

Abuse & Neglect Team						
FY 23 Quarterly Report						
Members : Nick Jackson, Michelle Marquis, Allison Trujillo						
Supervising Attorney: Nick Jackson						
Issue: Abuse or neglect of people with disabilities, with a focus on people living at USH, USDC, or in a YRTF/PRTF.						
Goal: AN 1/2 - Adults or youth with disabilities living in or being treated in facilities or correctional institutions will be free from abuse and neglect and will receive appropriate services.						
Section 1: Client Advocacy						
	Target for year	YTD Qt 1	YTD Qt 2	YTD Qt 3	Total for year	Met target
Information and Referral	20	10	13	25		
Short-Term Assistance	45	1	4	19		
Technical Assistance	N/A	-	-	-	-	
Legal Clinics	N/A	-	-	-	-	
A/N allegation investigation	8	2	4	5		

Representation at Meeting(s)	N/A	-	-	-	-	N/A
Fair/Administrative Hearings	N/A	-	-	-	-	N/A
Litigation on behalf of an individual	N/A	-	-	-	-	N/A

SUCCESS STORIES

1st Quarter

- The DLC received a report from a staff member at the Utah State Hospital that another staff member had punched an adult USH resident in the face. The DLC visited the resident at USH, and he confirmed the report that he had been assaulted. The DLC gathered information from the resident and obtained authorizations, and requested various documents and video recordings using PAIMI access authority. The DLC will be visiting the resident in January 2023 to discuss DLC's findings and options the resident may have.

2nd Quarter

- The team has been working to prioritize monitoring of all three Psychiatric Residential Treatment Facilities (“PRTFs”). These facilities are generally funded with Medicaid funding, and serve mostly out-of-state residents with a history of mental illness and institutionalization. The team conducted a monitoring visit of Copper Hills Youth Center in February, and gathered significant evidence of mistreatment and abuse of the residents by staff members, lack of personal safety, inadequate staffing levels, inadequate nutrition, and other rights violations. The team has started a new project funded by the P&A Public Health grant to conduct further monitoring visits and investigations concerning these issues. The team plans to return to the facility in early third quarter 2023.

3rd Quarter

- The team has been working to investigate a resident death at Diamond Ranch Academy, a YRTF in Hurricane, Utah. In a rare move, perhaps spurred on by recent DLC public pressure, the Utah Department of Health and Human Services notified Diamond Ranch that it would need to shut down and discharge all residents by August 14, 2023.

4th Quarter –

Section 2: Funding Sources (Includes I/R, STAT, Clinics, Meetings, and Hearings)

	YTD Qt 1	YTD Qt 2	YTD Qt 3	Total for year
PADD (5)	2	5	11	
PAIMI (5)	7	9	34	
PAVA	-	-	-	
CAP	-	-	-	
PATBI (5)	1	2	3	
PAIR (5)	3	4	7	
PABSS	-	-	2	
Federal Funds (All)	-	-	-	

Section 3: Advocacy Based Projects

Group Advocacy Interventions (non -litigation)

Collaboration, Cross team efforts, Issue Specific Task Forces / Number of Individuals Impacted

1st Quarter

- The AN Team continues to meet regularly with staff at the Utah Department of Corrections to ensure that disability issues and impacts on the disability community are at the forefront when UDC is contemplating policy changes.

