

Nebraska Criminal Justice Review

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The need for trauma-informed correctional care

By Marla Sohl, Prison Advocacy Coordinator, Nebraska Coalition to End Sexual and Domestic Violence

Rates of trauma, experience and exposure, are consistently shown to be higher among the incarcerated population, across both male and female inmates(1). Trauma has been shown to have occurred across the life span of inmates, including traumatic events and exposure during periods of incarceration. These traumatic experiences are often exacerbated by the very strict, authoritative, militaristic nature of the prison environment in which they are detained. Compounded with a constant sense of threat and possible trauma triggers, the mental health of inmate survivors can be negatively affected, increasing maladaptive coping mechanisms, which can diminish the safety of the institution for inmates and staff alike.

Inmates are not alone in the negative effects of trauma in prison. Correctional staff experience heightened levels of Posttraumatic Stress and Posttraumatic Stress Disorder (PTSD), as well as experiencing significant levels of burnout due to the highly volatile nature of the institutions in which they work(2). According to the most recent report from the Nebraska Inspector General of Corrections, only 38.3% of Nebraska Department of Corrections staff surveyed said they feel safe in their work environment, and 60.7% would not recommend others obtain employment through the Department of Corrections. An institution with such high rates of trauma exposure would be wise to attempt to provide correctional care using a trauma-informed framework.

Looking first at the issue of gender, women and men who enter detention facilities have experienced and will experience different forms of trauma. Women are more likely to suffer interpersonal trauma such as domestic violence, childhood and/or adult sexual trauma. Male inmates are more likely to have witnessed someone being severely assaulted or killed, followed by experiencing a physical assault and childhood sexual trauma. Statistically, individuals who have been sexually abused are more likely to end up incarcerated than the general population. While many women who enter detention facilities are moving into a more safe and secure environment from whence they came, male inmates are entering a much more threatening environment.

Both women and men often enter facilities with limited coping skills, and often the coping mechanisms they have enlisted in the past become causes for disciplinary interventions within the prison system. Victims of trauma are

at high risk for anger and hostility which can lead to a lack of compliance in the prison setting. That can lead to limitation of the programming which could aid with these trauma symptoms. All of this can be compounded by the detention facility staff's level of vicarious trauma which can influence a sense of cynicism from staff which essentially dismisses the personal experience of trauma of the inmate. Specialists in Trauma Informed Correctional Care (TICC) also note that due to the nature of the work, correctional staff have their own trauma experiences and experience complications of PTSD. Not only would TICC assist the inmates, but it would address the needs of staff as well(3). (Continued on page 2)

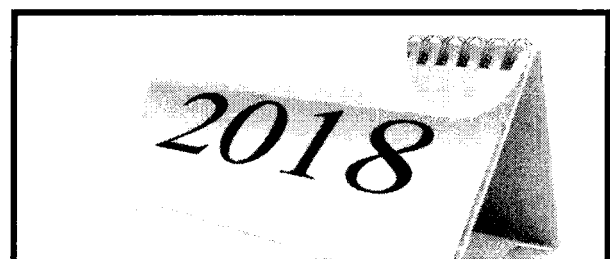
Reflections on reform, restorative justice, and reminiscences

By John Krejci

Greg Winship, a recent graduate of Eastern Mennonite University, with a major in Restorative Justice, spoke to Lincoln's Mediation Center staff and invited guests on his Restorative Justice work with inmates. Greg is also a former inmate, having spent 20 years behind bars. He reviewed the difference between our system of retribution/punishment and the restorative approach of Restorative Justice, that reconciles and restores equilibrium to victim, perpetrator and the community.

His interactive presentation called to mind the history of Restorative Justice in mediation, prison work, and community settings. The Restorative Justice model has been around for quite awhile. Most consider it a desirable alternative to retribution—even those in corrections—but it has never “caught on” (been implemented) on a large scale. James Jones, through his Community Justice Center workshops in Nebraska prisons, has shown that it is very successful in drastically reducing recidivism.

(Continued on page 3)



Trauma (Continued from page one)

The culture of prison, a place to detain individuals without their consent, appears to be in direct opposition to a trauma-informed approach. As with any recommendation for change, it may be met with opposition; it may be seen as “weak” or even risky. On the contrary, a trauma-informed approach is likely to create a stable and secure environment, therefore reducing the risk of harm to both inmates and staff.

