

	ADMINISTRATIVE REGULATION Department of Correctional Services State of Nebraska	NUMBER 105.01	Page 1 of 12
		VOLUNTEER SERVICES	

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SUMMARY of REVISION

Updated DEINITIONS. Changed Central Office Programs Administrator to Administrative Assistant III – Institutions throughout. Removed repeated language from V.H. Added Peer Volunteer Program. Removed ACA references from the body of AR. Other changes throughout.

APPROVED:



 Scott R. Frakes, Director
 Nebraska Department of Correctional Services

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 2 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

PURPOSE

The purpose of this Administrative Regulation (AR) is to establish rules and standards for accommodating citizen involvement and volunteer programs within all of the Nebraska Department of Correctional Services' (NDCS) institutions and program areas with the exceptions of Parole Administration.

GENERAL

Consistent with the safety, security and good order of the facilities, NDCS provides opportunities for citizen volunteer involvement within its institutions.

PROCEDURE

I. DEFINITIONS

- A. A Nebraska Department of Correctional Services (NDCS) Volunteer is an unpaid community member who facilitates programs by providing leadership, direction and guidance to the mission of the program.
- B. A volunteer program is defined as any program approved to operate within or operated by NDCS which utilizes non-paid personnel (This does not include interns; see AR 112.15, *Internship/Externship/Practicum Programs*).
- C. Staff may volunteer with approval from the facility Warden.
 - 1. Employees approved to volunteer will be issued a volunteer badge that they must wear while they are performing as a volunteer.
 - 2. They will only be allowed to volunteer in areas which are different from their regular paid assignment.
 - 3. Any staff who chooses to be a volunteer will be doing so on their off time and are not considered to be an on duty staff member.
 - 4. Off duty employees are not expected or permitted to perform work related functions during their volunteer time and other staff members shall not request anyone wearing a volunteer badge to perform any work related tasks.
 - 5. Employees may also serve as a Victim/Offender Dialogue Facilitator.
 - 6. An employee who is a member of an inmate's immediate family, may sponsor that inmate on furloughs and passes.
 - 7. Immediate family is defined as spouse, parent, step-parent, persons acting in place of a parent (as documented in the institutional file), sibling, step-brother, step-sister, half-brother, half-sister, child, step-child and grandparent.

II. RESPONSIBILITY

- A. The central office Administrative Assistant III - Institutions is responsible for the coordination of the Department's non-religious Volunteer Service Program. This individual will also chair the non-religious volunteer services committee, which will assure that NDCS policy is followed in each institution and program area. The central office Administrative Assistant III - Institutions will also receive, review and coordinate volunteer programs with the volunteer services committee. All Volunteers

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 3 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

are subject to the provisions in this policy. The Department's Religion Program is a separate entity comprised of Religious Coordinators, legal staff, Clergy Visitors, and religious volunteers. Religious Volunteers are also subject to the provisions in AR 208.01, *Religious Services*. The Department's Religion Program has a separate Committee referred to as the Religion Study Committee (RSC). The RSC is chaired by the Administrative Assistant III - Institutions from Central Office. Religious Coordinators are responsible for Religious Volunteers.

1. Committee Meetings

Meetings of the departmental volunteer services committee will be open for volunteers so they can become involved in the establishment of policy and procedures. These meetings will be scheduled by the central office Programs Administrator and will be held on a semi-annual basis or as needed.

2. Reporting/Review Requirements

The central office Administrative Assistant III - Institutions will review the volunteer programs annually, and recommend changes for review and approval by the Director.

3. Policy Changes

Volunteers should make a concerted effort to stay current on significant policy changes affecting the agency's volunteer program. The Volunteer Services AR is available through the NDCS public website.

- B. Each institution operated by the NDCS will appoint staff to serve on the volunteer services committee, and to operate the citizen involvement and volunteer services program for inmates. The Religious Coordinators at the Diagnostic and Evaluation Center, the Nebraska Correctional Youth Facility, and the Nebraska Correctional Center for Women will serve as both the Religious and non-religious volunteer coordinator.

Volunteer services committee members shall review and coordinate volunteer programs within their particular institution/program, and develop written policy, procedure and practice specifying the lines of authority, responsibility and accountability for the volunteer services programs.

- C. New inmates arriving at the institution shall be given information relative to the volunteer programs available to them and the role of the volunteer in these programs. A current schedule of available volunteer services to inmates will be posted in appropriate areas of the institution.

