

Advisory Board Meeting

June 20, 2019

Discussions, Decision Points, and Outcomes

In Attendance: Colette S. Peters, Chair, (OR), Steven Amos (NIC), Robbye Braxton (NIC), Robert Brown (NIC), Thurston Bryant (BJA), Holly Busby (NIC), Heather Childs (Uber), Sanzanna Dean (OJJDP), James Eaglin (FJC), Marcus Hodges (APPA/NAPE), Hugh Hurwitz (BOP), Pedro Moreno, (HHS), Kathleen Grilli (USSC), Ronald Taylor (NIC), Shaina Vanek (DFO-NIC), Susan Walters (NIC), Jeff Washington (ACA), Scott Weygandt (NIC), Reginald Wilkinson (Connecting the Dots, LLC).

Thursday, June 20, 2019

Shaina Vanek, Acting Director (NIC), called the meeting to order at 8:00 AM.

Meeting Opening & Instruction

Shaina Vanek, Acting Director, (NIC) reviewed the rules and regulations as required under Federal Advisory Committee Act (FACA) of 1972. The FACA is the legal foundation defining how federal advisory committees operate, with special emphasis on open meetings, chartering, public involvement, and reporting. Introductions of Advisory Board members, guests, and NIC staff were made. All meetings are recorded and the meeting outcomes will be presented in meeting minutes. The Board is a semi-formal entity so public comments are welcomed during the allotted time.

Opening Comments

Chairperson Colette Peters (OR) opened the meeting by welcoming everyone, the board, NIC staff, and guests. Chairperson Peters (OR) recognized Hugh Hurwitz, the Acting Director of the Bureau of Prisons (BOP), and asked for his opening remarks.

Opening Remarks – Hugh Hurwitz, BOP Acting Director

The new Attorney General (AG) William Barr previously held the AG position in the early 1990s, and had ample knowledge about both the BOP and NIC. The federal prison population has declined significantly in the past five years, although this trend seems to be changing. In the fall

of 2018, the Department of Justice (DOJ) announced a record number of indictments. This increase in indictments will likely lead to an increase in convictions and, eventually, sentences and the federal prison population.

The First Step Act (FSA) has played a large part in reducing the prison population, particularly with regard to the way crack and cocaine offenders could have their sentences reduced. The First Step Act also changed the way the BOP calculates good conduct time and, as a result, approximately 3,000 inmates will be released on July 19th. Also, on July 19th, AG Barr will announce his presentation of the Risk and Needs Assessment System. BOP Acting Director Hurwitz indicated that the biggest challenge with implementing the system will be the logistics surrounding the assessment of each inmate in BOP custody. The July 19th report will be extensive and will include information on changes to good conduct time, crack cocaine offenses, increased volunteerism, increased inmate programming, and personnel regulations.

The White House recently began initiating changes to personnel regulations—e.g. allowing released inmates to work in the federal government—and they are also encouraging corporations to extend employment to the formerly incarcerated. The FSA also included changes to compassionate release; today inmates can seek release from a Judge if the BOP does not act on their compassionate release request within thirty (30) days. According to Acting Director Hurwitz, this does not, however, represent a significant number of inmates. The FSA allowed one hundred and fifteen (115) elderly inmates to move to home confinement.

The BOP's infrastructure is aging rapidly. At the Metropolitan Detention Center (MDC) in Brooklyn there were heating and power issues during the winter's polar vortex, during which the outside temperature only reached approximately five degrees Fahrenheit. BOP Acting Director Hurwitz discussed the *NY Times'* report that indicated that the power and heat were completely out at the facility and indicated these reports were untrue. This incident did shed light on the existing physical infrastructure problem throughout the BOP with respect to aging facilities. The BOP has \$700 million in documented infrastructure needs and an FY19 budget of only \$89 million.

Mr. Hurwitz discussed his efforts to conclude the search for a new Director of the NIC, as well as, filling the Advisory Board vacancies. Mr. Hurwitz is working on moving these initiatives forward by asking the Advisory Board members to recruit and make recommendations for the vacant Advisory Board positions. The Department will collaborate with the BOP on how to best accomplish that goal. As of now, six (6) nominations are currently awaiting approval signatures from AG Barr.

Chairperson Peters (OR) thanked Acting Director Hurwitz (BOP) for his presentation, and noted that his willingness to allow the Advisory Board to be involved with the recruitment process signaled his transparency. Mr. Hurwitz said he was generally optimistic that the proposed initiatives would be approved.

Dr. Wilkinson (Connecting the Dots, LLC) asked what role NIC could play with regard to helping to build awareness around both BOP's and state DOC's physical infrastructure needs. Acting

Director Vanek (NIC) suggested a survey or white paper could provide more information on how infrastructure needs are determined, the extent of funds provided to DOC's from state/federal legislatures, etc.

** The physical plant/infrastructure issue will be addressed again once NIC has a full board to consider/discuss.

Review and Approval of August 2018 Meeting Outcomes

Acting Director Vanek (NIC) directed the board members' attention to the outcomes document from the August 2018 meeting. The document was reviewed and approved by the board without change.

Acting Director's Report

Acting Director Vanek (NIC) provided the report, which will cover Advisory Board Member Terms, the State of the Institute, the President's FY20 budget proposal, the Agency's Staffing Update, the Strategic Plan Update, and Information on Innovations, Partnerships, and New Engagements (*refer to attached PowerPoint® Presentation*).

