



2008 ANNUAL REPORT

DR. GARY Q. JORGENSEN, CHAIRMAN • HAROLD L. MORRILL, VICE CHAIRMAN

USAAV Mission and Duties

The Mission of the Utah Substance Abuse and Anti-Violence (USAAV) Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity, and violence. The Council's statutory duties (§63-25a-203 through 207) are to:

- Provide leadership and generate unity for Utah's ongoing efforts to combat substance abuse and community violence;
- Recommend and coordinate the creation, dissemination, and implementation of a statewide substance abuse and anti-violence policy;
- Facilitate planning for a balanced continuum of substance abuse and community violence prevention, treatment, and justice services;
- Promote collaboration and mutually beneficial public and private partnerships;
- Coordinate recommendations made by any subcommittees created by the Council;
- Analyze and provide an objective assessment of all proposed legislation concerning alcohol and other drug issues and community violence issues;
- Coordinate the implementation of the Drug Offender Reform Act (DORA);
- Monitor the use of alcohol funds annually distributed to municipalities and counties for purposes of alcohol-related law enforcement, prevention, treatment, detection, prosecution and control, to ensure compliance with the statute (§32A-1-115);
- Provide ongoing oversight of Utah's Underage Drinking Prevention Media Campaign (S.B. 58 – 2006 General Session);
- Provide direction for the public education and outreach program to inform women of the risk of using harmful substances during pregnancy (§26-7-5); and
- Report recommendations annually to the Governor, Legislature, Commission on Criminal and Juvenile Justice, and Judicial Council.

Utah's Drug Offender Reform Act

June 30, 2008, marked the conclusion of the first year of the statewide implementation of Utah's Drug Offender Reform Act (DORA). Funding in the amount of \$8 million was appropriated for assessments, treatment and supervision of convicted felony

offenders with substance abuse problems, as well as for evaluation. During 2008, the USAAV DORA Oversight Committee met monthly to ensure effective implementation of the statewide initiative. According to the Division of Substance Abuse and Mental Health, 815 offenders were admitted to DORA-funded treatment services during the first year.

DORA Pilot Program and Evaluation Completed

As of June 30, 2008, the three-year DORA Pilot Program also drew to a close. The pilot, created by the 2005 Legislature, involved 219 felony offenders in Salt Lake County, who were compared to similar offenders in both Davis and Salt Lake Counties.

The University of Utah Criminal Justice Center conducted the evaluation of the DORA Pilot and completed its final report in November. The evaluation findings may be summarized as follows:

- The DORA Pilot resulted in systemic changes in offender supervision—more offenders in substance abuse treatment, higher treatment completion rates, quicker entry into treatment, more contact between agents and offenders, and more collaboration between agents and treatment providers.
- Because more than 30% of the DORA Pilot participants are still on probation, final conclusions about program

outcomes and recidivism impacts cannot be made at this time.

- Preliminary results support the importance of substance abuse treatment with this population—any offender (in DORA or the control groups) who completed a treatment admission had a higher likelihood of successful probation completion.
- The study found that essential elements of the DORA Pilot predicted success, including:
 - completing a treatment admission;
 - agent and offender contact in the community, rather than just the agent's office; and

- shorter time lags between conviction and probation start.

- While the interim analysis in this report did not show a difference in probation success rates between DORA and control group offenders (for those who had completed probation), adding more probation graduates and lengthening the follow-up time has the potential of revealing long-term benefits of the DORA model.

The full report on the DORA Pilot can be found on the Criminal Justice Center's website at: www.law.utah.edu/ucjc/studies.

DUI in Utah

In calendar year 2007, Utah maintained the lowest rate of DUI-related traffic fatalities in the nation at 22 percent. The most recent national average was 41 percent. During fiscal year 2008, there were 15,297 arrests for DUI in Utah, 639 more than the previous year. Seventy-eight percent of the arrestees were male; 10 percent were under the legal drinking age of 21; the average blood alcohol concentration was .14; and the highest BAC recorded was .41, over five times the legal limit!

Utah's Justice Courts handled 85 percent of the DUI cases, with the District Courts handling 15 percent. Fifty-nine percent of Justice Court DUI cases and 76 percent of District Court DUI cases resulted in a guilty plea or verdict.

The 2008 Utah Legislature passed *S.B. 15 – Driving Under the Influence Amendments*, by Senator Carlene Walker. This bill

enacted an "impaired driving" plea that may be used in certain circumstances as a plea to a driving under the influence violation for an offense committed after July 1, 2008 (replaces alcohol- or drug-related reckless driving), and provides that an impaired driving violation is a class B misdemeanor.