III. PROGRAM COORDINATION

A. Screening and Selection

The volunteer coordinator or religious coordinator depending upon the program, at each institution will be responsible for the recruitment and initial screening of volunteers from all cultural and socioeconomic segments of the community. Volunteers are to be 19 years of age or older. This does not preclude younger

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 4 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

individuals who are a relevant part of a volunteer program/service from participating in an activity, under the supervision of appropriate volunteers, within an institution at the discretion of the Warden. Non-religious volunteers are allowed to be involved in more than one club/activity at one facility. Religious volunteers will be limited to involvement in one religious group unless the volunteer can show relevant knowledge which would directly relate to a different religious group. A request for involvement in more than one religious group requires a recommendation from the Religious Study Committee.

1. Once recruited, the applicants (Attachment A) and all associated documents shall be screened by the institutional volunteer coordinator or religious coordinator depending upon the program, and the department head under whom the program is to be inaugurated or his/her designee.
2. A National Crime Information Center (NCIC) check will be conducted under the following circumstances.
 - a. An NCIC check is required initially, and annually thereafter, for all of the following volunteers:
 1. Individuals volunteering for more than a single event.
 2. Any leader (professional or religious), regardless of credentials, for whom there is no documented endorsement by his/her judicatory.
 3. Performing or athletic groups which will have significant, direct contact with inmates.
 - b. An NCIC is optional for the following individuals volunteering for a single event: (i.e. One Time Volunteers)
 1. Professionals with national organizations. These individuals will often provide services as speakers or seminar/worship leaders.
 2. Credentialed and/or endorsed professionals, worship leaders or religious instructors.
 3. Performing or athletic groups which will have minimal or no direct contact with inmates.
 4. Representatives of organizations who have been provided with documentable training for volunteering in a correctional setting.
3. Recommendations for approval of the applicant shall be delivered by the institution volunteer coordinator or religious coordinator depending upon the program, to the Warden/designee for final approval.
4. Generally, volunteers will only be approved to volunteer at one secure facility. However, once a volunteer has met the entire agency's

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 5 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

requirements, has received an orientation, and has been approved at one secure facility they may be approved at additional secure facilities if approved by the Warden/designee of the additional facility. If approved, before providing volunteer services at another facility, the volunteer shall complete a facility specific tour and be briefed on the various aspects unique to each facility and the inmate population. The tour and briefing will be given by either the Volunteer Coordinator or Religious Coordinator.

B. Ex-Inmates

The volunteer programs may include ex-inmates as volunteers, providing the following is considered:

1. Written approval to be given by the Warden/designee.
2. The ex-inmate is no longer on parole and has been discharged for a minimum of 18 months and had no contact with any criminal justice agency during the 18 months. Wardens may make exceptions on a case-by-case basis dependent upon agency needs, including exceptions based on NDCS staff recommendations.
3. The type of crime and length of sentence.
4. The ex-inmate's friends and associates are still incarcerated.
5. The institutional record, including any program participation.
6. They possess a special talent or skill that will benefit the inmates, institution or NDCS.

IV. ORIENTATION AND TRAINING

Orientation and training (Attachment B) will be provided to volunteers by the Volunteer Coordinator or Religious Coordinator. Exceptions may be made upon agreement between respective volunteer coordinators.

All volunteers are to attend an orientation session prior to their first volunteer activity. These orientation sessions shall be made available on an as needed basis as determined by each institution/program. Volunteers participating in a one-time activity are to be given a verbal and/or written orientation (Attachment D) appropriate to the circumstance. Orientation for volunteers will include the following:

- A. The criteria for being a volunteer (a copy of the Volunteer Services AR shall be given to each volunteer)
- B. An overview of the Nebraska Department of Correctional Services' philosophy and operation, the criminal justice system, agency mission statement, and vision points
- C. Familiarization to the institution/program in which the volunteer will be working including physical plant layout, staffing, programming provided, operational memorandum etc.

