

Inconsistent county jail deaths reporting frustrates state committee looking for solutions

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By MARK SHENEFELT, Standard-Examiner

SALT LAKE CITY — Of about 500,000 people booked into Utah's county jails since the end of 2012, an estimated 71 died behind bars, according to a state committee studying the issue.

Beaver County Sheriff Cameron Noel, past chairman of the Utah Sheriffs' Association, felt vindicated by those numbers.

"And we're now having a law and an epidemic," he said as the state jail substance abuse workgroup went over data just delivered Tuesday. "It's not an epidemic."

He was referring to Senate Bill 205, which ordered county jails this year to begin filing annual reports of jail deaths.

Noel and other members of the workgroup were meeting at the Capitol to review the first year's reported data and talk about recommendations for legislators to help jails prevent deaths due to mental health and substance abuse problems.

"I didn't call it an epidemic," said state Rep. Carol Spackman-Moss, who co-sponsored SB 205.

"The media did," Noel shot back. "The Sheriffs' Association took a lot of flak. We manage our jails very well. We have done an absolutely excellent job, and now we are castigated."

"It's not just the numbers, sheriff," Spackman-Moss said. "People are dying and we need to find out. How could it not benefit everybody to find these best practices?"

Noel pointed out that most of the deaths were suicides.

"We've basically been hammered the past few years because of some of these few deaths," he said.

"That was the life they chose to live. They chose to take their own life."

Noel also complained about the presence of a news reporter at the workgroup meeting.

"Why are they here," he asked.

Some other board members at the public meeting took issue with Noel's characterization of the deaths.

"It's not just their choice," said Mary Jo McMillen, executive director of Utah Support Advocates for Recovery Awareness. "They are suffering from a diagnosable condition. This is a suffering person who may not have anybody to help."

Utah jails had about twice the national average of jail deaths in 2014, the most recent baseline data available from the federal government, said Thomas Dunford of the Utah Division of Substance Abuse and Mental Health.

"Not only do we exceed it, but it is significant," he said.

After Utah jails had a record 27 deaths in 2016, according to data gathered independently by the Standard-Examiner and legislators, lawmakers began working on bills that culminated in SB 205.

The death total apparently was much lower in 2017, but the workgroup declined Tuesday to share the new data report because the legislative judiciary committee had not seen it yet.

"We need to find out why" the 71 deaths occurred, said Marina Lowe of the American Civil Liberties Union of Utah. "We have an opportunity to dig in. We can always do better. It's still 71 deaths that could have perhaps been prevented."

Santiago Cortez, CEO of Clinical Consultants and chairman of the state substance abuse treatment committee, said the workgroup may be able to identify solutions to help the jails and inmates overall. "There are tons of people who go into jail with withdrawals," Cortez said. "We could eliminate lots of problems and some deaths. This is not about casting blame."

But the available data from the first year of collecting it from the counties may not be enough to identify meaningful solutions, said workgroup chairwoman Darcy Goddard, a Salt Lake County deputy district attorney.

The data gathered "is a jigsaw puzzle," said Angelo Perillo, data coordinator for the Utah Commission on Criminal and Juvenile Justice.

About 40 percent of counties did not supply full jail death data expected by the commission, he said, although part of the reason was a vague description of what was required by SB 205.

Further, causes of death were reported only in major categories. For instance, suicides may have been a result of substance abuse, but underlying causes were not reported.

In another example, he said, one county listed a death as an illness, specifically heart failure, but information that the inmate had been going through drug withdrawal was not indicated as a factor.

At the end, the workgroup voted to collect more mental health and substance abuse screening policy information from the counties.

The panel has until the end of November to submit its final report to the Legislature.

Members said they hoped to be able to recommend some sort of additional support to the counties via the Legislature in the form of more funding for effective screening.

"We need to focus on the best way to get people off of drugs when they get to jail and share those policies," said Reed Richards of the Weber County Attorney's Office.

But Tim Whalen, director of Salt Lake County's behavioral health services, cautioned that an earlier screening program in the jails by the justice commission two years ago had limited success. Health privacy concerns limited data sharing and then funding dried up.