**For Release Wednesday, January 30, 2019**

**Capitol View  
Commentary by J.L. Schmidt  
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**The Nebraska Press Association**

**Corrections Director Says Department Won’t Reach**

**De-population Goal By 2020**

Nebraska’s prison system is still overcrowded – at least 158 percent of design capacity at the latest count. That’s 5,338 people in facilities designed to hold 3,375.

In 2015, lawmakers gave the Department of Corrections until July 1, 2020 to reduce that number to 140 percent or declare an emergency. Such emergency would require the release of parole-eligible individuals in a safe and orderly manner. Can you imagine the debate over the definitions of the words I used in that sentence? Can you imagine the fear and loathing such a move would foment?

Let’s put a human face on this. These people are more than numbers on a spreadsheet. These are fathers and mothers and brothers and sisters and aunts and uncles and children and grandchildren and nieces and nephews of somebody. Once-productive citizens who can be once again. But some things have to change, and soon.

Nebraska Corrections Director Scott Frakes has told the Legislature’s Judiciary Committee that his department will probably fail to meet the mandatory deadline. Committee Chairman Sen. Steve Lathrop of Omaha said he is concerned that the state will be staring at an emergency if they don’t act now. He asked Frakes what the Legislature can do to help.

Frakes said he and his staff take the matter seriously and will do what they can to reduce inmate population. But he had no recommendations other than to ask that senators support Governor Pete Ricketts’ proposed budget request for $49 million for two new high-security units (384 new beds) at the Lincoln Correctional Center. Construction likely won’t be complete until 2023, two years past the deadline.

I applaud the Corrections Department for wanting the new units to place the state's most dangerous in one central location in Lincoln, where they'd be less likely to cause problems that make it harder to rehabilitate other prisoners. The placement of high-security inmates at the rural Southeast Nebraska facility near Tecumseh was never a good idea. Given four dead people in two riots at the facility and on-going staffing problems, it’s time to change the focus of that institution.

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Committee member freshman Sen. Wendy DeBoer of Omaha, voiced concern that prison officials aren't doing enough to address the immediate problem. "I feel a little bit like we're in a house that's on fire, and we're installing fireproof tiles," she said.

Committee member Sen. Kate Bolz, of Lincoln, suggested lawmakers also look at state agencies outside of corrections -- such as parole, probation and the court system -- to help reduce the inmate population.

Nebraska Board of Parole Chairwoman Rosalyn Cotton says the board is working to release as many parole-eligible inmates as possible, but doesn't want to compromise public safety just to meet the deadline.

I like Bolz’ suggestion. Great strides have been made with drug courts and veteran’s courts that seem to be lessening the numbers of people headed to prison by diverting them to probation and programs that will help them instead of just warehousing them. Perhaps the proposed DUI courts and other rehabilitation programming would lessen the numbers going into the system. It’s time for the Legislature to make those things happen, now.

Lawmakers set the overcrowding deadline as part of a 2015 prison reform package to hold the corrections department accountable in reducing prison crowding. Parole and rehabilitation emphasis in that package has yet to produce the desired results.

Revisit it and fix it!

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