Experts emphasize the importance of being informed about trauma, citing two specific aspects when providing correctional care. First, service providers must be knowledgeable about past and current abuse the individual has experienced. Second, the provider must understand the role that victimization has and continues to play in the life of the individual. To increase stability of individuals and the institution, this knowledge must be used in the development of correctional care, programming, and treatment that accommodates for the trauma effects(4).

The exposure to, experience of, and maladaptive response to trauma among the incarcerated population is of great significance to not only the inmate survivor, but to the overall stability of correctional institutions. Correctional staff work in an environment that is ripe with traumatic experiences and exposure. Because of this, it seems that the obvious and natural progression for the prison culture would be to implement TICC.

(1) Komarovskaya, Irina Slexandrovna, Loper, Ann Booker, Warren, Janet & Jackson, Shelly (2011). Exploring gender difference in trauma exposure and the emergence of symptoms of PTSD among incarcerated men and women. *The Journal of Forensic Psychiatry & Psychology* (22)3, 395-410.

(2) Boudoukha, Abdel ddHalim, Altintas, Emin, Rusinek, Stephane, Fantini-Hauwel, Carole & Hautekeete, Marc (2013). Inmates-to-staff assaults, PTSD and burnout: profiles of risk and vulnerability. *Journal of Interpersonal Violence* (28)11, 5665-2350.

(3) Miller, Niki A. & Najavits, Lisa M. (2012)Creating trauma-informed correctional care: a balance of goals and environment. *European Journal of Psychotraumatology*(3). DOI: 10.3402/ejpt.v3i0.17246

(4) Harris, Maxine & Fallot, Roger D. (2001). Envisioning a trauma-informed service system: a vital paradigm shift. *New Directions for Mental Health Services* (89).

MCC 180 Re-entry Assistance Program provides a hand up, not a hand out

By Diane Good-Collins, Re-Entry Program Director
Metropolitan Community College

Metropolitan Community College offered college credit programming inside the Nebraska Department of Correctional Services (NDCS) facilities for several years. In 2007, NDCS chose to provide their own vocational programming at all state facilities instead of contracting with MCC. However, MCC continued to informally provide transition support to individuals leaving correctional facilities and returning to the Omaha area.

In 2014, Nebraska Correctional Youth Facility (NCYF) requested that MCC return to serve their population. One college credit class was successfully offered and, shortly thereafter, MCC offered a college credit class at Omaha Correctional Center (OCC) with great results, as well. NCYF funded classes through private donations and MCC utilized special funds to pay for OCC classes.

In February, 2015, MCC received a grant from the NDCS Vocational and Life Skills (VLS) grant, which helped formalize MCC's 180 Re-entry Assistance Program (RAP). VLS funding availability was a direct result of LB907 being passed in 2014. This allowed MCC to significantly expand offerings and service to the incarcerated and recently released population.

During the first 17-month grant cycle, MCC served over 1200 individuals – including those on felony probation, the currently incarcerated and individuals within 18 months of release from a state facility. 180 RAP's service included vocational and life skills training through credit and noncredit courses inside select Nebraska prisons and on campus. The population received national certifications in manufacturing distribution at OCC and Community Correctional Center – Omaha (CCC-O). Many who were released and those residing at CCC-O attended and completed forklift trainings on campus. Several others completed college credit classes, working toward a degree in one of the four focused pathways: trades, business and entrepreneurship, information technology or college and career preparation.

MCC was awarded an additional VLS grant to continue providing vocational and life skills programming to the NDCS and re-entry population from July 1, 2016 through June 30, 2018. MCC projected to serve 700 individuals and has served over 930 with 6 months remaining for this grant cycle. In addition to the state populations, MCC provides service to individuals exiting county jails and those exiting the federal system returning to Nebraska. Through November, MCC had served over 2500 individuals statewide.

State facilities served by MCC's 180 Re-entry Assistance Program include Omaha Correctional Center, Nebraska Correctional Youth Facility, Community Correctional Center – Omaha, Tecumseh State Correctional Institution (TSCI), Nebraska State Penitentiary (NSP) and Nebraska Correctional Center for Women (NCCW). Services provided vary by facility, availability of resources, funding and instructors. However, MCC continues to seek opportunities to deepen re-entry services at the facilities and grow services and support to the incarcerated and released populations.

Besides formal education and training, another key component of the 180 Re-entry Assistance Program provides is transition assistance. 180 RAP refers the population to supportive housing options in the community and created a list of landlords and rental agencies willing to consider renting to those with a background.

