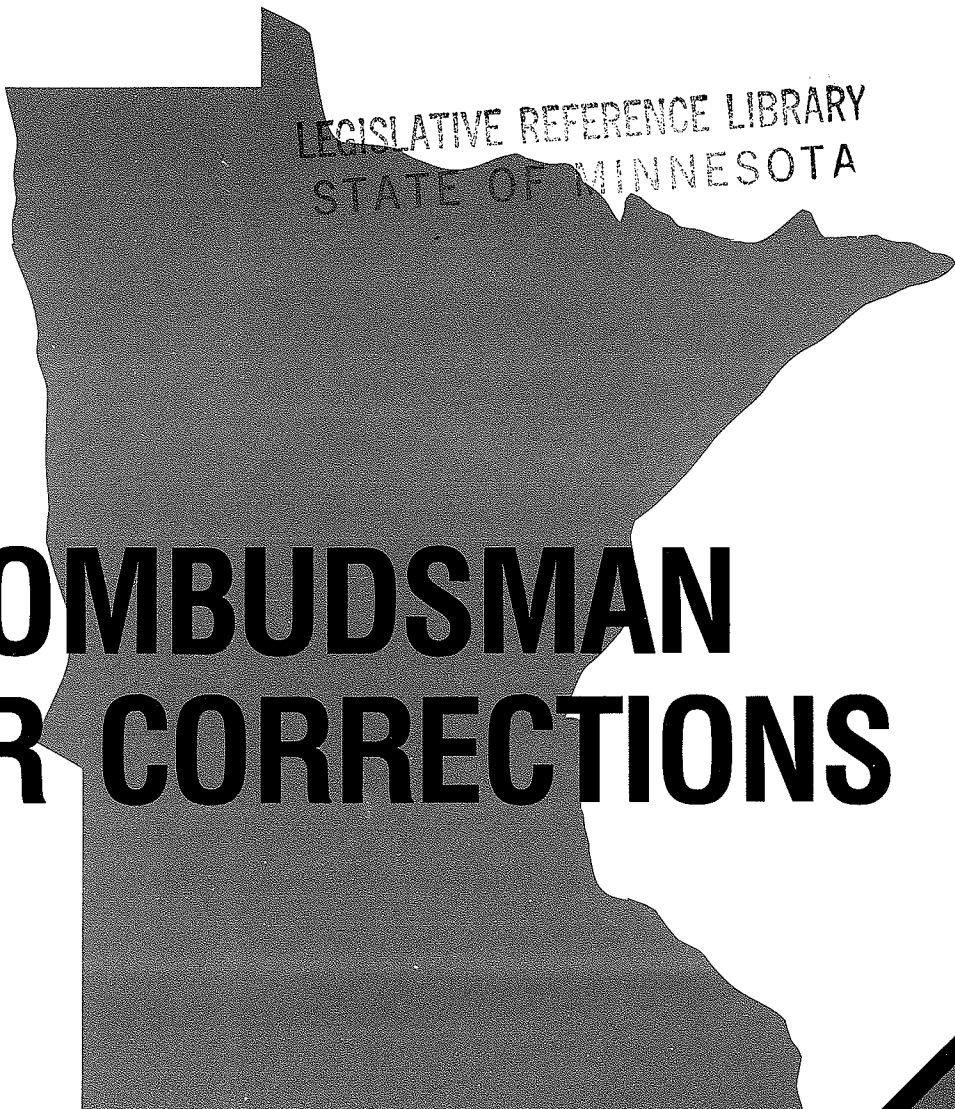


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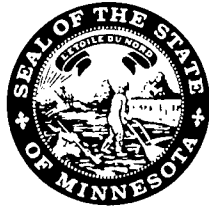
# OMBUDSMAN FOR CORRECTIONS

STATE OF MINNESOTA

**FISCAL YEAR**  
**1977-78**  
**ANNUAL REPORT**

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② REPORT OF  
**THE OMBUDSMAN FOR CORRECTIONS**  
**FOR THE PERIOD**  
**JULY 1, 1977 — JUNE 30, 1978**

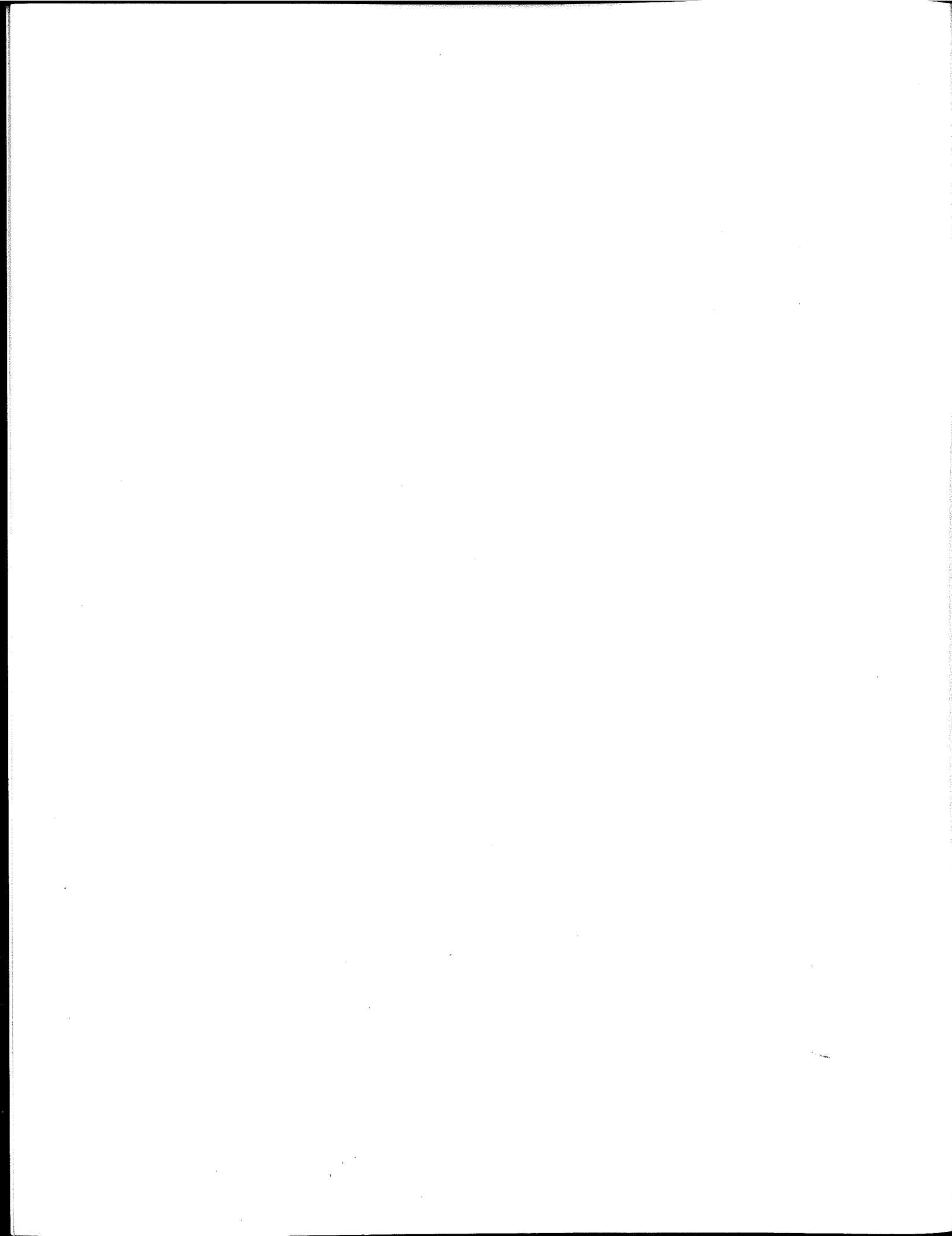
Submitted to  
The Honorable Rudy Perpich  
Governor, State of Minnesota  
pursuant to Section 241.45  
Subd 2 of the Minnesota Statutes

From  
Theartrice ("T") Williams  
① Ombudsman for Corrections  
333 Sibley Street  
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St. Paul, MN  
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③ OCTOBER 1978

④ 24p. : maps, stat.

correction  
state gov't - depts. + agencies



OMBUDSMAN  
THEARTRICE (T) WILLIAMS  
(Area Code 612)  
296-4500



**STATE OF MINNESOTA**

OMBUDSMAN FOR CORRECTIONS  
333 SIBLEY STREET, SUITE 102  
SAINT PAUL, MN 55101

The Honorable Rudy Perpich  
Governor of the State of Minnesota  
Capitol Building  
St. Paul, MN 55155

Dear Governor Perpich:

In compliance with Section 241.45, Subdivision 2 of the Minnesota Statutes, I hereby submit a report of the activities of the Office of the Ombudsman for Corrections for fiscal year 1977-1978. This is the sixth annual report since the office was established in 1972.

During the past year the ombudsman's office recorded 1,402 contacts from various sources. Of these contacts, 1,188 were within the ombudsman's jurisdiction and warranted thorough investigation. The additional participation of several counties, including Hennepin County, in the Community Corrections Act has significantly increased the institutionalized population served by the ombudsman. Through the use of charts and tables, this report attempts to graphically display the full extent of the operation of the office.

