

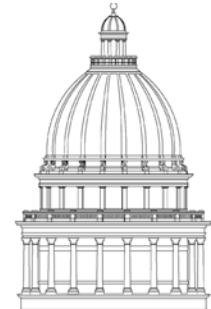
Office of  
LEGISLATIVE AUDITOR GENERAL  
State of Utah

**Report Number ILR 2015-E  
December 15, 2015**

## **A Review of the Use of the Controlled Substance Database by Law Enforcement**

We were asked to review law enforcement agencies' past and present use of the Controlled Substance Database (CSD) after a recent law change. We found that law enforcement's use of the CSD has decreased by 95 percent since the law changed in May, which now requires them to obtain a valid search warrant prior to reviewing CSD information. In reviewing law enforcement agencies' past use of the CSD, we found mixed results of questionable use and use that appears to provide value in investigating some cases. Finally, as in Utah, at least seven other states require probable cause and a court process to access CSD information.

The CSD is maintained by the Division of Occupational and Professional Licensing (DOPL) for the purpose of containing a record of every prescription for controlled substances dispensed in the state, except those for a patient in a licensed health care facility. According to DOPL, the CSD "is a resource that assists prescribing practitioners and pharmacists in providing efficient care for their patients' and customers' usage of controlled substances." In addition, "the data is disseminated to authorized individuals and used to identify potential cases of drug over-utilization, misuse, and over-prescribing of controlled substances throughout the state." Prescription information is protected health information (PHI) between a physician (or pharmacist) and the patient. However, once the information is released to the CSD, it loses its PHI status.



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**Law enforcement's use of the Controlled Substance Database (CSD) has decreased by 95 percent after a recent law change.**

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**The CSD contains the record of every prescription for a controlled substance in the state.**

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**The Legislature passed S.B. 119 during the 2015 General Session, requiring law enforcement to obtain a warrant to view CSD information.**

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In an effort to protect this information, in the 2015 General Legislative Session, Senate Bill 119 (S.B. 119) was passed, amending *Utah Code* 58-37f-301; the amendments now require law enforcement, including local prosecutors (“agencies”), to obtain a valid search warrant before DOPL will release any CSD information to an agency representative (such as a police officer or attorney). The CSD information sought must be related to one or more controlled substances for a specific person who is the subject of an investigation.

Two cases regarding law enforcement’s use of the CSD in the last five years appear to have propelled the warrant requirement. We did not analyze these cases, but an associate attorney general stated that law enforcement did not illegally access the CSD in either of the two cases. However, in one case, the way that information was used was illegal and in the other case, though not illegal, the way it was used caused great hardship for one individual.

The warrant requirement caused DOPL to change the way law enforcement agency representatives could access CSD information. Instead of being able to log in to the secure website, agency representatives are now required to obtain a valid search warrant and fax or email it to DOPL. DOPL will log the warrant number, requesting agency, representative’s name, subject’s name and date of birth, and issuing judge’s name. DOPL will then conduct the database search and send the prescription report back to the requesting representative.

### **CSD Use by Law Enforcement Has Significantly Decreased Since the Warrant Requirement**

Since the warrant requirement became effective on May 12, 2015, law enforcement’s use of the CSD has greatly reduced. Figure 1 shows how CSD information was used before and after the warrant requirement.

**Figure 1. On Average Per Month, CSD Searches Before and After the Warrant Requirement Reduced from 238 to 12.** This change is a 95 percent decrease in the first six months of the law change.

<u>May 12, 2014 to May 11, 2015</u>	
Individual cases searched*	2,851
Average cases searched per month	238
<u>May 12, 2015 – November 11, 2015**</u>	
Number of warrants	71
Average per month	12

Source: Auditor analysis of DOPL data

\* Individual case numbers may include searches on more than one person

\*\* This is the six-month period included in the audit.