Other transition assistance includes employment support. MCC assists with creating resumes, cover let-

ters, letters of explanation and mock interviewing to prepare for job seeking. These services are provided inside most Nebraska prisons and at MCC's Fort Omaha Campus, building 9. When individuals are moved to the state work release center or are released, 180 RAP assists with job seeking and works with various employers willing to hire someone with a background. The main goal is to connect the population to survival and gainful employment.

A majority of MCC's 180 RAP staff have a criminal history. Their background helps staff meet the population on a peer level; staff experientially understand the barriers program participants face when moving forward and preparing for release. In addition, participants state they are encouraged and inspired to work with 180 RAP staff because it shows there is hope for them, as well.

Long Term Relief is one example of the unique peer support offered at MCC since 2015. Long Term Relief (LTR) is a group created by the population and MCC Re-entry staff to meet the unique needs of individuals who have been incarcerated ten or more years and/or who have served multiple sentences. These individuals are categorized to be high risk offenders who are likely to recidivate. Every week residents at CCC-O are brought to campus where MCC and community partners teach the population how to create a budget, discussing car buying options and share how to utilize various technology including using a cell phone or appropriate use of social media. The LTR group is also able to build relationships with people in the community, which serves to expand their positive support system upon release. In addition, once released, the men and women who utilized services while incarcerated are encouraged to come back to Long Term Relief to provide a hand up to those they left behind at the facility.

MCC's 180 Re-entry Assistance Program seeks to deliver the education, training and transition support the incarcerated and returning populations need to successfully reintegrate to their Nebraska communities. If we can be of assistance to you, your facility or a family member who is incarcerated, please contact us: Metropolitan Community College, 180 RAP, PO Box 3777, Omaha NE 68103.

Nebraska's imprisoned population

According to information on the website of the Nebraska Department of Correctional Services, the 2017 average daily prison population was approximately 5229 persons, with an additional 112 in contracted county jail space.

1330 Nebraska State Penitentiary, Lincoln
 1029 Tecumseh State Correctional Institution
 771 Omaha Correctional Center
 507 Lincoln Correctional Center
 477 Diagnostic and Evaluation Center, Lincoln
 380 Community Corrections Center, Lincoln
 337 Nebraska Correctional Center for Women, York
 178 Work Ethic Camp, McCook
 167 Community Corrections Center, Omaha
 53 Nebraska Correctional Youth Facility

Reflections, Restorative Justice

(Continued from page 1)

Lifers at the Nebraska State Penitentiary recently completed a Restorative Justice class (see article on page eight by course coordinator Michael Anderson). Prison officials cooperated with and approved the project. If I am not mistaken, Restorative Justice has been introduced to prison staff. If it hasn't, it should be! What better way to improve relations and lessen violence than by focusing on reconciliation rather than punishment and retribution.

For years, Restorative Justice, i.e., including victim, perpetrator and community in meaningful dialogue, has been nibbling around the edges of criminal justice; perhaps the time has come for corrections to take a serious look and initiate a serious program. For more than ten years, James Jones has almost single-handedly promoted Restorative Justice in Nebraska prisons, through his Community Justice Center workshops. Wouldn't state resources be better spent on programs of reconciliation rather than recruiting more staff and raising salaries?

Reminiscences

As some already know, Mel Beckman will soon step down as editor of the *NCJR*. Mel founded this publication almost 20 years ago and has single-handedly secured financial support, edited, published, and distributed it to more than a thousand recipients—400 of whom are inmates. Mel has given a voice to inmates. The *NCJR* has informed prison officials and other readers of issues and problems in corrections. Mel has also offered his insights and solutions. The *Nebraska Criminal Justice Review* is also an unapologetic advocate for inmate rights.

It has been my privilege to have worked with Mel all these years. We met in 1956, so we go back a long way, and for 50 years have been involved in campaigns for peace and justice, in both church and state. Mel is a blessing and a joy to work with. His mild and gracious manner often masked his strong commitment to peace, justice and reform. He has doggedly advocated for reform such as abolishing negative aspects of corrections: overcrowding, "tough on crime" legislation, "life without parole" for juveniles, the death penalty, unjust segregation, and other repressive prison practices. The list goes on. Mel and the *NCJR* have also advocated positively for prison reform: increased programming, respect and humane treatment of Inmates, better health care, less complex and delayed parole, better aftercare, repeal of bad laws and enlightened new legislation, "ban the box," compassionate release of elderly inmates, etc. The list goes on and on!

