

Advisory Board Meeting

April 3 – 4, 2024

Discussions, Decision Points, and Outcomes

In Attendance:

Stephen Amos (NIC), John Baldwin (IL), Chris Barnes (TX), Seth Bogin (BOP), Robbye Braxton (NIC), Lorie Brisbin (NIC), Barbara Broderick (Vice Chair-AZ), Holly Busby (NIC), Evelyn Bush (NIC), Blanche Carney (PA), Sandora Cathcart (NIC), Annette Chambers-Smith (OH), Matt Chase (NACo), Cameron Coblentz (NIC), Veronica Cunningham (APPA), Chris Daniels (AJA), Sarah Davis (NIC), Harry Fenstermaker (NIC), Chad Garrett (NIC), Katie Green (NIC), Robert Green (ACA), Kathleen Grilli (USSC), Jeff Hadnot (NIC), Marissa Harris (OJJDP), Kathy Hawk Sawyer (VA), Carrie Hill (NSA), Mike Jackson (NIC), Chris Johnson (NIC), Donna Ledbetter (NIC), Leslie LeMaster (DFO-NIC), Brett Mattson (NACo), Teresa May (TX), Jalessa Mitchell (BOP), Gabe Morgan (Chair-VA), Dena Owens (NIC), Colette S. Peters (BOP), Mandy Potapenko (NIC), Katie Reick (NIC), Scott Richards (NIC), Tashima Ricks (NIC), Chris Romine (NIC), Ken Rose (NIC), Kendall Rhyne (NIC), Jim Sawyer (NAPSA), Richard Schaefer (NIC), Mark Sherman (FJC), Chris Smith (NIC), Belinda Stewart (NIC), P. Elizabeth Taylor (NIC), Ronald Taylor (NIC), Johnathan Thompson (NSA), Heather Tubman-Carbone (BJA), Lucia Turk-Gamble (OJJDP), Pat Tuthill (FL), Mike Ward (NIC), Jeff Washington (ACA), Glenn Watson (NIC), Archie Weatherspoon IV (NIC), Scott Weygandt (NIC), Reginald Wilkinson (OH), Terry Windsor (BOP), and Jim Wiseman (NIC).

Wednesday, April 3, 2024

Meeting Opening and Instructions

Designated Federal Official (DFO) Leslie LeMaster called the National Institute of Corrections (NIC) Advisory Board meeting to order at 8:30 a.m. EDT. Ms. LeMaster welcomed Board Members, NIC staff, stakeholders, and professional associations to the hybrid meeting. Additionally, she reviewed the requirements of the *Federal Advisory Committee Act*.¹, and gave instructions to board members, staff, and guests.

Advisory Board Chair Voting and Selection

DFO LeMaster acknowledged Dr. Reginald Wilkinson's exemplary tenure as Chair and longstanding dedication as a member of the NIC Advisory Board.

¹ <u>https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-act-faca-management-overview</u>

DFO LeMaster explained the voting process for the Chair, noting there was a separate ballot for the Vice Chair if needed. Board Member Kathy Hawk Sawyer, Ed.D., asked about the Vice Chair voting procedure. She clarified that the Chair serves a one-year term, and the Vice Chair can serve in that role if elected throughout their Board tenure. Colette S. Peters, Director of BOP, asked if the Chair could be reelected. NIC Director (A) Holly Busby and DFO LeMaster assured Director Peters that a Chair can be reelected.

Following discussions, DFO LeMaster accepted nominations for Chair. Board Member Barbara Broderick nominated Board Member Gabe Morgan for Chair. Board Member Teresa May, Ph.D., seconded the motion. Board Member John Baldwin nominated Board Member Reginald Wilkinson, Ph.D., for Chair; Dr. Hawk Sawyer seconded the motion. DFO LeMaster facilitated the voting process using paper ballots in person, and email in ballots for virtual voting Board members. DFO LeMaster counted the virtual and in-person votes and announced Gabe Morgan as the new Chair of the NIC Advisory Board by a margin of 6 to 3.

Following the Chair election, DFO LeMaster opened the floor to nominations for Vice Chair. Chair Morgan nominated Board Member Broderick for Vice Chair; Board Member Teresa May, Ph.D., seconded the motion and Chair Morgan moved to close the nominations. Board Member Broderick was unanimously appointed as the new Vice Chair of the NIC Advisory Board with no formal vote required, running unopposed.

Approval of the September 2023 Outcomes Document

Chair Morgan called for a motion to move the review and approval of September 13, 2023, meeting outcomes later on the agenda, to the morning of April 4, 2024, to allow Board Members adequate time to review. Board Member Pat Tuthill seconded the motion. The motion passed without objection.

On April 4, 2024, after having sufficient time to review the September 2023 outcomes document, Chair Morgan asked for comments or motions. Dr. Wilkinson moved to adopt the outcomes, and Ms. Tuthill seconded the motion. Without objection, the meeting outcomes were approved and adopted. The September 13, 2023, *NIC Advisory Board Outcomes* are available at https://s3.amazonaws.com/static.nicic.gov/nicic.gov/files/media/document/nic-aboutcomes-2023-09-13.pdf A full meeting transcript is available upon request.

Advisory Board Updates: Director Transition and Director Search

Chair Morgan called upon Dr. Wilkinson for an update on the NIC Director position transition and Director search. Dr. Wilkinson explained that he would update the Advisory Board on public matters but may have additional information of a personnel-oriented nature, to be shared in the closed portion of the meeting.

Of the 40 applicants for the NIC Director position through the USAJobs site, 28 did not meet the minimum qualifications, leaving 12 candidates. Dr. Wilkinson met with BOP Director Peters, to discuss the 12 qualified candidates. 5 were selected for interviews, and 2 declined the interview, leaving 3 candidates. Board Members Annette Chambers-Smith and Pat Tuthill conducted round one virtual interview with the remaining 3 candidates. There are 2 finalists to be interviewed (round two final interviews) on Friday, April 5th, by Dr. Wilkinson and BOP Director Peters. Once final interviews are complete, the full Board can meet to deliberate on the final candidates, followed by the full Board's nomination and selection recommendation to the Attorney General (AG). Finalists' names will be disclosed in this meeting's closed session, scheduled for April 4, 2024, at 11:00 am ET. Chair Morgan then invited questions from the Board.

