will work on site. The contracting agency will provide evidence based residential Sex Offender Therapy, the programs which are already established in SOTP which includes all pre-treatment, core therapy tracks, and maintenance therapy. The Contract provides for provision of sex offender treatment to the following populations:

- Serious Mentally Ill Population
- Women's Population
- Restrictive Housing Population
- Developmentally Delayed Population (using the Footprints curriculum or some variation as determined by the Department)
- Spanish Speaking Population (using the Ventura curriculum or some variation as determined by the Department)
- Spanish Speaking Developmentally Delayed and Intellectually Disabled Population (using the Paso A

Paso curriculum or some variation as determined by the Department)

- Low Risk (Paradigm) program using a shortened version of the CBI-SO
- Pre-Treatment which uses the Change Companies™ "Preparing to Change" curriculum or some variation as determined by the Department
- CB-/SO Core—Average to Above Average Population which uses the Cognitive-Behavior Interventions for Sex Offenders (CBI-SO) curriculum from the University of Cincinnati
- NavCon Brig—Above Average to Well Above Average Population using the Naval Consolidated Brig's curriculum or some variation as determined by the Department
- MRT, Thinking for a change, Victim Impact and other applicable classes to address criminogenic risk factors and needs.

The contract calls for treatment of 94 inmate clients at any given time, which could require each therapist to have up to a 24-client caseload at any given time.

Overview of Therapist Duties

The duties of each therapist include completing pre-treatment assessments on each client, completing ongoing progress reports and treatment summaries, risk assessments, recommendations to the Board of Pardons and Parole, discharge summaries and a

variety of other reports. Contract therapists may also conduct psycho-educational classes in the program. Each therapist will conduct four ninety-minute (90) group therapy sessions each week. Group therapy will be provided to groups of eight (8) or twelve (12) inmate clients each session. The group sizes may vary depending on the module, phase, or offender population requiring services. Inmates may be a member of multiple groups based upon treatment dosage as determined by their risk level and needs. Finally, this contract provides for each therapist to have two 45-minute individual sessions with each of their inmate clients per month.

Treatment Schedules

Sex Offender Treatment services will be offered to inmates Monday through Friday 8:00 a.m. to 8:00 p.m. and Saturday through Sunday 8:00 a.m. to 5:00 p.m. It should be noted that due to the prison environment, therapy may be suspended or terminated at a moment's notice if there appears to be a threat to the safety and security of the institution, to staff, inmates or the public. It should be noted that the contracting agency may not be compensated for terminated or cancelled therapy or class sessions.

Requirements for Contract Therapist Training & Licensure

All therapists providing treatment in the prison are required to be current with State of Utah licensure in a mental health profession (psychiatry, psychology, social work, mental health counselor, or marriage and family therapy). Further, all contracted therapists are required to be recognized by UDC and the Sex Offender Programming Task Force (SOPTF) as an Approved Provider of Sex Offender Therapy as prescribed by Utah Administrative Rule R251-109, *Sex Offender Treatment Providers*. This is discussed in detail later in this article.

At the time the contract was signed, a minimum of one therapist must be recognized by the Sex Offender Task Force as an Approved Provider Therapist. Additional therapists, not yet accepted as an Approved Provider at the time the contract begins, may provide services as an Affiliate Provider being supervised by the Approved Provider. However, contracted Alpha therapists are required to become recognized as Approved Providers within 6 months of providing services in the prison program. This means that all therapists Alpha assigns to this contract should already have at least 1 1/2 or more years of the specialized experience in working with sex offenders before working in the prison program.

All contracted Alpha staff are required to complete the UDC Civilian Orientation Training within 60 days of beginning services. These therapists are also required to attend monthly mandatory training facilitated by SOTP. All contract therapists are required to become fully trained in all risk and assessment

instruments within 30 days of starting to provide services.

What is an Approved Provider of Sex Offender Treatment?

Applying to become an Approved Provider of Sex Offender Treatment in Utah, the therapist must have:

- Graduated from a master's level or higher educational program in their field and hold a current clinical licensure in the state of Utah in one of the following fields: psychiatry (M.D.), psychology (PhD), social work (Licensed Clinical Social Worker LCSW), mental health counselor (Certified Mental Health Counselor CMHC), or marriage and family therapy (MFT).

