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March 15, 2023

Re: Support for S.F. 1596, change to Minnesota Statute Section 241.90

Dear Committee Members,

I am the Ombudsman for Mental Health and Developmental Disabilities. I write to you to express my support of S.F. 1596. This bill proposes to alter the employment terms governing the Ombudsperson for the Department of Corrections from serving at the pleasure of the governor to being appointed by the governor and capable of removal only for just cause.

As you might know, my position and office are created in statute, which provides that “[t]he ombudsman is appointed by the governor, serves in the unclassified service, and may be removed only for just cause.” See Minn. Stat. § 245.92. Such language and basic protection is typical of ombuds positions, and it is critically necessary for establishing and preserving the independence of the office. Ombudspersons must be able to receive and act on complaints, conduct investigations, and critique and make recommendations regarding the activities of state and governmental entities, free from undue external pressure. Executive appointment of an ombudsman only functions well if the office holder is not subject to the variable political pressures that can otherwise impede the ability to impartially and conscientiously perform the duties of the position.

After its predecessor office was disbanded in 2001, the next nearly two decades showed clearly that Minnesota does need a Corrections Ombudsperson capable of conducting independent investigations and providing client-centered assistance. To help the reconstituted office achieve its mission, I ask that you support S.F. 1596.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bud Rosenfield'.

Barnett (Bud) Rosenfield
Ombudsman

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