

Notice of Public Hearing

The Nebraska Department of Correctional Services (NDCS) will hold a rule-making hearing pursuant to Neb. Rev. Stat. §84-807 on the 9th day of May, 2016 at 9 am 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 adoption of Title 72, Chapter 1, entitled Restrictive Housing. This action is proposed to implement Neb. Rev. Stat. §83-173.03 consistent with the authority granted by law and with constitutionality. The subject matter and scope of the rule-making action is:

The proposed rules and regulations govern the use of restrictive housing within the Nebraska Department of Correctional Services. The rules establish the standard that restrictive housing shall be used only when it is the least restrictive environment consistent with the safety and security of the inmate, others or the facility. The proposed rules also define levels of restrictive housing, create processes for admission and individualized transition planning back to general population or mission specific housing, and identify alternatives to restrictive housing for the mentally ill and other special needs populations.

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 May 5, 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 May 5, 2016.



Scott Frakes, Director
Nebraska Department of Correctional Services