



STATE OF NEBRASKA  
OFFICE OF INSPECTOR GENERAL  
OF CORRECTIONS  
(402) 471-4215  
[dkoebernick@leg.ne.gov](mailto:dkoebernick@leg.ne.gov)

**DOUG KOEBERNICK**  
Inspector General  
of Corrections

State Capitol, P.O. Box 94604, Lincoln, Nebraska 68509-4604

**DEPARTMENT OF CORRECTIONAL SERVICES  
SPECIAL INVESTIGATIVE COMMITTEE**

**(LR 424 - 2014)**

**REPORT TO THE LEGISLATURE**

**December 15, 2014**

**Committee Members**

Senator Steve Lathrop, District 12, Chair.....	Omaha
Senator Les Seiler, District 33, Vice-Chair.....	Hastings
Senator Ernie Chambers, District 11.....	Omaha
Senator Heath Mello, District 5.....	Omaha
Senator Bob Krist, District 10.....	Omaha
Senator Paul Schumacher, District 22.....	Columbus
Senator Kate Bolz, District 29.....	Lincoln

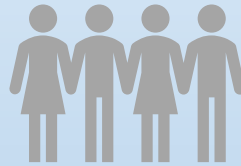
# Inspector General Facts

- Appointed to five-year term by Legislative Ombudsman, with the approval of the Chairs of the Judiciary Committee and the Executive Board;
- LEGISLATIVE INTENT:
  - Establish a full-time program of investigation and performance review to provide increased accountability and oversight of the Nebraska correctional system (and parole);
  - Assist in improving operations of the department and the Nebraska correctional system;
  - Provide an independent form of inquiry for concerns regarding the actions of individuals and agencies responsible for the supervision and release of persons in the Nebraska correctional system; and
  - Provide a process for investigation and review in order to improve policies and procedures of the correctional system.
- Issue annual reports and other reports as needed;
- Provide information and testimony to the Legislature;
- Educate and inform the public;
- Certified by the Association of Inspectors General; and,
- Smallest Inspector General office in the country (one staff member).

