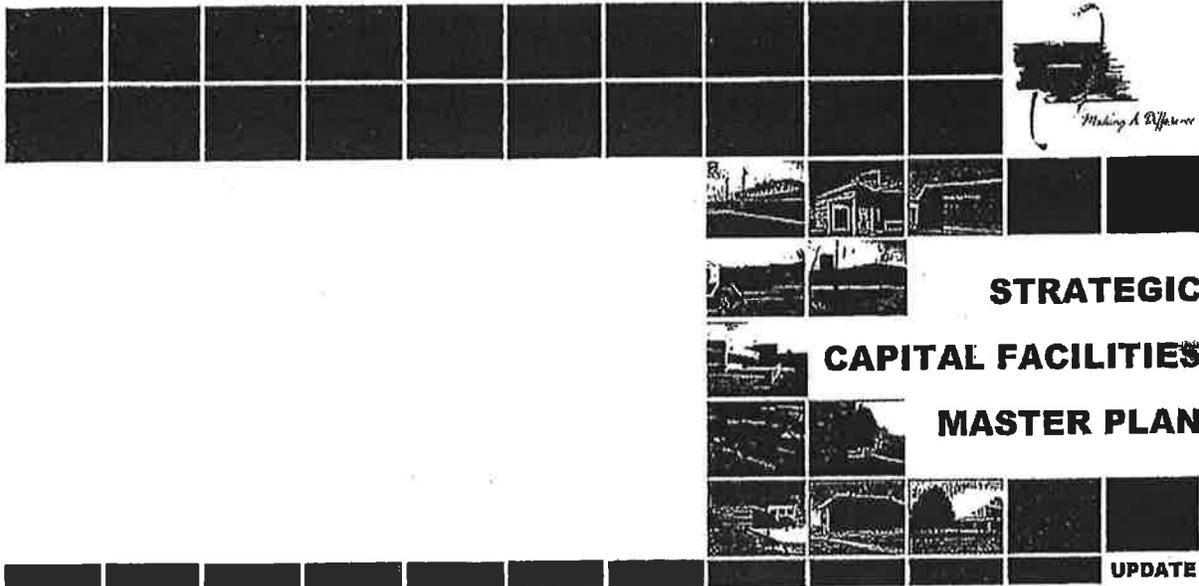


October 29, 2014

Hearing

Part I



DRAFT FINAL REPORT

**DRAFT**

PREPARED FOR THE

State of Nebraska  
 Department of Correctional Services  
 Executive Steering Council

JULY 2006

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 IN ASSOCIATION WITH DLR Group





## Introduction

This study is an update to the 1997 Master Plan for the Nebraska Department of Correctional Services (NDCS) and was prompted by the need to revisit and update the answer to two questions:

1. Is there a need for additional high security beds for violent offenders, and
2. Is there a need for additional minimum or community level beds to free up high security beds for violent offenders?

This study not only answers these two questions, but also provides strategic options for meeting any future bedspace needs for the current rise in substance abusers, as well as violent offenders in the system.

The 1997 Master Plan found a significant need for additional high security beds in the system. The construction of the Tecumseh State Correctional Institution (TSCI) was one of the results of that study. Two "watershed" events occurred in the intervening years that have resulted in system changes, and that will guide the development of a plan to manage the growth in this new updated 2005 Master Plan:

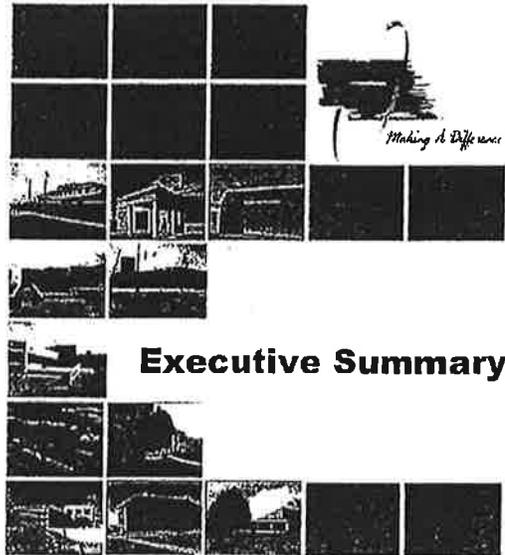
1. The implementation of a new classification system that yields the need for more minimum custody bedspaces; and
2. The passage of legislation that significantly increases the incarceration sanctions for individuals involved in the manufacturing and/or sale of methamphetamine.

While the first "event" has an impact on how inmates are housed and programmed, the change in the method of classifying inmates does not result in additional population. This change is anticipated to actually "push down" inmates into lower classification levels, reducing the current need for high-security beds. However, the full implementation of new legislation has the potential of altering the number of persons incarcerated more than any other single piece of legislation passed by the Legislature, and possibly of increasing the need for beds. A more careful examination will be needed to reveal if these additional individuals will be violent, and if additional high-security beds will be necessary.

Similar to many plans, this 2006 Update began as public policy was being adjusted due to emerging trends in the Nebraska society. In particular, the noticeable increase in admissions for individuals charged with the abuse or sale of methamphetamines prompted new legislative actions that could, over time, significantly impact the number of prisoners in the system. While the precise implications are difficult to calculate, what is certain is the need for new forms of treatment and incarceration for offenders with addiction to this insidious substance.

Modelling the potential impact of new legislation regarding the abuse of methamphetamines, as noted, was complicated as a number of assumptions had to be made to predict the possible behavior of the judicial system in charging and sentencing abusers. The conclusion of the study was delayed six months while data was accumulated on admissions for inmates charged under the new legislation. While the data did indicate an increase in the number of persons serving sentences as a result of the legislation, additional time will be required to more analytically establish the impact of the legislation.

Regardless of the impact of this new legislation, and other legislative measures that will occur over time, Nebraska will experience continued growth in prisoners that have serious issues associated with the abuse and sale of illegal chemical



## Executive Summary



substances that requires a treatment-based response. This 2006 Update addresses the "natural" and potential "accelerated" growth that will occur in the context of traditional and treatment bed needs. As with any strategic plan, periodic updates will be necessary to determine if the prediction models are reflecting the actual system performance.

### Needs Assessment and Forecasts

Due to the potential major implications of the new sentencing legislation, the discussion of growth management scenarios has been examined within a range of low and high estimated growth. First, a plan has been examined in terms of "Natural Growth," which is the estimated population in the system for years 2015 and 2025 without the potential impact of any new legislation. In other words, this option offers a strategy to address a combination of existing facility modifications and new facility initiatives to meet the shortfall in beds that will result from the normal growth in the system. This model is the "low" end of the range of possible growth scenarios. The second growth model examines the potential additional inmate population expected to be generated by new sentencing legislation associated with methamphetamine offenders in 2015 and 2025. This scenario outlines strategies to address the "Accelerated Growth" that legislation is expected to produce, and establishes the "high" end of the range of possible growth. Because the new legislation does not relate to violent offenders, but rather to drug manufacturers, the anticipated future number of violent offenders is expected to be the same under both models.

By approaching a Master Plan Update through examination of the "Natural" and "Accelerated" scenarios, a plan can be more clearly delineated as to what would be expected to happen with and without the potential effects of new laws, leading to a definition of the required actions and costs to meet each growth scenario. Examining both growth options provides flexibility of planning, in offering the NDCS a wider range of options to deal with either scenario, or the possible combination of both.

In 1997, a system-wide Master Plan Update was completed that determined on January 14, 1997, the design capacity of the State correctional system was 2,103 beds and the inmate census was 3,214, indicating that the system was operating at approximately 142% of design capacity. In the 1997 Master Plan, the inmate population forecast was 4,419 beds by the year 2000 and 6,033 beds by the year 2005. While the projected need for 6,033 has not occurred, the 1997 Master Plan would have raised the available capacity to a total of 4,316 bedspaces which was close to the in-house total census in May 2006 (4,420).

The list of recommended capital projects in the 1997 Master Plan Update included:

- 128-Bed Addition at DEC
- New 800-Bed Prison – operated at 1,000
- Renovation of 150 Beds at Rivendale – operated at 188
- One New 100-Bed Work Ethic Camp – operated at 125

In addition to increasing the number of new bedspaces for high-security and violent offenders (largely through the construction of the Tecumseh State Correctional Institution), a major system initiative was undertaken to evaluate and revise the classification system. A concurrent study by the Criminal Justice Institute recommended changes in classifications, which are anticipated to classify more inmates to a custody level lower than the level rewarded through the previous classification methodology. While this impact is not universal, the initial implementation assured inmates they would not be "classified up" as the new system is put in place. The implementation of this new classification system is expected to reduce the number of high-security inmates currently in the system by classing some inmates down (but none up), but later stabilizing as new inmates are received and classified under the new system.

The first step in this Master Plan Update was to validate the forecast of future inmates in the DCS through the year 2025. Average daily population (ADP) is the result of how many inmates come into the system (admissions, or ADM) and how



long they stay (average length of stay, or ALOS). Historical admissions and length of stay data were analyzed to help forecast future ADP as accurately as possible. Once the total number of inmates was validated, the future ADP was divided into the various security levels and population groupings. Particular attention was paid to violent Part I offenders coming into the system.

#### Admissions

Prison admissions have increased at a rate faster than the increase in State population over the past 20 years, with the admissions rate to prison increasing from 0.85 in 1990 to 1.12 in 2003. System admissions are projected to continue at the historical rate, with slight annual increase relative to state population. Of those admissions, violent Part I admissions have been in the mid to high-200's for the past five years. These offenders accumulate in the system, as each year's admissions stay longer than one year. In 2000, a total of 1,307 violent Part I individuals were in the system at one time or another. This estimated violent average daily population in 2004 had reached 1,480 – a cumulative increase of approximately 44 inmates per year.

Although this rate of increase is not likely to continue at that rate into the future, an increase of even five violent Part I inmates per year will result in a total ADP of close to 1,600 violent offenders by the year 2025. With the population of the State of Nebraska projected to increase to 1,802,083 by the year 2025, and prison admissions forecasted to reach approximately 2,900 in the same year (see forecast numbers in Chapter 1 for details), if violent offenders continue to constitute between 13% and 14% of all admissions<sup>1</sup>, between 380 and 400 inmates admitted to the system in 2025 are likely to be violent Part I offenders. With an average length of stay of 5.36 years (the historical ALOS for the years 2000 to 2004 for violent Part I offenders), the average daily population of violent offenders could pass 2,000 by 2025. At this point, violent offenders may comprise more than 30% of the inmate population. (See ADP Forecast below.)

#### Admissions and ADP Forecasts – Natural and Accelerated Growth

An analysis of historical admissions (ADM) and average daily population data (ADP) revealed the average length of stay (ALOS) for each sentence cohort. The ALOS for the past five years for each cohort was applied to the forecasted admissions in order to calculate future average daily population under the Natural Growth model. For the Accelerated Growth model, 15% (taken from 2004 actual admissions) of the 1-5 year sentence cohort were shifted to the 20+ year cohort, to model the anticipated effects of new drug sentencing legislation. A total of 23 individuals from the 1-5 year sentence cohort were also shifted to the Life cohort, for drug/weapons sentences. Historical ALOS were applied to these new adjusted admissions to create an estimate of Accelerated Growth.

The Accelerated Growth Model models the possible effect of legislative changes on the average length of stay in the Nebraska Department of Corrections. Despite the name, Accelerated Growth, this model is a moderate one, because the assumption of policy changes that only increase the length of stay<sup>2</sup> is the basis for the model.

According to the Natural Growth forecast, by the year 2025 the Department of

<sup>1</sup> The percentage of total prison admissions that were Part I Violent offenders was 12.99% in 2000, 14.93% in 2001, and 13.52% in 2003.

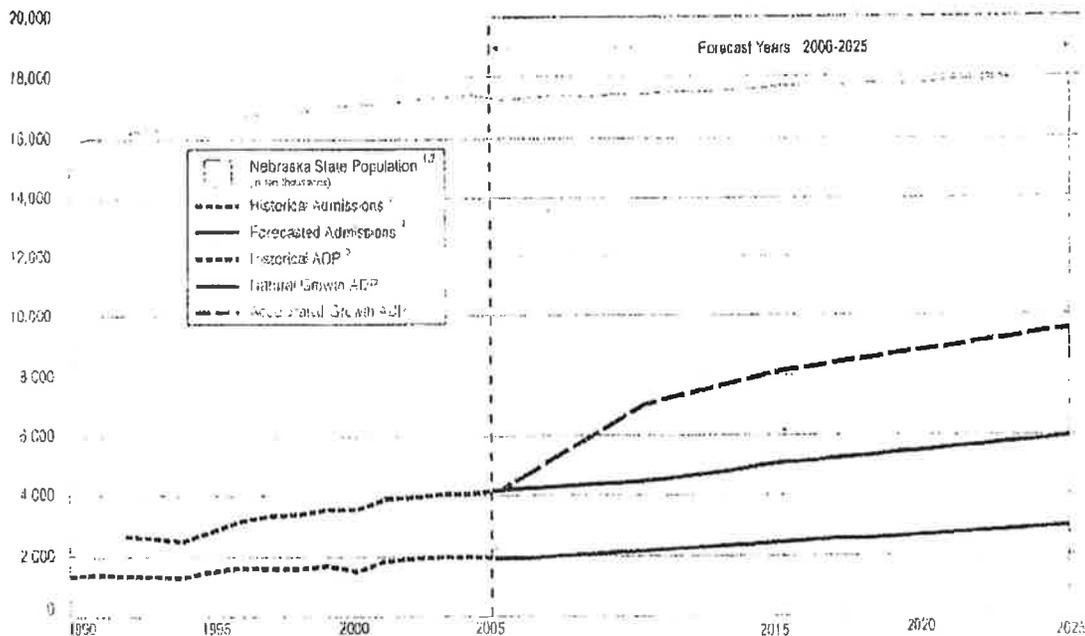
<sup>2</sup> Reduced use of parole and stiffer penalties for certain crimes, among others, are examples of policy changes that result in increased lengths of stay.



Correctional Services will be housing approximately 5,900 inmates, if growth continues as in the past, with no significant changes in average length of stay or rate of increase of admissions. Under the Accelerated Growth forecast, as many as 9,552 inmates could be incarcerated within the NDCS by the year 2025 – approximately 3,500 more than were forecasted using the Natural Growth Model, and approximately 4,720 more than are housed in the current system. The Natural Growth and Accelerated Growth models will be used as the minimum and maximum (respectively) capacity levels that define the planning range for the NDCS.

Figure ES.1 shows the forecasted population of the State of Nebraska, along with forecasted admissions and ADP under the Natural and Accelerated Growth models.

Figure ES.1: Summary of Forecasts



Source: Carter Goble Lee; September 2005

- <sup>1</sup> Historical Population taken from U.S. Census Bureau.
- <sup>2</sup> Forecasted State Population taken from the U.S. Census Bureau at <http://www.census.gov/population/www/projections/projectionsagesex.html>
- <sup>3</sup> Historical Admissions from the Nebraska Department of Correctional Services
- <sup>4</sup> Projected future admissions calculated by Carter Goble Lee
- <sup>5</sup> Historical ADP from the Nebraska Department of Correctional Services
- <sup>6</sup> Natural and Accelerated Growth ADP forecasts calculated by Carter Goble Lee

### Population Groups of Interest

Two types of terminology are used to distinguish the various sub-groups that exist within the population held by the Department of Correctional Services. The first terminology refers to the inmate's custody level, or security level. Custody levels are used to match an inmate with a facility type, and include Maximum, Maximum-Segregation, Medium, Minimum, and Community. The second terminology refers to qualities the inmate possesses that may qualify him or her for special



housing. These "Population Groupings" include female, youth (under age 19 at conviction, tried as an adult), severe medical impairment (permanent), or a need for special programming with associated housing stipulations (e.g. Inpatient substance abuse treatment). Some population groupings, such as gender, are permanent. Others, such as age or treatment-based criteria, are temporary, although they may not change for years.

Within the DCS, each prison has a set of custody levels and population groupings that define its general population. This facility profile can be based on either custody level ("custody based") or population grouping ("population based"). If the general population is based on custody level(s), the facility must be equipped to accommodate the various population groupings that may occur within those custody levels. Likewise, if a facility's general population is based on a population grouping, then the facility must be equipped to handle all possible custody levels within that population grouping. With the NDCS there are both Custody Based and Population Grouping Based facilities.

NDCS "Custody-Based" Facilities	<ul style="list-style-type: none"> <li>▪ Community Corrections Center – Lincoln (CCC-L), Community</li> <li>▪ Community Corrections Center – Omaha (CCC-O), Community</li> <li>▪ Lincoln Correctional Center (LCC), Maximum/Medium</li> <li>▪ Nebraska State Penitentiary (NSP), Maximum/Medium/Minimum</li> <li>▪ Omaha Correctional Center (OCC), "Soft" Medium/Minimum</li> <li>▪ Tecumseh State Correctional Institution (TSCI), Maximum (Segregation)/Maximum/Medium</li> </ul>
NDCS "Population Grouping-Based" Facilities	<ul style="list-style-type: none"> <li>▪ Nebraska Correctional Center for Women (NCCW), Female</li> <li>▪ Nebraska Corrections Youth Facility (NCYF), Youth</li> <li>▪ Diagnostic and Evaluation Center (DEC), Intake</li> </ul>

Note: The Work Ethic Camp (WEC) in McCook is not included in NDCS capacities or projections in the Master Plan Update. This facility is owned and operated by NDCS on a contracted basis for the Intensive Supervision Program of the Probation Department. Residents of the WEC are not prison inmates, rather they are county-sentenced individuals serving Probation, and therefore not included in the prison system "count".

An analysis of the beds by population grouping and custody level was compared with the ADP forecast, disaggregated by population grouping and custody level. This analysis revealed several pockets of population that may require, or benefit from, special housing in the future. These population groupings will be discussed throughout the report, and the plan for future expansion will address strategies to meet the needs of these inmates within the DCS system. This exercise helped to identify not only housing needs, but also program and infrastructure needs.