Consistent with previous years, the office received the full cooperation of the Commissioner of Corrections, his deputy and assistants, the warden of the prison and the superintendents of the various institutions. The additional year of experience in working with the county and regional corrections officials has significantly increased the reception of the program among those officials.

The effectiveness of the ombudsman's office is due in large measure to the hard work, loyalty and dedication of the staff. My thanks and appreciation to the entire staff for a job well done.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Theartrice Williams", written over a horizontal line.

Theartrice Williams  
Ombudsman

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## OVERVIEW

The Ombudsman for Corrections' Office is an independent state agency with statutory authority-1) to receive complaints from any source concerning matters relating to the administration of corrections programs and facilities at the state and regional levels and in counties participating in the Community Corrections Act; 2) to investigate those complaints; 3) to make recommendations based upon the findings of the investigations; 4) to publish those recommendations. The ombudsman is appointed by the governor, hires his own staff (see Figure 1) and is responsible for the administration of an annual budget of approximately \$228,000. (See Appendix C).

In fiscal year 1978 the ombudsman received 1402 contacts which resulted in the opening of 1188 cases. Those cases were divided into requests and complaints. A complaint represents a dissatisfaction with any action taken by officials included within the ombudsman's jurisdiction. A request represents an inquiry for information regarding an aspect of the Minnesota Corrections system. Approximately 84 percent of the cases received this year were determined to be complaints.

The ombudsman was able to provide full or partial resolution for 76.3 percent of those cases closed by his office during the year. Among the most important changes that occurred during the year were-1) the development of a Department of Corrections' policy providing for the transfer of select prisoners serving long sentences to medium and minimum security facilities and programs; 2) the development of comprehensive inmate employment policies which included grievance procedures, job descriptions and job qualifications; and 3) that the Department of Corrections ensure staff positions in the institutions are not automatically restricted to a particular sex without adequate justification. The following list shows the distribution of the policy recommendations by location:

Minnesota State Prison	15
Department of Corrections	6
Minnesota Correctional Facility (Lino Lakes)	6
State Reformatory for Men	2
County	2
Minnesota Corrections Board	<u>4</u>
<b>TOTAL</b>	<b>35</b>

A complete list of these recommendations can be found in Appendix B of this report.

In order to maintain a successful program, the ombudsman keeps in close contact with all levels of the state's corrections system. The ombudsman and his staff visit the major state correctional facilities frequently; they accept complaints by mail, telephone, or in person; and they are regular participants in the Department of Corrections Training

Academy which provides training for correctional counselors. This effort to be accessible to both staff and inmates is linked to a process by which the ombudsman provides a quick initial response to those who contact his office, a thorough investigation of the complaints opened as cases, and a vigorous pursuit of recommendations made as a consequence of those investigations. During fiscal year 1978 this process was completed within 30 days in 72 percent of the cases.

The ombudsman maintains high visibility within the state's correctional system. However, he functions with a low profile insofar as every effort is made to resolve situations of conflict close to their origin within the framework of the appropriate jurisdictional level. This mode of operation has proven successful. The ombudsman has not yet elected to utilize political pressure to assist in the adoption or implementation of any of his recommendations. He does, however, from time to time offer testimony before state legislative committees and subcommittees which consider matters dealing with corrections in Minnesota. The ombudsman and his staff also seek to inform the public about crucial corrections issues by participating in local and national seminars, publishing in local newspapers, serving on local and national committees and by speaking throughout the state. For instance, the ombudsman was elected to the Board of Directors of the United States Association of Ombudsmen at its first annual conference in Seattle, Washington in August 1977. In addition, the ombudsman was given the "Outstanding Service in Criminal Justice" Award at the Fifth Annual Conference of the National Association of Blacks in Criminal Justice.

This report describes the ombudsman's activity in fiscal year 1978. It will discuss the organization and function of the Ombudsman's Office focusing specifically on the type of complaints received, the methods by which each was investigated and the ultimate resolution achieved. It represents an effort to succinctly answer the questions most frequently asked by a variety of groups — inmates, politicians, academicians, students, the general public and fellow ombudsmen. These questions include:

- 1) What is the ombudsman's jurisdiction?
- 2) What is the extent of the ombudsman's authority?
- 3) How many complaints are filed each year with the ombudsman?
- 4) What is the general nature of the complaints filed with the ombudsman?
- 5) How long does the ombudsman take to investigate a complaint?
- 6) Is the ombudsman successful in resolving complaints?
- 7) What is the size of the ombudsman's budget and staff?

Anyone interested in information regarding the Ombudsman Program not covered in this report should contact the office directly by telephone at (612) 296-4500 or by mail at Suite 102, 333 Sibley, St. Paul, MN 55101.

# ORGANIZATION AND FUNCTION OF THE OMBUDSMAN OFFICE

The basic goal of the Ombudsman Office as set forth in law is to "promote the highest attainable standards of competence, efficiency, and justice in the administration of corrections". This broad objective is accomplished by providing an external administrative grievance mechanism to be used when corrections' internal procedures result in an action which is contrary to law or regulations; unreasonable, unfair, oppressive, or inconsistent; mistaken in law or arbitrary in the ascertainment of facts; unclear or inadequately explained when reasons should have been revealed; or inefficiently performed. The ombudsman's effectiveness, in reviewing such matters, depends in large measure upon his method of operation. His operational style must establish, through case-by-case analysis, a standard dedicated to thorough fact-finding, detailed research, and sound evaluation.

The Ombudsman Office consists of a full-time staff of eight people and one part-time staff person: the ombudsman, the deputy ombudsman, a research analyst, three field investigators, one administrative secretary, one senior clerk typist and one part-time field investigator. In addition, the ombudsman may employ interns through the Governor's Internship Program (see Figure I). Every professional staff member, including interns, has an assigned caseload of complaints. The number of cases varies with the responsibilities of each position. The entire staff is involved in the complaint processing procedure shown in Figure II. This process consists of four phases:

## Initiation

The ombudsman may investigate upon complaint (#2) or his own motion (#1) the action of any division, official, or employee of the Minnesota Department of Corrections, the Minnesota Corrections Board, the Board of Pardons, regional correctional institutions and specified county facilities and programs. The ombudsman may also provide information concerning the Minnesota Corrections system upon request (#3). All complaints or requests may be filed personally, by telephone, or by mail.

## Disposition

Requests to the ombudsman are assigned by the deputy ombudsman for an informational or explanatory response (#7). Complaints may be referred to other agencies (#6), refused as being premature, extrajurisdictional, or trivial (#5) or assigned by the deputy ombudsman for investigation (#4). Once a case file is opened for a complaint, the investigator proceeds in the following manner:

... Interview the complainant to get a detailed account of his/her grievance. Determine exactly what steps the complainant has previously taken to resolve his/her problem.

- ... Explain to the complainant the function of the Ombudsman Office and how it relates to his/her specific case.
- ... Prepare a list of staff, inmates and appropriate others to interview.
- ... Prepare a list of documents, reports and other written material to review.
- ... Notify selected officials of the Agency<sup>1</sup> that an investigation is being undertaken when appropriate.
- ... Conduct additional interviews and review documents, thus gathering all necessary and pertinent information.
- ... Formulate a conclusion on the basis of accumulated evidence.

At any time during this procedure the complainant may withdraw his/her complaint (#8) or the investigator may refer his/her case to another agency (#6) or dismiss the complaint (#9).

## Conclusion

Every complaint that is fully investigated may be concluded in one of four ways. First, it may be dismissed as being invalid or unsubstantiated (#9). Second, it may result in a written recommendation that a policy should be formulated, altered, or eliminated (#10). Third, it may result in a written recommendation regarding the application of a policy to a specific individual or instance (#11). Fourth, it may result in a situation in which assistance is provided to the complainant but in which no written recommendation is directed to any official (#12).

## Resolution

Recommendations are submitted in writing to corrections' officials at the state, regional, or county level. These agents may be asked to consider a matter further, modify or cancel an action, alter a regulation or ruling, explain more fully the action in question or take any other step which the ombudsman states as his recommendation. If a recommendation is accepted (#14), the ombudsman notifies the complainant and monitors (#16) its implementation (#15). If a recommendation is rejected (#13), the ombudsman must determine whether or not the rejection is based upon sound reasoning. If he accepts the rationale, he notifies the complainant and closes the case. If the rationale is not accepted, the ombudsman may re-issue the recommendation or pursue the case with the governor, the legislature or the general public.