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 6 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

- D. An overview of inmate characteristics and background
 - E. Guidelines for working with inmates specific to the institution
 - F. Security and confidentiality of information
 - G. Emergency situations; (i.e. being taken hostage, severe weather, lockdown)
 - H. Contraband
 - I. Ethics (a copy of the American Correctional Association's Code of Ethics shall be given to each volunteer)
 - J. Workplace harassment policy
 - K. Statutory provision regarding sexual conduct with inmates, Section 28-101 R. S. Supp. 1998.
 - L. Victim Services
- V. VOLUNTEER RESPONSIBILITIES
- A. In general, volunteers are to conduct themselves in a manner similar to that expected of employees pursuant to the rules and regulations of NDCS. Specifically, volunteers shall not:
 1. Introduce contraband into any institution within NDCS;
 2. Accept or issue any bribe, gift, loan, or gratuity from or to an inmate;
 3. Engage in trading or trafficking with inmates including selling, buying from or delivering to any inmate any article or commodity of any description except through authorized channels;
 4. Bring articles of any kind into an institution for delivery to an inmate, or take out an article of any kind for an inmate, unless authorized to do so by the Warden.
 5. Give or send money to an inmate in a secure institution for any reason. Dual Status Volunteers may send money with Warden's advanced approval (refer to AR 208.01).
 6. Be on the visiting list of any inmate, with the following exceptions:
 - a. The visiting lists of inmates on community custody residing at a community corrections center.
 - b. With written permission from the Warden, volunteers may be on the friends and family visiting list of an immediate family member. The volunteer should not provide services within the facility that houses the immediate family member without the Warden's permission. This exception also applies to dual status volunteers, as defined in AR

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 7 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

208.01, *Religious Services*. Exceptions for other non-immediate family members will be at the Warden's discretion.

7. Provide services at any institution housing an immediate family member.
 8. Be permitted to perform their duties or enter departmental facilities or offices while under the influence of alcohol illegal drugs and/or controlled substances.
- B. All volunteers shall sign a prepared statement agreeing to abide by all institutional/program policies and regulations, especially those dealing with security, confidentiality of records and other privileged information.
 - C. All volunteers shall follow the same dress code established for visitors, per AR 205.02, *Visiting*.
 - D. All volunteers shall sign a waiver (Attachment C), acknowledging that they assume the risk of engaging in contact with inmates.
 - E. Volunteers will generally be responsible to the department head within whose area the volunteer service is being performed. Volunteers will be accountable, as is paid staff, for their actions and services rendered in the institution or program.
 - F. All volunteers working in a discipline which by law requires professional credentials, must hold such credentials and be able to produce verification of such.
 - G. No telephone communication or written correspondence is allowed between volunteers and inmates at NDCS institutions, including the Work Ethic Camp. Exceptions may be approved by the Warden on a case-by-case basis and require written justification from the volunteer, and a recommendation from the Volunteer Coordinator or Religious Coordinator. (Exceptions to this section are made for Dual Status Volunteers as written in AR 208.01 and for Nebraska Correctional Youth Facility (NCYF) Mentors as written in this AR).
 - H. Any volunteer who is arrested or issued a citation of the law, other than a minor traffic violation, must immediately notify the Warden/Program Administrator or Volunteer Coordinator of his/her alleged violation of the law. Failure to report may result in suspension or termination of volunteer status.
 - I. Whenever a volunteer would like to play a video and/or audio recording at an approved activity, it must be screened and approved by institution/program staff prior to its presentation. Recordings will be denied which advocate violence, when the contents are likely to incite violence including inflammatory racist/ethnic content or illegal activity or sexual activity, or they describe plans for incendiary/explosive devices, alcohol/drugs or escape plans. No audio/video recordings will be allowed for hearing/viewing when such would violate copyright laws.
 - J. Access areas for all groups of volunteers in institutions will be stipulated according to each institution's operational memorandum.
 - K. Group coordinators and volunteers shall have their activities reviewed a minimum of annually by the institution/program volunteer coordinator.

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 8 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

VI. VOLUNTEER CATEGORIES

Volunteers shall be categorized into the following groups:

A. One-Time Volunteer

An individual may only be admitted into an institution once per year as a One-Time Volunteer for a single event or purpose.

B. Volunteer

The volunteer category is comprised of trained volunteers providing leadership, direction and guidance to the mission of the program on a consistent and regular basis.

C. Group Coordinator

Group coordinators are those volunteers who work closely with the institution/program volunteer coordinator in providing services to inmates.

Group Coordinators are the volunteers most involved in advisory and policymaking groups for the total program. A group coordinator will:

1. Be credentialed professionals in their area of volunteering, and/or;
2. Be a director or executive director of a volunteer organization, and/or;
3. Have a minimum of two years experience as a volunteer with NDCS.

D. Dual Status

An individual holding both a volunteer and clergy visitor status is identified as a dual status volunteer. In dual status cases, the clergy visitors/volunteers will already have a current NCIC and it will not be necessary to run a new NCIC to activate the new status, unless the NCIC has expired. When present in the facility as a Clergy Visitor, a dual status, volunteer will be afforded the same privileges as a clergy visitor as outlined in AR 208.01. When present in the facility as a volunteer all applicable volunteer regulations apply.