- Passed their national exams and become fully licensed through Utah's Division Of Professional Licensing (DOPL). This means that the candidate for Approved Provider Status has completed all educational requirements plus worked in their field for a certain number of hours (usually 4000) in order to achieve full licensure in their chosen profession.

- After the above have been accomplished, the Approved Provider applicant has also completed a minimum of 1000 documented hours of direct clinical experience in sex offender specific treatment within the two-year period immediately preceding application or re-application for approval as an Approved Provider. Direct clinical experience means face-to-face contact in therapy sessions with patients/clients, direct supervision, training, case coordination and research. Of the 1,000 hours, at least 180 hours must include sex offender evaluation and assessment experience. This is defined as sexual behavior risk assessments, psychosexual evaluations, interpretation of PPG (Penile Plethysmograph) results and sexual interest measures, intake assessments, clinical interviewing, case supervision, and completion of quarterly reports, as well as any other clinical duties involving sex offender clients.

- Within the two-year period immediately preceding application, the individual must have received at least 26 hours of formal training (continuing education) through documented conferences, symposia, seminars or course work related to the evaluation and treatment of sexual offenders.

- In order to retain their Approved Provider status, providers are required to renew their status every two years by submitting a notarized application and documentation of continued education and training as well as their sex offender treatment experience over that two-year period to the UDC Sex Offender Programming Task Force (SOPTF). The Task Force reviews and certifies the provider for another two years when all criteria are met. Source:

<https://www.corrections.utah.gov/index.php/offender-resources/resources-for-sex-offender-treatment-providers>

What is an Affiliate Provider of Sex Offender Treatment?

- Licensed professionals and professionals in graduate training and/or post-graduate residency who do not meet the experience and training requirements for a full Approved Provider status may apply for Affiliate Provider status.

- *For example*, an individual who has completed their master's degree in Social Work would pass their national exam which makes them eligible to receive a Certified Social Worker (CSW) license from DOPL in Utah. They work under the direct supervision of a fully licensed clinician, such as a Licensed Clinical Social Worker (LCSW). After working in their chosen field seeing clients for 4000 hours, they become eligible to pass a national exam for the higher level of competency and then apply for a Licensed Clinical Social Worker license through DOPL. Once they receive their full licensure through the state and have the specialized training in sex offender treatment they would be eligible to apply to the SOPTF to be recognized as an Approved Provider of Sex Offender Treatment.

- Affiliate providers are required to arrange for ongoing supervision with an approved provider meeting the above criteria. This level of treatment provider may provide treatment to sex offenders as long as they comply with the requirement of being supervised by a fully licensed Approved Provider and continuing education training requirement described previously. To re-certify as an affiliate, the provider must comply with the training requirement.

- Interns and trainees (those individuals who are in graduate or doctoral programs in one of the previously described fields) may provide treatment if their work is part of a degree program and/or leading to licensure and their clinical work is supervised by a licensed Approved Provider professional meeting the above requirements.

- Supervision means one hour of supervision for every 40 hours of direct client contact with a minimum of one-hour supervision per month.

Alpha Counseling

Alpha's Adam Boswell shared information about the agency. Alpha Counseling is currently the largest agency serving Utah's outpatient sex offender population, employing a total of 25 therapists. Some are Approved Providers and some are Affiliate Providers. Several therapists employed by Alpha have been providing Outpatient and Continued Care sexual offense-specific services for parolees and probationers

for many years. Alpha Counseling, LLC, as it operates today, was incorporated in 2012.

Alpha has clinical offices in Ogden, Salt Lake City, Orem, and Tooele. It is no stranger to contracts with the UDC, they have held contracts to provide sex offender specific treatment in Northern Utah Community Correctional Center (NUCCC) and Bonneville Community Correctional Center (BCCC) for several years.

The intent of Alpha Counseling's outpatient program is to take a Cognitive Behavioral Therapy (CBT) and Relapse Prevention Therapy (RPT) approach to lower an individual's risk of reoffending. Alpha's current outpatient sexual offense-specific treatment program includes but is not limited to: structured Cognitive-Behavioral group therapy; individual Cognitive Behavioral Therapy for sex offenders; psychological and psychosexual evaluations conducted by a medical doctor; relapse prevention and sex-educational course work. Coursework includes, but not limited to, sex education, cognitive restructuring, life skills, victim empathy, dating skills, parenting classes, anger management, and substance abuse education.

