



Office of the
CORRECTIONS OMBUDS

ANNUAL REPORT

FISCAL YEAR 2022

November 1, 2022

TO: The Honorable Jay Inslee, Governor of the State of Washington
Members of the Washington State Legislature
Stakeholders of the Office of the Corrections Ombuds
Cheryl Strange, Secretary of the Department of Corrections

We are pleased to submit the Fiscal Year 2022 Annual Report of the Office of the Corrections Ombuds, which provides an account of the agency's activities from July 1, 2021, through June 30, 2022. During this reporting period, the Office of the Corrections Ombuds (OCO) experienced considerable changes, notably three different directors and a significant increase in the number of received complaints. In autumn 2021, we expressed our gratitude to OCO's inaugural director, Joanna Carns, as we welcomed interim director Sonja Hallum. For the next six months, we restructured and redesigned all OCO business functions to increase our ability to provide assistance to the people we serve. In June 2022, I became the new director. Since then, we have diligently worked to embed a culture of accountability at the OCO. For us, accountability means that we are responsible for our choices and the consequences of our choices; this goal applies internally and to our work with the Washington Department of Corrections (DOC).

During this reporting period, the OCO opened 3,024 cases representing complaints from, or about, 1,631 incarcerated individuals. We resolved 2,636 complaints. Not surprisingly, the most frequently received complaints were about COVID-19, including concerns about quarantine/isolation conditions (duration, crowding, toilet/shower access, etc.); DOC staff not following PPE and social distancing guidelines; problems with obtaining test results; vaccinations; video visits; food; and mishandling of property. While the pandemic compounded existing trauma and widened disparities in resources and power, at the OCO we opened 97% more cases this year than in last year's same reporting period.

There are a lot of structural problems in Washington DOC. Bringing about positive change in our state's prisons is our collective responsibility. We, the staff of the OCO, are committed to clearly and effectively communicating to the DOC problems that need to be fixed and asking for change and solutions. In return, we deliver transparent and responsive resolutions and meaningful results for the people under DOC's care and custody.

We thank you for supporting the Office of the Corrections Ombuds and our work to increase positive outcomes for the incarcerated people we serve.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Robertson".

Caitlin T. Robertson, Ph.D.
Director, Office of the Corrections Ombuds

Contents

Executive Summary -----	3
Core Duties-----	4
Budget and Expenditures -----	4
Top Ten Investigative Case Factors-----	5
Top Ten DOC Institutions of Incident Complaints-----	5
The OCO in Action -----	6
Publications -----	8
Monthly Outcome Reports: A Self-Advocacy Tool -----	9
Unexpected Fatality Reviews -----	10
Unresolved OCO Recommendations -----	11
Stakeholder Input -----	12
Looking to the Future-----	17
External Focus -----	18
Clear and Consistent DOC Policies-----	18
Unresolved Concerns with the DOC Resolution Program -----	18
Internal Focus -----	18
Process Improvements -----	18
Pro-Equity Anti-Racism (PEAR) Team -----	18

Annual Report Prepared by:
Elisabeth Kingsbury, J.D. – Policy Advisor and Caitlin Robertson, Ph.D. – Director

Office of the Corrections Ombuds
2700 Evergreen Parkway NW
Olympia, WA 98505

Executive Summary

In Fiscal Year 2022 (July 1, 2021 through June 30, 2022), the Office of the Corrections Ombuds **opened 3,024 cases** representing complaints from, or about, **1,631 incarcerated individuals**. The office **resolved 2,636 complaints** during this time period. The Office of the Corrections Ombuds (OCO) received an average of **500+ calls for assistance each month** through our hotline.

Complaints related to **COVID-19 were the most frequently received type of concern** in FY 2022. COVID-19 complaints included concerns about quarantine/isolation conditions (duration, crowding, toilet/shower access, e.g.); staff not following PPE and social distancing guidelines; problems with obtaining test results; vaccinations; video visits; food; and mishandling of property.

Discipline of incarcerated individuals was the second most common type of complaint received in FY 2022. Disciplinary complaints include concerns related to the issuance of an infraction (innocence, mitigating factors, type of infraction, and infractions issued in retaliation for engaging in a protected act), problems that arose during the disciplinary hearing, and concerns about sanctions.

The OCO successfully **negotiated hundreds of positive outcomes** (provided assistance) during FY 2022, ranging from individual concerns to systems changes. Additionally, the OCO released nine monthly outcome reports during this reporting period, as well as, provided comments on 19 proposed DOC Policy updates.

The OCO values continuous improvement and the trust of the people incarcerated in the Washington Department of Corrections facilities and all our stakeholders. Please reach out if we can be of assistance.

To submit an online complaint, click [HERE](https://oco.wa.gov/submit-complaint) or go to: <https://oco.wa.gov/submit-complaint>

To subscribe to our OCO notification listserv and news bulletins click [HERE](https://public.govdelivery.com/accounts/WAGOV/subscriber/new?topic_id=WAGOV_158) or go to: https://public.govdelivery.com/accounts/WAGOV/subscriber/new?topic_id=WAGOV_158

Questions and/or comments about this report can be sent to:

Office of the Corrections Ombuds
2700 Evergreen Parkway NW
Olympia, Washington 98505
OCOCorrespondence@gov.wa.gov

Core Duties

The Office of the Corrections Ombuds is an independent and impartial public office within the Governor's Office. The Office of the Corrections Ombuds (OCO) serves the state of Washington by helping to resolve issues involving people incarcerated in the Department of Corrections facilities. Through our case work and published reports, we work to promote a positive change in corrections.

The following duties and responsibilities of the Ombuds are set forth in state law¹:

- Maintain a statewide toll-free confidential hotline.
- Provide information and technical assistance to incarcerated individuals and stakeholders.
- Receive, investigate, and resolve complaints.
- Monitor and provide system oversight related to the health, safety, welfare, and rehabilitation of incarcerated individuals.
- Monitor and provide legislative and policy developments affecting correctional facilities.
- Submit an annual report by November 1st of each year.
- Submit an annual report to the legislature on the status of the implementation of unexpected fatality review recommendations.

