



Utah Substance Abuse  
Advisory Council

# 2010 ANNUAL REPORT

MARY LOU EMERSON, DIRECTOR • (801) 538-1921 • www.usaav.utah.gov

## USA AV Council Mission and Duties

The mission of the Utah Substance Abuse Advisory (USA AV) Council is to create and coordinate a comprehensive strategy to eliminate substance abuse throughout Utah.

The Council's statutory duties (§63M-7-301 through 306) are to:

- Provide leadership and generate unity for Utah's ongoing efforts to combat substance abuse;
- Recommend and coordinate the creation, dissemination, and implementation of a statewide substance abuse policy;
- Facilitate planning for a balanced continuum of substance abuse prevention, treatment, and justice services;
- Promote collaboration and mutually beneficial public and private partnerships;
- Analyze and provide an objective assessment of all proposed legislation concerning alcohol and other drug issues;
- Oversee the implementation and evaluation of Utah's 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 statutory provisions (§32A-1-115); and
- Report recommendations annually to the Governor, Legislature, Judicial Council, and Commission on Criminal and Juvenile Justice.

## DORA Evaluations Show Promising Outcomes



The 2005 Utah Legislature created and funded a DORA Pilot Project in the Third District Courts in Salt Lake County. The Pilot Project was implemented over three years, from July 1, 2005 through June 30, 2008. A total of 219 felony offenders in Salt Lake County received DORA-funded screening, assessment, treatment and supervision services. A control group of similar offenders was established for comparison purposes.

The 2007 Utah Legislature enacted the Drug Offender Reform Act (DORA) and appropriated \$8 million for statewide implementation in FY

2008 and \$9 million for FY 2009. Prior to significant funding cuts by the 2008 and 2009 Legislatures, DORA was implemented statewide from July 1, 2007 through June 30, 2009, and involved 13 Local Substance Abuse Authority areas, six AP&P Regions and eight Judicial Districts. During FY 2008 and FY 2009, DORA provided assessment, treatment, and supervision for 1,337 moderate to high risk felony probationers (930) and parolees (407) who met the DORA eligibility criteria.

Evaluation studies of both the DORA Pilot Project and the statewide implementation of DORA are being conducted by the University of Utah Criminal Justice Center. The findings from the 2010 evaluation updates show promising outcomes.

**The DORA process, including enhanced treatment options and a collaborative supervision model, improved treatment completion rates. Treatment completers (both probation and parole) did significantly better than non-completers on post-DORA criminal justice outcomes.**  
*2010 DORA Statewide Evaluation  
Utah Criminal Justice Center*

### DORA Statewide Evaluation

- At the end of the 2010 study period (June 30, 2010), 40% of probationers and 13% of parolees were still under supervision.
- Factors associated with successful supervision completion were: lower LSI (risk) score at intake, having a drug conviction at DORA qualification, older age at DORA start, more days in treatment during DORA, and utilizing less intensive treatment (e.g., outpatient instead of intensive outpatient).

- The LSI (Level of Service Inventory), a quantitative risk/needs assessment tool, works well in predicting who will benefit most from participation in DORA, and is a better than once thought predictor of who will do well in treatment in general.
- Offenders with a drug offense at DORA qualification were more likely to succeed in DORA.
- Longer time in treatment led to better outcomes, even if the treatment was less intense.

**DORA Pilot Evaluation**

- As of the November 2010 evaluation update, nearly all DORA Pilot participants had exited probation (2% were still active on probation) and post-supervision follow-up times were over three years on average.
- DORA participants, when compared to offenders in the control group, received significantly more assessments and treatment, were significantly more likely to complete treatment, and received more intensive supervision.
- Offenders who completed a treatment admission had significantly better post-supervision outcomes (e.g., fewer BCI arrests, new convictions, and new prison commitments).
- The foundations of DORA are sound: fewer days from conviction to probation start was associated with a greater likelihood of successful completion of probation; completing a treatment admission during supervision was associated with a 7-11 times greater likelihood of successful completion of

probation; and having probation officer contacts in the community was associated with an over three times greater likelihood of successful completion of probation.

