



STATE OF UTAH

UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL

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Meeting Notes *USAAV COUNCIL*

Wednesday, September 9, 2003
12:00 pm to 2:00 pm

Room 405
State Capitol Building

Present: Bill Afeaki, Randy Bachman, Dan Becker, Susan Burke, Merrill Carter, Blake Chard, Brandy Farmer proxy for Stewart Ralphs, Gary Jorgensen, Verne Larsen, Rep. Ty McCartney, Harold Morrill, Sherm Watkins and Anna Kay Waddoups

I. Welcome & Interim Chair's Report

Randy Bachman

- Approval of Minutes

***Action:** Colonel Carter made a motion to approve the July Council minutes. The motion was seconded and unanimously approved.*

- Governor's Awards

Susan Burke

The Executive Committee reviewed the nominations received and selected Patrick Fleming, Executive Director of Salt Lake County Substance Abuse Services, and Sen. Michael Waddoups. Patrick was noted for his advocacy of substance abuse services. Sen. Waddoups was selected for his sponsorship of SB 66 and his continued commitment on the beer tax issue.

***Action:** Susan will work with the Governor's Office to set up a day for presentation. The Council will make use of that opportunity to also highlight their issues for the public and media.*

II. Election of USAAV Chairman

Randy Bachman

***Action:** Harold Morrill made a motion to nominate Gary Jorgensen as the USAAV Council Chair. The motion was seconded by Anna Kay Waddoups. Verne Larsen moved to have nominations cease which was seconded by Sherm Watkins and unanimously approved. The motion to elect Gary Jorgensen as Chair was unanimously approved.*

Harold recognized Randy Bachman for the tough position he was placed in during last year's legislative session and thanked him for his dedicated efforts to carry forth the Council's work. Gary thanked the Council members for their confidence in him.

III. Director's Report

- **Cost Continuum**

Susan Burke

CCJJ is scheduled to present to the Law Enforcement Criminal Justice Committee on October 15th to propose several strategies for enhancing treatment options for drug offenders. One item that is being developed is a Substance Abuse Cost Continuum to illustrate for legislators the costs that need to be invested for the entire substance abuse system from prevention to aftercare.

Action: Susan will forward an electronic copy of the continuum to Council members when it is finalized.

- **Joint Leadership Progress**

Lou Callister's Community Advocacy Committee has completed filming a video on substance abuse with Dr. Glen Hansen. The video addresses the physiological impact of substance abuse on the brain and the fact that treatment can be effective in helping people overcome their addiction. Distribution will be widespread. The video will be available in October and Council members will receive a copy. The next Joint Leadership meeting is scheduled for November 8th.

- **Alcohol Funds Compliance**

Diane Ngatuvai

Diane reported that 110 cities, towns and municipalities reported, achieving 100% compliance. All indicated that the funds were being used in compliance with the statute, with only Wayne County reporting that their funds were not expended in the year received. Wayne County funds are being held in trust until enough money is accumulated to enable the Sheriff's Office to purchase night vision equipment and a thermal imager. Discussion followed regarding whether this equipment would be more suited for drug surveillance, rather than alcohol detection. The question of whether Wayne County's request falls within the parameters of the law will go to the Attorney General's Office for resolution.

The Utah League of Cities and Towns (ULCT) suggested three line items be added to future alcohol fund reports: 1) "Total Revenue expended on alcohol crime enforcement;" 2) "Total Utah State Beer Tax Allocation" and 3) "Total Municipal/County General Fund Contribution." This information would help in the evaluation of the local contribution to enforcement efforts.

Action: Rep. Ty McCartney made a motion to incorporate these three items into the alcohol fund report. The motion was seconded by Bill Afeaki and unanimously approved. Commissioner Camille Cain will approach the Utah Association of Counties to provide a one-page fact sheet to be distributed among legislators regarding the appropriation of the beer tax money. Diane will contact ULCT with this same request.

IV. USAAV Committee Reports

- **DUI**

Anna Kay Waddoups

The committee met yesterday and progress is being made. The Alcoholic Beverage Control (ABC) agency gave a presentation. A handout was provided showing selling liquor to minor violations that occur in eating establishments, restaurants and private clubs that serve alcohol. Neil Cohen will provide a copy of the violations that occur in state liquor stores.

- **Plea In Abeyance**

Anna Kay reported that the Plea in Abeyance bill will run during the upcoming legislative session. This bill would allow for a plea in abeyance for a first-time DUI offense if the offender agrees to enter a treatment incentive program and if the prosecutor agrees to the plea.