Mel is in his 80th year and is ready to pass the baton to someone younger. We were very sad to learn of his retirement but he knows "when to hold them and when to fold them." I hope and pray that he will find an editor (or editors) who will carry on his mission and continue the struggle. I know he will continue his commitment, and perhaps write for future issues. Frankly, I do not have the words to thank Mel adequately, but I do know hundreds of readers will join me in expressing admiration and gratitude for his contribution to a more humane and just correctional system. THANK YOU, MEL THANK YOU, THANK YOU, THANK YOU!

The annual convening of the Campaign for the Fair Sentencing of Youth (CFSY) and the Incarcerated Children Advocacy Network (ICAN)

By Shakur Abdullah, for *Justdus15* vote

On November 6-7, 2017, the CFSY and ICAN held their annual convening in Washington, D.C. It was the 9th convening and brought together about 200 people from 26 states. As a member of ICAN, I was invited to attend. The convening provides an opportunity for the CFSY and ICAN to conduct workshops and plenaries on one of their core issues—the elimination of juvenile life without parole (JLWOP) and de facto JLWOP sentences.

The CFSY and ICAN have been part of the vanguard to end JLWOP sentences from their inception. Both organizations deserve props and credit for advocating directly and indirectly in jurisdictions around the country, to change hearts, minds, souls and courts, and to abolish and/or limit the use of JLWOP sentences.

The Campaign for the Fair Sentencing of Youth is a national coalition and clearinghouse that leads, coordinates, develops and supports efforts to implement fair and age-appropriate sentences for youth, with a focus on abolishing life without parole sentences for youth. The CFSY provides technical assistance on strategic communications, litigation and advocacy to attorneys, advocates, organizers and others working at the state and federal levels. In addition, the CFSY engages in public education and communication efforts to provide decision-makers and the broader public with the facts, stories and research that will help them to fully understand the impact of these sentences upon individuals, families and communities. The CFSY is led by Executive Director, Jody Kent Lavy.

ICAN is a national network comprised of formerly incarcerated juvenile lifers who were convicted of murder and sentenced to LWOP as children. ICAN is headed by Xavier McElrath Bey (Senior Advisor & National Advocate) and Eric Alexander (Youth Justice Advocate). Established in 2013 with 7 members, its membership has grown to over 70 members from 21 states.

Upon my arrival at Reagan International Airport on an unseasonably warm November afternoon, I was met by Ben Klienu, CFSY Outreach Coordinator. Ben led me through the airport where I met three other ICAN members for the first time. The other ICAN members had already arrived from Detroit, Chicago and Albuquerque. The four of us immediately fell into conversations like old friends. There was an immediate familial vibe we shared, based on our similar life experience(s), forged through the crucible of incarceration.

We went to the Hyatt Place in downtown Washington, D.C. where the majority of ICAN members were staying for the Convening. The Hyatt is located between 15th and 16th & K St., about 3 blocks from the White

House. The Sunday before the Convening, ICAN members and other guests met over a light meal.

Many of the guests were parents and family members who have lost a loved one to murder. The meeting concluded with a closed session for ICAN members. It was one of the highlights of the trip. Each of us got a chance to share our story and where we were/are in terms of our release (discharge and parole). It was an eclectic group of authors, activists, social workers, reentry case managers, political aides, an exoneree, etc. One theme that quickly emerged was the importance that belief, education and resilience played during and after our incarceration.

Listening to everyone provided a glimpse into our lives. It was apparent that this was a dynamic group of individuals involved with private, nonprofit and individual efforts to make a positive impact back home.

I heard many ICAN members describe their release as a “second chance.” I reminded the group that we should refrain from describing our release as a “second chance.” My perspective is that, as juveniles, we went to prison so young that we never had a “first chance” to experience life outside of prison as an adult. So many of us, who have now reached AARP eligibility, find ourselves still embarking on a series of first time experiences (even experiencing our first plane flight to the Convening, etc.) Many of us will be first time voters, husbands, wives, parents, etc.

The next two days of the Convening took place on the 11th floor of the Skadden, Arps, Slate, Meagher & Flom LLP law firm. Located at 15th and Pennsylvania Avenue (directly down the street from the White House), a high security, state of the art building, I heard someone describe it as a building full of White House lawyers.

Day one/ November 6, 2017

We arrived at 9:00 a.m. for a closed session. At 11:00 –11:15 a.m., opening remarks for the Convening were made.