- <u>NIC Advisory Board Members & Terms</u> The Federal Advisory Committee Act (FACA) gives the Advisory Board authority to advise the NIC. The Advisory Board is made up of ten (10) appointed and six (6) ex officio members. Member terms are staggered and the membership balance plan, ensuring that the board is never comprised of 100% new members. NIC has re-staggered the terms to account for vacancies. Acting BOP Director Hurwitz asked if that was required by the statute, which Acting Director Vanek (NIC) confirmed. A Member can be reappointed to more than one term, if all involved parties agree. The Advisory Board currently has seven vacancies (four practitioner vacancies and three private sector vacancies). Three current Advisory Board Members' terms expire in September 2019. A quorum of nine (half the board (eight) plus one) is required for board decisions/direction to be given to the National Institute of Corrections.
- <u>State of the Institute</u> Despite many challenges, NIC has moved to a much more efficient modality in terms of service delivery over the past two and a half years, especially in regards to training. Chairperson Peters (OR) asked how the field was reacting to these changes. Acting Director Vanek (NIC) explained that people were excited to host events in their home states, though she admitted one negative result has been that the information from local training sessions tends not to proliferate across regions. NIC has always focused on partnerships and local collaborations, so increased engagement in this area is consistent with agency values.

NIC has also made greater use of data in their decision-making processes. Dr. Wilkinson (Connecting the Dots, LLC) asked if the strengthened partnerships included the various NIC-sponsored networks. Acting Director Vanek (NIC) said this topic will be covered

more fully in the afternoon session, and added that her focus was on whether the products which resulted from the partnerships and networks are both substantive and useful to the field of corrections. Acting Director Vanek (NIC) commended NIC staff for their commitment to the mission. A recent internal survey of staff found that eighty-eight percent (88%) of NIC staff agreed data was crucial to accomplishing the agency's goals, and seventy-nine percent (79%) of staff were in favor of using data to drive decision making. Approximately ninety percent (90%) of staff took part in the survey focused on data driven decision making strategies conducted the previous month.

Due to fiscal limitations, NIC has struggled to meet demand for critical programs, including the demand for Technical Assistance Requests (TAs). Chairperson Peters (OR) communicated this topic made her anxious, and that it may result in NIC becoming less relevant to the field. Acting Director Vanek (NIC) stated NIC needed to refine their delivery strategy and/or obtain increased funds to address the requests coming in to the agency. Acting Director Vanek (NIC) also explained that the continued uncertainty of "where NIC will land" with respect to its potential transfer to the Office of Justice Programs (OJP) has had an impact on staff morale, and low staffing numbers as a result of the hiring freeze/limitations have further contributed to staff leaning into catastrophizing thinking patterns. Helping staff to focus on positive thinking and all the good that the agency is doing for the field despite its operational limitations is of paramount concern to Ms. Vanek. Acting Director Vanek (NIC) did indicate, however, that she was pleased that NIC was working with Human Resources and should be getting new staff on board in the near future and the path to a more resilient future could be seen.

 President's FY20 Budget Proposal – As alluded to above, the President's proposed budget for fiscal year 2020 proposed consolidating NIC activities within the Office of Justice Programs (OJP). The budget proposed giving \$5 million to the Bureau of Justice Assistance (BJA) for corrections-related training and technical assistance, as well as \$3 million to the National institute of Justice (NIJ) for corrections-related research and evaluation. Thirty-four positions were outlined in the budget to be transferred to OJP, which was inconsistent with NIC's current staffing of 36 or its FTE allotment of 48. Historical trends indicate the budget proposals tend to change as they go through the reconciliation process and reviews by Congress.

Acting BOP Director Hurwitz voiced his support for the President's budget, adding that Congress would likely make significant changes to that proposed budget. Chairperson Peters (OR) said that the Association of State Correctional Administrators (ASCA) would be hosting the annual "ASCA on the Hill" event, and one of their items of interest/platforms included support for NIC and the importance of its work for the field of corrections. The stated goal of the budget is to align efforts to assist state, local, and tribal corrections efforts. Acting Director Vanek (NIC) recently engaged with the Directors of both BJA and NIJ, discussing potential transition plans should the budget be passed as written. Acting Director Hurwitz (BOP) said the budget would likely go through a number of continuing resolutions and therefore – if NIC were to be moved to OJP - implementation would not occur before late FY20.

• <u>Agency Staffing Update</u> - The federal hiring freeze implemented in early 2017 precluded NIC from hiring new staff and bringing those on who had started through the hiring process. There were also six vacant positions attrited in the spring of 2018 as part of the BOP's larger attrition process, which reduced NIC's full-time equivalent (FTE) complement of staff from 54 to 48.

Last August (2018), NIC had thirty-seven positions filled out of 48 FTEs allotted, which is a staffing rate of seventy-seven percent (77%). By June 2019, NIC had lost some staff to promotions outside the agency and some well-deserved retirements. Thirty-one positions are filled out of forty-eight FTEs allotted, resulting in a staffing rate of sixty-five percent (65%).

Since the August 2018 Advisory Board meeting, the following NIC positions have been vacated: the Data Manager, three Correctional Program Specialists, a Financial Program Specialist, and the Registrar. An Administrative Support Coordinator from DC is also expected to depart in July 2019. That is a total of seven positions NIC has lost to promotions and/or retirements in approximately 13 months.