Dr. Hawk Sawyer inquired as to why 2 candidates withdrew from the interview process, questioning if it was related to the job, its nature, or the employer. Director (A) Busby responded that personnel matters cannot be disclosed. Dr. Hawk Sawyer stressed that such knowledge was important and relevant to the Board.

Chair Morgan sought to understand the reasons why the Board was not informed of the interview process, nor was a meeting convened to discuss it, in consideration of the lively discussions in the September 13, 2023, public meeting. He emphasized that, according to the Board's Charter, it's the Board's role and responsibility, and expressed concern that the Board had been kept in the dark about the process. BOP Director Peters responded that confusion arose because she couldn't attend the last meeting. She praised Dr. Wilkinson for his efforts on behalf of the AG and the Deputy Attorney General (DAG). Director Peters felt that the Board was actively involved, noting the continuous involvement of the then Chair throughout the process. She added that they collaborated closely with the AG and DAG, who decided, for various reasons, to make the position a career rather than a political appointment. Director Peters recounted her discussions with the DAG on the long-standing position vacancy of 7 years. Various obstacles postponed filling the role, including delays at the AG's office. Changing the position from a political appointment to a career position received positive feedback. Since the position revision from a political SES appointment to a career SES appointment, it attracted a record 40 applicants, a significant increase from previous years. Director Peters is optimistic about the interviews scheduled for Friday.

Dr. May asked for clarification on the Board's involvement in the decision-making process in regard to changing the position type. Director Peters clarified that the recommendation came from conversations with the DAG and the AG. Dr. May felt the Board was blindsided by the decision when informed of it during the September 13, 2023, public board meeting. She emphasized the lack of notification prior, no internal Board discussion, and expressed concern about unilateral decision-making in the process without important Board involvement. She referred back to the two sub-committees formed during the September 13, 2023, public meeting. Dr. Hawk Sawyer stated that she believes it's a violation of the Board's and NIC's mandating statute to not have the ability to be involved in the issue before it went to the DAG. Director Peters clarified that NIC Director Busby said that it was a concern for the Board, which prompted

them to consult with Department of Justice (DOJ) lawyers, who concluded that the decision was not a violation but was a determination for the DAG and AG to make in the selection process.

Dr. Hawk Sawyer renewed her concern over the lack of Board involvement in the decision-making process and the violation of statutory requirements, adding that the Director of BOP does not have operating authority over the NIC. She emphasized the need for communication with the Board in the future to prevent such issues from recurring. Vice Chair Broderick discussed the lack of communication with the subcommittees designated at the September 13, 2023, meeting, failing to provide process updates despite Board Member John Baldwin's multiple requests to convene and begin the work of the sub-committee. Chair Morgan noted that Dr. Wilkinson's chair tenure ended on January 24th, 2024, and he continued to act on behalf of the Board, with no authority, notification, or discussion with the Board. Chair Morgan then raised the question of when the Board would receive updates on the NIC Director search process, as agreed to by then Chair Wilkinson and supported by the then Chair's formation of sub-committees during the September 13, 2023, public meeting.

Director Busby clarified that Director Peters wanted Dr. Wilkinson to communicate with the Board about the process, noting that in her role as NIC Acting Director, it would be inappropriate for her to be directly involved in the process. Director Peters appointed then-Chair Wilkinson to document and communicate to the Board on the process accordingly. Director Busby relayed this information to NIC staff and encouraged then Chair Wilkinson to inform the Board but acknowledged the breakdown in communication causing the Board's frustration.

Mr. Baldwin stated that those emails weren't specific to then Chair Wilkinson, but specific to DFO LeMaster attempting to schedule meetings of called for sub-committees, which did not occur. Mr. Baldwin called this "a frustrating federal bureaucratic mess" though no one at the table was at fault. Dr. Hawk Sawyer asked about a message regarding the review of the Advisory Board's role, and if it had ever occurred. DFO LeMaster had no knowledge of it ever occurring as called for in the September 13, 2023, public meeting. Dr. May voiced frustration over unanswered questions from the previous meeting, highlighting the absence of key information despite multiple requests to then-Chair Wilkinson in the previous meeting. Chair Morgan emphasized the importance of public Advisory Board decision-making processes and expressed concerns over potential unilateral decision-making made in the absence of the full Board. Director Peters responded that she was unaware of the questions posed because of her absence from the meeting, which was unavoidable due to being required at her Senate Judiciary Committee hearing.

Director Busby recounted previous communications where Director Peters responded to the Chair's inquiries regarding how and who made the decision and acknowledged the Board's concerns related to whether or not NIC should be housed within the BOP. Director Busby further explained how Director Peters shared her belief that the NIC should remain at BOP, and the Board should explore the issue, as is their right. Director Busby stated that unfortunately this information was not communicated back to the larger Board by the then Chair. Dr. Hawk Sawyer

expressed skepticism about the effectiveness of public Board discussions, noting that certain critical decisions within the scope of public Board business appear to be predetermined and are occurring off the public record, causing questions about the Board's ability to influence outcomes. Dr. May raised concerns about delays in the Director appointment process, stating that improved communication and outreach to the Board from Director Peters could have mitigated issues.