According to DOPL data, in the year preceding the warrant requirement, 391 law enforcement agency representatives from 131 different agencies used the CSD to search 2,851 individual cases, an average of 238 per month. In the 6 months since the warrant requirement, 45 law enforcement representatives from 30 different agencies obtained 71 search warrants, an average of 12 per month. Appendix A shows a detailed breakdown of the numbers of cases searched and officers conducting those searches for each law enforcement agency during the one-year period before the warrant requirement. Appendix B shows a breakdown of the numbers of warrants and officers obtaining those warrants by agency from May 12, 2015 to November 11, 2015.

Finding the balance restricting law enforcement’s access to the CSD should be weighed against the risk of access being misused. In the next two sections of this report we address the results of our case review and how other states handle law enforcement’s access to their prescription data information.

### **Our Sample Showed Mixed Results on How the CSD Was Being Used**

We selected four agencies to review CSD use. From the 4 agencies, we randomly selected 40 cases and found that, in 24 of those cases, law enforcement’s direct access, with little guidance, to CSD

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**We question how law enforcement used the CSD in 24 of 40 sampled cases.**

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**None of the four law enforcement agencies we sampled had policies guiding CSD use.**

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information may have resulted in questionable use. In 16 cases, CSD use by law enforcement appeared to have added value to the investigation of the cases.

Before S.B. 119, the CSD law was arguably open to broad interpretation and none of the four law enforcement agencies that we contacted had policies to guide implementation of the statute. Administrative rule established the process law enforcement must abide by to access the CSD but did not guide usage. In general, before S.B. 119, the law stated that access to the CSD was given to law enforcement agencies engaged as a specified duty of their employment in enforcing laws regulating controlled substances, investigating insurance fraud, or providing information about a criminal defendant to counsel in a criminal case.

### **CSD Access with Little Guidance May Have Resulted in Questionable CSD Use**

In our audit work, we found that some law enforcement agencies appear to have used their direct access to the CSD more broadly than was written in statute. We found that statute was being interpreted differently and law enforcement agencies varied in their use of the CSD.

Under the previous law, and with no additional policy guidance, the reasons for the CSD searches in 24 cases from our random sample (though not necessarily prohibited) cause us to question whether they met the intent of the law. We separated the cases into the following five categories:

- Ten were Adult Probation and Parole (AP&P) cases where checking the CSD was a routine process because illegal possession of a controlled substance could increase probation or parole time and could send a person back to prison.
- In five cases, the agency was not sure why the CSD report was run; one of those instances was found to be a mistake by a pharmacy.
- Four were background checks on potential new hire police officers. In theory, all police officers are required to enforce laws regulating controlled substances.

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**In 60 percent of sampled cases, the CSD may have been used for questionable reasons beyond the statutory intent.**

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- Three were death investigation cases to rule out possible causes of death, including death from a controlled substance.
- Two were Drug Enforcement Administration cases where we are not privy to any case information.

It is not clear whether the CSD use in the above cases is permitted or prohibited. With no policies guiding the CSD's use, it is understandable that it could be used for various reasons.

**Agencies Also Accessed the CSD Differently.** We found that law enforcement agencies differed on the number of individuals who had access to the CSD. The average number of law enforcement representatives who had CSD access within each agency is about seven. However, one agency had 86 individuals with access.

**Some Agencies Also Used the CSD More than Others.** In the year before the warrant requirement became effective, from May 12, 2014 to May 11, 2015, law enforcement agents searched an average of about 22 individual cases. However, one agency conducted 225 case searches and 36 agencies conducted over 22.

**At the Time the Initial CSD Law Was Enacted in 1995, Governor Leavitt Expressed Great Concern.** In a March 1995 letter to the then Speaker of the House and President of the Senate, the Governor expressed his concerns about the potential for CSD information being used inappropriately. He stated that he would allow the bill to become law but without his signature. His letter states, "I will be watching the use of this database. If the information from the database is used in any manner other than its intended purpose, I will seek to have the database disbanded."