The bill also amended the definition of "drug" or "drugs" to mean: a controlled substance as defined in Section 58-37-2 (Controlled Substances Act); a drug as defined in Section 58-17b-102 (Pharmacy Practice Act); or any substance that, when knowingly, intentionally, or recklessly taken into the human body, can impair the ability of a person to safely operate a motor vehicle. Finally, the bill increased the administrative impound fee from \$230 to \$330 for a driving under the influence violation impound and appropriated as an ongoing appropriation subject to future budget constraints: \$660,000 from the General Fund

for fiscal year 2008-09 to the Department of Public Safety, Utah Highway Patrol; and \$660,000 from the General Fund for fiscal year 2008-09 to the Department of Public Safety, Liquor Law Enforcement Program.

The 2008 Legislature also passed *H.B. 31 – Digital Certificates for Breathalyzers*, by Representative Christopher Herrod. This bill allows the Department of Public Safety to digitize certificates of calibration for breathalyzers.

Finally, the 2008 Legislature appropriated \$750,000 in one-time funding to the Utah Commission on Criminal and Juvenile Justice to implement the **Computer Expedited Arrest System to Eliminate DUI in Utah, or CEASE DUI**. CEASE DUI is an innovative redesign of Utah's citation system to ensure that data flow seamlessly between law enforcement agencies, the courts, and the state's criminal justice databases. CEASE DUI will improve the timeliness and

accuracy of Utah's criminal justice information systems and ensure that officers spend less time completing the necessary paperwork and are back to their enforcement duties more quickly.

2009 Priority DUI Legislation

During 2008, the USAAV Council's DUI Subcommittee continued its work to strengthen the state's response to crimes involving driving under the influence of alcohol and/or other drugs. The

culmination of their work is proposed legislation for the 2009 General Session, as follows:

- Create incentives for DUI offenders to complete court-ordered sanctions, including substance abuse treatment (S.B. 12 – DUI Amendments, Senator Sheldon Killpack).
- Amend the Not a Drop statute to address individuals who are unable to complete recommended action (H.B. 21 –

Amendments to Driver License Sanction Requirements, Representative Richard Greenwood).

- Eliminate the requirement that administrative alcohol hearings must be held in the county of arrest.

For more information about DUI in Utah, the *Sixth Annual DUI Report to the Utah Legislature* may be found on the CCJJ website at www.justice.utah.gov.

USA AV Oversight of Local Government Alcohol Funds

In compliance with the Utah Code (§32A-1-115), USAAV oversees the utilization of beer tax monies appropriated annually to Utah's municipalities and counties "for programs or projects related to prevention, treatment, detection, prosecution, and control of violations of [the Alcoholic Beverage Control Act] and other offenses in which alcohol is a contributing factor, [including] the confinement or treatment of

persons arrested for or convicted of offenses in which alcohol is a contributing factor". Municipalities and counties that receive \$1,000 or more are required to submit an annual report to the USAAV Council, and failure to submit a

report by the October 1st deadline may result in withholding of funds. Municipalities and counties reported utilizing their FY 2008 alcohol funds as summarized in the table below.

Use of Alcohol Funds by Local Governments in FY 2008	
DUI Law Enforcement	55%
General Alcohol-Related Law Enforcement	61%
Prosecution/Court Costs for Alcohol-Related Cases	29%
Treatment of Alcohol Problems	5%
Alcohol-Related Education/Prevention	39%
Confinement or Alcohol Law Offenders	9%
<i>Note:</i> Communities may use alcohol funds for more than one of the six categories outlined in the statute.	

2008 USAAV Governor's Awards

Each year, the Utah Substance Abuse and Anti-Violence Coordinating Council honors individuals who have made outstanding contributions to Utah's efforts to reduce substance abuse and violence. Five exemplary individuals were selected to receive 2008 USAAV Governor's Awards.

Judge Michele M. Christiansen, former Executive Director of the Utah Commission on Criminal and Juvenile Justice, and former

General Counsel to Governor Jon M. Huntsman, Jr., was recognized for her extraordinary leadership, dedicated service, and commitment to excellence in fostering a partnership between state and local agencies to address methamphetamine issues in Utah. Judge Christiansen's efforts were instrumental in establishing the Utah Methamphetamine Joint Task Force, which was launched by Governor Huntsman on January 9, 2006. She served as Task Force co-chair from 2006-07, and as chair of the Public Awareness Subcommittee, which initiated the

work leading to Utah's very successful Methamphetamine Public Awareness Campaign.