# Three Primary Challenges of the Correctional System



Overcrowding



Staffing Challenges

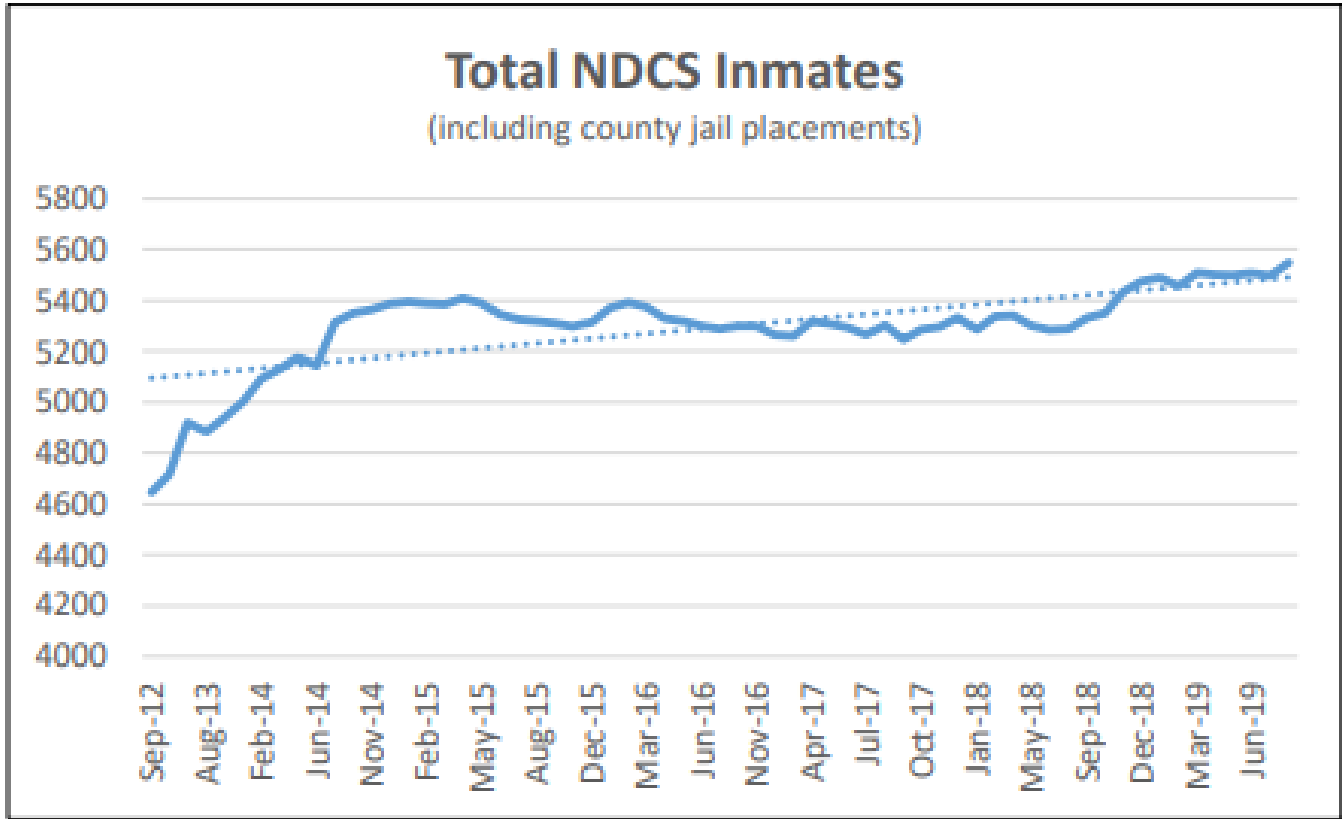


Facility Challenges

# OVERCROWDING



- By 2018, Nebraska had become the second most overcrowded state correctional system (to Alabama).
- Overcrowding of a system is measured by the level of the design capacity of a system.
- System has become overcrowded due to increased population as incarceration rates increased along with slight changes in the capacity of the system.



**FIGURE 34**

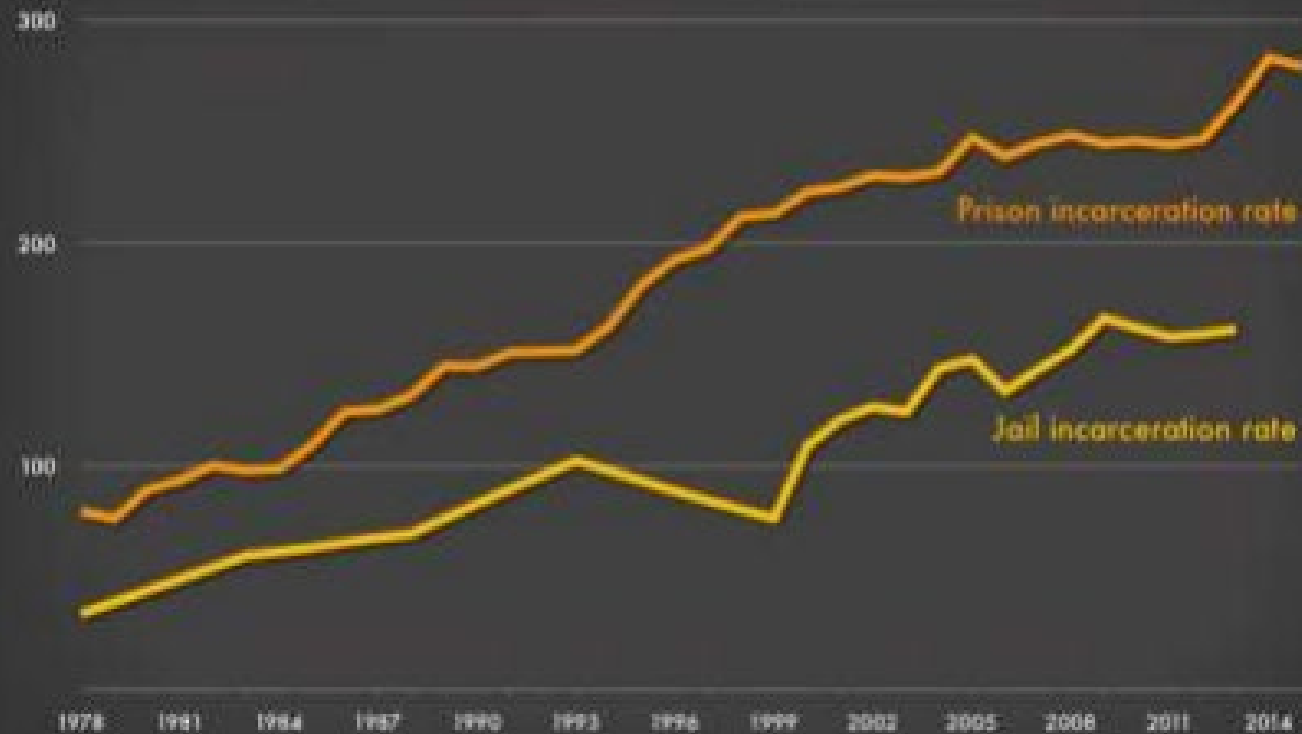
NOTE: NDCS peaked at around 5700 total inmates in December/January but is now at 5510 – primarily due to decrease in admissions since COVID-19 crisis began in March.