According to his letter, "The reason for establishing the database is to identify abuse on the part of prescribers and users of prescribed drugs, thereby making enforcement of the laws governing these transactions easier to enforce." He mentioned that the law at that time allowed six different groups access to CSD information. The current law allows 16 different groups access, one of them being law enforcement.

We only reviewed law enforcement's use of the CSD, and cannot speak to the other groups, but our audit work shows the CSD was

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**Agencies permitted varying access rights with some using it more than others.**

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**Governor Leavitt was leery of the CSD and warned that misuse could lead to it being disbanded.**

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used both for cases that may have exceeded the statutory intent and those that directly related to drug investigation cases, as discussed next. We believe that without further guidance, such as policy, some CSD use by law enforcement was questionable.

### **Use of the CSD Appeared to Add Value to Some Cases**

In addition to the 24 cases discussed above, the CSD was also a tool used by law enforcement for validating evidence which may have either led to or cleared someone of drug-related charges. In 16 of our 40 sampled cases, law enforcement used the CSD to inquire whether a suspect had a valid prescription or could face possible charges of possession of a controlled substance (POCS). The results of the charges concerning the 16 cases are as follows:

- In ten cases (63 percent), charges were filed against the person
- In three cases, the suspects were cleared of charges
- In three cases, no charges were brought for other reasons

We spoke with law enforcement officers about the warrant requirement to understand how they believe it impacts their ability to investigate drug cases. They expressed concerns that obtaining a warrant took too much time and it was difficult to come up with the probable cause necessary to justify the warrant. They told us that, for these reasons, they do not use the CSD anymore. It was explained that the process has almost become circular. In the past, the CSD reports were used to help build probable cause for the arrest but now they must have probable cause to get the CSD. Another officer said it makes the investigation of fraud and forgery cases much more difficult.

These law enforcement personnel believe that the CSD report was a useful tool to investigate narcotics cases but the tool does not provide a benefit anymore. One officer explained that cutting off access to the CSD prohibits police officers from catching the prescription drug use before it escalates to more serious drugs because, many times, heroin addicts start out as prescription drug users.

We also spoke with two associate attorney generals (AAG) who work with drug cases. One stated that the CSD was a useful tool because it gave the investigator specific pharmacies and doctors to interview, instead of interviewing all pharmacies and doctors. They

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**In 40 percent of sampled cases, law enforcement used the CSD as a tool to either charge or clear a person of drug possession charges.**

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**Some law enforcement officers expressed concern to us that it is time consuming and difficult to justify the probable cause standard necessary for a warrant.**

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believe the warrant requirement will stop officers from investigating these types of cases and, with opioid use increasing, there will be more deaths.

**Some Utah Law Enforcement Officials Would Prefer Something Besides a Warrant.** One officer we spoke with suggested the idea of an administrative process with a lesser standard than probable cause. Another officer suggested a process where perhaps his chief would formally approve the necessity for access to the CSD. One AAG suggested that a mechanism that satisfies the public's need for oversight but does not require as much justification as probable cause could be an option. The AAG believes that the CSD should be accessible to law enforcement only for drug cases and not for reasons tangential to drug law enforcement (such as background checks or death investigations).

According to law enforcement, being able to stop drug crimes at the controlled substances stage can prevent more serious drug crimes. However, measuring the importance of being able to quickly and easily identify an individual's right to possess a controlled substance must be weighed against the risk of potential misuse of the CSD.

The current law, even without the warrant requirement, appears to have narrowed the ways law enforcement can use the CSD. Access requires a specific person and investigation. We cannot evaluate whether that restriction would have been sufficient to reduce questionable use by law enforcement because the warrant requirement closed direct access.

## **Other States Require Probable Cause and a Court Process to Access CSD Information**

Almost all states have a prescription monitoring program (PMP) similar to Utah's Controlled Substance Database (CSD). According to the National Alliance for Model State Drug Laws, 19 states require some type of judicial process for law enforcement to access PMP data. Although not an exhaustive review of all 19 of those states' laws, we found that at least eight states, including Utah, require probable cause as the standard of proof before PMP data can be accessed by law enforcement.