Budget and Expenditures

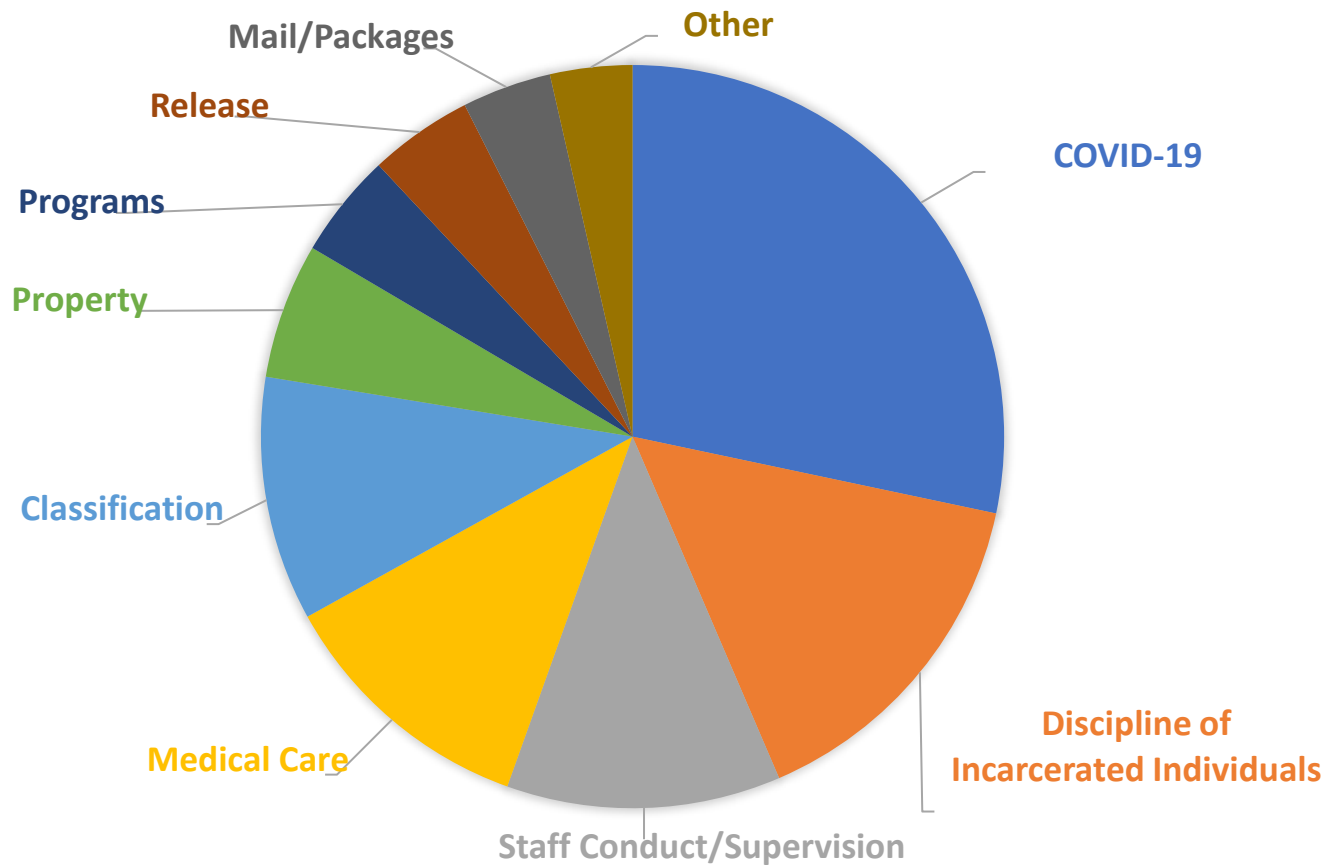
The Office of the Corrections Ombuds Fiscal Year 2022 budget and expenditures:

Category	Allotment	Expenditure
Employee Salaries and Wages	796,492	854,026
Employee Benefits	288,439	290,085
Professional Service Contracts	10,000	0
Goods and Services	146,700	98,510
Travel	60,000	13,635
Capital Outlays	0	82
Interagency Reimbursements	3,334	(99,260)
Total	1,304,965	1,157,078

¹RCW 43.06C and RCW 72.09.770

Top Ten Investigative Case Factors

The top ten most frequently reported topics of investigative cases in FY 2022 were:



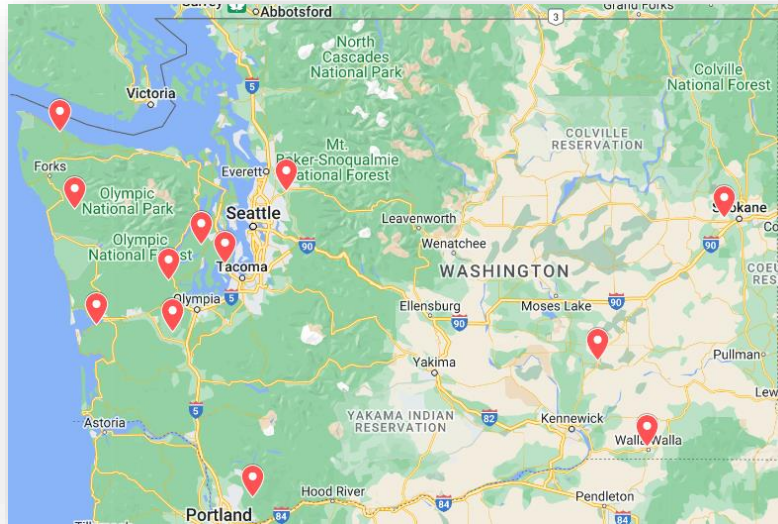
Top Ten DOC Institutions of Incident Complaints

The OCO received the most complaints from the following ten DOC Institutions in FY 2022:

DOC Institution of Incident	Cases Opened	Cases Closed
Stafford Creek Corrections Center	566	484
Monroe Correctional Complex	561	532
Airway Heights Corrections Center	445	368
Washington State Penitentiary	381	309
Coyote Ridge Corrections Center	297	248
Washington Corrections Center	244	215
Washington Corrections Center for Women	136	118
Clallam Bay Corrections Center	130	130
Cedar Creek Corrections Center	73	68

The OCO in Action

The following are examples of investigative cases in which the OCO staff provided assistance or information to incarcerated individuals in all 12 prisons throughout the state of Washington.



