

OCO STAKEHOLDER MEETING

JUNE 25, 2020

WHAT IS OCO/WHAT IS ITS PURPOSE?



OCO LEGISLATIVE INTENT – RCW 43.06C.005

- The legislature intends to create an independent and impartial office of the corrections ombuds to assist in strengthening procedures and practices that lessen the possibility of actions occurring within the department of corrections that may adversely impact the health, safety, welfare, and rehabilitation of incarcerated individuals, and that will effectively reduce the exposure of the department to litigation.

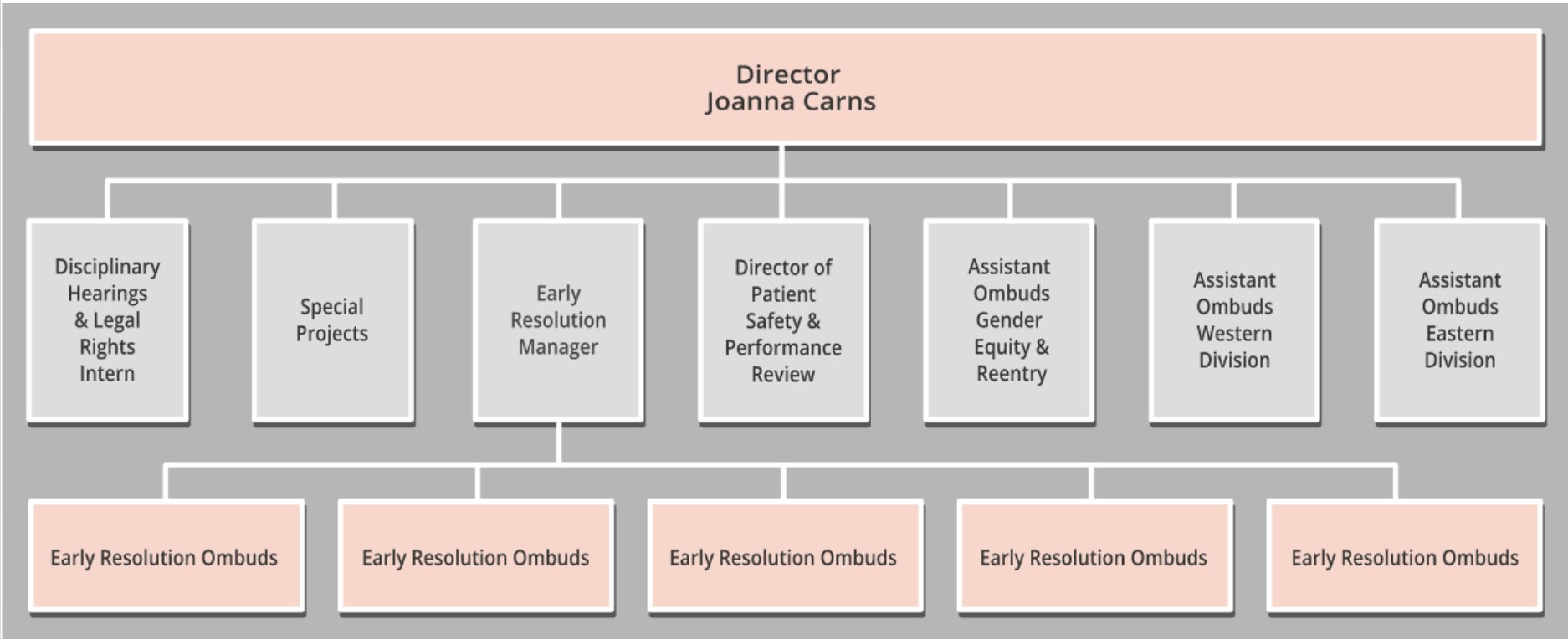
OCO PURPOSE – RCW 43.06C.020

- providing information to I/I and their families;
- promoting public awareness and understanding of the rights and responsibilities of I/I;
- identifying system issues and responses for the governor and the legislature to act upon;
- and ensuring compliance with relevant statutes, rules, and policies pertaining to corrections facilities, services, and treatment of I/I under the jurisdiction of DOC.

WHO IS OCO? HOW IS IT STRUCTURED?



OCO STAFF



HOW DOES OCO HANDLE CASES?

OCO Staff	Questions	Outcome
Intake/Early Resolution	<ol style="list-style-type: none"><li data-bbox="973 491 1727 648">1. Is the complaint about a negative impact on a person incarcerated in the Washington DOC?<li data-bbox="973 662 1696 762">2. Is the complaint about an action or inaction of the Washington DOC?<li data-bbox="973 776 1753 1105">3. Has the complainant filed a grievance and/or appeal (unless emergency/life-or-death situation)? In general, OCO asks that complainants grieve the matter to Level I (healthcare) or Level II (anything else) prior to OCO taking the case.	If the answer is no to any question, the case is closed for lack of jurisdiction. Otherwise, we proceed to the next step.