- Medically Limited
- Female (youthful, intake, community)
- Medium and Maximum Custody Male Inpatient Substance Abuse Treatment
- Pre-Release – all custody levels but community
- Meth Offenders
- General Population – minimum, community

This study and the potential changes in the inmate profile within the NDCS offers a unique opportunity for the State to devise an appropriate strategy for dealing with the anticipated increase in several population groups, including methamphetamine offenders within the system. An increased length of stay for these offenders will significantly increase the ADP in the prison system, unless that increased stay is coupled with other initiatives that provide for a matching reduction in length of stay. One possibility, which is appropriate for this treatment-needy population, is the potential for split sentences. This split-sentence solution can also be implemented in conjunction with a locally managed community corrections option, such as electronic monitoring coupled with parole supervision and treatment, where the inmate serves a large portion of his or her sentence through monitoring. Either way, the change in inmate profile and the need for additional low-custody beds combine to offer a unique opportunity to deal with addicted offenders in a proactive manner that may help stop the cycle of addiction and keep some offenders from returning to the criminal justice system after release.



## Introduction to System and Facilities

### Existing Facility Capacities

Review of existing facility drawings, on-site tours, and interviews at each facility were used to document existing conditions in the current system of NDCS facilities. The NDCS 2004 Survey of Physical Plant was used as a resource. As part of this effort, inmate population capacities for each facility were evaluated for each of the following capacity definitions:

<b>Design Capacity</b>	Based upon original design and construction documents, the total number of beds the facility was intended and designed to accommodate. This capacity is set at the time of construction and is only modified by capacity changes resulting from building additions, reductions, or revisions.
<b>Stress Capacity</b>	A term from the 1997 Master Plan Update that provides a reference point, based on the assumption that the NDCS system as a whole could operate at approximately 125% of design capacity without major physical changes or inordinate public safety risk. "Stress Capacity" is included in this capacity summary only as a reference point to show relative overcrowding/stress in the system today.
<b>July 22, 2005 Population</b>	Distribution of actual system headcount by facility for a recent date, showing that on that day the system was operating at 130% of design capacity.
<b>2005 CGL Operational Capacity</b>	Rated bed capacity, according to American Correctional Association (ACA) Standards is considered to be the original design capacity, plus or minus capacity changes resulting from building additions, reductions, or revisions. However, the scope of work for this Master Plan Update called for an independent assessment of what an appropriate rated capacity should be. This assessment was performed in the context that a major stated policy of NDCS is achieving and maintaining ACA Accreditation for all its facilities.
	<p>The evaluation of each existing housing unit in the system was based upon a review of the applicable ACA Standards for physical plant elements by measuring each housing unit for sleeping and dayroom areas, as well as the number of plumbing facilities and then making a judgment about what the highest capacity level could be that, with all things considered in the facility, would still allow ACA Accreditation to be maintained. The 2005 CGL Operational Capacity is used as the baseline for planning and shortfall analysis.</p> <p>A complete compilation of evaluation data used to develop the 2005 CGL suggested operational capacity is included as a supplemental Appendix for each facility by housing unit.</p>
<b>Proposed Tentative Operational Capacity</b>	Based upon discussions with each facility, this is the total general population headcount that can be accommodated long-term without major capital project initiatives. In a sense, this represents the "tip point" capacity, above which additional housing, administration, program, and support space projects tailored to each facility would be required. This is an essential determination, which indicates at what point major capital project initiatives would be required at a facility in order to increase capacity.

A summary of the resulting capacity determinations by facility is shown in Table ES.1. Looking at the capacity summary provided in this table, the looming challenge for NDCS is readily apparent by understanding that the July 22, 2005, actual in-house inmate population was 4,135 – which is 130% of current design capacity, and 112% of the 2005 CGL Operational Capacity. Clearly, capacity expansion initiatives are needed as soon as possible to maintain safe and humane conditions within the system, given the fact that legislation exists to permit declaration of an emergency situation when the inmate population reaches 140% of design capacity.

Housing

Using the 2005 CGL Operational Capacity, the nine facilities<sup>3</sup> represent a total of 3,704 beds. A wide variety of housing options within the facilities for all custody levels and population groupings are available. At the same time, pockets of need are hidden within ample general population groups. In-patient substance abuse treatment is available for minimum and maximum custody inmates, but not for those classified as medium custody. Since medium custody inmates comprise the majority (26.1% female, 34.4% male, 33.6% total) of inmates in the system, a large proportion of inmates in the NDCS system do not have access to inpatient treatment.

Table ES.1: Existing Facility Capacities

Facility	1997 Report Design Capacity	Design Capacity	2005 Stress Capacity	7/22/05 Actual	CGL 2005 Operational Capacity	Proposed Tentative Operational Capacity
CCCL	200	200	= 125% of design capacity	291	250	250
CCCO	90	90		136	135	135
DEC	160	160		288	208	232
HCC*	152	--		--	--	--
LCC	308	308		480	430	465
NCCW	139	275		303	267	291
NCTC**	90	--		--	--	--
NCYF	--	76		83	81	93
NSP	568	718		1,148	818	1,038
OCC	396	396		573	555	635
TSCI	--	960	833	960	960	
<b>Total</b>	<b>2,103</b>	<b>3,183</b>	<b>3,979</b>	<b>4,135</b>	<b>3,704</b>	<b>4,099</b>

Source: Carter Goble Lee; August 2005

Includes general population counts only; excludes short-term segregation and infirmary beds

\* Hastings Correctional Center closed in July 2005

\*\* Physically relocated to NSP

Table ES.2 summarizes the bedspace shortfall under both the Natural Growth and the Accelerated Growth models, for 2015 and 2025. As this table demonstrates, even under the Natural Growth model, by 2015 an approximate shortfall of 1,153 beds for males (youth and adult), and 233 beds for females (youth and adult) will exist. Under the Accelerated Growth model a need for 4,125 male beds and 321 female beds by 2015 could exist.

Table ES 2: Summary of Shortfall – Natural Growth and Accelerated Growth Models

	2005 CGL Oper. Capacity	2015				2025			
		Natural Growth		Accelerated Growth		Natural Growth		Accelerated Growth	
		# Of Inmates	Shortfall	# Of Inmates	Shortfall	# Of Inmates	Shortfall	# Of Inmates	Shortfall
Total - Adult Male	3,283	4,307	(1,024)	7,274	(3,991)	5,006	(1,723)	8,490	(5,207)
Total - Youth Male	81	210	(129)	215	(134)	252	(171)	259	(178)
<b>GRAND TOTAL - MALE</b>	<b>3,364</b>	<b>4,517</b>	<b>(1,153)</b>	<b>7,489</b>	<b>(4,125)</b>	<b>5,258</b>	<b>(1,894)</b>	<b>8,749</b>	<b>(5,385)</b>
Total - Adult Female	340	565	(225)	653	(313)	666	(326)	770	(430)
Total - Youth Female	-	8	(8)	8	(8)	9	(9)	9	(9)
<b>GRAND TOTAL - FEMALE</b>	<b>340</b>	<b>573</b>	<b>(233)</b>	<b>661</b>	<b>(321)</b>	<b>675</b>	<b>(335)</b>	<b>779</b>	<b>(439)</b>
<b>GRAND TOTAL - ALL BEDS</b>	<b>3,704</b>	<b>5,090</b>	<b>(1,388)</b>	<b>8,150</b>	<b>(4,446)</b>	<b>5,933</b>	<b>(2,229)</b>	<b>9,528</b>	<b>(5,824)</b>

Source: Carter Goble Lee; September 2005

<sup>3</sup> The Work Ethic Camp (WEC) is not included in discussion of prison system facility capacities or projections since it is a facility for Probationers, rather than NDCS inmates.



## Core Facilities

Overall, the physical condition and maintenance of existing NDCS facilities is remarkably good, especially in comparison to the typical condition and level of deferred maintenance found in other state correctional systems. The huge challenge facing the system, however, is to add sufficient capacity to accommodate a looming increase in inmate population. To the extent possible, opportunities for expansion at existing facilities is incorporated in the proposed expansion plan.

## Programs

There are wide program and treatment opportunities for inmates at CCC-O, CCC-L, and NSP. Fewer opportunities are available at LCC, OCC and NCCW; even fewer for inmates at TSCI, despite the state-of-the-art laundry program and specially designed in-patient substance abuse unit. One of the overriding goals throughout DCS should be to provide consistency of opportunities at all custody levels, for each population grouping, including high-security violent offenders who are able to participate.

In terms of industry, Cornhusker State Industries (CSI\*) has recognized that in order to have success in placing an industry within a program, matching the labor pool with the service in question is essential. Nebraska is already ahead of many other states, with close to 15% of all inmates employed. According to CSI staff, 17-20% employment is a realistic goal, and one that could be achieved by deepening existing partnerships and developing new leads. CSI provides four primary benefits:

1. An opportunity for inmates to learn skills, ethics, and work disciplines that transfer to the private sector, providing an opportunity to support themselves and their families;
2. Providing taxpayer benefits by supplying quality goods and services to non-profit and tax-based entities at attractive prices;
3. Improving the safety and security of the institutions; and
4. Providing the private sector a unique labor pool in Nebraska's tight labor market.

Some specific goals of CSI within the DCS are the following:

- Provide CSI programs outside the walls, to permit partnerships with firms unwilling or unable to transport raw materials inside the walls.
- Increase work opportunities which provide jobs that are unique to different populations in order to achieve some degree of separation.
- Increase the percentage of inmates involved in some type of job within the walls.
- Provide work opportunities that teach life and job skills that can be used after release, so that the industry serves as a training ground as well as a source of income.
- Develop new ideas—commisary, fast food restaurant, etc.

It is critical from both a cost and benefit perspective that CSI be included in any discussions and planning regarding future expansions or projects that may impact the industries programs. Expansion of the total number of inmates held in the DCS will offer opportunities and challenges; CSI will require the appropriate program space to provide the necessary programs for the anticipated increase in inmates, but will also have a large and diverse workforce to employ in new partnerships. Since increasing numbers of the population will be violent offenders as these inmates with longer sentences continue to accumulate in the system, some work opportunities must be geared to small groups of independent workers, in industries that do not use certain tools.

A recent study estimated that approximately 85% of DCS inmates could benefit from substance abuse treatment. A clear need exists for increased treatment options, particularly as the anticipated increase in population is expected to include



significant numbers of methamphetamine offenders. Any facility expansion should take into account strategies to improve the range of treatment options (education, outpatient treatment, inpatient treatment) for inmates, so that the time spent in custody can be used productively to reduce the risk of re-offense after release. The DCS should offer parallel services for men and woman, and should follow the Initial Plan and assessment of need with the recommended treatment in every case.

Psychiatric care also varies widely. Presently, no stabilization unit exists within the system for mentally ill inmates who decompensate; isolation or segregation is the only option for inmates who require observation, medication, and counselling. While the numbers are relatively small, these inmates can be disruptive and violent, and could harm themselves, other inmates, or staff. A long-term plan for this system should include strategies to deal with mentally ill inmates, either on a facility-specific basis or on a system-wide basis.

### Strategy for Meeting Shortfall

Based upon the projections of future growth and the conditions of existing facility resources, the focus shifts to defining the implications of managing the anticipated growth through expanded uses of existing facilities and the development of new bedspaces. The strategies developed in this Master Plan Update represent two planning horizons: Phase 1 – the present year through 2015; and Phase 2 – years 2015 to 2025.

The discussion of physical facility strategies for meeting shortfalls was divided into two categories. First, a plan was examined in terms of "natural growth" – defined in this report as the *minimum* inmate population growth anticipated in the system through the year 2025. The strategy to meet this challenge is developed as the "Natural Growth Plan" (which includes a Phase 1 capacity expansion to meet *minimum* projected bedspace needs through the year 2015; and a Phase 2 capacity expansion plan to accommodate *minimum* projected system growth between the years 2015 to 2025).

The second plan examines a higher projection of additional inmate population growth that could result through the year 2025 due to the impact of recent changes in legislation. The strategy to meet this potential further challenge to the NDCS system outlines three alternative approaches to address this "accelerated growth" that might occur, and is developed as the "Accelerated Growth Plan". This plan assumes that all recommended system expansion initiatives developed under the Natural Growth Plan (Phases 1 and 2) are implemented; and is calculated based on the potential additional capacity requirements projected in each phase.

As previously mentioned, the number of violent offenders is expected to be the same in either plan, since the new legislation driving the "accelerated growth" model does not affect violent offenders. At the same time, the Accelerated Growth Plan is likely to include higher numbers of methamphetamine offenders, who will demand high levels of services. The number of maximum security inmates is anticipated to increase relative to the overall size of the inmate population, regardless of the growth model.

By approaching a Master Plan Update through examination of the "natural growth" (minimum) and "accelerated growth" (potential) scenarios, a clear delineation can be provided between *what absolutely must be done* and *what may also have to be done* in the future. Another reason to look at these scenarios separately is that somewhat different inmate populations are likely to result with the more typical historical offenders in the "natural growth" scenario, and individuals with significantly more health and treatment requirements in the "accelerated growth" scenario.

10



Natural Growth – Phase 1 Capital Expansion Strategy

The approach for determining capacity expansion needs for the time period 2005 to 2015 is straightforward:

$$\begin{array}{|c|} \hline 2005 \\ \hline \text{CGL Operational} \\ \hline \text{Capacity} \\ \hline \end{array}
 -
 \begin{array}{|c|} \hline 2015 \\ \hline \text{Natural Growth Inmate} \\ \hline \text{Projection} \\ \hline \end{array}
 =
 \begin{array}{|c|} \hline 2005-2015 \text{ Shortfall} \\ \hline \text{(or) Phase 1} \\ \hline \text{Expansion Needs} \\ \hline \end{array}$$

As presented in Table ES.2, the projected shortfalls for the Natural Growth model indicate that a total of 1,386 additional system beds will be required to accommodate the inmate population increase from 2005 through 2015.

Natural Growth – Phase 1 Projections and Shortfall

	2005	2015	
	CGL Operation Capacity	# of Inmates	Shortfall
GRAND TOTAL - MALE	3,364	4,517	(1,153)
GRAND TOTAL - FEMALE	340	573	(233)
GRAND TOTAL - ALL BEDS	3,704	5,090	(1,386)

Phase 1 proposes a capacity expansion of 1,352 new beds (1,322 new beds and 30 "captured" beds through a re-designation of Housing Unit C allocation at LCC) to bring the total NDCS system rated capacity from 3,704 to 5,056 bedspaces by the year 2015. While slightly under the projected natural growth ADP of 5,090 total inmates, this strategy represents the absolute minimum system capacity expansion required by the year 2015. CSI programs should grow commensurate with population expansions.

The recommended capital expansion plan to meet the Natural Growth – Phase 1 needs is shown in Table ES.3.

Table ES.3: Proposed Capacity Expansion for Natural Growth – Phase 1

NATURAL GROWTH - PHASE 1: 2005-2015																
Facility	Project	Male					Female					Youth				
		INT	MAX	MED	MIN	CB	INT	MAX	MED	MIN	CB	INT	MAX	MED	MIN	CB
DEC	New High Security Intake Housing (128) <sup>1</sup>	100														
DEC	New Segregation Housing Capacity (64 beds) <sup>2</sup>			94												
NCCW	Relocate Reception to DEC <sup>1</sup>						28									
NCYF	"Double" Facility Capacity (128 beds)											32	96			
NSP/LCC	New Residential Treatment Facility <sup>4</sup>				100											
TSCI	New 40-Bed Minimum Security Housing Unit <sup>5</sup>		32		8											
<b>New Facility Initiatives:</b>																
	New Drug Treatment Facility (250) <sup>6</sup>				225						25					
	New Minimum/Community-Based Facility (612) <sup>7</sup>				381	73				131	27					
	<b>Total Expansion by Custody Level</b>	100	32	94	714	73	28	0	0	156	27	0	32	96	0	0
	<b>Total Expansion by Population Component</b>						1,013				211					128
<b>GRAND TOTAL - Natural Growth - Phase 1 Plan</b>																
																1,352

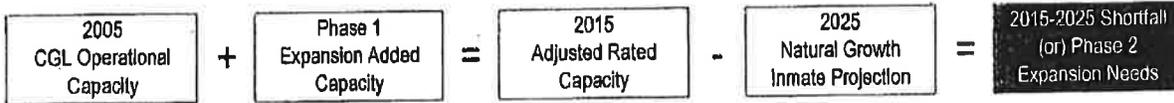
Source: Carter Goble Lee: July 3, 2006

- <sup>1</sup> Relocation of Female intake to DEC will take 28 of the new Intake Housing Beds, but also add 28 high security beds at NCCW.
- <sup>2</sup> Segregation Capacity will be shared by DEC and LCC; new segregation space will permit recapture of Housing Unit C at 94 medium security beds.
- <sup>3</sup> Construct new Community-Based Facility outside the NSP perimeter.
- <sup>4</sup> Construct new Residential Treatment Center in the area of NSP or at available area at LCC site.
- <sup>5</sup> Construct new 40-Bed Minimum Security Dormitory Housing Unit outside the TSCI Perimeter; allows reuse of their existing housing for higher security beds.
- <sup>6</sup> Construct new 250-Bed Drug Treatment Facility (225-men; 25 women); site to be determined.
- <sup>7</sup> Construct new 612-Bed male/Female Minimum Security/Community-Based Facility; allows recapture of 73 bedspaces occupied by females at CCCL, CCCO.



Natural Growth – Phase 2 Capital Expansion Strategy

Capacity expansion needs for the period 2015-2025 are also straightforward using the following basic approach:



Natural Growth – Phase 2 Projections and Shortfall

	2015 Adjusted Rated Capacity	2025 Natural Growth	
		# Of Inmates	Shortfall
<b>GRAND TOTAL - MALE</b>	4,505	5,258	(753)
<b>GRAND TOTAL - FEMALE</b>	551	675	(124)
<b>GRAND TOTAL - ALL BEDS</b>	5,056	5,933	(877)

With the implementation of the Phase 1 capacity expansion plan of adding 1,352 beds, the system's rated bed capacity in 2015 would total 5,056. The projected bedspace need of 5,933 reflects that a total of 877 additional system beds will be required by 2025 (Phase 2) to meet the needs identified under the "natural growth" scenario.