Director Peters apologized for the lack of proactive communication but asserted that the decisions were made in the best interest of the NIC. The conversation then shifted to legal consultations regarding the Board's role in the Director appointment process with Board members voicing conflicting views, highlighting the need for clarity regarding the Board's responsibilities and authority. Chair Morgan then stated that the Advisory Board would revisit this topic in the upcoming private session for a more vigorous discussion on the topic. *NIC Advisory Board Legislative Mandate and Charter* https://nicic.gov/about-nic/advisory-board

Remarks from Bureau of Prisons Director

The Chair called upon BOP Director Colette S. Peters for her remarks. Director Peters updated the Advisory Board on her work over the past 18 months, including six (6) congressional hearings and visiting over 50 BOP institutions and work sites nationwide. She explained that she plans to continue this pace in 2024, visiting more locations by dividing personnel to cover more ground. Despite negative headlines, Director Peters applauded the dedication and hard work of BOP personnel, highlighting their commitment to implementing the First Step Act. She explained the BOP has over 110 ongoing productive activities and evidence-based programs across the agency. She related that COVID inspired creativity within the BOP to view unused institutional space as additional resources for programming, allowing for enhanced programming capacity. Director Peters discussed an opportunity to visit one of their prisons in Milan, Michigan, which is the only federal institution to have a high school, producing very positive outcomes.

Director Peters acknowledged the agency's challenges with recruitment, retention, and maintenance. There was some advancement in recruitment and retention. In August 2022, when the Director joined BOP, filled positions were at 76%, and currently, they're over 80% filled. However, critical maintenance and repairs within the agency remain at a \$3 billion backlog solely in life and safety categories. Director Peters indicated existing infrastructure issues, such as faulty levers and HVAC systems, require repairs but are not covered by the allocated \$3 billion. An outside firm will be contracted to assess the costs of these continuing maintenance and renovation concerns. Director Peters informed the Board that the BOP will develop 5, 10, and 15-year repair plans to spread out costs and avoid draining their budget.

She related the BOP's primary focuses for 2024 are recruitment, retention, maintenance, and reforming restrictive housing policies. Additionally, she stressed the importance of prioritizing employee wellness with the strain staff faced, especially amid the pandemic, and shifting public

perceptions of law enforcement. Director Peters concluded her report and stated that the Director's Office has even more ideas moving forward.

NIC Director's Update

Director Busby provided an update to the board on 1) NIC's budget; 2) the programmatic planning process; and 3) efforts to align the process with NIC's mission, vision, and values. (*Please refer to the attached PowerPoint® Presentation for further detail*).

Director Busby stated that the NIC continues to grow, maintaining a motto of "One Mission, One Team, All Hands" with a mission to advance public safety by shaping and enhancing correctional policies and practices through leadership, learning, and innovation. NIC's vision is to have just processes, effective systems, and safe communities. Director Busby highlighted the importance of teamwork across different NIC divisions with a unified approach to achieving their mission. NIC's core values are professional excellence, trust, respect, integrity, accountability, and strategic thinking, which guide the team's approach to accomplishing NIC's mission, ensuring that each staff member contributes to NIC's success.

NIC has been working to rebuild and grow its team, especially on the internal administrative side, which has seen significant reductions over the past several years. Despite these challenges, the commitment and passion of NIC's staff have been crucial in maintaining the organization's operations. The focus on teamwork and collaboration helps NIC navigate the complexities of federal budgeting while ensuring it continues to serve the corrections field effectively. NIC is shifting to a multi-year planning process and is working to deliver the FY2024 plan, preparing for FY2025, and discussing implications for the FY2026 plan.

NIC's staffing is undergoing changes and received support from the BOP to help with hiring. NIC transformed its position descriptions to better align with its mission. For example, NIC moved the 006 series Correctional Program Specialists (CPS) to a training administrator's series, allowing for more flexibility and a broader range of candidates. The new title, National Programs Advisor (NPA) better reflects the work NIC executes and eliminates certain requirements, broadening the applicant pool. The NIC staff complement has grown from 52 authorized positions to 68, with plans to make some temporary positions permanent, including certain PO-1As. NIC added new hires without term limits, signaling a move toward a stable and robust staffing model. Two positions await approval - a senior policy advisor pending approval of selective factors; and an operations chief.

Regarding budget, NIC received a million-dollar increase in FY 2023, for a total budget of over \$15.6 million. The agency is preparing for FY 2024 and 2025, with plans for incremental budget growth. Director Busby informed the Board that NIC will be requesting an increase of \$8 million in new funding to improve innovative immersive experience training for corrections professionals and justice-involved individuals, update existing programs, and add new projects, including developing guidelines for carceral settings.

NIC recently launched into social media, via Twitter/X. This is NIC's first social media with account operations initiated in February 2024. As of today, the account has gained 72 followers, and in the past 28 days, the account has grown its impression rate by 33.2%, meaning that individuals are discovering NIC and learning what services it provides. However, NIC faces technology challenges with its learning management system (LMS), which has been inoperable since October 2023. The agency seeks to resolve this by gaining approval from the BOP and the DOJ, including a system Authority to Operate (ATO). Additional technological gains were reported, including the pending launch of a new Technical Assistance System (TAS) and public website modernization, which are facing similar delays due to ATO approval processes.

Director Busby discussed one of NIC's focuses, staff wellness and recognition. The agency has implemented an employee-of-the-quarter program that recognizes staff living by NIC's core values. So far there have been three quarterly staff recognitions: Scott Richards from the Prisons Division, Donna Ledbetter in Communications, and Richard Schaefer, Administrative Officer. Additionally, leadership is encouraged to use leave and promote work-life balance to set a positive example for all staff. Director Busby announced that in celebration of NIC's 50th Anniversary, a commemorative event is being planned with a special video and a gathering to mark the occasion. Further details will be discussed at the late summer Advisory Board meeting. Overall, NIC is working to align its staffing, budget, and technology while promoting staff wellness and celebrating 50 years of service to the nation.

Division Briefing: Community Services

Robbye Braxton, Chief of the Community Services Division, briefed the Board on three different projects: Criminal Justice Coordinating Council (CJCC), Trauma-Informed Response Resources, and Supervision Fees Assessment. (*Please refer to the attached PowerPoint® Presentation for further detail*).

The CJCC's function is to assist a body of local or state criminal justice, government, and community stakeholders working together to identify systematic challenges to improving the criminal justice system. The primary objective is to establish a productive CJCC with achievable goals, and increased collaboration between stakeholders and communities. Chief Braxton explained how the division is looking at developing a criminal justice coordinating training that would collaborate with jails, sheriffs, and counties.