# Design Capacity

- Design capacity is determined by how many inmates are in a facility compared to the actual number that the facility was designed to hold.
- For example, a prison designed to hold 1000 inmates that holds 1000 inmates is operating at 100% of its design capacity. If that same prison actually holds 2000 inmates it is then operating at 200% of its design capacity.
- Nebraska has been operating at between 150% to 163% of design capacity in recent years.
- Nebraska Overcrowding Emergency Act was passed in 2002. It now says that if the system is over 140% of design capacity on July 1, 2020 the Governor has to declare an overcrowding emergency until the system reaches 125% of design capacity. We are currently about 550 inmates over 140% of design capacity and about 1100 inmates over 125% of design capacity.

# Nebraska's prison and jail incarceration rates

Number of people incarcerated in state prisons and local jails per 100,000 people, 1978-2015



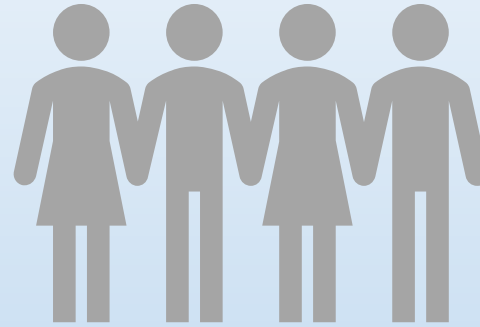
Jail populations were adjusted to remove people being held for federal and state authorities.  
For full sourcing, see: [www.prisonpolicy.org/reports/jails/nebraska.html#methodology](http://www.prisonpolicy.org/reports/jails/nebraska.html#methodology)