To mitigate the effects of departures, NIC has brought on an Intergovernmental Personnel Act (IPA) Correctional Programs Specialist (CPS). NIC also hired an Executive Assistant in a "not to exceed one year" position. A CPS and an IPA CPS are expected to join the Prisons Division in July 2019. Two Administrative Support Coordinators and an Administrative Officer are forecasted to join NIC in Fall 2019.

<u>Agency Financial Considerations</u> - Budgetary constraints which began in FY17 and have continued through FY19 have led to changes in the way NIC does business. Thus, NIC has prioritized direct services and its presence in the field based, expending limited fiscal resources in ways that the data demonstrates the "biggest bang for the buck." One example where NIC has demonstrated tremendous success is increasing and implementing it's delivery of training and information through various online webinars. NIC tries to work as efficiently as possible, which will continue to be required due to the anticipated programmatic FY20 budget of \$7.6 million (a 48% reduction from historical programmatic budgets for the agency pre FY17).

NIC has also increased both competition and transparency in its cooperative agreements, contracts, and requests for purchase awards. With regard to networking, NIC often uses referrals and letters to the field, and NIC has been able to increase the use of its own in-house subject matter expertise of staff to deliver services to the field.

The NIC Executive Team has been strategically thinking through the challenges posed by long-term budget cuts as opposed to temporary constraints. To work with these budget limitations, NIC has been able to effectively transition to using data-driven decision

making processes through lists, surveys, and conferrals. NIC is also sun setting some legacy programs in order to invest limited resources on new initiatives where there is high demand from the field of corrections. As a result, NIC has been able to invest more of its limited resources in areas of high demand with innovative delivery methods. NIC continues to seek counsel from the Advisory Board regarding programs and efforts that need attention and those that could/should be considered for sun setting.

<u>Strategic Planning Update</u> – As an outcome of the strategic planning work that NIC conducted in 2017-2018, the agency's overarching principles are: Just Processes, Effective Systems, and Safe Communities. The stated mission of NIC is to "advance public safety by shaping and enhancing correctional policies and practices through leadership, learning, and innovation."

A Strategic Planning Steering Committee and an eTeam Engagement group were established to ensure this strategic planning effort would be different than previous attempts. Goal Teams began meeting in the late summer of 2018, but were greatly affected by the lapse in government appropriations. Despite the initial challenges, these teams identified some early wins they could accomplish by the end of the current fiscal year (FY19).

- ** Chairperson Peters (OR) reminded Advisory Board members to be thinking of which strategic goal they would want to work in conjunction with NIC staff on, and also provide their insight, expertise, and wisdom to the work of the agency.
- Innovations, Partnerships & New Engagements NIC has been completing curriculum updates on staffing analysis, restrictive housing, inmate management, and various leadership programs. The agency is also working on a new initiative to facilitate behavioral change in community supervision. NIC is working with the Office of Juvenile Justice and Delinquent Prevention (OJJDP) on training for superintendents over youth detention facilities, specifically on information sharing for improving juvenile justice measures, as well as, leadership development training for new juvenile facility leaders. Chairperson Peters (OR) asked how the agency decided to work with juveniles with the limited program funds available. Acting Director Vanek (NIC) explained that NIC has worked with OJJDP for decades after the founding legislation included both NIC and OJJDP. She added that, NIC invested \$50k in the effort and OJJDP invested \$350k, allowing NIC to co-brand on this issue and get more exposure at a lower cost.

NIC maintains its' collaboration with numerous professional membership associations.

** Ms. Childs (Uber) asked if the Board Members expiring in September would have any chance of staying on the Board. Acting Director Vanek (NIC) explained that recommendations went to the Department of Justice, who would be making those determinations. Chairperson Peters (OR) asked who made those recommendations, and Acting Director Vanek (NIC) explained that she did in conjunction with Acting BOP Director Hugh Hurwitz. Acting Director Vanek (NIC) reminded the Board that the next Advisory Board meeting was scheduled for September 5-6, 2019 in Washington, DC at the new office location (901 D Street SW, Washington DC).

Acting Director Vanek (NIC) also stated that there had been an increase in released NIC publications since Acting Director Hurwitz (BOP) took on his current role. Similarly, increased communications over the last eight to twelve months have strengthened NIC's brand and recognition in the field of corrections.

** Acting Director Vanek (NIC) noted she and her team would continue to work diligently to have NIC's pending publications released by the next scheduled Advisory Board meeting and/or provide a status update as to which documents remained pending.

Board Chair's Roundtable I: Field Training and TA needs

At the request of Chairperson Peters, Acting Director Vanek (NIC) provided a high level overview of where NIC perceived the greatest need for training and Technical Assistance requests to be in the field. The highest identified priorities for stakeholders are staff recruitment, hiring, retention, correctional staff health, and wellness.