Chief Braxton highlighted the Trauma-Informed Response Resources project, which focuses on how to manage individuals entering the system with trauma. Chief Braxton invited Lorie Brisbin, National Programs Advisor and Program Manager, to present on the project. Ms. Brisbin invited other divisions into the working group. In addition, the division always brings in practitioners from the field to assist. The division is concerned about the readiness of agencies who may want to participate, raising the question of how to frame the project and bring people into it. Chief Braxton added that she is pushing the division to think about how to build up the program and roll it out. Dr. Wilkinson asked if the trauma-informed response platform includes resiliency. Chief Braxton related that resiliency will be part of it and that this is a new piece of work for the division but they're ready to take it on and see the results.

Chief Braxton overviewed the Supervision Fees Assessment project, explaining that they are partnering with the National Association of Probation Executives (NAPE) to assess state adult probation agencies using their supervision fees to support supervision efforts. The recent collaboration with the Bureau of Justice Assistance (BJA) discussed potentially eliminating supervision fees. BJA plans to select 5 to 8 states as demonstration sites to explore this project even further. The collaboration provides site selection and technical assistance, and as BJA begins to dissect fee usage it will likely have an impact on operations. The project is now moving into the next phase with federal partners.

Chief Braxton concluded by discussing division operations and different types of projects. The main areas of operations are leadership training, policy demonstration, resource development, topical training, research, and networks. As projects are developed the division keeps in mind the desired outcomes and potential mechanisms of support. The division is also expanding its networks and getting into research.

Division Briefing: Jails Division

Stephen Amos, Chief of NIC's Jails Division presented to the Advisory Board on three different programs: Gender Responsive Services, the National Sheriffs' Institute, and Jails and Justice Support Center (JJSC). (*Please refer to the attached PowerPoint® Presentation for further detail*).

Chief Amos shared that the number of incarcerated women has increased by 700% between 1980 and 2019, although COVID-related policies did cause a reduction in this statistic in 2020. A recent Large Jail Network meeting focused on gender-responsive services, featuring experts Barbara Bloom and Stephanie Covington, which provided valuable insights into women's issues in the criminal justice system. He highlighted the Safety Matters: Managing Relationships in Women's Facilities program, which provides tools for corrections practitioners to address sexual safety and other forms of safety. It further develops skills in effective communication to enhance genderresponsive and trauma-informed practices in women's facilities. This program aligns with the Prison Rape Elimination Act (PREA) and aims to improve gender-responsive approaches.

NIC's is developing a new gender responsive 101 course that focuses on their unique needs for the effective management of justice-involved women in and out of custody. This program will center on pathways that lead women into the criminal justice system, gender differences, the effects of abuse and trauma, medical and mental health concerns, and parenting stressors on women in custody or on supervision. This new course will be available both fully online and inperson formats. NIC plans to launch and pilot this course in the upcoming fiscal year with four training sessions planned, along with a train-the-trainer (T4T) program to act as a force multiplier for greater reach. The Gender-Responsive Network is a collaborative effort across NIC divisions to create a forum for those working with justice-involved women, both in and out of custody, to share information and focus on listening sessions to discuss pressing issues. In addition, Chief Amos highlighted the Women's Risk Needs Assessment (WRNA) Project, which is a needs assessment focused on women's strengths and self-efficacy. Its goal is to create a support network, leveraging insights from those with lived experiences, and ensuring the tools and training offered by NIC are effectively utilized to foster a gender-responsive approach in correctional facilities.

Chief Amos overviewed several projects, including the National Sheriffs' Institute (NSI) and the Large Jail Network (LJN). NSI was developed in the early 1970s and has morphed over time to serve first-term sheriffs, emphasizing inclusivity and a wider range of experiences. The program is now delivered in partnership with the FBI Academy, to enhance the structure and learning environment, and allows the hosting of smaller classes for augmented interactive learning. Since the move to Quantico, NSI has graduated 185 sheriffs from 39 states. The program focuses on first-term sheriff's leadership development, focusing on a diverse range of topics from ethics to crisis communication. The Large Jail Network's next meeting is scheduled for October 27-28, 2024, in Davidson County, focusing on behavioral care and new clinical settings designed to provide treatment services and deflect people from traditional jails. In addition, a new communications course is planned for FY2025. NIC plans to pilot a jail administrator's course and establish an alumni network for past NSI graduates to foster continued engagement and advice sharing among sheriffs.

Chief Amos's briefing concluded with the JJSC, which is co-administered by NIC and BJA, aiming to provide comprehensive support to jails. The JJSC coordinates and facilitates the direct delivery of innovative and industry-leading services and support focused on justice and correctional policy, operational practices, and professional development for America's jails. They offer resources, assistance, and guidelines to address pressing challenges like comprehensive screening, medical care, use of force, human capital, leadership, operations, programming, and re-entry. The JJSC also assists with grant applications. The JJSC provides all forms of resources that are applicable across the spectrum of federal capacity building.

Division Briefing: Academy Division

Jeff Hadnot, Chief of the Academy Division, updated the Board on activities and projects. (*Please refer to the attached PowerPoint® Presentation for further detail*).

Chief Hadnot shared that new staff members have boosted operations capacity. Jeff Hanson, from the Oregon Department of Corrections, brings 35 years of experience and specializes in evidence-based practices. Jim Wiseman, Missouri Department of Corrections (retired), brings 35 years of experience, most recently as Training Director. Lisa Morgan, from the Ohio Department of Rehabilitation and Corrections, joins the Academy's Cognitive Behavior team. The Academy Division serves all correctional disciplines, including community services, jails, and prisons at various government levels. The division also supports NIC internally, overseeing the information

center, the public website, and the LMS. Additionally, the Academy administers NIC's Webex virtual platform, data analytics, e-course design and management, and the BOP Library, which recently became part of NIC's Information Center. The responsibilities of the BOP Library were transferred to the Academy Division, and the division is working on a memorandum of understanding to ensure compliance with library standards.