HOW DOES OCO HANDLE CASES?

OCO Staff	Questions	Outcome
Intake/Early Resolution	<ol style="list-style-type: none">1. Was the action or inaction within DOC policy?2. Has the issue been resolved?3. Can OCO substantiate and/or impact change?	<p>If DOC action is within policy, the issue has been resolved, or OCO cannot substantiate and/or impact change, the case will be closed without an investigation. [OCO can still use the case as part of a later systemic review.]</p> <p>If the action is not within policy and OCO can both substantiate and impact change, Early Resolution Ombuds work to mediate the situation with DOC staff and get a resolution. If DOC will still not resolve it, the case is elevated to an Assistant Ombuds.</p>

HOW DOES OCO HANDLE CASES?

OCO Staff	Questions	Outcome
Assistant Ombuds	<p>Considerations for opening an investigation:</p> <ol style="list-style-type: none">1. Are there additional avenues to pursue that could successfully resolve the case without an investigation?2. Is this a systemic issue impacting a number of individuals such that a public report with recommendations is necessary?3. Is this a critical issue of such a serious nature that a public report with recommendations should be issued that falls in line with OCO priorities (health, safety, rights of marginalized populations)?	<p>OCO Assistant Ombuds will work to elevate any cases where DOC policy was not followed and ensure it is resolved. They will also track issues to evaluate for potential systemic investigations.</p>

OCO WORK IN PAST QUARTER



QUARTERLY STATS: 3/21/20-6/19/20

Top Ten Case Factors

Category	Number of Cases
COVID-19	192
Medical Care	161
Not specified	114
Supervision/Staff Conduct	83
Classification	57
Other	44
Safety	43
Inmate Discipline	40
Release	24
Property	21

QUARTERLY STATS: 3/21/20-6/19/20

Top Ten DOC Institutions

Institution of Incidents	Number of Cases
Monroe Correctional Complex	166
Stafford Creek Corrections Center	114
Washington State Penitentiary	90
Coyote Ridge Corrections Center	73
Airway Heights Corrections Center	59
Washington Corrections Center	58
Washington Corrections Center for Women	49
Not specified	37
Clallam Bay Corrections Center	31

COVID-19 ACTIONS

- Due to the outbreak of the pandemic, much of OCO's work shifted in this past quarter to COVID-19, including:
 - Hosting at first daily and then weekly calls to provide information to the public
 - At the request of the community, we began conducting monitoring visits that have provided a rapid look inside prisons and immediate improvements. Eight reports published so far.

COVID-19 ACTIONS

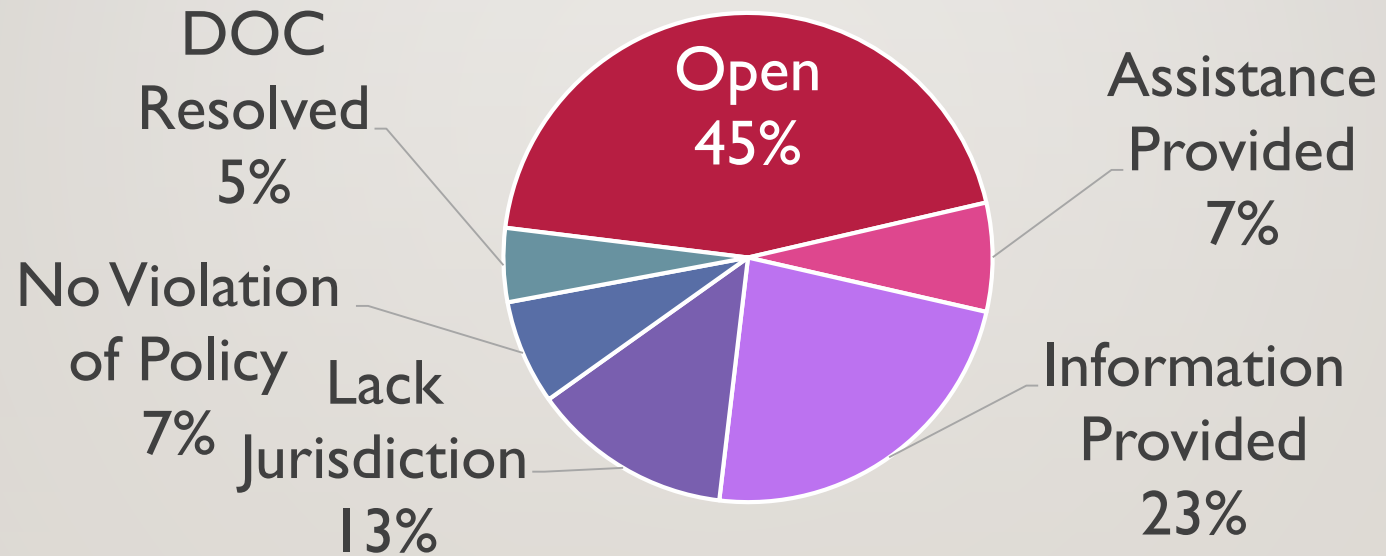
- Attended all Local Family Council and Statewide Family Council calls
- Received and lifted up individual complaints related to the DOC COVID-19 response
- Created a document to track DOC's implementation of the CDC guidelines and began holding regular meetings with DOC to identify areas for improvement
- Created COVID-19 workgroup with family members of I/I with goal of public report with recommendations

