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Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

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Jail Standards Board

April 15, 2016

The Jail Standards Board met at 9:00 AM on Friday, April 15, 2016 at the Ramada Inn, Kearney, Nebraska. Public notice of the meeting was published April 1, 2016 in the *Lincoln Journal Star*.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 8:58 AM by Chairperson Mike Thurber. The following members were **present**: Brad Alexander, Vesta Dack, Don Fritz, Keith Harvat, Ron Johns, Sherry Morrow, Connie Pfeifer, Jim Peschong, Bruce Prenda, Kevin Stuckenholtz, and Mike Thurber. The following members were **excused**: Scott Frakes; **Staff Members**: Denny Macomber, Dan Evans, Chris Harrifeld, and Ann Bauers. **Others present**: Shelly Perez, Sheriff Thurston County; Tim Sauer, Scottsbluff County, and Elijah Essex, Scottsbluff County.

Thurber introduced two new members of the Board, Sherry Morrow and Connie Pfeiffer. Each one gave a short synopsis of themselves

II. APPROVAL OF JANUARY 15, 2016 BOARD MEETING MINUTES

Motion

A motion was made by Stuckenholtz and seconded by Fritz to approve the minutes of the January 15, 2016 Jail Standards Board meeting. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stukenholtz. (Motion carried).

III. STAFF REPORT

Macomber gave a brief report on staff activities since the last meeting. Macomber gave an update on changes to the jail booking process. He also gave an update on the current conference.

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: Adams County Jail, 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, Phelps County Jail, Red Willow County Jail, Valley County Jail and Webster County Jail.

Motion

A motion was made by Johns and seconded by Fritz to find the Adams County Jail, 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, Phelps County Jail, Red Willow County Jail, Valley County Jail and Webster County Jail. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stukenholtz. (Motion carried)

B. Facilities Found to be in Non-Compliance

Lincoln County Jail

The Lincoln County Jail was found to have issues at inspection with the following standards:

Chapter 2 – Personnel

2-003.02 Initial Training. Satisfactory completion of a minimum of eighty (80) hours of initial training proved by the Nebraska Law Enforcement Training Center or an equivalent curriculum approved by the Board is required.

2-003.04 After the effective date of these Standards, newly appointed facility administrators and facility employees shall receive the initial training as soon as possible, and it must be completed within the first year of employment

Chapter 6 – Security and Control

6-005.03: Restraint Equipment. Restraint equipment is used only as a precaution against escape during transfer or as prevention against inmate self-injury, injury to others or damage to property. Restraint equipment is applied only for the time absolutely necessary. The use of restraint equipment, other than for routine use during transfer, is approved by the supervisor on-duty and must be documented in report. Restraint equipment shall be inventoried at regular and routine ongoing intervals.

Harrifeld gave an update on the jail inspection of Lincoln County. He recommends the Board find Lincoln County Jail in full compliance contingent on providing the required documents to demonstrate compliance. There was a short discussion on providing documents to the Board for both Standards.

Motion

A motion was made by Prenda and seconded by Stuckenholtz to find the Lincoln County Jail in full compliance of the above Standards contingent on documents being received on training and presenting 60 days of restraint logging documents. Voting in favor of the motion: Alexander, Dack, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stuckenholtz. Against: Fritz (Motion carried)

V. REVIEW OF CORRECTIVE ACTION

Box Butte County Jail

The facility was found out of compliance by the Board during the July 31, 2015 meeting. The facility was cited by the Fire Marshal's Office on fire code deficiencies. Box Butte County officials have contracted with Nebraska Fire and Safety to install a sprinkler system in the jail which is in progress and projected to be completed in June, 2016. No action was taken by the Board.

Butler County Jail

This facility was found out of compliance by the Board during the January 15, 2016 meeting. The facility was cited on fire codes and securing and inventorying restraint equipment. Documentation has been received from the Fire Marshal's Office confirming that fire code deficiencies have been corrected. Inventorying of restraints has begun. Harrifeld gave an update and no action was taken by the Board.

Cherry County Jail

All action on this facilities compliance status has been tabled by the Board since the July 31, 2015 meeting. The Board had concerns related to the management of this facility and voted to send a letter requesting information from the jail administration and the County Board related to personnel matters. At the October 23, 2016 meeting the Board requested a re-inspection of this facility. On January 15, 2016 Denny attended a meeting with the jail officials and discussed issues of concern. A follow up meeting with the County Board and County Attorney occurred on March 29, 2016. NIRMA representatives have been in written communication with jail officials related to these issues

Macomber gave an update on the status of the hiring of a Jail Administrator, noting that a job description had been completed and that he had been informed that the hiring process was underway. He recommended that the Cherry County Jail be found in full compliance. There was a short discussion regarding what full compliance means.

