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**Capitol View**

**Commentary by J.L. Schmidt**

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**Prison System Still a Mess, Is Anybody Surprised?**

Staffing at the Nebraska State Penitentiary in Lincoln has been below a critical staffing level 18 times since early July and caused an occasional halt to visitations and sporadic closure of the library, gymnasium and various programs.

Inspector General Doug Koebernick has reported to the Legislature’s Judiciary Committee that the staffing issue, combined with a population at more than 180% of design capacity, is "quite disturbing" for both staff and inmates. Critical staffing positions include correctional officers, corporals, sergeants, shift supervisors and caseworkers. During one week in August, the Penitentiary was below minimum staffing at least six times, he said.

He said he e-mailed the Judiciary Committee about the situation in July. He even called the Governor’s office and asked if anyone wanted to discuss the situation with him. He said they told him to call Corrections Director Scott Frakes.

Frakes said prisons across the nation are struggling with the same issues of employee recruitment and retention. Nebraska is taking multiple approaches to solve the problems, including recent pay increases to many employees as the result of union negotiations. That’s on top of agency-initiated monetary initiatives offered beginning in April and again in July. Frakes said the state continues to host job fairs, offer internships, incentivize employee referrals and provide compensation to supervisors.

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Koebernick said he’s also concerned about construction that will begin in the next year at the penitentiary to add a 100-bed housing unit and require extra staff that just isn't available.

It's not as if the Department of Correctional Services isn't working to improve the situation, he said, but the problems continue.

On top of all that, critical shortages can also cause restricted movement within housing units and forced overtime. Koebernick said sometimes nearly half a shift consists of people working overtime.

A recent report indicated all available first-shift staff was mandated to stay, and staffing was still below minimum.

He said the recent growth in overtime is alarming. Based on conversations with those who work and are locked up there, and his own observations, Koebernick said he is alarmed that the penitentiary may be in the worst shape of all of the state facilities.

Judiciary Committee Chairman Steve Lathrop said solving the staffing shortages would take increases in starting pay, which is up to the executive branch. Stopping mandatory overtime is not an option because that would make it impossible to staff the prison.

The high prison capacity, combined with staffing problems, less yard time and limited activities have raised tensions at the penitentiary. Both staff and those incarcerated are affected.

Good for Koebernick for staying on top of this. Kudos to Frakes for trying to increase staffing levels. Hat’s off to the tireless – or maybe that’s tired – workers who are trying their best to keep a lid on things.

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Here’s hoping the entire Nebraska Legislature, not just Lathrop and the Judiciary Committee, see the on-going problem and are receptive to new solutions. Of course, some of those are old suggestions such as alternative sentencing and expanded programming.

Let’s make 2020 the year this happens. We can’t keep ignoring it, because it’s not going away.

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