E. Sponsor (Community Corrections)

The Community Corrections Centers use Sponsors to provide services to inmates. In addition to guidance provided within this policy, Sponsors will also abide by the rules and regulations established through Community Centers' Operational Memorandum.

F. Mentor (Nebraska Correctional Youth Facility)

Mentors are defined as those volunteers who serve as positive support system or role models for individual inmates assigned to the NCYF. Mentors may offer spiritual guidance, transition planning, tutoring or life skills training to inmates on a one on one basis. Mentors cannot be immediate family members or on the approved visiting list of any inmate assigned to the NCYF. Mentors will be approved to correspond with

	ADMINISTRATIVE REGULATION Department of Correctional Services State of Nebraska	NUMBER 105.01	Page 9 of 12
		VOLUNTEER SERVICES	

inmates they are mentoring through the US mail service; however, this correspondence will not be privileged or confidential and may be monitored by staff. Mentors will receive specialized training from the volunteer coordinator. The volunteer coordinator, unit administrator and assistant warden will be responsible for assigning mentors to inmates taking into consideration any recommendations of mental health staff. Volunteers who have felony convictions will not be approved to serve as mentors until three years from the expiration of the most recent sentence. Volunteers convicted of misdemeanors will not be approved for 18 months from the expiration of the most recent sentence. Volunteers who are approved as mentors at NCYF may be allowed special visits with their inmate mentee if the mentee transfers to another facility. The volunteer must request the special visit, and it must be approved by the Warden/designee.

G. Peer Volunteer Program

NDCS and Adult Parole Administration recognize that some parolees can offer inmates insight into release planning that will facilitate success and potentially reduce recidivism. Parolees may participate in events facilitated by staff for this purpose. Such events may occur at the request of staff or structured inmate clubs.

1. Application Process

A parolee may volunteer for or a Parole Officer may invite a stable parolee to participate in the program. In order to be selected, a parolee should have a period of time on parole that has been successful. The parolee may have experienced some struggles initially; however, there should be sufficient stabilization to ensure that the parolee can provide appropriate guidance. Rather than have specific guidelines, the parole officer will consider the following:

- a. Length of stable time on parole in the following areas:
 - Residence
 - Sobriety
 - Relationships
 - Medication
 - Associates
 - Overall outlook concerning changing behavior, responding to challenges and experience on parole.
- b. Length of time since any parole violation
- c. References from others in the community that the parolee is involved with including
 - Mental Health/Substance abuse providers/sponsors
 - Family member (this should not be the only reference that the parolee has)
- d. Parolee commitment and interest in helping other offenders re-enter the community. Including a potential interest to continue participating after discharge from parole.

	ADMINISTRATIVE REGULATION Department of Correctional Services State of Nebraska	NUMBER 105.01	Page 10 of 12
		VOLUNTEER SERVICES	

- e. Ability to follow instructions from the NDCS/APA staff the parolee will be working with.
2. Upon identification of an interested parolee/former parolee, the parole officer will ensure that the person meets the qualifications and will prepare the Peer Volunteer Program form (attachment A) and submit to his/her supervisor. Upon approving, the supervisor will submit to the Warden of the Facility the parolee will be volunteering in. Once he/she has approved the form, it will be forwarded to the Adult Parole Administrator/designee who will forward to the Reentry Administrator/designee for his/her approval and finally to the Deputy Director of Institutions for approval.
 3. Preparation for entering the institution

Parolees and former inmates selected for this program will not need to go through a volunteer program, as they will be escorted by a staff person at all times.
 4. Removal of a parolee/former parolee from the program

In the event a participant elects to be removed from the program or needs to be removed due to unsatisfactory progress, relapse, parole violations, criminal conduct or other situation that make the participant unacceptable, a new Attachment A shall be resubmitted through the supervisor to the Adult Parole Administrator/designee, Warden Reentry Administrator/designee, Deputy Director of Institutions/designee notifying of the removal.

At the completion of a successful quarter of participation (the end of the month September, December, March and June) in the Peer Volunteer Program, the parolee/former parolee will be issued a certificate of successful participation (attachment B). Successful participation shall mean at least one volunteer event during the quarter. The assigned parole officer shall be responsible for monitoring and issuing the certificate(s).

VII. VOLUNTEER I.D. CARDS

Volunteers and group coordinators working in adult institutions (with the exception of community corrections centers) will be issued photo ID cards.