Airway Heights Corrections Center

- OCO staff obtained a restoration of good conduct time for an incarcerated individual.
- OCO staff identified a reporting error in OMNI. Once DOC updated the entry, the incarcerated individual was released on partial confinement GRE.

Cedar Creek Corrections Center

- OCO staff helped DOC staff locate a previously rejected check from the IRS. DOC staff authenticated and redelivered stimulus check to the incarcerated individual.

Clallam Bay Corrections Center

- OCO staff requested classification counselor review release planning with updated approved address. After OCO request, incarcerated individual released from prison.
- OCO staff requested that an incarcerated individual be returned to general population, as his administrative segregation placement from sending facility was no longer active. After request, incarcerated individual moved within the same day.
- OCO staff asked DOC to review shower procedures as incarcerated individuals were not consistently receiving a razor and nail clippers at shower rotations. The DOC staff agreed to provide a training to new and relief staff to ensure individuals are able to use a razor and nail clippers during their shower rotation.

Coyote Ridge Corrections Center

- OCO staff requested DOC medical review patient's appointments and treatment plan. DOC medical then met with the patient and scheduled an additional appointment with a provider. Patient received new medically necessary equipment and confirmed to the OCO that other medical concerns were addressed.

- An incarcerated individual waited more than four months to receive Correctional Industries ordered glasses. The OCO requested and DOC medical agreed to reschedule the patient with the optometrist and submit a new order, as the original glasses were no longer available.
- OCO staff requested and the DOC agreed to cover the costs of shipping an incarcerated individual's extra boxes of property to new facility due to medical needs, specifically since the incarcerated individual had very recently paid \$80.00 to ship property when transferred for medical needs to current facility.

Larch Corrections Center

- OCO staff requested and DOC staff agreed to meet with an incarcerated individual and review GRE requirements. After meeting, DOC staff confirmed that the incarcerated individual is on track and release plan was in work.

Mission Creek Corrections Center for Women

- OCO staff obtained confirmation that once released to GRE, an incarcerated individual will be provided a travel pass to visit her family in a different county.

Monroe Correctional Complex

- OCO staff requested and DOC medical staff agreed to review a patient's care plan and provide an emergency consult report by the Facility Medical Director. As a result, a specialist consult was submitted and DOC medical staff began working with an outside provider to have a necessary procedure performed in order to expedite an oncology evaluation.
- OCO staff obtained confirmation that patient had an active Health Status Report (HSR) and that supportive clothing for relief would be provided for individual's chronic pain.

Stafford Creek Corrections Center

- OCO staff reviewed DOC Interstate Compact policy 380.605 and requested the DOC staff ask the sending state to agree that an incarcerated individual be promoted to a lower custody. Both states agreed to move the individual to a lower custody at next custody facility plan.
- OCO staff asked the DOC Health Services Leadership for an investigation into the allegation that an incarcerated individual was discontinued from mental health medication from his psychiatric prescriber for missing pill line. DOC agreed and performed an audit of resolution requests regarding this facility-specific issue.
- OCO staff requested DOC facility leadership review a "failure to comply" serious infraction because the OCO review of the disciplinary materials, including video, did not match staff written statements in the infraction report. DOC staff agreed to expunge the infraction from the individual's record.

Washington Corrections Center

- OCO staff requested that unit staff locate incarcerated individual's property and retrieve old pair of glasses because current eyeglasses were broken when moved to restrictive housing. DOC staff agreed and delivered old glasses to the incarcerated individual while in administrative segregation.
- OCO staff asked and DOC facility leadership agreed to remove an infraction from an incarcerated individual's record due to OCO substantiating multiple process violations.

Washington Corrections Center for Women

- OCO staff requested and DOC staff agreed to review new visitation application between husband and wife. After OCO met with DOC visitation staff, their visits were approved with no restrictions after three previous applications were denied.
- OCO staff requested and DOC leadership staff agreed to review the actions of staff who performed a cell search in violation of policy.
- Patient had been on list for dental care since 2018. OCO staff requested and DOC Health Services staff agreed to schedule patient for a dental appointment.

Washington State Penitentiary

- OCO staff requested DOC Health Services provide biopsy results to patient. Originally, after request, DOC staff reported that there was no record of a biopsy; however, after further review, DOC staff located the biopsy record and scheduled appointment with patient to discuss findings and the reason for delay.
- OCO staff requested and DOC facility leadership agreed to review an infraction and BOEs which the OCO substantiated violated DOC Policy 300.010 Behavior Observations and DOC Policy 460.000 Disciplinary Process for Prisons. As a result, the infraction was expunged while two negative BOEs remained.
- An incarcerated individual is allergic to the specific type of deodorant permitted in the IMU. OCO staff requested and DOC staff agreed to change the type of permitted deodorant to a clear product that may work better for more people.
- An incarcerated individual was removed from a medium unit by an officer after a group disturbance, moved to a close custody unit, and infractioned for participating in the disturbance. OCO staff reviewed confidential DOC documents and asked DOC leadership to review the infractions. DOC agreed to remove the infractions and the person was returned to a medium custody unit.

Publications

The OCO continues to improve our investigation process with the goal of increasing positive outcomes for the incarcerated people we serve. During the fiscal year 2022 reporting period, the OCO issued the following publications²:

- Extended Administrative Segregation
- Mental Health Access and Services Systemic Report
- Transgender and Gender Non-Conforming Systemic Report
- Incarcerated Individual Betterment Fund
- MCC Heat Monitoring Report
- Nine Monthly Outcome Reports
- Policy Comments for revisions to the following policies:
 - DOC 100.500 Non-Discrimination for Individuals
 - DOC 310.000 Orientation
 - DOC 310.300 Skill Building Unit
 - DOC 330.600 Prisons Compact
 - DOC 350.200 Transition and Release

² All publications are available at the OCO website [HERE](https://oco.wa.gov/reports-publications) and at: <https://oco.wa.gov/reports-publications>