NIC's Cognitive Behavioral Initiative is the home of Thinking for a Change (T4C) and has been instrumental in reducing recidivism through cognitive restructuring theory and cognitive skills theory. Since its inception in 1998, the program has undergone several revisions, and is currently on version 4.0, with plans to pilot version 5.0. T4C includes facilitator training and a Train the Trainer (T4T) course, with over 10,000 facilitators and several thousand trainers trained to date. The program is offered at no cost. T4C trainers must possess characteristics such as empathy, facilitation skills, teaching techniques, and an understanding of group processes. There is a continued need for innovation and new solutions within the initiative. Chief Hadnot introduced Archie Weatherspoon IV, National Programs Advisor (NPA) to discuss future initiative developments. Mr. Weatherspoon shared the focus on updating and expanding its Cognitive Behavioral Initiative, including a plan to create a cognitive behavioral network. As envisioned, the cognitive behavioral network will gather insights from experts in psychology, social science, mental health, and corrections to guide the development of new cognitive behavioral programming. The goal is to address the needs of correctional facilities, offering flexibility with closed-ended or open-ended structures, trauma-focused content, and other evolving requirements. In addition to the cognitive behavioral network, a new cognitive-based employment readiness program for justice-involved individuals is under discussion envisioned to use immersive 2-D and 3-D learning technologies. This technology simulates workplace scenarios to help individuals develop skills that apply to real-life situations and to reduce recidivism. NIC is steadfastly committed to providing programming that will aid in making communities safer and cultivating skills for justice-involved individuals who can then eventually make a permanent exit from criminal behaviors. He discussed revitalizing NIC' Facilitation Skills for Offender Groups program, morphing it into Facilitation Skills Training for Cognitive Behavioral Groups in Corrections. This emphasizes the need for dynamic group facilitators to deliver effective cognitive behavioral therapy (CBT). The division wants to make sure that those facilitators who go through the training focus on the group facilitation skills that are needed. Mr. Weatherspoon then turned the floor back to Chief Hadnot.

Chief Hadnot highlighted the division's leadership development initiative, including the development of two new delivery formats for Essential Skills for New Supervisors. By the end of FY2024, the program will be available as 1) an in-person/group facilitated class; 2) a self-directed / at own-pace course; 3) a multi-session virtual instructor-led (VILT) series; and 4) a virtual train the trainer series. The T4T format allows NIC to train agency personnel to carry forward the curriculum, enabling a broader impact. NIC provides technical assistance for agencies to build their leadership programs, which involves helping agencies design programs and coaching them through implementation. The Division is assessing if existing leadership programs meet current

needs and adapting them to ensure effectiveness. Chief Hadnot invited National Programs Advisor (NPA) Leslie LeMaster to highlight a new leadership project.

Ms. LeMaster highlighted the new Corrections Thought Leaders Network designed to bring together traditional and non-traditional partners for strategic and future-focused thinking on corrections. It aims to explore and incubate innovative ideas that will help shape corrections practices and public policy. It will leverage strategic analysis tools, including external ones such as **Sociological**, **Technological**, **Economic**, **Environmental**, and **Political** (STEEP), PESTLE (adds Legal), and internal organizational strategic analysis tools such as **M**ission, **O**rganization, **R**esources, **Team**, **A**pproach, and **R**ites and Rules (MORTAR), and connect NIC with a broader context to address corrections' evolving needs. Once the cooperative agreement review process is complete, NIC will assemble a steering group to guide the network's development and identify key participants from various public, private, educational, and global sectors.

Chief Hadnot overviewed the Learning and Performance Initiative which is comprised of four interactive programs, multiple webinars, white papers, and the Training Administrators Network. These learning and performance opportunities are designed to develop correctional trainers, curriculum designers, training administrators, coordinators, and/or directors with a focus on the science of learning and facilitating legally defensible training. These programs are highly interactive and delivered virtually, in person, or a hybrid format. Chief Hadnot invited National Programs Advisor Jim Wiseman to speak on the Training Administrators Network (TAN).

NIC's TAN is a network of correctional training administrators and directors, designed to facilitate discussions and elevate the unique needs of corrections and criminal justice training. Mr. Wiseman aims to revitalize the network, whose membership is now up to 113. The goal is to include administrators from all correctional disciplines to share their best practices and collaborate where staff development and training is the common denominator. NIC plans to hold its first in-person Training Administrators Network meeting in conjunction with the International Association of Correctional Training Personnel (IACTP) conference in September 2024 in Bismarck, North Dakota.

Chief Hadnot related that NIC is serving on a steering committee for a BJA project to improve correctional academy training. BJA conducted a national scan consisting of onsite observation surveys and curriculum evaluations, examining training academies, focus, content, and quality to develop guidance for building and supporting correctional staff in increasing public safety by improving outcomes across the corrections community. Through on-site observations, surveys, and curriculum evaluations, they identified several emerging trends and gaps in the national corrections academy training process. Trends included a lack of adult learning integration, a need for specialized training, staff wellness enhancement, and outcomes-based training assessment, design, and evaluation. A curriculum review of 13 states and site observations of 9 states were performed. Scan results additionally highlighted promising practices, such as Ohio's job shadowing program, which increased recruit retention by almost 40%, and Washington's family engagement initiatives in basic correctional training. BJA identified resources to address these

gaps which include e-courses, training matrix development guides, outcomes-based evaluation webinars, convening of training director round tables, and technical assistance for correctional agencies. The final meeting for this initiative will be held in Aurora, Colorado in September 2024 at the National Corrections Academy. Chief Hadnot looks forward to building this initiative in the future.

Division Briefings: Prisons Division

Ronald Taylor, Chief of the Prisons Division, presented to the Advisory Board on the division's needs and challenges. (*Please refer to the attached PowerPoint® Presentation for further detail*).

