



STATE OF WASHINGTON  
OFFICE OF CORRECTIONS OMBUDS

November 1, 2018

To Governor Inslee, the Washington Legislature, and the Statewide Family Council:

First, I sincerely thank you for both the honor and the opportunity to serve the people of Washington in this critical role. It is truly humbling and I will do everything in my power to be found worthy of the high level of trust that you have placed in me.

Please accept this letter and attachments as the first annual report of the office, statutorily mandated to be submitted by November 1. My official start date in this office was September 24, 2018 and since that time, I have:

- Attended a week-long United States Ombudsman Association conference, including a two-day “New Ombudsman” training. The training included elements of investigations, report writing, and making findings/recommendations. The conference allowed for in-person information-sharing on best practices for Ombuds around the country and also established critical mentoring relationships for me to use as I am building this office.
- Conducted an introductory survey of family council members and stakeholders to determine priorities and needs of the office (see Attachment A). A common issue raised by the responses was a need for more attention on women incarcerated within Washington, particularly in regard to complaints of sexual assault and the more recent practice of transfers to the Yakima County Jail. In response to this issue, I created a position within my organizational chart titled, “Assistant Ombuds – Gender Equity and Vulnerable Populations” that will be able to dedicate time to not only the women, but other marginalized populations, including LGBTIQ individuals, non-native speakers, non-citizens, individuals with disabilities, and others. A second concern raised pertained to quality of healthcare for inmates. This is a common issue in any correctional setting and again, I have created within my office’s organizational structure an Assistant Ombuds who will be solely dedicated to handling, investigating, and resolving healthcare-related complaints.
- As relayed above, I have developed the organizational chart for my office (see Attachment B). In addition to the two specialized positions indicated above, the office will also include two Assistant Ombuds who can handle general complaints who will be

split between the Western and Eastern prisons. Last, I am initiating a Community Relations Manager, who will act both as an office executive assistant, but also conduct the necessary outreach to stakeholders, such as families, and also will be responsible for ensuring that all complaints to this office are appropriately received and logged.

- Related to the Community Relations Manager position, I plan to institute an extensive intern program to assist with complaint intake, including ensuring that the statutorily mandated 1-800 number call line is manned, as well as to conduct policy research and communications assistance. I hope to have this program instituted prior to the start of 2019.
- All positions have been publicly posted and interviews are in the process of being conducted. The first position filled was that of Assistant Ombuds – Health Care Specialist, who will start on November 1. The second position to be filled is that of the Gender Equity and Vulnerable Populations Specialist – given the candidate’s personal schedule, they will start in January. The other positions should be filled prior to the end of the year.
- I am working with WATech to create the official website and have drafted content as well as created a Twitter account. The website should go live in November.
- I am also working with WATech to create the database to log the complaints, which will be an important tool to have in place prior to opening the office to receive complaints. The database, which is currently planned to be modeled off the Office of Education Ombuds database re-design, is expected to be in place by November 6.
- I have held introductory phone calls and in-person meetings with several state legislators on both sides of the aisle and across the chambers. I am developing a legislator outreach strategy to ensure that all legislators feel informed about my office and comfortable in using it.
- I have held introductory meetings with the DOC Secretary, DOC Executive Team, and DOC Superintendents to introduce myself, explain the purpose of the office, and answer any questions. I have also started to tour the DOC correctional facilities, starting with Clallam Bay and Olympic Corrections Center, Airway Heights, and the Washington State Penitentiary. Tours include meetings with the executive team, speaking with inmate tier representatives, viewing housing units, and going cell to cell to speak with inmates being held in segregation. I expect to complete tours of all of the facilities before the end of 2018. I also attended a DOC legislator tour of Correctional Food Industries to learn more and even taste the food that is prepared for inmates.
- I have also had at least one meeting with a representative from both the Teamsters and AFSCME. I plan to have additional meetings with union leadership, as they are an important stakeholder in the corrections department.

- I am working on drafting a Memorandum of Understanding with the DOC to establish mutually-understood procedures, and I have reached out to both the Prison and Probation Ombudsman in the UK and the Canada Office of Correctional Investigator to learn more about their procedures in an effort to emulate any best practices.
- I attended a Reentry Council meeting, which I hope to continue attending as an interested party, and also met with members of the coalition that lobbied to bring this office into being.