- DOC 390.590 Graduated Reentry
- DOC 400.025 Department ID Cards
- DOC 400.280 Legal Name Change
- DOC 400.410 Assignments to Specialized Units
- DOC 420.140 Cell/Room Assignment
- DOC 440.010 Personal Property in Reentry Centers
- DOC 440.080 Hygiene and Grooming of Incarcerated Individuals
- DOC 450.300 Visits for Incarcerated Individuals
- DOC 450.310 Visits and Social Outings for Work/Training Release
- DOC 470.500 Security Threat Groups
- DOC 510.010 Library Services
- DOC 600.000 Health Services Management
- DOC 610.240 Therapeutic Diets
- DOC 620.200 Death of Incarcerated Individuals

Monthly Outcome Reports: A Self-Advocacy Tool

The OCO investigates complaints regarding any actions or inactions of the DOC that adversely affect the health, safety, welfare, and rights of incarcerated individuals. RCW 43.06C.040. RCW 43.06C.040(2)(k) directs the ombuds to render a public decision on the merits of each complaint at the conclusion of an investigation. All cases opened by the OCO are considered investigations for the purposes of the statute. As of March 15, 2022, the OCO opens a case for every complaint received by this office. We publish Monthly Outcomes Reports³ every month with all public decisions of the cases closed in that month. Additionally, we updated our case closure reasons to better show data that reflects the outcomes reached and to provide greater transparency into the work of the office. The updated case closure reasons are:

- **Administrative remedies not pursued:** The incarcerated individual must pursue internal resolution per RCW 43.06C.040(2)(b) before the OCO is able to investigate the case. This category applies if the person did not file a grievance, appeal, or seek other administrative remedy prior to contacting the OCO.
- **Assistance provided:** OCO was able to achieve full or partial resolution of the person's complaint. This closing applies when we successfully reached the complainant's desired resolution or when we were able to assist in some other way that is related to the original concern.
- **Declined:** The OCO declined to investigate the complaint per WAC 138-10-040(3).
- **DOC resolved:** DOC staff resolved complaint prior to any OCO action.
- **Information provided:** OCO provided self-advocacy information to complainant. Self-advocacy information is step-by-step guidance for the complainant to go about resolving his/her/their own complaint.
- **Insufficient evidence to substantiate:** There was insufficient evidence for the OCO to verify the complainant's concern.

³ All Monthly Outcomes Reports (MORs) are available on the OCO website [HERE](https://oco.wa.gov/reports-publications/reports/monthly-outcome-reports) and at: <https://oco.wa.gov/reports-publications/reports/monthly-outcome-reports>

- **Lacked jurisdiction:** The OCO lacks jurisdiction to investigate the concern. This may include the following situations:
 - The complaint relates to an action by an agency other than WA DOC, including other WA state agencies, local jurisdictions such as jails, or in another state.
 - The complaint relates to an issue that is not under OCO jurisdiction, such as the person's underlying criminal conviction.
- **No violation of policy:** DOC is following policy.
- **Person declined OCO involvement:** This category includes cases in which the complainant did not want OCO to pursue the concern or situations in which the OCO received no response to requests for more information within the required time.
- **Person left DOC custody prior to OCO action:** This category applies only to cases in which all of the following have been met:
 - the person had filed a complaint with the OCO;
 - the OCO had not yet initiated an investigation;
 - the person has been released from DOC custody or has died; and
 - the person is not on work release or electronic home monitoring (EHM) other than EHM imposed while on community custody or supervision.
- **Substantiated without resolution:** The OCO verified complainant's concern, but we were unable to achieve a resolution to the concern.
- **Unexpected Fatality Review:** Person has died unexpectedly, and the death is under review.

Unexpected Fatality Reviews

RCW 72.09.770 requires that the Department of Corrections (DOC) convene an Unexpected Fatality Review (UFR) Committee in any case in which the death of an incarcerated individual is unexpected, or any case identified by the Office of the Corrections Ombuds for review. According to the committee, the purpose of the UFR is to develop recommendations for the DOC and the legislature regarding changes in practices or policies to prevent fatalities and strengthen safety and health protections for the incarcerated individuals in the care and custody of the DOC. Each UFR results in a report that must be made public within 120 days following the fatality, along with an associated corrective action plan to implement any recommendations made by the review team. In addition to the individual UFR reports, RCW 43.06C.080 requires that the OCO issue an annual report to the legislature on the status of the implementation of unexpected fatality review recommendations.

During the FY 2022 time period, representatives of the OCO participated in 11 Unexpected Fatality Review (UFR) Committee meetings. Ten of the UFRs included corrective action plans (CAP). The OCO reviewed and supports the findings and recommendations in all 11⁴ published UFR reports, along with, the associated corrective action plans in the published 10 CAP reports.

As the UFR committee continues to develop and refine our processes, the OCO recommends that the DOC work to complete all Critical Incident Reviews (CIRs) related to a fatality no later than 60 days after the death. Current DOC policy for CIR completion is within 120 days of assignment. When the

⁴ UFR Reports and CAP Reports are available on the DOC website [HERE](https://doc.wa.gov/corrections/services/health.htm#deaths) and at: <https://doc.wa.gov/corrections/services/health.htm#deaths>

time between the date of the death and the date of the CIR completion is shortened, there will naturally be more time available for all committee members to perform thorough reviews of the records and carry out a more robust root cause analysis.

Unresolved OCO Recommendations

The following is a list of key recommendations made by the OCO in FY 2022 that remain outstanding as of October 2022:

- **Betterment Fund:** Several of the recommendations were addressed by the department. However, this office's recommendation to "[c]reate better accountability for IIBF through regular oversight review of detailed IIBF expenditure transactions by the IIBF Administrator" has not been addressed.
- **Mental Health:** Several of the concerns identified in the OCO's report on Mental Health Access and Services were addressed by the DOC. However, certain key recommendations remain un-addressed or have been only partially addressed:
 - DOC should ensure that staff conducting mental health screenings have caseloads that allow for thorough review of each case and that screenings and assessments occur in suitably confidential areas.
 - DOC should ensure that an individual's mental health status is considered throughout the disciplinary process, including when reviewing infractions, determining guilt, and imposing sanctions.
 - DOC should develop comprehensive policies that address
 - Residential Treatment Units (RTUs)
 - Individual Behavior Management Plans (IBMPs)
 - Individuals in violator status
 - DOC should reduce the frequency of placement and length of stay in any segregated housing for individuals with mental health conditions.
 - DOC should provide additional mental health and de-escalation trainings to staff to increase positive and effective engagement with individuals who have mental health conditions.
- **Administrative Segregation:** DOC should create a hard deadline that persons must be released from solitary confinement within 30 days, whether through release to general population, transfer, or transition to a housing pod that allows for improved conditions.