2nd Quarter

The team has been working with the Utah Department of Health and Human Services to resolve an access authority dispute that will affect DLC's ability to advocate for the majority of its clients in state facilities. The goal is to create an understanding so that DLC will be able to quickly and efficiently access DHHS records in abuse and neglect investigations.	
3rd Quarter The team has been working with new directors at the Utah Department of Corrections and Utah Board of Pardons and Parole to ensure that they consider disability rights and abuse/neglect issues in their administration. The team is also working to understand the implications of the recent move of Utah State Prison medical operations from internal management to the Utah Department of Health and Human Services.	
4th Quarter	
Investigations (non-death related)	Number of Individuals Impacted: 3
1st Quarter The team opened two new investigations during quarter one. The first investigation involves a resident at USH that was physically assaulted by a staff member. The second investigation involves a juvenile at USH. The juvenile's mother alleges that her son is experiencing significant weight gain, which is not being addressed by medical staff, and that his exercise time has been taken away as a form of punishment.	
2nd Quarter The team opened a new investigation into the possible abuse of a teenage resident at Copper Hills Youth Center. The ISA alleged regular restraints that were not appropriate for the ISA's conduct and were not correct holds but instead intended to cause pain. ISA also alleged inadequate staffing and a subsequent lack of personal safety, as well as inadequate nutrition and other rights violations.	
3rd Quarter The team opened one new investigation into the death of a caller's brother due to alleged overuse of anti-psychotic medication at McKay-Dee Hospital.	
4th Quarter	

Facility Monitoring		Number of Individuals Impacted: 550
1st Quarter		
The team conducted a monitoring visit at a psychiatric youth residential treatment facility named Copper Hills. The team did not encounter any explicit access issues. However, the team was not able to ensure that the individuals it spoke with were representative of the facility as a whole and will be discussing whether a second visit is necessary to ensure accurate information.		
2nd Quarter		
The team conducted a monitoring visit at the Utah State Developmental Center, but many of the residents were away from the facility for the day. The team also conducted a follow-up monitoring visit at Copper Hills Youth Center.		
3rd Quarter		
Due to parental leave, the team did not conduct any monitoring visits in the third quarter.		
4th Quarter		
Class Litigation: none		Number of individuals impacted
1st Quarter		
2nd Quarter		
3rd Quarter		
4th Quarter		

Legislative & Regulatory Advocacy:	Number of individuals impacted: 1000
1st Quarter With Nate's help, the team is preparing for AN-related bills in this upcoming legislative session. In particular, the team is watching for a planned bill addressing the criminal competency restoration program at USH. From initial reports, it appears the bill may attempt to roll back constitutional and statutory protections in a manner which would undermine the goals and outcome of the DLC's competency restoration settlement agreement reached with USH in 2017.	
2nd Quarter The team helped DLC respond to several bills and proposals during this year's legislative session, including a bill making several changes to the state's competency restoration program.	
3rd Quarter The team did not conduct any legislative advocacy this quarter.	
4th Quarter	
Section 3: Education and Public Awareness Activities	Type (Consumer, Professionals, Ethnic, Rural) / Number of Individuals Trained
Trainings:	
1st Quarter: 10/27/2022: "Reimagining Utah's Criminal Competency Process: The Fight Against the Unconstitutional Confinement of Persons with Mental Illness" presentation to SAMHSA by Nick and Michelle. 11/12/2022: "Working with Survivors with Disabilities" presentation for Utah Coalition Against Sexual Assault's 40-hour crisis training (Vard).	
2nd Quarter: N/A	

3rd Quarter: N/A

4th Quarter: N/A

Non-client directed advocacy services: Media, Publications, General Outreach

Types of dissemination activities (radio, newspaper, PSA, reports, publications, other media) / Number of Individuals who received the info

1st Quarter:

- N/A

2nd Quarter

- N/A

3rd Quarter

- N/A

4th Quarter

- N/A

PADD PPR Items

People with disabilities whose living, working and/or other circumstances were monitored by P&A: 550

Cases opened for health and safety issue investigation: 3

Health and/or safety violations validated by the P&A: 1

Rights violations (not health or safety and including quality of life) identified and addressed as a result of P&A monitoring: 1

Complaints referred to regulatory agencies or investigative organizations: 14

Times P&A access was denied during a monitoring/access attempt: 0

Times denial of P&A access was successfully resolved: 0

FY23 Outcome – COMPLETE AT THE END OF THE FISCAL YEAR

--	--