



## Advisory Board Meeting

June 19, 2020

### Discussions, Decision Points, and Outcomes

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**In Attendance:** Colette S. Peters, Chair, (OR), Panda Adkins (NIC), Clarence Adams (NIC), Stephen Amos (NIC), Ken Andrews (NIC), John Baldwin, (Illinois DOC, retired), TeNeane Bradford, (OJJDP), Lorie Brisbin (NIC), Barbara Broderick (Maricopa County Adult Probation, retired), Robert Brown (NIC), Maureen Buell (NIC), Holly Busby (NIC), Norman Carlson, (BOP, retired), Blanche Carney (Philadelphia Department of Corrections), Michael Carvajal (BOP), Cameron Coblenz (NIC), Sanzanna Dean (OJJDP), Jim Eaglin (FJC), Lori Eville (NIC), Harry Fenstermaker (NIC), Anita Grant (NIC), Katie Green (NIC), Kathleen Grilli (USSC), Jeff Hadnot, (NIC), Mike Jackson (NIC), Donna Ledbetter (NIC), Leslie LeMaster (NIC), David Lewis (BJA), Teresa May (Harris County TX, Community Supervision & Corrections Department), Gabriel Morgan (Newport News (VA) Sheriff's Office), Jan Pawlus (NIC), Anne Precycthe (Missouri Department of Corrections), Scott Richards (NIC), Jim Sawyer (NAPSA), Patricia Taylor (NIC), Ronald Taylor (NIC), Pat Tuthill (Victims Advocate), Shaina Vanek (DFO-NIC), Susan Walters (NIC), Glenn Watson (NIC), Scott Weygandt (NIC), Reginald Wilkinson (Connecting the Dots LLC), Tim Woods (NSA).

#### Friday, June 19, 2020

Shaina Vanek, Acting Director (NIC), called the meeting to order at 11:02 a.m

#### Meeting Opening & Introductions

Shaina Vanek, Acting Director, (NIC), welcomed the board and noted that this is the first meeting in several years where there are no vacancies on the board. Chairperson Colette Peters (OR) welcomed the Board to the virtual meeting and thanked Acting Director Vanek (NIC) for her leadership during the Covid-19 Pandemic and for putting this meeting together. She also welcomed new members to the Board. Chairperson Peters (OR) noted that the meeting took place on Juneteenth, the oldest nationally celebrated commemoration of the ending of slavery in the United States.

#### Review of the Outcomes Document

Acting Director Vanek (NIC) directed the board members' attention to the outcomes document from the June 2019 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 NIC's Mission and Vision, Getting Grounded in NIC as Board Members, NIC Budget, Founding Legislation, Agency Staffing, and NIC Data, (refer to attached PowerPoint® Presentation).

- **NIC Mission and Vision** – The National Institute of Corrections' (NIC) mission is to advance public safety by shaping and enhancing correctional policies and practices through leadership, learning, and innovation. The NIC vision is: Just processes; Effectives systems; and Safe communities. NIC has focused on strategic planning by focusing on the internal budget and staffing to bring it to a healthy place.
- **Getting Grounded in NIC as Board Members** – The statute that created NIC is 18 USC 4351-4352, under Chapter 319 of Title 18, United States Code. NIC was created as a result of the Attica Prison riots in 1971. The statute states that the advisory board will have 16 members with 10 appointed by the Attorney General and six ex-officio members from different government stakeholders. Out of the ten appointed by the Attorney General, five will be public sector representatives and five will be private sector representatives. All board member terms are staggered. There are three members' terms that are expiring on September 6, 2020. Those members fill one practitioner and two private sector seats on the board.
- **NIC Budget** – The historical budget figure for NIC from the early 2000's to FY17 was approximately \$20 million yearly. The funding was divided into two parts, resulting in \$6 million for staffing at and \$14 million for programmatic budgets. During January 2017, NIC received a 20% reduction in programmatic funds which resulted in \$11.5 million of funding. There was an additional 10% reduction in programmatic funds in August 2017, reducing the programmatic budget to \$10.1 million.