Stakeholder Input

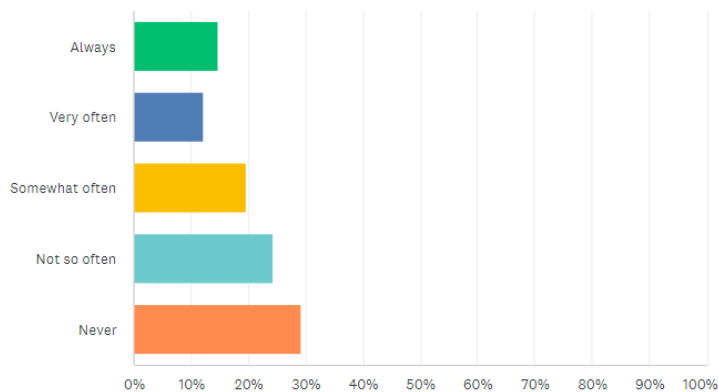
In Fiscal Year 2022, the OCO engaged with stakeholders through a variety of methods, including virtually and in-person. As required by law, the OCO held virtual quarterly public meetings on the following dates:

- July 1, 2021
- September 16, 2021
- December 15, 2021
- March 24, 2022

In addition to public quarterly meetings, the OCO requested feedback and input in how our work impacts the incarcerated people we serve by distributing a survey to the Statewide Family Council Co-Chair, Co-Secretary, Representatives, and Local Family Council Representatives. The following represents answers from 42 respondents:

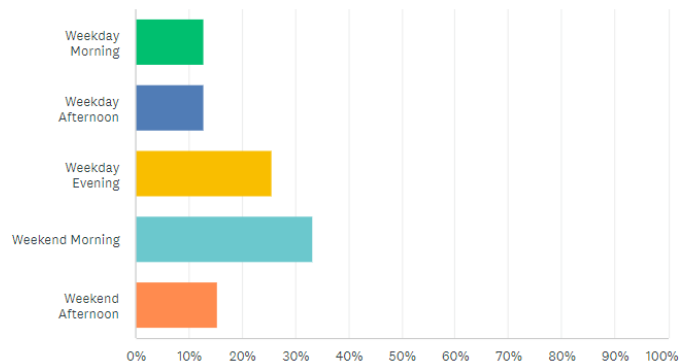
How often do you participate in the OCO Quarterly Public Meetings?

Answered: 41 Skipped: 1



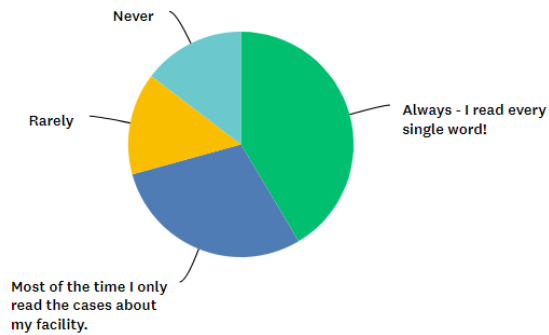
What is your preferred date/time for an OCO Quarterly Public Meeting?

Answered: 39 Skipped: 3



Do you read the OCO Monthly Outcome Reports?

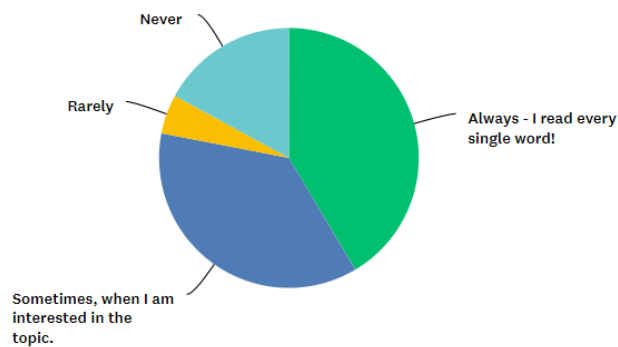
Answered: 41 Skipped: 1



ANSWER CHOICES	RESPONSES	
▼ Always - I read every single word!	41.46%	17
▼ Most of the time I only read the cases about my facility.	29.27%	12
▼ Rarely	14.63%	6
▼ Never	14.63%	6
TOTAL		41

Do you read the OCO Investigative and Negotiated Resolution Reports?

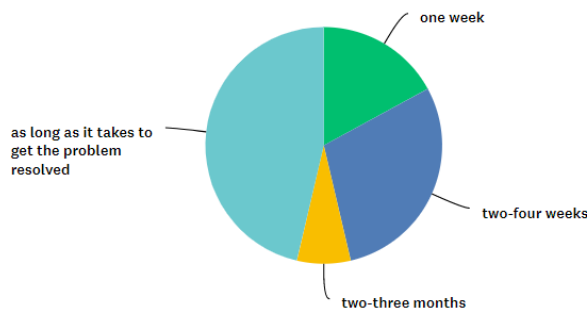
Answered: 41 Skipped: 1



ANSWER CHOICES	RESPONSES	
▼ Always - I read every single word!	41.46%	17
▼ Sometimes, when I am interested in the topic.	36.59%	15
▼ Rarely	4.88%	2
▼ Never	17.07%	7
TOTAL		41

What is a reasonable amount of time for the OCO to resolve an individual investigation?

Answered: 41 Skipped: 1



ANSWER CHOICES	RESPONSES
▼ one week	17.07% 7
▼ two-four weeks	29.27% 12
▼ two-three months	7.32% 3
▼ as long as it takes to get the problem resolved	46.34% 19
TOTAL	41

What type of information do you wish the OCO website provided?

*Responses are presented with no edits.