The owners and employees of Alpha Counseling bring a wealth of diverse experience, energy, and expertise to meet the current demand for the sexual offense-specific population. A quick overview of the level of training and capability of Alpha clinical professionals includes: Intensive Outpatient Substance Abuse Treatment Program; Justice Reinvestment Initiative Certification; LS/RNR Certification; Cognitive Behavioral Therapy for Substance Abuse; Certifications for Motivational Interviewing; Matrix Intensive Outpatient Substance Abuse-Specific Treatment; Domestic Violence through the Utah Domestic Violence Council; Certified Clinical Providers through the Utah Network On Juveniles Offending Sexually; Certified Monarch 21 Penile Plethysmograph Examiners; Seeking Safety, and Cognitive Processing Therapy; Certification in EMDR (Eye Movement Desensitization & Reprocessing) Therapy. Alpha provides treatment for multiple populations including autism spectrum/PDD, intensive outpatient adult substance abuse, domestic violence offenders and victims, family intervention, intensive inpatient adult and juvenile sex offenders, female sex offenders and survivors, and PTSD.

UPAN hopes that this new contract and all it entails, combined with the new treatment levels and tracks implemented by Dr. Kersey during 2018, will contribute to the UDC being able to provide high quality sex offender treatment in an efficient and effective manner to all inmate clients who need it.

"I am not a product of my circumstances. I am a product of my decisions." – Stephen Covey

"The best preparation for tomorrow is doing your best today." – H. Jackson Brown, Jr.

Compassionate Release in Utah

Obtained and adapted by Molly Prince, from research provided by the Disability Law Center, with permission.

Between 1999 and 2015, the number of prisoners 55 years of age and older in state and federal prisons increased by 264%. The state of Utah is not immune to these issues. In 2010, 8.4% of Utah inmates were 55 years of age or older. Yet in 2015, 11.3% of Utah inmates were 55 years of age or older and 29.8% of inmates were 40-54 years of age.¹

Compassionate release is a program that allows an inmate to be released from prison before his or her original release date on the grounds of extreme circumstances, usually terminal or age-related illness or disability. Faced with aging population, overcrowding and associated strains on the budget, the Utah Department of Corrections should utilize compassionate release to its full potential.

Administrative Rule on Compassionate Release

According to Utah Administrative Code Rule R671-314, inmates may be released early under compassionate release if "exceptional circumstances exist."² These circumstances are broken down into three areas of focus. First, if an inmate's risk to public safety is significantly reduced due to advancing age, medical infirmity, disease, mental health, and/or disability, he or she is eligible for compassionate release. Secondly, if the inmate requires extensive medical care due to a serious medical condition, he or she is likewise eligible. Lastly, if an inmate's immediate family member dies within 120 days of a previously scheduled release, he or she may be released early under R671-314.

Current Use

In Federal prisons, 3,182 inmates sought compassionate release between January 1, 2014 and the end of 2017. Only a quarter of those inmates proceeded through the first level of review, conducted by the warden of the prison where the inmate was held. Only 306, or 9.6% of the total requests were approved by the Director of the Federal Bureau of Prisons.³ Furthermore, it takes 4-4.5 months to receive a decision. Between 2014 and 2017, 81 inmates died while awaiting approval.

In Utah, elderly inmates (defined as age 55 and older) are generally (but not exclusively) housed in one of the two geriatric dormitories located at the Oquirrh or Lone Peak facilities. Those with health/medical problems rely on younger inmates to assist them with daily living activities. In some cases, a younger able-bodied inmate may be designated by USP as an aide to assist a prisoner with disabilities or health issues.

In 2015, only 16 applications for compassionate release were forwarded to the Board of Pardons and Parole by USP, and only 12 of those were granted release.⁴

Utah's Process

A request for compassionate release must be submitted in writing. Neither inmates nor their families or friends can currently apply for compassionate release. Instead, a person in need of compassionate release must be recommended by a doctor working in the correctional facility. In the case of disease or disability due to advancing age or a persistent medical condition that requires extensive care, the request must include a report from the Department of Corrections explaining the condition, the available treatments, and the prognosis of the inmate.

