

MEETING MINUTES



Committee	UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL
Date	Tuesday, August 25, 2009
Time	12:00 noon – 2:00 p.m.
Location	Utah State Capitol Complex Senate Building – Copper Room
Members Present	Dr. Gary Jorgensen, Gaby Anderson, Dan Becker, Judy Kasten Bell, Heather Borski, Craig Burr, Susannah Burt (for Craig PoVey), Senator Chris Buttars, Louis Callister, Colonel Merrill Carter, Lisa-Michele Church, Commissioner Bill Cox, Forrest Cuch, Commissioner Lance Davenport, Ron Gordon, Verne Larsen, Mark Payne, Scott Reed, Terry Russo, Jeff Smart, Chief Paul Tittensor, Anna Kay Waddoups
Members Excused	Dr. Karen Buchi, Santiago Cortez, Fotu Katoa, Judge Michael Kwan, Harold Morrill, Mayor JoAnn Seghini, Kirk Torgensen, Karen and Sherm Watkins
Guests	Christine Collingwood, Adam Trupp
Staff	Mary Lou Emerson and Monica Taylor
Agenda Item	Call to Order and Introductions
Notes	Gary Jorgensen called the meeting to order.
Agenda Item	Approval of June 23, 2009 Meeting Minutes
Notes	Motion: Colonel Merrill Carter made a motion to approve the minutes of the June 23, 2009 meeting. The motion was seconded by Commissioner Bill Cox and passed unanimously.
Agenda Item	Proposed USAAV Statute Changes
Notes	<p>Mary Lou Emerson reported the Council has been discussing the issue of whether or not to remove the anti-violence component from the USAAV statute for several years now. Originally, anti-violence was added to address youth gang issues. She said there are other entities in place that are addressing anti-violence issues and this is a good time to reconsider USAAV's role in this area. At the May 20, 2008 meeting, the Council voted to go forward with removing the anti-violence component from USAAV; then, at the September 23, 2008 meeting, it was decided to put this action on hold due to the gang problem being in the media a great deal. Ron Gordon reported he and Mary Lou met with Jason Perry, Chief of Staff to Governor Herbert, to introduce the USAAV Council and also the idea of removing the anti-violence component. Jason said if the Council feels their mission is best served by focusing just on substance abuse issues then that is what should be done. Mary Lou reviewed the proposed changes to the USAAV statute, which included removing the anti-violence component and changing the Subcommittees to Committees. The Council discussed the proposed changes, including the pros and cons of removing the anti-violence component.</p> <p>Motion: Senator Chris Buttars made a motion to remove the anti-violence component from USAAV, to rename the Council the Utah Substance Abuse Coordinating Council, and to approve the necessary changes to the statute. The motion was seconded by Scott Reed and passed unanimously.</p>
Agenda Item	Committee Reports
Notes	<p><u>Anti-Violence and Justice</u></p> <p>Scott Reed reported one of the continuing issues this Committee is addressing is the void that has been created over the years by the absence of a controlled substance scheduling process. Scott said another issue that will affect many state agencies is a Supreme Court case that came out a couple of months ago that jeopardizes the ability of state crime labs and</p>

toxicology labs to function effectively. This case says unless you can put the witness on the stand at the trial, it is a violation of the defendant's right to confrontation under the sixth amendment. The effect of this case is unknown at this time but the concern is it may cause the criminal justice system to come to a halt when it comes to drug cases. In every drug case a drug has been seized and is tested and analyzed by a laboratory technician who identifies the drug, and now this case says the lab technician should be brought to the trial in person to testify, in order to satisfy the defendant's right to confrontation. Scott will keep the Council informed on this issue.

DORA Oversight

Mary Lou Emerson reviewed the proposed amendments to the DORA Implementation Guidelines.

Motion: Dan Becker made a motion to approve the revisions to the DORA Implementation Guidelines. The motion was seconded by Commissioner Bill Cox and passed unanimously.

It was suggested that Brent Kelsey be put on the next meeting agenda to discuss the possibility of bringing DORA and Drug Court together.