The recommended capital expansion plan for Natural Growth – Phase 2 is summarized in Table ES.4. The need for additional high-security beds is met through the addition of one housing unit at TSCI.

Table ES.4: Proposed Capacity Expansion for Natural Growth – Phase 2

NATURAL GROWTH - PHASE 2: 2015-2025																
Facility	Project	Male					Female					Youth				
		INT	MAX	MED	MIN	CB	INT	MAX	MED	MIN	CB	INT	MAX	MED	MIN	CB
TSCI	Develop New High Security Housing Building <sup>1</sup>		256													
DEC	Increase Double-Bunking (64 beds)			64												
NCCW	Develop New Minimum Security Housing (120 beds)									120						
NCYF	Increase Double-Bunking (32 beds)													32		
LCC	Expand Male Community-Based Facility from Phase 1 <sup>2</sup>					150										
<b>New Facility Initiatives</b>																
	New Male Minimum Security Facility (256)					256										
	<b>Total Expansion by Custody Level</b>	0	256	64	256	150	0	0	0	120	0	0	0	32	0	0
	<b>Total Expansion by Population Component</b>					728				120						32
	<b>GRAND TOTAL - Natural Growth - Phase 2 Plan</b>															878

Source: Carter Goble Lee, July 3, 2006

<sup>1</sup> Space for one additional housing building exists within the TSCI perimeter.

<sup>2</sup> Total capacity would rise from 100 beds to 250 beds.

Summary of the Natural Growth Plan

The proposed physical capacity expansion in Phase 1 of 1,352 beds by 2015 is targeted to accommodate the majority of the expected growth of 1,386 inmates by that point in time. Continuing into the future, physical expansion of another 878 beds is proposed in Phase 2 to accommodate natural system expansion for the year 2025. The plan has also been crafted to reflect the projected required capacity distribution by gender, age, and custody level. Moreover, the plan incorporates every feasible opportunity identified for expansion of existing facilities.

The 20-year expansion plan would add 2,230 new bedspaces to the system through a combination of expansion of existing facilities through additions or simply double-bunking where designated. The proposed three new stand-alone



facilities would be dedicated to meeting the projected increase in minimum custody inmates as a result of the new classification system. Such a plan permits existing high custody bedspaces to be used for their original purpose of accommodating violent and disruptive offenders.

Table ES.5 summarizes the results of full implementation of the Natural Growth Plan, Phases 1 and 2.

Table ES.5: Summary of the Natural Growth Strategy Plan

	2005	2015		Phase 1 Expansion		2025		Phase 2 Expansion	
	CGL Operation Capacity	Natural Growth		Capacity Added	Adjusted Rated Capacity	Natural Growth		Capacity Added	Resulting Rated Capacity
		# Of Inmates	Shortfall			# Of Inmates	Shortfall <sup>1</sup>		
Total - Adult Male	3,283	4,307	(1,024)	1,013	4,296	5,006	(710)	726	5,022
Total - Youth Male	81	210	(129)	128	209	252	(43)	32	241
<b>GRAND TOTAL - MALE</b>	<b>3,364</b>	<b>4,517</b>	<b>(1,153)</b>	<b>1,141</b>	<b>4,505</b>	<b>5,258</b>	<b>(753)</b>	<b>758</b>	<b>5,263</b>
Total - Adult Female	340	565	(225)	211	551	666	(115)	120	671
Total - Youth Female	-	8	(8)	-	-	9	(9)	-	-
<b>GRAND TOTAL - FEMALE</b>	<b>340</b>	<b>573</b>	<b>(233)</b>	<b>211</b>	<b>551</b>	<b>675</b>	<b>(124)</b>	<b>120</b>	<b>671</b>
<b>GRAND TOTAL - ALL BEDS</b>	<b>3,704</b>	<b>5,090</b>	<b>(1,386)</b>	<b>1,352</b>	<b>5,056</b>	<b>5,933</b>	<b>(877)</b>	<b>878</b>	<b>5,934</b>

Source: Carter Goble Lee; July 3, 2006

<sup>1</sup> Shortfall for years 2015-2025 based on the natural growth model AFTER completion of the proposed Phase 1 expansion plan

Managing "Accelerated Growth"

The strategy outlined in response to the projected needs under the "natural growth" scenario does not take into account the potential impact on inmate population growth resulting from legislation enacted in 2005. The differences between the anticipated total inmate population in the natural growth scenario and the accelerated growth scenario can also be derived from Table ES.2.

For the period 2005 to 2015, the projections indicate that the ADP (Average Daily Population) could grow as high as 8,150 bedspaces under the accelerated growth model. This represents an additional need of 3,060 beds above and beyond the projected natural growth ADP of 5,090 by 2015. Based upon full implementation of the proposed Natural Growth Phase 1 capacity expansion, an "Accelerated Growth" condition could represent a total system shortfall of 3,094 bedspaces in the year 2015 (8,150 minus 2005 CGL Operational Capacity of 3,704; minus 1,352 additional beds provided in Natural Growth Phase 1 expansion). Similarly, the accelerated growth projections for the years 2015 to 2025, totaling a potential inmate capacity requirement of 9,528 bedspaces in 2025, would result in potential additional capacity expansion requirements in the time period 2015-2025 of another 1,378 bedspaces (9,528 total projected accelerated growth ADP in 2025 minus 8,150 total projected accelerated growth ADP in 2015, assuming that whatever additional accelerated population growth between 2005 and 2015 would be addressed through additional bedspaces.

Again, from Table ES.2, the total difference between the natural growth and accelerated growth models is 3,594 beds (9,528 minus 5,934) over the twenty year planning horizon. This is demonstrated in Table ES.6 based upon the assumption that the 2,230 total bedspaces recommended under the natural growth Phases 1 and 2 model are constructed.

At this stage of planning, the assumption has been made that the State will concentrate on system expansion over the next 10 years to 2015 and during this time to determine if the recently implemented legislation impacting offenders charged with the sale of methamphetamines has the impact upon admissions that has been predicted under the accelerated growth model actually occurs. This plan also assumes that the State will recognize that in addition to 250



drug treatment beds, a need for 612 minimum/community custody beds can be justified to reduce the current dangerous levels of crowding. Both Phase 1 and 2 under the natural growth model assume that new bedspaces are achieved through additions to existing facilities and new construction (250 + 612-bedspaces in Phase 1 and 256-bedspaces in Phase 2). The sum of all natural growth bedspaces for Phases 1 and 2 (1,352 + 878) is assumed to be achieved even if the State "shifts" direction to the accelerated growth track between now and 2025.

Table ES 6: Summary of the Accelerated Growth Strategy Plan (AFTER implementation of the Natural Growth Phases 1 and 2 Plan)

	2005	Phase 1 Expansion		2015		Phase 2 Expansion		2025	
	CGL Operation Capacity	Capacity Added	Adjusted Rated Capacity	Accelerated Growth		Capacity Added	Resulting Rated Capacity	Accelerated Growth	
				# Of Inmates	Shortfall <sup>1</sup>			# Of Inmates	Shortfall <sup>2</sup>
Total - Adult Male	3,283	1,013	4,296	7,274	(2,978)	726	5,022	8,490	(3,468)
Total - Youth Male	81	128	209	215	(6)	32	241	259	(18)
<b>GRAND TOTAL - MALE</b>	<b>3,364</b>	<b>1,141</b>	<b>4,505</b>	<b>7,489</b>	<b>(2,984)</b>	<b>758</b>	<b>5,263</b>	<b>8,749</b>	<b>(3,486)</b>
Total - Adult Female	340	211	551	653	(102)	120	671	770	(99)
Total - Youth Female	-	-	-	8	(8)	-	-	9	(9)
<b>GRAND TOTAL - FEMALE</b>	<b>340</b>	<b>211</b>	<b>551</b>	<b>661</b>	<b>(110)</b>	<b>120</b>	<b>671</b>	<b>779</b>	<b>(108)</b>
<b>GRAND TOTAL - ALL BEDS</b>	<b>3,704</b>	<b>1,352</b>	<b>5,056</b>	<b>8,150</b>	<b>(3,094)</b>	<b>878</b>	<b>5,934</b>	<b>9,528</b>	<b>(3,594)</b>

Source: Carter Goble Lee: July 3, 2006

<sup>1</sup> Represents 2015 remaining shortfall based on the accelerated growth model AFTER completion of the proposed Phase 1 expansion plan

<sup>2</sup> Represents 2025 remaining shortfall based on the accelerated growth model AFTER completion of the proposed Phase 2 expansion plan

The strategies developed for meeting the potential additional capacity requirements generated by the accelerated growth model are presented as Accelerated Growth – Phase 1 for the years 2005 to 2015 and Accelerated Growth – Phase 2 for the years 2015 to 2025. Further, calculations for the Accelerated Growth Plan are based on the assumption of the full implementation of the Natural Growth Plan (Phases 1 and 2). This results in additional capacity requirements of up to 3,060 bedspaces for Accelerated Growth Phase 1 (8,150 minus 5,090); and 1,378 bedspaces for Accelerated Growth Phase 2 (9,528 minus 8,150).

Within the Accelerated Growth Plan, three alternative development strategies were explored to address the additional bedspace requirements potentially generated by the accelerated growth projection model, including:

- Option 1: NDCS System Initiatives – wherein NDCS would build and operate the additional bedspaces required.
- Option 2: "State Jail" Initiatives – a proposed partnership between the State and Counties of high-admitting methamphetamine offenders to develop new combination incarceration/treatment facilities for individuals sentenced under recent legislative changes.
- Option 3: Privatization Initiatives – wherein NDCS would provide the initial incarceration period, followed by transfer to treatment facilities developed and operated by the private sector.

Using these optional approaches, three separate possibilities to accommodate an Accelerated Growth Plan were defined, each including both a Phase 1 strategy to meet the potential additional inmate population growth needs through 2015, and a Phase 2 strategy to accommodate additional needs projected for the years 2015 to 2025. Each approach has been derived as an additional expansion to the capacity increase that will be achieved after full implementation of both phases of the Natural Growth Plan outlined above.

Further, each option was defined in terms of the lowest possible custody level classification possible in order to minimize the potential cost both in terms of capital construction and operating costs to the State and localities. This approach was



made on the basis that non-violent substance abuse offenders, even with relatively long sentences, can be accommodated in lower security facilities than typically associated with hard core violent criminals. In the main body of the full report, the implication of adopting any of the three implementation options outlined above is discussed. The three options range from NDCS developing and operating all future bedspaces to a "joint-venture" with counties to meet future needs to a "public-private" partnership approach. Any of the three approaches has merit, but the need for the more aggressive approach to gain additional bedspaces should be linked to a carefully monitored assessment of new admissions resulting from the new legislation on the sale of illegal substances.

#### Summary of the Proposed Development Strategies

Under a "Natural Growth" model, the NDCS is anticipated to grow from the July 22, 2005 population of 4,135 inmates to 5,090 inmates in 2015, and to 5,933 by 2025. While this represents a 15.8% increase (2005-2015), such an increase is manageable with the addition of 490 beds at existing institutions and 862 new beds, much of which could be minimum security or community custody. In other words, without the potential additional impact of recent legislative changes, the State should be able to financially manage the addition of bedspaces required to meet the minimum projected needs for the next ten years. Forecasting beyond a ten-year planning horizon is subject to many variables that make accurate projections difficult to produce. However, continued inmate population growth in the NDCS system is a certainty; the variance will only be a matter of the total magnitude of growth, since the "natural growth" has been relatively consistent over the last decade or more.

In addressing the "Natural Growth" scenario, phased capital construction initiatives have been proposed that closely match the projected bedspace needs by custody level and population category. The proposed capital construction initiatives also reflect taking advantage of expanding existing facilities and site locations where the opportunity to do so exists. High-security bedspace needs, for example, are accommodated by a planned expansion at TSCI by one 256-bed unit in Phase 2. Even so, the anticipated minimum amount of inmate population growth over the next ten years will require considerable capital expense and associated added operational costs.

The larger challenge for the State is the accommodation of the anticipated impact of recent legislative changes. Unless the requirement for incarceration is mediated through subsequent legislation, the potential impact on incarceration and resultant bedspace needs is the most significant of any legislation enacted to date. Two independently developed forecasting models have produced virtually the same estimate of bedspace needs resulting from the application of the new legislation regarding penalties for the sale of methamphetamines<sup>4</sup>.

Based upon the study completed in the summer of 2005, immediately following the passage of this legislation, a potential increase of more than 90% in bedspaces could be required by year 2015. This translates into approximately 3,500 additional new bedspaces, above and beyond what would be anticipated for normal system growth. Continuing additional growth on the order of another 1,400 bedspaces can be expected in the years from 2015 to 2025. Even using predominantly minimum security bedspaces (as anticipated), the capital and operational impact is virtually the equivalent of creating a parallel correctional system.

#### Recommended Operational and Capital Plan

The need for additional bedspaces was developed based upon Natural (low) and Accelerated Growth (potential additional capacity) models. Under the more modest Natural Growth scenario, the State faces investment in more than 1,000 new bedspaces by the year 2015. Under the Accelerated Growth model, the total number of new bedspaces required by year 2015 could increase to as many as 4,500 bedspaces. Continuing inmate population growth is projected for the period from 2015 to year 2025, which requires another 1,000 bedspaces for natural growth and 1,400 additional bedspaces for the

<sup>4</sup> NDCS research and planning projections; and projections developed by Carter Goble Lee.



accelerated growth component. This represents significant growth in the NDCS population requiring carefully considered public policy, operational, and capital construction program initiatives in order to be as cost-effective as possible.

### The Cost Model

The estimate of construction costs for the proposed new and expanded bedspaces is driven by space and the application of a unit (square footage) cost against the projected space. Initially, a square footage amount per inmate was assigned to the estimated number of inmates by custody category. As a project traverses through the budgeting process, a "soft-cost factor" should be added to the estimated construction cost to account for furniture, security equipment, architectural fees, and other capital-related costs and to arrive at an estimated project cost. For the models presented in this plan, the "soft costs" have been applied a 30% add on to construction costs. The 30% soft cost allowance should accommodate the requirements for a typical NDCS project; but does not include site acquisition costs, if required. The basis for estimating the capital and operating costs for additional bedspaces or facilities reflecting the proposed projects is presented in Table ES.7.

Table ES.7: Area, Construction, Staffing, and Operational Cost Matrix

Custody Level	Area/Bed		Construction Cost/SF		Staffing Ratio/Bed		Operational Cost/Staff	
	Housing	Facility	Housing	Facility	Housing	Facility	Housing	Facility
Maximum	200	400	\$350	\$250	1: 4.5	1: 2.0	\$65,000	\$65,000
Medium	225	450	\$250	\$200	1: 8	1: 3.0	\$72,000	\$72,000
Minimum	185	350	\$175	\$150	1: 10	1: 5.0	\$65,000	\$65,000
Community	185	250	\$135	\$125	1: 12	1: 5.5	\$75,000	\$75,000
Youth	250	600	\$300	\$235	1: 3.5	1: 1.0	\$58,000	\$58,000

Source: Carter Goble Lee; September 2005

Notes:

1. Areas per bed and costs per bed based on recent Carter Goble Lee experience.
2. Construction Costs per square foot shown in this matrix; project costs factored in later.
3. Staffing Ratios computed based on current staffing in similar NDCS facilities.
4. Operational Costs include personnel costs, benefits, food, medical, and similar costs.
5. All cost estimates developed in this report are shown in 2005 dollars. Capital costs reflect construction plus a 30% soft-cost factor to derive project costs.

### Natural Growth – Estimated Cost

The projects proposed for Natural Growth – Phase 1 and Phase 2 represent the least amount of capacity expansion required to meet the projected system bedspace needs. Using the cost model data presented in Table ES.4, capital construction costs and additional annual operating expenses for the proposed system capacity were estimated. Beyond additional housing capacity and new facility expansion projects, the Natural Growth capital construction program will require investment in additional administration, program, and support space at specific facility locations to accommodate Cornhusker State Industries (CSI), workshops, classrooms, and other needs. The recommended projects are based upon accommodating anticipated minimum growth within the two planning horizons, as well as returning existing facilities to rated capacity levels to alleviate serious over-crowding.

In projecting the Phase 1, Natural Growth model costs, capital needs beyond bedspaces were also addressed. These costs were provided through the Facility Engineering Section of the NDCS and were developed through requests presented by individual institution directors and verified by the Facility Engineering staff. Therefore, the costs in Table ES.8 not only reflect the capital needs associated with obtaining the additional 1,352 Phase 1 bedspaces, but other improvements that are needed between 2006 and 2015 in existing institutions.

Tables ES.8 and ES.9 present the estimated costs to implement the proposed Natural Growth Expansion Plan for existing NDCS facility expansions, as well as three new facilities to increase NDCS system capacity. The number of new beds to be constructed and the resulting changes in system capacity are also shown in these two tables.