I am also working to create the policies necessary for office management, including maintaining confidentiality, ensuring adequate access to DOC records for the purposes of investigation, and making appropriate contacts. I am considering office location needs as our current location in the Insurance Building is temporary. Finally, I am engaging in ongoing outreach to stakeholders and creating materials to educate inmates, the public, and others on the duties of the office.

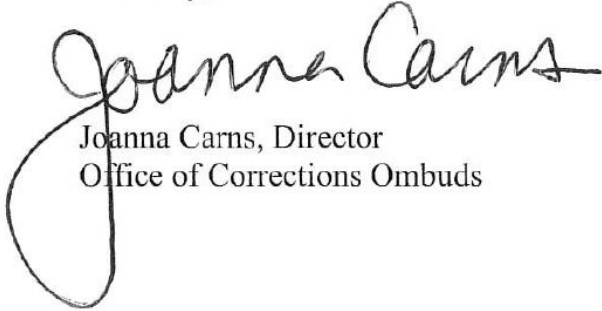
As I look ahead to the needs of the office, my expectation is that by the end of the year, I will have filled all of the positions; the office will be actively taking complaints via phone, mail, and through the website; a database will be in place to log the complaints and generate reports; a procedures manual will have been implemented for all staff to follow in the investigation of complaints; and, I will have held the first statutorily mandated public meeting. I am confident in my ability to achieve this goal.

In addition to the above, the following items are statutorily required to be included in my annual reports:

- Total Budget for the Office - \$1,216,000 FY 2019
- Total Appropriations as of September 2018 - \$3,940
- Number of Complaints Received and Resolved by the Ombuds – 0 YTD (as noted above, I expect to begin receiving complaints in November)
- Description of Significant Systemic or Individual Investigations or Outcomes Achieved by the Ombuds during the Prior Year – None as the office has just opened.
- Any Outstanding or Unresolved Concerns or Recommendations of the Ombuds – None as the office has just opened.
- Input and Comments from Stakeholders, including the Statewide Family Council, regarding the Ombuds' Activities during the Prior Year – None regarding the prior year; however, as mentioned above and attached, I conducted a brief survey of family members and stakeholders regarding the Ombuds office and have attached it for your review.

Thank you again for the privilege to serve in this role. I look forward to working with you and for you to better serve the people of Washington.

Sincerely,

A handwritten signature in black ink that reads "Joanna Carns". The signature is written in a cursive style with a large, looping initial 'J' that extends downwards and to the left.

Joanna Carns, Director  
Office of Corrections Ombuds

## Attachment A

### Office of Corrections Ombuds Introductory Stakeholder Survey

Persons/organizations represented: Family Councils (Cedar Creek, Washington State Penitentiary, Monroe, WCCW), Quaker Voice, Post-Prison Education, Prison Voice, What's Next Washington

#### What in your opinion should be the immediate priorities of the Office of Corrections Ombuds in the next three months?

- Outreach and listening sessions. Learning DOC policy. Setting up the office for immediate intake of INDIVIDUAL complaints. Establishing procedures and relationships with DOC staff to investigate complaints.
- Food
- Listen to families and incarcerated people (attend Statewide Family Council meetings - 9/15, 11/17, etc.), establish a well functioning robust office, review and identify problem Policies and Programs
- Hiring a quality team of savvy, diplomatic, and tenacious staff; 2) establishing a regular quarterly stakeholders' meeting inside the prisons that allows the incarcerated, the Teamsters Local 117, DOC leadership, the internal DOC ombudsman, families of the incarcerated, interested legislators, and any other relevant stakeholders to sit at a table together to come up with ideas on how to eliminate the hostility and communications breakdown that is at the root of the majority of problems in our system; 3) working with each of the aforementioned stakeholder groups to identify the top systemic concern(s) for each; and 4) having all ombuds office staff rapidly learn as much as they can about DOC history
- Re-entry, classification processes and bed space at work release.
- Commitment to global best practice concerning the treatment of prisoners: Tokyo, Mandela and Bangkok Rules 2. Stopping the Yakima Jail transfers of women prisoners 3. Creating a women's division to address the specific needs of incarcerated women and implementing alternatives to strip search.
- There needs to be a clear separation of policies and procedures for women's facilities and inmates and the men's. Stop the transfer of inmates to Yakima County Jail. Get the body scanner that the state legislature has approved and funded installed at WCCW.
- Bringing the values of the agency back to the RCW 72.09.010.  
<https://app.leg.wa.gov/rcw/default.aspx?cite=72.09.010>
- Studies like this one to learn and understand the challenges inmates and families of inmates face each day.
- Ensure all inmates, family members, and prison staff are aware of your new position and establish the preferred method to communicate with you.
- Health care and transparency. Establishing credibility with the para-military brass at the DOC to the point that they won't fight you at every turn.
- Build trust with families and friends of inmates; establish trusted relationship with Carlos Lugo the DOC ombuds; set up administrative structure
- Gain trust from both "sides"
- Sexual assaults against women, especially in WCCW, long ago became an epidemic.

