



Pete Ricketts  
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

Darrell Fisher, Executive Director

301 Centennial Mall South

P.O. Box 94946

Lincoln, Nebraska 68509-4946

Phone (402) 471-2194

FAX (402) 471-2837

**Jail Standards Board**  
**May 1, 2015**

The Jail Standards Board met at 9:00 AM on Friday, May 1, 2015 at the Holiday Inn, Kearney, Nebraska. Public notice of the meeting was published April 17, 2015 in the *Lincoln Journal Star*.

**I. CALL TO ORDER/ROLL CALL**

The meeting was called to order at 9:04 AM by Chairperson Mike Thurber. The following members were **present**: Vesta Dack, Scott Frakes, Don Fritz, Keith Harvat (Arrived 9:08 AM), Ron Johns (Arrived 9:06 AM), Willis Luedke, Jim Peschong, Bruce Prenda, Kevin Stukenholtz, and Mike Thurber. The following members were **excused**: Brad Alexander, and Bill Wakefield.

Others present included: **Staff Members**: Dan Evans, Chris Harrifeld, and Ann Bauers. **Others present**: Sheriff Robinson, Washington County Sheriff's Office; Captain Robert Bellamy, Washington County Jail Administrator; and Mike Applegate, NCAMA president, retired.

**II. APPROVAL OF JANUARY 16, 2015 BOARD MEETING MINUTES**

**Motion**

*A motion was made by Peschong and seconded by Stukenholz to approve the minutes of the January 16, 2015 Jail Standards Board meeting. Voting in favor of the motion: Dack, Frakes, Fritz, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried).*

**APPROVAL OF FEBRUARY 12, 2015 TELECONFERENCE MEETING MINUTES**

**Motion**

*A motion was made by Peschong and seconded by Johns to approve the minutes of the February 12, 2015 Jail Standards Board Teleconference meeting. Voting in favor of the motion: Dack, Frakes, Fritz, Luedke, Peschong, Prenda, and Stukenholz. (Motion carried).*

**III. STAFF REPORT**

Evans gave a brief update on what the staff has been doing since the last meeting. Evans gave a short summary regarding a project with NACO on Medicaid qualifications and payments for jail inmates' hospitalization.

**IV. REVIEW OF ANNUAL INSPECTIONS**

**A. Facilities Found to be in Full Compliance**

Thurber noted the following facilities have been found in full compliance and copies of their reports were included in the mailout for the members to review: Buffalo County Jail, Chase County Jail, Clay County Jail, Custer County Jail, Dawson County Jail, Dundy County Jail, Franklin County Jail, Frontier County Jail, Furnas County Jail, Harlan County Jail, Hitchcock County Jail, Kearney County Jail, Lincoln County Jail, Phelps County Jail, Red Willow County Jail, Valley County Jail and Webster County Jail.

**Motion**

*A motion was made by Stukenholtz and seconded by Fritz to find the Buffalo County Jail, Chase County Jail, Clay County Jail, Custer County Jail, Dawson County Jail, Dundy County Jail, Franklin County Jail, Frontier County Jail, Furnas County Jail, Harlan County Jail, Hitchcock County Jail, Kearney County Jail, Lincoln County Jail, Phelps County Jail, Red Willow County Jail, Valley County Jail and Webster County Jail. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried)*

**B. Facilities Found to be in Non-Compliance**

**Adams County Jail**

Chapter 6 – Security and Control 6-004.03: The facility shall comply with the life safety codes established by the State Fire Marshal. The facility administrator shall maintain documentation of compliance from the State Fire Marshal based on an annual inspection of the facility by their personnel or authorized designee.

Fire Marshal representative Don Fritz, advised the Board that the fire code deficiencies have been corrected. Staff recommends they be found in full compliance.

**Motion**

*A motion was made by Stukenholz and seconded by Peschong to find the Adams County Jail in full compliance of the above Standards. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried)*

**V. REVIEW OF CORRECTIVE ACTION**

**Antelope County Jail**

The facility was found out of compliance by the Board during the July 25, 2014 meeting. The facility has been out of compliance for Fire Code Deficiencies cited by the State Fire Marshal's Office. The Board approved Antelope County's corrective action plan during the April 6, 2012 meeting. Construction of the new jail has been completed and the Sheriff's Department has

moved into the new facility. The corrective action plan has been completed. Staff recommends the Antelope County Jail be found in full compliance.

**Motion**

*A motion was made by Johns and seconded by Prenda to find the Antelope County Jail in full compliance of the above Standards. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried)*

**Gage County Jail**

This facility was found out of compliance by the Board during the October 15, 2010 meeting. The facility was cited by the State Fire Marshal's Office on life safety code deficiencies. A corrective action plan approved by the Fire Marshal's Office and the Board is in progress. No action was required of the Board at this time. Don Fritz agreed that the status of the facility should be on the agenda for the October, 2015 meeting, as the approved corrective action plan was for a five year time frame.