In October 2017, there was an additional 18% reduction to the programmatic funds, which reduced the budget to \$7.6 million. This is a 48% overall reduction from historical budget norms. In October of 2018, NIC maintained that same reduction with a programmatic budget set at \$7.6 million.

There was a proposal to divide NIC staff and fiscal resources between the National Institute of Justice (NIJ) and the Bureau of Justice Assistance (BJA) during FY20. Congress ultimately did not move NIC over to Office of Justice Programs (OJP) and NIC remained in the Bureau of Prisons (BOP), with the passing of the FY20 federal budget in December 2019. With NIC under the administrative umbrella of BOP, former BOP Director Kathy Hawk Sawyer supported NIC Acting Director's request for an additional \$1.5 million in programmatic funds, bringing the programmatic budget to \$9.1 million or 63% of the historical \$14.4 million budget norm.

Then, the coronavirus pandemic struck the nation, with federal agencies moving to maximum telework status for their staff and significant travel restrictions – both on the national and local scale.

NIC made the decision in April/May of 2020 to cancel in-person training for the rest of the fiscal year (through September 2020). These events have either been moved to a virtual platform or been cancelled. In addition, \$2.8 million dollars in programmatic funds originally planned for in-person training and technical assistance was reviewed and re-obligated for virtual training and engagement with the field. NIC has been able to approve \$1.95 million to be obligated for work that can be substantively engaged by the end of FY20. NIC expects to have a budget of \$9.1 million in FY21.

Finally, the Institute has focused efforts and investments in staff training. This includes investments to train staff to transition from in person program delivery to virtual distance delivery.

- **Agency Staffing** – All Federal government agencies within the Executive Branch were placed on a hiring freeze in January 2017. The hiring freeze was lifted in April of 2019. NIC remained on a modified hiring freeze due to the uncertainties related to a potential move/division of NIC staff and fiscal resources going in to FY20. As a result, NIC has a significant number of vacancies, which makes it challenging to operate at optimum levels.

Several unfunded positions were reduced at NIC between January 2017 and April 2019. This resulted in the reduction of the full time employee (FTE) cap from 54 to 48. The Institute lost one staff member, an Administrative Support Coordinator, to a promotion, but managed to hire four new staff members (one each of Administrative Support Coordinator, Correctional Program Specialist (CPS), Intergovernmental Personnel Act (IPA) CPS, and Administrative Officer) since June 2019. NIC currently has one CPS/Public Health Manager on loan from Bureau of Prisons and the Public Health Service.

- **Full Time Employment Data**
  - August 2018: 37 out of 48 FTE positions filled (77% occupancy)
  - June 2019: 31 out of 48 FTE positions filled (65% occupancy)
  - June 2020: 34 out of 48 positions filled (71% occupancy)

NIC is working with the BOP human resources team to increase agency staffing and mitigate vacancies. Hiring efforts are underway to hire six Correctional Program Specialists, one IPA CPS, one Grants Management Specialist, and two Administrative Support Coordinators.

- **NIC Data** – Acting Director Vanek (NIC) presented data visualizations in service delivery areas such as eCourses, Technical Assistance (TA), Instructor Led Training (ILT), Virtual Instructor Led Training (VILT), and Webinars.

**eCourses** - The top five eCourses were in the subject areas of the Prison Rape Elimination Act (PREA), inmate suicide, and communication. Most eCourses that are completed are by supervisors and line staff. There was a significant increase in eCourse completions in March to May 2020 due to social distancing and work from home orders occurring in corrections agencies in all levels of government. Most completions are from staff employed by state and local agency jails and prisons.

