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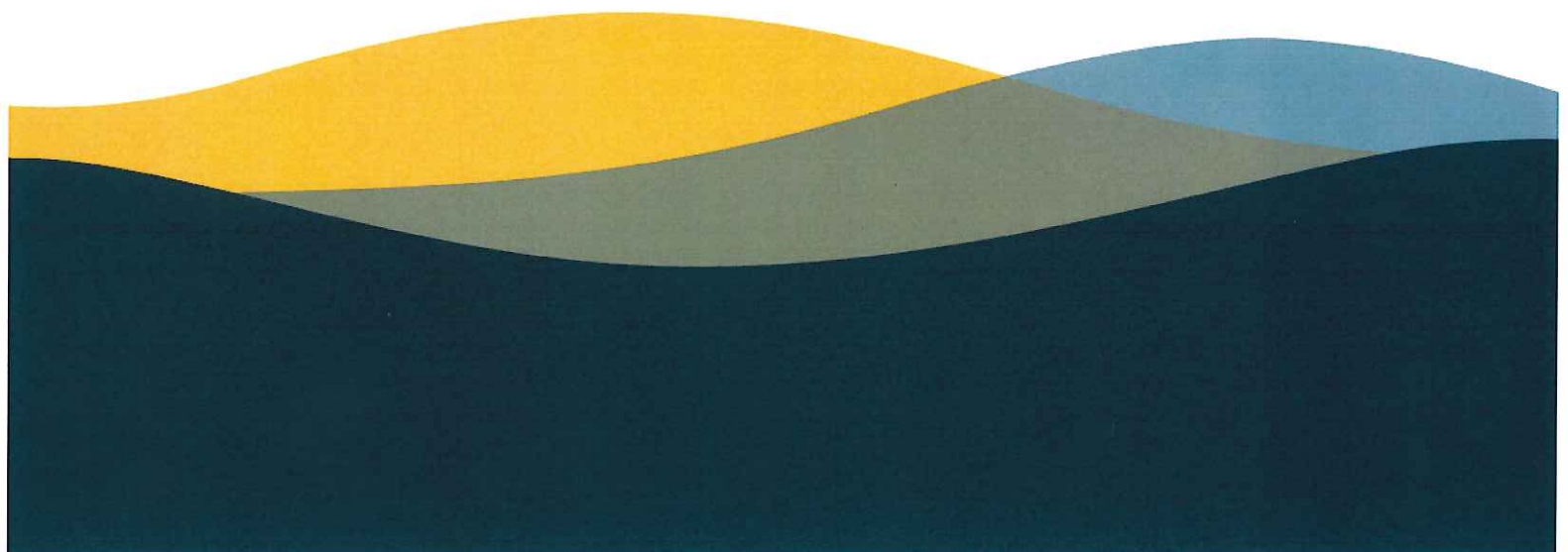
DEPT OF CORRECTIONAL SERVICES

Mission Specific Housing

THE CHALLENGE PROGRAM

PROGRESS SUMMARY

January 28, 2019



On September 27, 2017, NDCS officially launched The Challenge Program (TCP) as a Mission Specific Housing Unit providing a controlled and highly structured alternative to restrictive housing for individuals who have demonstrated an institutional history of violent and/or Security Threat Group behavior. From the onset, TCP was a three-phase program. Phase I of the program begins at the Special Management Unit (SMU) at Tecumseh State Correctional Institution (TSCI) while the individual is still in restrictive housing. Phase II is in Housing Unit #2B at TSCI, a non-restrictive housing setting. Initially, Phase III was completed at Nebraska State Penitentiary (NSP) Housing Unit #4B, also a non-restrictive housing setting.

At the onset, an accelerated version of TCP was offered to individuals housed in what were formerly referred to as Close Management Units (TSCI-HU#2B and NSP HU#4B). Based on criteria identified by NDCS, individuals housed in Close Management Units were assigned to either Accelerated Phase II or Accelerated Phase III. Individuals assigned to Accelerated Phase II were expected to complete that phase, progress to Accelerated Phase III and complete that phase before being assigned to non-TCP housing. Individuals assigned to Accelerated Phase III were expected to complete that phase before being assigned to non-TCP housing.

Accelerated TCP Phase II Summary

Thirty-one individuals were assigned to Accelerated TCP Phase II with the intent that they would progress to the Accelerated TCP Phase III program prior to returning to non-TCP housing. By design, programming components for the accelerated TCP Phase II participants were less extensive than the full three-phase program. Miscommunication resulted in these participants completing the program components of the full Phase II program rather than the accelerated version. Since this exceeded the intent, on January 30, 2018, accelerated Phase III was waived for accelerated Phase II participants who had completed all programming and consistently met behavior expectations described in the TCP Accelerated Program Overview.

The following is a summary relative to the 31 Accelerated TCP Phase II participants:

- 3 individuals discharged their sentence while in the Accelerated TCP Phase II Program.
- 4 individuals were placed in restrictive housing and subsequently assigned to Longer-Term Restrictive Housing (LTRH) status prior to completion of the Accelerated TCP Phase II Program.
- 2 individuals were removed from the Accelerated TCP Phase II Program prior to completion to participate in recommended clinical programming.
- **22** individuals completed the program components of the Accelerated TCP Phase II Program.
 - **3** have had no restrictive housing placements since completion.
 - 19 have been assigned to Immediate Segregation status since completion. Of those:
 - **7** were not assigned to Longer-Term Restrictive Housing and subsequently returned to general population.
 - 12 were subsequently assigned to Longer-Term Restrictive Housing. Of those:
 - 2 have subsequently returned to general population.
 - 10 remain on Longer-Term Restrictive Housing.