- Do what I'm told you are already planning on doing. Check out the entire system from top to bottom and become aware of all the disconnects, all the individual "rice bowls" individual offices and organizations are trying to protect or isolate from change.
- Understanding and becoming involved in the Sentencing Guidelines Commission's assessment of the "new" criminal justice scheme put into effect in 1984, particularly the addition of a second look/parole system.
- Meet with stakeholders, get a sense of what problems need to be addressed.
- Advocate to stop immediately the transfer of women inmates to Yakima jail.
- Stop inmates from going to Yakima unless they want to.
- Meet with various stakeholders and organizations, obtain qualified staff. Be visible and at the same time take the time to get to know and work within a deeply political state government.
- To go into the housing units to speak with the men/tier reps to get their perspective on the issues that is occurring within the facility to help you better understand how to tackle these issues.

### **What are the top THREE issues within the DOC that need to be addressed?**

- location of incarceration, medical neglect and staff misconduct to include punitive use of solitary
- Food, solitary confinement, educational opportunities for the incarcerated
- Medical care (medical vs custody & cost), Grievance program and harmful (always) punitive sanctions & policies, A process to rebut, repair false reporting by staff and "official" documents.
- There seems to be no proactive unified tracking of complaints filed against specific staff via the grievance system, internal ombudsman, or external avenues of complaint from visitors and families of the incarcerated. There also seems to be no proactive tracking of the ways in which many prison facility staff are misusing the Washington ONE/Advance Corrections OMNI (Offender Management Network Information) Behavioral Observations system.
- The more powerful the Teamsters Local 117 union becomes, the more afraid local prison facility supervisors are to discipline line staff.
- The internal agency policies and WACs (Washington Administrative Code) written by DOC do not appear to be assessed by any sort of independent experts or review board to determine their potential negative impact on the following: success of family connections through incarceration, reentry outcomes, mental health of the incarcerated and their families, and nutrition for the incarcerated.
- County of origin issues, re-entry processes and one - process for all institutions in the state for counselors with paperwork.
- Lack of safety for women in prison 2. Lack of trauma care for women in prison 3. Strip search of women prisoners
- Evaluating the hiring and training of DOC staff that are directly connected to inmates. Evaluating the medical care provided. Address the decline and lack of programs that help inmates adjust to their environment both inside and upon release.
- I understand that security officers (guards) deal day in and day out with very difficult personalities. However, I feel that in many cases they could act with more respect and less "power tripping" when dealing with inmates.