<sup>1</sup>See Appendix A, MINN. STAT. 241.42 (1976)

Figure I  
ORGANIZATIONAL CHART

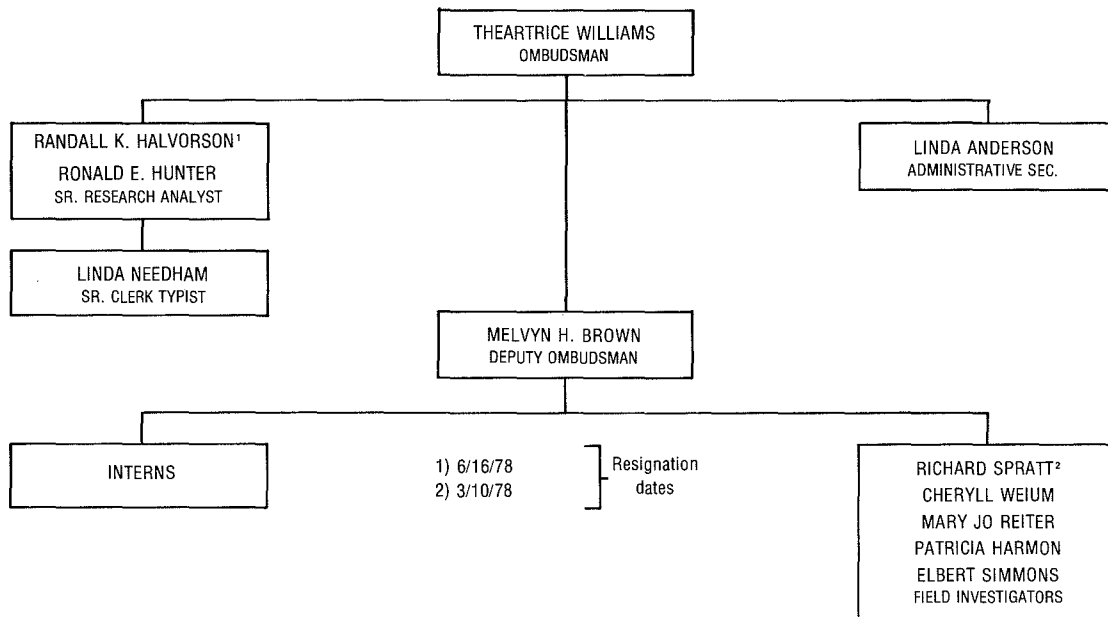
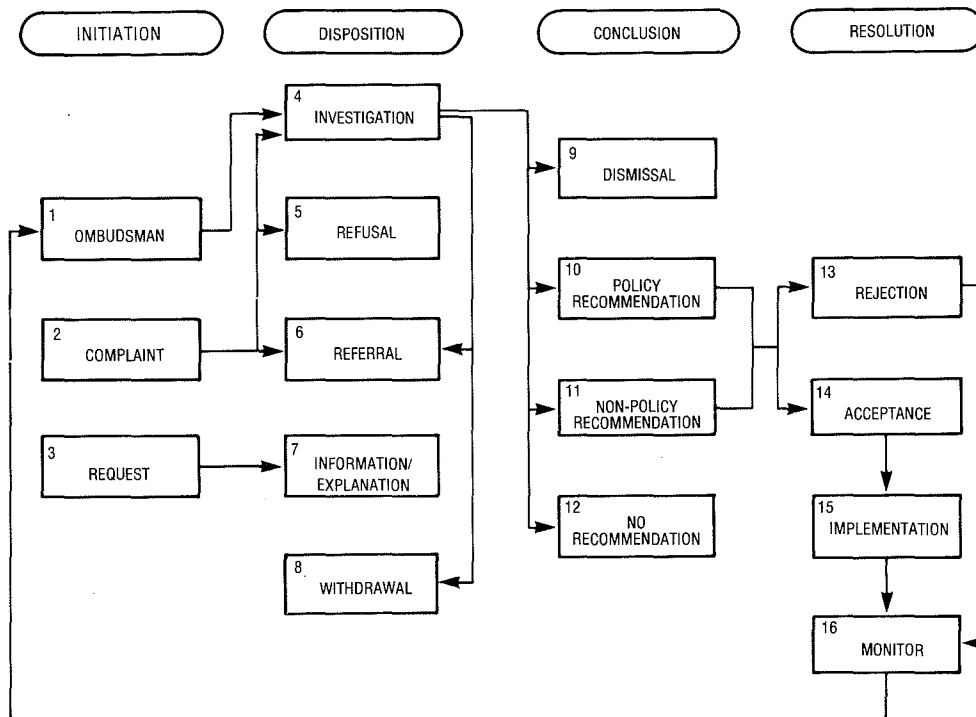


Figure II  
COMPLAINT PROCESSING PROCEDURE





## ANALYSIS OF CONTACTS

The ombudsman receives over one thousand contacts each year involving problems that arise in practically all areas of the corrections system. The cases opened vary and may range from the inability of inmates to get "legal size" white paper at the state prison to the inappropriate use of a "choke hold" to subdue juveniles who are out of control at the county juvenile detention center. Tables I and V indicate the system distribution of these cases. The ombudsman's caseload is generated primarily from the following institutions under the jurisdiction of the State Department of Corrections: Minnesota State Prison (adult males); State Reformatory for Men (young men); Minnesota Correctional Institution for Women (adult women); Willow River Camp (adult males); Minnesota Correctional Facility Lino Lakes-formerly Minnesota Metropolitan Training Center-(adult males); Minnesota Home School (male and female juveniles and adult females); and the State Training School (male juveniles and adults). In addition, cases are generated from the Northwest Regional Corrections Center; Northeast Regional Corrections Center; Hennepin County Home School (juvenile males); Hennepin County Juvenile Detention Center (juvenile males and females); and Ramsey County Workhouse (adult males). Map I shows the location of these institutions.

During the fiscal year 1978, a total of 1402 contacts were registered with the ombudsman (see Table IV). Investigations were completed in 1202 of the 1258 cases that were opened during the year. As compared to last year there have been some significant shifts in the contact distribution among the institutions. Although the prison continues to generate more cases than any other institution, for the first time in the history of the Ombudsman Program, it accounts for less than 50 percent of the cases (see Table V).

The number of cases from the prison was down from 58.1 percent (690) of the total in 1977 to 47.8 percent (575) of the total for 1978. This reduction in cases occurred while the population remained virtually unchanged (999 for 1977 to 991 for 1978). The increased number of cases from the county reflects another notable shift. As shown by Table V, while the county represented only two percent (24) of the total cases for 1977, in 1978 it had increased to 7.2 percent (86). This represents a 258 percent increase over 1977. There is a rational explanation for the increase. In January 1978 Hennepin County elected to participate under the Community Corrections Act (MINN. STAT. 401), which for the first time brought it within the ombudsman's jurisdiction. The addition of Hennepin County more than doubled the institutionalized county population (see Table VI). The shifts at the other institutions are consistent with the changes in the population. The only exception to that is the Minnesota Home School where the population declined by over 24 percent (119 to 90) from 1977 and the cases increased by almost 73 percent (11 to 19).

An explanation for the shifts in case distribution among the institutions can likely be found by close inspection of the number and nature of the cases. It is then possible to isolate areas that have either improved or deteriorated in comparison with the previous year. This process is facilitated by the fact

that each case opened by the ombudsman is assigned to one of the following categories:

**Parole** — cases concerning any matter under the jurisdiction of the Releasing Authority, i.e. work release, temporary parole, special review, etc.

**Medical** — cases concerning treatment from a staff physician or other medical professional.

**Legal** — cases that involve legal assistance or problems with getting a proper response from the public defender or other legal counsel.

**Placement** — cases concerning the facility, area of physical unit to which an inmate is assigned.

**Property** — cases dealing with the loss, destruction or theft of personal property.

**Program** — cases relating to a training or treatment program or to a work assignment.

**Discrimination** — cases concerning unequal status based upon race, color, creed, religion, national origin, or sex.

**Records** — cases concerning data in inmate or staff files.

**Rules** — cases about administrative policy establishing regulations that an inmate, staff member or other person affected by the operation of a facility or program is expected to follow, i.e. visits, disciplinary hearings, dress, etc.

**Threats/Abuse** — cases concerning threats of bodily harm or actual physical abuse to an inmate or staff; including charges of harassment.

**Other** — cases not covered in the previous categories, e.g. food, mail, etc.

As shown by Table XII, the categorical distribution of cases from all sources shows limited changes. When compared to last year, the percentage of change ranges from a decrease of 5.2 percent in Property to a 2 percent increase in Rules. Viewing the changes solely from this perspective is deceptive however. A more realistic look at the property category will reveal that there was a decrease of approximately 61 percent (65) from last year's total of 165. For instance, the total number of cases from the prison was down by 115 or 16.7 percent from 1977. Approximately 68 percent of that reduction came from two categories: Property and Medical.

The Minnesota State Prison is responsible for most of the reduction. Property cases from the prison were down by 50 percent from 117 in 1977 to 58 in 1978. The prison has significantly improved its inventory and record-keeping system for inmate property. In addition, there has been a reduction in the quantity of personal property that an inmate is allowed to keep in his cell.

The largest single category of cases from the county was legal. Many of these cases related to the conditions of probation or the services provided by an attorney.

Overall, parole continues to be the largest single category of cases, however, it showed a slight decrease (5) from 1977. The changes in the parole process which were initiated in 1976 have been fully implemented. All prisoners know

within a few months after they enter the system when they may expect to be released on parole. Approximately 39 percent (94) of all parole cases directly involved the Minnesota Corrections Board (Parole Board). The remainder (148) involved other levels of the parole process, e.g. institutional staff.