Table ES.8: Natural Growth - Phase 1 Capacity Expansion Project Costs

NATURAL GROWTH - PHASE 1: FY 2007-2015									
Facility	Project	No. Of New Beds	Area per Bed (SF)	Total Area (SF)	Cost per SF (\$)	Constr. Cost (000's)	Project Cost (000's)	Add'l. Staff Req'd.	Additional Annual Op. Cost (000's)
<b>EXISTING and PROPOSED NEW FACILITIES</b>									
<b>FY 2007-2009</b>									
TSCI	CSI Expansion <sup>1</sup>	-	-	7,500	\$ 157	\$ 1,178	\$ 1,531	2	\$ 130
TSCI	Weapons Training Facility <sup>2</sup>	-	-	5,000	\$ 200	\$ 1,000	\$ 1,300	-	\$ -
TSCI	Additional Program/Support Space <sup>3</sup>	-	-	4,500	\$ 150	\$ 675	\$ 878	2	\$ 130
NSP	Flood Plain Improvements <sup>4</sup>	-	-	-	\$ -	\$ -	\$ 2,500	-	\$ -
NCCW	CSI Expansion <sup>1</sup>	-	-	4,000	\$ 157	\$ 628	\$ 816	2	\$ 130
OCC	CSI Expansion <sup>1</sup>	-	-	6,000	\$ 157	\$ 942	\$ 1,225	2	\$ 130
OCC	Additional Program/Support Space <sup>5</sup>	-	-	18,000	\$ 200	\$ 3,600	\$ 4,680	6	\$ 390
WEC	WEC Residential Treatment Program <sup>6</sup>	-	-	-	\$ -	\$ -	\$ -	-	\$ -
VARIOUS	Front Entrance Security/CCTV Project <sup>7</sup>	-	-	-	\$ -	\$ -	\$ 7,860	-	\$ -
	New Substance Abuse Treatment Facility <sup>8</sup>	250	350	87,500	\$ 150	\$ 13,125	\$ 17,063	50	\$ 3,250
	New Male & Female Minimum/Community Facility <sup>9</sup>	612	334	204,200	\$ 150	\$ 30,630	\$ 38,819	153	\$ 9,846
<b>Subtotal: FY 07-09</b>		<b>862</b>		<b>336,700</b>		<b>\$ 51,778</b>	<b>\$ 77,671</b>	<b>217</b>	<b>\$ 14,105</b>
<b>FY 2009-2011</b>									
DEC	New High Security Intake Housing <sup>10</sup>	128	200	25,600	\$ 350	\$ 8,960	\$ 11,648	28	\$ 1,849
NCCW/OCC	Relocate Female Reception to DEC <sup>11</sup>	-	300	6,400	\$ 200	\$ 1,680	\$ 2,184	4	\$ 288
CCCL	West Building Addition <sup>12</sup>	-	-	10,000	\$ 150	\$ 1,500	\$ 1,950	4	\$ 300
DEC/LCC	New Segregation/Transition Housing Capacity <sup>13</sup>	64	200	12,800	\$ 350	\$ 4,480	\$ 5,824	14	\$ 924
LCC	Additional Program/Support Space <sup>4</sup>	-	200	18,800	\$ 200	\$ 3,760	\$ 4,888	8	\$ 576
<b>Subtotal: FY 09-11</b>		<b>192</b>		<b>75,600</b>		<b>\$ 20,380</b>	<b>\$ 26,494</b>	<b>59</b>	<b>\$ 3,937</b>
<b>FY 2011-2013</b>									
NSP/LCC	New Residential Treatment Facility <sup>14</sup>	100	250	25,000	\$ 125	\$ 3,125	\$ 4,063	29	\$ 2,143
NSP/LCC	CSI Expansion <sup>1</sup> (outside perimeter security)	-	-	12,000	\$ 80	\$ 960	\$ 1,248	8	\$ 520
TSCI	New 40-Bed Minimum Security Housing Unit <sup>16</sup>	40	288	10,700	\$ 175	\$ 1,073	\$ 2,434	8	\$ 520
<b>Subtotal: FY 11-13</b>		<b>140</b>		<b>47,700</b>		<b>\$ 5,958</b>	<b>\$ 7,745</b>	<b>45</b>	<b>\$ 3,183</b>
<b>FY 2013-2015</b>									
NYCF	"Double" Facility Capacity <sup>15</sup>	128	325	41,600	\$ 235	\$ 9,776	\$ 12,709	128	\$ 7,424
<b>Subtotal: FY 13-15</b>		<b>128</b>		<b>41,600</b>		<b>\$ 9,776</b>	<b>\$ 12,709</b>	<b>128</b>	<b>\$ 7,424</b>
<b>Total Expansion</b>		<b>1,322</b>		<b>501,600</b>		<b>\$ 87,891</b>	<b>\$ 124,616</b>	<b>448</b>	<b>\$ 28,849</b>

Source: Carter Goble Lee, June 30, 2006

- <sup>1</sup> Either a new CSI prototype Industries building or an expansion of existing CSI building.
- <sup>2</sup> Existing Program Statement will require updating.
- <sup>3</sup> Additional support space required for warehouse, maintenance outside perimeter; minimal additional staffing.
- <sup>4</sup> Cost shared with City of Lincoln, NRD, and State of Nebraska.
- <sup>5</sup> Area allocation for additional visiting, dining, program space to maintain new higher rated capacity; no housing expansion.
- <sup>6</sup> Requires a Program Statement to define the capital and staffing costs for an addition.
- <sup>7</sup> Program Statement in progress for Improvements at DEC, LCC, NYCF, NSP, and OCC.
- <sup>8</sup> Designed for 125 treatment-focused inmates; expandable to 250 beds. Site must be located and Program Statement completed.
- <sup>9</sup> New minimum/community custody facility for males and females, but in separate accommodations on the campus. Site and Program Statement required. A short-term solution to relieve current and anticipated levels of overcrowding would be to renovate HCC as a permanent 250-bed facility.
- <sup>10</sup> New segregation housing will free up 94 medium security beds; additional program/support for those beds, including CSI, food service expansion.
- <sup>11</sup> Relocation of female intake/classification to DEC adds 28 new general population beds; increased program & CSI space required.
- <sup>12</sup> Requires Program Statement.
- <sup>13</sup> Segregation Housing to be shared by DEC/LCC.
- <sup>14</sup> Construct new Residential Treatment Center in the area of NSP or at area available at LCC site; higher staffing ratio due to treatment orientation.
- <sup>15</sup> Slightly higher area/bed used for new some program/support space for housing outside perimeter.
- <sup>16</sup> Higher facility area per bed driven by education and other programmatic requirements.



Table ES.9: Natural Growth – Phase 2 Expansion Project Costs

NATURAL GROWTH - PHASE 2: 2015-2025									
Facility	Project	No. Of New Beds	Area per Bed (SF)	Total Area (SF)	Cost per SF (\$)	Constr. Cost (000's)	Project Cost (000's)	Add'l. Staff Req'd.	Additional Annual Op. Cost (000's)
DEC	Increase Double-Bunking (64 beds) <sup>1</sup>	-	-	-	-	-	-	6.0	\$390
NCCW	New Minimum Security Housing (120 beds)	120	185	5,180	\$175	\$907	\$1,178	12.0	\$780
NCYF	Increase Double-Bunking (32 beds) <sup>1</sup>	-	-	-	-	-	-	3.0	\$174
NSP	Expand Phase 1A Community-Based Facility (150 beds)	150	250	37,500	\$125	\$4,688	\$6,094	27.3	\$2,045
TSCI	Add New High Security Housing Building (256 beds)	256	200	51,200	\$350	\$17,920	\$23,296	56.9	\$3,698
<b>Subtotal Existing Facility Projects</b>		<b>526</b>		<b>93,880</b>		<b>\$23,514</b>	<b>\$30,586</b>	<b>105.2</b>	<b>\$7,087</b>
New Facility Initiatives									
	New Male Minimum Security Facility (512 beds)	256	350	89,600	\$150	\$13,440	\$17,472	64.0	\$4,180
<b>Subtotal New Facility Projects</b>		<b>256</b>		<b>89,600</b>		<b>\$13,440</b>	<b>\$17,472</b>	<b>64.0</b>	<b>\$4,180</b>
<b>Total Expansion</b>		<b>782</b>		<b>183,480</b>		<b>\$36,954</b>	<b>\$48,040</b>	<b>169.2</b>	<b>\$11,247</b>

Source: Carter Goble Lee: July 3, 2006

<sup>1</sup> No increase in administration, program, support, or housing area; some increase in staffing.

Natural Growth – Phase 1 provides a system capacity expansion of 1,322 bedspaces to meet 2015 needs, for an estimated total project cost of \$87.9 million dollars and an estimated additional annual operational expenditure of \$28.6 million. Natural Growth Phase 2 provides additional system capacity of 782 new bedspaces after 2015 to meet 2025 needs for an estimated total project cost of \$48.0 million dollars and an estimated additional annual operational expenditure of \$11.2 million. In total, the 20-year capital plan estimates a need for an investment of \$136 million to meet the projected natural growth needs. The average capital cost per bed is \$82,000 and \$18,700 for operational costs for both phases calculated in 2006 dollars.

As far as new construction for high-security inmates, a total of 32 high-security bedspaces are generated at TSCI by adding a minimum security unit for the trustees, and using the existing trustee unit for higher security inmates. Another 256 high-security beds are generated through construction of one new housing unit at TSCI, for a grand total of 288 additional high-security beds. This expansion is expected to provide sufficient high-security beds under either growth model through 2015 (Phase 1), and under the Natural Growth Model through 2025 (Phase 2).

Accelerated Growth – Estimated Cost

Estimating costs for the Accelerated Growth model should be based on one of three options to provide capacity above and beyond that provided for in the Natural Growth scenario. As noted earlier, and discussed in greater detail in Chapter 4, three approaches were considered. The first (Option 1) includes the NDCS developing and operating an additional 1,800 incarceration bedspaces with subsequent release to Community Corrections. Option 2 suggests a plan under which the State and local jurisdictions jointly develop facilities. Option 3 includes contracting out the design, construction, finance, and operation of new treatment-based facilities.

These options are intended to reflect various approaches that the State could consider in meeting the potential bedspace shortfall resulting from the implementation of recent drug-related legislation. In all three options, system expansion projects included as Natural Growth – Phase 1 additional beds would be required as this reflects the "natural growth" that is predicted to occur, regardless of the additional impact of recent legislative initiatives.

The three options discussed for Accelerated Growth – Phase 1 are based on meeting the total potential system capacity requirements for the year 2015. As stated, in each case, the proposed Natural Growth – Phase 1 projects need to be accomplished, plus either Option 1, 2, or 3, in a series of initiatives by that point in time

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Accelerated Growth – Option 1 is the least expensive of the Accelerated Growth solutions, due to the strategy of NDCS providing only one year of incarceration in a "regular" facility, for methamphetamine commitments, followed by assignment to intensive Community Corrections. The likely cost of intensive supervision in the community would range from \$10 to \$15 dollars per offender per day. At \$12/day, this translates to an additional \$6.0 million annual operating cost, which has been included in Accelerated Growth – Option 1.

Year 2015 to 2025 Needs

Option 1 remains the least expensive Accelerated Growth strategy, since "non-facility" solutions are used to meet the need for community sanctions, even when the likely cost of intensive supervision in the community at \$12/day (an additional \$6.0 million annual operating cost) is included in Accelerated Growth – Option 1.

The comparative costs to implement the Natural Growth Plan and of each of the three development options, representing total initiatives required for both Phase 1 (year 2015) and Phase 2 (2025) are summarized in Table ES.10.

Table ES.10: Comparison of Estimated Cost between the Natural and Accelerated Growth Models

Summary of Expansion Plan	Natural Growth	OPTION 1: NDCS Incarceration/ Community Supervision		OPTION 2: State/County Initiative		OPTION 3: NDCS Incarceration/Private Sector Treatment	
		Accelerated Growth	Difference vs. Natural Growth	Accelerated Growth	Difference vs. Natural Growth	Accelerated Growth	Difference vs. Natural Growth
		<b>Phase 1: 2005-2015</b>					
Number of Constructed Beds	1,322	2,902	1,580	4,502	3,180	4,802	3,280
Estimated Project Costs	\$ 124,618,300	\$ 211,573,050	\$ 86,954,750	\$ 272,413,050	\$ 147,794,750	\$ 211,573,050	\$ 86,954,750
Additional Annual Operating Costs	\$ 28,649,190	\$ 52,528,589	\$ 23,877,398	\$ 70,655,160	\$ 42,005,970	\$ 90,408,349	\$ 61,759,158
<b>Phase 2: 2015-2025</b>							
Number of Beds	782	1,824	1,042	2,494	1,712	2,504	1,722
Estimated Project Costs	\$ 48,040,200	\$ 116,476,750	\$ 68,436,550	\$ 142,314,250	\$ 94,274,050	\$ 116,476,750	\$ 68,436,550
Additional Annual Operating Costs	\$ 11,247,232	\$ 31,833,232	\$ 20,586,000	\$ 32,783,232	\$ 21,536,000	\$ 43,515,936	\$ 32,268,704
<b>Total Expansion Through 2025</b>							
Number of Beds	2,104	4,726	2,622	6,996	4,892	7,106	5,002
Estimated Project Costs	\$ 172,658,500	\$ 328,049,800	\$ 155,391,300	\$ 414,727,300	\$ 242,068,800	\$ 328,049,800	\$ 155,391,300
Additional Annual Operating Costs	\$ 39,896,423	\$ 84,359,821	\$ 44,463,398	\$ 103,438,392	\$ 63,541,970	\$ 133,924,285	\$ 94,027,862

Source: Carter Goble Lee; July 3, 2006

Conclusion

The purpose of this plan is to update previous studies in light of system and legislative changes and to model the possible implications of the public policies and behavior that influence incarceration. Without question, the use and abuse of methamphetamines in the United States is reaching epidemic levels amongst segments of the population. While these addicts are not typically violent, the abuse defies many of the traditional treatment models, and incarceration alone has shown to have virtually no impact upon curing the addiction beyond the obvious period of incarceration. Therefore, in conjunction with the determination of facility needs for methamphetamine addicts, the State must address a comprehensive approach to a continuum of care model that follows the released offender back to the community where sustainable solutions reside.

Secondly, the NDCS has embarked upon a "sea change" relative to the method used to classify inmates that ultimately may reduce the demand for higher custody bedspaces but increase the need for minimum custody bedspaces. Fortunately, resulting from the outcomes of the 1997 Master Plan, the State has an adequate supply of high custody



bedspaces that should last for more than a decade. The immediate need is to provide minimum custody bedspaces to take advantage of the change in classification levels and to focus on rehabilitation of these offenders, and especially those with histories of substance treatment abuse. Even if a new commitment to community-based alternatives "takes root", a period of incarceration in a minimum custody, treatment-focused environment may be critical to the success of any expansion of community-based alternatives.

Lastly, incarceration rates in Nebraska, while remaining far behind those of the East and West coast states, are certainly on the rise. In the 1992 Master Plan, the average daily population was less than 2,000. On May 2, 2006, the population was 4,420. In less than 15 years, the population has more than doubled. During the development of the 1997 Master Plan, the leadership of NDCS proposed that 125% of capacity would be a manageable level of crowding on a short-term basis. Today, the system is straining to accommodate 140% of capacity, and climbing. The 2006 Master Plan recommends 862 new bedspaces immediately that, if available today, would mean that the system was operating at 97% of a new recommended operating capacity that is higher than currently used.

Clearly, the State cannot expect to accommodate the level of growth expected even under the Natural Growth Model without a significant expansion of bedspaces. For the past 10 years, the ADP has increased, on average, 135 inmates per year. Simple math indicates that if the 862 FY 07-09 bedspaces recommended in this plan are not occupied until 2009, the population will have increased by at least another 300 prisoners to be added to the 700 that currently exceed the new recommended "operational capacity" of 3,704. The need for funding the Phase 1 plan is apparent. The State, unfortunately, does not have a history of funding alternatives to incarceration, but even if this trend was reversed overnight, the current facilities are well beyond the ability to offer reasonable conditions of confinement, much less treatment-focused incarceration.

Although expensive and often inadequate solutions, temporary housing may be necessary to maintain good order within existing facilities while the recommended new bedspaces are designed, constructed, and located. The State has a history of implementing the master plans that NDCS develops. Implementation of the 2006 Master Plan, hopefully, will not be an exception.



# **Strategic Capital Facilities Master Plan**

## **Governor's Meeting**

**July 13, 2006**

## Crime Statistics and Prison Growth

There are a number of factors that influence prison populations. Beginning in the 1980's and continuing up to the present, Nebraska has experienced a growing prison population. This prison growth created the immediate need for either additional prison capacity or a viable alternative to imprisonment. In November 2001, Nebraska opened the Tecumseh State Correctional Institution (TSCI), a 960-bed maximum-medium security facility at a cost of \$73,000,000. Population projections indicate continued growth. The following is a brief summary of major trends or primary indicators for prison populations in Nebraska since 1990.

1. <u>Statewide General Population:</u>	<u>1990</u>	<u>2000</u>	<u>2005</u>
(Source: U.S. Census Bureau)	1,578,000	1,711,000	1,758,787

= 9% increase since 1990

2. <u>Prison Population:</u>	<u>1990</u>	<u>1996</u>	<u>2000</u>	<u>June 14, 2006</u>
(Source: NDCS)	2413	3152	3589	4479

= 186% increase since 1990

### 3. Crime in Nebraska:

(Source: NE Crime Commission)

#### Offenses Reported – Volume and Rates

Year	<u># of Offenses Reported</u>	<u>% Violent Crime*</u>	<u>% Property Crime*</u>	<u>Crime Rate per 1000</u>	<u>Violent Crime Rate per 1000</u>	<u>Property Crime Rate per 1000</u>
1998	71,801	10.3%	89.7%	43.2	4.4	38.8
1999	68,885	10.4%	89.6%	41.3	4.3	37.0
2000	69,184	8.1%	91.9%	40.4	3.3	37.2
2001	72,287	7.0%	93.0%	42.4	3.0	39.2
2002	73,226	7.5%	92.5%	42.3	3.2	39.2

\*Violent crime includes murder, manslaughter, forcible rape, robbery & felony assault

\*Property crime includes burglary, larceny-theft, motor vehicle, & arson

#### Offenses – Clearances & Arrests\*\*

Year	<u># of Offenses Reported</u>	<u>Offenses Cleared</u>	<u>% of Offenses Cleared</u>	<u>Violent Crime Clearance Rate</u>	<u>Property Crime Clearance Rate</u>	<u>Total Arrested for Offenses</u>
1998	71,901	19,264	26.8%	69.5%	21.9%	14,996
1999	68,885	17,366	25.2%	63.7%	20.7%	13,893
2000	69,184	16,001	23.1%	58.8%	19.9%	13,200
2001	72,287	13,102	18.1%	64.0%	14.7%	12,848
2002	73,226	17,045	23.3%	60.7%	20.3%	12,463

\*\* Clearance and arrest statistics include actual offender arrests and crimes cleared by the arresting jurisdiction due to victims refusal to prosecute or death of the offender.

