



Advisory Board Meeting

September 13, 2023

Discussions, Decision Points, and Outcomes

In Attendance:

Stephen Amos (NIC), John Baldwin (IL), Chris Barnes (TX), Robbye Braxton (NIC), Lorie Brisbin (NIC), Holly Busby (NIC), Evelyn Bush (NIC), Sandora Cathcart (NIC), Harold Clarke (VA), Cameron Coblentz (NIC), Greg Crawford (NIC), Veronica Cunningham (APPA), Chris Daniels (AJA), Wendy Davis (CJJA), Michael Dempsey (CJJA), Harry Fenstermaker (NIC), Chad Garrett (NIC), Katie Green (NIC), Robert Green (ACA), Jeff Hadnot (NIC), Kathy Hawk Sawyer (VA), Mike Jackson (NIC), Chris Johnson (NIC), Donna Ledbetter (NIC), Leslie LeMaster (DFO-NIC), Teresa May (TX), Gabe Morgan (Vice Chair-VA), Dena Owens (NIC), Megan Nolan (MCSA), Phil Nunes (ICJA), Elizabeth Pyke (NCJA), Katie Reick (NIC), Susan Rice (APPA), Chris Romine (NIC), Deborah Ross (NCCHC), Jim Sawyer (NAPSA), Richard Schaefer (NIC), Mark Sherman (FJC), Jim Skinner (NSA), Chris Smith (NIC), Brian Starr (NIC), P. Elizabeth Taylor (NIC), Ronald Taylor (NIC), Johnathan Thompson (NSA), Marsha Travis (AJA), Heather Tubman-Carbone (BJA), Pat Tuthill (TX), Mike Ward (NIC), Jeff Washington (ACA), Glenn Watson (NIC), Archie Weatherspoon IV (NIC), Scott Weygandt (NIC), and Reginald Wilkinson (Chair-OH).

Wednesday, September 13, 2023

Meeting Opening and Instructions

Designated Federal Official (DFO) Leslie LeMaster called the National Institute of Corrections (NIC) Advisory Board meeting to order at 9:00 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.

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

Chairman Reginald Wilkinson, Ph. D., welcomed everyone to the meeting and reemphasized NIC's importance in terms of improving corrections in the United States.

Approval of the June 2023 Outcomes Document

The June 2023 draft Meeting Outcomes document was reviewed and unanimously accepted by the Advisory Board, without objection or correction.

Advisory Board Updates: Director Transition and Director Search

Chair Wilkinson thanked former NIC Acting Director Alix McLearen for her efforts upon her transfer back to the Bureau of Prisons (BOP) effective September 12, 2023. He welcomed newly appointed NIC Director (A) Holly Busby to the meeting. He noted that Director Busby's primary goal is securing a permanent NIC Director.

Chair Wilkinson informed the Board that the NIC Director position is changing to a career senior executive service (SES) position from a political appointee non-SES position. The justification for this decision is that the politically appointed NIC Director is not an SES position, thus it has less power on the Hill and within DOJ, and viable candidates for the position have withdrawn their interest due to job insecurity associated with a political appointment. This change would provide consistent, stable leadership, which it has lacked since the departure of the last politically appointed Director in 2016 (Jim Cosby). Vice Chair Morgan questioned who made this decision, as the NIC Advisory Board was not consulted on this critical change in the Director search process. Chair Wilkinson responded that the decision was made by BOP Director Colette S. Peters who is also an Ex-Officio member of the NIC Advisory Board. Vice Chair Morgan asked how the decision could be made in the absence of NIC Board consultation as mandated in NIC's Advisory Board legislative mandate and Charter. Chair Wilkinson responded the decision is a done deal, adding that the process is already underway within the Department of Justice (DOJ) to announce the position as a career position. *NIC Advisory Board Legislative Mandate and Charter*
<https://nicic.gov/about-nic/advisory-board>

Director Busby clarified that the NIC Director is a political appointment classified as a Senior Executive Service (SES) employee. If the position were to be reclassified as a career position, the job could be posted on USAJOBS (.gov) <https://www.usajobs.gov/> while still being an SES employee.

