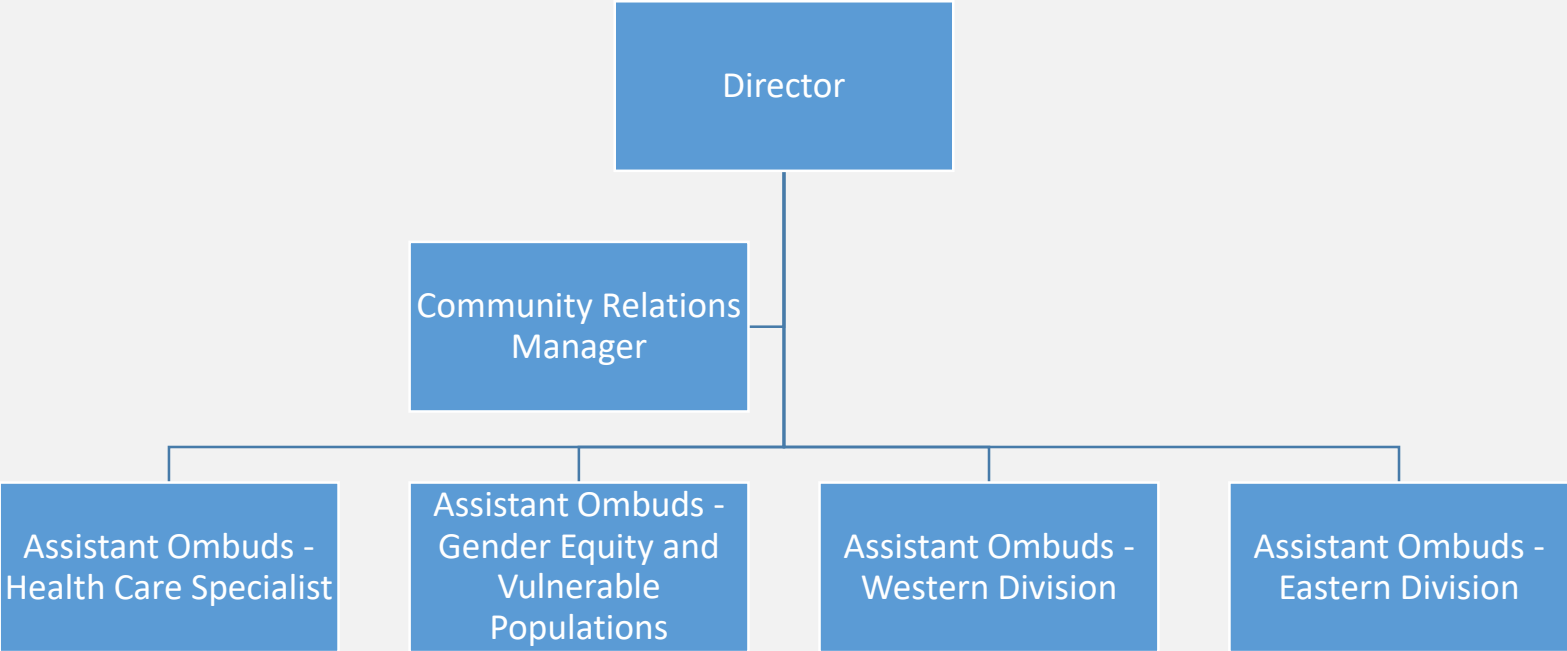


OFFICE OF CORRECTIONS
OMBUDS

DIRECTOR JOANNA CARNS

- Executive Director of the Correctional Institution Inspection Committee (2010-2016), a legislative committee in Ohio with oversight of adult and juvenile corrections departments.
- Vice President of Government Affairs and Public Advocacy for Planned Parenthood of Greater Ohio (2017-2018)
- Juris Doctor, Georgetown University Law Center (2009)

STAFF



OM-WHAT?

- An OMBUDS is an independent, neutral, unbiased third party who can assist in the investigation and resolution of citizen complaints (in this case, regarding incarcerated individuals) and make public reports
- An Ombuds is NOT an inmate (or staff) advocate, but a SYSTEM advocate

WHY HAVE AN OMBUDS?

