



**Jon M. Huntsman, Jr.**  
Governor  
**Susan V. Burke**  
Director  
**Diane Ngatuvai**  
USA AV Assistant

# State of Utah

## Utah Substance Abuse and Anti-Violence Coordinating Council

East Capitol Complex, Suite 330 • Salt Lake City, Utah 84114  
801-538-1031 • Fax: 801-538-1024 • www.usaav.utah.gov

# Minutes USA AV Council

**Wednesday, June 8, 2005**  
**Noon to 2:00 pm**

**Seagull Room (1<sup>st</sup> Floor)**  
**State Capitol Complex, East Building**

*Present: Susan Burke, Sen. Chris Buttars, Julie Christenson, Michele Christiansen, Deborah Davidson, Mike Haddon, Craige Harrison, Fotu Katoa, Brent Kelsey, Judge Michael Kwan, Dan Maldonado, Dr. Dick Melton, Harold Morrill, Paula Price, Mayor JoAnn Seghini, Terry Russo, Dale Schipaanboard, Tim Whalen*

## I. Welcome & Introductions

**Gary Jorgensen**

- Introduction of new members

Members made self introductions. Gary welcomed new member Fotu Katoa, Director of the Office of Pacific Islander Affairs, who will serve as the USA AV representative for the Office of Ethnic Affairs.

- Approval of March 9, 2005 Minutes

**Action Taken:** *A motion was made by Judge Kwan and seconded by Harold Morrill to approve the March 9 minutes. All voted in favor.*

## II. DORA Implementation – Adoption of Guidelines

**Mike Haddon**

- DORA Criteria and Research Parameters

Mike Haddon stated that there have been weekly 3-hour Drug Offender Reform Act (DORA) meetings to develop the criteria for the pilot study in Salt Lake approved in the Special Legislative Session. Under the Act, individuals who are convicted of a felony drug offense and meet the following criteria will be considered for entry into DORA treatment.

- MUST have a current felony drug conviction (CANNOT plead to a misdemeanor).
- CANNOT currently be on felony probation.
- CANNOT be facing a deportable offense.
- NO current or past convictions for a sex offense requiring registration.
- Total LSI Score must fall within the range of 16 to 40.
- CANNOT have a positive response to item #47 in the LSI, Emotional/Personal sub-component (Severe Interference, including active psychosis).
- MUST have a positive response to either or both items #39/#40 in the LSI Alcohol/Drug Problem subcomponent (Alcohol/Drug problem currently).
- CANNOT be ordered to more than 90 days of jail, post sentencing.
- In Salt Lake County, assessment must result in treatment.

The researchers have also selected Davis County to serve as the control group for the study to compare the DORA process with the existing process in a similar county. Davis more closely matched the sentencing practices in Salt Lake than Weber or other counties. Mike said that CCJJ will contract with the University of Utah's Social Research Institute to conduct the study. The Research Workgroup is in the process of identifying all the data elements to be collected, tracked and analyzed as part of the study.

Harold stated that many areas are moving toward the DORA model and asked if this change will complicate the research. Mike responded that funding will likely prohibit most areas from fully

implementing a DORA model so it should not impact the study. Sen. Buttars said that kind of information would interest the Legislature.

Brent Kelsey pointed out that legislators were told that one dollar invested in treatment would return approximately \$5-\$7. However, we may not realize the same outcomes because we are comparing our DORA offenders with other offenders who are also receiving treatment.

- The DORA Process, Identification, Supervision, Treatment

**Deborah Davidson**  
**Tim Whalen**

Deborah Davidson, AP&P Supervisor, presented on the DORA supervision model. She expressed excitement about the DORA pilot. They have already hired one full-time DORA agent and will bring another on-board in January. She stated that having a dedicated agent working with the drug treatment provider is a strength of DORA because it creates a unified front to the offender.

The DORA process begins when a judge orders a convicted drug offender to be screened prior to sentencing. Susan pointed out that offenders will first be pre-screened to eliminate those who are not DORA eligible: immigration holds, US Marshall holds, commitment to prison, parolees, and sex offenders. Sen. Buttars agreed that it was not the intent of the legislature that all offenders, even non-DORA eligible offenders, be screened prior to sentencing. Deborah continued that screening will occur as part of the pre-sentence investigation (PSI) report. The PSI report takes 45 days to complete. By day 15 the offender will be administered the LSI. Those who meet the DORA criteria will be assessed by a clinician using the ASI to determine the level of treatment needed. The ASI would take place between days 16-30. Tim stated that they have already hired an LCSW to do all the DORA assessments. This person will be housed at AP&P or will go to the jail to conduct any needed assessments.

At sentencing, the judge will be informed that the offender qualifies for a DORA treatment slot and the PSI report will recommend that sentence. The judge will then issue the sentence. If the offender is ordered to treatment, there will be a hand-off meeting with the offender, clinician, agent and treatment provider.

Key to the supervision plan is the communication between the agent and the treatment provider. Tim Whalen, Salt Lake County Substance Abuse Services, added that the agent will be able to access the offender's treatment information through the county's treatment data system, UWITS. The offender will provide consent for the information sharing.

Deborah stated that even though the offender is in treatment, AP&P still has a responsibility to public safety. They will seek input from the provider, but safety of the public will be a priority. The agent will also work closely with the treatment provider regarding supervision issues. The providers are also interested in riding along with the agent.

Sen. Buttars stated that he was very impressed with the progress made to date. He would like CCJJ to present to the Legislature and keep them continually informed of this exciting new process. Susan stated we will present this fall and annually to the Legislature's Law Enforcement and Criminal Justice Interim Committee and the Health and Human Services Interim Committee. Sen. Buttars stated that the study is the first step in expanding DORA statewide.