Discussion ensued amongst the Board due to this critical decision being made in the absence of Board consultation or notification. Board members questioned the Director of the BOP's

authority to make this decision for NIC, without board involvement as NIC's enabling statute states the NIC Director "shall be appointed by the Attorney General after consultation with the Board" (18 USC 4351(h)). Vice Chair Morgan asked Director Busby if the Attorney General (AG) will continue to appoint NIC Directors going forward should the position be reclassified as a career position. Director Busby noted that currently, NIC's Director is appointed by the AG and approved by the White House. If the position is reclassified, the AG will approve the confirmation as the Department of Justice (DOJ) is responsible for confirming all career SES employees. *NIC Advisory Board Mandate* <https://nicic.gov/about-nic/advisory-board>

Board Member Kathy Hawk Sawyer, Ed.D., related that the Institute may benefit from a career employee as Director if the person they choose is qualified. She cautioned that career employees have increased job security, and it is an arduous process to remove an underperforming career employee Director. Conversely, political appointees are beneficial, in that if underperforming, they are easier to remove. This ease of removal may also create hesitancy in applicants due to a perceived lack of job security, as with all political appointments.

Director Busby noted despite numerous quality candidates presented by the Board to the AG, the greatest challenge to securing a permanent NIC Director has been the lack of appointment by two previous presidential administrations.

Board Member Teresa May, Ph.D., expressed concerns of a perceived downgrade of the NIC Director when there is no lack of candidates. Vice Chair Morgan related that he has submitted names for consideration. Chair Wilkinson informed the Board that Ex-Officio Board Member Colette S. Peters, Director of the Bureau of Prisons (BOP) noted a trend amongst potential NIC Director candidates of employment insecurity of a political appointment.

Board Member Baldwin questioned the perception of the reclassification as a downgrade. Director Busby noted that there is no clear answer if it is a position downgrade. Board members expressed confusion on the functional differences between an NIC Director that is an AG political appointment versus a career selection/appointment. Chair Wilkinson called for information to be gathered and for Board Members to express their thoughts regarding this critical change in the NIC Director selection/appointment process.

Director Busby noted that Career SESs can be moved at the will of the employer whereas Political Appointments can be removed at will and can turnover with administrations. To further clarify, political appointment SESs are not moved to other agencies as can occur with a career SES. <https://www.opm.gov/policy-data-oversight/senior-executive-service/>

Board Member May expressed concerns about the unknown implications of reclassifying the NIC Director from a political AG appointment to a career selection employee. She urged that a side-by-side comparison be developed so that the Board can fully understand the implications and outcomes of the reclassification. Board Member Pat Tuthill echoed these remarks.

Vice Chair Morgan reemphasized the impact of administrative inaction on the Board's Director recommendation process. Before the previous administration, selecting a NIC Director via political appointment succeeded. Chair Wilkinson noted that various applicants rescinded their interest citing concerns of job insecurity in a political appointment position.

Vice Chair Morgan asked the Board when the last meeting occurred between the NIC Advisory Board, the Department of Justice (DOJ), and the Attorney General. Chair Wilkinson informed the Board that Ex-Officio Member Peters, Director of the BOP is working to arrange a meeting between the Board and the Deputy Attorney General (DAG). Several Board Members asked the Chair if the Board would be consulted on this potential change. The Chair reiterated that the change is underway, and that approval from DOJ has been secured to change the NIC Director to a career appointment SES. After further discussion by the board, the Chair indicated his support of the Board looking into this change more, as the NIC governing body. The Chair voiced his support for and willingness to take the Board's request for a review of the decision forward to allow the Board an opportunity to assess the pros and cons of such a change and provide formal recommendations back to the BOP Director. The Chair formed two sub-committees. The first is to review the political to career appointment, and the second is to look at where NIC might best be administratively housed. Sub-committee One members designated were Vice Chair Morgan (Lead) and Board Member Clarke. Sub-committee Two members designated were Board Members John Baldwin (Lead), Kathy Hawk Sawyer, Harold Clarke, Barbara Broderick, and Vice Chair Gabe Morgan.

NIC Director's Report, Part One

Director (A) Busby provided an update to the board on 1) the current context of corrections in the United States; 2) the NIC budget and related processes, and 3) the renewal of the NIC Advisory Board Charter per FACA requirements. *(Please refer to the attached PowerPoint® Presentation for further detail).*

Director Holly Busby opened with a reflection on NIC's founding in 1974 in the aftermath of the 1971 Attica Prison Riot. She noted that NIC is the only federal agency with a legislative mandate to provide specialized services to corrections from a national perspective. Director Busby reaffirmed her commitment to helping NIC Board Members and staff realize their Congressional

mandate.