11:15 a.m. –12:45 p.m. Plenary/ Directly Impacted Leaders in Advocacy. This session dealt with how important the directly impacted leaders are to successful advocacy. A legislator, a formerly incarcerated youth, and a victim family member talked about how directly impacted leaders inspire meaningful change.

12:45 p.m.—1:45 p.m. Lunch/Legislators of the Year. Legislators from Arkansas and the District of Columbia were given legislator of the year awards for leading or spear-heading the ban on JLWOP sentences in their jurisdictions.

1:45 p.m.—2:45 p.m. Table talks with partners. The Convening was a blending of a diverse set of individuals whose personal and/or professional lives intersect the lives of individuals serving JLWOP. The table talk session was another highlight of the Convening. It gave participants the unique chance to ask questions of some of the Convening’s attendees, including parole board members, litigators, legislators from various jurisdictions, victim family members and employers.

3:00 p.m.—4:00 p.m. Plenary/Super Predator 2.0. The now-debunked “super predator” myth had a devastating impact on the nation’s juvenile justice policies and conceptions of age-appropriate accountability. National momentum to overcome the deeply flawed and racist super predator theory is threatened by the resurgence of fear-driven rhetoric about children of color. A panel laid waste to the super predator theory by reflecting on its historical context, current iterations of the theory and how to respond as individuals and as a community to ensure future progress.

Day two/ November 7, 2017

We arrived at 9:00 a.m. A media workshop was held at 9:15—10:45 a.m. The workshop was designed to provide media training for individuals with incarcerated loved ones to navigate media opportunities.

11:00 a.m.—12:15 p.m. Workshops

Defense attorney outreach to victim family members

This workshop taught principles of victim engagement from victim family members, formerly incarcerated youth and attorneys.

Preparing incarcerated loved ones to return home

The workshop provided guidance to loved ones of the incarcerated, especially former juvenile lifers, to equip them with awareness and tools to address their transitional needs.

Legislator and parole board member round table

Legislators and parole board members discussed legislative reform that would create review eligibility for youth who commit serious crimes.

12:15 –1:30 p.m. Litigation and legislative trends

This workshop addressed the national trends (legislative and litigation) toward the abolishment of JLWOP sentences.

Plenary—Experiences of the recently released

Four ICAN members, recently released former juvenile lifers, shared their experiences of reintegrating into society after being told as children that they would die in prison. The 4 ICAN members had spent a combined total of 139 (43, 42, 29, and 25) years in prison. This was a powerful and impactful session listening to the resilience, remorse and rehabilitation that has shaped each of their lives.

2:45—4:00 p.m. Closing session

Gathered in the largest room on the 11th floor, about 200 people formed an inconsistent circle for reflections and closing remarks. It took nearly 2 hours for the microphone to travel around the circle. Most comments were about how inspirational and energizing the Convening had been and how they’d be returning home attempting to be more involved on JLWOP issues.

6:30 p.m. Healing and Hope reception

This was another highlight of the Convening, held at Jones Day, 51 Louisiana Ave NW, Washington, D.C. This formal affair was part fund raiser, farewell, celebration & awards ceremony. The honorees were Anita Colon, Lucy Helm and Eric Holder.

Anita is the Pennsylvania coordinator for the CFSY, among many other activist activities surrounding juvenile justice. She has a brother serving a JLWOP sentence in Pennsylvania (he has served 27 years, starting at age 16). Anita told me she hopes to have her brother at the next Convening (2018).

Lucy is Executive Vice President and Chief Partner (Employee) Officer for Starbucks. She is part of the senior leadership team, reporting directly to CEO Kevin Johnson. Lucy has served as the co-chair of the Campaign for Equal Justice, supporting Washington civil legal aid. Starbucks has been a long supporter of the CFSY in numerous aspects. Starbucks as an organization has a policy of hiring returning citizens as part of its civic duty to ease employment barriers.

Eric Holder was the 82nd U.S. Attorney General from February, 2009 to April, 2015. Eric was the third longest serving AG in U.S. history and the first African American to hold that office. Eric delivered a very powerful, uplifting and encouraging keynote speech for the Hope and Healing event.

The Convening was an exciting and informative event. At its epicenter were 30 former juvenile lifers from 26 states, who had been sentenced to die in prison via LWOP sentences (death by attrition). No child should ever be subject to such a fate. In a moment of reflection, I wondered exactly how much cumulative time had been served in prison by the 30 of us?