According to Director Washington in the July 16, 2018 meeting with Board Director Greg Johnson and the advisory committee, the medical staff needs to gather the facts and the Clinical Director will review the potential recommendation for release. He indicated that if an inmate cannot be appropriately cared for in prison, they will recommend compassionate release. He made it clear that it is not the medical service's responsibility to determine anything other than the medical diagnosis and prognosis in considering a compassionate release. Yet he also suggested that if medical personnel are not aware of a viable release-location, the medical service may not apply to the BOPP. He indicated there is a medical staff member whose job is to find a viable place to release for a terminally or chronically ill inmate.

The ACLU of Utah reports that the Inn Between program in Salt Lake City houses homeless who are on hospice care and has expressed its willingness to take in parolees who are terminally ill and need hospice, so there is a resource available.

The Parole Board may decide with or without a hearing. The Board must hold a hearing only if the compassionate release would occur before the inmates' original hearing. Before compassionate release is granted, the Board will make a reasonable effort to contact the victim(s) in the case for which the inmate is incarcerated. Any input from the victim will be considered.

Present Restrictions

Compassionate release is an especially difficult process for Utah inmates because they must be recommended by a prison physician. This requires medical professionals to advocate on behalf of inmates, which seems to be an unlikely occurrence given present data on the low numbers of compassionate release applications that were approved by medical staff and reached the Parole Board. It is possible that prison medical staff may be hesitant to recommend inmates for compassionate release because they do not want to appear partisan, especially in opposition to the Department of Corrections.

As it stands now, the Department of Corrections has a monopoly on the number and type of applications that reach the Board. Inmates' chances for compassionate release are limited by the structure of the referral process.

Recommendations

To make compassionate release a true option for seriously ill or disabled inmates, recommendation by a member of the prison medical staff should not be the only avenue for inmates to apply. The Disability Law Center as well as the ACLU and UPAN have voiced our recommendation to the BOPP that inmates be allowed to apply for compassionate release themselves. Forty-three (43) states in the U.S. currently use this strategy. The process would still require the inmate to provide valid justification for early release. A rigorous, well-defined procedure would deter applicants who are not seriously eligible for compassionate release. If the inmate is requesting compassionate release on the grounds of an extreme medical condition, the opinion of a professional medical staff member would then be solicited in the process. The prison physician would not be personally advocating for the inmate's release but would be offering objective information based on professional medical judgement. Physicians would not be asked to consider risk assessment or punitive measures, nor determine housing for the inmate upon release, they would only address the medical issues.

Advantages

There are several noteworthy advantages to a widespread use of compassionate release by the Utah Department of Corrections. An ethical argument can be made in favor of the program. Inmates who are experiencing significant illness or disability may be allowed to live out their remaining days in a more comfortable environment, surrounded by friends and family. Compassionate release grants inmates a more humane and dignified death. Their release is justified by the low risk these inmates pose to public safety.

In a 2013 report on the Federal Bureau of Prisons, inmates who were released through compassionate release showed a 3.5% recidivism rate. This rate is exceptionally low, especially when compared to the general recidivism rate of 41% for federal prisoners.⁵

In addition, broader use of compassionate release will benefit the Utah Department of Corrections directly by decreasing costs. In 2015, the total Utah prison expenditures were \$152.7 million, which was \$22,119 per inmate.⁶ **[NOTE: see comment on this underrated figure at the end of this article. Ed.]**

If compassionate release is used more frequently, there will be fewer inmates consuming the goods and services provided by the prison. The prison would

especially benefit from a decrease in medical costs, since most of the individuals leaving the prison through compassionate release have serious medical conditions requiring extensive care.

In 2016, the Federal Bureau of Prisons spent \$1.3 billion on healthcare alone.⁷ In Utah, prisons spent \$4,560 per inmate on healthcare in 2015. This was a \$156 increase per inmate since 2010.⁸ If the inmates consuming much of the healthcare related budget were released, these individuals and their families would be responsible for their own medical costs. Money budgeted towards the medical treatment of these chronically or terminally ill could be redirected towards other important needs in Utah's prisons, such as educational programs.

The prison population both in Utah and throughout the nation has increased dramatically in the last 40 years. The Utah State Prison has been forced to house approximately one-quarter of its inmates in county jails across the state. A new \$650 million state prison will house 4,000 inmates when construction is finished in 2020-21. An increase in compassionate release of elderly and terminally ill inmates will help alleviate current overcrowding and prevent the continuation of his pattern in the new state prison. Director Washington informed the advisory committee for the BOPP that in the new USP there will be 148 beds dedicated for a geriatric ward. He was not specific about if this ward will also include long-term chronic care as well as hospice for the terminally ill.