- eCourse Completion Data: October 1, 2015 through May 31, 2020
  - FY 2016: 89,229 completions
  - FY 2017: 89,199 completions
  - FY 2018: 97,182 completions
  - FY 2019: 113,301 completions
  - FY 2020: 153,785 completions (through May 31, 2020)

**Technical Assistance** - NIC delivers Technical Assistance (TA) at the request of a submitting jurisdiction. TA is tailored to the unique needs of the requesting jurisdiction. For critical incident TA, the institute can arrive within days to provide assistance. Any records that are generated from the technical assistance are not property of the Federal Government but are owned by the recipient jurisdiction. Additionally, 82.3% of NIC technical assistance conducted utilized an NIC CPS and a contracted consultant/professional. 17.7% of NIC technical assistance was provided solely by an NIC CPS.

- Technical Assistant Request Fiscal Year 2017 through Fiscal Year 2020
  - FY 2017: 192 requests
  - FY 2018: 138 requests
  - FY 2019: 106 requests
  - FY 2020: 68 requests (through May 31, 2020 )

There have been several issues that have influenced the delivery and/or accounting of TA including: 1) budget reductions; 2) absence from the field in early calendar year 2017; 3) missing data due to database complications; and 4) changing the rules on what events are considered TA. Training is no longer counted with TA.

**Instructor Led Training** - From FY18 through FY20, there were 134 ILT's averaging 25 participations per class. In total, there were 3,320 participants of NIC ILT's three years.

**Virtual Instructor Led Training** - NIC delivered 432 VILT's averaging 17 participants per course. In total, there were 7,179 participants trained via VILT's over three years.

**Webinars** - There were 2,956 connections to webinars between October 1, 2019 and May 31, 2020.

- Webinars and Connections
  - FY 2018: 214 Connections, 7 Webinars
  - FY 2019: 1,210 Connections, 9 Webinars
  - FY 2020: 2,956 Connections, 7 Webinars (Through May 31, 2020)

- **Accomplishments, Challenges, and Opportunities** – NIC has had several accomplishments in the last year, including: 1) creative and efficient delivery of services; 2) strengthening of partnerships; 3) greater use of data in decision making; 4) NIC firmly administratively under BOP; and 5) quick and effective shift to a 100% telework status for staff.

Meanwhile, NIC is facing challenges and opportunities, including: 1) staying connected with each other in the virtual environment; 2) global pandemic has necessitated greater nimbleness and flexibility; 3) demand for critical programs still exceeds resources to deliver; 4) continuing to refine delivery modes and strategies; and 5) hiring of new staff.

Due to its tight programmatic budget, NIC has chosen to prioritize direct service and their presence in the field. They have recognized cost savings and efficiencies to deliver as much as possible with the dollars budgeted. NIC has improved business practices with increasing competition and transparency. In Quarters 1 and 2 of FY 2020, 78% of RP's and 76% of cooperative agreements were competitively bid. Minimally, NIC also plans to engage in two budget reconciliations in FY 2021, anticipating the ongoing effects of the global pandemic.

### **Wrap-up and Public Comments**

Chairperson Peters (OR) thanked Acting Director Vanek (NIC) for her presentation, her leadership during the pandemic, and through the challenges NIC has faced since 2017.

A public comment period was provided for, with members of the other federal agencies and professional associations electing not to speak at this initial streamlined Advisory Board meeting, but rather, at the next meeting.

The board, by no objections, moved the ethics training to a future date, likely at the next meeting in September.

Mr. Wilkinson (CTD) thanked Mr. Eaglin for his service and work and suggested inviting him back to the board as a private citizen after he retires. Ms. Sawyer (BOP) thanked NIC and the board for their dedication to the field.

The next Advisory Board meeting is scheduled for September 17 – 18, 2020.

The meeting was adjourned at 1:24 p.m.