**The foundations of DORA are sound.**  
*2010 DORA Pilot Evaluation Update  
 Utah Criminal Justice Center*

**DORA in FY 2010 and FY 2011**

In response to the cuts in DORA funding, a new implementation protocol was created for FY 2010, and has continued in FY 2011. A proposal developed collaboratively by the Department of Human Services, Department of Corrections, and the Utah Association of Counties was formulated to implement DORA as widely as possible within the limited funding remaining.

On July 1, 2009, a modified version of DORA began with approximately \$3.1 million in one-time funding. The full DORA model (treatment and supervision) is currently being implemented in four Local Substance Abuse Authority areas of the state: Weber County, Davis County, Salt Lake County and Utah County. In addition, DORA treatment funding was appropriated to two additional Local Authority areas: Bear River (Cache County) and Southwest Utah (Iron and Washington Counties).

Sources: University of Utah Criminal Justice Center. DORA Pilot Evaluation, Second Update to Final Report, November 2010; and DORA Statewide Evaluation, 2010 Update, November 1, 2010. The full reports are available on the UCJC website at: <http://ucjc.law.utah.edu/>.

**USAAV Council Welcomes New Chair**



*S. Camille Anthony*

In April 2010, the USAAV Council members elected Camille Anthony as their new chairperson, following her appointment by Governor Herbert as the Council's citizen representative.

An attorney by profession, Camille is not new to the USAAV Council. She served as Executive Director of the Utah Commission on Criminal and Juvenile Justice under Governor Leavitt, during which time she was a member of the Council. Most recently, she has been a co-director of the Utah Criminal Justice Center (UCJC) at the University of Utah. Camille replaces Dr. Gary Jorgensen, who retired after serving as USAAV chair from 2003-2009.

**USAAV Name Change**

In response to the increased emphasis on substance abuse issues in the state, paralleled by the growth in entities dealing with violence, the 2010 Legislature eliminated the anti-violence component that was added to the USAAV Council's duties in 1994 to address the youth gang problem, in order to prevent duplication of efforts. USAAV was thus returned to its original focus on substance abuse, and the Utah Substance Abuse and Anti-Violence Coordinating Council became the **Utah Substance Abuse Advisory Council**.

The FY 2010 appropriation in the amount of \$5,622,600 was utilized for the following statutory purposes:

**Alcohol Funds Oversight**

In compliance with the Utah Code (§32A-1-115), the USAAV Council 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 [such] offenses . . .". Counties and municipalities that receive \$1,000 or more are required to submit an annual report to the USAAV Council detailing how their funds were used. Failure to report may result in loss of funds.

Percent of Local Governments Utilizing FY 2010 Alcohol Funds for Each Purpose Area*	
DUI Law Enforcement	50%
General Alcohol-Related Law Enforcement	51%
Prosecution/Court Costs for Alcohol-Related Cases	28%
Treatment of Alcohol Problems	3%
Alcohol-Related Education/Prevention	38%
Confinement or Alcohol Law Offenders	9%
*Local governments may use alcohol funds for more than one of the six categories outlined in the statute.	

## 2010 USAAV Governor's Awards



Each year, the Utah Substance Abuse Advisory Council honors individuals, programs, and organizations that have made outstanding

contributions to Utah's efforts to eliminate substance abuse and its consequences. The 2010 USAAV Governor's Awards were presented to 16 individuals.

### eWarrant Development Team

Fifteen individuals who played critical roles in envisioning and providing leadership and technical expertise for the design, implementation, and testing of Utah's electronic search warrant system received Governor's Awards. The eWarrant System provides state-of-the-art technology that is helping to protect Utah's citizens from the dangers of drivers impaired by alcohol and other drugs on the state's roadways.

Until the advent of the e-Warrant System, when an officer stopped a suspected impaired driver, and the driver refused to submit to chemical tests, it took the officer from 2-4 hours to submit an application for a warrant and get it back in order to compel the driver to provide this critical, time-sensitive evidence. While this new technology may be used in circumstances other than DUIs, its impact on the crime of driving under the influence is significant, given that there are as many as 1,800 refusals each year. The eWarrant System enables the officer to apply online for a search warrant, which can generally be obtained in 5-10 minutes, thus preserving key evidence in the case and enabling the officer to return to patrol duties and protect the public safety.