Acting Director Vanek (NIC) said there were a number of trainings taking place at NIC that address these priorities:

- Parole Structured Decision Making Framework
- Virtual-Instructor Led Training (VILT) Leadership for Mid-Level Management
- Warden's Training (always has a waiting list)
- Strategic Inmate Management (formerly Inmate Behavior Management, applicable to both prisons and jails)
- Thinking for a Change, Training for Trainers (over 5,000 people currently use this online resource to train people in their local jurisdictions)
- Public Information Officer (PIO) Training (one of the most underserved areas as PIOs play a significant role in recruitment and retention because they are "mythbusters" who are able to break down what it means to be in the corrections field)
- Pretrial-Stakeholder Training & Executive Orientations (with the amount of turnover in the agency this area has needed more attention for some time)
- Objective Jail Classification (Jails Chief Amos (NIC) noted that the inmate population has changed so drastically that training on this topic was paramount; rather than starting from scratch, NIC will look at existing protocols developed in different jurisdictions)
- Security Audits 2.0 (of imminent concern to the field)

- Professional Networks & Product Delivery (professional Networks are critical for crosspollination between agencies)
- Justice-Involved Women (as the number of women in the criminal justice system grows, this area is expected to be in higher demand)
- Strategic Development of Executive Women (instrumental in supporting and developing women leaders within corrections)
- Frontline Supervisor and Mid-Manager Skills Training (includes coaching, and allows mid-level managers to develop their own leadership style)
 - Chairperson Peters (OR) commented during the 'Great Recession' every corrections agency cut back on training
- Executive Manager in Correctional Healthcare (Prisons Chief Taylor (NIC) reported that this initiative was for managing healthcare and ensuring that managers understand their roles)
- The Learning Professional, Coach, Designer, and Administrator Training for Trainers Series (a suite of trainings being rolled out in FY19 and FY20)

Acting Director Vanek (NIC) stressed the importance of NIC continuing to grow and adapt as the needs of the correctional field evolved.

Agency and Association Updates

Office of Juvenile Justice and Delinquency Prevention – Sanzanna Dean

Ms. Dean reported that, as with all federally supported programs, summer is the busy time of the year. OJJDP staff were efficient at accomplishing two related concurrent tasks: (a) funding projects and committing grant monies for FY19, and (b) developing concepts for FY20. OJJDP is running their drug court portfolio in FY19, to include family, juvenile, and tribal drug courts. OJJDP will also be providing grant awards to programs working with children who have incarcerated family members, as well as, those who work on opioid-related issues. On tribal issues, OJJDP is working on prevention through the Coordinated Tribal Assistance Solicitation (CTAS), supporting tribal work in OJJDP, BJA, and similar organizations. OJJDP is forming a work group for training juvenile correctional administrators.

Bureau of Justice Assistance – Thurston Bryant

Mr. Bryant explained that most of BJA's solicitations had been publicly released, with the exception of the Justice Assistance Grant (JAG). BJA has been funding reentry programs to a number of local jurisdictions for many years, as well as managing the National Re-entry Resource Center. BJA is also working on the Comprehensive Opioid Abuse Program (COAP). With the changing administration, BJA has continued to support various stakeholders. Community Services Chief Busby (NIC) asked if BJA was having internal conversations about the

data put out by NIJ regarding the Second Chance Act's potential lack of positive outcomes? Mr. Bryant said some of the results of an earlier NIJ study were not surprising because new programs always had "hiccups." BJA is in the process of improving their performance measurement tools.

Association of State Correctional Administrators – Chairperson Colette Peters (Oregon)

As Vice President of ASCA, Chairperson Peters (OR) said they were continuing to focus on getting their name out there as an organization. The second annual "ASCA on the Hill" event will be useful for accomplishing this goal. ASCA has also been able to create different funding streams to increase organizational stability.

United States Sentencing Commission – Kathleen Grilli

Ms. Grilli explained that the Commission designed by statute to be bipartisan, having commissioners appointed by the President and confirmed by the Senate. There are currently five vacancies on the Commission, and she noted that no more than three Commissioners can be from any one party. Due to these vacancies and lack of quorum, the USSC's policy agenda is on hold, as their charter requires four votes to amend the sentencing guidelines. When a new Commissioner does come in, there are agenda items they will immediately be able to be taken up. In the meantime, the Commission is collecting information on the federal sentencings that occur nationwide, they report on that data, and inform policy makers of their findings. In September, USCC will host their national training program in New Orleans. The Commission takes part in a number of studies, including one on intra-city differences in federal sentencing practices across 30 cities.

Since the last Advisory Board meeting, the USSC has released its fifth and sixth reports on mandatory minimums, as well as, a study on recidivism. In FY18, there was increase in federal sentences for the first time in six years (3.8%). There were increases in firearms offenses, declines in fraud, theft, and embezzlement, and drug trafficking cases. While there is work for the USCC to do on the First Step Act, they will have to wait until new Commissioners are appointed to begin that work beyond internal data analyses and reviews.

American Correctional Association – Jeff Washington

The ACA continues to collaborate with NIC on their Coalition of Correctional Health Authorities (CCHA) program. ACA is also involved with a NIC Technical Assistance request, at the state and local level, with Cuyahoga County, Ohio. ACA has teams working with the International Narcotics and Law Enforcement (INL) agencies in Mexico, El Salvador, and Colombia. They are also preparing for the 149th Congress of Corrections in Boston, Massachusetts on August 1-6. Next year's conference would be taking place in San Diego, California and August 2020 marks ACA's 150th anniversary in Cincinnati, Ohio. ACA will also be working on the wellness fair. Chairperson Peters (OR) shared that they have already raised over \$10k for the event, and added that ACA was still soliciting contributions. The Massachusetts Department of Corrections is donating nursing staff for the event, which is focusing on eight dimensions of wellness.