<https://s3.amazonaws.com/static.nicic.gov/nicic.gov/files/media/document/NICStatute-18USC-Chapter319.pdf>

Director Busby noted 1) the United States has five (5) percent of the world's population, and approximately twenty-five (25) percent of the world's incarcerated population; 2) spending on jails and prisons rose in the United States to \$87 billion in 2015, a one thousand (1000) percent increase from 1975's spending; 3) in 1972 there were 200,000 people incarcerated in the United States, contrasted with more than 2.2 million in 2024; 4) 2024 finds more women in jails and prisons (225,000) than there were total incarcerants system-wide in 1972; and 5) further statistically demonstrating the need for NIC's involvement to provide support to state and local corrections entities.

Director Busby pointed to the recent increase in headlines on inmate deaths, wrongful detention settlements, riots, and prison escapes and noted that NIC was born out of the tragedy at Attica. She emphasized the need for NIC to be a leader in improving corrections per our founding legislation and called on the Board to continue its support of NIC's mission.

Budget

Director Busby noted: 1) no increase in the NIC budget in twenty (20) years; 2) for 2023 NIC was approved for \$3 million in additional funds, and granted a third of promised funds (\$1 million); 3) NIC's FY2023 total budget is \$15.623 million, all of which has been spent; 4) part of this budget is allotted to non-discretionary programs with partner agencies; 5) some funding was allocated to state researchers, state Departments of Correction' (DOCs), and BOP employee training; 6) NIC was unable to fund a comprehensive post-COVID staffing initiative, due to the loss of \$2 million in additional funding; and 7) BOP received additional funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and NIC did not.

Director Busby noted 1) former Acting NIC Director McLearn requested \$33 million for NIC's budget in FY2024; 2) NIC did participate in the FY2024 Spring Call, an event where all federal agencies request money, its first appearance since approximately 2003; 3) BOP presented NIC's additional funding requests along with their requests; 4)) NIC anticipates a \$14.6 million budget for FY 2024; 5) all requests for additional funding were not approved by DOJ, and thus not presented to Congress; 5) a significant continuing challenge to NIC's autonomy is JMD's perception of NIC as being a singular entity with BOP; and 6) NIC can overcome this continuing challenge by identifying to Congress the unique services it is legislatively mandated to provide to corrections that BOP cannot provide to state and local corrections.

Board Member Hawk Sawyer noted NIC having presence and being known on the Hill and to Congressional staffers is a critical source of political capital. In addition, NIC's constituents in the correctional field have leveraged their political capital and voices to push for NIC's unique and specific needs to Congress.

Renewal of the NIC Advisory Board Charter

Director Busby highlighted the mandatory biannual charter renewal process, required of active federal advisory committees under the *Federal Advisory Committee Act*.² NIC's Advisory Board Charter is scheduled for renewal by September 13, 2023. The renewed charter includes mandated changes by the General Services Administration (GSA) Committee Management Secretariat (CMS), as the NIC Advisory Board Charter was incongruent with NIC's founding legislation. In the current Charter, the NIC Advisory Board is instructed to report to the NIC Director. The renewed Charter clarifies that the NIC Advisory Board reports directly to the AG. This charter clarification should ease communication barriers between the AG and NIC Advisory Board.

<https://s3.amazonaws.com/static.nicic.gov/nicic.gov/files/media/document/Charter%20for%20the%20National%20Institute%20of%20Corrections%20Advisory%20Board%2009142023.pdf>

At 10:37 a.m., Vice Chair Morgan recommended that the Board move to commentary from stakeholders and professional associations on the NIC Needs Assessment Report, to accommodate time constraints.

Commentary on NIC Needs Assessment Report to the Board from Professional Associations and Stakeholders

National Sheriff's Association (NSA)

Jim Skinner, Sheriff of Collin County, Texas, and Chair of the Government Affairs Committee of NSA and Jonathan Thompson, Executive Director, NSA, provided commentary for NSA. NSA recommends: 1) that NIC should receive funding proportionate to the size and significance of county jails and NIC's legislative mandate; 2) the AG appoint a permanent Director of NIC; and 3) the NIC Advisory Board support a request to Congress to move NIC from under the auspices of BOP to the DOJ Office of Justice Programs (OJP). He noted that local jails admit 11 million individuals annually, 18 times greater than federal inmates admitted annually. He emphasized the growing issues facing county jails across the country while praising the work NSA and NIC have done in the past.