UPAN suggests that even with 148 beds in a long-term care medical ward, the cost of caring for terminally ill and long-term chronically ill patient inmates could be significantly alleviated with an expansion of the potential for compassionate release under carefully constructed guidelines.

Conclusion

Compassionate release is an arrangement that benefits all parties. Inmates with exceptional medical circumstances who do not pose a threat to public safety should be allowed to request to be released from prison before their original release date. If they are unable to initiate this request on their own, then their families, an ADA aide in prison, or other inmates who know them well should be allowed to initiate the request. If the inmate is an appropriate candidate based on the established criteria, then caseworkers and family can work toward identifying an appropriate placement in the community. This could be with family who can care for the offender, in a nursing home or care center, or in a hospice situation for the indigent such as the Inn Between. This system will show consideration, compassion and decency to ill and disabled inmates, while helping to alleviate the financial burdens and overcrowding of Utah prisons (See NOTE on page 8.)

NOTE: This is a modified number for a specific study in prison comparisons. It does NOT reflect a true annual cost per inmate. A quick math computation more closely shows the true cost. 2015 Utah state budget of \$7,082 billion x .029% allocated to Corrections (\$198 million) divided by the prison population, est. at 7,200 (in 2015) = \$27,500. Rough estimate but in the ballpark. National average for all states in 2015 was slightly over \$33,000/inmate. Ed.

¹ http://www.pewtrusts.org/~media/assets/2017/10/sfh_prison_health_care_costs_and_quality_final.pdf

² <https://rules.utah.gov/publicat/code/r671/r671-314.htm#T4>

³ <http://www.lisa-legalinfo.com/tag/compassionate-release/>

⁴ <https://projects.jsonline.com/news/2018/4/18/release-programs-for-sick-elderly-prisoners-could-save-millions.html>

⁵ <https://oig.justice.gov/reports/2013/e1306.pdf>

⁶ <https://www.vera.org/publications/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends/price-of-prisons-2015-state-spending-trends-prison-spending>

⁷ <https://www.nytimes.com/2018/03/07/us/prisons-compassionate-release.html>

⁸ http://www.pewtrusts.org/~media/assets/2017/10/sfh_prison_health_care_costs_and_quality_final.pdf

Helping UPAN While Shopping – (Really??)

By Warren Rosenbaum, UPAN Newsletter Editor

There are many hidden expenses that our UPAN volunteers are funding, with only partial help from donations received at our monthly meetings, periodic donations from inmates and family members, or the online website donations feature. Among several smaller expenses, the biggest is our website hosting, online security service, and online meeting broadcasts. These require expensive equipment and funding.

To help our volunteers with these expenses, UPAN has recently enrolled in Smith's Inspiring Donations® Program for nonprofit organizations. UPAN's directors urge all of our 800+ email addressees, and extended family and friends who would like to support UPAN, to help us with this important funding opportunity. It will help fund the ever-present expenses that nonprofit organizations incur, including UPAN.

NOTE: Redirecting your Rewards points to UPAN does NOT affect your Smith's fuel discounts or drug purchase discounts and your fuel discounts will increase the more you shop at Smith's. Here's how to help:

- 1) If you don't have a Smith's Rewards card, go to the Customer Service desk in any Smith's location and apply for a Smith's Rewards card. Your next step will be to get a Smith's online account, see step 3 below.
- 2) If you do have a Smith's Reward card and DON'T have an account, see step 3 below.

3) Go online to www.smithsfoodanddrug.com/ and set up your Smith's Rewards account with your email address and a password.

4) Once you have a Smith's Rewards account, go online to www.smithsfoodanddrug.com/inspire Click on the "I'm a Customer" box (the one on the left), the page will change and allow you to enter the NPO (Non-Profit Organization) number WC352. Again, **UPAN's Non-profit Organization Number is WC352**. Simple!

One additional step that will greatly increase your donated points: Obtain a Smith's/U.S. Bank Mastercard. The U.S. Bank branch in Smith's stores can accommodate you with this extra step. Purchases using this card **outside** of the Kroger (Smith's) family are also worth one point per dollar charged. I use it for the ultimate convenience it offers. I charge all my monthly food and incidental expenses on it, thereby not exposing my checking account debit card (a safety consideration) and not going to the ATM for cash.