**Norfolk City Jail**

This facility was found out of compliance by the Board during the January 16, 2015 meeting. The facility was found out of compliance on standards related to the electronic submission of admission/release data. At that meeting the Board approved the corrective action plan presented by Norfolk Police Chief Bill Mizner. This corrective action was supposed to be completed within 60-90 days. No documentation to confirm this has been received as of today.

Staff recommended a letter be sent to the City of Norfolk Police Chief, the Mayor's Office and the City Attorney advising that corrective action is to be completed in the next 90 days with it documented that they are in compliance. The Board can review and approve this at the next meeting. If not in compliance, they are invited to come before the board at the next meeting. There was a brief discussion and the Board directed that the letter be sent.

**Thurston County Jail**

This facility was found in non-compliance on Life Safety Codes by the Board during the January 16, 2015 meeting. The Board voted to find the facility in full compliance contingent upon receiving documentation of completed corrective action. Fritz stated the documentation had been received and will be forwarding it on to staff and the Board.

**Motion**

*A motion was made by Stukenholz and seconded by Johns to find the Thurston County Jail in full compliance of the above Standards. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Peschong, Prenda, and Stukenholtz. Voting Against: Luedke (Motion carried)*

## Washington County Jail

This facility was cited and found out of compliance by the Board during the October 31, 2014 meeting. The facility is out of compliance on standards related to housing inmates in excess of design capacity, including searches, classification, female sight and sound separation, separation of intoxicated detainees, assignments to administrative segregation, exercise area, contact visits and personal visits. A notice was sent by the Board and a corrective action planning meeting with jail officials and county commissioners was conducted by staff. A corrective action plan has been submitted and is available for review at this meeting

Jail Administrator Captain Robert Bellamy gave an update to the Board on their corrective action plan. There was a brief discussion on the logistics involved and where the inmates might be housed.

Sheriff Robinson agreed that this corrective action plan is not the ideal, but will work for his staff and perhaps convince his Commissioners that a new jail is needed.

### Motion

*A motion was made by Fritz and seconded by Prenda to accept the Corrective Action Plan of the Washington County Jail. Voting in favor of the motion: Luedke, Dack, Fritz, Harvat, Johns, Frakes, Peschong, Prenda, and Stukenholtz. (Motion carried).*

## **VI. OTHER BUSINESS**

### **A. Waiver of Initial Training –Sabrina Cooper, Phelps County Jail**

Harrifeld stated that Cooper had comparable training that exceeds the minimum training required by the Standards. Harrifeld recommended that the waiver be granted.

### Motion

*A motion was made by Peschong and seconded by Johns to grant the waiver for Sabrina Cooper, Phelps County Jail. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried)*

### **B. Seward County Emergency Suspension of Outdoor Recreation Area**

Harrifeld stated that during the construction process there would be no outside exercise for the inmates. However, there is adequate indoor recreation space for the duration of the construction and Harrifeld recommended that the Board approve the request.

**Motion**

*A motion was made by Peschong and seconded by Johns to approve the emergency suspension of outdoor recreation area during construction. Voting in favor of the motion: Dack, Frakes, Fritz, Harvat, Johns, Luedke, Peschong, Prenda, and Stukenholtz. (Motion carried)*

**C. Update on Jail Construction Projects in Thurston, Richardson and Cheyenne Counties**

Evans gave an update on the Richardson County Jail construction project. Ground has been broken and is on schedule. Completion is projected to be towards the end of July 2016.

Evans gave an update on the Cheyenne County Jail construction. Consultants have been retained to conduct a needs assessment for the county.

Evans gave an update on the Thurston County Jail construction. Consultants completed the county's needs assessment and the new jail construction project went to a special bond election. This passed by a vote of 386 for and 333 against. This vote was for a \$5.9 million dollar, 34 bed jail in Pender.

Stukenholtz gave an update on LB605. There was a brief discussion on pending legislation in the Unicameral effecting adult jails. On the Juvenile side, there is a bill that will restrict the housing of certain juveniles in juvenile detention facilities and the use of restraints on juveniles during court appearances.

**VII. ADJOURNMENT/NEXT MEETING**

The next regularly scheduled meeting of the Jail Standards Board is scheduled for **9:00 AM on Friday, July 31, 2015** at the Red Willow County Jail in McCook, Nebraska.

There being no further business, Chairperson Mike Thurber declared the meeting adjourned at 10:15 AM.

Respectfully submitted,



Ann Bauers  
Administrative Assistant