This was the largest number of former juvenile lifers to ever gather at a Convening. Jurisdictions are rapidly changing their laws (25 states and D.C. ban or do not use LWOP sentences for children). In the last 5 years, the number has quadrupled. Each future Convening should potentially host more former juvenile lifers as time presses forward.

The Convening also impressed upon me the importance of reentry resources and opportunities for returning citizens, especially former juvenile lifers. As a case manager at ReConnect Inc. (a reentry initiative in Omaha, NE), I’m on the frontline of attempting to provide both pre- and post-release services. To be effective, services to our returning citizens must be provided along all points of the corrections continuum. It’s not enough nor effective to give a person a fish. Teaching a person how to fish allows them to thrive independently.

I was both impressed, encouraged and inspired by the new friends I met in DC. We are remorseful, resourceful, motivated, intelligent, civic minded and free from the physical confines of prison. I got the sense that all of us understand and take seriously our responsibility to those we left behind, some still serving the very sentence we no longer serve.

Part of that responsibility entails us being responsible tax payers, voters, parents and citizens. Our responsible conduct will help to pave the way for those being released after us. Look, the nation hasn’t fallen apart by our release. It hasn’t been diminished either. The nation has been enhanced by our release. All eyes on us...

NEWS and MISCELLANEOUS

By Mel Beckman, Editor, NCJR

To Readers of the NCJR

Mel Beckman is retiring as Editor of the NCJR, effective with this December, 2017 edition. There can be no replacement of this dedicated founder and leader! We are considering Emeritus status, looking forward to Mel's mentorship long into the future. Holy Family Catholic Church's Education and Advocacy Committee (HF-E&AC) is honored to provide a home for this important publication.

We are currently in discussions with an individual, about serving as the new editor. We hope for continued participation of our Advisory Group members and welcome those interested in becoming new members. Please send your volunteer offers, suggestions and recommendations to: NCJR, c/o Holy Family Catholic Church, 1715 IZARD STREET, OMAHA, NE 68102. A grateful thank you to Mel Beckman, and also to our readers, for your interest and your commitment to humaneness, justice and mercy in all actions of our justice system!

*Linda Ohri,
Chair, HF-E&AC*

An exceptional TV series on sex offenders and the sex offender registry

Omaha's KETV Channel 7 presented an exceptionally good three-part series by Julie Cornell last month, about Nebraska's sex offender registry and those who are affected by it. Her series posed the question, "Is the registry for prevention or for persecution?" It included a dining-room meal visit with members of an organization, **Nebraskans Unafraid**, who are working to change the registry so that it will not treat all sex offenders the same, even if they do not present the same risk to the public or any risk at all. Prior to 2010, only those at most risk to re-offend were on the list.

Cornell also featured Dr. Lisa Sample, a U.N.O. criminal justice professor and researcher, who pointed out that the percentage of sex offenders who re-offend is actually much lower than most people think—about 5% in Nebraska. That means, she says, that "about 95% of the folks on the registry will not repeat a sex crime." The highest rate of recidivism, she said, is for those who commit robbery.

This series gave the public an opportunity to view sex offenders and the problems they face in a very personal way, sharing a meal around a table. Congrats to KETV, to Julie Cornell, to the former sex offenders who were willing to participate and to Dr. Sample.

Many more serving "life" sentences in Nebraska than is probably known

The media often provides extensive coverage when individuals are sentenced to life in prison in Nebraska, but the cumulative results of those individual sentencing, is almost never reported. Thus, few Nebraskans are probably aware that over 700 of their fellow citizens are likely to die in prison.

The Washington, D.C.-based Sentencing Project deserves credit for exposing the prevalent usage of life and long-term sentences in the United States, including in Nebraska. The Sentencing Project's 2017 report, Still Life, provides information about the numbers of life and long-term prisoners in each state.

The report divides "life" sentences into three categories; a) life without possibility of parole; b) life with possible parole; and c) "virtual" life. This latter category, the report says, is one which refers to a term of imprisonment that a person is unlikely to survive if carried out in full.

The Sentencing Project reports that, in Nebraska, **265** prisoners are serving a life sentence without possibility of parole; **96** are serving life with possibility of parole; and **408** have "virtual" life sentences, for a total of **769**. Virtual life sentences, when added to the statutorily defined life sentences, greatly enlarge the number of Nebraskans serving the "other" death sentence, and this should be of concern.

According to the Sentencing Project, "*Long-term imprisonment that is not statutorily defined as a life sentence should be of concern to policymakers, advocates, courts, and prison administrations, all of whom have an interest in knowing the true prevalence of long-term imprisonment and the associated consequences.*"

Do I need a license?

