

Notice of Public Hearing

The Nebraska Department of Correctional Services (NDCS) will hold a rule-making hearing pursuant to Neb. Rev. Stat. §84-907 at 9 am on the 15th day of November, 2016 to be held at the NDCS Central Office located at 801 W. Prospector Place, Building 1, Lincoln, Nebraska 68509.

The purpose of the hearing is to take testimony and evidence about the amendment of Title 68, Chapter 6, entitled Inmate Disciplinary Procedures. This action is proposed to implement Neb. Rev. Stat. §83-4,114.01 consistent with the authority granted by law and with constitutionality.

The subject matter and scope of the rule-making action is to define flagrant or serious misconduct in inmate disciplinary actions. The rules define flagrant or serious misconduct for the purpose of distinguishing those offenses that are eligible for loss of good time as a sanction. Flagrant or serious misconduct is defined as misconduct which causes major disruption to the operation of the institution; creates danger for the public, staff and/or inmates; violence; substantial destruction of property; risk of escape or repeated violations of the same offense in the past 12 months.

Draft or working copies of the proposed rules are available at the offices of the Secretary of State, Regulations Division, Room 343, State Capitol, Lincoln, NE 68509. There is no expected fiscal impact from adopting these regulations.

All interested persons are invited to attend and testify orally or by written submission at the hearing. Interested persons may also submit written comments prior to the hearing which will be made part of the hearing record if received by NDCS on or before November 11th, 2016. If auxiliary aids or reasonable accommodations are needed to participate in the hearing please call Jodi Witte at 402-479-5639 or email her at Jodi.witte@nebraska.gov by no later than November, 11th, 2016.



Scott Frakes, Director
Nebraska Department of Correctional Services