1. I like the changes made to the website. It's easier to find information and more information is displayed.
2. I miss the weekly phone calls that Joanna did. We were able to talk about current concerns and hear from others going thru the same things, and hear how they dealt with the situation.
3. RCW 43.06C.040 made you out of reach for me.
4. When we can have family events again. Like dinners during Holidaysday
5. ALL the information that should be public. Death investigations, medical abuse and neglect, staff misconduct, health reports, and to put TOTAL effort into investigations.
6. Send to the hole
7. current contact for transportation, mail, banking
8. Not sure didn't know about OCO or meetings until survey came out
9. On this survey...what is an HSR? What is a BOE? Use plain English.
10. Exact records of how many of the investigations are conducted. Not working with DOC or negotiating with them, when it is clearly their wrong decisions or neglect.
11. Full length snd courageous investigation reports that are not concerned with cosmetic protection of DOC's or the governor's reputations
12. More information focused on Global best practices and data that differentiates issues in Mens and Womens prisons
13. All public reports

14. I wish the info about OCO been sent out to every approved visitors. We don't know about you or the service you offer.
15. Reports - systemic and individual resolutions. Anything that will speak to the value of this office.
16. I've not seen the OCO website (didn't know there was such a thing--not well published).
17. I don't know much about it
18. an outline of suggested strategies indifferent situations--what steps to take.
19. Officers names that have been found guilty of DOC violations
20. results and concerns
21. How to navigate the site

What type of information do you want to see posted on the OCO website about our facility visits?*

*Responses are presented with no edits.

1. More of what was actually observed.
2. current status, how long you can visit how to apply for any transportation, hotel costs
3. Not sure not familiar yet; new
4. A phone number that is answered by a live person with knowledge of OCO authority, DPC policies, and relevant RCWs and WACs.
5. The type of investigation that is being conducted. This includes medical issues or retaliation on incarcerated individual.
6. Details of how those visits achieve top priority goals of OCO and stakeholders
7. Data: population numbers at each facility , number of issues reported , goals for each visit
8. Everything. Every notes and documentation. Full transparency.
9. Findings, issues addressed, and issues resolved
10. Staff misconduct, retaliation, delayed medical services, death of an incarcerated person and why (investigation), delayed or missed medical/dental/mental health services
11. I don't know
12. ratings and lists of concerns
13. Issues that was found and who to contact if it effected our family members
14. how often you have to be there
15. What the facilities are being accused of

If you were the Director of the OCO, what would your top priority for the office be and why?

*Responses are presented with no edits.

1. I would try and ensure that inmates are not targeted, retaliated against by d.o.c. staff. Recognition of model inmates that deserve house arrest and/or an earlier erd when the state calls for it. Try and not stereotype inmates by offensive so they can be a reason for inclusion for early release. IF an inmate will NEVER break the law again, should be the one and only inclusion. Ensure facilities are not taking advantage of inmates by deliberately breaking federal laws protected by incarceration.
2. Rebuilding confidence in the OCO after the departure of Joanna and interim Director coming in. Seems there has been a lot of bitterness expressed. Hoping it will be recovered.
3. Retaliation. It is pervasive at all facilities and can have devastating, cascading effects. Staff members should be tracked by infraction to see if there is a pattern for who is handing out major infractions. There are no consequences currently to staff for retaliation.

4. Get resolution through direct communication with those who can fix it.
5. THOROUGH investigations and transparency in a timely manner. Government entities have always struggled to be transparent. And when investigations are requested or called for, evidence may show that it was not done properly, whether rushed or an overly excessive amount of time was taken.
6. Fair treatment,
7. Medical and staff misconduct
8. Covid/ mental health It needs to be treated like the flu and stop being used to punish the population first. It's causing mental health issues. They are locked up like animals and have had so much taken away from them. Things we take for granted of our here like showers and fresh air!!
9. Reviewing Infractions. Why they are occurring and then recommend changes to DOC.
10. Actually helping the inmates not just having inmates call but making changes
11. open conversation between families and facilities
12. Don't know about priority but Surveys should ask 1. Do you know about OCO 2. Have you had contact with OCO/if so was issue resolved a. timely b. effectively 3. Do you know about monthly OCO meetings?
13. First, do no harm. Keep confidential information confidential. Treat each person who calls you for help as if they were your son, sister, or best friend. Work to eliminate the torture of long-term solitary confinement, no matter what DOC calls it (IMU, ad-seg, etc.)
14. I think that the top goal for OCO would be letting it be known that You and the office is there for the incarcerated individual. DOC is the Goliath and the families need a "David". Transparency without violating HIPPA laws is a very important issue.
15. Courageous investigation and resolution of concerns (and NOT reputation management for DOC and the governor's office) so stakeholders and taxpayers can feel assured the OCO is fulfilling its mission and meeting expectations the public has for such an office.
16. Commitment to Human Dignity, Human Rights, and alignment with global best practice concerning the standard minimum rules for the treatment of people in prisons: Mandela and Bangkok Rules This public commitment would help steer and hold accountable the State DOC to implement policy and practices that align and strive to meet and exceed these standards
17. Public reports with complete info about incidents except for names of inmates/ It should be shown to families, inmates and community the stuff that is going on inside our black box prison's! Nothing should be done behind closed doors. This office of oversight should be just that use the power given to this office by writing reports !
18. Rehabilitation and nurturing inmate family relationships
19. It is incredibly difficult to rank any of these things. They are all important and all feed into the other. Just make sure all of these things are happening.
20. Make sure everyone is safe in the prisons. Nobody should die over there. It's distressing being powerless to protect our loved one from being abused and not getting the appropriate care they need.
21. To hold DOC accountable. They preach about holding the incarcerated population account but they do things and Nate never held accountable some of those things include things that could land them right beside some of those inmates. And do a better job of protecting and rehabilitating them, instead of having the attitude that they are scum because they are incarcerated. And treat family members with more dignity and respect.

