



GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

State of Utah Utah Substance Abuse Advisory Council

MARY LOU EMERSON
Director

November 14, 2012

Dear Judiciary Interim Committee Members:

During the 2012 General Session, the Utah Legislature passed SB 182 (Senator Howard Stephenson). This bill created within the Utah Substance Abuse Advisory Council a committee designated to study and make recommendations regarding whether the Utah Legislature should allow the expungement of drug-related offenses from a person's criminal history, beyond those currently permissibly expunged under Utah Code Annotated Title 77, Chapter 40.

As Chair of that committee, I write this letter in conjunction with the final report to be presented to the Interim Committee on or before November 30, 2012, as required by SB 182. This report will include a recommended draft bill which will be discussed by the sponsor, Representative Eric Hutchings. I am unable to attend the hearing due to a prior commitment which takes me out of state the week of November 11-17. I request that you incorporate this letter as part of the committee report, and include it as part of the legislative record for this proposed bill.

First, I wish to commend and praise the work of the committee and its several members, included on the attachment. The committee met early and often, shortly after its formation in May of this year, and began immediately to dredge into the many challenges that arose as part of SB 182's stated objectives. While I am confident the sponsor will advise this body of the nuances and textures of those several issues, I submit to the Judiciary Interim Committee and to the Legislature as a whole that a good deal of thought and effort has gone into the study committee's recommendations, and that I have greatly appreciated their sincere and compassionate deliberations in crafting a draft bill which addresses those issues.

I am certainly willing to respond further to any questions the Judiciary Interim Committee or the Legislature's respective bodies may wish to pose as part of the consideration of these proposals. Thank you for the opportunity to aid in this worthy process.

Sincerely,

Scott W. Reed, Chair
USA AV Drug-Related Offenses Expungement Committee

Attachment

Cc: Ron Gordon, CCJJ Executive Director
Camille Anthony, USA AV Chair
Senator Howard Stephenson
Representative Eric Hutchings



UTAH SUBSTANCE ABUSE ADVISORY COUNCIL
Drug-Related Offenses Expungement Committee

Paul Boyden
Executive Director
Statewide Association of Prosecutors

Santiago Cortez, VICE CHAIR
Chair, Treatment Committee
Utah Substance Abuse Advisory Council

Jesse Gallegos
Board Member
Utah Board of Pardons and Parole

Ron Gordon
Executive Director
Utah Commission on Criminal and Juvenile Justice

Representative Eric Hutchings
Utah House of Representatives

Brent Kelsey
Assistant Director
Utah Division of Substance Abuse and Mental Health

Mary Jo McMillen
Executive Director
Utah Support Advocates for Recovery Awareness

Scott Reed, CHAIR
Chief, Criminal Justice Division
Attorney General's Office

Rick Schwermer
Assistant Court Administrator
Administrative Office of the Courts

Nicole Shepherd
Assistant Director
Bureau of Criminal Identification

Jacey Skinner
Director
Utah Sentencing Commission

Greg Skordas
Friends of Drug Court

Senator Howard Stephenson
Utah State Senate

James Swink
Cache County Attorney
Utah Council on Crime Victims

Lana Taylor
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