LEGISLATIVE INTENT

- To strengthen procedures and practices to lessen the possibility of actions occurring within DOC that would negatively impact the health, safety, welfare, and rehabilitation of inmates
- Reduce the exposure of DOC to litigation

RCW 43.06C.005

WHY HAVE AN OMBUDS?

PURPOSE

- Provide information to inmates and their families;
- Promote public awareness and understanding of the rights and responsibilities of inmates;
- Identify system issues and responses for the governor and the legislature to act upon; and
- Ensure compliance with relevant statutes, rules, and policies pertaining to corrections facilities, services, and treatment of inmates under the jurisdiction of the department.

RCW 43.06C.020

WHAT CAN THE OMBUDS DO?

- Provide information to inmates, family members, and others regarding the rights of inmates and promote self-advocacy;
- Receive, investigate, and resolve inmate complaints;
- Monitor DOC compliance with federal, state, and local laws as related to the health, safety, welfare, and rehabilitation of inmates.

WHAT CAN THE OMBUDS NOT DO?

- Investigate an inmate's underlying criminal conviction;
- Investigate a complaint from a DOC employee that relates to the employee's employment relationship, unless the complaint is related to the health, safety, welfare, and rehabilitation of inmates;
- Sue DOC (or any other entity)

RCW 43.06C.040

WHAT WILL THE OMBUDS INVESTIGATE?

- Abuse or neglect;
- DOC decisions or administrative actions;
- Inactions or omissions;
- Policies, rules, or procedures; or
- Alleged violations of the law by DOC that may adversely affect the health, safety, welfare, and rights of inmates.

RCW 43.06C.040

HOW CAN INMATES CONTACT?

- Calling the statutorily required statewide toll free telephone number
- Writing directly to the office
- Potentially JPAY or other email option
- Information will be posted in housing units

**Family members or concerned citizens can also contact the Ombuds through the website – oco.wa.gov

COMPLAINT PROCESS

- Incarcerated individual MUST have “reasonably pursued resolution of the complaint” through grievance or appellate procedure.
- No timeframes and the Ombuds can pick up a complaint 90 days after the grievance has been filed, regardless of whether the investigation has finished.
- Ombuds staff will work to immediately resolve the complaint at the lowest level.

INVESTIGATIVE PROCESS

- If problem not resolved or further communication needed, Assistant Ombuds can open an investigation.
- Investigative authority includes interviews of relevant staff and inmates, review of any relevant documents, and access to DOC facilities.
- Investigations require a public decision to be made on the merits of each complaint.
- Ombuds can make recommendations, but cannot enforce

INVESTIGATIVE PROCESS

- Formal notification will be made to DOC, with request for interviews of staff and inmates, documents, and in-person site visit.
- Discussion and review of the investigative findings and recommendations will be held with DOC staff prior to the publication of an investigative report.
- No surprises/not a “gotcha” moment
- Goal: Work COLLABORATIVELY with DOC staff to develop solutions to resolve inmate-related concerns

CONFIDENTIALITY

- Correspondence and communication with the office is confidential and must be protected as privileged correspondence in the same manner as legal correspondence or communication.
- All matters under investigation, including the identities of recipients of Ombuds services, complainants, and individuals from whom information is acquired, are confidential, except as far as disclosures may be necessary to enable the Ombuds to perform the duties of the office and to support any recommendations resulting from an investigation.
- All records exchanged and communications between the Ombuds and DOC to include the investigative record are confidential and are exempt from public disclosure.

RCW 43.06C.060

STAKEHOLDER SURVEY

- Common themes included:
 - Concerns about women, particularly the placement at Yakima Jail, and sexual assaults;
 - Staff accountability (staff conduct, training, tracking complaints regarding);
 - Health care

FACILITY TOURS

- WSP, AHCC, CBCC, OCC, MCC, and CRCC
- First impressions
 - Impressed with the professionalism of DOC staff and the commitment by leadership for a just, safe, and humane correctional system.
 - Despite this, concerns from inmates and family members persist; evaluation is needed to ensure resolution of concerns at lowest level.
 - Concern re food issues at WSP

QUESTIONS?

<http://oco.wa.gov>

360-664-4749