The ombudsman's effectiveness at resolving problems at any institution or level of the corrections system depends upon his accessibility and credibility to those who need his services. His accessibility is assured by statute (see Appendix A); his credibility has been developed over the life of the office. The statute assures that no complainant shall be punished nor shall the general condition of his/her confinement or treatment be unfavorably altered as a result of his/her having made a complaint to the ombudsman. As Table VII indicates, the telephone is crucial to the ombudsman's accessibility to complainants. Approximately 48 percent of the contacts registered with the ombudsman which resulted in open cases were made by telephone. Another 33 percent were written contacts. Telephones are available to the general population in the state institutions' major living units and also on a more limited basis to those in specialized or closed custody units.

Once initial contact has been made with the ombudsman, his effectiveness depends upon his capacity to respond quickly. This response begins with a prompt interview with the complainant. The confidence a complainant has in the Ombudsman's Office may be determined initially by the time lag between the date the complaint was made and the date the complainant was interviewed in depth by the ombudsman's staff. Table VIII shows that the overwhelming majority of complainants (81 percent) were interviewed in a relatively short period of time. The initial interview provides the ombudsman's staff an opportunity to outline to his/her client the steps of his/her proposed investigation and establish a tentative conclusion date. The ombudsman's effectiveness at this point depends upon his ability to complete a thorough investigation within a relatively short period of time. Table IX reveals that over 71 percent of the cases were closed within 30 days. However, there are some cases that are neither quickly nor easily resolved. Some can continue for several months, have recommendations rejected which are subsequently re-issued, as is the case in the following instance. On August 17, 1977 the ombudsman issued a recommendation to the Commissioner of Corrections that certain male prisoners serving life or extended sentences be afforded an opportunity to participate in minimum and medium security programs at such facilities operated by the Department of Corrections. The Commissioner was requiring the participation of the Minnesota Corrections Board in any plan to transfer such prisoners to a medium or minimum security facility. The Parole Board would have to agree that such a person could expect to be paroled within three years. The Parole Board was reluctant to enter into such an agreement and requested time to study the matter. Because the Parole Board was not ready to participate at the time the recommendation was made, it was rejected by the Commissioner. The request was re-issued in a letter to the Commissioner on December 6, 1977, after a meeting with the Commissioner and his staff on November 30, 1977. In

that letter, the ombudsman stated the following: "My position on involving the Minnesota Corrections Board (MCB) remains unchanged in that I see the decision to place prisoners in a different security setting to be exclusively the prerogative of the Commissioner of Corrections. I can understand the interest (in) involving the MCB, however, I do not believe that any study currently underway by the MCB is likely to have any appreciable effect on the soundness of the program. It is unlikely we will know any more after the study is done than we know now about the behavior of persons serving life sentences in prison." The ombudsman further stated in that letter . . . "then April 1, 1978 seems like a reasonable amount of time to allow for the implementation of the program." On April 24, 1978 the ombudsman sent a letter to the Commissioner reminding him of the December 6, 1977 recommendation. On May 18, 1978 the ombudsman received a memo from the Executive Assistant Commissioner advising the ombudsman that the program had been implemented and the first prisoner transferred. The program was implemented without benefit of the Parole Board study. The Ombudsman had discussed the issue of transferring prisoners serving life or extended sentences to medium or minimum security facilities on numerous occasions. There was support in the Department for the transfer and the program was fully developed by the Department of Corrections. The ombudsman's formal involvement was a combination of self-initiation and numerous inquiries from prisoners serving long sentences.

The ombudsman's involvement in the aforementioned issue was spread out over a period of eight months. The amount of time that it takes the ombudsman to complete an investigation can be an important factor in his effectiveness. However, speed should not be the primary focal point. There are some issues that must be pursued diligently irrespective of the amount of time involved. The ombudsman must be willing to continue to pursue an issue initially rejected if he feels the complainant has not been fairly treated. As is the case in the following instance. On March 30, 1978, the ombudsman received a request from the Governor's Office to investigate a complaint by an inmate at the state prison regarding his inability to obtain white legal size paper. This particular inmate was processing his own appeal of his criminal conviction and wanted to order the paper for that purpose. The prison commissary refused to order the paper for him (at his own expense) because the appellate court would accept the appeal on any kind of paper and suggested that he use buff colored paper. The complainant rejected this because he wanted to make the best impression possible on the court. He felt that he had enough problems to overcome because he was preparing his own appeal and did not want the kind of paper he used to be a further detraction. The ombudsman agreed, and in his research discovered that the State Supreme Court specified the kind of paper that should be used in the preparation of briefs. Their specifications were consistent with the complainant's request. On April 12, 1978 the ombudsman recommended to the warden of the state prison that the complainant be granted permission to order the paper he had requested. On June 13, 1978 the ombudsman received a letter from the warden's executive assistant stating that the "canteen and commissary sell buff-colored paper for the

simple reason that if we sold white paper we would be unable to tell whether an inmate has paper which he has purchased or whether he has obtained it through illegal means from the State". On June 15, 1978 the ombudsman re-issued his recommendation to the warden stating, "I cannot accept as a rationale for denying this man, or any other inmate, access to white paper because the State uses white paper. We receive untold numbers of typewritten letters from inmates and, to my knowledge, they have always been on white paper. If I am to follow Mr. . . .'s reasoning here, then every inmate who sends out a typewritten letter on white paper must have come by that paper illegally". On July 5, 1978 the ombudsman received a letter from the warden stating that the complainant and other inmates would be able to buy white bond paper, legal size and otherwise, in the prison canteen.

The extent to which each complaint is resolved is difficult to quantify. The measure of the ombudsman's input on a specific case may vary among inmates, corrections line staff, corrections administrators and the ombudsman. Nonetheless, the ombudsman assesses his success in every case he opens for investigation. By his own standards the ombudsman continues to achieve a high degree of positive impact over 76 percent of the time. This is down by some 9 percent from 1977. The decline shows up particularly in the parole contacts. This may be due in part to the Parole Board's improved standards and greater consistency in its decision-making, which resulted from the implementation of its new decision-making guidelines in 1976. Tables X and XI, which represent the judgment of the ombudsman and his staff, indicate that over 68 percent of the cases in fiscal year 1978 were resolved fully and 8 percent were resolved partially. The degree to which contacts are resolved varies somewhat by category as indicated by the following list:

Case Category	Rate of Full Resolution
Parole	74.4%
Medical	75.6
Legal	51.6
Placement	68.0
Property	80.0
Program	70.9
Discrimination	66.7
Records	78.9
Rules	59.5
Threats/Abuse	50.0
Other	66.7

These figures are consistent with the ombudsman's role as an external agent agitating for positive change. The ombudsman cannot order compliance with his recommendations and must

rely upon his ability to persuade others that change should occur. A significant number of the ombudsman's policy recommendations (approximately 71 percent) have been implemented during this fiscal year but, as Appendix B indicates, several were also rejected.