The **Honorable Christine M. Durham**, Chief Justice of the Utah Supreme Court; **Rick Schwermer**, Assistant State Court Administrator for the Administrative Office of the Courts; **Paul Boyden**, Executive Director of the Statewide Association

of Prosecutors; and **Edward S. McConkie**, former director of the Bureau of Criminal Identification for the Utah Department of Public Safety were presented with Governor's Awards for holding the initial discussions and ultimately recognizing the security, quality, usability, availability, and timeliness of the search warrant and search warrant process could be substantially improved by moving to an electronic system.

The **Honorable Robert K. Hilder**, Presiding Judge for the Third District Court, and the **Honorable Brendan P. McCullagh** of the West Valley City Justice Court, received Governor's Awards for serving as on-call judges for the early implementation and testing of the eWarrant System.

**Chad Platt**, Deputy Salt Lake County District Attorney, was recognized for providing the leadership and expertise to ensure the eWarrant System was implemented in compliance with Administrative Rule 40 and applicable laws, including designing and writing the templates for both the application and order for the eWarrants, as well as the procedures for the eWarrant process. **Jacob Dunn**, a supervisor with the Bureau of Criminal Identification in the Utah Department of Public Safety, was recognized for providing training and assistance to law enforcement officials as they adopted the new process.

The following four individuals received Governor's Awards in recognition of their exceptional technological skills and understanding of how to link the disparate systems and databases in the Utah's criminal justice system:

**Jennifer Hemenway**, former IT Analyst and current Director of Research for the Utah Commission on Criminal and Juvenile Justice; **Mike Sadler**, IT Programmer Analyst for the Utah Department of Technology Services; **Ron Bowmaster**, Director of Information Technology for the Administrative Office of the Courts; and **Joe Thomas**, System Architect with the Utah Department of Public Safety.

Governor's Awards were also presented to three members of the Utah Highway Patrol who were on the front lines of implementing the new eWarrant technology, including: **Lieutenant Steve Winward**, **Lieutenant Robert Anderson**, and **Lieutenant Mike McKay**.

### Art Brown

In addition to the eWarrant Team, a 2010 Governor's Award was presented to Art Brown, a citizen who has literally "moved the needle" through his untiring efforts to prevent impaired driving and underage drinking in Utah. Art, who currently serves as president of the Utah Chapter of Mothers Against Drunk Driving (MADD), became involved when his infant grandson was killed by a drunk driver in 2000. Since this tragedy, he has turned his grief into action that is helping to save lives.

Art's comprehensive approach has encompassed advocating for laws that both deter impaired driving and reduce recidivism. His passion has led him to address not only impaired driving, but also its root cause, underage drinking, and in this arena Art has led both Utah and the nation.

Art has sought a two-pronged approach to underage drinking: curtail the retail supply of alcohol through a rigorous compliance check program, and address the social supply through a media and education campaign targeting parents. The resulting Eliminating Alcohol Sales to Youth (E.A.S.Y.) compliance check program and ParentsEmpowered media campaign were both recognized by the USAAV Council with Governor's Awards in 2009. They have also received national awards and recognition, and many other states are seeking to emulate them.

The USAAV Council presented its 2010 Governor's Award to Art Brown in recognition of his extraordinary leadership, tireless and passionate advocacy, and sustained efforts to prevent impaired driving and underage drinking in Utah.

## USAAV MVP Award

### Mark I. Payne

In July of 2010, the substance abuse and mental health community lost a valued colleague and friend with the sudden and untimely passing of Mark Payne. At the time of his death, Mark was serving as director of the Utah Division of Substance Abuse and Mental Health (DSAMH), a position he was actively recruited for in 2005, after serving as Superintendent of the Utah State Hospital for 12 years. From 2005 to 2010, Mark was also a dedicated and active member of the USAAV Council.