**PRISON**  
POLICY INITIATIVE

**FIGURE 42**

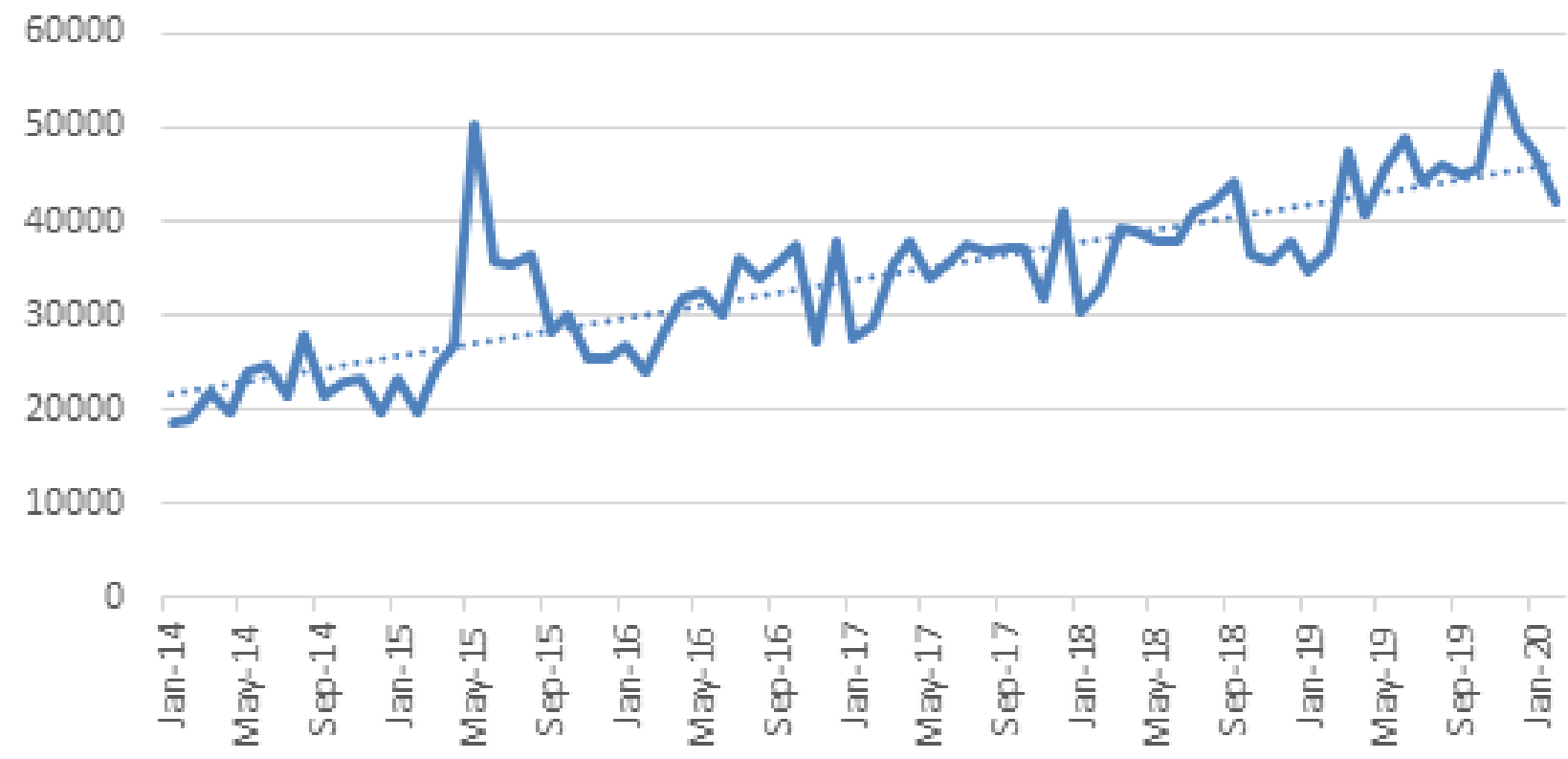


# STAFFING CHALLENGES

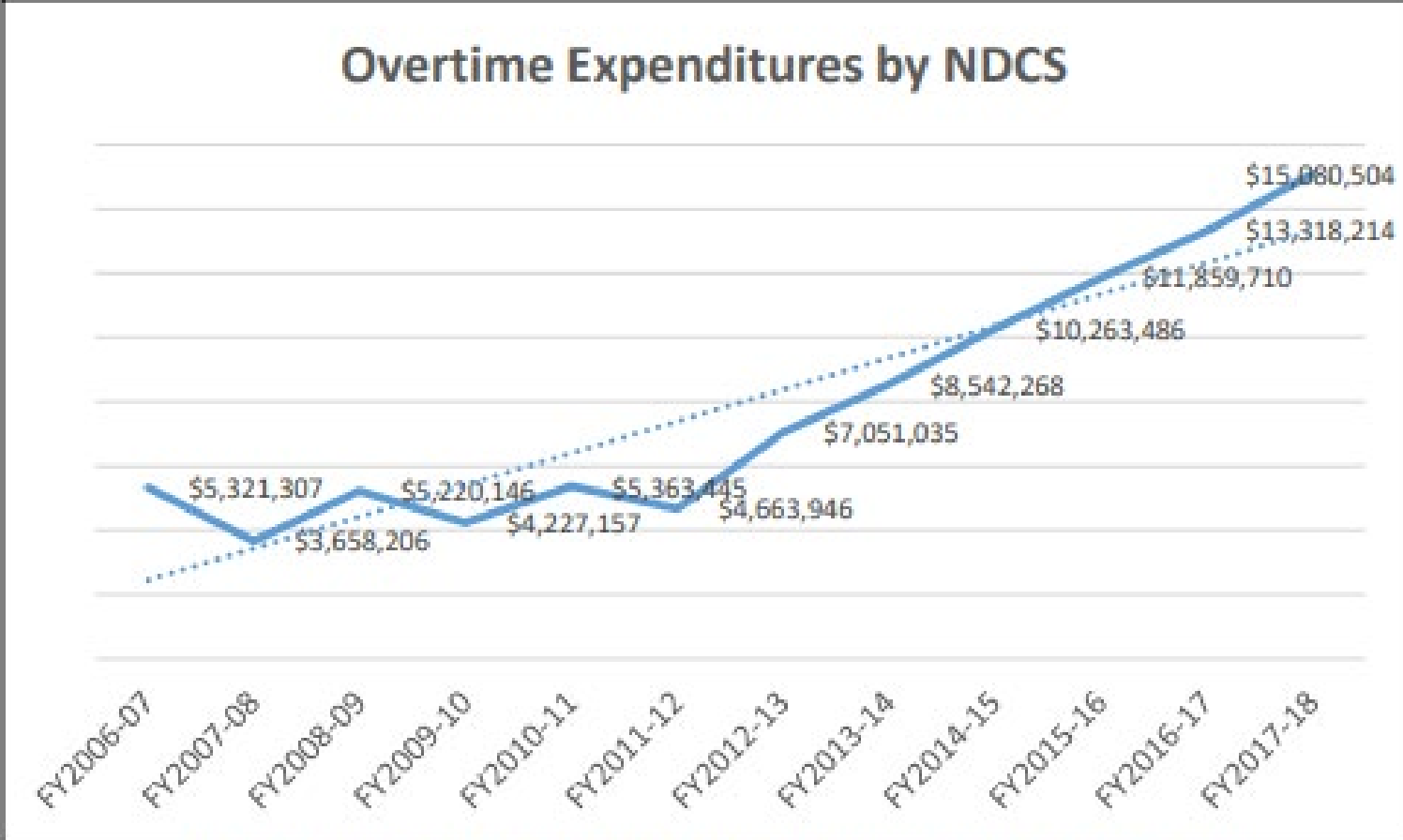


- For a number of years, Nebraska's correctional system has faced significant staffing challenges.
- Turnover rates of front line staff has been over 30%.
- Overtime has skyrocketed.
- Staff vacancies hit all-time highs.
- Staffing challenges impact the operation of the system.
- Recent bonuses, some staff salary increases and the downturn of the economy seem to positively impacting staffing levels.