Chief Taylor discussed the Prisons Division's portfolio and explained that the division requires additional financial support to conduct all of the field activities that are necessary in response to the field. Chair Morgan asked Chief Taylor how much money the division needs. Chief Taylor responded that when asked the same thing last year he had created a budget, though not fully funded. Director Peters asked what aspects of his plan he's not implementing due to lack of funds. Chief Taylor related that restrictive housing training is one, elaborating that a restrictive housing virtual simulation would cost between \$5 and \$10 million. The simulation aims to train staff entering restrictive housing environments, providing staff with realistic expectations and preparation. Chair Morgan asked if this virtual simulation could be developed incrementally over a couple of years to reduce costs, while Director Peters questioned if it aligns with NIC's broader objectives. Director Busby explained that investing in virtual technology requires thoughtful consideration. Board discussion highlighted the complexities of investing in advanced training technology and the need to balance budget considerations with strategic goals.

Chief Taylor emphasized the importance of webinars. During the COVID-19 pandemic, webinars became a primary method for engaging the field and offering training information. The Prisons Division's staff took the lead in creating new content and promoting the webinars, enabling NIC to connect with the corrections field, gather feedback, and identify emerging topics of interest.

Adding to the conversation on virtual simulations, National Programs Advisor Scott Richards stated that there were roadblocks as they were performing market research for virtual simulation technology. One notable barrier was proprietary licensing fee costs, as many technology providers charge per-license fees, making it difficult to create and distribute training scenarios nationwide. These fees prevent the free distribution of technology-based simulations and training to correctional agencies, limiting the project's reach and scalability. Chair Morgan suggested that a federal grant could be a solution. By having the project be funded through a grant, the federal government could enable the distribution of the technology without the licensing fees. Chair Morgan recommended exploring grant opportunities, such as through a sister agency with a larger budget to facilitate this solution.

Additionally, Mr. Richards highlighted the value of in-person training for fostering relationships and sharing knowledge among correctional agencies. When COVID-19 occurred, NIC switched to

virtual training, offering a 75-minute online course on restrictive housing basics, and a fivesession virtual instructor-led course to address various aspects of restrictive housing. Mr. Richards emphasized the ongoing efforts to revise the instructor-led training for managing restrictive housing populations, planning for anticipated FY2025 implementation. Collaboration and flexibility remain important to restrictive housing practices, and successful programs require input from various agencies and adaptation to evolving trends within correctional facilities. Chief Taylor highlighted the Medication for Opioid Use Disorders (MOUD) Policy Academy. NIC partners with the Substance Abuse and Mental Health Services Administration (SAMHSA) on the MOUD Policy Academy. The division hosted a policy academy to convene a leader group from state departments of corrections, prisons, correctional healthcare, parole, and others to discuss and plan for the implementation and expansion of MOUD in prison settings, and to guide policy and administration. Collaborations with multiple states are in progress, including Alabama, Missouri, Maryland, Wisconsin, and Illinois. The Policy Academy pilot is scheduled for June 10th and 11, 2024.

Chief Taylor concluded his briefing by highlighting the Crisis Intervention Teams (CIT) training program, which provides frontline staff with the needed skills and competencies to handle potentially dangerous individuals experiencing a crisis. BJA approached the Prisons Division and others with an interagency agreement to develop a new crisis intervention training program that could be co-owned by BJA and NIC. This effort aims for training to not be labor-intensive for the staff, and to create a hand-off level curriculum package, to help state and local agencies build internal capacity to deliver the training in-house. Chief Taylor emphasized NIC's collaborative approach to supporting correctional facilities and their commitment to addressing mental health and substance abuse issues through effective training programs.

Day One Meeting Closing Comments and Adjournment

The Chair and Vice Chair thanked the Board, association partners, NIC Chiefs and staff, and guests for their participation in Day One of the meeting.

DFO LeMaster reminded Board members to bring their calendars', as future meeting scheduling is on the agenda for Day Two. Vice Chair Broderick made a motion to adjourn day one of the public meeting and the motion was seconded by Dr. May. Chair Morgan called for a vote to approve the motion, which passed unanimously. Day One of the public meeting of the NIC Advisory Board adjourned at 4:10 p.m. ET.

Thursday, April 4, 2024

Meeting Opening and Instructions

DFO LeMaster called Day Two of the National Institute of Corrections (NIC) Advisory Board meeting to order at 8:30 a.m. ET. Ms. LeMaster welcomed Board Members, NIC staff, stakeholders, and professional associations to the hybrid meeting. Additionally, she reviewed the

requirements of the *Federal Advisory Committee Act*.², and gave instructions to board members, staff, and guests.

Association and Agency Updates

Chair Morgan called for updates from federal agency partners and national associations, facilitated by DFO LeMaster.

Office of Juvenile Justice and Delinquency Prevention (OJJDP

Marissa Harris of OJJDP highlighted that OJJDP is planning its 50th anniversary celebration, in collaboration with their upcoming conference in November 2024. The conference will celebrate 50 years of the JJDPA Act of 1974.

United States Sentencing Commission (USSC)

Kathleen Grilli of USSC highlighted recent amendments made by the Commission, including the expansion of the compassionate release policy statement, which allows defendants to file their motions. Last fiscal year, there were 3,140 total motions filed of which 432 were granted and 2,700 were denied. Despite the broadened criteria, there has not been a significant increase in motions filed. Additional amendments to criminal history criteria, eliminating status points for some offenders and reducing the impact of status points were made retroactively. There have been 3,129 motions filed for the first offender adjustment, with 1,400 granted, and 2,200 motions filed for the status Part B adjustment, with about 800 granted. Ms. Grilli discussed statistics on demographic differences in federal sentencing, noting persistent disparities among males and females. The Commission will be meeting next week to vote on proposed amendments.

Bureau of Justice Assistance (BJA)

Heather Tubman-Carbone of BJA provided an update from the Corrections, Reentry, and Justice Reform portfolios, highlighting recent accomplishments and ongoing initiatives. The Juvenile Reinvestment Initiative's 50-state conference was a great success, where correction leaders and stakeholders discussed state-specific improvements. In December 2024 a Second Chance Actfocused event will focus on reentry, gathering grantees, experts, and partners. Some notable collaborations with NIC are the referral management guidelines and the JJSC. These partnerships led by Chief Stephen Amos have allowed NIC and BJA to work together effectively, providing crisis response support and grant funding for critical positions. Ms. Tubman-Carbone expressed gratitude for NIC's collaboration, highlighting the importance of continued partnerships in areas like officer safety and wellness. She thanked Chief Amos and NIC for their role in making these projects successful.