According to an article in the Nov. 15, 2017 **Omaha World Herald**, Nebraska Senator Laura Ebke will introduce legislation to create a process by which state licensing rules and boards would be regularly reviewed. Both the American Civil Liberties Union and the Platte Institute are backing such a process. Senator Ebke, at a recent forum to discuss licensing, said her goal is "allowing people to have the opportunity to go out and work, and make money and support themselves, without unreasonable barriers from the state."

The legislation would allow people with criminal convictions to verify, before they invest in professional training, whether they will be eligible to be licensed. Amy Miller, legal director for the ACLU of Nebraska, said some types of criminal conviction should keep people from working in some fields, but others shouldn't. For example, she said, "an old shoplifting conviction shouldn't keep someone from getting a license as a manicurist."

Call for more writing by prison workers

Many more people who work in prison—correctional officers, administrators, staff—should write about their prison experience. This is the invitation of Doran Larson, writing in *Corrections Today* (Nov./Dec., 2017), the journal of the American Correctional Association. Larson is the Director of the American Prison Writing Archive, a digital platform containing essays about life inside prisons (see <http://dhinitiative.org/projects/apwa>).

Incarcerated people, the author writes, and those who work in prison, both have important things to tell about life inside prisons. However, the Archive—a gate open to both—so far has resulted in an essay score of 1,300 to 4 in favor of the incarcerated. Larson suggests that there may be a code of silence, or legal and regulatory restrictions in the case of prison workers.

The author feels that, if hundreds or thousands of front-line prison workers offered their testimony, the public could better understand what it is like to work in U.S. prisons and jails today. As a result, there might emerge the political will to make constructive changes and lessen the damaging stress that prison workers feel.

Larson writes that “By their own initiative, correctional officers have an opportunity to reduce the size of prison populations and even out the ratios of staff to inmates.” Correctional officer writing would counter media images that often represent these men and women as little less criminal than their wards. For now, Larson says, readers learn about prison workers almost entirely from the view point of inmates, or from distorted images offered by Hollywood.

The author ends with a challenge. “Incarcerated Americans have been writing for over two centuries. It’s time to hear what half a million prison workers can teach us about the humanity behind the largest prison system on earth.”

U.S. Dept. of Labor’s apprenticeship program doing well in Indiana’s prisons

The Registered Apprentice program within the Indiana Department of Corrections began in 2006 with 22 inmates working in the prison print shop, according to an article in *Corrections Today*, Nov./Dec., 2017, by Doug Evans, Director of the Program. Apprenticeship enrollment in the program has now grown to 2600 active offender apprentices, with more than 1600 completing annually.

Former offenders now leave prison there with certifications in more than 40 occupations that have been registered in the U.S. Dept. of Labor’s registered apprentice program within Indiana’s Dept of Corrections.

According to the author, the Dept. of Labor has 24,000 registered apprentice programs across the country. In its 75 year anniversary celebration a few years ago, the Labor Dept. recognized 70 of those programs as “innovative trail blazers.” Indiana’s was selected as one of them.

Some social media posts by the Nebraska Department of Correctional Services.

- Four women at the **Nebraska Correctional Center for Women** at York recently completed the Employment Readiness Class offered by Metropolitan Community College.
- On October 30th, this year, a K-9 program was started at the **Tecumseh State Correctional Institution**, in partnership with Domesti pups. Three dogs are in training—Riley, Evie May, and Chloe.
- Lincoln’s Community Justice Center recently completed its 63rd Restorative Justice-Victims Impact/Empathy (Life Skills) Class at the **Nebraska State Penitentiary**.
- Gardeners at the **Tecumseh State Correctional Institution** had a great harvest this year. \$304.51 spent for plants resulted in 8287 pounds of tomatoes; 475 pounds of peppers, 3216 pounds of cucumbers, and 2321 pounds of zucchini.

More postings about events inside the walls can be found at www.corrections.nebraska.gov, in the public information section of the site.

Rethink prison policies

Editor’s Note: *The following message is taken from an editorial by John Krejci, published in the Lincoln Journal Star on August 20, 2000—the same year in which the Nebraska Criminal Justice Review was first published.*

“ We need to face the expensive and dangerous trend of incarcerating more and more of our residents. The public policies contributing to this—mandatory sentencing, incarcerating nonviolent offenders and limiting judicial discretion—need to be rethought.”

