

Ombuds' Jurisdiction

The Department of Corrections Ombuds office serves as a resource for concerned citizens, individuals under department jurisdiction, and their families to submit a concern/complaint of:

- 1) Non-compliance of department policies, Washington Administrative Code (WAC), and state or federal laws that have not been satisfactorily addressed through lower-level processes or appeals; and
- 2) The endangered health or safety of an individual under the jurisdiction of the department or a visitor to a department facility.

The Ombuds may also initiate an investigation for any reason including any concern/complaint received or perceived issue regarding the department's procedures with impact to individuals under the department's jurisdiction.

Summary of the Ombuds' Recommendations

- Revisions to Department policy and practice
- Reconsideration of Extended Family Visit denials
- Reopen an inmate grievance
- Overturn a visit denial
- Submittal of a supplemental budget request to meet a Governor's executive order
- Creation of a review panel for study of Governor's executive orders
- Reverse monetary restitution sanctions
- Restore good conduct time
- Refund money to postal account
- Meet timelines on accommodations for disabled individuals
- Correct mistakes in inmate records
- Address maintenance problems
- Transfer of an individual to another facility to better meet their medical needs
- Revise process for termination from chemical dependency programs

What People are Saying

"Thank you very much for your continued efforts on my family's behalf. Thank you for taking steps, consideration, and allowing my youngest [daughter] to have visitation."

– Incarcerated father

"I want to thank you very much for addressing my case, it is such a relief. I just can't thank you enough!"

– Incarcerated individual

"It's pretty amazing how the Ombuds Requests I've submitted to you enabled you to facilitate communications with the DOC staff...who have now been able to get things on track for alternative conflict resolution methods."

– Family member of an incarcerated individual

"Great report overall and a great example of what a DOC Ombudsman should be doing."

– Iowa Ombudsman/US Ombudsman Association Board Member

DOC Ombuds Office

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Washington State Department of Corrections Office of the Ombuds 2017 Annual Report

A Message from the Ombuds



It is my pleasure to submit this inaugural report for the Department of Corrections (DOC) Ombuds Office. This report presents data on the workings of this office, including the results of closed cases, a summary of the Ombuds' recommendations and examples of two substantiated complaints.

As a new office, one of my main goals this year was to increase awareness of the Ombuds as a resource for incarcerated individuals and other stakeholders. Since February of 2017, when the Ombuds Office became operational, I have had the opportunity to meet with inmates that represent the living unit populations at 11 of the 12 DOC prison facilities to present information on the function of my office and answer their questions.

Following these visits, I have seen the number of inquiries and complaints rise as the inmate representatives share the information with the rest of the population. I am grateful for their participation and look forward to continuing this outreach by completing the last facility in the coming months. In addition to these conversations, I will release a Spanish language companion to the Ombuds orientation video that is being shown to incarcerated individuals at DOC's reception centers. I am also working to ensure that these videos are available to the incarcerated population at every prison facility.