Accelerated TCP Phase III Summary

Forty individuals were assigned to Accelerated TCP Phase III. By design, programming components for the Accelerated TCP Phase III participants were less extensive than the full three-phase program.

The following is a summary relative to the 40 Accelerated TCP Phase III participants:

- 2 individuals discharged their sentence prior to completion.
- 1 individual paroled prior to completion.
- 8 individuals were placed in restrictive housing and subsequently assigned to Longer-Term Restrictive Housing status prior to completion.
- 3 individuals were removed prior to completion for safety/protective custody needs.
- **26** individuals completed the program components. Of those:
 - **5** have had no restrictive housing placements since completion.
 - 21 have been assigned to Immediate Segregation status since completion. Of those:
 - **10** were not assigned to Longer-Term Restrictive Housing and subsequently returned to general population.
 - 11 were subsequently assigned to Longer-Term Restrictive Housing. Of those:
 - 5 have since returned to general population.
 - 6 remain assigned to Longer-Term Restrictive Housing.

FULL TCP PROGRAM

At the time of the TCP launch, the Central Office Multidisciplinary Review Team (MDRT) began assigning individuals on Longer-Term Restrictive Housing who met the criteria as described in the TCP Program Overview to TCP. Individuals assigned to TCP by MDRT were expected to complete all three program phases, however, if immediate admission into a clinical residential program was determined to be a viable option, exceptions were made to allow this to occur in lieu of TCP.

In December of 2017, due to resistance from the individuals first assigned to TCP, the Central Office MDRT sent memos to each individual reinforcing that TCP was their established pathway to return to less restrictive housing. As this resistance continued, it was reported that many individuals were refusing participation because they had completed recommended programming in restrictive housing prior to the implementation of TCP and believed the expectation to complete this "new" program was unfair. Subsequently, on February 5, 2018, a waiver of TCP Phase I was given to 9 individuals who had completed other recommended restrictive housing programming and maintained behavior appropriateness for the prior six month period, thus allowing them to advance to Phase II. In addition, 6 individuals who were actively participating in Phase I Programming were also approved to advance to Phase II.

The following is a summary relative to these 15 Phase II participants:

- 1 individual was removed for safety/protective custody needs.
- 1 individual paroled prior to completion.

- 1 individual was placed in restrictive housing and subsequently assigned to Longer-Term Restrictive Housing. (Note: He has since been reassigned to TCP.)
- 1 individual completed TCP Phase II and was subsequently removed for safety/protective custody needs.
- 1 individual did not participate in programming components but maintained behavior appropriateness, therefore he remained in TCP Phase II for an extended period of time.
- 1 individual was removed from TCP Phase II prior to completion to participate in recommended clinical programming.
- **9** individuals completed Phase II and advanced to Phase III. Of those:
 - 1 was placed in restrictive housing and subsequently assigned to Longer-Term Restrictive Housing status prior to completion.
 - **8** completed one program component of Phase III, were subsequently given waivers for the second program component and were assigned to non-TCP housing. Of those:
 - **7** have had no restrictive housing placements since completion.
 - 1 has been assigned to Immediate Segregation status twice since completion but has subsequently been returned to non-TCP housing.

In November of 2018, TCP Phase III was relocated from NSP to TSCI HU#2B. At this same time, the TCP Program Overview was revised to designate the upper gallery of TSCI HU#2B as Phase II and the lower gallery of TSCI HU#2B for TCP Phase III.

As of this writing:

- **89** individuals are assigned to TCP Phase I. Of those:
 - 7 individuals are currently housed at NSP pending transfer to TSCI SMU to begin TCP Phase I. These are identified as priority transfers and efforts are underway for this to occur. Of those: 1 individual currently has a medical hold and 1 individual consistently refused TCP participation for more than 1 year while housed at TSCI has given no indication that he has changed his position (return transfer to TSCI will occur at a later date).
 - 39 individuals are refusing participation in TCP Phase I.
 - **11** individuals are currently participating in Moral Reconciliation Therapy (MRT).
 - **32** individuals are currently pending MRT participation.
 - Documentation indicates that 13 of these individuals have refused participation at least once.
 - Efforts are underway to implement additional MRT groups for Phase I participants as it is expected that there will be minimal wait times for those individuals willing to participate.
- **5** individuals are assigned to Phase II.
- **14** individuals are assigned to Phase III.
 - Absent one of these individuals who received a Phase I waiver but then stalled in Phase II, this group consists of 13 individuals who will have completed all three TCP phases without waivers.
- In addition to the above, 7 individuals completed TCP Phase I and were removed from TCP for safety/protective custody needs. Of these, 1 has since returned to LTRH and again assigned to TCP.

Tracking of TCP participation data has been challenging. The data contained in this report was compiled from multiple sources – to include NICaMS and cross referencing several manual documents. Despite the best efforts of all involved, this summary may not account for every TCP participant to date. While phase assignment and program completion is entered into NICaMS, this data screen was not designed for a program that has such “fluid” program start/stop dates like TCP. Efforts are underway to update NICaMS to account for this, making it a more viable data tracking tool for TCP. In the meantime, TSCI staff have created spreadsheets for tracking TCP which will provide a more detailed summary of participation and progress as we move forward.

CONCLUSIONS

TCP has been successful in terms of providing NDCS with a controlled and highly structured alternative to restrictive housing for individuals who have demonstrated an institutional history of violent and/or Security Threat Group behavior. It provides a less restrictive housing setting for these individuals to continue participation in risk-reducing programming. Since its inception, the program has evolved. This is part of the natural development process for a program of this nature and evolution was anticipated from the onset. Because of these revisions, no individual has yet progressed through all three phases of the program as intended. Measuring the true impact of TCP on individual behavior will only be realized through continued institutional behavior monitoring of each individual who successfully completes all three phases of the program.