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

Johnathan Thompson, Executive Director, NSA, provided additional commentary from NSA. He echoed Board Member Hawk Sawyer's comments on the future viability of NIC, emphasizing the need for the NIC Advisory Board to have the ear of DOJ leadership. He 1) warned of a looming overpopulation crisis in local jails; 2) stressed the importance of communication to alleviate housing and recidivism issues; 3) argued that a politically appointed Director is needed for NIC to achieve its statutory mission; and 4) related a fifty (50) percent recidivism rate in correctional systems.

Board Member Baldwin asked Mr. Thompson to clarify his remark that currently there is a fifty (50) percent recidivism rate. Mr. Thompson noted that according to the Bureau of Justice Statistics (BJS), federal inmates have a forty-six (46) percent recidivism rate and state inmates have a recidivism rate of over fifty (50) percent. Discussion ensued as several Board members noted that states and the federal government have differing definitions of recidivism. Mr. Thompson noted that the country's education and healthcare system are designed in a way that results in jails and prisons bearing an undue burden. The nation's school systems are overburdened and underfunded, while the nation's healthcare system considers mental health a back-burner issue. He emphasized that the Board focus on keeping citizens out of jail and the system, and breaking systemic factors that lead to incarceration.

American Jails Association (AJA)

Marsha Travis, past President (2020-2021), AJA, provided commentary for AJA. AJA echoed the NSA's sentiments. She highlighted 1) the past collaborative efforts of AJA and NIC, making major strides in jail safety; 2) commended NIC's work in assessing its own needs; and 3) noted the need for a permanent NIC Director to strengthen ties between NIC, AJA, and all corrections national associations.

National Commission on Correctional Healthcare (NCCHC)

Deborah Ross provided commentary for NCCHC. NCCHC echoed NSA's and AJA's comments and thanked NSA for their thorough presentation. She 1) stressed the need for a permanent NIC Director; 2) noted the critical assistance NIC provides corrections staff in the field; and 3) that mental healthcare is a critical need requiring NIC assistance.

American Correctional Association (ACA)

Jeffrey Washington, Deputy Executive Director provided commentary for ACA. ACA offered 1) ACA's support and gratitude for NIC; and 2) ACA's expressed desire to see NIC fully funded.

Major Counties Sheriffs' Association (MCSA)

Megan Nolan, Executive Director, MSCA, provided commentary for MSCA. MSCA commends NIC for its work, complimenting Chief Stephen Amos's efforts. She 1) mentioned notable, ongoing projects involving MCSA and NIC; 2) reiterated the need for a permanent NIC Director, calling for a strong local jail advocate to fill the role; and 3) noted local jails are operating the country's largest mental health system, a clear indicator that NIC must be additionally funded.

American Probation and Parole Association (APPA)

Susan Rice provided commentary for APPA. APPA recommends 1) realigning NIC's operating and programmatic budgets to meet the field's needs; 2) hiring a permanent NIC Director; and 3) moving NIC from under the auspices of BOP to the DOJ Office of Justice Programs (OJP).

NIC Director's Report, Part Two

Upon conclusion of the association commentary on the NIC Needs Assessment Report, Director Busby resumed her report. She noted one of the biggest challenges facing NIC is the additional \$2 million that was approved for NIC and subsequently rescinded. As spending occurred before the revocation of funds, NIC was required to present a case as to why certain programs should be funded. NIC ranked 10 out of 11 in terms of priority within BOP Executive Team budget discussions and was informed that funding was unlikely.

Staffing

Director Busby informed the Board that NIC is allocated 47 full-time equivalents (FTE) positions. NIC's request for additional FTEs through the Spring Call process was denied by JMD. NIC was approved for 20 P01As, which are temporary positions. This limits the number of new hires NIC can make, as P01A positions can be recalled. Director Busby noted that P01As must be used and hired strategically. Board Member Hawk Sawyer agreed. Board Member Harold Clarke inquired as to the denial justification for additional FTEs. Director Busby related that BOP reserves FTEs for the correctional services side of BOP, and that BOP has been reluctant in allocating additional FTEs to non-correctional NIC positions.