- **License Reinstatement**

The committee heard proposed legislation from Bart Blackstock of the Driver License Division allowing his division to reinstate the license of a driver whose privilege was originally revoked due to a DUI, and then later extended due to continued driving. The committee members expressed concern regarding who would make those decisions and if they would have the proper training, etc. Rep. McCartney suggested that a DLD representative be invited to the next Council meeting to present their recommendations.

Action: Susan will invite Bart Blackstock of DLD to present at the November Council meeting.

- **Legislative DUI Report**

Susan is working on the First Annual DUI Report to the Legislature to be presented at the October 15 Transportation Interim and Judiciary Interim Committees.

- **Substance Abuse Services**

Harold Morrill

- **Jail Treatment**

Harold Morrill reported that they met this morning and had three jail treatment providers present from Salt Lake, Weber and Juab Counties. All noted that approximately 80 – 90% of inmates have a substance abuse problem. The urban areas have more funding and can meet some of the needs of the inmates; however, the rural areas are having a difficult time providing any kind of services. The committee found that there are many underlying issues and will pursue it further.

Action: Randy noted that the Division of Substance Abuse and Mental Health has completed a synopsis of what is happening in this area and will get this report to Susan.

- **Drug Courts**

Ray Wahl, Juvenile Court Administrator, reported at the SAS Committee meeting that there are 12 adult drug courts operating statewide. Juvenile Court runs 12 delinquency courts and 10 dependency courts. His plea was for additional help with juvenile programs, particularly with funding. He requested that the needs of the drug courts and youth corrections be acknowledged in grant requests. Dan Becker added that Judge Kim Hornak's drug court has been recognized as a national model court and people nationwide will be visiting to learn how to duplicate this same effort in their own cities.

Action: Commissioner Cain made a motion to recognize this drug court and send a congratulatory letter from the Council. Colonel Carter seconded the motion and it was unanimously approved. Susan will draft a letter to be sent.

- **Multi-Media Project**

A student at UVSC is conducting a senior project and has selected substance abuse as a topic for a video presentation. The committee suggested that a project should focus on the costs to individuals, families and society if substance abuse is not treated.

- **Tobacco Funding**

The Governor's Office of Planning and Budget (GOPB) has indicated that in FY 2005 there will be a shortfall in the Tobacco Settlement Restricted Account. The account prioritizes funding for certain programs including CHIP, tobacco prevention and drug courts. Without any changes to the funding formula, the Attorney General's Office would no longer receive any funding and the Department of Health (DOH) would lose \$714,900. The situation is worse in 2006 with the fiscal analyst arguing that the DOH's additional allocation of \$1,999,600 should be included in their Tobacco Prevention allocation, which is listed second on the priority list. GOPB is arguing that DOH's additional allocation should remain sixth in line. If the fiscal analyst's interpretation were adopted, then in FY 2006 drug courts and the drug board would be impacted.

Action: Dan Becker made a motion to support GOPB's prioritization which was seconded by Harold Morrill. The motion was unanimously approved.

V. Criminal Justice

Susan Burke

- **Meth Lab Clean Up Standards**

A bill file has been opened and Rep. Litvack is sponsoring it. This bill establishes a certification process for contractors to clean up meth sites. DOH will work with the Dept. of Environment Quality (DEQ) to develop standards for certification. Standards will be something that local health department may adopt; there will be nothing mandatory required. The training and testing will occur on a local level. Another piece of the legislation would be a requirement for law enforcement to report when they come across meth labs. It is a good start for statewide clean up standards. Susan will distribute copies of the bill once it is received from Legislative Research and General Counsel. Discussion followed regarding how homeowners could be made aware of the meth issue and its destructive health affects left behind in dwelling places.

***Action:** Dan Becker suggested a pamphlet be developed regarding the dangers of meth on properties that could be distributed with paperwork prior to a person renting or buying a home. Susan will take this assignment to the Criminal Justice Committee.*

VI. Anti-Violence

Sherm Watkins

Forfeiture has been the main issue of this committee. The bill will run again this year. In addition to law enforcement support they are attempting to gain support from the PTA. Rep. McCartney reminded the Council that educating the 104 legislators is critical so that they can explain why they voted for the bill. Comm. Cain saw the Attorney General's presentation and liked their request for a "compromise bill" that defines ways to get the \$6 million back from the federal government. Half of the forfeiture proceeds will go to substance abuse and the other fifty percent to law enforcement.

VII. Other Business

The Fall Conference on Substance Abuse will be held in Ogden on September 24th, 25th and 26th. The USAAV Council will pay for registration of any members interested in attending.

Next Meeting Schedule:

November 5, 2003 12:00 pm to 2:00 pm
Room 405, State Capitol Building