

	<b>ADMINISTRATIVE REGULATION</b>  Department of Correctional Services State of Nebraska	<b>NUMBER</b>  107.01	<b>Page</b> 1 of 5
		<b>LIBRARY SERVICES</b>	

This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

- EFFECTIVE: March 1, 1980
- REVISED: April 23, 2007
- REVISED: May 14, 2008
- REVISED: March 15, 2009
- REVISED: March 26, 2010
- REVISED: March 15, 2011
- REVISED: March 15, 2012
- REVISED: March 29, 2013
- REVIEWED: May 3, 2014
- REVIEWED: March 31, 2015
- REVIEWED: March 31, 2016

SUMMARY of REVISION/REVIEW

Section I.D. moved to Section II. as F.

APPROVED:

  
 \_\_\_\_\_  
 Scott R. Frakes, Director  
 Nebraska Department of Correctional Services

	<b>ADMINISTRATIVE REGULATION</b>  <b>Department of Correctional Services State of Nebraska</b>	<b>NUMBER</b>  107.01	Page 2 of 5
		<b>LIBRARY SERVICES</b>	

### PURPOSE

To provide quality library services within the Nebraska Department of Correctional Services (NDCS) comparable to those of a public library.

### GENERAL

By State Statute, NDCS is required to establish appropriate programs for each facility, designed insofar as is practical to prepare and assist each person committed to the custody of NDCS to assume his/her responsibilities as a useful citizen. In developing such programs, the Director shall seek to make available to each person capable of benefiting therefrom, academic or vocational training, recreational activities and such therapeutic measures as are practicable.

To assure compliance with the state statute, NDCS will develop and maintain comprehensive library services designed to meet educational, recreational and therapeutic needs of inmates.

### PROCEDURE

#### I. STAFFING

- A. A person with a master of library science, information resources, media services or related degree shall be available to each institution to assist with coordinating and supervising library services. This person is responsible for the training of all library staff.
- B. Each institution shall utilize at least one qualified staff member to coordinate and supervise library services.
- C. Each institution shall select, train and utilize one or more inmates as library assistants.

#### II. SERVICES/PROGRAMS

- A. Each institution shall provide comprehensive library services, where practical, which can be comparable to a public library. Library services shall provide for, at a minimum:
  1. Planned and continuous acquisitions of materials to meet the needs of users within budget limitations.
  2. Logical organization of materials for convenient use.
  3. Circulation of materials to satisfy the needs of users.
  4. A reference collection or information services to locate facts as needed.
  5. A reader's advisory service provided by the library staff, to include but not be limited to, recommending books and materials, compiling lists of selected titles, and instructing in the use of the library and its resources.

	<b>ADMINISTRATIVE REGULATION</b>  <b>Department of Correctional Services State of Nebraska</b>	<b>NUMBER</b>  107.01	Page 3 of 5
		<b>LIBRARY SERVICES</b>	

6. Promotion of the uses of library materials.
- B. Each institution shall provide library services to all inmates daily, including evenings and weekends, and particularly during free time.
1. Inmates restricted from the library facility shall be provided services through a satellite delivery system. (i.e. in restrictive housing)
  2. At Nebraska Correctional Center for Women (NCCW), Nebraska Correctional Youth Facility (NCYF), Nebraska State Penitentiary (NSP), Tecumseh State Correctional Institution (TSCI), Lincoln Correctional Center (LCC) and Omaha Correctional Center (OCC) the library will be open during some school hours.
  3. Access may be determined by a pass system and available space.
- C. Law library services shall be provided by NDCS to ensure compliance with inmates' access to the courts. The law library includes, appropriate, up-to-date constitutional, statutory and case law materials; applicable court rules; and practice treatises. Refer to Administrative Regulation (AR) 116.01, *Inmate Rights*, for additional information.
1. No inmate shall engage in the unauthorized practice of law. The term "practice of law" is defined as the application of legal principles and judgment with regard to the circumstances or objectives of another entity or person which require the knowledge, judgment and skill of a person trained as a lawyer. This includes, but is not limited to, the following:
    - a. Giving advice or counsel to another entity or person as to the legal rights of that entity or person or the legal rights of others for compensation, direct or indirect, where a relationship of trust or reliance exists between the party giving such advice or counsel and the party to whom it is given.
    - b. Selection, drafting or completion, for another entity or person, of legal documents which affect the legal rights of the entity or person.
    - c. Representation of another entity or person in a court.
  2. Inmates shall have access to photocopy services for copies of legal documents, as defined in AR 116.01, *Inmate Rights*. Inmates are not permitted to copy/print material from law library computer databases (e.g. Lexis or Westlaw), and are not permitted to obtain copies of Administrative Regulations and Operational Memorandums from the facility law library. The only exception is if there is a court rule or order that requires the inmate to file a copy, the inmate shall submit a request for the copy, citing the relevant court rule/order. If approved, the inmate will submit a completed institutional check for the copies.

