



Director Scott R. Frakes

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NDCS Review Corrects Previous Corrections Administration's Error

(LINCOLN) – A Nebraska Department of Correctional Services internal review has determined adjustments to 15 inmates' sentences were never carried out following the disclosure of systemic sentencing miscalculation mistakes by the previous agency administration.

A NDCS staff member connected to the ongoing electronic sentence calculator project discovered the mistake.

"When I talk about changing the culture within NDCS, this is a prime example of that shift taking effect," Frakes said. "When an employee, any employee, sees something wrong or amiss, they have the integrity and courage to bring attention to the issue so we can proactively resolve it," he said.

A press release issued by NDCS on November 20, 2014, identified the sentences requiring adjustments on inmates who were in state or federal law enforcement custody at that time for a new crime. However, the required clerical work to add the mandated time was not completed and, as a result, one inmate was released from prison without serving the correct time.

After consultation with the state attorney general's office, a warrant was issued for that inmate, and he has been apprehended.

Of the 15 inmates determined to be on the list whose sentences were not corrected in 2014, 10 still reside in NDCS facilities and the time owed is being added to their current sentences to correct the 2014 mistake. Another two are incarcerated in other jurisdictions. One has been deported. Another was discharged from parole.

"One of NDCS's leading goals is 'Transparent and Accountable,' we will tell you when mistakes have been made just as easily as we will trumpet our successes," Frakes continued. "Only when we can do that, can we honestly say we deserve the trust of the citizens," he said.

In addition to reexamining the specific cases, NDCS staff audited more than 900 other sentences to ensure their accuracy. No additional errors were discovered.

The staff responsible for ensuring the adjustments were completed in November 2014 are no longer employed by NDCS. Due to restrictions regarding the release of personnel matters, no more information can be released regarding those employees.

For more information, contact Andrew Nystrom at andrew.nystrom@nebraska.gov.

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