Federal Judicial Center (FJC)

Mark Sherman of the Federal Judicial Center (FJC) announced his retirement beginning September 30th, 2024. He expressed his gratitude to the NIC Advisory Board, NIC, and its

² <u>https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-act-faca-management-overview</u>

continued collaborations with the FJC. Mr. Sherman provided an update on FJC's work, including new judge orientation programs, competency development for probation and pretrial officers, and various training initiatives. The work includes supervising officers in an evidence-based environment, supervisory coaching, problem-solving courts, science-informed decision-making, trauma-informed criminal justice, and resilience and everyday leadership. Mr. Sherman noted collaborative efforts in organizational development and recommended two podcasts on the topic: "Off Paper" and "In Session."

American Probation and Parole Association (APPA)

Veronica Cunningham of APPA) highlighted a recent APPA Board of Directors election, which resulted in several open positions. Ms. Cunningham addressed staff shortages in probation, parole, and trial departments, as well as the integration of artificial intelligence (AI) into its training and education programs with health, wellness, and resilience as key focuses, given the pandemic's impact on staff. The organization established partnerships with a labor coalition focused on employment opportunities, particularly for those with criminal records, alongside Honest Jobs. A new website is set to launch soon, offering easier access to resources and organizational updates. Collaboration with the Center for Legal Analysis and the Institute for Public Research is ongoing, with projects designed to support people with serious mental disorders. Meanwhile, the organization is working to establish standards for probation and parole, with a rollout expected in late June or early July 2024, which could eventually lead to future accreditation processes.

American Jails Association (AJA)

Chris Daniels of AJA) highlighted recent initiatives and partnerships, including its continuing collaboration with NIC, praising the JJSC, and noted that NIC's programs offer valuable networking and learning opportunities, such as the gender-responsive programming at Los Colinas Detention Facility in San Diego, California. AJA is involved in the Justice Counts initiative, funded by BJA, which is focused on developing justice metrics that provide consistent data across all the criminal justice sectors for policymakers. AJA is collaborating with several other partners on the COVID Detection and Mitigation in Confinement Facilities initiative, focusing on pandemic planning for jails. The association is also an advisory board member of the NIHQ initiative, being led by the Addiction Policy Forum, which is focused on evidence-based addiction treatment in justice settings. Three years ago, AJA launched a fall summit that specifically addresses recruitment and retention with an emphasis on mental health and resiliency. This year, the AJA Summit will focus on leadership. Mr. Daniels stated that strengthening correction officers in that area will be the focus of the summit in October 2024.

American Correctional Association (ACA)

Rob Greene of ACA) related that he is the new Executive Director of the association. Mr. Greene's vision is to unite and represent all disciplines within corrections. Mr. Greene has 40 years of experience working in different roles in Maryland's corrections system and public safety. He emphasized the need for a positive narrative on corrections that focuses on the good work happening in the field. Mr. Greene encouraged collaboration among correctional organizations

to share their stories and successes. He praised NIC as an important source of knowledge and development and plans to work closely with NIC on innovative initiatives. At ACA, he advocates for inclusivity, ensuring that conferences and workshops are open to all correctional professionals. Mr. Green then discussed the return of Corrections Today magazine, explaining that the magazine encompasses the entire footprint of corrections. The magazine is set to print in July 2024, aiming to cover a wide range of topics and provide a platform for various correctional organizations. Mr. Greene spoke to the importance of the ACA accreditation process and sought to enhance its effectiveness while looking for improvements. Overall, his leadership at ACA focuses on building a more positive and collaborative environment in corrections, with a focus on sharing success stories and creating opportunities for professional development and engagement.

National Association of Counties (NACo)

Brett Mattson of NACo updated the Board on two key topics: the Medicaid Inmate Exclusion Policy (MIEP) and NACo's mental health commission. NACo has seen some progress in changing the MIEP policy. Medicaid and CHIP services will be available for juveniles in pretrial settings starting in 2025, and there's also an adjustment allowing Medicaid access 30 days before release from local institutions. NACo pushed for the repeal of Medicaid and CHIP services for juveniles in pretrial settings which is set to roll out in 2025. NACo is supporting two congressional bills, the Due Process Continuity of Care Act for pretrial individuals and the Reentry Act which provides access 30 days before release from local jails. NACo's mental health commission is a group of 15 county-elected officials addressing the mental health crisis in residents and the county workforce. They focus on several key areas including the MIEP, mental health workforce shortages, and amending the Institute for Mental Diseases (IMD) exclusion. The commission plans to release a report by July 2024.

National Sheriffs' Association (NSA)

Carrie Hill of NSA presented on key collaborations and initiatives within the association and thanked NIC for its support, highlighting its successful partnership with NSA and BJA. The NIC's Large Jail Network (LJN) plays an important role in sharing information among sheriffs, while the NSI provides valuable leadership training for sheriffs, with upcoming sessions at the FBI academy. NSA continues to advocate for changes to the MIEP to address the important issue of healthcare for the incarcerated. Ms. Hill mentioned the NSA's Legal Affairs Committee's work in a Supreme Court case that upheld the deliberate indifference standard, affecting jails and prisons. Ms. Hill discussed a new dashboard in Massachusetts that tracks key data across correctional facilities, aiding in identifying trends and gaps. Ms. Hill concluded by thanking NIC for its commitment to listening to the field's needs and providing resources and urged continuing support and collaboration to advance the work of jails and corrections.

NIC Advisory Board Bylaws Development

DFO LeMaster stated that per FACA requirements, each federal advisory committee performs an annual committee review (ACR), which reviews the Board's records. This year, the General Services Administration (GSA) recommended developing bylaws for the Advisory Board due to its

maturity and history. The proposed bylaws would cover essential elements such as meeting procedures, defined Board roles and responsibilities, and operational guidelines. This ACR finding originated from the Committee Management Secretariat with oversight by the DOJ.