- I feel that many inmates are just languishing within Prison. Many DO find purpose, but not all. They ALL should have some type of work, responsibilities or training to help within communities and give them something to care about.
- Medical treatment (physical and mental)
- Food quality (conform to the governor's nutritional mandate)
- Education (prepare for return to society)
- According to the DOC personnel who responded to the Senate's FIXDOC survey, nepotism and frozen internal communications. A third is the fundamental and nearly philosophical question of whether they see themselves as law enforcement or as social services. Within that third issue, concretely, rehabilitation programs don't seem to get enthusiasm from the care-custody-control experts.
- Trusted communications channels established: legislative to DOC; family to DOC; inmates to DOC
- medical
- Sexual assaults against women in WCCW; food-diet; access to meaningful programs which have the proven ability to reduce recidivism and re-admission among the prisoners who comprise 77% of recidivists.
- My particular concern here has been the failure on the part of DOC to facilitate and encourage use of the GI Bill by the incarcerated Veteran Community to pursue higher education. Other than that, top three: (1) Revamp DOC's Mission Statement - Re-formulation of DOC's Mission Statement from "To Improve Public Safety" to "Improve Public Safety by Transforming Lives." (2) Systems/Policy Integration - Everyone from top to bottom needs to be pulling in the same direction, with the same focus, with the same priorities. (3) Integration of Family into the processes at every level.
- 1) Holding DOC employees accountable. The DOC must to be able to fire incompetent, hostile people. 2) Barriers and delays affecting outside programming and guests need to be examined and removed whenever possible. Each time the DOC rewrites policy, lead times and requirements get longer and more complicated. Volunteers and prisoners should be involved in policy writing.3) The DOC is hamstrung by its schizophrenic mission of public safety and punishment. The mission and culture need to be changed to rehabilitating prisoners and preparing them for release. Almost forgot: the Offender Betterment Fund. How is it being spent vs how it was conceived.
- Resolve prisoner concerns, mediate disputes, develop confidence among persons in prison, administration, guards (officers), and families of prisoners.
- 1.Stopping the transfer of women from WCCW to the Yakima Jail. 2.Advocate the governor immediately release 30% of the female population at WCCW to stop overcrowding, through community-resourced programs. 3.Demand gender sensitive procedures for handling the women at WCCW, from it's insensitive, tone-deaf warden.
- Medical, Communication, Visiting
- Yakima, strip searches, lack of immediate and proper health care.
- Non responsive and poor health services for inmates within institutions (this would also include the proper treatment of diagnosed mental illness among the institutionalized populations; (2) the continued use of segregation as punishment/form of behavior modification and the arbitrary and often capricious means by which it is dispensed; (3) Sexual and physical assault issues at the WCCW at Purdy.

- Accountability- (1)Using aggression, (2)excessive force and (3)Authority when it isn't needed.

**What sort of information would you like to see the Office of Corrections Ombuds provide to the inmates or to the public?**

- Thorough reports that paint a clear picture of issues that affect the incarcerated, families, advocacy groups, volunteers and DOC. Inmates: clear information how to contact your office and get relief for unfair treatment and neglect.
- Please communicate to the incarcerated that this office for created and for what purpose, offer an open communication where they don't have to be afraid to raise issues like they do with the DOC worrying about retaliation.
- What you have discovered and what & how your office will respond and address the issues at hand.
- In-depth annual reports, to be posted online, that educate the incarcerated and the public on the following: 1) key issues of concern identified by the ombudsman's office and how the issues were resolved; 2) key issues of concern that will be addressed in the upcoming year with proposed plans for resolving them; and 3) an analysis of key DOC policies that impact family connections, quality of life for the incarcerated (especially those with lengthy, LWOP, or death penalty sentences), and reentry outcomes.
- The results of this survey and the perspectus on getting the changes met.
- Information concerning global best practice standards (Tokyo, Mandela and Bangkok Rules) and information on restorative practice/restorative justice
- What issues are currently being addressed and outcomes of issues that have been resolved. Best practices to ensure an issue is given due process.
- The truth about what is actually happening within the system.
- Providing timely reports to inmates and families of what the office of Corrections Ombuds is addressing at any particular time. In other words, let us know what is going on within the office regularly.
- what efforts are being made to reform sentencing guidelines, to make them consistent across counties. Efforts to decrease use of solitary. Efforts to improve rehabilitation and re-entry programs
- What topics your office can assist with and how to contact you with concerns.
- Examples of situations that you have been able to resolve
- Others can answer this better than I, and specifically you might ask someone on your staff to go to prisontalk.com and look at what questions loved ones of inmates have that they can't get answered through channels.
- Unbiased assessment of sources of legitimate areas of neglect and need; unbiased in the sense of fairly articulating the positions of various perspectives and working toward shared input and solutions.
- statistics on types of complaints and outcomes
- Your availability. The law.
- As a taxpayer - what I'm looking for is how your actions and activities facilitate the transformation of lives from felon to productive citizen.
- The inmates - they need to feel a part of the transformative team. How about an Ombudsman Newsletter in which you generically share with all what you are working on? It's



vital that anonymity be maintained in terms of who has said what to whom but an advocate newsletter read by all in which you share initiatives, or focus, or direction would nip the "inmate radio" in the bud and lessen the stress on the part of inmates that they just aren't important and nobody cares or listens to them.

