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SUMMARY OF REVISION/REVIEW

PURPOSE – Language updated. PROCESS – II.D.3. – Language updated. II.E. – Language updated. II.G. – Language updated. III.A.1. – Language updated. III.A.2. – Language updated. III.A.3. – Section rewritten to match Policy 205.01 *Incarcerated Individual Mail*. III.A.4. – Language updated. III.C. Book Donations – New section.
Minor grammar changes throughout.

APPROVED:


Rob Jeffreys (Dec 13, 2024 09:23 EST)

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Nebraska Department of Correctional Services

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PURPOSE

To provide quality library services within the Nebraska Department of Correctional Services (NDCS) comparable to those of a public library. This includes providing resources in a variety of media (if available and meet the safety and security standards of facilities) to meet the needs of individuals and groups for education, information and personal development including recreation and leisure.

Per Neb. Rev. Stat. §83-182, the director shall establish appropriate programs for each facility designed as far as practical to prepare and assist each incarcerated individual in NDCS assume his/her responsibilities as a productive citizen.

NDCS will develop and maintain comprehensive library services designed to meet educational, recreational, and therapeutic needs of incarcerated individuals. This shall include a reference collection containing general and specialized materials and planned and continuous acquisition of materials to meet the needs of the facility team members and incarcerated individuals. (ACI-7E-01)


PROCESS

I. STAFFING


- A. A person with a Master of Library Science, information resources, media services or related degree, shall be available to each facility to assist with coordinating and supervising library services. This person is responsible for the training of all library team members. (ACI-7E-03)
- B. Each facility shall utilize at least one qualified team member to coordinate and supervise library services. (ACI-7E-02)
- C. Each facility shall select, train, and utilize one or more incarcerated individuals as library assistants. (ACI-7E-07)

II. SERVICES/PROGRAMS

- A. Each facility shall provide comprehensive library services, where practical, which can be comparable to a public library. Library services shall provide for, at a minimum:
 1. Planned and continuous acquisitions of materials to meet the needs of users within budget limitations.
 2. Logical organization of materials for convenient use.
 3. Circulation of materials to satisfy the needs of users.
 4. A reference collection or information services to locate facts as needed.
 5. A reader's advisory service provided by the library team members, to include but not be limited to, recommending books and materials, compiling lists of selected titles, and instructing in the use of the library and its resources.
 6. Promotion of the uses of library materials.

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- B. Each facility shall provide library services to all incarcerated individuals daily, including evenings and weekends. (ACI-7E-06)
- Each facility will establish a schedule which provides reasonable and equitable access to the facility library. Circulation library services may be made available via mobile book cart or other means as determined by the facility to ensure seven day a week access to reference and reading material.
 - Incarcerated individuals whose living assignments do not allow access to the library, shall be provided services through a satellite delivery system.
 - Library services will be available during school hours to students enrolled in the Nebraska Correctional Youth Facility High School.
 - Access may be determined by a pass system, available space, and facility operations.
- C. Law library services shall be provided by NDCS to ensure compliance with incarcerated individuals' access to the courts. Refer to Policy 116.01 *Inmate Rights*, for additional information.
- D. *Interlibrary Loan Program* (Attachment A) (ACI-7E-05)
- Each facility shall develop a library program, which includes participation in interlibrary loan programs with the local and/or state public library systems.
 - Each facility library shall offer interlibrary loan services to eligible incarcerated individuals. Such services shall conform to NDCS' Interlibrary Loan Manual, which contains the Interlibrary Loan Code and the Interlibrary Loan Facility Guidelines.
 - All materials requested through Interlibrary Loan must adhere to the standards outlined in section III. Material Selection/Maintenance. Any requested material through Interlibrary Loan can be denied at any time due to NDCS policy. The processing fee for Interlibrary Loans is assessed for the request itself and will be assessed even if materials are not received.
- E. Each facility (excluding the Work Ethic Camp) shall offer inter-departmental loan services between facility libraries.
- Incarcerated individuals can request an intra-departmental library loan with assistance from their respective librarian and utilizing the *Intra-Department Loan Agreement* (Attachment B). Intra-departmental library loans utilize NDCS inter-office mail and are tracked using the Follett circulation system.
- F. Talking Book Program
- Incarcerated individuals who have a verified visual impairment may be eligible for the Talking Book Program. Incarcerated individuals needing such accommodation should submit an Inmate Interview Request to their facility librarian outlining their needs. If approved, the incarcerated individual will be allowed to check out a talking book player, headphones, and up to three talking books at a time to keep these items with them in their housing unit until recalled by the facility librarian.

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2. All talking book program items must be returned to the facility librarian when transferring facilities or upon discharge from NDCS. The incarcerated individual shall be financially responsible for any damage or loss to the talking book player and talking cassettes/digital cartridges.


G. Accountability

When an incarcerated individual transfers to another facility, it is the incarcerated individual's responsibility to ensure all library materials, to include interlibrary and interdepartmental loan items are returned to the library. When an incarcerated individual is scheduled to transfer to another facility, the incarcerated individual shall ensure that all checked out library items are returned to the library. Incarcerated individuals shall follow facility procedures to ensure that items are returned. Failure to do so may result in disciplinary action, which may include loss of library privileges or payment of the replacement cost of the item(s).