DUI

Anna Kay Waddoups reported it has been a relatively quiet year for the DUI Committee. The Committee addressed a couple of issues at their last meeting, including concerns regarding defense attorneys attending DUI hearings and the arresting officer being intimidated, which results in the officers not wanting to attend these hearings. She said the Driver License Division is trying to find specific incidences to review and will look at additional training where needed.

Anna Kay also reported another issue needing to be addressed is if a defense attorney is successful in getting the justice court judge to suppress a breath test it can be appealed to the district court. If the district court agrees with the justice court then the charges must be dismissed. And, if the breathalyzer test is thrown out, then all of the other tests and evidence have to be thrown out. The statute says that suppression prevents prosecution and it limits when a prosecutor can appeal. She noted the statutory language needs to be changed and a bill will likely be run in the 2010 session.

Drug-Exposed Newborns

Lisa-Michele Church reported Dr. Karen Buchi will be doing a new prevalence study on drug-exposed newborns, which will help drive policy decisions. She also distributed a brochure that was created by the Department of Health and the Department of Human Services. The brochure is a reference for pregnant women, has information about what substance abuse will do to their baby, and includes treatment resources. Lisa-Michele commented they are trying to get some positive press on the South Main Clinic in Salt Lake, which has targeted prevention for high risk pregnant women. She also reported they still need to look for ways to empower medical professionals to speak to pregnant women about substance abuse. Some medical professionals are trained to screen for substance abuse, but a lot of them won't do it because they don't know what to do when someone indicates they are abusing substances. These professionals don't know enough about treatment resources and how to refer their patients, so they just don't bring it up. The Court Improvement Project agreed to listen to a proposal from the Committee regarding the possibility of conducting workshops throughout the state with the Guardian Ad Litem, Division of Child and Family Services, and medical professionals.

Prevention/UPAC

Verne Larsen reported the Committee will meet this week and has been working on many prevention issues. He said one of the big concerns with prevention is the possible loss of the federal Safe and Drug-Free Schools funding that comes to our state. President Obama's

	<p>budget and the House budget have both zeroed out this funding and proposed to keep it at the national level. If this passes, local school districts would need to apply at the national level to receive this funding.</p> <p>Verne showed a DVD on underage drinking produced in Utah. Forrest Cuch suggested they include youth of color when putting these types of videos together in the future.</p> <p><u>Public Health</u> Commissioner Bill Cox reported that Randy Wilde from the Bear River Health Department, who was one of the leaders for the meth clean-up standards, has passed away. He said Bear River has been a leader in developing policy and they also do their own testing. Randy spent a lot of time in Salt Lake County and Weber County helping them develop their programs. Commissioner Cox reported the Committee will be meeting in September to review the new contamination standards that have been adopted in Utah.</p> <p><u>Treatment</u> Mary Lou Emerson reported the Committee is working on the possibility of providing input to the Utah Health System Reform Task Force on behavioral health issues, and specifically to recommend that any health care plan include benefits for substance abuse and mental health treatment. She said at the last meeting the Committee discussed creating a coalition of behavioral health and chronic disease entities (e.g., cancer, diabetes, etc.), that could make a collaborative plea to the Task Force for these unique illnesses that require ongoing care.</p>
Agenda Item	Other Business
Notes	<p><u>2010 Legislative Session: Bill Requests</u> Mary Lou Emerson noted a list of substance abuse bill requests that have been made public to date could be found in the meeting materials.</p> <p>Council members were reminded of upcoming conferences, including: the 18th Annual Utah Domestic Violence Council Conference on September 15-17, 2009; the 12th Annual Power of Prevention Critical Issues Conference on October 28-31, 2009; and the 22nd Annual Conference on Child Abuse and Family Violence on November 2-4, 2009.</p>
Next Meeting	Tuesday, October 27, 2009 – 12:00 noon to 2:00p.m. – Utah State Capitol Complex Senate Building – Copper Room

Note: Copies of meeting materials are available upon request by contacting Mary Lou Emerson, USAAV Council Director, at (801) 538-1921 or memerson@utah.gov.