**Action Taken:** Harold motioned and Mayor Seghini seconded to adopt the DORA Implementation Guidelines presented. The vote was unanimous in favor.

### III. Committee Reports & Action

- DUI Committee

**Anna Kay Waddoups**

Anna Kay stated that the committee continues to be very busy on DUI related issues.

- Plea in abeyance study update

**Julie Christenson**

Julie reported that CCJJ just finished collecting the data from the Taylorsville and SLC Justice Courts to determine if plea in abeyance facilitate offender entry into treatment. She stated that the data has not been analyzed yet, and separate meetings have been held with each court to wrap up any outstanding data needs. She said that the study would not analyze the treatment modalities, since they are different. Anna Kay added that the study was required because the plea in abeyance statute will sunset May 2006 unless legislative action is taken. Julie said that the results from the study would be brought to the DUI Committee in September so they can take a policy stance before it is presented to the Legislature in October.

- Ignition Interlock Device (IID) Workgroup

**Susan Burke**

Susan said that the workgroup has drafted an ignition interlock driver statute that would require IIDs for

second-time offenders, refusals and auto homicide. The duration of the IID would depend on the offense and is still being considered by the workgroup. The advantage of the legislation is that a judge would not have to order the IID, it would be noted by driver license and on the offender's driving record. Violation would be a class B misdemeanor. The workgroup will continue to meet to determine how best to draft the language of the bill.

- Substance Abuse Services Committee
  - Recommendations for Byrne funding

## Harold Morrill

Harold presented a list of potential program ideas for the \$200,000 set aside for substance abuse. The Committee pared down a larger list to develop this list. Susan stated that the \$75,000 for the Salt Lake County Residential Substance Abuse Treatment (RSAT) program can be eliminated from the list at the request of the county.

Dale said that the women's summit concept is the result of current planning meetings organized by the Department of Corrections to improve services for female inmates. The department's programming is primarily geared toward the men, with the women as an after thought. He urged the Council to make this area a priority.

Susan said that another proposal was a statewide substance abuse prevention campaign. Terry said she would like the campaign to also identify what resources are available for families in need. Paula said that we have a lot of prevention information but people are not aware of how to access those services. A statewide campaign that would take the prevention message to the public is needed. Mayor Seghini said that mayors are working on a statewide campaign to reduce underage drinking. She suggested that any funded campaign link with this effort.

**Action Taken:** *Harold motioned and it was seconded by Judge Kwan that we prioritize these concepts as follows: (1) Women's Summit, (2) statewide campaign with linkage to mayors' effort, (3) an elderly outreach campaign about substance abuse prevention and intervention, and (4) a pilot project to unify incarcerated parents with their children in state custody. All voted in favor.*

- RSAT awards

Susan presented on the RSAT allocations. This year's allocation was \$242,934, a significant reduction from a previous high of over \$400,000. Last year Congress did not allocate any funds.

**Action Taken:** *Mayor Seghini motioned and Harold seconded to allocate \$125,000 to Weber County, \$109,000 to Davis County and \$8,934 for administration. All voted in favor.*

- Auto Crime Prevention Bill

Harold said at the last Substance Abuse Services Committee, Rep. Paul Ray came to speak on two issues. Rep. Ray sponsored a bill that would have added a \$1 fee to motor vehicle registrations to fund an auto theft crime prevention grant program. He did not move the bill out during the session because several groups were interested in diluting the purpose of the bill. He is interested in perhaps bringing it back this year and maybe moving it to CCJJ. Judge Kwan questioned if this bill was within the scope of the Council as it is not violence related. He added that even though many auto thefts and burglaries are to support a drug habit, he did not feel that it was directly within our scope.

**Action Taken:** *The Council recommended that this issue be referred to CCJJ for further action, stating it was outside of the scope of the Council. Michele Christiansen stated that CCJJ would address it.*

- Indoor Clean Air Act Legislation

Harold said that Rep. Paul Ray also presented on this bill at the committee meeting. He said that he and Sen. Waddoups would be working together to sponsor a bill that would prohibit smoking in private clubs and social clubs. Anna Kay said it was important that only one bill be presented this year. Mayor Seghini added that she preferred a bill that would legislate statewide, rather than have different standards in each area.

**Action Taken:** *The Council recommended that the bill not allow for a patchwork of local ordinances on this issue.*

- UPAC

Harold stated that during the Committee's meeting, the issue of continuing the Utah Prevention Advisory Council arose. Rep. Ray said at the meeting he would be willing to sponsor legislation to continue the Council.

**Action Taken:** *The Council recommended that the Committee further explore this idea with UPAC.*

- Teen Dating Violence Workgroup
  - Presentation to June 15 Interim Committee
  - Protective order legislation
  - February 6, 2005 designated National Week

## **Susan Burke**

Susan stated that the workgroup has been invited to present to the Law Enforcement and Criminal Justice Interim Committee on the issue of Teen Dating Violence. Utah currently does not have any local statistics about the extent of the problem. However, informal surveys show that youth are aware of the problem and are concerned about it.

The workgroup is also considering legislation that would allow individuals (teens and adults) to obtain protective orders against a person they previously dated or are currently dating. Business or social relationships would not qualify for a protective order. The order would address those limited cases where Utah's stalking laws do not apply. Susan has polled other states who have such legislation to learn more about their experience and to get a sense of how often such protective orders are filed.

## **IV. Other Business**

## **Council Members**

- Prioritizing issues for 2005

Gary stated that the Council has gone through a priority process during the meeting. He invited members to bring up other issues at any time.

- Establishing a meeting schedule for remainder of the year

The USAAV Council meeting schedule for 2005 was established. All meetings are held from noon to 2:00 pm.

Wednesday, September 14

Wednesday, November 16