# Acting Director's Report

## NIC Advisory Board Meeting

June 19, 2020



## Topics & Updates for Today

- Getting Grounded in NIC as Board Members:
  - NIC Mission and Focus
  - NIC Advisory Board Members & Terms
- NIC Budget
- Agency Staffing
- Show Me the Data!!!
- State of the Institute
- Looking to FY 2021



## Getting Grounded in NIC as Board Members



## NIC's Mission & Focus

*Our mission is to advance public safety by shaping  
and enhancing correctional policies and practices  
through leadership, learning, and innovation.*

JUST PROCESSES  
EFFECTIVE SYSTEMS  
SAFE COMMUNITIES



## 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





# NIC Budget



## NIC Budget

- Historical Budget Figures (early 2000's – FY17):
  - Approximately \$20M between staffing (~ \$6M) and programmatic (~ \$14M) budgets, relatively static for over 15 years
- January 2017 (FY17)
  - 20% reduction in programmatic funds to \$11.5M
- August 2017 (FY17)
  - Additional 10% reduction in programmatic funds to \$10.1 (30% total reduction for the year)
  - Increased challenge to find 10% so close to the end of the fiscal year (October 2017)



## 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)
- 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



## NIC Budget

- October 2019 (FY20)
  - Maintained 48% reduction in programmatic funds at \$7.6M at the start of the year (continuing resolutions)
- December 2019 (FY20)
  - Congress passed the federal budget
- January 2020 (FY20)
  - Secured additional \$1.5M to support programmatic needs (brought us to \$9.1M, or 63% of historic \$14.4M budget norm)
  - Focused on areas where the demand from the field exceeded available resources; could be substantively completed in FY20

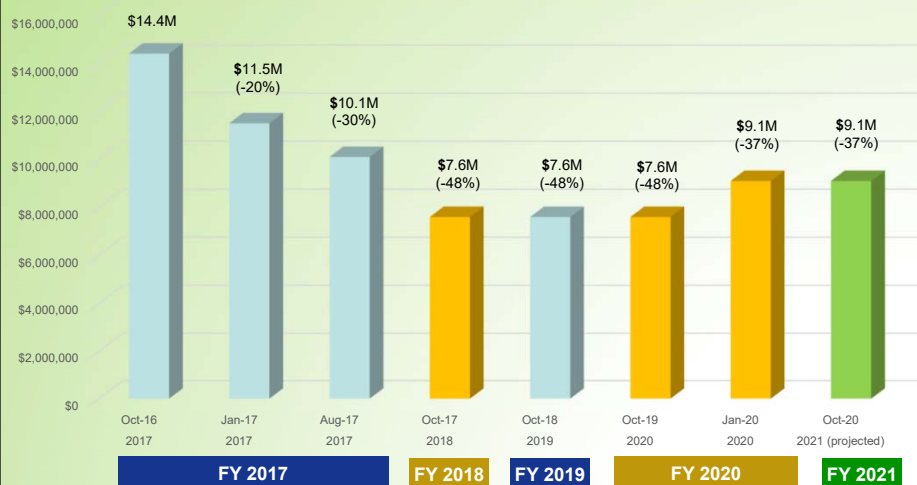


# NIC Budget

- February/March 2020 to Present (FY20)
  - Epidemic turned into pandemic, impacting NIC plans / operations
  - By early April, it became clear that in person program delivery would likely be impacted through the rest of FY20
  - NIC divisions reviewed all program deliveries
  - In early May, divisions returned \$2.8M in funds to the Institute, with \$1.95M in funds approved by SDD/Director that could feasibly be obligated with work substantively engaged in by the end of fiscal year
  - Investments currently being made in training staff to transition from in person program delivery to virtual/distance delivery



## NIC Programmatic Budget FY 2017 – FY 2021



# Agency Staffing



## Agency Staffing

- Hiring freeze (January 2017 – April 2019)
- 6 unfunded position attritions in Spring 2018
  - Reduced agency FTE cap from 54 to 48
- Staffing Complement:
  - August 2018: 37 positions of 48 FTE's filled (77%)
  - June 2019: 31 positions of 48 FTE's filled (65%)
  - June 2020: 34 positions of 48 FTE's filled (71%)
- 1 CPS on loan from PHS/BOP



## Agency Staffing

- Attrition since June 2019 meeting
  - Administrative Support Coordinator (July 2019 due to promotion)
- Staff on boarded since June 2019 meeting
  - 1 Administrative Support Coordinator
  - 1 Correctional Program Specialist (Prisons)
  - 1 IPA Correctional Program Specialist (Prisons)
  - 1 Administrative Officer
- Projected departures for CY 2020