	<b>ADMINISTRATIVE REGULATION</b>  <b>Department of Correctional Services State of Nebraska</b>	<b>NUMBER</b>  107.01	Page 4 of 5
		<b>LIBRARY SERVICES</b>	

D. Interlibrary Loan Program

1. Each institution shall develop a library program, which includes participation in interlibrary loan programs with the local and/or state public library systems.
2. Each institution library shall offer interlibrary loan services to eligible inmates. Such services shall conform to the NDCS Interlibrary Loan Manual, which contains the Interlibrary Loan Code and the Interlibrary Loan Facility Guidelines.

E. Talking Book Program

1. Inmates who have a verified visual impairment may be eligible for the Talking Book Program. Inmates needing such accommodation should submit an Inmate Interview Request to their facility librarian outlining their needs. If approved, the inmate will be allowed to check out two talking books at one time.
2. The inmate shall be financially responsible for any damage or loss to the talking book player and talking cassettes/digital cartridges.

F. Accountability

When an inmate transfers to another facility, it is the inmate's responsibility to ensure library materials are returned to the library. When an inmate is scheduled to transfer to another facility, the inmate shall ensure that all checked out library items are returned to the library. Inmates shall follow facility procedures to ensure that items are returned. Failure to do so may result in disciplinary action, which may include loss of library privileges or payment of the replacement cost of the item(s).

III. MATERIAL SELECTION/MAINTENANCE

- A. NDCS shall develop a Collection Development Policy and a Service Policy that defines the purpose and criteria for the selection and maintenance of library materials and the provision of library service to inmates. Each institution shall adapt them to its specific needs. Books should be cataloged according to the Dewey Decimal System, and automation should be used when available for circulation of library materials, maintaining an inventory of the library holdings, and generating reports and statistics.
- B. There shall be a systematic approach to determining the library service needs of the inmate population. The inmates shall be actively involved in the selection process with institutional staff and community library staff.
- C. Donations of library materials may be accepted from the general public, outside sources, staff, inmates and their families. Materials accepted for donation to the library collection become part of the library collection and shall be treated as such.
  1. All donations received by each institution are subject to review primarily by each institution's librarian for possible inclusion in the collection. It is the responsibility of the librarian to notify his/her supervisor of donations and receive approval for placement in the library.

	<p style="text-align: center;"><b>ADMINISTRATIVE REGULATION</b></p> <p style="text-align: center;"><b>Department of Correctional Services State of Nebraska</b></p>	<p style="text-align: center;">NUMBER</p> <p style="text-align: center;">107.01</p>	<p style="text-align: center;">Page 5 of 5</p>
		<p><b>LIBRARY SERVICES</b></p>	

2. Items excluded will be recycled per NDCS policy.
3. Letters of appreciation shall be sent to acknowledge donations from outside sources.

#### IV. PHYSICAL FACILITY

Each institution shall provide a library that is functional in design, inviting in appearance and attractively furnished so that an atmosphere conducive for concentration exists. Equipment included within the library shall be sufficient to meet both staff and participant needs. The community correctional centers will not be required to provide library services as inmates assigned to those facilities may utilize public libraries on pass or furlough.

#### REFERENCE

##### I. ATTACHMENTS

- A. Interlibrary Loan Agreement DCS-A-lib-001

##### II. ACA STANDARDS

- A. Adult Correctional Institutions (fourth edition): 4-4505, 4-4506, 4-4507, 4-4508, 4-4509, 4-4510, 4-4511