COVID-19 ACTIONS

- Engaged in a number of telephone meetings/discussions with the Governor's office related to the need for releases and expanded testing
- Lifted up concerns to DOC staff, JPAY, legislators and Secretary Sinclair regarding telecommunications
- Initiated investigation into CRCC response to COVID-19

INDIVIDUAL CASES

Cases Received in Last 90 Days



INDIVIDUAL CASES

- OCO's service:
 - Ensure compliance with DOC policies, WACs, and RCWs
 - Ensure incarcerated people receive timely medical care and evaluation
 - Where possible, impact change for the individual
 - Examples: ensured people received necessary medical appointments and treatment, overturned several infractions and BOE, quickly lifted up cases for rapid reentry review to ensure people were released

INDIVIDUAL CASES

- Impacting individual change is HARD – policies are often written vaguely and with a great deal of discretion to staff.
 - only “some evidence” required for disciplinary sanctions
 - disciplinary timeframes don’t have to be followed
 - people can be held in IMU for extended investigations
 - visitation is a privilege that can be revoked
 - decisions by medical providers very difficult to change

OCO IMPACT CHANGE CASE EXAMPLE

- Health Services reform
 1. Conducted several investigations with associated reports, engagement with the Governor's office
 2. Change in DOC Health Services leadership
 3. Implementation of improved DOC tracking and processes, particularly for chronic care/cancer cases

OCO IMPACT CHANGE CASE EXAMPLE

- Grievance procedure reform
 1. Meeting with external stakeholders to identify issues
 2. Creation of collaborative workgroup with Rob Herzog
 3. Publication of workgroup report with recommendations
 4. Hire of Carol as the Grievance Program Manager
 5. Carol continuing the work internally, building buy-in, implementing

OCO IMPACT CHANGE CASE EXAMPLE

- OBF Policy
 1. Workgroup with family members of I/I to identify issues
 2. Brokered meetings with workgroup and DOC
 3. Outcomes – change in name to IIBF, inclusion of two SWFC members as part of budget input and review, publication of IIBF budget (increasing transparency), and verbal DOC agreement to freeze number of staff positions paid out of IIBF

SYSTEMIC WORK

- Community identified five systemic issues for OCO work in 2020:
 1. Mattresses
 2. Disciplinary hearings/procedures/sanctions
 3. Property loss/mishandling
 4. Educational access/options
 5. Mental health access

MATTRESSES

- No change from before COVID-19
- Workgroup with I/I family members. Held a series of meetings with DOC and CI. CI sourced a mattress that was a higher density. Testing the mattress in the SCCC IMU. At the last meeting, CI agreed to conduct an assessment of the mattresses to determine the level of “collapse.”
- Had previously had a lot of hope for this topic, but statewide budget reductions may mean that a higher cost mattress is less viable

DISCIPLINARY PROCEDURES

- Conducted a review of all the complaints made to OCO and compiled list of recommendations
- Conducted survey of the Disciplinary Hearing Officers
- Inquired of all tier representatives for concerns/solutions
- Rob Herzog agreed to hold workgroup similar to grievance procedure workgroup

PROPERTY LOSS/MISHANDLING

- Conducting a review of all the complaints made to OCO and compiled list of recommendations
- Conducted survey of DOC staff who handle property
- Inquired of all tier representatives for concerns/solutions
- DOC staff indicated that they are in the midst of revising the property survey and reached out to work together on changes.

EDUCATIONAL ACCESS/OPTIONS

- Caitlin (Assistant Ombuds – Eastern) has held several meetings with a workgroup to start developing recommendations. This will be paused as she will need to prioritize the investigation of CRCC's response to the first COVID-positive person, but returned to after the conclusion of the investigation.
- Also asked for tier representatives' input – see report

MENTAL HEALTH

- Focus has been on the need for massive improvement in suicide prevention efforts. Number of suicides has doubled in recent years. Conducted review of all suicides in 2019 – individual reports with recommendations will be forthcoming, as well as overarching analysis and an update to the 2015 national expert review.
- Serving on the RTU Workgroup

OTHER SYSTEMIC PROJECTS

- Work release workgroup
- Still serving on IITS renegotiation committee
- Had to postpone the food services related workgroup but will propose that as a topic for next year
- Race equity preliminary work

QUESTIONS? FEEDBACK?

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