### Crime Statistics and Prison Growth

<u>4. Incarceration Rate (per 100,000):</u>	<u>1990</u>	<u>1996</u>	<u>2000</u>	<u>2004</u>	<u>2005</u>
(Source: U.S. Bureau of Justice Statistics)	151	194	228	230	237

Nebraska's Incarceration Rate increased 57% between 1990 & 2005  
 U.S. Incarceration Rate 6-30-2005 = 433 (not including Federal prisons)

Nebraska has the 7<sup>th</sup> lowest Incarceration Rate in the U.S. (Midwest Average is 380)  
 Nebraska Incarceration Rate was a 3.7% Increase over 2004

U.S. Average Incarceration Rate Increase in 2005 = 1.2%  
 Midwest Average Incarceration Rate Increase in 2005 = .7%

### 5. Admissions to Prison by Fiscal Year:

(Source: NDCS)

<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
1552	1521	1530	1636	1438	1830	1863	1916	1943	2088	2343

1996 = 129 new admissions per month  
 2001 = 152.5 new admissions per month  
 2006 = 195 new admissions per month

### 6. Methamphetamine and Sex Offender Admissions to Prison:

(Source: NDCS)

<u>Offense</u>	<u>During 1<sup>st</sup> Six Months</u>		<u>% Increase</u>
	<u>2005</u>	<u>2006</u>	
All Drug Offenses*	241	319	32%
Meth Manuf/Dist Only	146	205	40%
Sex Offenses	56	105	88%

\*Includes Meth Offenses

### 7. Average Length of Stay in Prison (in months):

(Source: NDCS)

<u>1996</u>	<u>2000</u>	<u>2005</u>	<u>2006</u>
25.2	25.9	26.1	22.3

### 8. Releases from Prison (mandatory discharges):

(Source: NDCS)

<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
809	916	987	1032	1048	1169	1228	1347	1208	1229	1492

1996 = 67 releases/mandatory discharges per month  
 2000 = 87 releases/mandatory discharges per month  
 2006 = 124 releases/mandatory discharges per month

## Crime Statistics and Prison Growth

### 9. Releases from Prison to Parole:

(Source: NDCS)

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
694	751	771	668	664	605	766	728	1031	950	916

Percent Increase from 1996 to 2006 = 32%

Total Released from Prison to Parole in 10 Years 1996 to 2006 = 8187

### 10. Parole Population:

(Source: NDCS)

	1990	1995	2000	July 5, 2006
NE Parolees in NE	535	718	577	559
Interstates Transfers		149	132	160

= 22% decrease in the parole rate since 1995

Number on Parole per 100,000 adult residents in NE (12-31-04) = 61  
 U.S. Average on Parole per 100,000 adult residents = 347

Nebraska Incarceration Rate 6-30-2005 = 237

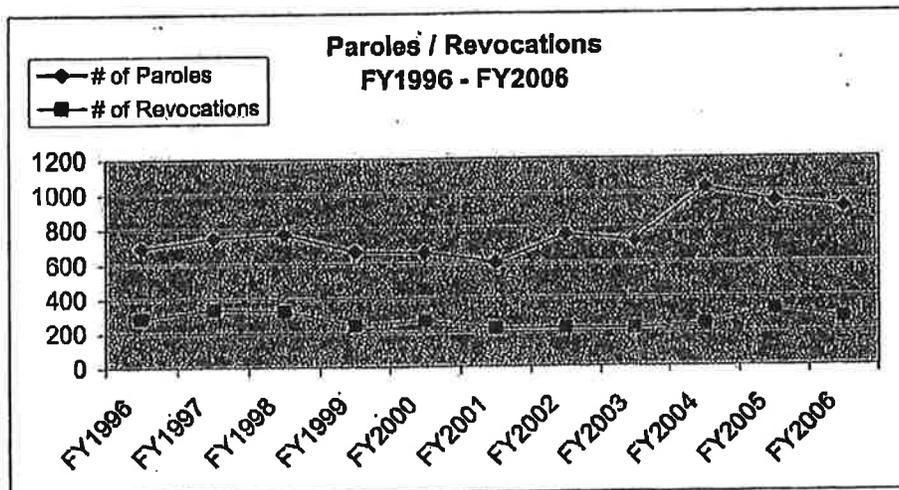
U.S. Incarceration Rate 6-30-2005 = 433 (not including Federal prisons)

### 11. Parole Revocations:

(Source: NDCS)

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
286	337	326	239	266	218	224	218	245	331	278

Total Revocations 10 Years = 2787



## Crime Statistics and Prison Growth

### 12. Bedspace Gains and Losses 1996 to Present:

(Source: NDCS)

<u>Feb. 1998</u>	<u>August 1998</u>	<u>September 1998</u>	<u>November 2001</u>	<u>June 2002</u>	<u>December 2004</u>
+200	+76	-8	+960	-292	+136 = 1072 gained
Gained - 2-100-bed Dormitories at NSP	Gained - 76-bed Facility In NCYF	Lost 8 Beds to Reclassification for Segregation Beds at NCYF	Gained - 960-bed TSCI (192 are Seg-beds)	Lost 90-beds as NCTC closed  Lost 152-beds with HCC closing  Lost 50-beds with opening of RTC at NSP	Gained 136-beds with addition to NCCW

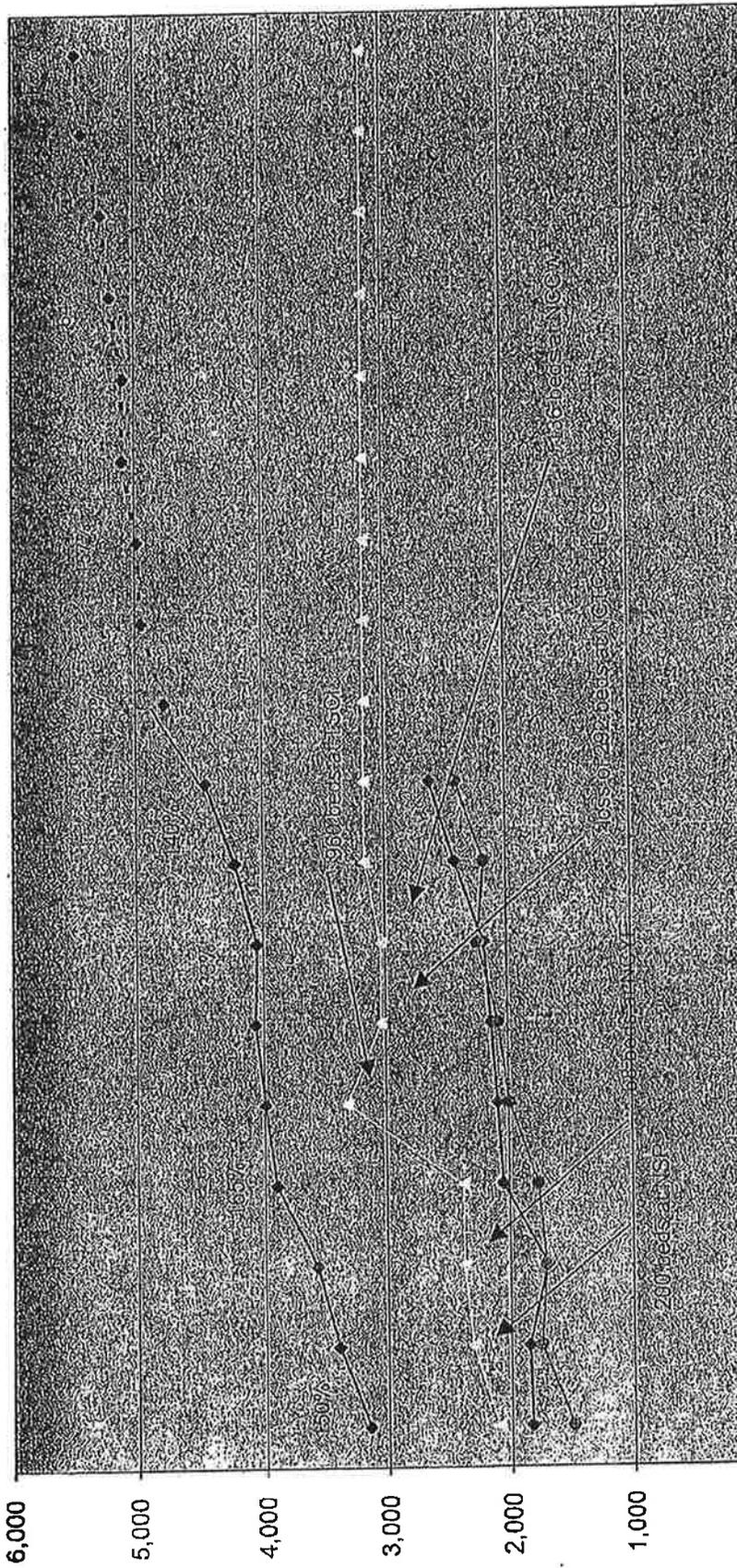
### 13. Bringing a New Prison On-Line:

(Source: NDCS)

<u>1996 DCS Begins Planning For TSCI</u>	<u>1997 Legislature Authorization</u>	<u>November 2001 TSCI Opens</u>	<u>2002 TSCI Online</u>	<u>2006 Current Pop.</u>
3029 inmates 144% of design capacity	3333 158%	3893 164%	3881 116%	4479 141%

In 1996, the Department began planning a request for construction of a maximum-medium secure prison. At that time, the Department was at 144% (3029 inmates) of design capacity with population projections indicating continued growth. During the 1997 Legislature, authorization was given for the Tecumseh State Correctional Institution and slightly over 4 years later the facility was open to receive inmates (Nov. 2001). The Department's design capacity had reached 164% (3893 inmates), a 28.5% increase in the number of inmates in five years. Once TSCI was online, the Department's crowding level dropped to 116% of design capacity. As of June 14, 2006, the Department's crowding had reached 141% of design capacity and was projected to continue to increase.

NDCS Inmate Capacity  
FY1996 - FY2015



	1996	1998	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
—●— population	3,158	3,413	3,589	3,900	3,990	4,070	4,053	4,220	4,447									
-●- pop. project.*										4,768	4,960	4,987	5,102	5,099	5,197	5,270	5,429	5,480
capacity *	2,103	2,303	2,371	2,371	3,331	3,039	3,039	3,175	3,175	3,175	3,175	3,175	3,175	3,175	3,175	3,175	3,175	3,175
bed shortfall	(1055)	(1110)	(1218)	(1529)	(659)	(1031)	(1014)	(1045)	(1272)	(1593)	(1785)	(1812)	(1927)	(1924)	(2022)	(2095)	(2254)	(2305)
—●— admissions	1,838	1,856	1,704	2,048	2,087	2,134	2,188	2,419	2,621									
—●— releases	1,503	1,758	1,712	1,774	1,994	2,075	2,239	2,180	2,409									
% of capacity	150%	148%	151%	165%	120%	134%	133%	133%	140%	150%	156%	157%	161%	161%	164%	166%	171%	173%

\* Based on inmate population projections provided by JFA Associates

100% Capacity is 3,175; 125% Capacity is 3,969

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## Nebraska Department of Correctional Services Strategic Capital Facilities Master Plan July 13, 2006

The Strategic Capital Facilities Plan is a comprehensive long-range master plan designed to manage growth and other changes impacting the agency. The 2006 Master Plan is an update to the 1992 and 1997 Master Plans.

- Agency Needs - The Master Plan identifies the Agency's needs based on current populations and population forecasts expected to occur on planning horizons to the years 2015 and 2025.
- Agency Assets – The Master Plan documents the Agency's existing assets with an architectural space analysis of each facility. The plan examines the original design capacity, re-establishes the rated bed capacities (based on ACA and operational conditions), and proposes maximum operational capacities (above which capital improvements are required).
- Strategy for Meeting Needs – The Master Plan presents a strategy for meeting the shortfall as well as providing recommended solutions, including anticipated capital costs and annual operational expenses.
- The Master Plan is first examined in terms of the *natural growth* defined as the minimum population growth. The Master Plan also examines a higher population projection that could result due to recent legislation (methamphetamine, sex offender, etc.) and other changes, as represented in terms of an *accelerated growth* model.
- With the exception of TSCI and NCYF, existing DCS facilities do not have support infrastructure (utilities, food service facilities, heating plant, program space, etc.) in place, or for most facilities the availability of land, to accommodate additional housing construction.
- In addition to capital construction to increase inmate bed capacities, the Master Plan also identifies a number of capital improvements that are required to continue operating safe and secure facilities.

## Proposed Capital Construction\* (FY 2007-2009)

### Strategic Capital Facilities Plan

- |           |   |                           |
|-----------|---|---------------------------|
| <b>1.</b> | <b>Front Entrance Security/CCTV Surveillance Project</b><br>DEC, LCC, NCYF, NSP, OCC – program statement in progress              | <b>\$7,860,000</b>        |
| <b>2.</b> | <b>CSI Additions at TSCI, OCC, NCCW</b><br>Requires program statements  |                           |
|           | <input type="checkbox"/> TSCI-Additional 7500 SF bay to existing building   | \$1,800,000               |
|           | <input type="checkbox"/> OCC-Additional 6000 SF building or addition  | \$1,225,000               |
|           | <input type="checkbox"/> NCCW-New 40000 SF CSI Building   | \$ 820,000                |
| <b>3.</b> | <b>New Substance Abuse Treatment Facility, 125 Beds</b><br>Requires program statement   | <b>\$12,000,000 (+/-)</b> |
| <b>4.</b> | <b>New Male Minimum/Community Facility, 612 Bed</b><br>Allows for increased female population at CCCL, Requires program statement | <b>\$39,819,000</b>       |

\*Relating to prison capacity increases

## Short Term Alternatives to New Facilities Construction

Given the population projections, the following are alternatives for consideration in addition to new prison capacity:

### 1. Placement of DCS Inmates at Work Ethic Camp\*

- Increase to 120 beds – capacity increase of approximately 20 beds
  - Staffing and Operations: 3 fte positions      \$158,736
  - Inmate Pay      \$60,000
  - One time Costs      \$65,650
  - \$284,386
  
- Increase to 200 beds – capacity increase of additional 100 beds
  - Increases in staffing and operations would be necessary

• *Requires legislative change to allow inmates to be placed at the Work Ethic Camp*

### 2. Renovate Hastings Correctional Center, 250 Bed

- Includes required Fire/Life Safety, ADA, Deferred Repair & Code compliance
- Dependence on Hastings Regional Center for food service and heating plant
- Does not include industry space
- Time line for renovating HCC is much shorter than time required to locate an acceptable site and construct a new facility

#### Cost Comparison

- |  |                     |
|--|---------------------|
| <input type="checkbox"/> New 250 Bed Minimum Security Facility | \$17,750,000        |
| <input type="checkbox"/> Renovate HCC for 250 Beds             | <u>\$ 9,528,000</u> |
| <b>COST SAVINGS</b>  | <b>\$ 8,222,000</b> |

### 3. Other Initiatives Tried Across the Country

- Expand Community Corrections (State and Private)
- Lower Parole Violations and Increased Paroles
- Restoration of goodtime for community custody inmates
- House Arrest



Doug Hanson/dcs/NEBRLN  
07/13/2006 11:28 AM

To scarter@cartergoblelee.com  
cc cjohnson@cartergoblelee.com, Bob  
Houston/dcs/NEBRLN@NEBRLN, Robin  
Spindler/dcs/NEBRLN@NEBRLN, Steven  
bcc  
Subject CGL Master Plan

Steve,

Today we met with the Governor and his staff concerning the CGL Master Plan. The meeting went very well and they are in the process of reviewing the Executive Summary and may desire some changes. During the meeting the Governor emphasized the Community Corrections Council. As such, we are requesting you insert the following statement as the first statement in the document.

*With the formation of the Community Corrections Council, the potential to divert low-level offenders from prison is significant and will impact future bed space requirements. As the State further implements and expands the initiatives of the Community Corrections Council and similar prison alternatives, the need for prison bedspace is both diminished and delayed.*

Please also insert similar language in the conclusion section of the Executive Summary, as well as inserting similar language in appropriate locations in the body of the report. Thanks!

Doug Hanson  
Facility Engineering Manager  
(402) 479-5742  
Doug Hanson/dcs/NEBRLN

  
Robin Spindler/dcs/NEBRLN  
07/25/2006 11:16 AM

To Bob Houston/dcs/NEBRLN, Doug Hanson/dcs/NEBRLN,  
cc  
bcc  
Subject charges to Carber Goble Report

Listed below is the summary of changes for the Carter Goble report. Please review to make sure I got everything, and then I'll forward to Steve. Also, after our review, we can also forward to Robert Bell so that he knows what changes we're recommending.

- ✓ ES 7: 1st paragraph - last sentence  
- add 'if community options do not keep pace' so that the sentence reads: Clearly, capacity expansion initiatives are needed as soon as possible if community options do not keep pace to maintain safe and human conditions within the system...
- ✓ ES 7: under housing section - delete last sentence of first paragraph  
- delete: Since medium custody inmates comprise the majority.... to inpatient treatment.
- ✓ ES 8: last paragraph  
- delete first sentence: A recent study estimated that.... abuse treatment.
- ✓ ES 8: Program section - 2nd paragraph, 2nd sentence  
- add 'in Industries program' -- so that reads: Nebraska is already ahead of many other states, with close to 15% of all inmates employed in Industries programs.

ES 13: Option 2:  
- change wording so that the strategy is a regional jail model

ES 14: paragraph at top of page  
- change wording in the sentence beginning with "The three options frange from NDCS developing....." so that it replaces the 'joint-venture with counties' to the regional mail model language.

