 <b>NEBRASKA</b> Good Life. Great Mission. DEPT OF CORRECTIONAL SERVICES	<b>POLICY</b> <b>INMATES SENTENCED TO THE DEATH PENALTY</b>		
	<b>REVIEW DATE</b> <b>December 31, 2021</b>	<b>NUMBER</b> <b>201.05</b>	<b>PAGE</b> <b>1 of 3</b>
	<b>STATEMENT OF AVAILABILITY</b> <b>Law Library Access</b>		


EFFECTIVE: March 1, 1980  
 REVISED: August 24, 2011  
 REVISED: August 13, 2012  
 REVISED: August 2, 2013  
 REVISED: August 2, 2013  
 REVISED: October 11, 2014  
 REVISED: July 31, 2015  
 REVISED: October 31, 2016  
 REVIEWED: July 31, 2017  
 REVIEWED: August 31, 2018  
 REVISED: December 15, 2019  
 REVISED: December 31, 2020  
 REVIEWED: December 31, 2021

**SUMMARY of REVISION/REVIEW**

Reviewed, no changes.

APPROVED:

  
 Scott R. Frakes, Director  
 Nebraska Department of Correctional Services

	<b>POLICY</b> <b>INMATES SENTENCED TO THE DEATH PENALTY</b>		
	<b>REVIEW DATE</b> <b>December 31, 2021</b>	<b>NUMBER</b> <b>201.05</b>	<b>PAGE</b> <b>2 of 3</b>
	<b>STATEMENT OF AVAILABILITY</b> <b>Law Library Access</b>		

## PURPOSE

This policy governs the housing assignment and management of Nebraska Department of Correctional Services (NDCS) Inmates Sentenced to the Death Penalty (ISDP).


## PROCEDURE

### I. LOCATION

Male inmates Sentenced to the Death Penalty will only be housed within the Tecumseh State Correctional Institution (TSCI).

### II. INMATES SENTENCED TO THE DEATH PENALTY STATUS

- A. Inmates committed to NDCS under the sentence of death are separated from the general population and considered maximum custody because they pose an extreme security and escape risk due to the nature of their sentence. Although they are separated from the general population, they are not considered as a restrictive housing population. All ISDPs will be assigned a job assignment.
- B. ISDPs are allowed to go to activities outside of their cells in groups as space allows, will have the opportunity for yard time seven days per week and may utilize the gymnasium/courts/ball field depending on weather. ISDPs will also have access to the dayroom seven days per week for two hours a day. The only exception is for ISDPs who are on room restriction as they are to remain in their assigned cell at all times except for work, meals, visitation, law library and yard.
- C. ISDPs are allowed to submit Inmate Interview Requests, Grievances, and other correspondence in accordance with NDCS policy and procedures.
- D. ISDPs are to be pat searched whenever leaving and returning from their assigned housing unit, and cell searches are done in accordance with NDCS policy. ISDPs will never be escorted to/on the main yard without the approval of the Shift Supervisor and must remain under constant supervision whenever they are escorted.
- E. ISDPs will have access to the inmate calling system for both personal and legal calls.
- F. A book cart will be available daily on the housing unit where ISDPs are assigned.
- G. ISDPs are allowed to shower seven days a week. They are also allowed to clean their cells twice a week and may receive a haircut every 30 days. Laundry services are provided five times per week.
- H. Property will be limited to a maximum of four cubic feet for personal property and two cubic feet of legal work.
- I. ISDPs will be allowed to eat outside of their assigned cell in a designated space within their housing unit and will be given at least 20 minutes to eat their meals.

	<b>POLICY</b> <b>INMATES SENTENCED TO THE DEATH PENALTY</b>		
	<b>REVIEW DATE</b> <b>December 31, 2021</b>	<b>NUMBER</b> <b>201.05</b>	<b>PAGE</b> <b>3 of 3</b>
	<b>STATEMENT OF AVAILABILITY</b> <b>Law Library Access</b>		

III. LAW LIBRARY

ISDPs may access the law library and legal aides by requesting such through their Unit Manager/ designee. The Law Library is held Monday through Fridays and legal aides are available daily if needed.

IV. MEDICAL

Medical staff will make rounds daily where ISDPs are assigned and they may send an Inmate Interview Request to medical for any other medical concerns. ISDPs may keep Tylenol, aspirin, ibuprofen and antacids in their cells.

V. EDUCATION/RELIGIOUS GUIDANCE/MENTAL HEALTH SERVICES

ISDPs may access education, religious and mental health services by sending an Inmate Interview Request to the respective department.

REFERENCE

I. STATUTORY REFERENCE – None noted

II. NDCS POLICIES – None noted

III. ATTACHMENTS – None noted

IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) – None noted