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**Instead of a warrant, some suggested that a process with more oversight could have been sufficient.**

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**A warrant requires a judge to conclude that probable cause exists, based on facts presented in a written affidavit from law enforcement.**

For probable cause to be found, the judge must believe that the place to be searched or object to be seized contains the items connected with criminal activity. Information from the Utah Courts states,

Probable cause means substantial evidence, which may be based entirely or partly on hearsay...The judge must conclude independently, from the facts presented in writing in the affidavit, that probable cause to conduct the search is present. It is not sufficient for the judge simply to accept the conclusions of the person making the affidavit...

Figure 2 shows the judicial process necessary in each of the eight states.

**Figure 2. Eight States That Require Probable Cause as a Standard of Proof for PMP Data.** These states' laws vary on the type of judicial process necessary.

Judicial Process	State
Court order, subpoena, or warrant	Alaska
Warrant	Georgia
Court order, subpoena, or warrant	Iowa
Warrant	Kansas
Warrant	Minnesota
Court order	New Hampshire
Court order	Oregon
Warrant	Utah

*Source: Auditor research of state laws*

The remaining states that do not require a judicial process use several different methods for allowing law enforcement access to prescription information, including:

- Arizona requires a notarized written statement
- Washington requires a bona fide investigation (as do many other states)



- Colorado requires a court order or subpoena with a good cause standard
- Alabama requires a statement declaring probable cause but no court process

### **Arkansas Recently Eliminated the Warrant Requirement.**

Earlier this year, the Arkansas General Assembly passed a law eliminating law enforcement’s need for a warrant to access PMP information. The intent of the law was to “grant certain law enforcement investigators access to the prescription monitoring program to enhance investigative capability; and for other purposes.” Prior to the law change in Arkansas, law enforcement was required to have: 1) an open investigation, 2) a case number, and 3) a search warrant signed by a judge based on probable cause. The administrator of Arkansas’ PMP program said there were about 200 of them per year.

Now with direct access to their PMP, Arkansas law enforcement agents are required to complete a two-day mandatory training to become a certified drug diversion detection officer. In addition, the agent cannot get access to the PMP, even after completing the training, until their agency’s sheriff or chief also becomes certified by passing the course.

The administrator said the law was changed because law enforcement did not want to have to go through a judge and wait to get a warrant. The training course and policies, as well as penalties if there is misconduct, are still being formulated. Finally, if law enforcement does not want to certify and complete the training, a warrant may still be obtained with a declaration of probable cause.

**Utah Could Consider Codifying the Protection Level of Prescription Medical Information.** While reviewing other states’ standards for prescription record review by law enforcement, we found that several states have codified language that prescription information is confidential, privileged, and protected, in accordance with the Health Insurance Portability and Accountability Act (HIPAA). However, this language has not been codified in *Utah Code*. As discussed on page one, once prescription information is released to the CSD, it loses its protected health information (PHI) status under (HIPAA). We believe that, if the warrant requirement is

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**States differ on their processes for allowing law enforcement to access their prescription monitoring programs.**

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**The protection level of CSD prescription information should be established in *Utah Code*.**

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a reflection of Utah's policy on prescription medical information, it should also be codified that prescription information is protected health information.

## Recommendations

1. We recommend that the Legislature consider two options regarding law enforcement's access to Controlled Substance Database information:
  - Retain the current law requiring a valid search warrant, based on probable cause, from a judge
  - Allow a process permitting internal law enforcement agency direct access and a reduced standard of evidence, requiring internal oversight approval to control and justify access
2. We recommend that, if it is indeed Utah policy to consider prescription medical information as protected with the equivalent of HIPAA protection, the Legislature should specifically establish the protection in *Utah Code*.