## NDCS OVERTIME FOR FACILITIES (PROTECTIVE SERVICES EMPLOYEES)



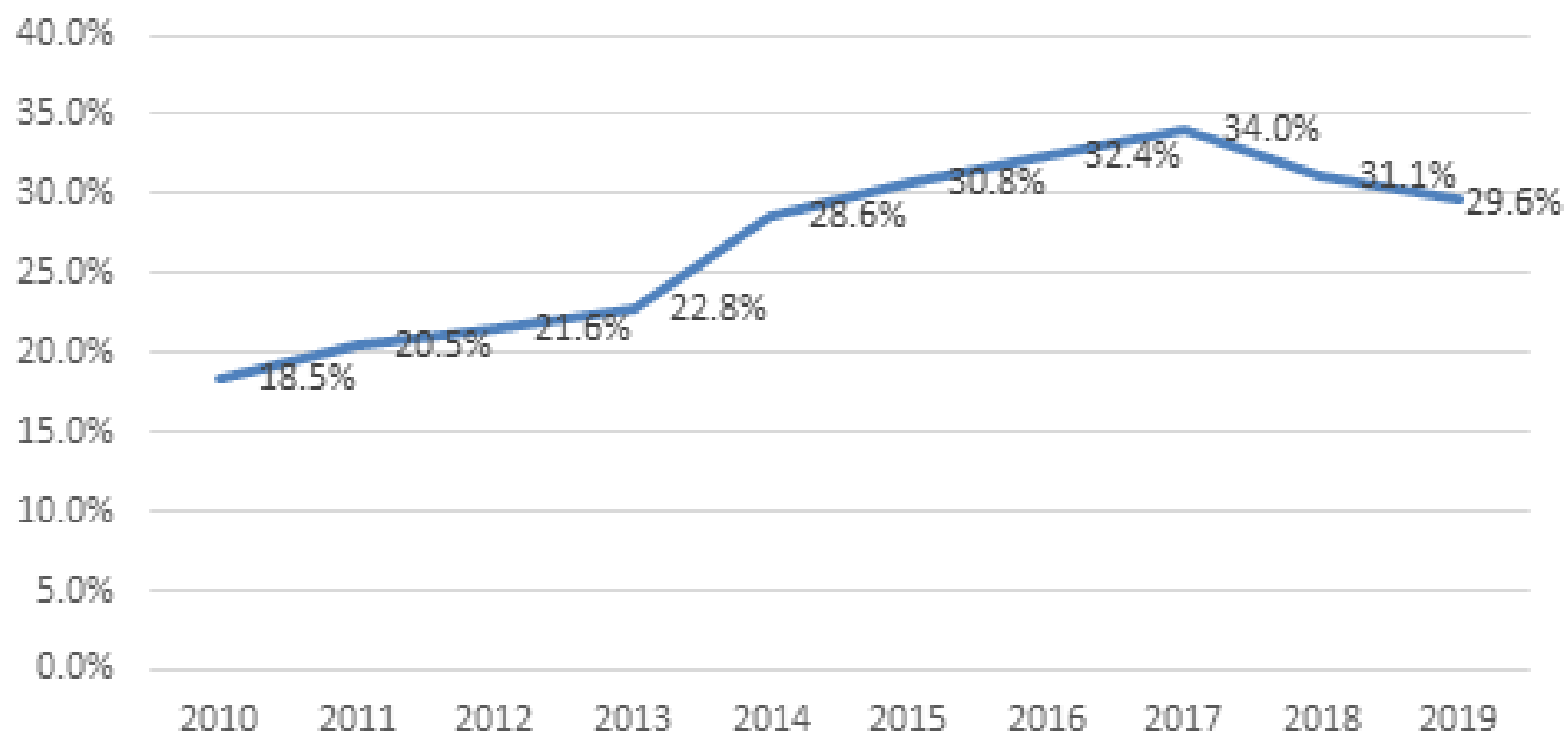
### Overtime Expenditures by NDCS



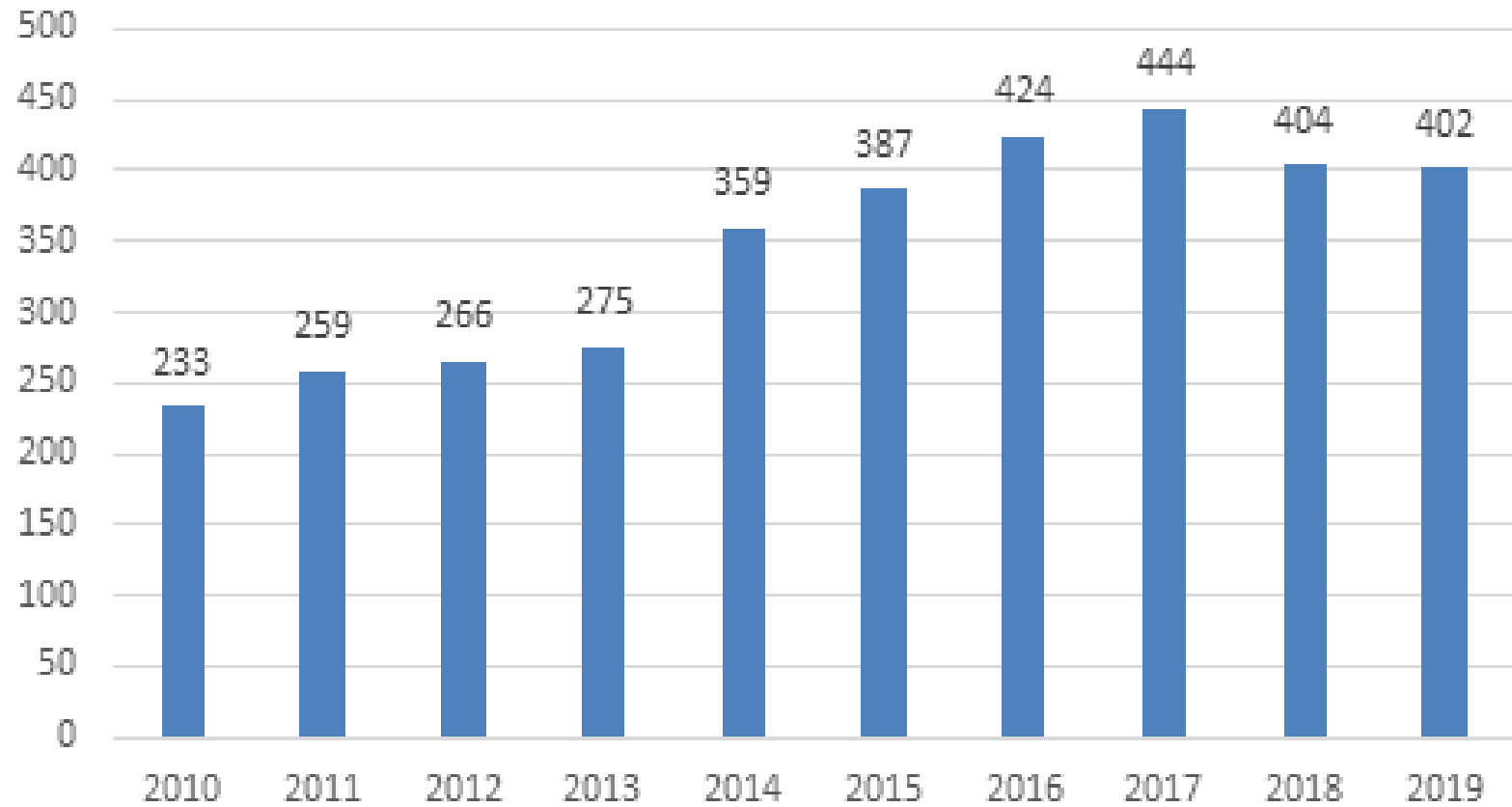
**FIGURE 18: SOURCE 2019 DAS PERSONNEL ALMANAC**