“We need to rethink what we are doing because it just isn’t working. Community-based alternatives should be increased, including diversion programs (particularly for youth), more and better supervised parole, programs that require perpetrators to make reparation to victims and the community, supervision in the community for nonviolent offenders. Restorative justice (an alternative to the punishment-driven retributive justice) should be investigated and implemented more.”

“We need to move from retribution to rehabilitation.”

Words still true today?

An FFI visit with Nebraska's Parole Board Chair, Rosalyn Cotton

By Laura Green

On October 28th the Omaha Family and Friends of Inmates (FFI) meeting was pleased to have Rosalyn Cotton, Chairman of the Nebraska Board of Parole, as their guest speaker. Ms. Cotton worked in the criminal justice system for 38 years, and on the Parole Board for 13. She shared much information about the Parole Board and how an inmate might best prepare him/ herself for being granted parole.

Ms. Cotton started with some basic knowledge of the Parole Board, stating that the Parole Board is an entity independent from the Department of Corrections, and members are appointed by the Governor for a 6-year term. The Parole Board doesn't really work with the Pardons Board as that is a separate entity, nor do they have anything to do with supervised releases.

She stated that the Parole Board is responsible for holding parole reviews at 10 institutions in Nebraska, so they travel constantly. It is clearly an exhausting job as they see approximately 40 people per day, 5 days a week, for up to 10 hours per day!

The Parole Board has the right to meet annually with each inmate who is eligible for parole. If an inmate has a life sentence, the parole board reviews their case every ten years. However, Ms. Cotton feels that is too long a time between reviews. The law would need to be changed to shorten the time.

Inmates are told at their parole review what is expected of them. Nine times out of ten individuals eligible for parole receive it. If the inmate has earned it and is prepared to transition, then they will likely receive parole. The Parole Board must consider the safety of the community too, however. She indicated that institutional behavior is a big factor in being considered for parole. She believes that Corrections needs to prepare inmates with a personalized plan to help move them towards release.

The Parole Board has the right to review the records of the inmates, including programming information, and an inmate's refusal to take a program. Mental health and substance abuse program involvement are considered for parole as well. Certificates of Completion are now being issued when an inmate completes a program so they have documentation of attendance and completion.

The Parole Board can recommend outpatient treatment in the community. If a parolee needs to take a program on the outside, they are responsible for the cost unless there is funding available and/or the state provides the service at no charge.

Ms. Cotton was open to questions and discussion throughout her presentation. She appeared to very much

be in support of granting parole when an inmate is ready and prepared to transition back to the community.

She shared one final thought—she prefers the term “*justice involved individuals*” rather than “*inmates*”, feeling that different wording needs to be used to maintain dignity and remove the stigma of those who are incarcerated!

Elevating corrections from where it is, through restorative justice

By C. Michael Anderson 31936
Coordinator, Circle of Concerned Lifers
Nebraska State Penitentiary

The Circle of Concerned Lifers at Nebraska State Penitentiary held its first public graduation of our Restorative Justice class on November 20, 2017, during National Restorative Justice Week. Guests included Diane Sabatka-Rine, Corrections Deputy Director Of Operations; Todd Johnson of Gallup; Willy Theisen, founder of Godfather's Pizza; Tom Becka of Fox-42 News, and State Senator Tom Brewer.

It was a major accomplishment for our group, considering we only began talking about forming two years ago when nine of us got together to hash our by-laws and discuss programs to develop. Around that time, Fran Kaye, a professor at UNL, brought us the idea of restorative justice, which seemed like a perfect fit.

To give us a better grasp of those principles, Fran enlisted the aid of Julia Schleck, another UNL professor, and together they developed a restorative justice training program comprising three weekend workshops of ten hours each. The nine founding members of our group completed the last workshop in April, at which time we decided to teach our regular members ourselves, once we opened for membership from the prison's general population.

That day arrived a month later. We rapidly realized just how daunting a task it was going to be, to properly teach these principles with so little experience ourselves. Diane Amdor, who works in restorative justice, learned of our plight and offered to help. Thankfully for us, it's a much better program having her involved. With her and Fran Kaye at the helm, assisted by five members of the Lifer's Board acting as facilitators, we first developed a proper syllabus. With the help of Penitentiary Warden Robert Madsen, we acquired our first set of books and a place in which to meet. Ten members of the Lifers' group were then selected—no easy task, considering everyone wanted to participate. On September 5th we held our first class.

I had always hoped we could make something of this program. Now I know that, with these proven principles we can definitely make a positive change in this facility.