# **Appendices**

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## Appendix A

### Number of Cases Searched and Officers Conducting the Searches by Agency May 12, 2014 – May 11, 2015

Agency	Cases Searched	Officers Conducting Searches
1 UTAH MEDICAL EXAMINER'S OFFICE SLC	246	5
2 ADULT PROBATION & PAROLE - SLC	225	35
3 LOGAN CITY POLICE DEPARTMENT	149	3
4 LAYTON CITY POLICE DEPARTMENT	126	7
5 DAVIS COUNTY ATTORNEY'S OFFICE	113	9
6 WEST JORDAN POLICE DEPARTMENT	91	10
7 SALT LAKE CITY POLICE DEPARTMENT	84	4
8 OGDEN PD/WMNSF	80	2
9 SALT LAKE COUNTY DISTRICT ATTORNEY	79	3
10 UTAH COUNTY SHERIFF'S OFFICE	78	8
11 ADULT PROBATION & PAROLE - PRICE	59	1
12 OREM DEPARTMENT OF PUBLIC SAFETY	53	14
13 ROOSEVELT POLICE DEPARTMENT	50	1
14 ADULT PROBATION & PAROLE - BRIGHAM CITY	49	3
15 UTAH HIGHWAY PATROL - OGDEN	49	2
16 ADULT PROBATION & PAROLE - FARMINGTON	47	8
17 DAVIS COUNTY SHERIFF'S OFFICE	47	8
18 ST GEORGE POLICE DEPARTMENT (WCTF)	46	1
19 TOOELE CITY POLICE DEPARTMENT	46	7
20 ADULT PROBATION & PAROLE - OGDEN	44	3
21 ADULT PROBATION & PAROLE - PROVO	42	5
22 IRON/GARFIELD COUNTY NTF	40	2
23 DEA - SALT LAKE OFFICE	36	10
24 CACHE COUNTY SHERIFF'S OFFICE	35	2
25 SPRINGVILLE POLICE DEPARTMENT	35	5
26 AMERICAN FORK POLICE DEPARTMENT	30	11
27 UNIFIED POLICE - SALT LAKE COUNTY	29	8
28 UTAH HIGHWAY PATROL - SLC	29	4
29 KANE COUNTY SHERIFF'S OFFICE	28	4
30 ADULT PROBATION & PAROLE - RICHFIELD	26	1
31 MURRAY CITY POLICE DEPARTMENT	26	3
32 PROVO CITY POLICE DEPARTMENT	25	10
33 SALT LAKE COUNTY PRETRIAL SERVICES	25	1