American Probation and Parole Association/National Association of Probation Executives – Marcus Hodges

Mr. Hodges commended his colleague Veronica Cunningham (Executive Director of the American Probation and Parole Association (APPA)) and Leighton Iles (President of the National Association for Probation Executives (NAPE)) for their leadership, as well as NIC leadership and staff for their work in these uncertain times. Wellness is vital to both APPA and NAPE; both organizations conducted surveys to gather more information about the subject, and both are drafting a white paper on their findings. APPA is currently going through a strategic planning process to improve infrastructure, voice, and organizational transformation. APPA will also be reducing the size of its Board to become a more nimble organization. For three years, APPA has been organizing an executive summit in partnership with NIC, BOP, NAPE, NIJ, BJA, and Bureau of Justice Statistics (BJS), among others, therein, and they will host a conversation about the state of the field. NAPE is also working with the PEW Research Center on law enforcement partnerships.

Department of Health and Human Services – Pedro Moreno

Mr. Moreno joined the meeting, and said Lynn Johnson was recently confirmed by the Senate to be the new Department of Health and Human Services (HHS) Assistant Secretary.

Oregon Department of Corrections – Chairperson Colette Peters (OR)

Chairperson Peters (OR) discussed how public safety reform is happening across the country. Oregon recently passed legislation stipulating that children will no longer be automatically waived into adult court for serious and violent crimes. Moreover, juveniles are now referred to as "juveniles in custody" rather than "inmates;" this is consistent with the language change she championed in the adult system, referring to "adults in custody" as opposed to "inmates."

Eighteen months ago, the Oregon DOC sent a legislative delegation to a Norwegian corrections agency. The Norwegian staff were very healthy, and there was a sense of normalcy inside the prison environment itself. The Oregon DOC used some of Norway's tactics to work with two of their most violent inmates. One borrowed technique was to stand in front of an inmate's cell and make him a cup of tea if he doesn't have a violent outburst within ninety seconds. As a result of numerous interventions, a number of Oregon's correctional units are now calmer and have had demonstrated reductions in uses of force and incidents of injury for both staff and adults in custody. Unlike correctional institutions in the U.S., Norway focuses on the environment they are creating and then builds up security.

NIC Impact & Data Assessment Initiative Update

At the request of Acting Director Vanek (NIC), Scott Weygandt, NIC Management and Program Analyst, provided the report (*see attached PowerPoint® document*). In 2015, NIC began the NIC Impact Initiative to determine their influence on the field. NIC hired consultants to help create a

roadmap, and one of the primary recommendations was to focus on how data could improve NIC's decision-making processes. NIC began an analytics program in 2016 and hired a data manager in 2017. In 2018, NIC was able to produce basic charts and graphs on their performance, though practical insights that could be valuable in making operational decisions were still limited. In the last six months, NIC started visualizing their data using the software program Tableau, which revealed trends in their data and better supported data-driven decision making among the executive team.

NIC offers roughly 250 eCourses (60 of which were created internally by NIC). From May FY18 - May FY19 there was a 23 percent (23%) increase in eCourse completions. Additionally, there was a 17 percent (17%) increase from October FY18 to May FY19. These increases have been accomplished with little to no professional marketing resources.

As some state/local jurisdictions occasionally run into difficulty accessing NIC's Learning Center (often due to agency firewalls, sheer numbers of staff trying to access, etc), Mr. Weygandt (NIC) discussed the ability to create a sub-learning center to allow these staff the ability to complete particular trainings. Mr. Bryant (BJA) asked if eCourses were for correctional officers only, and Mr. Weygandt explained that courses, for the most part, were open to anyone in corrections.

Mr. Weygandt (NIC) displayed information on the 25 most popular eCourses from FY15 - FY19. The top five courses accounted for approximately thirty percent (30%) of completions, which could have implications for how NIC develops courses in the future. NIC also recognized data which indicated unpopular eCourses which should be removed from the LMS. The average user completes 2.52 courses. One of the drivers of NIC course completion is the certificate provided after each course, though only certain Skillsoft courses provide certificates upon course completion. Mr. Weygandt (NIC) addressed the question regarding NIC's collaboration with other agencies in terms of LMS course content, and in his confirmation indicated that NIC does collaborate with other agencies. Mr. Weygandt (NIC) further explained the functionality of the data management software program, Tableau, by sharing the software's main function is to display data trends. Mr. Moreno (HHS) asked if NIC had considered training through Massive Open Online Courses (MOOC). Mr. Weygandt (NIC) said that the cost was of concern for NIC, and added that NIC does obtain educational courses came from other governmental agencies such as OPM, FEMA, FAITAS, etc.

The states of Texas, Missouri, and Georgia account for forty-two percent (42%) of all eCourse completions between FY15 - FY19. Unfortunately, agency completion data may be incomplete because once an agency downloads eCourses to their own LMS or intranet, the completion rates do come back to NIC for inclusion in the data pool unless the agency actively reports the information to NIC. This is done for agencies that have difficulty accessing the LMS. Chairperson Peters (OR) added that the data representing Texas might be an outlier given the sheer number of correctional officers they have.

** Dr. Wilkinson (Connecting the Dots, LLC) recommended reaching out to states with limited exposure to/engagement with the NIC LMS to encourage their participation.

The primary consumers of NIC's eCourses are nonsupervisory employees and line staff. About forty-five percent (45%) of completed courses are completed by staff with less than two years' experience in their respective positions.