Motion

A motion was made by Prenda and seconded by Stuckenholtz to find the Cherry County Jail in full compliance of the above Standards. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stuckenholtz. (Motion carried)

Dakota County Jail

This facility was found out of compliance by the Board during the January 15, 2016 meeting. The facility was cited on standards related to facility sanitation. The Board found the facility out of compliance and directed a letter be sent to the Sheriff declaring a 30 day time frame to complete corrective action to be confirmed through an on-site evaluation by staff.

Harrifeld gave an update on the follow up jail inspection, noting that not all issues had been addressed, specifically shower repair. There was a short discussion.

Motion

A motion was made by Peschong and seconded by Johns to find the Dakota County Jail out of compliance of the above Standards. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stuckenholtz. (Motion carried)

Gage County Jail

This facility was found out of compliance by the Board during the October 23, 2015 meeting. The facility has been out of compliance since October 15, 2010 on fire code deficiencies cited by the Fire Marshal's Office. The corrective action plan approved by the Fire Marshal's Office and the Board is in progress. The facility will remain out of compliance until declared otherwise by the Fire Marshal.

Evans gave an update on the status of the corrective action plan. He further stated that he would be attending meetings to continue to address fixing the problems. There was a brief discussion. It was suggested that the Sheriff and County Board be sent a request to come to the July meeting to bring the Board up to date on the corrective action plan. Prenda stated that he would also like to see a copy of the Fire Marshal's Report.

Northeast Nebraska Juvenile Facility

This facility was found out of compliance by the Board during the January 15, 2015 meeting. The facility was cited by the Fire Marshal's Office on fire code deficiencies. Facility staff report that all issues have been addressed, however no follow up inspection has been completed. Staff advises that the documentation has been received and Northeast Nebraska Juvenile Facility should be found in full compliance.

Motion

A motion was made by Johns and seconded by Peschong to find the Northeast Nebraska Juvenile Facility in full compliance of the above Standards. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stukenholtz. (Motion carried)

Seward County Jail

This facility was found out of compliance by the Board during the January 15, 2016 meeting. The facility was cited on standards related to key control and security and inventory of restraint equipment. Inventorying of restraints has begun.

Harrifeld gave an update and recommended Seward County Jail be found in full compliance

Motion

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

Superior City Jail

This facility was cited and found out of compliance by the Board during the July 31, 2015 meeting. The facility was cited for non-compliance on submission of computerized admission and release documentation. A corrective action plan is being developed to provide for this data entry.

Evans gave a brief update on the Superior City Jail.

Washington County Jail

This facility was cited and found out of compliance by the Board during the October 31, 2014 meeting. A corrective action planning meeting with jail officials was conducted March 10, 2015. Sheriff Robinson and Captain Bellamy presented the county's corrective action plan during the May 31, 2015 meeting and the Board approved it. During the October 2015 meeting the Board found Washington County out of compliance on adequate contact visitation space. On February 25, 2016, staff received confirmation from the Washington County Jail that confidential, contact visitation space has been constructed in the multipurpose room, completing the corrective action.

Evans gave an update and recommended that the Board find this facility in full compliance.

Motion

A motion was made by Stukenholtz and seconded by Prenda to find Washington County Jail in full compliance with the Standards. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stukenholtz. (Motion carried).

VI. OTHER BUSINESS

A. Waiver of Initial Training – Brentley Willingham, Phelps County Jail

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

B. Waiver of Initial Training – Ian Connelly, Scottsbluff County Jail

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

C. Waiver of Initial Training – Nicole Steinfeldt and Lindsey Schuerman, Saline County Jail

Macomber stated that Steinfeldt and Schuerman had comparable training that exceeds the minimum training required by the Standards. Macomber recommended that the waiver be granted.

Motion

A motion was made by Fritz and seconded by Johns to grant the waivers of Brentley Willingham, Phelps County Jail, Ian Connelly, Scottsbluff County Jail, and Nicole Steinfeldt and Lindsey Schuerman of Saline County. Voting in favor of the motion: Alexander, Dack, Fritz, Harvat, Johns, Morrow, Pfeifer, Peschong, Prenda, and Stukenholtz. Abstaining: Johns (Connelly) (Motion carried)

D. Legislative Update

Macomber gave a brief update on the bills being considered by the Legislature. There was a short discussion. Macomber stated he would bring updates to the July meeting. He further stated that he would be sending out new charge codes to all the jails.

E. Update on Jail Construction Projects

Sheriff Shelli Perez gave an update on the Thurston County Jail construction with a completion date of 2017.

Macomber gave an update on the Richardson County Jail construction project. Completion date should be this fall.

Harrifeld gave an update on the Seward County Jail construction. There has been a delay, but it is now proceeding.

VII. ADJOURNMENT/NEXT MEETING

The next regularly scheduled meeting of the Jail Standards Board is scheduled for **9:00 AM on Friday, July 15, 2016** at a facility to be decided.

There being no further business, Chairperson Mike Thurber declared the meeting adjourned at 10:06 AM.

Respectfully submitted,



Ann Bauers
Administrative Assistant