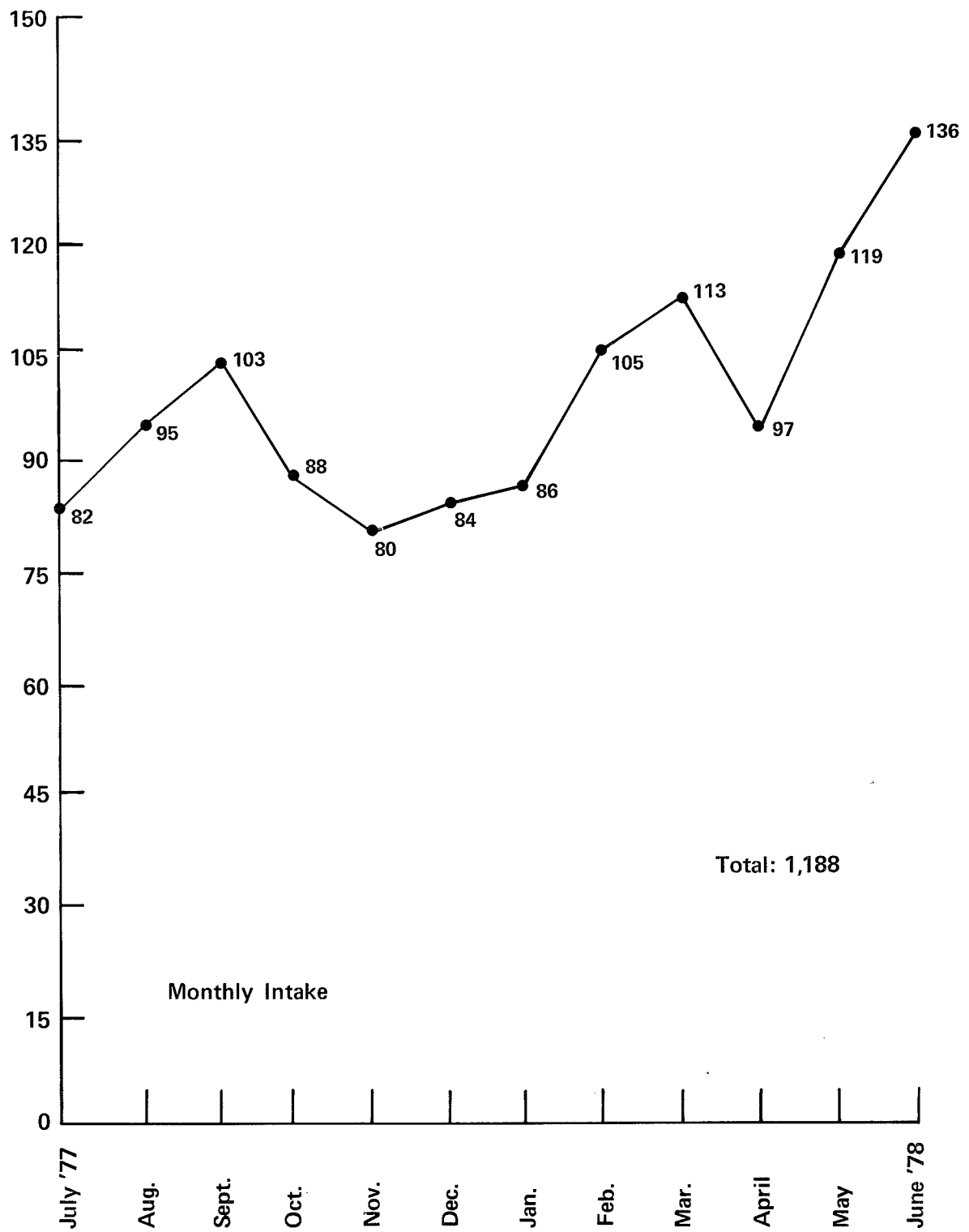
The number of cases rejected as premature or dismissed has increased significantly. In fiscal year 1978 the ombudsman rejected 214 cases (15.2 percent), compared to 58 for 1977 (4.4 percent). The statistics for the dismissals were 49 (4 percent) for 1977 compared to 107 (8.9 percent) for 1978. Last year was the first time the ombudsman collected data on rejected cases. The collection process was not initiated at the beginning of the year and has since undergone some revisions which account for the significant increase in 1978.

Even with the increase in the number of complaints rejected or dismissed as invalid, rejections/dismissals constitute a small percentage of the total cases registered with the ombudsman. The legitimacy of each case opened is measured primarily by its inclusion of at least one of five criteria. A complaint is considered legitimate if it concerns issues or actions which are proven to be: 1) contrary to law or regulations; 2) unreasonable, unfair, or inconsistent; 3) arbitrary in the ascertainment of facts; 4) unclear or inadequately explained; 5) inefficiently performed. While the ombudsman either rejected or dismissed 23 percent of the contacts registered with his office, he also referred another 5.7 percent to other agencies as indicated by Table X. Table XI shows the distribution of these referrals by category and Table XII lists the agencies to whom the referrals were made. Just as last year, most of the referrals were of a legal nature.

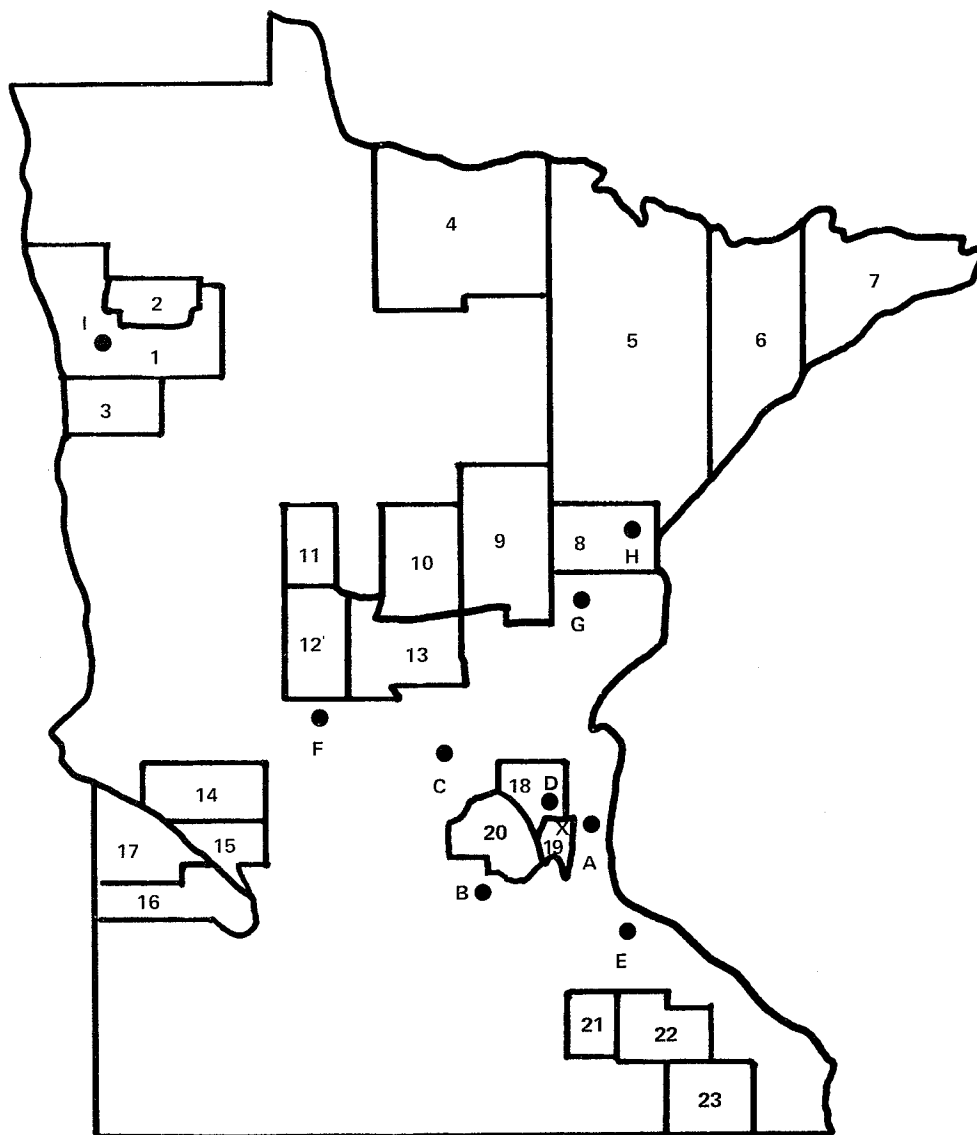
This report represents an attempt to demonstrate the extent and nature of the activities of the Ombudsman Office. Although the reporting methods presently utilized have undergone an extensive evolutionary process in recent years, they have yet to reflect the total degree of service rendered by the ombudsman and his staff.

Due to years of experience amassed by staff personnel, many contacts which once required considerable investigation now are resolved quickly. Frequently, these efforts are not recorded although they clearly represent beneficial services to the complainants. Of the 214 contacts which did not result in open cases in fiscal year 1978, nearly all of them involved significant effort on the part of the ombudsman. The ombudsman is presently exploring additional recording methods to efficiently and accurately reflect the total operation of his office.

GRAPH I



MAP I



COUNTIES IN COMMUNITY CORRECTIONS ACT

1. Polk
2. Red Lake
3. Norman
4. Koochiching
5. St. Louis
6. Lake
7. Cook
8. Carlton
9. Aitkin
10. Crow Wing
11. Wadena
12. Todd
13. Morrison
14. Swift
15. Chippewa
16. Yellow Medicine
17. LacQui Parle
18. Anoka
19. Ramsey
20. Hennepin
21. Dodge
22. Olmsted
23. Fillmore

X – OMBUDSMAN, ST. PAUL

- A MSP – Minnesota State Prison, Stillwater
- B MCIW – Minnesota Corrections Institution for Women, Shakopee
- C SRM – State Reformatory for Men, St. Cloud
- \*D MCF-LL – Minnesota Correctional Facility - Lino Lakes
- E STS – State Training School, Red Wing
- F MHS – Minnesota Home School, Sauk Centre
- G WRC – Willow River Camp
- H NERCC – Northeast Regional Adult Corrections Center – Saginaw
- I NWRCC – Northwest Regional Corrections Center – Crookston

\*Formerly Minnesota Metropolitan Training Center

**Table I**

**Ombudsman Cases (Closed July 1977-June 1978)**

	MSP	MCIW	SRM	MCF-LL	STS	MHS	WRC	REG.	CTY.	FS	Other	TOTAL
Parole	120	11	42	44	4	5	1	3	2	6	4	242*
Medical	42	7	18	10	3	2	0	1	6	1	0	90
Legal	31	3	21	4	2	1	1	0	20	7	1	91
Placement	76	6	20	6	10	9	1	0	14	7	1	150
Property	58	7	28	3	0	0	0	0	3	1	0	100
Program	57	4	20	25	6	1	0	3	9	1	1	127
Discrimination	8	0	1	3	0	0	0	0	3	0	0	15
Records	22	1	30	3	0	0	0	0	1	0	0	57
Rules	120	21	43	25	0	1	0	3	16	2	1	232
Threats	9	0	12	1	0	0	0	0	4	0	0	26
Other	32	4	16	7	1	0	1	0	8	2	1	72
<b>TOTAL:</b>	<b>575</b>	<b>64</b>	<b>251</b>	<b>131</b>	<b>26</b>	<b>19</b>	<b>4</b>	<b>10</b>	<b>86</b>	<b>27</b>	<b>9</b>	<b>1202</b>

MSP-Minnesota State Prison; MCIW-Minnesota Correctional Institution for Women; SRM-State Reformatory for Men; MCF-LL-Minnesota Correctional Facility Lino Lakes; STS-State Training School; MHS-Minnesota Home School; WRC-Willow River Camp; REG.-Regional facilities; CTY-County facilities (including Hennepin and Ramsey Counties adult and juvenile corrections facilities); FS-Field Services (including parole and probation).