Chairperson Peters (OR) elaborated on information obtained when Oregon DOC analyzed their terminations, in that, they found that people with 14-20 years' experience were terminated for making poor choices, suggesting something went wrong with their training. Mr. Brown (NIC) agreed and noted that some years ago a study found that police officers burned out after fifteen (15) years, which he said spoke to the need for more wellness training and education.

Mr. Weygandt (NIC) then provided an overview of NIC's Inmate Suicide Prevention eCourse Follow-up Survey outcomes, noting a response rate of only ten percent (10%). Of those respondents, however, ninety-one percent (91%) reported that the course made them more aware of suicide prevention issues. The data, even with the low response rate, seemed to indicate that this course was pursued out of personal interests of those who enrolled.

Classroom event completions were down forty-five percent (45%) from FY17 - FY18 due to dramatic reductions in the agency's programmatic budgetary resources. The overall scheduling of classroom events was reduced, which contributed to the decline in participation numbers. California completed the most classroom events from FY17 - FY19. Mr. Weygandt (NIC) ensured the audience was aware that the displayed state signified where a trainee was from rather than where the training occurred. Mr. Weygandt (NIC) also clarified if a trainee registered for training in the NIC LMS it would populate in the displayed map.

Dr. Wilkinson (Connecting the Dots, LLC) said the term "classroom" was misleading because it seemed to indicate only 'in person' trainings. Mr. Weygandt (NIC) clarified by explaining that "classroom" was a deep bucket which included various types of trainings. He stated that most participants in classroom events were senior-level and executive-level staff. The data also showed someone new to a position was more likely to complete a classroom event than someone who had been in their positions for longer durations. Mr. Bryant (BJA) asked who else besides correctional officers would be completing trainings?, to which Ms. Walters (NIC) said it could be program or contract staff, volunteers, or other stakeholders.

With respect to the NIC website, the agency uses Google Analytics to track who is visiting and/or researching content on the NIC site (www.nicic.gov). Web traffic for nicic.gov demonstrated a slowdown in FY18 but ramped back up in FY19. Mr. Weygandt (NIC) shared that NIC launched a new website in October 2018, which was streamlined and mobile-friendly. Dr. Wilkinson (Connecting the Dots, LLC) asked why NIC did not have a one hundred percent (100%) response rate for classroom event surveys? Mr. Weygandt (NIC) provided the insight that NIC utilizes Survey Monkey to disseminate post-training surveys which may contribute to

this data point, and also the participant has the certificate of completion so the survey is optional for them to complete.

Mr. Weygandt (NIC) showed a slide displaying the number of library visitors, document requests, and media requests for FY19. There is a direct correlation to the number of visitors documented physically touring the library at the NCA, and the amount of requests, books, and materials loaned out from the NIC Library. Recently NIC remodeled the library and installed a Technology Bar to provide more information to visitors. Mr. Brown (NIC) said the library held about a third of the printed books it used to. Acting Director Vanek (NIC) stated the librarians are extremely helpful to both NIC and BOP classroom participants, noting that the increased engagement in the physical library space has exposed more patrons to the value of the information center. She noted that the Information Center cost the agency approximately \$1.2m annually, and added NIC is extremely pleased it is helpful to so many corrections professionals both within the physical library and online via the ZenDesk ticket system.

Structured Decision Making Framework

Ms. Robbye Braxton, NIC Correctional Programs Specialist, gave the report, noting that parole boards typically only get attention when something bad happens or a famous inmate is released. Chief Busby (NIC) said one of the things the Community Services Division was trying to focus on was funding key areas of community based supervision like pretrial, probation, and parole. NIC is one of the few entities serving the nation's parole boards. With so much fluctuation across the states in how parole is managed, NIC is extremely targeted in how they support these bodies.

NIC's Structured Decision Making tool was piloted roughly seven years ago to provide parole boards with better criteria for who should and should not be released from custody. This effort began when NIC looked at Canada's Structured Decision Making Framework, which offers objective domain areas that parole board members can use to evaluate an individual rather than relying on their presuppositions. NIC piloted a similar platform in Ohio, Kansas City, and Connecticut, adjusting their tool to be more sensitive to the specifics of the U.S. justice system.

The NIC pilot ran for three years, eventually expanding to Washington, Utah, South Dakota, and Kentucky. NIC did not implement the program in states they deemed not ready. California— which has sixty members on its parole board—was given a chance to use the tool, and this case presented several unique challenges. For example, in California parolees that are denied can challenge their decision, and parole boards did not use risk assessment. The sheer volume of people needing training on this tool made it a difficult project. The presence of a psychologist on California parole boards also presented complications.

When they finally began training, NIC discovered there were 86 people attending the session – a lot larger participant group than NIC's typical, evidence-based approach of having 24-30 participants at most! The Executive Director of the California parole board invited some state officials to witness the training and support stakeholder buy in. NIC took on the challenge,

understanding that some parole board members were skeptical of the tool and may be resistant to embracing it. On day two of the training, participants broke the groups up and asked the teams to apply the tool to actual cases. Reception for the tool began to warm up and participants in turn began to embrace the tenets of the tool.