## Agency Staffing

- Current efforts to mitigate vacancies:
  - Chiefs reviewed all positions, agency needs, and vacancies and made recommendations to SDD/DIR in January 2020
  - Hiring efforts currently under way for:
    - 6 Correctional Program Specialists (in order to have equal CPS staffing of 6 in prisons, jails, and community; 2 in academy division)
    - 1 Intergovernmental Personnel Act CPS (in order to have 1 per program division)
    - 1 Grants Management Specialist
    - 2 Administrative Support Coordinators (DC)



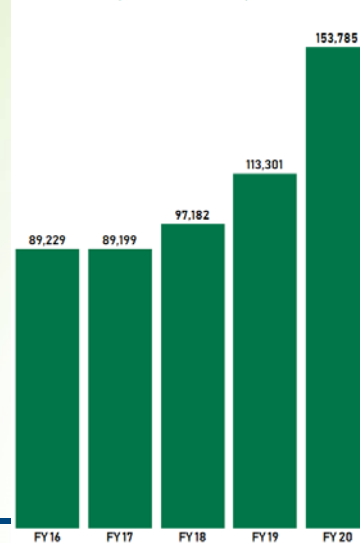
## Show Me the Data!



## Show Me the Data: eCourses

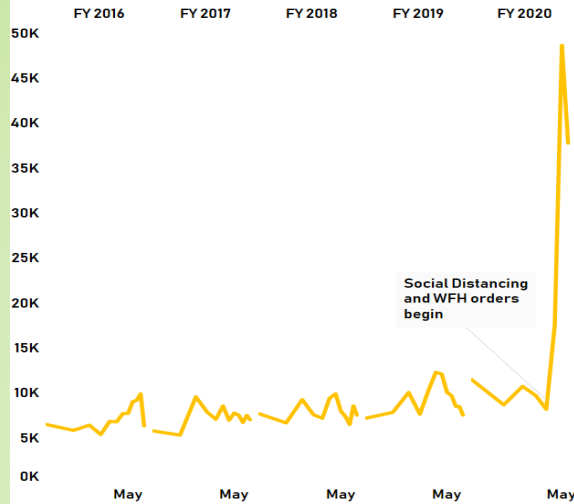
- Increases year-over-year
- Top 5 eCourses all center around: PREA, Inmate Suicide, and Communication
- Most who complete eCourses are either supervisors or line staff (84.9%), not managers or executive level staff (only 7.2%)

ECOURSE COMPLETIONS PER FISCAL  
YEAR: OCT 1, 2015 - MAY 31, 2020



## Show Me the Data: eCourses

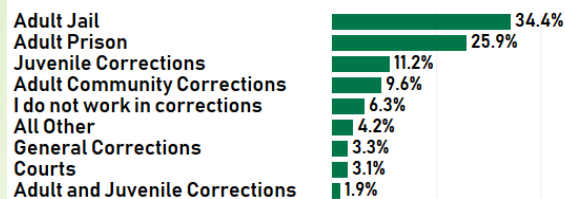
ECOURSE COMPLETIONS PER MONTH: OCT 1, 2015 - MAY 31, 2020



## Show Me the Data: eCourses

- Most eCourse completions are from the jails and prisons constituents (60%)
- Demonstrates need to ensure offerings are of use to all components of CJS and/or increase advertising