Lisa-Michele Church, Executive Director of the Utah Department of Human Services, was recognized for her exceptional leadership and devoted service in fostering a partnership between state and local agencies to address methamphetamine issues in Utah, and for her commitment to excellence in the creation of the Utah Methamphetamine Public Awareness Campaign. Lisa-Michele served as co-chair of the Utah Methamphetamine Joint Task

Force from 2007-08, as chair of the Public Awareness Subcommittee, and as co-chair of the Drug-Exposed Newborns Subcommittee.

Glen R. Lambert, who served as Executive Director of the Odyssey House of Utah from 1977-2007, was recognized for his pioneering efforts to provide substance abuse treatment services for Utah's citizens and over 30 years of extraordinary contributions to the state as a program administrator, clinician, educator and consultant. Glen literally transformed the agency from a single funded program with 27 clients to a multi-site agency that services up to 400

clients daily, with 120-130 staff and a budget of over \$5.5 million. Today, the Odyssey House of Utah consists of multiple programs that provide a full continuum of substance abuse prevention and treatment services.

Louis H. and Ellen G. Callister were recognized for their tremendous courage and wisdom in creating the Edward G. Callister Foundation, and for their generous gifts of time and resources, and tireless dedication to promoting a message of hope, that drug addiction is a disease and recovery is possible. Since the tragic loss of their son Edward, who suffered from substance

misuse and ADHD, in a single car accident in 1996, the Callisters have worked tirelessly to ensure drug addiction is recognized as a disease rather than a moral failing. The Edward G. Callister Foundation is dedicated to increasing public awareness of the individual, family and societal problems associated with substance abuse; and is committed to the support of research, education and scientifically-based treatment. Since its creation, the Callister Foundation has been a catalyst for social policy change in our community, state, and in the nation.

Utah Substance Abuse and Anti-Violence Coordinating Council

Gaby Anderson

Utah Division of Juvenile Justice Services

Dan Becker

Administrative Office of the Courts

Pat Bird/Jeff Smart

Expert in Prevention Issues

Judy Kasten Bell

Utah Domestic Violence Advisory Council

Heather Borski

Utah Department of Health

Dr. Karen Buchi

Co-Chair, Drug-Exposed Newborns Subcommittee

Craig Burr

Utah Department of Corrections

Senator Chris Buttar

Utah State Senate

Louis Callister

Governor's Designee

Colonel Merrill Carter

Utah National Guard

Lisa-Michele Church

Co-Chair, Drug-Exposed Newborns Subcommittee

Santiago Cortez

Co-Chair, Treatment Subcommittee

Commissioner Bill Cox

Utah Association of Counties

Commissioner Scott Duncan

Utah Department of Public Safety

Dr. Gary Jorgensen, CHAIR

Citizen Representative

Fotu Katoa

Office of Ethnic Affairs

Judge Michael Kwan

Expert in Judicial Issues

Verne Larsen

Utah State Office of Education

Harold Morrill, VICE CHAIR

Expert in Treatment Issues

Mark Payne

Utah Division of Substance Abuse and Mental Health

Craig PoVey

Co-Chair, Prevention Subcommittee

Scott Reed

Co-Chair, Anti-Violence and Justice Subcommittee

Terry Russo

Citizen/Domestic Violence

Mayor JoAnn Seghini

Utah League of Cities and Towns

Chief Paul Tittensor

Expert in Criminal Justice Issues

Kirk Torgensen

Utah Attorney General's Office

Anna Kay Waddoups

Citizen/Substance Abuse

Sherm Watkins

Citizen/Gang Violence

Robert Yeates

Utah Commission on Criminal and Juvenile Justice

Council Staff

Mary Lou Emerson

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Monica Taylor

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2008 USAAV Subcommittees

Anti-Violence and Justice – Scott Reed and Sherm Watkins, Co-Chairs

DORA Oversight – Dr. Gary Jorgensen and Harold Morrill, Co-Chairs

Drug-Exposed Newborns – Lisa-Michele Church and Dr. Karen Buchi, Co-Chairs

DUI – Anna Kay Waddoups, Chair

Prevention – Verne Larsen and Craig PoVey, Co-Chairs

Public Health – Commissioner Bill Cox, Chair

Treatment – Harold Morrill and Santiago Cortez, Co-Chairs

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