34	SANDY CITY POLICE DEPARTMENT	24	4
35	BRIGHAM CITY POLICE DEPARTMENT/BENSF	23	2
36	SOUTH JORDAN POLICE DEPARTMENT	23	5
37	ALPINE/HIGHLAND POLICE DEPARTMENT	20	1
38	TAYLORSVILLE CITY POLICE DEPARTMENT	18	1
39	TREMONTON POLICE DEPARTMENT	18	1
40	UTAH HIGHWAY PATROL/DPS INVESTIGATIONS	18	8
41	VERNAL POLICE DEPARTMENT	18	2
42	PARK CITY POLICE DEPARTMENT	17	4
43	ADULT PROBATION & PAROLE - PAR UNIT SLC	16	4
44	ADULT PROBATION & PAROLE - VERNAL	16	4
45	PLEASANT GROVE POLICE DEPARTMENT	16	6
46	SARATOGA SPRINGS POLICE DEPARTMENT	15	5
47	WASHINGTON CITY POLICE DEPARTMENT	15	1
48	HEBER CITY POLICE DEPARTMENT	14	2
49	LEHI CITY POLICE DEPARTMENT	14	4
50	U.S. PROBATION & PRETRIAL SERVICES	14	5
51	BOUNTIFUL POLICE DEPARTMENT	12	3
52	SALEM CITY POLICE DEPARTMENT	12	2
53	COTTONWOODHEIGHTS POLICE DEPARTMENT	11	2
54	SUMMIT COUNTY SHERIFF'S OFFICE	11	2
55	WASHINGTON COUNTY SHERIFF'S OFFICE	11	4
56	BOX ELDER COUNTY SHERIFF'S OFFICE	10	2
57	DRAPER POLICE DEPARTMENT	10	3
58	HURRICANE POLICE DEPARTMENT	9	1
59	MOAB POLICE DEPARTMENT	9	2
60	PAYSON CITY POLICE DEPARTMENT	9	2
61	PRICE POLICE DEPARTMENT	9	1
62	WEST VALLEY CITY POLICE DEPARTMENT	9	3
63	AFOSI Det 113	8	3
64	MEDICAID - OFFICE of INSPECTOR GENERAL	8	2
65	SPANISH FORK POLICE DEPARTMENT	8	4
66	UINTAH COUNTY SHERIFF'S OFFICE	8	3
67	UTAH VALLEY UNIVERSITY POLICE DEPT	8	2
68	WASHINGTON COUNTY ATTORNEY'S OFFICE	8	1
69	DUCHESNE COUNTY SHERIFF'S OFFICE	7	2
70	ROY CITY POLICE DEPARTMENT	7	1
71	SANPETE COUNTY SHERIFF'S OFFICE	7	1
72	UTAH INSURANCE FRAUD DIVISION SLC	7	4
73	CARBON COUNTY ATTORNEY'S OFFICE	6	1
74	EMERY COUNTY SHERIFF'S OFFICE	6	2
75	KAYSVILLE CITY PD	6	3
76	RICHFIELD CITY POLICE DEPARTMENT	6	1
77	RIVERDALE CITY POLICE DEPARTMENT	6	3

78	UTAH HIGHWAY PATROL - OREM	6	3
79	CEDAR CITY POLICE DEPARTMENT	5	2
80	FARMINGTON POLICE DEPARTMENT	5	1
81	KAMAS POLICE DEPARTMENT	5	1
82	MAPLETON CITY POLICE DEPARTMENT	5	2
83	MILLARD COUNTY SO FILLMORE	5	2
84	SEVIER COUNTY SHERIFF'S OFFICE	5	2
85	UTAH HIGHWAY PATROL - BRIGHAM CITY	5	1
86	WASATCH COUNTY SHERIFF'S OFFICE	5	2
87	ADULT PROBATION & PAROLE - ST GEORGE	4	3
88	CENTERVILLE POLICE DEPARTMENT	4	2
89	FBI/USDOJ - SLC	4	1
90	LINDON CITY POLICE DEPARTMENT	4	1
91	NEPHI CITY POLICE DEPARTMENT	4	1
92	SALT LAKE CITY AIRPORT POLICE	4	2
93	SOUTH SALT LAKE POLICE DEPARTMENT	4	2
94	SYRACUSE POLICE DEPARTMENT	4	2
95	UTAH ATTORNEY GENERAL'S OFFICE SLC	4	2
96	UTAH HIGHWAY PATROL - MURRAY	4	3
97	UTAH HIGHWAY PATROL - SUMMIT/WASATCH	4	1
98	BEAVER COUNTY SHERIFF'S OFFICE	3	1
99	CACHE/RICHE DRUG TASK FORCE	3	1
100	GRANTSVILLE POLICE DEPARTMENT	3	1
101	HELPER POLICE DEPARTMENT	3	1
102	LA VERKIN CITY POLICE DEPARTMENT	3	1
103	MONTICELLO POLICE DEPARTMENT	3	1
104	NORTH PARK POLICE DEPARTMENT	3	1
105	SANTAQUIN/GENOLA POLICE DEPARTMENT	3	2
106	UINTAH COUNTY ATTORNEY'S OFFICE	3	1
107	WEST BOUNTIFUL CITY POLICE DEPARTMENT	3	1
108	WILLARD POLICE DEPARTMENT	3	1
109	CLEARFIELD CITY POLICE DEPARTMENT	2	1
110	GARFIELD COUNTY SHERIFF'S OFFICE	2	1
111	JUAB COUNTY SHERIFF	2	1
112	P.O.S.T (PEACE OFF STANDARDS & TRAINING)	2	1
113	SFOI_HAFB - OGDEN	2	1
114	SOUTH OGDEN POLICE DEPARTMENT	2	1
115	TOOELE COUNTY SHERIFF'S OFFICE	2	1
116	UTAH COUNTY AG OFFICE/INVESTIGATIONS	2	1
117	UTAH DEPARTMENT OF PUBLIC SAFETY	2	1
118	UTAH DEPT OF CORRECTIONS; NRTHRN UT CCC	2	1
119	UTAH HIGHWAY PATROL - TOOELE	2	2
120	ADULT PROBATION & PAROLE - TOOELE	1	1
121	CENTERFIELD POLICE DEPARTMENT	1	1

