

THE NEED FOR OVERSIGHT IN CORRECTIONS

Disability Rights Washington

AVID Prison Project

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 2817 and SB 6154

Washington's prisons need oversight and last year two bills, HB 2817 and SB 6154, were introduced to create an independent corrections ombuds office to protect staff and inmates in our state prisons.

These bills aimed to create an office that would be open to people in prison or on community supervision or work release, as well as to their family members. Prison staff could also raise concerns regarding prison operations and conditions, providing a confidential outlet outside the chain of command. The ombuds could be accessed by letter and collect calls, and was independent from the prison's internal grievance process, which is often confusing and ineffective. The bills did not pass last session but similar legislation will be introduced in the 2017 session.

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*
 - ◆ *Staff concerns regarding prison operations and staff safety*
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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, make recommendations, and take other action on individual and systemic issues impacting people in prison and those facing reentry.

THE TRUE COST OF OVERSIGHT

Oversight Prevents Litigation

Experts agree that the cost of external corrections oversight is more than offset by avoiding the massive litigation costs that can arise from just one lawsuit.

In many states, including Washington, outside entities can actually serve as an early warning system, alerting the prisons to issues before they become the subject of litigation.

Staffing Matters

The cost of a corrections ombuds program is also 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.

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 all records bearing on prison operations or conditions.
- ◆ Commitment to work collaboratively and constructively with corrections officials.
- ◆ Confidentiality for prison staff, administrators, inmates, and others who report concerns.

Do other states have independent corrections ombuds?

At least six other states have independent corrections ombuds offices or state ombuds offices that take complaints from the correctional system. Washington State has external ombuds offices for other populations and issues, including the Long-Term Care Ombudsman, Office of the Family and Children's Ombuds, and the Office of the Education Ombuds.

No independent entity currently has the power to conduct monitoring and advocacy on behalf of all inmates in Washington's state prisons.

What should I do if I want to support the creation of an independent corrections ombuds in Washington?

- ◆ Call or write your state legislator and tell them you support legislation creating an independent corrections ombuds office.
- ◆ Come to Olympia and testify in support of legislation during the 2017 session.
- ◆ Attend the next Coalition for an Independent Corrections Ombuds meeting.

For more information, or to join the Coalition for an Independent Corrections Ombuds email list for future events and advocacy on this issue, contact Rachael Seevers, with DRW's AVID Prison Project, at (206) 324-1521 or correctionsombuds@dr-wa.org.