Updates and Commentary on NIC Needs Assessment Report to Board from NIC Division Chiefs and Employees

Collective Commentary from NIC Division Chiefs

Stephen Amos, Jails Division Chief provided a collective commentary statement from NIC division Chiefs (Academy, Community Services, Jails, and Prisons). The full statement follows.

“Chairman Wilkinson, Vice Chairman Sheriff Morgan, and distinguished Members of the Board, I am pleased to appear before you today to communicate on behalf of the NIC Executive Team the significance of findings outlined in the April 2023 NIC Needs Assessment Report, in conjunction with the stakeholder associations to provide testimony as to the impact of those findings. As leaders, we must speak truth to power to ensure that we can respond to the growing needs of the nation as it struggles through criminal justice reform, extreme staff shortages in the field, and the growing unprecedented number of deaths in custody.

The Chiefs of the program divisions have over 40 years of collective experience and have seen first-hand how we at NIC impact communities and the lives of thousands of correctional staff and inmates each year. The staff of NIC is committed to serving the field, and while resilient, we need your support more than ever.

For example, in the Jails Division, we work to align our minimal resources with the ever-growing critical incidents resulting in the loss of life. Unfortunately, a request for technical assistance from a Sheriff or Jail Administrator has often languished for months. Two such successful initiatives to be responsive to these needs are neither funded nor adequately staffed. I am referring to the NIC Critical Incident Response Team (CIRT), which has deployed to Orange County, California, Collins County, Texas, Arlington County, Virginia, and most recently to Fulton County, Georgia, and the soon-to-be-launched DOJ Jail and Justice Support Center. These mission-critical initiatives need to be funded and not at the FY15 level of 14.6M because we are the only federal agency specifically charged with supporting the field of corrections, and their needs are substantial.

In the community supervision field, we heard from executive directors struggling to manage staff who feel traumatized at the speed and the level of violent offenders they must now manage in a community setting to ensure public safety. They are looking for NIC to provide them with possible solutions of trauma-informed interviewing skills, legislation/policy recommendations, and case management practices, all of which allow supervision officers to succeed in their roles. These initiatives take resources - money and staff to develop and implement effectively. In addition, the community services divisions had to roll over many TA requests, as we have been understaffed in our ability to respond. And the field expects NIC to be responsive.

The Academy Division has heard from all disciplines of corrections and the common theme is an overwhelming need for first-line supervisor and mid-level manager training. As agencies face shortages and listen to staff in exit interviews, they have determined there is a gap in their first-line supervisor and mid-level management leadership training, more than likely contributing to the current retention problems they are facing. In recent meetings with the Community Services

Leaders Network, the Large Jail Network, and the Training Administrators Network, this issue spans all levels of corrections. The Academy currently has curricula to cover both areas but cannot meet the existing demand. The field has also recently asked that NIC develop leadership train-the-trainer courses so that agencies can begin to implement sustainable leadership training internally. As more requests come in, NIC needs the additional staffing and budget to fulfill the demand and positively impact the field of corrections in the often neglected first-line supervisor and mid-level manager leadership training.

The findings in the NIC Needs Assessment Report are well articulated and accurate and scream out that while NIC delivers outstanding training and technical assistance with a shoestring budget and staffing, we desperately need this Advisory Board to actively engage in assisting NIC to remain responsive to the field. As NIC approaches its 50th year of service as an agency, I ask that we collectively recommit ourselves to the needs of the field and address the most crucial of these findings.

The Prisons Division continues to support the ever-growing challenges from state departments of corrections (DOCs). The ability to address the concerns and needs of the field, from the various components that must align for a safe and healthy culture remains limited. Without adequate staff and funding, supporting mission-critical leadership competencies via our leadership training, addressing significant safety and cultural issues, undue familiarity between inmates and staff, restrictive housing, gender-informed practices, Crisis Intervention Teams (CIT), incident command systems, and behavioral health, requests for assistance cannot be met. The field is asking for more assistance in multiple areas, currently unassigned due to staff shortages. There is development underway for work in the expansion of mid-management training, sex trafficking, suicide prevention, and staff wellness to name a few.

Establishing NIC Autonomy

The autonomy of NIC is essential for several reasons. Firstly, the missions of NIC and BOP are very different and often misaligned, making it difficult for BOP leaders to reconcile and balance the priorities of both agencies. NIC's mission is to provide services and guidance to corrections professionals at all levels of government, while BOP focuses on the operation of federal prisons. This misalignment raises concerns among external stakeholders who believe NIC should serve the greater good rather than just BOP.