## Turnover for Protective Services Workers

(Source: NDCS HR)



## NDCS Protective Services Positions Turnover



# FACILITY CHALLENGES



- Prior to 2016, the last prison built in Nebraska was in Tecumseh which was opened in 2000.
- Since that time, the population of the system has significantly increased.
- Most of the facilities are aging and were designed to house individuals and to not rehabilitate them.
- As explained in design capacity, many of these prisons are also housing quite a few more incarcerated individuals than they were designed to hold which adds additional problems.

## **FACILITY CHALLENGES (continued)**

- Since 2016, a 100 bed male dormitory (\$1.8 million) and 160 bed women's unit (\$20 million) were added to the Community Corrections Center-Lincoln.
- Construction is currently taking place on a 100 bed minimum custody dormitory (\$5 million) at the Nebraska State Penitentiary, a 384 high security bed addition (\$49 million) to the Lincoln Corrections and on a project that merges the Lincoln Correctional Center and the Diagnostic and Evaluation Center and upgrades the two prisons (\$75 million).
- Despite all of these projects, the system is still operating at a high level of overcrowding while the inmate population is projected to continue to climb.

# Additional Issues

- NDCS Budget is over \$230 million (plus other justice related budgets)
- Restrictive Housing Challenges
- Continuing Illegal Contraband Concerns
- Staff Safety Concerns
- Population Goal for Correctional System?
- Suicides of Incarcerated Individuals
- Programming for Incarcerated Individuals (job training, education, etc.)
- Transitional and Post-Release Needs of Incarcerated Individuals
- Transparency of System
- COVID-19



Questions?



STATE OF NEBRASKA  
OFFICE OF INSPECTOR GENERAL  
OF CORRECTIONS  
(402) 471-4215  
dkoebernich@leg.ne.gov

**DOUG KOEBERNICK**  
Inspector General  
of Corrections

State Capitol, P.O. Box 94604, Lincoln, Nebraska 68509-4604

All OIG Reports can be found at the Unicameral's web site. If you need assistance accessing these reports or interpreting the reports please contact me. Also, please free to contact me if you have any additional questions during the next few months about correctional and parole issues. The OIG 2019 Annual Report can be found at [https://nebraskalegislature.gov/FloorDocs/106/PDF/Agencies/Inspector General of the Nebraska Correctional System/600\\_20190916-012617.pdf](https://nebraskalegislature.gov/FloorDocs/106/PDF/Agencies/Inspector%20General%20of%20the%20Nebraska%20Correctional%20System/600_20190916-012617.pdf).