22. My top priority would be to help the incarcerated people by publishing reports that are honest and transparent and keeping the public, the legislators and the incarcerated people informed about the realities of our prison facilities. I would try my best to create partnership with the DOC, but everything above is way more important. That's the sole purpose why this office was created.
23. Health (medical, dental, mental)
24. That I made sure I was always a neutral party and in no way influenced or strong armed by DOC. That the people that I am trying to protect or help felt I was there for them and I would do everything I could to help them. That the reports and findings were taken seriously by DOC. We dont trust or believe in OCO anymore..... DOC is too large and ran by too many individuals that come from the culture of punishment, everyday.
25. Reducing segregation because it is so detrimental to a person's health.
26. Food price raises every month. Wages aren't being raised to be able to afford the food.
27. eliminate solitary--it is inhumane. it should never be used for health concerns (like covid isolation).
28. Medical and mental health. Making the process of filing easier on the II. Many do not want to first file a grievance because of risk of retaliation. Having mandatory grievance filing puts them at risk and makes your support and services less accessible.
29. Retaliation and Medical care Offenders are threatened with IMU if they report Medical care needed
30. mental and medical health
31. Holding the facilities accountable

Looking to the Future

Historically, the OCO held public meetings in person and outside of prisons and transitioned to virtual meetings during the pandemic. The OCO public quarterly meetings for 2023 will all be held inside a Washington DOC facility. We are excited to bring our public meetings directly to the stakeholders living inside WA DOC facilities. We are proud to include the voices of incarcerated people on our public platform.

The 2023 OCO Quarterly Public Meeting Schedule

- 📅 January 6, 2023: Washington Corrections Center
- 📅 April 7, 2023: Monroe Correctional Complex
- 📅 July 7, 2023: Location to be determined
- 📅 October 6, 2023: Location to be determined

Just as we have improved the quality of our individual investigations, we are now focused on raising the impact of our publications. Now, with our more reliable data, we can identify and report on trends. Our Monthly Outcome Reports (MORs) will continue to be where we publish the public decisions for all our investigations. With our special reports, we can highlight individual incidents while we continue to use our systemic reports to discuss issues negatively affecting multiple facilities and large numbers of incarcerated people. In Fiscal Year 2023, the OCO is focused on the following external and internal areas:

External Focus

Clear and Consistent DOC Policies

- Clear and consistent policies and procedures are vital to the health, safety, welfare, and rights of the people who live and work in the state of Washington's corrections facilities. DOC staff must hold themselves to the highest ethical standard possible and fairly administer and enforce policies not through the interpretation or discretion of individual staff but through clear and consistent application of the policies.

Unresolved Concerns with the DOC Resolution Program

- While the OCO recognizes many advances made by the DOC to improve the resolution program, opportunities for significant improvement remain. The process to obtain meaningful resolution is unnecessarily hard to navigate and often the incarcerated population must use the OCO as their only means to push paperwork forward. The OCO Hotline repeatedly receives complaints related to administratively withdrawn resolution requests for staff misconduct, failure to complete requests by the stated deadlines, unreasonable extension requests, and unwarranted re-write demands. Therefore, the OCO insists that improvements to the resolution program are not only warranted but are mandatory for the overall health and well-being of all people who live and work in Washington Department of Corrections.

Internal Focus

The small and dedicated staff of the OCO provides a unique service, and we are adamant that we are responsible for delivering clear and helpful results. In 2022 we have up-leveled all aspects of the agency, resulting in increased access and improved outcomes for the incarcerated people we serve.




Process Improvements

- Redesigned, trained, and delivered an improved complaint intake process, including improved hotline hours and online form, that has already increased the number of accepted complaints and provided better customer service
- Negotiated a new Data Sharing Agreement with the DOC to expedite access to DOC records to provide swifter outcomes for incarcerated people
- Simplified incoming correspondence data-entry
- Modernized records retention

Pro-Equity Anti-Racism (PEAR) Team

- This year, we established our PEAR Team, and are actively participating in the PEAR plan and playbook to make sure that our small state agency works in a way that reduces disparities and improves equitable and just outcomes for everyone in Washington now and for future generations. The OCO is committed to creating a culture that centers equity and belonging to sustain workplace diversity and we are collaborating to manifest a pro-equity anti-racism ecosystem in a multicultural Washington state where everyone flourishes and achieves their full potential now and for future generations.

The OCO PEAR Team Leaders:

-  **Carolina Landa:** Carolina is an Assistant Ombuds and identifies as a Mexican-American woman. She brings cultural competency and an equity and inclusion lens to this work.
-  **Chase Rapach:** Chase is an Early Resolution Ombuds and a member of RAIN Best Practices. They volunteered to do PEAR work because they believe all systems need to be examined with an anti-racist lens.
-  **Zachary Kinneman:** Zak is the Community Relations Specialist and is following PEAR issues concerning the aging and elderly incarcerated population.



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY
P.O. Box 41101 • Olympia, Washington 98504-1101

November 1, 2022

Caitlin Robertson, Ph.D.
Director, Office of the Corrections Ombuds,
Office of the Governor

Dear Dr. Robertson:

The Washington Department of Corrections (DOC) would like to provide a written response to the Office of Corrections Ombuds 2022 Annual Report.

The DOC recognizes the important role the Office of Corrections Ombuds (OCO) plays addressing concerns of those in our care and custody, their families and the public in general. The department is committed to working in partnership with the OCO to improve its delivery of correctional services. The DOC also appreciates the direct and open communication by which the OCO interacts with the department while carrying out this important work that advances a safe and humane corrections system.

Some notable efforts of this past year include; increasing health care access, [retaliation prevention efforts](#), [systemic mail process and policy improvements](#), [transgender, intersex, and gender non-conforming policy and practice improvements](#) and the [incarcerated individual betterment fund \(IIBF\) process reviews](#).

Over this past year, routine meetings have occurred with the OCO that have included internal partners and external stakeholders for the purpose of reviewing recommendations and creating plans of action amidst an ever-changing environment. The department prioritizes resolving agreed upon plans of action based on recommendations provided by the OCO.

While many issues have been resolved this year, there are areas that require work. The following items remain a focus for the department and are mentioned in the annual report by the OCO as unresolved. The department is committed to continued action to resolve these remaining areas of work, some of which require ongoing and additional resources.

Betterment Fund

“Several of the recommendations were addressed by the department. However, this office’s recommendation to “[c]reate better accountability for IIBF through regular oversight review of detailed IIBF expenditure transactions by the IIBF Administrator” has not been addressed.”