With this Mastercard, I get points for my Rewards account during the month and pay off the balance every month, so I'm never charged interest. For example, one quarter I had 408 points from in-store purchases and 556 points from out-of-store purchases. That's 36% more points. IOW, I more than doubled my quarterly points by using the credit card.
Thank you for your support

"We can't help everyone, but everyone can help someone" – Ronald Reagan [and UPAN. Thanx, Ed.]

CHANGES IN UPREP IN GUNNISON

Over the summer, UPAN received questions and concerns about the suspension of education in UPREP at CUCF. We reached out to Mark Hugentobler, Principal of Central Utah Academy to clarify what has been happening.

He informed us that the UDC became concerned about UPREP security in recent months. For the first 5 years of its operation, there was one correctional officer with as many as 80 inmates meeting every hour in the education corridor every Friday and Saturday. He reports that even though they had almost no security

problems, over time there have been changes in the types of inmates at CUCF. This change in the demographics of offenders at CUCF began to raise concerns regarding security and safety. As a result, the Division of Programming reduced the participants from 80 to 30 inmates per hour. That resulted in UPREP having to cancel all but 2 courses.

Hugentobler met with programming, housing, and the Warden's office to discuss how to increase the number of students. Eventually, the Programming Captain created a way to have another officer available, which increased the ability to provide classes for 60 students at a time. This still did not completely solve the problem, but it is making it more manageable. They are also working with the GALE housing unit to find space and

resources to move some UPREP classes there to accommodate additional courses.

After the initial closure challenges, Hugentobler feels that there has been positive cooperation between UPREP and the Deputy Warden, the Programming Captain and the GALE Housing Captain to find solutions and get back on track. They are reviewing and adjusting some procedures to hopefully allow them to return educational opportunities to the original 80 offenders per hour.

The goal is to be back to about 80% in September and return to 100% over the coming months.

"Let penitentiaries be turned into seminaries of learning. Rigor [harshness] and seclusion never do as much to reform the propensities of men as [would] reason and friendship." Joseph Smith (as quoted by Principal Hugentobler)

SEPTEMBER 10, 2018 UPAN MEETING: RE-ENTRY PROGRAM

A video of this entire meeting is available on UPAN's Facebook (access info: p.10)

UPAN's September meeting was focused on the UTAH DOC's Re-Entry Program. Guests included Bart Mortensen, the Director of the Re-Entry Program, Eric Barker, Assistant Regional Administrator, and Dan Blanchard, Interim Director for Utah's Adult Probation & Parole. UPAN first learned of the new Re-Entry program at the October 2017 FOCUS meeting when Barker and Mortensen presented the emerging program that they were developing at that time. (There was an article on this in the UPAN October 2017 newsletter which can be accessed through the UPAN website.)

Dan Blanchard welcomed everyone and shared his appreciation for everyone involved in helping offenders succeed including the agents and support staff involved in the Re-Entry program. Dir. Mortensen gave credit to his team of parole agents and staff who care deeply about the success of individuals on probation and parole. He said that the direction of Re-Entry is focused on helping people "where-they-are" in their process.

He shared a quote that is the philosophy of his team by James Collins from his book *Good to Great* - "Good is the enemy of great. And that is one of the key reasons why we have so little that becomes great. We don't have great schools, principally because we have good schools. We don't have great government, principally because we have good government. Few people attain great lives, in large part because it is just so easy to settle for a good life." Mortensen stressed that the Re-Entry team strives for greatness and does not ever want to settle for being simply "good enough."

The presentation included a timeline that the Team uses to accomplish a variety of tasks to assist inmates in preparing for release to either parole or discharging their sentence. It goes from 360 days prior to release date to release. This is a timeline that the DOC is

hoping to follow with most offenders. The actual length of time any inmate is involved in preparation for release varies due to lengths of time given by decisions of the Parole Board. Individuals who know their release date a year or more ahead of time will have plenty of time to move through each phase of re-entry planning. However, release planning is obviously going to be abbreviated and accelerated for individuals who receive a short release date after a parole hearing or paper review. Those inmates who learn of a short release date will not be able to receive the same level of preparation and services that someone who has more time before release would receive. Also there are individuals who have a lot of community and family support who may need a lower level of support versus individuals who do not, or who have medical, mental health or other challenges that will require community resources upon release.

