

THE NEED FOR OVERSIGHT IN CORRECTIONS

A World Without Oversight

Washington's state prisons confine almost 17,000 people and are largely closed to the public, with very few outsiders permitted behind the prison walls. This lack of oversight and transparency means that people in prison are often overlooked, neglected, or even placed in dangerous conditions.

With more than 95% of the state's prison population expected to release back to our communities, monitoring and improving prison conditions and services protects inmates' rights, reduces recidivism, avoids costly litigation, and ultimately makes our communities safer.

HB 1889

HB 1889 would create a corrections ombuds office in Washington. The bill aims to establish an ombuds within the office of the governor that is available to people in prison, as well as to their family members. The ombuds can be accessed by letter and collect calls, and works to identify, verify, and address issues arising in our state correctional system at the lowest level possible. The bill anticipates collaborative problem solving with the DOC and regular reporting to the legislature and the public.

The True Cost of Oversight

Every year DOC pays out millions of dollars in tort claims and litigation fees. Experts agree that effective oversight systems ultimately save states money because they serve as an early warning system for issues arising in the prisons. Through identifying and resolving these issues through collaboration, before litigation, the corrections ombuds created by HB 1889 would ultimately save the state money.

A corrections ombuds could address:

- ◆ *Reports of abuse or neglect*
 - ◆ *Excessive solitary confinement*
 - ◆ *Inhumane conditions*
 - ◆ *PREA issues*
 - ◆ *Medical and mental health care*
 - ◆ *Educational or vocational services*
 - ◆ *Family visitation and correspondence*
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What would an independent corrections ombuds do?

- ◆ Monitor all twelve of Washington's state prisons, including solitary confinement units.
- ◆ Provide technical assistance, information, and resources to support self-advocacy by people in prison, and their families.
- ◆ Conduct investigations into potential abuse or neglect of people in prison, alleged rights violations, and violations of prison policy and applicable law.
- ◆ Collaborate with prison staff to address concerns raised by inmates and their families.
- ◆ Issue public reports and make recommendations on issues impacting people in prison and those facing reentry.

Staffing Matters

The cost of a corrections ombuds program is dependent on the number of staff in the ombuds office.

New Jersey, with a prison population of over 21,000, spends approximately \$750,000 annually to fund an independent corrections ombuds staff of eight.

In contrast, Indiana, with a staff of two, spends just over \$150,000 for a prison population of more than 29,000.

Nebraska, which operates an inter-agency ombuds office, reports an annual budget of one million dollars. Almost half of all calls that come into that statewide ombuds relate to corrections facilities.

In the Washington State Senate's 2017 biennium budget, one million dollars was set aside to fund an independent corrections ombuds. This funding would have provided sufficient staffing and administrative support to operate an efficient, effective ombuds office.

What makes an effective corrections ombuds office?

In 2008 the American Bar Association issued a report urging state governments to establish independent entities to monitor our nation's correctional institutions. Twenty key criteria for effective oversight were included in that report, including:

- ◆ Independence from the agency operating the correctional system
- ◆ Authority to conduct monitoring and inspect records
- ◆ Commitment to work collaboratively and constructively with prison staff
- ◆ Confidential communication

Why isn't DOC's internal ombuds enough?

In 2016 the DOC created an internal ombuds. Though this is a valuable resource for inmates and their families, it does not supplant the need for an ombuds office separate from the DOC because:

- ◆ The internal ombuds is a DOC employee and is not independent
- ◆ The internal ombuds will not address sexual assault or harassment
- ◆ The internal ombuds will not provide advocacy on behalf of inmates or families
- ◆ The internal ombuds may be accessed only after exhausting the DOC's deeply flawed grievance system

Do other states have similar corrections ombuds offices?

At least six other states have corrections ombuds offices or state ombuds offices that are independent of the state's correctional system.

Washington State has independent ombuds offices for other populations and issues, including the Office of the Family and Children's Ombuds, Office of the Education Ombuds, and the Long-Term Care Ombudsman.

What can you do to support the creation of a statewide corrections ombuds?

Call the legislative hotline at 1-800-562-6000 and tell your representative that you support HB 1889.

For further information about this issue, contact Tom Ewell at Quaker Voice for Public Policy at tewell@whidbey.com.