\*Of the 242 parole contacts, 94 were directly related to actions by the Minnesota Corrections Board (MCB) and required their involvement for resolution of the case.

Table II

Ombudsman Requests (Closed July 1977-June 1978)

	MSP	MCIW	SRM	MCF-LL	STS	MHS	WRC	REG.	CTY.	FS	Other	TOTAL
Parole	43	2	14	12	2	0	0	0	1	4	1	79*
Medical	2	0	0	1	0	1	0	0	0	0	0	4
Legal	11	1	9	0	2	0	0	0	7	1	0	31
Placement	9	0	2	0	0	0	0	0	0	0	0	11
Property	6	1	5	0	0	0	0	0	0	0	0	12
Program	6	0	2	1	1	1	0	0	0	0	1	12
Discrimination	1	0	0	0	0	0	0	0	0	0	0	1
Records	5	1	4	1	0	0	0	0	0	0	0	11
Rules	13	4	3	1	0	0	0	0	1	0	0	22
Threats	2	0	0	0	0	0	0	0	0	0	0	2
Other	3	0	1	0	0	0	0	0	0	1	0	5
<b>TOTAL:</b>	<b>101</b>	<b>9</b>	<b>40</b>	<b>16</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>6</b>	<b>2</b>	<b>190</b>

\*Of the 79 requests, 32 involved direct contact with the MCB.

Table III

Ombudsman Complaints (Closed July 1977-June 1978)

	MSP	MCIW	SRM	MCF-LL	STS	MHS	WRC	REG.	CTY.	FS	Other	TOTAL
Parole	77	9	28	32	2	5	1	3	1	2	3	163*
Medical	40	7	18	9	3	1	0	1	6	1	0	86
Legal	20	2	12	4	0	1	1	0	13	6	1	60
Placement	67	6	18	6	10	9	1	0	14	7	1	139
Property	52	6	23	3	0	0	0	0	3	1	0	88
Program	51	4	18	24	5	0	0	3	9	1	0	115
Discrimination	7	0	1	3	0	0	0	0	3	0	0	14
Records	17	0	26	2	0	0	0	0	1	0	0	46
Rules	107	17	40	24	0	1	0	3	15	2	1	210
Threats	7	0	12	1	0	0	0	0	4	0	0	24
Other	29	4	16	6	1	0	1	0	8	1	1	67
<b>TOTAL</b>	<b>474</b>	<b>55</b>	<b>212</b>	<b>114</b>	<b>21</b>	<b>17</b>	<b>4</b>	<b>10</b>	<b>77</b>	<b>21</b>	<b>7</b>	<b>1012</b>

\*Of the 163 complaints, 62 involved direct contact with the MCB.



**Table IV**  
**TOTAL CASELOAD**

Number of cases opened July 1977 through June 1978 .....	1,188*
Number of cases carried from June 1977 .....	70
<b>TOTAL .....</b>	<b>1,258</b>
Number of cases closed July 1977 through June 1978 .....	1,202
Number of cases carried into July 1978 .....	56

\*1402 contacts were registered with the Ombudsman Office; 214 of these were not opened as cases for investigation.

**Table VII**  
**Methods of Communication**

Method	Cases	Percent
W.D.	366	30.5
W.I.	38	3.2
P.D.	184	15.3
P.I.	34	2.8
T.D.	445	37.0
T.I.	128	10.6
O.I.	7	.6
<b>TOTAL:</b>	<b>1,202</b>	<b>100.0%</b>

W.D. — Written Direct; W.I. — Written Indirect; P.D. — Personal Direct; P.I. — Personal Indirect; T.D. — Telephone Direct; T.I. — Telephone Indirect; O.I. — Ombudsman Initiated.

**Table V**  
**Case Distribution by Institution**

Institution	Cases	Percent
MSP	575	47.8
MCIW	64	5.3
SRM	251	20.9
MCF-LL	131	10.9
STS	26	2.2
MHS	19	1.6
WRC	4	.3
REG	10	.8
CTY	86	7.2
OTHER	36	3.0
<b>TOTAL:</b>	<b>1202</b>	<b>100.0%</b>

MSP-Minnesota State Prison; MCIW-Minnesota Correctional Institution for Women; SRM-State Reformatory for Men; MCF-LL-Minnesota Correctional Facility Lino Lakes; STS-State Training School; MHS-Minnesota Home School; WRC-Willow River Camp; REG-Regional; CTY-County; OTHER-Field Services and miscellaneous sources.

**Table VI**  
**Population by Institution\***

Institution	Population	Percent
MSP	991	30.5
MCIW	65	2.0
SRM	596	18.3
MCFLL	133	4.1
STS	120	3.7
MHS	90	2.8
WRC	51	1.6
REG	85	2.6
CTY	1,119	34.4
<b>TOTAL:</b>	<b>3,250</b>	<b>100.0%</b>

\*Estimated average daily population under supervision for F. Y. 1978.

**Table VIII**  
**Initial Interview\***

Time Lapse	Cases	Percent
Same day	580	48.2
1-6 days	394	32.8
7-10 days	86	7.1
11-15 days	37	3.1
16 days and over	44	3.7
No interview	61	5.1
<b>TOTAL:</b>	<b>1,202</b>	<b>100.0%</b>

\*Time lag between the date a complaint was received and the date the complainant was interviewed indepth by a member of the ombudsman staff.

**Table IX**  
**Time Taken to Resolve Cases**

Time	Cases	Percent
0-30 days	861	71.6
31-45 days	186	15.5
46-60 days	70	5.8
61+ days	85	7.1
<b>TOTAL:</b>	<b>1,202</b>	<b>100.0%</b>

**Table X**  
**Case Resolution**

<b>Resolution</b>	<b>Cases</b>	<b>Percent</b>
Full	821	68.3
Partial	96	8.0
None	39	3.2
Withdrawn	71	5.9
Dismissed	107	8.9
Referred	68	5.7
<b>TOTAL:</b>	<b>1,202</b>	<b>100.0%</b>

**Table XI**  
**Case Resolution by Category**

	<b>Full</b>	<b>Partial</b>	<b>None</b>	<b>Withdrawn</b>	<b>Dismissed</b>	<b>Referred</b>	<b>Total</b>
Parole	180	22	8	6	20	6	242
Medical	68	6	0	5	7	4	90
Legal	47	4	1	4	5	30	91
Placement	102	14	5	15	12	2	150
Property	80	6	4	6	0	4	100
Program	90	12	3	6	13	3	127
Discrimination	10	2	2	0	1	0	15
Records	45	0	1	6	1	4	57
Rules	138	25	12	13	32	12	232
Threats	13	1	2	4	4	2	26
Other	48	4	1	6	12	1	72
<b>TOTAL:</b>	<b>821</b>	<b>96</b>	<b>39</b>	<b>71</b>	<b>107</b>	<b>68</b>	<b>1,202</b>

**Table XII****Referrals**

Legal Assistance to Minnesota Prisoners .....	13
Legal Advocacy Program .....	10
State Public Defender .....	12
Hennepin County Public Defender .....	5
Ramsey County Hospital Staff .....	3
Minnesota Corrections Board .....	2
Minnesota Correctional Facility Staff .....	2
Inmate/Staff Advisory Council (Reformatory) .....	1
Reformatory Staff .....	6
Prison Staff .....	5
Upper Midwest Indian Center .....	1
Minneapolis Police Department .....	1
Private Attorney .....	1
Civil Liberties Union .....	3
Legal Rights Center .....	1
Joint Senate/House Claims Subcommittee .....	1
Assistant Attorney General .....	<u>1</u>
TOTAL:	68

**Table XIII**

**Case Distribution by Category  
F.Y. 1977-F.Y. 1978 Comparison**

Category	F.Y. 1977		F.Y. 1978		Change F.Y. '77-F.Y. '78	
	Number	Percent	Number	Percent	Number	Percent
Parole	247	20.2	242	20.1	- 5	-0.1
Medical	114	9.3	90	7.5	-24	-1.8
Legal	76	6.2	91	7.6	+15	+1.4
Placement	129	10.6	150	12.5	+21	+1.9
Property	165	13.5	100	8.3	-65	-5.2
Program	138	11.3	127	10.6	-11	-0.7
Discrimination	12	1.0	15	1.1	+ 3	+ .1
Records	52	4.3	57	4.7	+ 5	+ .4
Rules	211	17.3	232	19.3	+21	+2.0
Threats	17	1.4	26	2.2	+ 9	+ .8
Others	60	4.9	72	6.1	+12	+1.2
TOTAL:	1,221	100.0%	1,202	100.0%	-19	.0%

## APPENDIX A

### MINNESOTA OMBUDSMAN FOR CORRECTIONS STATUTE

**241.41 OFFICE OF OMBUDSMAN; CREATION; QUALIFICATIONS; FUNCTION.** The office of ombudsman for the Minnesota state department of corrections is hereby created. The ombudsman shall serve at the pleasure of the governor in the unclassified service, shall be selected without regard to political affiliation, and shall be a person highly competent and qualified to analyze questions of law, administration, and public policy. No person may serve as ombudsman while holding any other public office. The ombudsman for the department of corrections shall be accountable to the governor and shall have the authority to investigate decisions, acts, and other matters of the department of corrections so as to promote the highest attainable standards of competence, efficiency, and justice in the administration of corrections.