Sincerely,

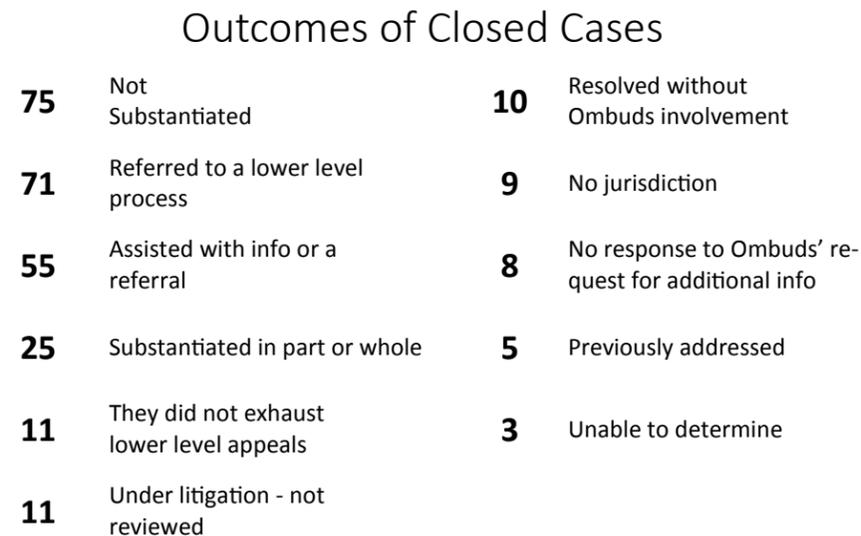
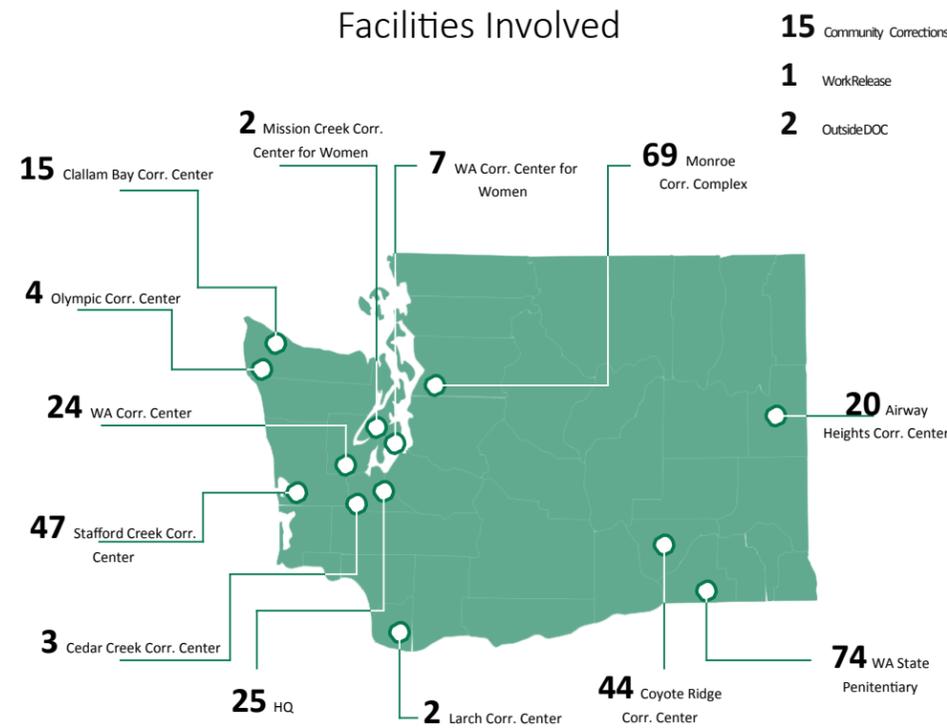
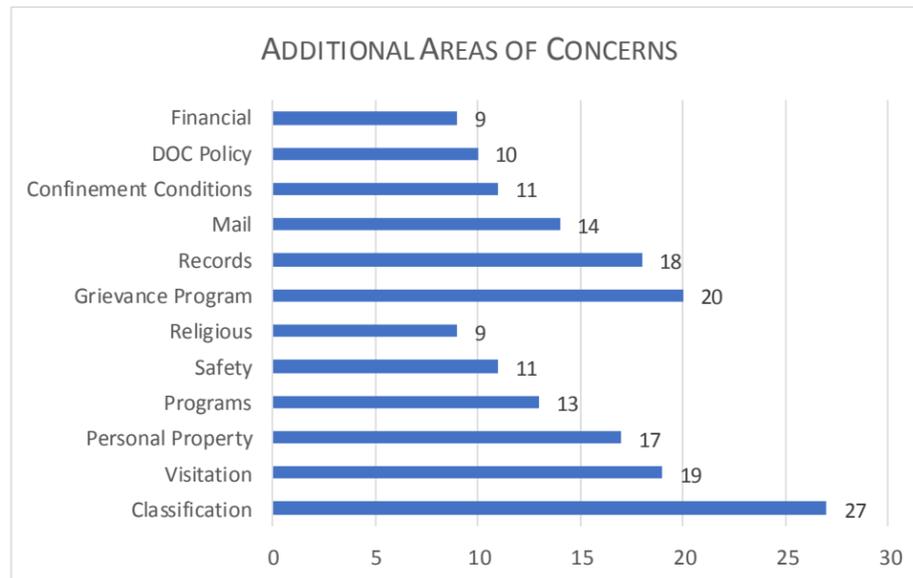
Carlos D. Lugo



"Working together for safe communities"

Numbers at a Glance

354 TOTAL NUMBER OF CONCERNS/COMPLAINTS



TIMELINE FOR THE CREATION OF DOC'S OMBUDS OFFICE



Case Example:
Good Conduct Restoration

Issue:
An incarcerated individual nearing his release date wrote that he had been approved for 245 days of good conduct time restoration but had only been credited with 215 days. He appealed the decision but the Department's response was that policy did not allow good time to be restored for individuals within six months of their earned release date.

Findings:
The Ombuds' review of the case documents revealed that the individual had been approved for 245 days of good conduct time restoration but that a clerical error had reduced the amount by 30 days. The Ombuds also disagreed with the Department's response concerning the policy as the individual did not submit a new restoration request but asked for a correction to an already approved plan.

Resolution:
State law requires that the Department notify victims and law enforcement no less than 30 days before an inmate is released for violent offenses. Due to this individual's impending release date, the Department could not restore the full 30 days and comply with the law. Upon the Ombuds recommendation, however, the individual was credited with an additional 18 days of good conduct time.

Case Example:
Monetary Restitution as a Disciplinary Sanction for Incidents of Self-Harm

Issue:
An incarcerated individual contacted the Ombuds Office with a complaint that the Department was continuing to enforce a monetary restitution sanction for a 2007 infraction for self-harm. The sanction was intended as reimbursement for the cost of his non-DOC medical treatment. The individual stated that this practice went against DOC's 2014 announcement that it would no longer discipline incarcerated individuals for acts of self-harm and attempted suicide.

Findings:
In a July 2014 press release, the Department stated that, "For too long, there has been a short-sighted tradition of punishing or isolating those who are unable to control their impulses." In line with the press release, DOC stated that it would no longer discipline incarcerated individuals for acts of self-harm, attempted suicide, and self-mutilation. The agency also restored the good conduct time that had been taken as a sanction for stand-alone self-harm violations but did not clear monetary restitution sanctions.

The Ombuds believed that the Department's practice of collecting monetary restitution sanctions appeared contrary to the declared intent behind DOC's policy change.

Resolution:
The Department reversed the monetary restitution sanctions for the individuals it had previously identified as having received stand-alone self-harm infractions. It also announced that it would return the funds already collected as restitution to the inmates' individual trust accounts.