AREA OF PRACTICE OF USERS COMPLETING AT LEAST ONE ECOURSE: OCT 1, 2019 - MAY 31, 2020



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

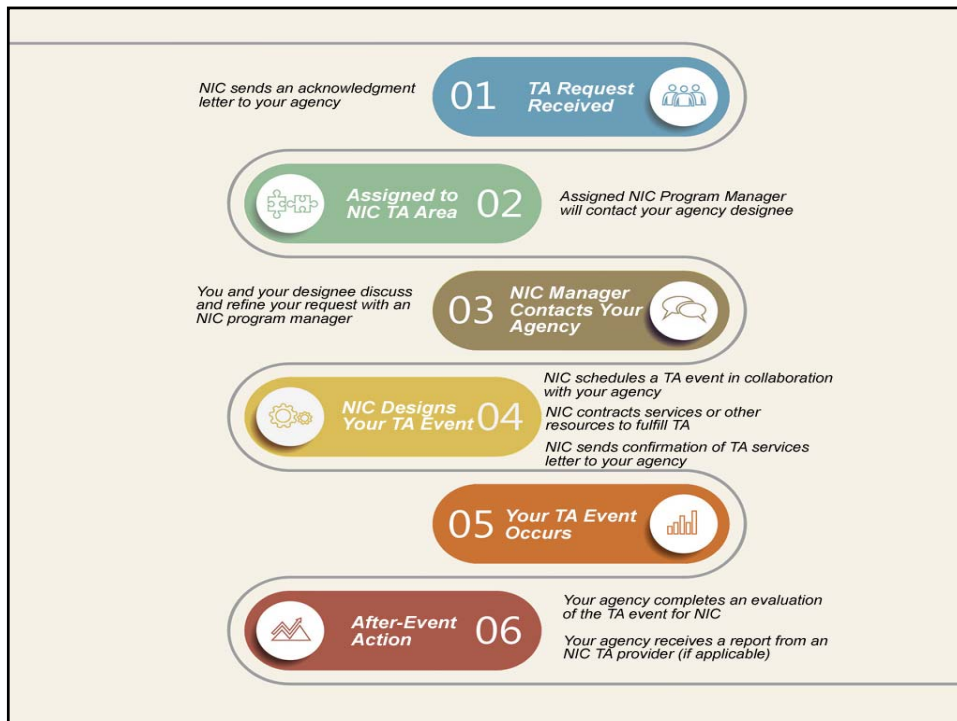


## Show Me the Data: Technical Assistance

- NIC's unique role in providing responsive TA (continued):
  - Can be delivered by consultants, NIC staff, or both
    - 82.3% of NIC Technical Assistance events are conducted utilizing a NIC Correctional Program Specialist and a contracted consultant/professional
    - 17.7% of NIC Technical Assistance events have been delivered through direct service provided solely by a NIC Correctional Program Specialist







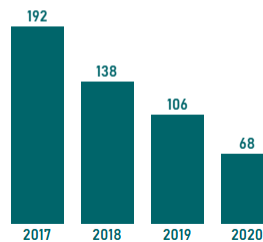
## Show Me the Data: Technical Assistance

- Decreased requests from the field over the past four years
- Issues that may have impacted TA requests:
  - budget reductions
  - absence from field in early CY17
  - missing data due to database complications
  - changes in 'counting rules' for NIC TA events (e.g., training not being considered a TA)