122	GUNNISON POLICE DEPARTMENT	1	1
123	HHS - OIG	1	1
124	HUD - OIG	1	1
125	PIUTE COUNTY SHERIFF'S OFFICE	1	1
126	SALINA CITY POLICE DEPARTMENT	1	1
127	SMITHFIELD CITY POLICE DEPARTMENT	1	1
128	TOOELE COUNTY ATTORNEY'S OFFICE	1	1
129	UNIVERSITY OF UTAH POLICE DEPARTMENT	1	1
130	UTAH HIGHWAY PATROL - FILLMORE	1	1
131	WEBER COUNTY SHERIFFS OFFICE	1	1
		2851	391

Source: Auditor analysis of DOPL data



## Appendix B

### Numbers of Warrants and Officers Obtaining the Warrants May 12, 2015 to November 11, 2015

	Agency	Number of Warrants	Officers Obtaining Warrants
1	Ogden City/WMNSF	20	5
2	Box Elder Narcotics Strike Force	8	4
3	St. George Police Department	6	1
4	Saratoga Springs Police Department	3	2
5	American Fork Police Department	3	3
6	Washington County NSF	3	2
7	Cache/Rich Drug Task Force	2	2
8	West Valley Police	2	2
9	Roy City Police Department	2	2
10	Davis Metro NSF	2	2
11	Provo Police Department	1	1
12	Salt Lake City Police Dept.	1	1
13	Summit County Sheriff's Office	1	1
14	Kane County Sheriff's Office	1	1
15	Riverdale City Police Department	1	1
16	Draper City Police	1	1
17	Juab County Sheriff's Office	1	1
18	Davis County Sheriff's Office	1	1
19	Utah County Major Crimes Task Force	1	1
20	Unified Police Department	1	1
21	Woods Cross Police Department	1	1
22	Myton City Police	1	1
23	Springville Police Department	1	1
24	State Bureau of Investigations	1	1
25	State Insurance Fraud	1	1
26	Enoch Police Department	1	1
27	Duchesne County Sheriff's Office	1	1
28	Layton City Police Department	1	1
29	Logan City Police Department	1	1
30	Utah Highway Patrol - Ogden Region	1	1
		71	45

Source: Auditor analysis of DOPL data

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## **Agency Response**

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GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

## State of Utah Department of Commerce

FRANCINE A. GIANI  
*Executive Director*

THOMAS A. BRADY  
*Deputy Director*

November 20, 2015

John M. Schaff  
Auditor General  
Office of the Legislative Auditor General  
W315 Utah State Capital Complex  
PO Box 145315  
Salt Lake City, UT 84114-5315

Dear Mr. Schaff,  
Thank you for applying resources to study and improve the Utah Controlled Substance Database, administered by the Department of Commerce, Division of Occupational and Professional Licensing.

Since the audit is more of an evaluation of policy options, rather than an evaluation of the Controlled Substance Database itself, I have no comments other than to thank you for allowing the Department of Commerce to participate in the process.

Sincerely,

Francine A. Giani  
Executive Director  
Utah Department of Commerce