By the beginning of July 2019, California will begin using the tool on an official basis. Even during the state's pilot, however, the told/model has already been shown to cut down the time it takes to adjudicate a parole case. Ms. Braxton (NIC) stated it would be interesting to examine California's parole boards after they used the tool for three years and track the data. In one recent parole hearing, an offender said he was not ready to be released yet (something that the board said they had never seen before). Next year, two additional states will be given the training on how to utilize the tool.

With regard to testing the tool's efficacy, Ms. Braxton (NIC) explained that data collection is required for states that use it, and ultimately the tool allows parole board members to point to objective measures rather than their own vague judgments.

Ms. Braxton (NIC) hoped in three years they could say they have a tool that could be labeled as being evidence-based. Chief Busby (NIC) said parole board members often lacked substantial information about the substance and effectiveness of evidence-based programming. Mr. Moreno (HHS) said that while faith-based organizations can have a positive influence in the corrections environment, they are often ignored when it comes to evidence-based approaches. Ms. Braxton (NIC) further explained that, if parole boards would make decisions on data and objective criteria as opposed to solely on "gut instinct," that alone would be extremely helpful and advance the field considerably.

Ms. Braxton (NIC) said Canada had been labeling SDMF an evidence-based practice for the last seven years. She provided information on the tool's domain areas:

- the jurisdictions must have some statistical estimate of risk assessment;
- criminal and parole history the pattern and seriousness of prior supervision;
- disinhibitors whether a person exhibits that they have self-control;
- program responsivity how an offender processes thoughts in response to different programs they have participated in;
- institutional/community behavior an offender's conduct in the institution, as well as, disciplinary actions;
- offender change a comprehensive look at an offender, including their correctional plan, their program participation, and anything that indicates change;
- release plan plans for post-release, including housing, employment, and available peer support; and

• victim considerations - absent in the Canadian model, in the U.S. victims have an opportunity to speak before a parole board/case-specific examples such as a famous offender could also be considered.

Rather than award points within the system, these domains are designed to guide the parole board's discussion of and with the offender. There are alternative evaluation models in Colorado and Pennsylvania.

** Dr. Wilkinson (Connect the Dots, LLC) said he could set up a meeting with Jennifer Oades—the Director of the Canadian parole board—to provide more information on the Canadian model, should Chief Busby and CPS Braxton be interested.

NIC/BJA Jails Technical Assistance & Training Support Working Group

Chief Amos (NIC) gave the report, beginning by stating that there have been innumerable changes to a field in which 3,000+ jails are scattered throughout the country. Moreover, professional organizations like the American Correctional Association (ACA), Association of State Correctional Administrators (ASCA), and the American Jail Association (AJA) wield significant influence with their diverse constituents. Jails are a complex environment, and there has been growth in the population of those with mental health issues and substance abuse disorders. All too often, jails become ad hoc mental health facilities in our communities.

Looking to improve on this situation, NIC realized they had to be a force multiplier to respond to the issues facing the nation's jails. NIC has become quite efficient and effective at this, sharing an example where NIC had recently trained 30 administrators from the Florida Sheriffs Association on jail administration for a cost of \$1,500.

The biggest challenge faced by jails is the public health/public safety divide, and too few resources are allocated to provide proper treatment for the mentally ill and those with substance abuse disorders. In some localities, corrections staff have to offer services they did not previously. Today, NIC has been afforded an opportunity to assist local jurisdictions at an unprecedented speed.

In 2017, NIC went to COPS (Community Oriented Policing Services) and looked at their collaborative reform initiative, concluding they would have more impact building local capacity rather than undertaking the litigation process. In February 2019, former AG Sessions put forward a directive stipulating that the DOJ Civil Rights Division needed to revise how they considered and entered into consent decrees. Subsequently, a DOJ-supported Working Group was formed to gather information from the field and create comprehensive strategies to address pervasive issues.

One of the key areas the Working Group is addressing is medication-assisted treatment (MAT) and its associated liabilities. Recently, a Working Group document on pharmacy practices was

recognized by the *New England Journal of Medicine* as promoting positive changes. As NIC works to bridge this public health/public safety divide, they find themselves in previously unknown territory, such as adapting medical protocols to fit a correctional setting.

Chief Amos (NIC) elaborated that, while serving in his part-time detail with BJA, he has been asked to be the correctional liaison. NIC and BJA are hoping the Deputy Attorney General will sign the memorandum directing federal agencies to partner with the Working Group to advance actionable projects on this topic. Last year NIC organized the all sheriff's authority meeting on opioids, which resulted in a list of actionable items recognized by the Attorney General. Next week, NIC is holding the second All Sheriff's Authority meeting, with a focus on mental health in jails.

He noted further, that inmate behavior management is a major concern in jails, and NIC is updating many of their training programs related to this topic. Improvement to classification and staffing training content is expected to diminish the amount of litigation faced by jails.

NIC is looking to use their budget more strategically than in the past, putting out the best possible curricula, building a broad coalitions, and focusing on direct training. In working with various stakeholders, NIC hopes to help jails to lift some of the consent decrees in place in different jurisdictions across the country. Chief Amos (NIC) said it is important that BJA work closely with NIC, combining agency efforts to assist these jurisdictions.

Dr. Wilkinson (Connecting the Dots, LLC) asked for more information about the Working Group's public health official. Chief Amos (NIC) said, that NIC has been working to expand its relationship with the Substance Abuse and Mental Health Services Administration (SAMHSA), but is fortunate to have both Anita Grant (NIC Correctional Program Specialist and Captain in the US Public Health Service) and Sandy Cathcart (NIC Correctional Program Specialist) with backgrounds and expertise identifying challenges associated with suicide and staff wellness.