- What their rights are in a variety of areas. They have lost some rights as prisoners but have retained others. For example, do they have a right to receive and send letters to their families in Spanish if that is their language.
- Conditions in prisons, concerns of those living in prison, opportunities and techniques for resolving concerns
- How our justice system can be made fairer and more capable of achieving it's supposed mission. Instead of perpetrating ancient punishment regimens which defeat the entire concept of 'rehabilitation'.
- That you are new, You are there to support inmates and help me navigate the system, and an explanation of exactly what that means.
- Publish clear and concise rules, procedures and how hearings and or review of legitimate issues are conducted by the OCO. Be clear as to what cannot be expected of the office. Make sure that the OCO website is professionally produced, easy to use and current on a daily basis. Provide examples of how to make the process easier or better understood by families of inmates, inmates, and the public. A do and don't list based on OCO experience.
- We as visitors and inmates would like to see and hear what your plans and your focus will be once you gather your information on the Department of Corrections and their unfavorable treatment toward families and inmates.

In your opinion, what will make the Office of Corrections Ombuds successful?

- Independence above all. An understanding that everyone has an agenda. A deep belief and desire to speak truth to power. High standards of humanity, care, and dignity.
- Speed of problem resolution, fair assessment, advocacy for the incarcerated as well as their vulnerable family members, follow up, transparency.
- A tenacious, fearless approach to the WA DOC with an office staff willing to dig deep, assess and respond adequately, with resolve to eliminate the systems of harm to our incarcerated loved ones (and families).
- Using individual cases as opportunities to address systemic issues.
- Facilitation of innovative collaboration and conflict resolution opportunities and processes within DOC.
- True impartiality and inclusiveness of all stakeholders. No stakeholder can be demonized, excluded, or given more power/access than any other for this office to be effective.
- Transparency and clear communication that is not "canned" communication.
- Courage and commitment to the implementation global best practice standards
- Good communication between inmates and their families and the DOC
- Integrity, ethics and standing up for what is right and maintains the human dignity of incarcerated individuals no matter what the political powers believe.
- Easy access to information. Let us know of the hard work that is being done within this office. Give us ways to give input. Let us see what is being done in behalf of inmates and their families. Visit our local family council meetings so you know of our concerns and challenges. Let us know what you can do to help. Let us see your face often so we know who you are and what you are accomplishing.

- open forums with the public. Anonymous ways for DOC officers and staff and inmates and family members to submit concerns.
- If the stakeholders are confident that bringing up issues to your office provides satisfactory results.
- Earning the grudging trust and respect of the DOC. Securing a commitment from the Governor to protect your independence. Skillfully avoiding the toxic politics the Governor and Legislature have been having over DOC issues the last few years.
- Establishment of mutual trust among the DOC, inmates, family, public and legislators
- Resist the Us vs Them mentality. Work to build trust. Emphasis that your office does not represent the DOC nor does it represent inmates.
- Doing what you are prohibited from doing: suing.
- Your office needs to have an "effective corrections practices" education proponent. You have a podium by which to be heard. You are Independent, at least in name, so use that independence to say what needs saying irrespective of all the various interest groups. What works? What doesn't work. What programs are most effective at reducing recidivism? Offer answers to those kinds of questions.
- Independence from the DOC, deep commitment to fairness, courage to stand up against pressure, willingness to confront the DOC and talk with legislators when compromise doesn't work. Though neutrality is certainly a key to fairness, DOC employees already have their own union plus their own ombudsman, while the prisoners have nothing, so the power imbalance between the DOC and the prisoners and their families is already huge.
- Gain confidence of all concerned, resolve concerns and disputes informally if possible, moving to formal methods if needed.
- I'm skeptical you'll be able to change anything. But good luck.
- An honest person with integrity who is not going to get sucked into the Negative mentality of DOC, Someone who is willing to stand on true principles, and support inmates as real human beings and really listen to them to hear what they're saying and what they're not saying
- A thorough understanding of the different cultures and populations of our institutions. Honest engagement with the family councils, and a willingness to make difficult decisions that they will not necessarily agree with, but that the facts demand. Conduct thorough investigations, as the bill that establishes the powers of the OCO, grants the OCO considerable authority when addressing issues of inmate health, welfare and safety. Be transparent, honest and direct when dealing with inmates, as their perspective, is constantly tempered by their confinement; and based on personal experience, do not suffer bureaucratic foolishness lightly.
- Being able to stand up to DOC and the Union and not let them get away with hatred and being unfair to the population of men/and or women as well as the families.

**Attachment B**

**Washington Corrections Ombuds Organizational Chart**