Secondly, stakeholders, including state, local, and tribal systems, feel that BOP does not prioritize NIC's support despite the significant number of correctional officers employed at these levels. NIC's operational autonomy would allow it to define and execute its own strategic goals. This

autonomy would enable NIC to serve the corrections systems better nationwide and address their specific needs and challenges without dependence on BOP.

Lastly, to achieve greater autonomy, NIC should establish its own internal operational infrastructure and have dedicated leadership empowered to direct the agency's future and direction. Additionally, having a dedicated line item in the BOP budget would give NIC greater security in its annual funding level. This dedicated budget line item would allow the NIC Director to negotiate for funds that align with NIC's priorities, address the latest challenges in corrections, and alleviate concerns about the security of its funding.

Maintaining autonomy and identity as an independent agency, as envisioned at our inception, is crucial for NIC to serve the corrections systems in the United States effectively. By having autonomy, NIC can lead and support corrections professionals at all government levels, define its strategic goals, and secure funding that aligns with its priorities.

Addressing NIC's Resource Deficiency

Addressing NIC funding and staff deficiencies is crucial for several reasons. Firstly, it would allow NIC to fulfill its mission and meet the needs of correctional agencies nationwide. With additional funding, NIC could increase its support to these agencies, providing more timely and comprehensive services. This remedying is essential for ensuring the effectiveness and efficiency of the nation's correctional systems.

Secondly, additional funding would enable NIC to expand its capacity. This funding would allow NIC to offer more training sessions, technical assistance, networks, best practice models, and other high-demand services, which are crucial for the professional development of corrections professionals. Moreover, having more employees would allow NIC to respond more quickly to requests for technical assistance, which is critical for addressing urgent issues in correctional systems.

Thirdly, addressing NIC's funding and staff deficiencies is crucial for several reasons. With additional funding, NIC could develop a middle management structure and a dedicated administrative division. This administrative division would ensure that Correctional Program Specialist (CPS) staff effectively utilize their expertise in the corrections field, enhancing the effectiveness of NIC's services. Furthermore, additional funding would enable the creation of permanent staff positions within a range of GS levels, allowing for the development of future leaders within the organization. This is essential for ensuring the continuity and sustainability of NIC's operations.

Lastly, NIC must address its funding and staff deficiencies to prevent the loss of knowledge and expertise. With fifty (50) percent of the agency's staff eligible for retirement within the next three years, there is a significant risk of losing institutional knowledge and expertise. By securing additional funding, NIC can hire new permanent staff and retain seasoned staff, thereby preserving its institutional knowledge and expertise. Addressing NIC's resource deficiencies is crucial for ensuring the effectiveness, efficiency, and sustainability of NIC's operations, as well as the nation's correctional systems.

Appointment of a NIC Director

For several reasons, the appointment of a director for the National Institute of Corrections (NIC) by the United States Attorney General is of great importance. It ensures that NIC is seen as an independent entity, able to operate autonomously and pursue its mission separate from the Bureau of Prisons. This independence allows NIC to advance its goals and objectives effectively and in alignment with the needs of the field of corrections.

An appointed director provides continuity in leadership, essential for implementing long-term strategic goals, and an advocate for NIC to increase its visibility within the Department of Justice and other federal agencies. This increased visibility can lead to greater collaboration, integration, and influence for NIC, expanding its impact on the corrections field. An appointed director is critical to maintaining and further developing relationships and initiatives, ensuring progress and continuity for NIC. And finally, an appointed director provides dedicated support and guidance to the professional staff at NIC.

The appointment of a director for NIC by the Attorney General of the United States is vital for the organization's independence, leadership continuity, visibility, ability to drive value, and authority to implement change. It ensures that NIC can effectively pursue its mission and significantly impact the corrections field.

Thank you again for the opportunity to appear before you, and I look forward to answering your questions."

Board Member Baldwin inquired as to where NIC would most appropriately be housed. Chief Amos stated that OJP or another "like work" (corrections interconnected aka, BJA, OJP, etc.) federal agency would be better suited to align with NIC. Mr. Baldwin inquired if NIC should stand alone. Mr. Amos supports NIC aligning with a "like work" federal agency rather than NIC as standing alone, considering other closer aligned federal agencies have the infrastructure facets (human resources, IT, purchasing, and contracting capacity) that NIC needs to operate.