Each week Re-Entry receives a list of individuals releasing within the next 360 days. This enables the team to start identifying and working on release issues in order to assist those individuals. Release planning begins with a Risk/Need Assessment to identify the areas of need for the individual. There are a variety of assessments that can be used for different types of offenders, however the LSI/RNR (Level of Service Inventory) assessment is one that is generally used to determine what types of support the inmate will need. This type of assessment has been reviewed repeatedly in several UPAN newsletters in the past.

The Re-Entry plan examines what types of interventions, skills training, and other types of support the inmate will need as he / she prepares for re-entry. The team works with both the offender and any support persons in the community on preparing for release. The

Re-Entry team interfaces and partners with resources in the community to help inmates prepare for parole including the Dept. of Workforce Services, the Utah Division of Human Services, Division of Substance Abuse & Mental Health, Division of Vocational Rehabilitation, Odyssey House, Adult Probation and Parole Staff, UCI, the Board of Pardons and Parole, as well as various community agencies and organizations. They have an ASCENT program that engages community partners to identify needs and services available for former felons. They have a variety of committees that network and meet regularly to continue to improve services. Re-Entry has started an In-Reach program in which community agencies go into the

prison to share information about their programs and obtain applications, as well as start certain processes prior to release so that the inmate will be well on their way to receiving services upon release.

This presentation was packed with encouraging information about the direction UDC is taking to help ensure the ability to offer support for the success of individuals released from prison. They answered questions from the audience and shared assurance that they are working to include individuals housed in jails via IPP in this process.

Due to limited space in this issue of UPAN News, there will be a more complete summary of various aspects of Re-Entry services in the next two months' newsletters.

Remember those in prison as if you were their fellow prisoners, and those who are mistreated as if you yourselves were suffering. Hebrews 13:3

WILLY THE PLUMBER SCHOLARSHIP

It's that time of year again when students are heading back to school. WILLY THE PLUMBER SCHOLARSHIP is pleased to announce two more Utah children of inmates will also be going to college with the help of the Willy the Plumber Scholarship: **Gavin Waldoch and Mariah Bergen.**

Karl Winsness created Willy the Plumber Scholarship after he rebuilt his life after incarceration. He and his daughters know firsthand the struggle an inmate's children go through to afford an education.

Karl states, "If you have kids you should know about and help support this scholarship. You should make sure your people, spouse, children and extended family know about this scholarship." Karl reports that he has read through dozens and dozens of WTPS applications. Karl writes, "Most kids are crushed and devastated by the arrest, charges and convictions of their parent, and initially really struggle with the stigma, shame and guilt of it all. However, most children of inmates, with a little

encouragement, support and belief in themselves can bring their grades and confidence back up and qualify for this and other scholarships. Let them know this is specifically there for them, that they can break through the stigmas, barriers and shortcomings of their parents' mistakes and bad choices and have a full and successful life. Check out and support the Willy The Plumber Scholarship. This fund runs on donations. Consider donating this year! You can Google it also.

Families and the public are encouraged to contact the Foundation. Go to the website: www.utahcf.org/ call or write the Community Foundation of Utah 2257 East 1100 South, Suite #205, Salt Lake City, UT 84106. You are encouraged to donate to help these kids get a step up in their college education. Ph. 801-559-3005 Ext. 4.

The link to the online application for children of inmates can be found at: <http://www.utahcf.org/apply-for-a-grant/Apply-for-a-Scholarship/>

LAST, BUT NOT LEAST: DON'T FORGET UPAN'S CHRISTMAS CARD CONTEST – DEADLINE OCTOBER 1ST

We are seeing more releases and improvement in facilitating more releases – that is progress and really cool. Ed.

Utah Prisoner Advocate Network
P.O. Box 464, Draper, UT 84020
Website: UtahPrisonerAdvocate.org
Email: Utahprisoneradvocate@gmail.com
Facebook: [Facebook.com/UtahPrisoner](https://www.facebook.com/UtahPrisoner) (go here to view recent UPAN meetings and criminal justice news from around the country)

President: Shauna Denos
Past-President & Treasurer: Molly Prince
Vice-president: Unfilled
Secretary: Unfilled
Director of Communications: Shane Severson
Newsletter Editor: Warren Rosenbaum
Inmate Newsletter Volunteer Coord: Deon Corkins
Director of Sex Offender Policy Issues: Faye Jenkins

"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