**241.42 DEFINITIONS.** Subdivision 1. For the purpose of sections 241.41 to 241.45, the following terms shall have the meanings here given them.

Subd. 2. "Administrative agency" or "agency" means any division, official, or employee of the Minnesota department of corrections, the Minnesota corrections authority, the board of pardons and regional correction or detention facilities or agencies for correction or detention programs including those programs or facilities operating under chapter 401, but does not include:

- (a) any court or judge;
- (b) any member of the senate or house of representatives of the state of Minnesota;
- (c) the governor or his personal staff;
- (d) any instrumentality of the federal government of the United States;
- (e) any political subdivision of the state of Minnesota;
- (f) any interstate compact.

Subd. 3. "Commission" means the ombudsman commission.

**241.43 ORGANIZATION OF OFFICE OF OMBUDSMAN.** Subdivision 1. The Ombudsman may select, appoint, and compensate out of available funds such assistants and employees as he may deem necessary to discharge his responsibilities. All employees, except the secretarial and clerical staff, shall serve at the pleasure of the ombudsman in the unclassified service. The ombudsman and his full-time staff shall be members of the Minnesota state retirement association.

Subd. 2. The ombudsman shall designate one of his assistants to be the deputy ombudsman.

Subd. 3. The ombudsman may delegate to members of his staff any of his authority or duties except the duty of formally making recommendations to an administrative agency or reports to the office of the governor, or to the legislature.

**241.44 POWERS OF OMBUDSMAN; INVESTIGATIONS; ACTION ON COMPLAINTS; RECOMMENDATIONS.** Subdivision 1. Powers. The ombudsman shall have the following powers:

(a) He may prescribe the methods by which complaints are to be made, reviewed, and acted upon; provided, however, that he may not levy a complaint fee;

(b) He may determine the scope and manner of investigations to be made;

(c) Except as otherwise provided, he may determine the form, frequency, and distribution of his conclusions, recommendations, and proposals; provided, however, that the governor or his representative may, at any time the governor deems it necessary, request and receive information from the ombudsman. Neither the ombudsman nor any member of his staff shall be compelled to testify in any court with respect to any matter involving the exercise of his official duties except as may be necessary to enforce the provisions of section 241.41 to 241.45;

(d) He may investigate, upon a complaint or upon his own initiative, any action of an administrative agency;

(e) He may request and shall be given access to information in the possession of an administrative agency which he deems necessary for the discharge of his responsibilities;

(f) He may examine the records and documents of an administrative agency;

(g) He may enter and inspect, at any time, premises within the control of an administrative agency;

(h) He may subpoena any person to appear, give testimony, or produce documentary or other evidence which the ombudsman deems relevant to a matter under his inquiry, and may petition the appropriate state court to seek enforcement with the subpoena; provided, however, that any witness at a hearing or before an investigation as herein provided, shall possess the same privileges reserved to such a witness in the courts or under the law of this state;

(i) The ombudsman may bring an action in an appropriate state court to provide the operation of the powers provided in this subdivision. The ombudsman may use the services of legal assistance to Minnesota prisoners for legal council. The provisions of section 241.41 to 241.45 are in addition to other provisions of law under which any remedy or right of appeal

or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. Nothing in sections 241.41 to 241.45 shall be construed to limit or affect any other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary process.

(j) He may be present at Minnesota correction authority parole and parole revocation hearings and deliberations.

Subd. 1a. No proceeding or civil action except removal from office or a proceeding brought pursuant to sections 15.162 to 15.168 shall be commenced against the ombudsman for actions taken pursuant to the provisions of section 241.41 to 241.45, unless the act or omission is actuated by malice or is grossly negligent.

Subd. 2. Matters appropriate for investigation. (a) In selecting matters for his attention, the ombudsman should address himself particularly to actions of an administrative agency which might be:

- (1) contrary to law or regulation;
- (2) unreasonable, unfair, oppressive, or inconsistent with any policy or judgment of an administrative agency;
- (3) mistaken in law or arbitrary in the ascertainment of facts;
- (4) unclear or inadequately explained when reasons should have been revealed;
- (5) inefficiently performed;

(b) The ombudsman may also concern himself with strengthening procedures and practices which lessen the risk that objectionable actions of the administrative agency will occur.

Subd. 3. Complaints. The ombudsman may receive a complaint from any source concerning an action of an administrative agency. He may, on his own motion or at the request of another, investigate any action of an administrative agency.

The ombudsman may exercise his powers without regard to the finality of any action of an administrative agency; however, he may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

After completing his investigation of a complaint, the ombudsman shall inform the complainant, the administrative agency, and the official or employee, of the action taken.

A letter to the ombudsman from a person in an institution under the control of an administrative agency shall be forwarded immediately and unopened to the ombudsman's office. A reply from the ombudsman to the person shall be

delivered unopened to the person, promptly after its receipt by the institution.

No complainant shall be punished nor shall the general condition of his confinement or treatment be unfavorably altered as a result of his having made a complaint to the ombudsman.

Subd. 4. Recommendations. (a) If, after duly considering a complaint and whatever material he deems pertinent, the ombudsman is of the opinion that the complaint is valid, he may recommend that an administrative agency should:

- (1) consider the matter further;
- (2) modify or cancel its actions;
- (3) alter a regulation or ruling;
- (4) explain more fully the action in question; or
- (5) take any other step which the ombudsman states as his recommendation to the administrative agency involved.

If the ombudsman so requests, the agency shall within the time he specifies, inform the ombudsman about the action taken on his recommendation or the reasons for not complying with it.

(b) If the ombudsman has reason to believe that any public official or employee has acted in a manner warranting criminal or disciplinary proceedings, he may refer the matter to the appropriate authorities.

(c) If the ombudsman believes that an action upon which a valid complaint is founded has been dictated by a statute, and that the statute produces results or effects which are unfair or otherwise objectionable, the ombudsman shall bring to the attention of the governor and the legislature his view concerning desirable statutory change.

**241.45 PUBLICATION OF RECOMMENDATIONS; REPORTS.** Subdivision 1. The ombudsman may publish his conclusions and suggestions by transmitting them to the office of the governor. Before announcing a conclusion or recommendation that expressly or impliedly criticizes an administrative agency, or any person, the ombudsman shall consult with that agency or person. When publishing an opinion adverse to an administrative agency, or any person, the ombudsman shall include in such publication any statement of reasonable length made to him by that agency or person in defense or mitigation of the action.

Subd. 2. In addition to whatever reports the ombudsman may make on an ad hoc basis, the ombudsman shall at the end of each year report to the governor concerning the exercise of his functions during the preceding year.

## APPENDIX B

### SUMMARY OF FISCAL YEAR 1978 OMBUDSMAN POLICY RECOMMENDATIONS\*

Recommendations accepted	
totally .....	24
partially .....	3
Recommendations rejected .....	7
Recommendations pending .....	1
TOTAL .....	35

The ombudsman recommended:

1. That the MCB develop a procedure for more direct and systematic notification to inmates of the results of non-appearance reviews by the MCB.  
 Issued: *July 15, 1977*  
 Response: *July 19, 1977; accepted-action slips to be completed on all non-appearance reviews and sent to the inmate.*
2. That the Department of Corrections unilaterally implement a program allowing certain inmates serving life sentences to qualify for participation in minimum security programs.  
 Issued: *August 17, 1977*  
 Response: *September 1, 1977; rejected-program to be developed in conjunction with the MCB which will review lifers three years prior to their first eligible parole date.*
3. That the Department of Corrections develop personnel policies for all inmate jobs.  
 Issued: *August 22, 1977*  
 Response: *September 14, 1977; accepted-industry hire/fire policies; job posting and job grades established.*
4. That adjustment be made in the department's personnel policy to allow overtime payment at the rate of time and a half for nurses at MSP.  
 Issued: *August 24, 1977*  
 Response: *September 14, 1977; rejected-contrary to state personnel rules.*
5. That the Department of Corrections should not alter the furlough criteria for minimum security facilities to exclude inmates serving minimum sentences.  
 Issued: *September 12, 1977*  
 Response: *September 21, 1977; rejected-Attorney General advised that persons serving minimum sentences must be excluded from furlough consideration until minimum served.*
6. That MSP alter its policy regarding the censorship of magazines and periodicals in accordance with one of three alternatives suggested by the ombudsman.  
 Issued: *October 6, 1977*  
 Response: *March 1, 1978; accepted.*
7. That MCF-LL amend its procedure for dismissing inmate workers by providing first a verbal warning; second, a written warning; and third, a written notice of dismissal, including the appropriate appeal procedure.  
 Issued: *October 12, 1977*  
 Response: *January 12, 1978; accepted-policy issued.*
8. That MSP develop a written policy governing the firing of non-industry inmate workers.  
 Issued: *October 12, 1977*  
 Response: *December 12, 1977; accepted-policy received.*
9. That aggressive efforts be made to recruit minorities in inmate jobs in proportion to their representation in the prison population in all job categories and training programs.  
 Issued: *October 12, 1977*  
 Response: *November 9, 1977; accepted.*
10. That only the names of qualified inmates be placed on the waiting list for a specific job at MSP.  
 Issued: *October 12, 1977*  
 Response: *December 7, 1977; accepted-Department of Corrections Director of Industry indicated recommendation accepted and progress made on implementation.*
11. That MSP, MCF-LL, and SRM investigate the feasibility of developing a comprehensive listing of inmate jobs as well as a brief description of the job requirements.  
 Issued: *October 12, 1977*  
 Response: *December 12, 1977; accepted-policy received.*
12. That MSP put in writing its policy regarding the visiting room seating restrictions of individuals who are confined to wheelchairs.  
 Issued: *November 1, 1977*  
 Response: *November 4, 1977; accepted.*
13. That the MCB clarify its MAP procedures with respect to
  - a. the role of the parole agent
  - b. the alteration of the contract
  - c. the binding nature of the contract on the MCB.

\*Recommendation implemented on date of acceptance unless otherwise noted.

- Issued: *November 30, 1977*  
 Response: *December 31, 1977; clarified what MAP contracts include vis-a-vis "parole planning". January 9, 1978 followup by ombudsman urging the early involvement of the parole agent in developing a MAP.*
14. That the microphone system in the SRM disciplinary court hearing room be replaced with a buzzer device.  
 Issued: *December 5, 1977*  
 Response: *December 12, 1977; alternative proposed-acceptable, switch installed in the hearing room to give hearing officer control over the system.*
15. That the Department of Corrections implement a policy allowing the placement in medium security of "long-term" inmates.  
 Issued: *December 6, 1977*  
 Response: *May 18, 1978; accepted-previously issued August 17, 1977 and rejected.*
16. That MCF-LL discontinue the use of the drug analysis test EMIT.  
 Issued: *December 7, 1977*  
 Response: *December 7, 1977; final decision pending-use of EMIT suspended pending MCB evaluation requested by superintendent.*
17. That an inmate who appeals a dismissal from his job be allowed a personal appearance before the appeal agent.  
 Issued: *December 21, 1977*  
 Response: *May 10, 1978; accepted-Industry policy issued to improve grievance procedures.*
18. That MSP not be used to house individuals who are on pre-sentence detention status.  
 Issued: *January 16, 1978*  
 Response: *February 1, 1978; partially accepted-warden indicated that every effort will be made to minimize reoccurrence.*
- \*19. That expulsion from a program be removed as a sanction from MCF-LL disciplinary plan.  
 Issued: *January 30, 1978*  
 Response: *January 31, 1978; accepted-already planned to make expulsion the prerogative of the superintendent on advice of classification team.*
- \*20. That notice of a rules violation report must be given to an inmate within a specified time period after an alleged rules infraction.  
 Issued: *January 30, 1978*  
 Response: *January 31, 1978; accepted-the current open-ended system will be replaced with one requiring notice to be delivered within three working days.*
- \*21. That the 48 hour minimum time period required by MSP to transfer an inmate back to MCF-LL be eliminated.  
 Issued: *February 1, 1978*  
 Response: *February 1, 1978; accepted-inmates can be transferred upon presentation of MCF-LL's written authorization.*
- \*22. That MSP develop a policy which classifies specific jobs as light duty.  
 Issued: *February 22, 1978*  
 Response: *July 1978-a complete review scheduled for September 1978; specific policy will result from review.*
23. That the MSP policy governing the eligibility requirements for inmate participation in the Residential Family Counseling Program be adjusted to allow consideration of special circumstances involving post-imprisonment marriages.  
 Issued: *March 21, 1978*  
 Response: *April 6, 1978; rejected.*
24. That the Department of Corrections ensure staff positions are not automatically restricted to a particular sex without reasonable justification.  
 Issued: *March 27, 1978*  
 Response: *April 25, 1978; accepted-job descriptions will determine employment needs.*
25. That MSP develop a cell "shakedown" policy which requires the utilization of the security squad and, if possible, the presence of the inmate concerned when the search is initiated by officers other than those assigned to the inmate's cell hall.  
 Issued: *March 28, 1978*  
 Response: *June 13, 1978; rejected-existing procedure clarified and unchanged.*
26. That MSP make white legal size paper available to inmates.  
 Issued: *April 12, 1978*  
 Response: *July 5, 1978; accepted.*
27. That MSP clarify and/or change the industry work program with respect to the following:  
 a. (reduce) the five day period between an inmate's suspension and receipt of notification of the hearing officer's dismissal decision;  
 b. (spell out reasons for dismissal in) the dismissal slip issued to inmates;  
 c. (define) shop related injuries; and  
 d. (create) some specific incentive to improve safety records.

- Issued: *April 18, 1978*  
 Response: *May 10, 1978; policy issued did not reflect the changes recommended by the ombudsman. His recommendations were issued too late to make the deadline for publishing the policy manual for the industry work program. The recommendations were received and may be considered upon first revision of the policy manual or the ombudsman may re-issue the recommendations if special problems occur in the area of his recommendation.*
28. That the MCB alter its policy to allow credit for the time an inmate spends in jail between conviction and sentencing.  
 Issued: *April 19, 1978*  
 Response: *April 25, 1978; partially accepted-no new policy, however, circumstances of individual cases will be considered.*
29. That MSP rescind the policy in A-Academic which allocates the use of each telephone on the basis of race.  
 Issued: *June 7, 1978*  
 Response: *June 14, 1978; accepted.*
30. That MCF-LL review and revise its policies in the following areas:  
 a. the length of the time required for an inmate to move through the Step Program;  
 b. the lights out policy;  
 c. inmate eligibility for participation in the hobby craft program;  
 d. the mail pickup and delivery procedure; and  
 e. special visits for inmates whose relatives live great distances from the institution.  
 Issued: *June 12, 1978*  
 Response: *June 28, 1978; accepted.*
31. That the MCB not summarily invoke blanket extensions of inmates' Target Release Dates in response to group misconduct.  
 Issued: *June 19, 1978*  
 Re-issued: *July 12, 1978*  
 Response: *September 1, 1978; accepted-individual participation considered.*
32. That SRM open packages mailed to an inmate in the inmate's presence.  
 Issued: *June 20, 1978*  
 Response: *June 29, 1978; rejected-such procedure would require more staff time, create scheduling problems and delay package deliveries.*
33. That MSP assure adequate parking is provided for visitors.  
 Issued: *June 23, 1978*  
 Response: *June 27, 1978; accepted.*
34. That Hennepin County Adult Corrections Facility consider instituting the following policies and procedures in its disciplinary plan to alleviate disparate sentences and conditions:  
 a. establish a permanent hearing board;  
 b. develop a training program for personnel involved in the hearing process;  
 c. increase hearing panel membership to three members;  
 d. provide precise definitions of offenses;  
 e. permit the accused to hear testimony given by witnesses;  
 f. provide inmates in segregation with reading materials;  
 g. allow regular exercise for inmates in segregation; and  
 h. permit residents in segregation to retain bedding 24 hours a day.  
 Issued: *June 27, 1978*  
 Response: *August 14, 1978; partially accepted - a. rejected; b,d,f, and h, were accepted; c and e were accepted with some alterations and g is under consideration.*
35. That Hennepin County Court Services issue a policy abrogating the use of the "choke hold" method of restraining youths at the Hennepin County Juvenile Center.  
 Issued: *June 29, 1978*  
 Response: *June 30, 1978; accepted.*

\*Result of meeting held on January 30, 1978 between the ombudsman and his staff and the superintendent and selected members of his staff.



APPENDIX C

FISCAL YEAR 1978 FINANCIAL INFORMATION

	<b>Budget Allocations</b>	<b>Actual Expenditures</b>
Personal Services .....	\$191,033	174,500
Rents and Leases .....	11,344	10,700
Printing and Binding .....	3,700	5,000
Communications .....	5,056	4,900
Travel .....	14,563	11,700
Contract Services .....	287	1,200
Office Supplies, Equipment, Repairs .....	2,485	2,700
Data Processing .....	200	0
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	\$228,668	\$210,700

(UNAUDITED)

Budget Source: Minnesota State Legislature \$210,700