Chief Busby (NIC) reminded the group that 60% of people in America's jails have not been sentenced. Although some people should be kept in custody while awaiting sentencing, many argue that this mechanism has been overused, as has the use of money bail. This is an important consideration for the field, because studies show the longer one stays in jail the more likely they are to matriculate to the prison system and be unsuccessful in custody. Chief Amos (NIC) said that while there is a place for jails in American society, many existing facilities require paradigm shifts in thinking and operations while continuing to support public safety within their communities.

Planning for Next Advisory Board Meeting Goals and Objectives

Chairperson Peters (OR) opened discussion up for setting up dates for scheduling the next Advisory Board meetings and, potentially phone calls during the year. Acting Director Vanek (NIC) stated that the next Advisory Board meeting has been tentatively scheduled for September 5th and 6th in Washington, DC, and will be held at the new 901 D Street SW office location.

Public Comment Period

Acting Director Shaina Vanek (NIC) opened the floor for any additional public comments. Mr. Moreno (HHS) shared his thoughts of the benefits of hosting guest speakers at Advisory Board meetings, and asked for consideration of hosting them in the future. Chairperson Peters (OR) explained the Board has had experts speak at meetings in the past, and received feedback from sitting board members and NIC leadership that the time was better spent working on providing counsel and advice around NIC-specific issues. Having no additional comments brought forward, the public comment period was closed.

With no further business to discuss, Acting Director Shaina Vanek (NIC) adjourned the NIC Advisory Board meeting at 4:30 p.m.













NIC Advisory Board Members & Terms

- 18 U.S.C. § § 4351-4352
 - Chapter 319 of title 18, United States Code, establishes the duties of the NIC
 - Section 4351(b) of Title 18 directs that the overall policy and operations of the NIC shall be under the supervision of an Advisory Board
- 16-Member NIC Advisory Board
 - 10 AG appointed members
 - 6 ex-officio members

NIC Advisory Board Members & Terms

- Staggered Terms
- Current Vacancies (0)
- Current Board Member Terms Expiring September 6, 2020 (3)
 - 1 Practitioner Representatives (May)
 - 2 Private Sector Representatives (Carlson, Tuthill)
- Reappointment draft with DOJ attorneys for review



National Institute of Correction





NIC Budget

- October 2017 (FY18)
 - Additional 18% reduction in programmatic funds to \$7.6M (48% total reduction from historical norms) (continuing resolutions)
- October 2018 (FY19)
 - Maintained 48% reduction in programmatic funds at \$7.6M for the year (continuing resolutions)

National Institute of Corrections

- March 2019 (FY19)
 - President's FY20 Budget Proposal proposed consolidating NIC activities into the OJP, dividing NIC staff and fiscal resources between NIJ and BJA























Show Me the Data: Technical Assistance

- NIC's unique role in providing responsive TA
 - Delivered at the request of submitting jurisdiction
 - Not dependent on mandated/topic-targeted funds
 - Tailored to the unique needs of the requesting jurisdiction in most cases
 - Critical incident TA can be started within a matter of days of receiving request

National Institute of Correction

 Any records generated are not the property of the federal government, but of the requesting/recipient jurisdiction



















Looking Back, Looking Forward

Accomplishments

- Creative and efficient delivery of services
- Strengthening of partnerships
- Greater use of data in decision-making
- NIC firmly with BOP (absence of uncertainty)
- Quick and effective shift to 100% telework status for staff

Challenges/Opportunities

- Staying connected
- Global pandemic necessitating
 greater nimbleness and flexibility
- Demand for critical programs still exceeds resources to deliver
- Need to continue to refine delivery modes/strategies
- New staff joining the Institute



National Institute of Corrections

Looking Back, Looking Forward

- A tight programmatic budget has changed the way NIC has done business in the past and how we will continue to do business in the future
 - Prioritized direct service and presence in the field (training, TA, webinars, eCourses, presentations)
 - Realized cost savings and efficiencies
 - Improved business practices, increasing both competition and transparency (78% RP's, 76% CoAgs competitive in Q1/Q2)
 - Utilization of NIC staff as subject matter experts in delivering services

Looking Back, Looking Forward

- \$9.1M programmatic budget expected for FY21
 - Impact of temporary versus long term reductions
- Process of decision-making for FY21
 - Continued impact of COVID-19 pandemic, uncertainties
 - Data-driven decisions (wait lists, survey, conferrals)
 - Sun setting legacy programs, sharing curricula with the field
 - Investing limited staff/fiscal resources in areas of high demand
 - Greater focus on innovations, virtual delivery of programs and TA



Looking Back, Looking Forward

- Continue to see high demand and need for:
 - operational / back to basics issues for institutional settings
 - leadership (new supervisor, management, executive levels)
 - cross-agency networks, training, professional development
 - emergency preparedness / critical incident and issue response
 - mental health (CIT, MHFA, suicide)
 - gender responsive strategies and practices
 - staff recruitment, retention, wellness
 - publications, including ePublications







Shaina Vanek, Acting Director

National Institute of Corrections 320 First Street NW, Room 5002 Washington, DC 20534 <u>svanek@bop.gov</u> www.nicic.gov

Information Center: 800.877.1461 support@nic.zendesk.com