Vice Chair Morgan asked Mr. Amos how many people were assigned to assist Fulton County, Georgia with CIRT. Mr. Amos noted that nine individuals, in conjunction with BJA, have been assigned to Fulton County.

Jeff Hadnot, Chief, Academy Division illustrated the unique posture the Academy Division sits in, in that it serves all correctional disciplines (community services, jails, and prisons, local, state, and federal) in its three broad initiative areas (cognitive behavioral, leadership development, and learning and performance). In addition, the Academy Division administers multiple facets of critical Institute infrastructure (data analytics, WebEx virtual platform, ecourse and microlearning development, the NIC Information Center contract and our public website, and NIC's Learning Management System e.g. The NIC Learning Center). He related that before the pandemic struck, the Academy, applying learning and performance science, had positioned itself to offer hybrid (virtual and in-person) blended programs in its three initiative areas. The Academy rolled delivering services as usual throughout the pandemic and supported the Institute in the planning, development, virtual coaching, producing, and hosting of numerous webinar deliveries. In addition, the Academy assisted with the conversion of countless in-person NIC programs to virtual instructor-led training so that NIC could continue delivering technical assistance (TA) and training services to the field.

He updated the Board on the Learning and Performance (L and P) initiative, comprised of four interactive programs, multiple webinars and white papers, and the Training Administrators Network (TAN). All L and P opportunities are aimed at developing correctional trainers, curriculum designers, training administrators, coordinators, or directors in the science of how people learn and how to design and facilitate learner-centered, legally defensible training. Each L and P program is highly interactive and ensures that participants meet performance thresholds, whether delivered virtual, in person, or in a blend. He updated the Board on the Cognitive Behavioral initiative, including recent deliveries of Thinking for a Change 4.0 facilitator and Train the Trainer programs. The Institute's sole Instructional Technologist manages and maintains 70+ custom corrections ecourses, a 1 to 70 ratio. In contrast, other federal agencies with similar ecourse offerings are maintained by five staff, a 1 to 14 ratio!

In addition, the BOP library, relocated to the National Corrections Academy (NCA) during the pandemic, is in the NIC's Information Center NCA footprint, and via the NIC Information Center digitized holdings. The Academy recently entered into a new agreement with the Library of Congress (LOC) and WebLink to update the NIC public website.

Robbye Braxton, Chief (A), Community Services Division informed the Board of an all-community supervision leadership network held the previous week. The event was successful, and

Community Services plans to host further network meetings. Plans include developing micro video (3 – 5 minutes duration) learning briefs, on a multiplicity of topics. Ms. Braxton announced the return of the Division's Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, and Asexual (LGBTQIA) initiative that was lost due to funding shortages in previous years. Under the Community Supervision Leadership Learning Lab, there are plans to revitalize the middle management training programs to improve how correctional centers are managed.

Ronald Taylor, Chief of NIC's Prisons Division, informed the Board of the progress being made in his division. In the aftermath of the COVID-19 pandemic, the Prisons Division has adapted and utilized tools including webinars to keep the field abreast of current and emerging topics without necessitating in-person activity. These webinars were well-attended by the field. He thanked the staff for their incredible work with limited resources. The Facilitating Dialogues program has evolved into a national program with widespread participation. Chief Taylor announced the reignition of the Executive Excellence Series (EES), an executive development opportunity, targeted to the “executives to be” as endorsed by their agency's Chief Executive Officer. There has been a tremendous response to the reignition of the Executive Excellence Series after a 3.5-year hiatus, resulting in an overwhelming number of applicants for limited slots. He shared that Leslie LeMaster of the Academy Division is instrumental in collaborating with him on developing the FY2024 program, getting it started, and for comprehensive logistics and curriculum development that goes into bringing Executive Excellence into actualization. Chief Taylor concluded his report by asking for the Board's support for the Prisons Division.

Commentary from NIC Employees

P. Elizabeth Taylor, Correctional Program Specialist (CPS), Jails Division called for a stable direction in an autonomous leadership stance, allowing NIC can focus on its mission.

Evelyn Bush, CPS, Prisons Division stressed the importance of strong and stable autonomous leadership and pointed to a loss of NIC's voice in the field of corrections. She stated “The BOP is but one stakeholder in NIC’s mission. BOP is not who we are or where we fit.”