- ✓ ES 14: under summary section  
- 2nd paragraph - last sentence; add to the end of the sentence: unless community options diminish or delay construction.  
- 4th paragraph: delete entire paragraph except for the 3rd sentence (Continuing additional growth on....to 2025.) Move that sentence to the end of the 2nd paragraph.

✓ ES 19: 3rd paragraph  
- delete the laste sentence: The need for funding...much less treatment-focused incarceration.

✓ ES 19: 4th paragraph  
- delete 2nd and 3rd sentences: The state has a history.... and Implementation of the 2006 Master plan...

Robin Spindler  
Deputy Director - Admn Services  
(402) 479-5711 (w)  
(402) 479-5623 (fax)  
(479-5712) - Admn Asst.

1-2726

**Hanson, Doug**

**From:** Houston, Bob  
**Sent:** Monday, May 04, 2009 10:59 AM  
**To:** Hanson, Doug  
**Subject:** FW: Questions

Doug,

Pls note. I will call you.

---

**From:** Bell, Robert <Robert.Bell@nebraska.gov>  
**Sent:** Monday, May 04, 2009 10:12 AM  
**To:** Houston, Bob <Bob.Houston@nebraska.gov>  
**Cc:** Nemec, Connie <Connie.Nemec@nebraska.gov>  
**Subject:** Questions

Bob: This is a follow up to the question I asked you at the Community Corrections Council meeting Friday. I am interested in realistic cost estimates related to prison construction. I know that you have a 'footprint' available at TSCI, and I believe you may another footprint available at another facility which escapes me at the moment. I also think that you have said in the past that your need is at the lower custody levels, so I would like an estimate of a new minimum/medium facility. I will leave the bed number up what you think is reasonable. I will also need the cost of running such a facility for a year (including personnel). I need the 2009 costs, so please take into account inflation if you can. I understand that this would be just your best estimate/guess, so don't over work your staff trying to get the data! To recap:

1. TSCI addition construction costs, # of new beds, increase in annual operating costs.
2. Other facility construction costs, # of new beds, increase in annual operating costs.
3. Medium/minimum construction costs, # of new beds, annual operating costs
4. If I forgot something obvious, insert here!

ANOTHER QUESTION: How many inmates, during the last twelve months, entered into DCS with less than a year to serve?

Thanks for your help. Call with any questions. Robert

---

Robert M. Bell  
 Governor's Policy Research Office  
 (402) 471-2853  
[robert.bell@nebraska.gov](mailto:robert.bell@nebraska.gov)

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**COPY**

1-2718

**STATE OF NEBRASKA**

**DEPARTMENT OF CORRECTIONAL SERVICES**

**Robert P. Houston**

*Director*



**Dave Heineman**  
*Governor*

**MEMORANDUM**

**DATE:** May 7, 2009

**TO:** Robert Bell, GPRO

**FROM:** Robert P. Houston, Director

**SUBJECT:** Housing and New Facility Construction  
NDCS Inmates serving 366 days or less when received

Pursuant to our discussion, I am providing you with some very "ballpark" cost information. The following information is partly based on the 2006 Strategic Capital Facilities Plan, as prepared by Carter Goble Lee, as well as the actual project cost for TSCI.

**1. 256 Bed Housing Unit Addition (Maximum Security) - TSCI**

(a) Project cost for a new 256-bed housing unit on the existing TSCI footprint was estimated at \$23,296,000 (2006 data). Today's project cost estimate, adjusted for inflation would be \$25.9 million, as follows:

Year	Beg. Cost	Increase	Ending Cost
2006	\$23,296,000	3.9%	\$24,204,600
2007	\$24,204,600	2.7%	\$24,858,200
2008	\$24,858,200	4.3%	\$25,927,100
2009	\$25,927,200		

Constructing a new housing unit within the secure perimeter of TSCI will result in additional construction costs related to security and access issues for the contractor, sub-contractors, and suppliers. As such, an "8% security conditions" factor is also applied to the TSCI project. Increasing the \$25,927,200 estimate by eight percent (8%) results in a total estimated project cost of **\$28.0 million**.

(b) Number of new beds = 256 beds

(c) Increase in annual operation cost = \$4,800,000 (65 FTE)  
PSL: \$284,200 One-time costs: \$147,000

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Houston Hearing Exhibit

**2. 250 Bed Housing Unit Addition (Minimum/Community Custody) – CCCL**

Clearly, CCCL is the most cost efficient minimum/community custody facility to add inmate housing to. It would be very difficult to add housing at CCCO due to insufficient land area, utilities, and the need to close a public street. CCCL, on the other hand, has ample site size and utilities within a reasonable distance. The following cost estimate is based on providing a 250 bed housing unit increase to CCCL. Consideration for new food service facilities, heating plant, and other ancillary services are included in the square footage, however, industrial space (CSI) and a gymnasium is not included. Project cost is based on a construction cost of \$195 per square foot plus project soft costs of 30% for FFE, Security Equipment, Fees, Site Utilities, and Contingencies.

<u>Beds</u>	<u>Area Per Bed</u>	<u>Total Area</u>	<u>Project Cost per GSF</u>	<u>Project Cost</u>
250	250 GSF	62,500 GSF	\$255	\$15,937,500

(a) Project Cost for a 250 bed housing unit expansion at CCCL is estimated at **\$15.9 Million.**

(b) Number of New Beds = 250 Beds

(c) Increase in annual operation cost = \$2,725,000 (34 FTE)  
 PSL: \$1,210,425 One-time Costs: \$90,000

**3. New 900 Bed Multiple Custody Facility (Maximum/Medium) – Site Unknown**

Our focus has changed from a medium-minimum facility to maximum-medium for two (2) reasons:

1. As community corrections efforts advance, our remaining inmates will be those serving longer sentences for violent offenses and with more serious criminal histories. We will want the flexibility to divide or disperse adult criminal partners and criminal threat group members amongst three facilities.

2. The Lincoln Correctional Center (LCC) was built as a medium-minimum facility in 1979. For the past two (2) decades it has been required to hold very volatile, young, maximum-security inmates. The facility is not designed for this population. Additionally, LCC's mission needs to change over the next decade to house our increasing special populations to include protective custody inmates, sex offenders, and the mentally ill.

The following is a preliminary project cost estimate to construct a 900 bed, multi-custody facility capable of housing maximum, medium, and minimum security inmates. Instead of using resource information from the 2006 Strategic Capital Facilities Plan, the following estimate is based on providing a facility similar to TSCI. As you know, TSCI was programmed and designed based on essentially this same criteria. As such, the most comparable cost model would be TSCI, adjusted for 900 beds using today's cost criteria. TSCI was originally funded in 1997 with an appropriation of \$73,946,763 for a design capacity of 960 beds. The following is my interpolation of what a similar facility would cost today:

- A. Project Cost per inmate bed in 1997:  $\$73,946,763 / 960 \text{ beds}$   
= \$77,028 per design bed
  
- B. Interpolated Project Cost for 900 beds in 1997:  $900 \text{ beds} \times \$77,028 \text{ per bed}$   
= \$69,325,200
  
- C. Today's Project Cost utilizing *Engineering News Record's "Building Cost Index History"* since 1997:

Year	Beginning Value	Annual Cost Increase	Ending Value
1997	\$69,325,200	5.027%	\$72,978,600
1998	72,978,600	0.803%	73,394,900
1999	73,394,900	1.917%	74,801,800
2000	74,801,800	2.402%	76,598,600
2001	76,598,600	0.989%	77,356,200
2002	77,356,200	1.371%	78,416,800
2003	78,416,800	1.932%	79,931,800
2004	79,931,800	7.880%	86,230,400
2005	86,230,400	5.547%	91,013,600
2006	91,013,600	3.900%	94,563,100
2007	94,563,100	2.655%	97,073,800
2008	97,073,800	4.593%	101,532,300
2009	\$101,532,300		

- D. Additional cost issues: The \$101.5 million estimate does not include cost factors for a higher proportion of segregation and maximum security beds compared to TSCI. For instance, this new facility may require a higher proportion of these types of beds. Additionally, the square footage per inmate (Area/Bed) for TSCI (383 sf/bed) is slightly below the cost matrix information provided in the Strategic Capital Facilities Plan of 400 square feet per bed. As such, a small 5% factor is included to account for these

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variances. Therefore, increasing \$101.5 Million by five percent (5%) results in a total estimated project cost of \$106.6

(a) The estimated project cost for a 900 bed, multi-custody facility is **\$106.6 Million**. *The location for this facility is unknown, and therefore, site acquisition costs, major utility extensions, driveway/roadway costs, and other major infrastructure costs are not included in the estimated project cost.*

(b) Number of new beds = 900 beds

(c) Annual operational cost = \$32,150,000 (511 FTE)  
PSL: \$16,362,150 One Time Costs: \$1,426,000

**To recap the estimated project cost from the above:**

- |   |           |
|---|-----------|
| 1. 256 Bed Housing Unit Addition (Maximum Security)-TSCI  | \$28.0 M  |
| 2. 250 Bed Housing Unit Addition (Minimum/Community)-CCCL | \$15.9 M  |
| 3. New 900 Bed Multiple Custody Facility-Site Unknown     | \$106.6 M |

Once again, I want to reiterate facility and staffing costs are "ballpark" project cost estimates. In the event any project would move forward, a full program statement with architectural space plan is required.

You had inquired as to the number of inmates admitted to NDSC within the last year with less than a year to serve. As of May 3, 2009, 2422 inmates had been admitted within the previous twelve months. Of that number, 703 had less than 366 days to serve.

RPH/csn

Attachment: Robert Bell's May 4, 2009 email

CC: Robin Spindler  
Kate Morris  
Connie Nemec  
Layne Gissler  
Larry Wayne  
File

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**From:** Hanson, Doug  
**Sent:** Tuesday, September 01, 2009 10:22 AM  
**To:** Houston, Bob  
**Cc:** Pohlmann, Jerry; Spindler, Robin; King, Steven; Kroeger, Concha  
**Subject:** Overcrowding Meeting  
**Attachments:** New 250 Bed Housing Expansion CCCL (09-02-09).doc; New 600 Bed Med-Min Facility (09-02-09).doc

Director Houston,

Due to a family medical issue, I will not be able to attend tomorrow's meeting on overcrowding. I will be assisting my wife in moving her parents into an assisted living unit in Lexington. I have asked Jerry Pohlmann to attend in my absence.

I am attaching copies of the two (2) documents that I shared with you last week.

1. 250 Bed Housing Unit and Program Space Expansion for CCCL, preliminary estimated cost is \$16,125,000. This project would be a CCCL expansion housing unit and includes program treatment space.
2. 600 Bed Medium/Minimum Security Facility, preliminary estimated cost is \$50,625,000. This stand alone facility would be located north of CCCL. Please recognize locating a new facility of this size and security level at this site may receive community opposition as the location is relatively close to Roper Elementary School (please refer to site plan).

Steve King and I have discussed the population increases and it does appear additional beds for medium and minimum security are needed.

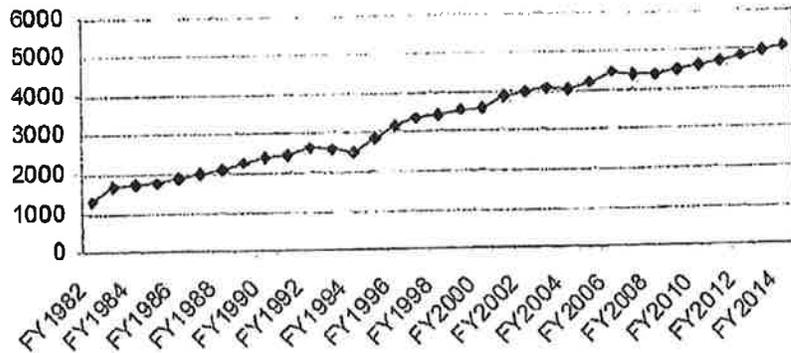
Doug Hanson  
Facilities Engineering Manager  
Department of Correctional Services  
(402) 479-5742 (Office)  
(402) 479-5842 (Fax)  
[doug.hanson@nebraska.gov](mailto:doug.hanson@nebraska.gov)

**Nebraska Department of Correctional Services**  
**Robert P. Houston, Director**  
**September 28, 2009**

**Capacity Issues**

Over the last three decades, the Department has averaged an annual growth rate of 116 inmates per year. The chart on the right identifies actual population through 2009 and projections through 2014 should this trend continue.

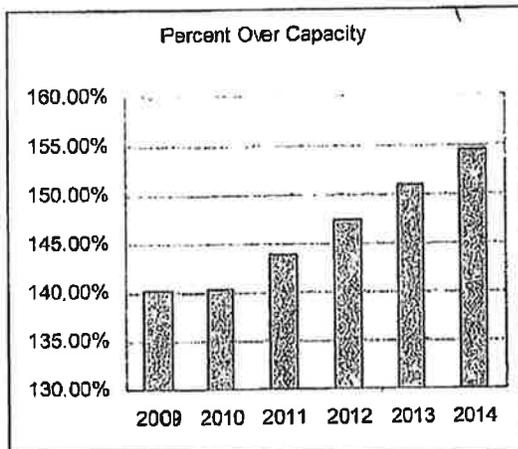
Nebraska Department of Correctional Services  
 Fiscal Year 1982 - 2009 Populations  
 Projections To FY2014



**External Factors**

- LB 63 – change provisions and penalties relating to assault, firearms and other weapons, graffiti, gang affiliation, juveniles, bail, jailhouse informers, appeals, violence prevention, prisoner employment, and dating violence policies
- Sex Offenders – Currently the NDCS houses approximately 1,000, or nearly one quarter, of the total population. Total bed capacity for in-patient sex offender treatment is 52; total capacity for outpatient treatment is 54. Currently, 17 sex offenders, or two (2) percent of the total, are on parole.
- Additional legislation which would enhance penalties (i.e., mandatory minimums)

**Implications & Solutions**



Year	Population	Percent Over Capacity	Placement of Additional 116 Inmates
2009	4451	140.19%	
2010	4597*	140.37%	100 at WEC (200%)** 16 at OCC (173%)**
2011	4713*	143.90%	104 at OCC (199%)** 12 at NSP (151%)**
<b>Maximum/Medium Security Units Become More Crowded</b>			
2012	4829*	147.45%	116 at NSP (167%)**
2013	4945*	150.99%	116 at NSP (183%)**
2014	5061*	154.53%	93 at NSP (196%)** 23 at TSCI (100%)**

\* Includes 100 rated capacity beds  
 \*\* Percent of that facility's design-capacity

NOTE: TSCI was built as a "double bunk" facility

**Factors which may cause a downturn in population**

- Correctional Industries decrease idleness within facilities and promote success upon parole/discharge. Industries provide vocational training at no additional cost to decrease recidivism.
- Community Corrections Council increases day reporting capacity and gives up WEC 100 beds, thereby adding 100 beds. This pushes the adding of Maximum/Medium beds to 2012.
- Maintaining a larger capacity within community centers and the Work Ethic Camp, increasing the number of inmates prepared for parole
- Placing inmates serving 12 months or less in their communities at no added cost to local governments and expanding the Re-entry Furlough Program (RFP)
- Increasing the numbers of inmates on parole
- Decreasing the number of inmates returned for technical parole violations with "half-way back" options (e.g., electronic monitoring, house arrest, travel plans, etc.)
- Behavioral health programming (mental health, substance abuse, sex offender) to increase successful parole, thereby decreasing recidivism

**NDCS Plans to Increase Capacity**

- Continue filling lower security units and facilities first.
- Reallocating 32 minimum beds at TSCI to medium/maximum, which does not change total capacity, but aids in placement for the medium/maximum population
- Design – Bid – Construction process
  - Suggest we begin program statement by June 2010 to :
    - Build 250-bed housing unit at CCC-L (minimum custody)
      - Approximate cost - \$16,125,000
    - Build 256-bed housing unit at TSCI (medium/maximum custody)
      - Approximate cost – 28,000,000

## Healthcare Issues

### Goal

Ensure full compliance with LB 154, providing the community standard of care, while reducing the cost of medical services.

### Strategies

- Blue Cross contract effective date October 1, 2009
  - Negotiated a 9% Admin fee; Blue Cross proposed 10%,
    - Projection is \$5 million in claims or \$450,000 in fees; cost avoidance of \$50,000
- Urgent Care Initiative
  - Implemented in Omaha and Lincoln in June 2009
  - Costs for emergent care about 50% less than emergency rooms
- In-Home Dialysis
  - Beginning November 2009 at NSP
  - Will save us hundreds of travel orders and at a lower cost
- Omaha agency nurse initiative results in an annual savings \$132,000
- Terminate a contract for psychiatrist services effective October 1, 2009
  - Savings of \$45,000
- Pharmacy Restructuring Initiative
  - January 2010
  - Reduce number of pharmacists from five (5) to two (2), number of techs from nine (9) to two (2)
  - Lease automated delivery system

### Future Considerations

- Position DCS Health Services to:
  - Respond to the aging inmate population
  - Possess the capabilities of documenting evidence-based medicine and best practices

### 2012-2013 Budget

- Electronic Health Records System Purchase
  - Estimated cost \$2 million, with \$200,000 in annual operating fees
  - We plan to propose after showing effective implementation of the above initiatives

Nebraska Department of Correctional Services  
March 14, 2012

CSI Laundry Price Increase

Increase by four (4) cents per pound to keep laundry expenses from crossing over into the other CSI programs

Increase would impact HHSS by approximately \$60K

This increase is only the second price increase in 13 years

Capacity

NDCS is at 143 percent of its capacity (4,565 inmates). The number of inmates on parole has increased, but not to the level necessary for the budget modifications. NDCS must reduce its population or increase its capacity.