Chair Morgan opened the floor for questions about the bylaws recommendation. Dr. Hawk Sawyer asked for clarification about the process of drafting and approving the bylaws. Director Busby explained that the Board, in conjunction with staff, create the bylaws draft. DFO LeMaster explained that she will develop the initial draft in collaboration with the Board, and then members will work together to create a set of draft bylaws. Once the bylaws are approved to be adopted, Ms. LeMaster will send them to the NIC Director, and then the NIC Director will send them to the Office of General Counsel (OGC) for review. Once OGC approves, they will come back to this committee, e.g. the NIC Advisory Board, and they can be enacted. Ms. LeMaster added that a FACA lawyer at GSA offered to help with this process. Dr. Wilkinson questioned whether bylaws were necessary, sharing that the Board should endorse the idea before moving forward. Ms. LeMaster clarified that the strong recommendation from the ACR indicated the need for bylaws. Ms. Tuthill emphasized the importance of keeping bylaws simple and not too detailed so as to avoid confusion and ensure adherence to said bylaws. Dr. Wilkinson agreed, adding that they should also avoid repetition of existing statutes. Chair Morgan made a motion to create a set of draft bylaws. Ms. Tuthill seconded the motion, and the motion was unanimously approved.

Chair Morgan assigned Vice Chair Broderick to lead a subcommittee that will include Mr. Baldwin and Dr. May and further stated that anyone on the Board can participate. Vice Chair Broderick agreed to work with DFO LeMaster to review the bylaws samples, convene the subcommittee, and present the draft back to the full Board for further discussion and feedback. Ms. LeMaster concluded by stating that she would convene the subcommittee to begin the process of drafting the bylaws.

FY2024 Meeting Planning and Scheduling Discussion

DFO Leslie LeMaster facilitated discussions centered on planning upcoming meetings. For FY 2024 the Board considered meeting in October 2024. Ms. LeMaster sent a poll to the Board before this meeting to determine availability, however, conflicting schedules made it challenging to finalize a consensus. After discussion, the Board agreed to schedule October 28, and 29 and a half-day on October 30, 2024, for a hybrid meeting. Ms. LeMaster noted NIC's concurrent 50th-anniversary celebration, tentatively scheduled for the afternoon of October 30, 2024, would require significant coordination.

There was a lively discussion exploring the meeting structures, agenda, and meeting duration. Concerns about scheduling too much activity with limited time frames led to suggestions for longer meetings or different formats. One suggestion was to make the meeting a full two days instead of a day and a half. Discussions touched on travel logistics, with some participants having difficulty finding available government lodging rates. The Board then discussed possible locations for meetings and the importance of considering the convenience of attendees. Suggestions were made to meet in locations such as Baltimore or Colorado. It was expressed that having virtual sessions between in-person meetings could help maintain continuity and facilitate discussions on specific topics, such as bylaws, without requiring a full board gathering. The Board closed the discussion by recommending a balance of shorter duration virtual meetings with longer duration in-person meetings. DFO LeMaster was charged by Chair Morgan with exploring non-mandatory government rate lodging options, to poll for a summer virtual meeting, and Spring 2025 meeting dates, for discussion at the fall October 28 – 30, 2024 meeting.

Public Comment Period

There were no requests for public comments. As such, the Chair moved to the final public meeting agenda item.

Closing Comments and Day Two Public Meeting Adjournment

The Chair and Vice Chair thanked the Board, association partners, NIC staff, and guests for their thoughtful comments and insights shared during Day Two of the public meeting.

Chair Morgan made a motion to adjourn Day Two of the public meeting and the motion was seconded by Dr. May. Chair Morgan called for a voice vote to approve the motion, which passed unanimously. Day Two of the public meeting of the NIC Advisory Board adjourned at 11:05 am ET, at which time the Board moved into closed session.

National Institute of Corrections Advisory Board Meeting

April 3, 2024



1

 Image: Constraint of the program of the process of





























Budget Status				
FY23	FY24	IAA		
 \$15,623,000 Increased by \$1,000,000 	\$15,623,000No Increase	 \$1,000,000 NIC/BJA partnership to develop a Trauma- Informed Crisis Response Training for practitioners in carceral settings 		

NIC met with	NIC submitted a budget justification request for an increase of 8 million dollars
BOP Administration to develop a	to be added to its base funding allotment. That request was denied.
plan to increase FY24/25 funding	BOP Administration indicated an increase of an additional 2 million was a more realistic possibility; however it was dependent on BOP's FY24 Budget.
	Although BOP's budget allotment remained at the same funding levels, BOP experienced a budget shortfall related to the 5% pay increase. NIC does not anticipate receiving any additional funds and is hoping not to experience a cut in its funding in FY24.
	BOP administration indicated that it is more likely that NIC would receive additional funding at the end of the fiscal year vs. beginning, so NIC is prepared to obligate additional funding should it become available.

NIC will be requesting an increase of 8 million in new funding	Innovative immersive experience training for corrections professionals and justice- involved individuals
	Funding for updating existing programs and adding new projects
	Development of Guidelines for Carceral Settings

General Data Updates					
Training	Technical Assistance	Cooperative Agreements	Information Services		
 151 Total Events 74 Private Events 137 Public Events 	 65 Active TA's 3 Academy 23 CSD ## Jails 19 Prisons 	 56 Active CA's 7 Academy 23 CSD 13 Jails 13 Prisons 	 Since October 1, 2023-338,000 visitors to NICIC.gov CA, TX, NY, VA, FL top the states that visit NICIC.gov Top Users (37%) are 18- to 24- year-olds 60% of users are women 		
	40				











National Institute of Corrections Advisory Board Meeting

Community Services Division

Briefing











National Institute of Corrections Advisory Board Meeting






































National Institute of Corrections Advisory Board Meeting



Image: control of the control of th





















National Institute of Corrections Advisory Board Meeting



Briefing



