Leslie LeMaster, CPS, Academy Division, echoed CPS Taylor’s and Bush’s comments. She further illustrated NIC’s autonomy need as substantiated in the NIC Needs Assessment Report results. She shared the example that NIC is unable to autonomously manage purchases and contracts, as purchases and contracts above a \$10,000 threshold require BOP approval and processing.

Lorie Brisbin CPS, Community Services Division echoed CPSs' Taylor, Bush, and LeMasters comments. She expressed her gratitude to the Board for its support and voice for NIC and asked the Board to "please help us".

Association Updates

The Chair called for brief updates to the Board from association partners.

National Commission on Correctional Health Care (NCCHC)

Deborah Ross represented NCCHC. She highlighted 1) that mental healthcare in correctional facilities is a priority for the Biden administration; 2) that correctional facilities have become de facto mental healthcare providers; 3) there are currently four times the number of people suffering from mental illness in prisons and jails than there are in mental health facilities; and 4) women's health issues are another high-priority area for NCCHC, especially following the overturning of *Roe v. Wade*.

Board Member Baldwin asked if NCCHC has any official position on reestablishing mental health institutions. Ms. Ross indicated that there is no official position, but it would be beneficial to NCCHC's work and the field of Corrections.

National Association of Pretrial Services Agencies (NAPSA)

Jim Sawyer, Executive Director, represented NAPSA. He highlighted NAPSA's annual conference in New Orleans, Louisiana.

Chair Wilkinson inquired as to the conference focus. Mr. Sawyer highlighted several workshops that will be available, including special topics delivered by judges.

International Community Justice Association (ICJA)

Phil Nunes represented ICJA. He highlighted 1) an organizational name change from the International Community Corrections Association (ICCA) to ICJA; 2) ICJA's expanded board to include members beyond those working in corrections; 3) new services offered ranging from educational services to reentry housing; 4) ICJA's first in-person conference since the pandemic convened August 2023 in Cleveland, Ohio; and 5) the conference was viewed as a success, with hopes participation will grow in the future.

American Correctional Association (ACA)

Robert Green represented ACA. He highlighted 1) that ACA views itself as an opportunity multiplier in the field of corrections; 2) the recent 159th Congress of Corrections in Philadelphia

was attended by 3,000+ participants; and 3) the annual Winter Conference will convene in National Harbor, Maryland in January 2024.

American Probation and Parole Association (APPA)

Susan Rice and Veronica Cunningham represented APPA. They highlighted 1) the recently concluded Summer Training Institute, convened in New York, New York; and 2) the Winter Training Institute and Executive Leadership Summit will convene in in Seattle, Washington, in 2024.

Public Comment Period

There were no attendees for public comment.

Closing Comments and Adjournment

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

Vice Chair Morgan made a motion to adjourn the public meeting and the motion was seconded by Board Member Clarke. Chair Wilkinson called for a voice vote to approve the motion, which passed unanimously. The public meeting of the NIC Advisory Board adjourned at 3:09 p.m.

National Institute of Corrections Advisory Board Meeting

September 13, 2023



1



2



NIC Budget

2

NIC FY23 Budget

- FY22 Budget: **\$14,623,000**
- FY23 Budget: **\$15,623,000**

*\$1M BJA IAA

*\$200k BJS IAA

*\$3.5M in First Step Act funds to train BOP Employees

*\$3M from BOP approved in January 2023

*Only \$1M allotted to date

3

NIC FY24 Budget

- NIC has ***requested*** a FY24 Budget of over \$33M
 - \$15M for new programs
 - \$19M for current programs

*NIC has not received an approval or disapproval of this request

NIC's Allotted FY24 Budget is \$14.6M

4

NIC FY25 Budget Request

- NIC requested approximately \$43.7M
- This request included everything from FY24 plus:
 - More FTE's (not P01A temporary positions)
 - Innovative virtual reality trainings for corrections professionals and justice involved individuals
 - Additional money for updating existing programs and adding new projects

5



Agency Staffing

6

NIC Hiring Efforts



NIC's Staffing Allotment is 47 FTE's

NIC was approved for (20) P01A positions

- 4 P01A positions have been added to NIC's Staffing allotment

- 16 P01A positions are pending approval to be added

- P01A positions are temporary and do not count as a regular FTE
- This results in a net sum zero additional FTE's

7

Moving Forward



8