III. MATERIAL SELECTION/MAINTENANCE


A. Material Content

1. Library materials should be selected to meet the educational, informational, and recreational needs of the incarcerated individuals. They should be easily accessible and regulated by a system that prevents abuse. When possible, selection of services and materials will include input from team members, library team members, and the facility incarcerated population. (ACI-7E-04)
2. The following materials do not meet NDCS selection criteria for inclusion in library collections:
 - a. Materials that by depiction or description support the illegal activities of a security threat group, contrary to the security interests of the facility."
 - b. Materials that could pose a threat to the safety and security of the facility, its staff and incarcerated population. Materials that contain but are not limited to the following subjects:
 - 1) Manufacture of weapons or traps
 - 2) Manufacture of alcohol or drugs
 - 3) Instruction in the mental or emotional manipulation of others
3. Published sexually explicit materials that contain depictions or written descriptions of prohibited content as set forth below shall constitute contraband:
 - a. Nudity - The depiction of human male or female genitals, anus, or pubic area or of the female breast or a substantial portion of the breast below the top of the nipple, with or without see-through covering, such as "pasties," lace, mesh, and body paint through which the covered area is showing; coverings emphasizing the depiction of human genitals; or tight-fitting clothing through which the contours of the genitals are clearly visible.

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NOTE: This definition of nudity does not include published material containing nudity illustrating medical, educational, or anthropological content or mainstream print media.

- b. Direct physical stimulation of unclothed genitals.
 - c. Masturbation.
 - d. Sexual Intercourse (including vaginal, oral, anal, or bestiality).
 - e. Bodily fluids.
 - f. Flagellation or torture in a sexual context.
 - g. Sex-related materials determined to constitute a risk to the safety and security of the facility, facilitate criminal activity, or undermine offender/resident rehabilitation.
 - h. A participant(s) who appears to be non-consenting dominated, degraded, humiliated, or in a submissive role, and/or acting in a forceful, threatening dominating, or violent manner which appears to be sexual in nature.
 - i. Minor(s), or models depicting minor(s), in a sexually suggestive setting/pose/attire.
 - j. Computer generated pictures or pictures with nudity that appear to be from the internet will be considered nude pictures.
4. Materials that only describe sexually explicit content is not included unless it describes and promotes illegal sexual activity such as sexual assault, incest, bestiality, and necrophilia.
- B. Books should be catalogued according to the Dewey Decimal System or another library organization system that allows for convenient use. Automation should be used when available for circulation of library materials, maintaining an inventory of library holdings, and generating statistical reports.
- C. Book Donations
- 1. Librarians shall build relationships with community organizations and community members in an effort to gather a culturally diverse selection of books through the donation process. Donations of library materials may be accepted from the general public, outside sources, team members, incarcerated individuals, and their families. Materials accepted for donation to the library collection become part of the library collection and shall be treated as such.
 - 2. Donations from the incarcerated population may be received by the facility in which the individual resides and is subject to review primarily by the facility's librarian for possible inclusion in the collection.

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3. Donations from an external party must be received at Central Office and are subject to the following security protocols prior to distribution to facility libraries.
4. NDCS will not accept donation of the following items. These items will be disposed of per NDCS policy:
 - a. Superseded law books
 - b. Superseded magazines
 - c. Old/superseded textbooks (more than 5 years old)
 - d. Books with torn covers and pages, missing pages, loose binding, or any book that is soiled, discolored, or damaged
 - e. Material that are not acceptable because of content or may pose a security threat if given to inmates (e.g. bomb making, martial arts & self-defense, weapons making, drugs and alcohol, pornography, etc.)
 - f. Reader's Digest condensed books
 - g. Books with metal or spiral bindings
 - h. CD's or Cassette tapes
5. NDCS librarians do not appraise books or materials. A letter from the library coordinator acknowledging receipt of donations and indicating quantities and types of materials will be supplied upon request.
6. All donations shall be subject to routine random drug detection testing.
7. The NDCS donation form will be completed. See, *NDCS Donation Form* (Attachment C)

IV. PHYSICAL FACILITY

Each facility shall provide a library that is functional in design, appearance and furnishings so that an atmosphere conducive for concentration exists for all users. Equipment included within the library shall be sufficient to meet both team members and participant needs. NDCS community correctional centers will not be required to provide library services as incarcerated individuals assigned to those facilities may utilize public libraries on pass or furlough.


REFERENCE

I. STATUTORY REFERENCE AND OTHER AUTHORITY

- A. Neb. Rev. Stat. §83-182; §83-1,122.02, Sec. 43

II. NDCS POLICIES

- A. Policy 116.01 *Inmate Rights*

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III. ATTACHMENTS

- A. Interlibrary Loan Agreement (DCS-A-lib-001)
- B. Intra-department Loan Agreement
- C. NDCS Donation Authorization Form

IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA)

- A. Expected Practices for Adult Correctional Institutions (ACI) (5th edition): 5-ACI-7E-01, 5-ACI-7E-02, 5-ACI-7E-03, 5-ACI-7E-04, 5-ACI-7E-05, 5-ACI-7E-06, 5-ACI-7E-07