No Cost Options

- Parole – change to Parole Board practices only
  - Use GPS on all sex offenders
    - \$5 per day per inmate
  - Increase number of days and parole hearings conducted each month
  - NDCS sets parole hearings – current law supports this; no change to Parole Board’s authority to parole
    - Shift of administrative costs to DCS from Parole Board
- Parole – law change required
  - Mandatory Parole
  - Presumptive Parole
  - Parole decisions at facility level for inmates with under three (3) years to serve – becomes a classification decision
- Good Time Laws – AG opinion / law change **191**
  - Allow current good time law to apply to all inmates regardless of sentencing date if it benefits the inmate
- Restructure Sentencing
  - Minnesota model
- Diversion of SO Registry Violators
  - Parole immediately with an identified residence, registration, and GPS tracking – requires Parole Board policy change
- Work with local prosecutors to push repeat offenders to federal system

**Low Cost Options**

- Front-End Alternatives
  - Triage Inmates at reception – use of House Arrest
  - Add “inmates” to LB46 (access to Day Reporting Centers and vouchers)
- Increase halfway-back options
  - Use of jails, not-for-profit housing in addition to NDCS community centers (no cost)
- County Jails keep short-term inmates (90 to 120 days or less to serve)
  - Model MOU similar to the federal system’s agreement with jails
- Reinstate housing reductions from prior budget
  - Re-open J-1 at OCC
    - Require deficit request
  - Keep HU 5 open at NSP (1.5 housing units)
    - Require increase in base budget for 13/14
- Lease a facility
  - College campus – 500 beds
    - \$5.9M to purchase with unknown renovation costs

**Build Capacity**

*Need approximately 1300 beds to reduce current capacity to 100 percent*

- New 600-bed facility on existing land
  - \$54M construction
  - \$13M operating
- Add 256-bed housing unit at TSCI
  - \$34M construction
  - \$6M operating
- Add 200-bed housing unit at WEC
  - \$11M construction
  - \$4.5M operating
- Re-open 250-bed unit at Hastings Correctional Center
  - \$10M construction (rennovations)
  - \$5M operating
- Total construction costs - \$109M
- Total operating costs - \$28.5M

**DCS Executive Staff Meeting  
Meeting Minutes  
Tuesday, 19, 2011  
9am**

**TSCI – Warden's Conference Room**

**Present:** Bob Houston, Robin Spindler, George Green, Steve King, John McGovern, Steve Urosevich, Dr. Ranc Kohl, Levi Bennett, Larry Wayne, Frank X. Hopkins, & Concha Kroeger

- OD Report, Joe Baldassano, July 12 - 18, 2011 (via Frank X. Hopkins)**
  - NSP on modified lockdown; possibly off later today.
- Next OD, James Foster, July 19 – 25, 2011.**
- Budget Announcements/Discussion – Robin Spindler**
  - Ms. Spindler shared we are around 3.9M\$ to the good.
    - At this time, the Director thanked the Wardens/Department Heads for their leadership and to staff for their support during budget challenges.
      - With this amount of monies, it gives us a bit of flexibility for the future.
- Population Updates – Kyle Poppert/Layne Gissler**
  - On behalf of Mr. Kyle Poppert and Mr. Layne Gissler today Mr. Houston and Mr. Wayne shared that due to yesterday's meeting at DOR's, all information was discussed there and we are moving forward. The thanked staff and shared that they believe the meeting at DOR Re: Re-Entry efforts; decreasing population, went very good and a lot of questions were answered.
- Calendars – reviewed by all**
- DCS Monthly Updates – Robin Spindler**
  - Ms. Spindler shared we will review current updates at next week's meeting.
- Warden Fred Britten-TSCI 'What is Occurring at TSCI'**
  - They have had some positions to be filled and continue to work steadily even though they are working with a bit over 14 vacancies.
  - The Wood shop is coming along, will be utilizing very soon.
  - Some canteen mismanagement occurring and investigation being done.
  - Population is good.
  - Security Threat Groups; being watched.
  - Bed spacing in PC & Segregation; down a little.
  - GP beds are filled.
  - 954 population count today.
  - He is very glad to have Mr. Brian Gage back in the office as Mr. Gage was assisting with the hosting the State Department-Tunisia. At this time, Mr. Houston extended a big thank you to be shared with Brian, as this took a lot of time and communicating challenges.
  - He wanted to extend to all that TSCI is working on their 10 Year Anniversary Celebration for Tuesday December 13, 2011, more details to follow as preparation is still in the works.
  - Staff at the end enjoyed a brief tour on the 2<sup>nd</sup> floor to view new video equipment: for training & security. This equipment has been working very good and TSCI mentioned, a big thank you to IT staff for the support and help as this is quite cumbersome to put in place to utilize.
  - Ex. Staff shared a big thank you to Warden Britten for his hospitality and thank you to staff for all they do.
- Announcements – Bob Houston**
  - Reminder, our 2011 DCS Annual Recognition will held on Thursday, September 29, 2011, at the Capitol Rotunda; please plan attending and congratulate all our individuals being recognized and to say thank you for all they do~

- He and Mr. McGovern will be going to Eppley Airfield and present a recognition plaque to say thank you for all they have done to assist our Department, especially, within our Omaha facilities due to flood issues this past month. Thank you to CSI for making such a fine plaque~
- He would like to discuss Legislative Proposals at next week's meeting; Ms. Dawn-Renee Smith will gather information for discussion on 'Discretionary Positions'. Ms. Kroeger will add to the agenda.
- As he mentioned earlier in the meeting the Re-Entry Mtg. at DOR yesterday went good and he is looking for the following to occur/next steps:
  - We need to be recommending at least 191 – 200 to BOP each month.
  - Look at utilizing alternate programming path for those to get on parole.
    - Due by parole eligibility date.
    - Give them a plan in moving out.
  - He would like to have Ms. Becki Hickman-PRA to check on earlier hearing dates.
  - He will continue to work with and talk with Ms. Esther Casmer-BOP Chair on issues at hand.
  - Look at before PED, make a hearing; reviews up to the BOP.
    - With treatment- can be moved to Plan B – because of PED we can do residential & get out in the community; resources.
    - Also, we have a high number is SAU which we could get out on parole; let see what we can do.

Therefore, we need to work on practical implementation so the Director has decided to call a meeting regarding issues above.

- Program Recommendation Merging – Treatment/Classification
  - Monday, July 25, 1:30 pm, in the ECTC.
    - To include: Fred Britten (in for Frank X. Hopkins), D Randy Kohl, Dr. Cameron White, Dr. Richard Thomas, Dr. Mark Weilage, Ms. Spindler, Mr. Wayne, Mr. Ky Poppert & Mr. Layne Gessler.
    - Once we work out this implementation stage, we will move forward.
- Ms. Julie Masters-UNO, working on preparing an Aging Population video in which we can utilize a lot of benefits for us. This will be a gathering/collaborative effort with our Department. To include: STA, Security, Treatment, & Unit staff to attend for preparation. Ms. Spindler and Mr. Houston working out further details; September 2011 to take place.
- We have a safe keeper from DHHS, this individual doing good; to be here with us until August 2011.
- Mr. Houston and Mr. Bennett will be getting together to discuss some updates on the Pharmacy issues at hand.
- He would like to invite our CMSW-Ms. Kathy Foster to this week's meeting at UNO; Ms. Kroeger will apprise her of this.
- We calculated around 23T\$ annually for court transfers, this will be shared with key folks downtown.
- He shared an article he had received from another agency (see attached) regarding Colorado DOC – "Colorado put IP services on lockdown – Administrative Confinement privileges"; this something he would like to have Mr. Bob Shanahan-IT Administrator look into; and, when Colorado DOC, Ms. Kathy Slack, comes later this Fall, we will get some input from her on how it has progressed.
- He shared that the OWH had an article in the paper a few days ago which was regarding the Omaha Public Schools being criticized for spending monies on a book for their staff pertaining to their diversity efforts; issues in the book content were of specific individual privileges. We here DCS are looking at enhancing our diversity efforts and we seek to 'up lift others, not down'. If you get a chance, see the article.

There being no further business the meeting was adjourned.

The next meeting will be held on Tuesday, July 26, 2011, 7:30am, in the ECTC; please plan accordingly.

Submitted by: Concha Kroeger

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**MEMORANDUM**

**DATE:** June 11, 2012

**TO:** Frank X. Hopkins, Deputy Director/Institutions

**FROM:** Mario F. Peart, Warden – LCC

**SUBJECT:** Department Head Meeting – 6/11/12

**PRESENT:** Mario Peart, Robert Madsen, Major Diltz, Tony Cruz, Tammy Kluver, Janet Boyer, Chuck Glenn, Capt. Burkey, Brienne Meaghers, Jeff Salomons, Andrew Mook, Anne Thompson, Kevin Oliver, Tim Mayfield, Todd Haussler, Ricky Wray, Amber Wiens, Don Divis, Nate Schwab, Ted Hill and Laura Bonow

**ABSENT:** Denise Skrobecki, Jason Hurt, Rick Johnston, Wayne Chandler, Rick Hargreaves, Robln Hinrichs

Mr. Peart opened the meeting at 9:00 a.m. He introduced Anne Thompson as the new Human Resources Assistant.

Janet Boyer reported that it has been a very busy month for food service staff. They continue with Pro-Start classes and are working on different exercises. Currently, they are waiting for some menu revisions. Jeff Williams is absent from the facility for three weeks. There are new inmates working in the store room and they are working in central dining. There is one staff member who is finishing up with training for the year.

Chuck Glenn stated there are several different religious activities scheduled for June 21 and June 22. The Native American inmates and Asatru inmates might want the same date so they will scheduled one for the morning and one for the afternoon. The Wiccans can have Monday and Saturday of that week. Mr. Glenn received some extra material for the Angel Tree project.

Brienne Meaghers stated that the MSW intern will work through August. IHELP currently has three open beds. There are a couple of central monitoring issues. Once or twice a year, there are a lot of P.C. Interview Requests. If they have a treatment option, they can apply for the program.

Jeff Salomons reminded everyone that this Friday and next Friday are the last of Day 5 training. On June 28, pest control will be here.

**DEPARTMENT HEAD MEETING  
JUNE 11, 2012  
PAGE 2**

Andrew Mook stated that the roof project is progressing. They will begin working extended hours, from sun up to sundown. The CSI shops sprinkler project is winding down. They are waiting on the final inspection from the Fire Marshal. They are planning to post the Facility Maintenance Specialist position.

Anne Thompson stated that she made it through her first payroll and open enrollment. Mr. Peart thanked her for the assistance she provided to staff with their insurance.

Kevin Oliver reported there are 230 inmates in the Hobby Program. The inmates have finished the buddy league softball season. They are now into Summer Challenge events. Clubs are running fine. They opened the evening yard session after the recommendation last Wednesday. The first outside softball team came in last Saturday.

Tim Mayfield reported there are 117 inmates in A Unit with two held beds. Beginning next week, they will be fully staffed.

Todd Haussler reported there are 70 inmates in D Unit and six are scheduled to transfer to that unit. They began painting inmates cells and this is going well.

Ricky Wray stated that there has been an increase in ASL interpretation. He will be on vacation June 18 through 29.

Don Divis advised that he is filling in for Mr. Hargreaves who is on vacation. There are currently 120 inmates on B Unit. There are eight beds being held in segregation. They have two people to finish Day 5 training and one to finish chemical training.

Nate Schwab reported that next Tuesday from 11:00 a.m. to 3:00 p.m., someone is coming in to do a virtual hallucination exercise for those staff who would like to participate.

Ted Hill reported that graduation of the residential substance abuse group will take place on July 11 from 10:00 to 11:30 a.m.

Amber Wiens talked about the Travel AR and reminded staff they need to review this before they make travel arrangements for training, conferences, etc. She also reminded staff to complete their inmate pay entries on CIPS. When hiring an inmate, make sure he does not have another job. We are currently over budget due to three payroll periods last month. Canteen Supervisor interviews will be set up for next week. There is one canteen staff member who is finishing their training for the year. Ms. Wiens is scheduled to be gone on maternity leave in two weeks. Steve Weis, Jerry Breazile and Denise Skrobecki are scheduled to assist while she is gone.

Tony Cruz reported that there are 63 inmates on E2 with one bed being held. There are 49 inmates on E1. There are 63 inmates in C Unit with two staff on military leave. C.W. Jones is scheduled to be back this week.

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**DEPARTMENT HEAD MEETING  
JUNE 11, 2012  
PAGE 3**

Tammy Kluver had nothing to report.

Major Diltz reported that all military staff are back. On May 28, we started the two-year non-rotating posts. A security intern begins training today. They have one or two vacancies.

Capt. Burkey stated that she appreciates the cooperation of staff with ongoing construction projects. Remember that we will need to re-route the traffic in these areas.

Laura Bonow reported that the EAC is selling Pogo Cards. They are \$25.00 and you get four sets of cards. She also announced that a Sloppy Joe lunch is planned for Thursday, June 21, from 11:00 a.m. to 1:30 a.m. The cost is \$4.00 for a sandwich, chips, pop and cookies.

Mr. Madsen had nothing to report.

***Mr. Peart discussed the following issues:***

- We have some serious budget issues in the Department. A meeting will be held tomorrow at the Department of Roads to discuss population reduction and Re-Entry. It is possible that some positions will not be filled when they become vacant.
- Sanitation is still looking pretty good but there are a couple of areas that need some attention. We need to stay at a high level of sanitation throughout the facility.
- A meeting was held with Director Houston, the Governor and Esther Casmer and they signed an agreement with regard to population reduction.
- The Department is considering hiring a group of people to look at population reductions.
- There will be a meeting with the Parole Board August 13 – 15 to discuss population reductions.
- There was discussion regarding parole programming. We can recommend parole for those in residential substance abuse.
- We are in the beginning stage of on-line training for staff.
- Dawn-Renee Smith is the new PREA Coordinator.
- Robln Spindler talked about the budget. Our population is higher than what we are budgeted for. They will go in front of the Appropriations Committee.
- We are changing the process of ordering replacement printers. It has been suggested that staff use a centralized printer when possible. Any requests for new printers should be submitted through Mr. Peart and Mr. Hopkins.
- We started the Transformation Project.
- We need to maximize food service opportunity buys.
- NCYF will utilize Prison Fellowship as mentors and this will be part of the Levels Program.
- We need to have all facilities involved in the Community Involvement Committee. People from community agencies come in to share/exchange suggestions and ideas and be informed of what is going on in the Department.
- TSCI currently has 36 custody vacancies.

**DEPARTMENT HEAD MEETING  
JUNE 11, 2012  
PAGE 4**

- Director Houston has decided that each facility will offer a Spanish TV channel for non-English speaking inmates.
- Mr. Hopkins has encouraged staff to conduct themselves in an appropriate professional manner as if being recorded when in conversation with each other, inmates and the public.
- When the Wardens are absent from the facility, the Deputy Warden will fill in unless he/she is also absent, we will follow the chain of command at all levels.
- There has been a spike in positive UAs.
- We will not send employees home on holidays unless they want the time off and we are able to do so.
- Mr. Hopkins reminds us that there are a lot of challenges before us so staff need to brace themselves and be patient. Mr. Peart added that we have been through this before and will be able to do so again in a successful manner.
- We need to continue to submit parole plans based on our best judgment and recommendations for inmates going out on parole.
- DCS Engineering is currently reviewing the Carter/Gobel Strategic Plan to consider whether or not we need to build another prison and where.
- At this time, we did a diversity exercise that lasted approximately 30 minutes and involved all staff in attendance. It was titled, "What is your cultural diversity IQ."

At this time, there was no further business and the meeting was adjourned.

MFP/lab

xc: File

MEMORANDUM

**DATE:** March 21, 2012

**TO:** Frank X. Hopkins, Deputy Director/Institutions

**FROM:** Mario F. Peart, Warden – LCC

**SUBJECT:** Executive Staff Meeting – 3/19/12

**PRESENT:** Mario Peart, Robert Madsen, Denise Skrobecki, Major Diltz, Jason Hurt, Tammy Kløver and Laura Bonow

Mr. Peart opened the meeting at 9:20 a.m.

Major Diltz reported that there are two custody vacancies. He attended a Security Administrators' meeting last Friday where they discussed the automated roster system. The tele-key system was also discussed. Capts. Burkey and Sparks will be participating in some upcoming security audits.

Laura Bonow went over schedules for the week with everyone.

Jason Hurt had nothing to report.

Denise Skrobecki stated that DAS rejected complaints on the inmate video system. She stated that e-messaging will be coming very soon.

Robert Madsen advised that the STOP Club has requested to have outside food for a symposium. Since this group is not an ethnic club, it will not be approved.

Mr. Peart discussed the following issues:

- Labor Management meeting – staffing issues is listed on the agenda
- Housing Unit control stations need to be organized.
- Denise would like to recognize Jeff Salomons, Brandon Noordhoek and Amber Wiens for their assistance with the long-term storage area and the canteen
- An inmate at TSCI requested a different beard trimmer (specifically for African-Americans).
- Discussion regarding leadership meeting

**Notes from the Wardens' meeting:**

- Larry Wayne talked about RFP. He stated that paroles are up and higher risk inmates are being looked at. Remember to use appropriate wording.
- Larry Wayne and Hank Robinson are looking at the long-term A.C. issue of going from long-term segregation to P.C.

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		Re-Entry Furlough Program	

This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

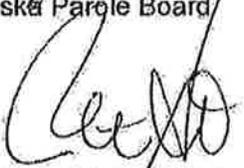
EFFECTIVE: August 11, 2008  
 REVISED: August 17, 2009  
 REVISED: August 18, 2010  
 REVISED: June 29, 2011  
 REVISED: August 10, 2012  
 REVISED: September 3, 2013

**SUMMARY of REVISION/REVIEW**

Reviewed with minor revisions to include the addition of the Nebraska Department of Correctional Services (NDCS) in the Purpose Section.

APPROVED:

  
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 Esther Casner, Chairperson  
 Nebraska Parole Board

  
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 ROBERT P. HOUSTON, Director  
 Nebraska Department of Correctional Services

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		<b>Re-Entry Furlough Program</b>	

**PURPOSE:**

To establish policy and guidelines for the development and implementation of the Re-Entry Furlough Program within the Nebraska Department of Correctional Services (NDCS).