- A. A volunteer ID card will be issued to volunteers after six months or longer service with NDCS. Depending upon the program, the institutional volunteer coordinator or the institutional religious coordinator will notify the volunteer and arrange for the volunteer to have the ID card made.

Once the ID card has been issued, the volunteer will retain the ID card in their possession and will be responsible for showing the NDCS issued ID card along with their state issued ID/driver's license to enter the facility. The volunteer will wear their NDCS issued ID at all times when in a facility. Only one ID card will be issued to a volunteer for all facilities.

	<p style="text-align: center;">ADMINISTRATIVE REGULATION</p> <p style="text-align: center;">Department of Correctional Services State of Nebraska</p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">105.01</p>	<p style="text-align: center;">Page 11 of 12</p>
		<p>VOLUNTEER SERVICES</p>	

- B. The ID card will contain the following:
1. Picture of the volunteer, preferably with a yellow background, or a color background different than employees; Full time Volunteer Clergy ID cards will have a green background.
 2. Name of the volunteer;
 3. The position title of the volunteer - group coordinator or volunteer (i.e. group coordinator, volunteer, or full-time volunteer clergy)
 4. Date of issue
- C. Volunteers not issued ID cards will be granted admission to an institution by placement of their names on a list each time they are approved to enter the institution. When in the institution, they will wear "visitor" cards.
- D. A computerized database which includes name, current address, telephone number, current status, record of participation and other relevant information by individual volunteers will be maintained by each institution's Volunteer Coordinator. This information will be shared by all institution/program volunteer and religious coordinators.
- E. If a volunteer has been inactive for six months, the respective institutional volunteer coordinator will send him/her a letter to determine the volunteer's intentions and advise the volunteer that if they fail to provide services within the next six months they will be placed on inactive status and must return their volunteer ID card. Should the volunteer fail to respond within 30 days, they will be placed on inactive status and will be required to repeat the application and orientation process to continue as a volunteer. A final letter will be sent to the volunteer advising them of the change in their status, explaining the conditions for re-application and requesting the volunteer ID card be returned.

VIII. TERMINATION/SUSPENSION

The Warden, or their designee, at such time that they deem necessary for the safety of the volunteers, the management of the inmate population, or the tightening of security precautions, may restrict, postpone, suspend or terminate the services of any volunteer or volunteer organization.

- A. If a situation of high risk occurs in the institution, the Warden/ designee may by verbal mandate immediately discontinue, restrict or terminate the services of volunteers.
- B. Following the issue of such a mandate, a written statement shall be prepared by one of the institutional volunteer coordinators and signed by the Warden/ designee informing the volunteer or volunteer organization of the reason(s) for the discontinuance of the program. The statement shall be issued to the volunteer(s) unless divulging such would be detrimental to the safety and security of the institution/program and/or the general public.
- C. When a volunteer has been terminated or suspended, the Administrative Assistant III - Institutions will be notified. He/she will make the appropriate database entries and

	ADMINISTRATIVE REGULATION Department of Correctional Services State of Nebraska	NUMBER 105.01	Page 12 of 12
		VOLUNTEER SERVICES	

subsequently notify all other coordinators and relevant stakeholders in NDCS. The respective institutional volunteer or religious coordinator will send a letter to the volunteer requesting that the volunteer ID card be returned.

IX. FUNDING

See AR 113.01, *Fiscal Management* for funding relevant to volunteer and volunteer activities.

REFERENCE

I. ATTACHMENTS

- A. Volunteer Application Form DCS-A-adm-123-pc
- B. Nebraska Department of Correctional Services Volunteer Training Record
- C. Nebraska Department of Correctional Services Volunteer Pledge and Waiver
- D. Orientation and Waiver Form for One-Time Volunteers Nebraska Department of Correctional Services
- E. Nebraska Department of Correctional Services Religious and Volunteer Services Organizational Chart
- F. Application for Volunteer Peer Mentor
- G. Certificate Success-Peer Mentor

II. ACA STANDARDS

- A. Standards for Adult Correctional Institution (ACI) (4th edition): 4-4114, 4-4115, 4-4116, 4-4117, 4-4118, 4-4119, 4-4120, 4-4121 and 4-4122.
- B. Performance Based Standards for Adult Community Residential Services (ACRS) (4th edition): 4-ACRS-7B-03, 4-ACRS-7B-05, 4-ACRS-7D-04, 4-ACRS-7F-08, 4-ACRS-7F-09, and 4-ACRS-7F-10.