Beginning in November 2022, the Department will begin conducting targeted, unannounced monthly audits at facilities and at DOC Headquarters. At the local facility level, business advisors will conduct random audits on several transactions per month. At the headquarters level, the Incarcerated Individual Betterment Fund (IIBF) Administrator will conduct monthly audits of random transactions from each DOC facility. These audits will ensure purchases were made consistent with policy and approved state purchasing guidelines.

Mental Health

“DOC should ensure that staff conducting mental health screenings have caseloads that allow for thorough review of each case and that screenings and assessments occur in suitably confidential areas.”

The department has asked for additional funding to address caseload size and we are hopeful that this will be available in the future. With regard to confidential interview space, in June of 2021, an assessment of confidential interview spaces was conducted. Health Services leadership was given a copy of this assessment and tasked with creating a plan for securing confidential spaces. In 2022 the department received funding for a triple-wide trailer to be provided adjacent to the health services building at three facilities, including WCC. These trailers are currently in the design phase for implementation.

In the time since the initial recommendation, the DOC Health Resources Team has undertaken the transition of “care on demand” to a new model of care, the patient-centered medical home model, and is preparing for a transition to electronic health records which has taken priority over this effort. However, the department continues to utilize existing confidential space. The department also has a capital budget request to remodel the men’s reception center which will include additional confidential space for mental health assessment and interviews.

“DOC should ensure that an individual’s mental health status is considered throughout the disciplinary process, including when reviewing infractions, determining guilt, and imposing sanctions.”

DOC agrees with and is in process of fulfilling this recommendation. A pilot program was completed in December of 2021, for a new disciplinary process at the Washington Correctional Center for Women (WCCW). At the beginning of calendar year 2022, data from this program was compiled and incorporated into a new policy. The most significant change from this initial pilot is that all infractions now go through the disciplinary hearings process. The disciplinary hearings officer is required to consider mental health factors when an incarcerated individual is found guilty and may alternate sanctions. The second pilot started in April of 2022 and is scheduled to be completed by the end of the calendar year. Data and survey results from this pilot will be used for further possible revisions to the disciplinary process.

“DOC should develop comprehensive policies that address Residential Treatment Units (RTUs)”

Due to outbreaks of, COVID-19 across facilities, the Residential Treatment Unit (RTU) workgroup has been unable to reconvene since January of 2020. In April of 2022, a new health services project manager was assigned this project. However, this staff member has transitioned into another career opportunity and the department is again recruiting for a replacement. The department expects there will be policy development as the new project manager redevelops the program with the new RTU communities in CY 2023.

“DOC should develop comprehensive policies that address... Individual Behavior Management Plans (IBMPs)”

The Managing Challenging Mental Health Patient Protocol was updated in June 2021 to advance the multi-disciplinary approach to the Individual Behavior Management Plan process. The department developed guidelines for incentives to be used to improve standardization across facilities. Department Psychologists 4s were trained and updated on the new protocol. The department will include policy revisions as identified as appropriate in upcoming review cycles.

“DOC should develop comprehensive policies that address... Individuals in violator status”

DOC has updated protocols and processes for those in violator status, including the process to monitor people in drug withdrawal or detoxing. The department recognizes this recommendation as an ongoing need and will continue to request additional resources through the budgeting process to advance this work.

“DOC should reduce the frequency of placement and length of stay in any segregated housing for individuals with mental health conditions.”

Work continues to be done to advance several promising pilot projects, such as the transfer pod project, that provides alternatives to restrictive housing and allow incarcerated individuals to be provided alternatives to transitional housing out of traditional restrictive housing. These pilots provide a least restrictive environmental alternative within existing infrastructure and safety concerns. More work has been prioritized to increase the amount of transfer pods and the enhanced closed custody cells, both of which allow for 4 or more hours of out-of-cell-time, and include congregate activities, with reduced restraints use. The department has developed 112 of the 200 transfer pods and enhanced close custody beds statewide, working to get to 200 as soon as possible, pending additional resources and space.

“DOC should provide additional mental health and de-escalation trainings to staff to increase positive and effective engagement with individuals who have mental health conditions.”

In calendar year 2021, the DOC developed a plan to provide voluntary mental health first aid training to correctional officers at Monroe Correctional Complex (MCC) Intensive Management Unit and MCC-Special Offender Unit. The department received Institutional Review Board (IRB) approval for the mental health training at Monroe in January of 2022. To date, 30 correctional officers were able to participate in the training during calendar year 2022. The training has received positive feedback from participants and the DOC is currently putting forth a funding request to train all mental health first aid restricted housing staff.

Administrative Segregation

“DOC should create a hard deadline that persons must be released from solitary confinement within 30 days, whether through release to general population, transfer, or transition to a housing pod that allows for improved conditions.”

The expectation that incarcerated individuals are released from administrative segregation within 30 days already exists in policy.

Reducing the allotted 30-day time frame for all restrictive housing of those in Intensive Management Unit (IMU) status and Protective Custody (PC), regardless of individual circumstance, is not a recommendation the DOC can agree to due because of the commitment to protect staff and the population of incarcerated individuals. It is, however, our goal to encourage staff to strive for a 14-day maximum administrative segregation stay while the department is able to gain more full-time staff and department funding to support additional restrictive housing options. The department is currently expanding existing alternatives such as transfer pods and enhanced closed custody to ensure that there are other restrictive housing options that provide options outside of solitary confinement. Currently the department has secured funding for 9 full-time employees to allow moving maximum custody individuals to allow individuals up to 4 hours of out of cell time per day. The department is committed to working with the Governor’s office, the Legislature, and others to advance the reduction of the use of restrictive housing.

In closing, the department hopes these updates shed light on our commitment to operate a safe and humane correctional system and to partner with the OCO and others to transform lives for a better Washington. The agency is focused on proactively improving the lives for those we house, their loved ones, and the staff who work within our correctional facilities. While there are obstacles that will undoubtedly be in place, the Washington DOC will continue our work with the OCO and other internal and external stakeholders to overcome these obstacles and move forward in the coming year.

Thank you.



Cheryl Strange
Secretary