Mark generously applied his principled leadership and considerable expertise to the five years he served on USAAV. While his professional background was primarily in the area of mental health, as director of DSAMH Mark made significant contributions to the substance abuse field. He and his staff worked with the Governor's Office to vigorously attack Utah's methamphetamine problem through a joint state and county initiative. Meth use is now down in Utah, and an effective dialogue about this issue has been opened with Utah families. Mark understood that awareness was the key to halting meth use.

Mark's leadership has also resulted in improved services for those with co-occurring mental illness and substance abuse disorders. Throughout his career, Mark was committed to promoting and ensuring hope and recovery for those suffering from mental illness and addictive disease.

Mark was honored with the USAAV Harold L. Morrill MVP Award in recognition of his exemplary leadership and dedicated service to the USAAV Council and the substance abuse field.



## Utah Substance Abuse Advisory Council

### **S. Camille Anthony, CHAIR**

*Citizen Representative*

### **Col. (Ret.) Merrill R. Carter**

#### **VICE CHAIR**

*Utah National Guard*

### **Gaby Anderson**

*Utah Division of Juvenile Justice Services*

### **Dan Becker**

*Administrative Office of the Courts*

### **Lieutenant Governor Greg Bell**

*Governor's Designee*

### **Judy Kasten Bell**

*Utah Domestic Violence Advisory Council*

### **Heather Borski**

*Utah Department of Health*

### **Dr. Karen Buchi**

*Chair, Drug Endangered Children Committee*

### **Craig Burr**

*Utah Department of Corrections*

### **Senator Chris Buttars**

*Utah State Senate*

### **Santiago Cortez**

*Chair, Treatment Committee*

### **Commissioner Bill Cox**

*Utah Association of Counties*

### **Forrest Cuch**

*Utah Division of Indian Affairs*

### **Commissioner Lance Davenport**

*Utah Department of Public Safety*

### **Ron Gordon**

*Utah Commission on Criminal and Juvenile Justice*

### **Judge Michael Kwan**

*Expert in Judicial Issues*

### **Verne Larsen**

*Utah State Office of Education*

### **Cathy Lloyd**

*Expert in Prevention Issues*

### **Dr. Joel Millard**

*Expert in Treatment Issues*

### **Craig PoVey**

*Chair, Prevention Committee*

### **Representative Paul Ray**

*Utah House of Representatives*

### **Scott Reed**

*Chair, Anti-Violence and Justice Committee*

### **Mayor JoAnn Seghini**

*Utah League of Cities and Towns*

### **Jesse Soriano**

*Office of Ethnic Affairs*

### **Lana Stohl**

*Utah Division of Substance Abuse and Mental Health*

### **Chief Paul Tittensor**

*Expert in Criminal Justice Issues*

### **Kirk Torgensen**

*Utah Attorney General's Office*

### **Anna Kay Waddoups**

*Chair, DUI Committee*

### **Council Staff**

#### **Mary Lou Emerson**

*USAAV Director*

#### **Monica Taylor**

*USAAV Assistant*

### **2010 USAAV Committees**

#### **Justice Committee**

*Scott Reed, Chair*

*Denise Leavitt, Vice Chair*

#### **DORA Oversight Committee**

*Craig Burr, Chair*

*Richard Nance, Vice Chair*

#### **Drug-Endangered Children Committee**

*Dr. Karen Buchi, Chair*

*Palmer DePaulis, Vice Chair*

#### **DUI Committee**

*Anna Kay Waddoups, Chair*

*Paul Boyden, Vice Chair*

#### **Prevention Committee/UPAC**

*Craig PoVey, Chair*

*Verne Larsen, Vice Chair*

#### **Public Health**

*Commissioner Bill Cox, Chair*

*Teresa Garrett, Vice Chair*

#### **Treatment**

*Santiago Cortez, Chair*

*Victoria Delheimer, Vice Chair*

Utah State Capitol Complex  
Senate Building, Suite 330  
(801) 538-1921  
[www.usaav.utah.gov](http://www.usaav.utah.gov)