**GENERAL**

The Re-Entry Furlough Program provides opportunity and incentive for inmates to prepare for parole or discharge prior to the completion of their sentence. The intent of the Re-Entry Furlough Program is to enhance public safety by preparing inmates for successful reintegration back into the community. Participants in the Re-Entry Furlough Program will be under the supervision of the, community corrections center staff, Adult Parole Administration, State Probation or local law enforcement in the county of the furlough residence. All furloughs will be approved by the Director (or designee) and the Board of Parole and are restricted to the State of Nebraska.

**PROCEDURE**

**I. ELIGIBILITY**

Unit Case Managers assigned to the community centers will review their caseloads to identify potential participants for the Re-Entry Furlough Program. Inmates selected for the program will be scheduled for a parole hearing or nearing the date of their release. Each inmate's criminal history and performance on community custody will be closely reviewed. Inmates with violent criminal records, lengthy arrest records or multiple incarcerations may not be considered for the Re-Entry Furlough Program. Consideration will also be given to the inmate's medical needs, county of commitment, financial obligations, pending legal actions, institutional disciplinary record, program needs and preparation for discharge or parole.

**II. PROCESS**

A. Unit case managers will initiate the Re-Entry Furlough Program Checklist (Attachment A) by reviewing the minimum eligibility guidelines, program performance and pre-release planning of potential participants. The unit case managers will also complete a referral packet that contains RFP Program Checklist, Reentry Furlough Agreement (Attachment B), Inmate Interview Form (Attachment C), RFP Driving Privilege Agreement (Attachment D), copy of most recent completed furlough agreement and personalized plan will be submitted to the appropriate Parole District Supervisor for investigation. The District Supervisor will assign a parole reentry officer to investigate the RFP request. The unit case manager will ensure that the inmate being considered for the RFP has the essential identification and documentation for transition into the community.

B. A parole officer or designated NDCS staff will investigate and approve the residence for Re-Entry Furlough Program participants. He/she will interview the furlough sponsor and explain the conditions of the furlough agreement. Inmates may only furlough to the residence of an authorized sponsor. If the residence is approved the parole officer or designated NDCS staff will determine if the inmate has the means or transportation to maintain employment and programming in the community.

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- C. If the inmate agrees to the conditions established in the furlough agreement and the transition plan is approved, the request will be forwarded to the Institutional Classification Authority and Director's Review Committee (DRC) for consideration. If approved, the request will be forwarded to the Parole Board for consideration. The completed request and transition plan will be returned to the community center and if approved, a placement date will be established by the parole officer. If the RFP packet is approved by the DRC and Board of Parole, the Programs Coordinator or designated NDCS staff will notify the county attorney's office as appropriate.
- D. The parole officer will coordinate the RFP placement date with the warden and the community center. Inmates will be required to out process from the facility and turn in all state issue property. All personal property must be removed from the facility. The inmate will remain on the facility's out count; however, the appropriate records center will enter the inmate's location in the Computer Tracking System (CTS) as RFP.
- E. The parole officer supervising the RFP inmate will be responsible for entering the inmate into the Nebraska Criminal Justice Information System (NCJIS). The parole officer will check NCJIS for any contact between the inmate and any law enforcement agency.
- F. The unit case manager will be responsible for completing the Institutional Parole Progress Reports, personalized plan updates and other classification action for RFP participants.

### III. FURLOUGH CONDITIONS

Any violation of the furlough agreement or a furlough condition may result in the inmate being terminated from the Re-Entry Furlough Program. The authority to terminate an inmate from the Re-Entry Furlough Program is delegated to the warden or designee of the community center. The Re-Entry Furlough may be terminated immediately if an inmate fails to meet with a parole officer, disobeys a directive from the parole officer or community center staff, fails to respond to a furlough check or adhere to the approved weekly itinerary.

#### A. Residence

All furloughs are restricted to the state of Nebraska. Travel outside the state of Nebraska is not authorized. Furlough residences will be limited to areas that can be adequately supervised by the adult parole administration or appropriate community center staff. All furlough residences must have a working landline or cellular telephone. Inmates will be required to remain at their approved residence except for attending approved itinerary activities. Parole officers or designated staff will inspect and approve the furlough residence prior to inmate placement in the program. Inmates may not furlough or reside in a federally subsidized residence or public housing. No weapons, firearms, alcoholic beverages or narcotics may be stored in the furlough residence. The furlough residence is subject to routine search at any time. Inmates in the RFP may receive permission to purchase a cellular telephone provided the cellular telephone does not require a contractual obligation. Inmates who have approval to purchase a cellular telephone will be expected to answer it at all times. RFP participants may be returned to the community center if their residence becomes unstable until a new residence is approved and secured.

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**B. Employment**

Inmates will be required to maintain full time employment. Inmates may not resign employment without permission from their parole officer. Inmates who are terminated from employment will inform their parole officer and the community center immediately. Any changes to the inmate's work schedule or requests for overtime will be coordinated through the parole officer or the community center. Inmates who are underemployed or laid off after placement in the RFP may be approved for job seeking passes at the discretion of the parole officer. Copies of job seeking passes will be faxed or emailed with the weekly itinerary to the appropriate community center.

**C. Programming**

Inmates are expected to comply with their personalized plan and participate in recommended programming. Verification of attendance will be maintained by the inmate and submitted each week to the parole officer. The parole officer will determine program needs and approve itinerary activities based on the inmate's personalized plan and progress in the Re-Entry furlough program. Volunteer activities may also be included and considered for program purposes.

**D. Drug & Alcohol Screening and Testing**

Inmates will be required to submit to drug and alcohol testing upon request. Refusal to submit to drug or alcohol testing will result in the termination of the reentry furlough. Inmates will not possess or consume any alcoholic beverages or narcotics. Inmates may not consume alcoholic beverages, narcotics or medications that are not prescribed to them. Inmates will get approval from their parole officer prior to taking any vitamins, body building supplements, herbs or over the counter medications. Inmates will not be permitted to enter any establishment such as a liquor store or bar where the primary business of the establishment is the sale or consumption of alcoholic beverages.

**E. Vehicles / Transportation**

Inmates in the Re-Entry Furlough Program must have an adequate means of transportation to fulfill the program requirements. Inmates may be granted approval to drive a personally owned vehicle provided they have a valid driver's license, current vehicle registration and proof of insurance. If an inmate is approved to drive a vehicle owned by an authorized sponsor, the authorized sponsor, who is the legal registered owner of the vehicle, must provide written permission for the inmate to use the vehicle and must also provide documentation of current insurance. The unit case manager will complete the Driver Screening Checklist / Agreement (Attachment D) prior to approving the inmate to drive. Inmates may purchase a vehicle outright while assigned to the Re-Entry Furlough Program, however, inmates will not be permitted to lease a vehicle or enter into a contract to make payments on a vehicle. Inmates and their vehicles are subject to routine searches at any time. Inmates that are approved to drive a personal vehicle on the RFP will be required to maintain a travel log to account for vehicle mileage. The travel log will be reviewed each week with the parole officer.

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F. Financial Obligations

Inmates in the Re-Entry Furlough Program are expected to submit a monthly budget of anticipated expenditures to their parole officer. Payroll and spending requests will continue to be processed through Inmate Accounting. Inmates that receive payroll through direct deposit will be required to provide their parole officer with a copy of their payroll information. Inmates that receive payroll directly from their employers will be required to mail their paycheck directly to DCS Inmate Accounting. RFP participants may obtain Institutional Checks from their reentry parole officer and submit requests to Inmate Accounting to load funds on to their debit cards. RFP inmates can make one ATM withdrawal per day not to exceed \$40, five Point of Sale and five Point of Signature transactions not exceeding \$300 per day. No cash withdrawals can be made from bank tellers. Inmate debit cards can not be used at gas pumps. Inmates are responsible for the costs of housing, meals and general subsistence when assigned to the Re-Entry Furlough Program.

G. Associates / Law Enforcement

Inmates are required to immediately report any contact with a law enforcement agency. Inmates may not associate with persons known to be engaged in criminal activities or with persons known to have been convicted of a crime without the written approval of the reentry parole officer.

H. Reporting

Inmates in the Re-Entry Furlough Program will be required to meet with their parole officer once per week. The parole officer may meet with the inmate at the furlough residence, place of employment, furlough itinerary, day reporting center, community center or parole office. The parole officer will review the inmate's employment, program performance, itinerary for the following week and discuss any difficulties the inmate may be having with their transition into the community. Inmates may be required to report in person to a DCS facility a minimum of once per month. Inmates are required to inform their parole officer or the community center if any monitoring device malfunctions or breaks. The reentry parole officer may step down the reporting requirements of the RFP depending on the inmate's performance and behavior in the program. RFP participants may not leave the county of residence without the permission of the reentry parole officer.

IV. FURLOUGH DURATION

The furlough duration will be determined by the inmate's sentence length, parole hearing status or performance in the Re-Entry Furlough Program. Staff will define the date the furlough begins and the date it ends on the Re-entry Furlough Program Agreement form). Inmates who successfully complete their Re-Entry Furlough will be required to return to the community center for discharge or for their scheduled parole hearings. The records center assigned to the community center will be responsible for releasing the inmate. A new furlough agreement will be completed each week that an inmate is assigned to the Reentry Furlough Program.

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**V. WEEKLY ITINERARY**

Re-Entry Furlough Program participants will be required to submit a Re-Entry Furlough Program Weekly Itinerary (Attachment E) to their parole officer each week. Any deviation from the weekly itinerary will require the approval of the parole officer or the community center. The parole officer will be responsible for establishing the deadlines for submission, establishing curfew hours, approving the activities and forwarding a copy of the itinerary to the appropriate community center or parole office. Inmates may attend two support group activities per week, two personal needs activities per week, two shopping activities per week and one religious or volunteer activity per week. Employment must be listed on the weekly itinerary. Travel time to and from the inmate's employer and residence will be approved and established by the parole officer. Requests for overtime will be initiated by the inmate's employer and must be approved through the inmate's parole officer or community center as established in the furlough agreement. Substance abuse, mental health, vocational or educational programming will be considered on a case by case basis depending on the identified needs of the inmate with the duration of each program activity established by the, substance abuse or mental health professional, academic advisor and approved by the parole officer. Each activity listed on the approved itinerary will always include appropriate travel time to and from the activity. The parole officer may limit shopping, personal needs or program activities if public transportation is being used or the inmate's performance in the program is below standard for the previous week. Inmates will be required to meet in person with their parole officer once per week. The District Parole Supervisor may step down the itinerary requirements if an inmate is making satisfactory progress in the program.

The following activities are considered appropriate for furlough itineraries: Religious activities, volunteer activities, counseling or support group services, educational or vocational training, shopping (no malls, pawn shops or places that sell firearms), vehicle or home maintenance, haircuts or hairstyling, movies, theaters, restaurants, libraries, zoos, children's sporting events or school activities, funerals or hospital visits.

**VI. DISCIPLINE**

The warden or institutional duty officer will be notified any time an inmate in the Re-Entry Furlough Program receives a misconduct report. The nature of the report will be considered and a determination will be made to restrict the inmate to the furlough residence, return to the community center or place the inmate on immediate segregation status. Misconduct reports will be filed and logged at the community center within 24 hours after they are written. The staff person witnessing or discovering the misconduct will be responsible for completing the misconduct report. The community center will be responsible for investigating the report, conducting the principal and disciplinary hearings. The inmate's status on the Re-Entry Furlough Program will be reviewed after the disciplinary hearing is completed.

**VII. MEDICAL**

Re-Entry Furlough Program participants will be required to report routine medical complaints to their parole officer. The parole officer will coordinate all sick call or medical appointments with the community center, the health services section or contracted medical facility located in the county of the furlough residence. The DCS is responsible for the health care of inmates on furlough. Inmates who are injured at work will be required to go to the medical clinic or medical facility established by their employer's worker compensation procedures. If no treatment facility is established, inmates will contact the community center, as established in

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the furlough agreement, for directions. Inmates that sustain a severe or life threatening injury should proceed to the nearest medical facility for treatment and contact the community center or parole officer as soon as possible after treatment is received. All medical contacts must be reported to the parole officer. Inmates requesting to see a physician at their own expense will be required to sign a waiver of medical treatment and obtain approval from the Deputy Director, Health Services. RFP participants will need to contact the community center for all prescription medications and refills.

**VIII. WALK-AWAY STATUS**

Inmates that can not be located at their approved itinerary location or fail to respond to a furlough check may be placed on walk-away status. The inmate's parole officer and furlough sponsor will be contacted and the inmate's itinerary will be verified prior to placing the inmate on walk-away status. The community center staff will follow established institutional walk-away procedures.

**REFERENCE**

**I. ATTACHMENTS**

- A. Re-Entry Furlough Program Checklist
- B. Re-Entry Furlough Program Agreement
- C. Re-Entry Inmate Interview Form
- D. Re-Entry Furlough Program Driving Privilege Agreement
- E. Re-Entry Furlough Program Weekly Itinerary

**II. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS**

- A. Standards for Adult Correctional Institutions (ACI) (4th edition): 4-4443, 4-4444, 4-4445, 4-4501 and 4-4502.
- B. Performance Based Standards for Adult Community Residential Services (ACRS) (4th edition): 4-ACRS-5A-14 and 4-ACRS-5A-16.
- C. Performance Based Standards for Adult Probation and Parole Field Services (APPFS) (4th edition): 2C-04, 2C-05.

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This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

EFFECTIVE: August 11, 2008

**SUMMARY of REVISION/REVIEW**

NEW Administrative Regulation

APPROVED:

\_\_\_\_\_  
 Esther Casmer, Chairperson  
 Nebraska Parole Board

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 ROBERT P. HOUSTON, Director  
 Department of Correctional Services

56A

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		Re-Entry Furlough Program	

**PURPOSE:**

To establish policy and guidelines for the development and implementation of the Re-Entry Furlough Program.

**GENERAL**

The Re-Entry Furlough Program provides opportunity and incentive for inmates to prepare for parole or discharge prior to the completion of their sentence. The intent of the Re-Entry Furlough Program is to enhance public safety by preparing inmates for successful reintegration back into the community. Participants in the Re-Entry Furlough Program will be under the supervision of the transition manager, community corrections center staff, Adult Parole Administration. All furloughs will be approved by the Director (or designee) and the Board of Parole and are restricted to the State of Nebraska.

**PROCEDURE**

**I. ELIGIBILITY**

Unit Case Managers assigned to the community centers will review their caseloads to identify potential participants for the Re-Entry Furlough Program. Inmates selected for the program will be scheduled for a parole hearing or nearing the date of their release. Each inmate's criminal history and performance on community custody will be closely reviewed. Inmates with violent criminal records, lengthy arrest records or multiple incarcerations may not be considered for the Re-Entry Furlough Program. Consideration will also be given to the inmate's medical needs, financial obligations, pending legal actions, institutional disciplinary record, program needs and preparation for discharge or parole.

**II. PROCESS**

A. Unit case managers will initiate the Re-Entry Furlough Program Checklist (Attachment A) by reviewing the minimum eligibility guidelines, program performance and pre-release planning of potential participants. The unit case managers will complete Part I and forward the checklist to the transition manager's office for investigation.

B. A transition manager will investigate and approve the residence for Re-Entry Furlough Program participants. Transition managers will interview the furlough sponsor and explain the conditions of the furlough agreement. Inmates may only furlough to the residence of an authorized sponsor. If the residence is approved the transition manager will determine if the inmate has the means or transportation to maintain employment and programming in the community. The transition manager will ensure the inmate has the essential identification or documents necessary for transition into the community. The transition manager will complete Part II of the Re-Entry Furlough Program Checklist, prepare and review the conditions of Re-Entry Furlough Agreement (Attachment B) with the inmate. The inmate will be required to complete an Inmate Budget Plan (Attachment C).

C. If the inmate agrees to the conditions established in the furlough agreement and the transition manager approves the transition plan, the request will be forwarded to the

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- D. Institutional Classification Authority and Director's Review Committee for consideration. If approved, the request will be forwarded to the Parole Board for consideration. The completed request and transition plan will be returned to the community center and if approved, a placement date will be established by the transition manager.

### III. FURLOUGH CONDITIONS

Any violation of the furlough agreement or a furlough condition may result in the inmate being terminated from the Re-Entry Furlough Program. The authority to terminate an inmate from the Re-Entry Furlough Program is delegated to the warden or designee of the community center. The Re-Entry Furlough will be terminated immediately if an inmate fails to meet with a transition manager, disobeys a directive from the transition manager or community center staff, fails to respond to a furlough check or adhere to the approved weekly itinerary.

#### A. Residence

All furloughs are restricted to the state of Nebraska. Travel outside the state of Nebraska is not authorized. Furlough residences will be limited to areas that can be adequately supervised by the transition managers, adult parole administration or appropriate community center staff. Inmates approved for the Re-Entry Furlough Program may only furlough to an authorized sponsor's residence. All furlough residences must have a working landline telephone. Inmates will be required to remain at their approved residence except for attending approved itinerary activities. Transition managers will inspect and approve the furlough residence prior to inmate placement in the program. No weapons, firearms, alcoholic beverages or narcotics may be stored in the furlough residence. The furlough residence is subject to routine search at any time.

#### B. Employment

Inmates will be required to maintain full time employment. Inmates may not resign employment without permission from their transition manager. Inmates who are terminated from employment will inform their transition manager or the community center immediately. Any changes to the inmate's work schedule or requests for overtime will be coordinated through the transition manager or the community center.

#### C. Programming

Inmates are expected to comply with their personalized plan and participate in recommended programming. Verification of attendance will be maintained by the inmate and submitted each week to the transition manager. The transition manager will determine program needs and approve itinerary activities based on the inmate's personalized plan and progress in the Re-Entry furlough program. Volunteer activities may also be included and considered for program purposes.

#### D. Drug & Alcohol Screening and Testing

56C