### TA REQUESTS FY 17 - FY 20

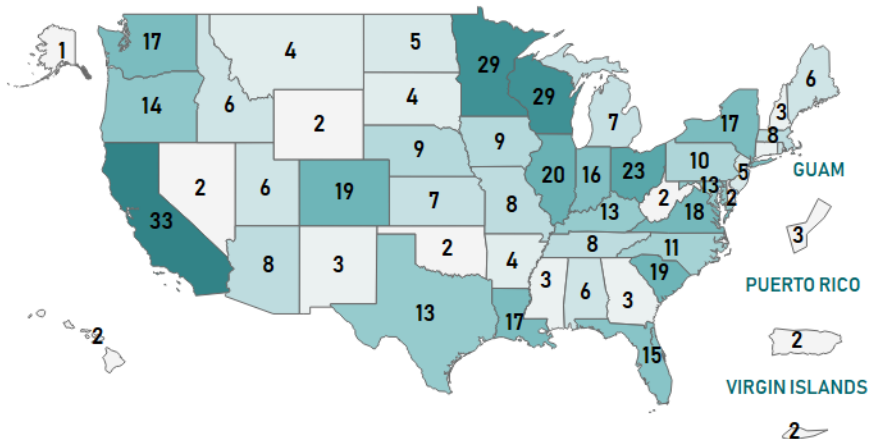
**504**

### TA REQUESTS PER FY



## Show Me the Data: Technical Assistance

TA REQUESTS BY STATE FY 17 - FY 20



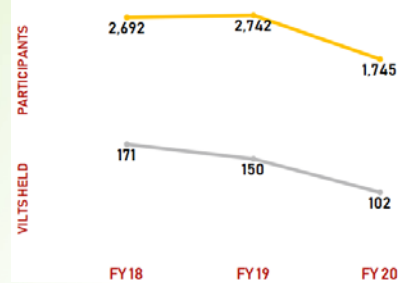
## Show Me the Data: Training

- NIC delivers training through a variety of formats:
  - instructor lead courses (ILT)
  - virtual instructor lead courses (VILT)
  - blended (instructor lead and virtual over specific timeframe)
  - eCourses (self-paced, no instructor)
  - webinars
- Delivery strategies have pros and cons such as per participant cost, travel restrictions/limitations, learning style/preference, retention/application of information, etc.

## Show Me the Data: Training

- Virtual Instructor Lead Courses (FY18 – FY20)
  - 423 courses averaging 17 participants per class (7,179 participants trained over 3 years)
  - Participant level / type data has not consistently been maintained to be able to accurately report
  - Data again provides a picture of the impact of COVID-19

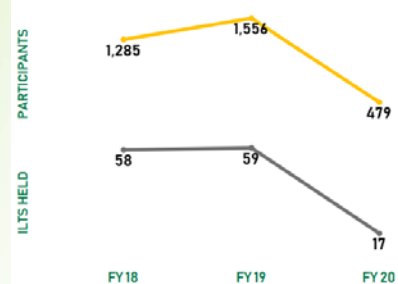
VILTS AND ATTENDEES PER FISCAL YEAR



## Show Me the Data: Training

- Instructor Lead Courses (FY18 – FY20)
  - 134 courses averaging 25 participants per class (3,320 participants trained over 3 years)
  - Most participants were at the supervisor, manager, and/or executive levels of their organization (58%)
  - Data provides stark picture of the impact of COVID-19

ILTs AND PARTICIPANTS PER FISCAL YEAR

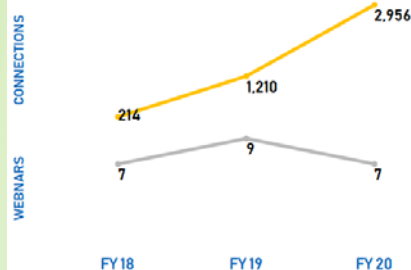


## Show Me the Data: Webinars

### WEBINARS HELD AND CONNECTIONS: OCT 1, 2019 - MAY 31, 2020

Topic	Division	Connections
Practical Correctional Considerations in Response to COVID-19	Prisons	976
Communicating with Families and Children in Correctional Facilities	Community Services	485
Undue Familiarity in Corrections: Are You at Risk?	Prisons	445
REBROADCAST: Prescription Drugs of Abuse and Misuse	Prisons	370
BOP Health Services Webinar	BOP	340
(PH)REAL: Philosophy, Relationship, Equipping, Attitude and Leadership	Prisons	327
DDLJ LIVE: Reducing Recidivism through a Public Library Gardening Program	Administrative	13
Grand Total		2,956

### WEBINARS AND CONNECTIONS PER FISCAL YEAR: OCT 1, 2018 - MAY 31, 2020



## Looking Back, Looking Forward



## 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



## 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



## Looking Back, Looking Forward

- **June 2020:** finalize FY21 budget plans
- **October 2020:** start of FY21 Fiscal Year
- **January 2021:** first FY21 budget reconciliation and potential reprogramming if needed based on COVID-19
- **March 2021:** second FY21 budget reconciliation and potential reprogramming if needed based on COVID-19; begin FY22 planning including data reviews/field needs
- **April 2021:** begin FY22 proposals
- **June 2021:** finalize FY22 budget plans



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