

Minnesota -

OMBUDSMAN FOR CORRECTIONS -

1973-74 ANNUAL REPORT, 1973-74



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STATE OF
MINNESOTA

AN ANNUAL REPORT
OF OPERATION OF THE OMBUDSMAN FOR CORRECTIONS
FOR THE
STATE OF MINNESOTA



The office of Ombudsman for Corrections was established in 1972 by Executive Order of the Honorable Wendell R. Anderson, Governor for the State of Minnesota. This report describes the need for the Corrections Ombudsman and how he functions. It reviews the accomplishments of the last twelve months of operation and outlines some goals for the future.

Theartrice Williams
Ombudsman

Ombudsman for Corrections
State of Minnesota
Saint Paul, Minnesota
July 1974

**ORGANIZATION CHART
MINNESOTA OMBUDSMAN FOR CORRECTIONS**

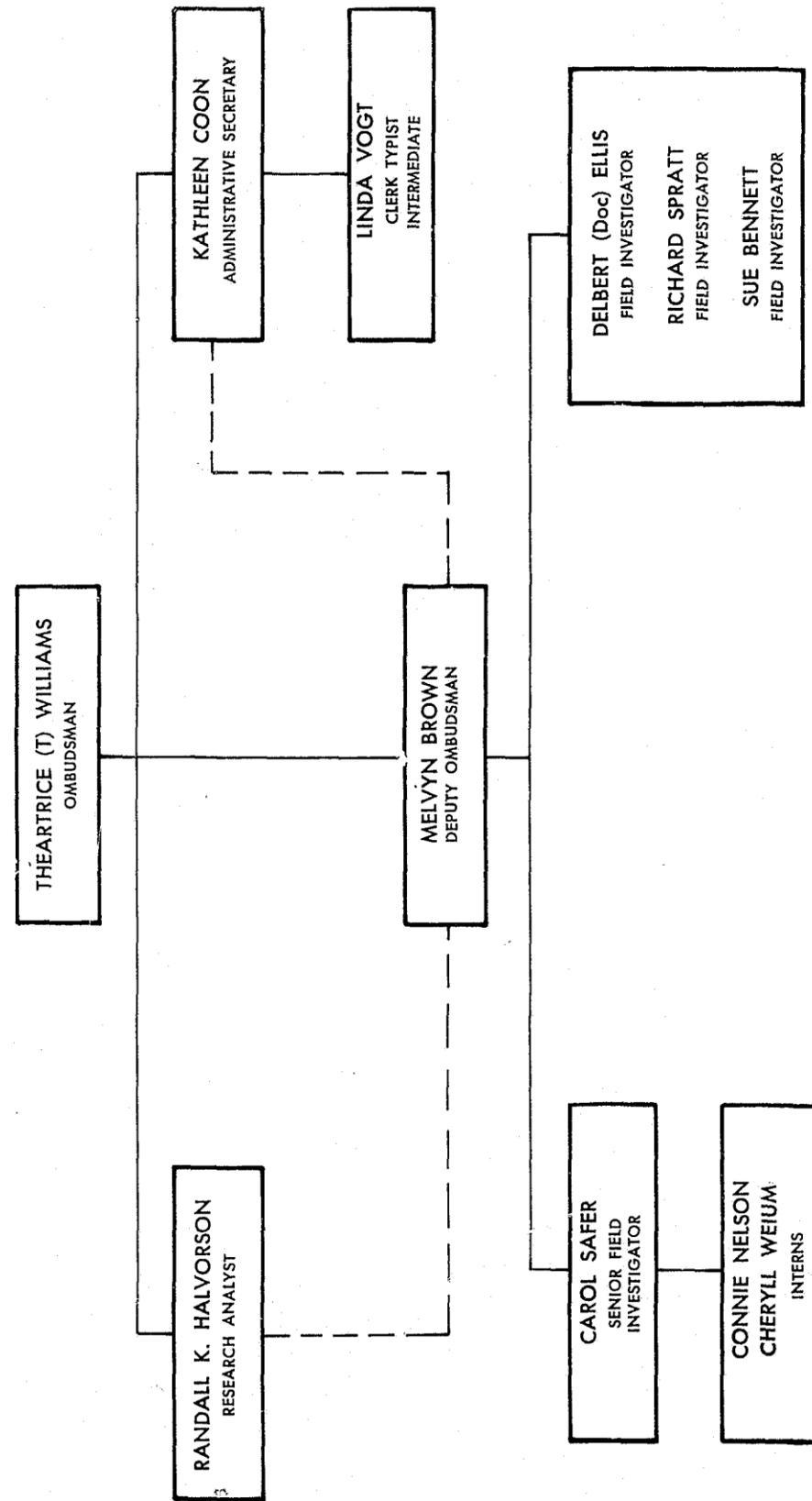


TABLE OF CONTENTS

	Page
INTRODUCTION	1
ORGANIZATION AND FUNCTION.....	2
Complaint Processing Procedure.....	2
Functional Analysis Program Activities.....	2
Analysis of Complaints.....	4
SUMMARY AND PROJECTION.....	13
CHARTS	14
1 Monthly Intake	14
2 Institution Location Map.....	15
TABLES	16
I Ombudsman Complaints Closed.....	16
II Caseload	17
III Complaint Distribution by Institution.....	17
IV Population by Institution.....	17
V Methods of Communication.....	17
VI Initial Contact	17
VII Time Taken to Resolve Complaint.....	17
VIII Complaint Distribution by Category.....	18
IX Complaint Resolution	18
X Complaint Resolution by Category.....	18
XI Referrals to Agencies.....	19
XII Category of Referrals.....	19
XIII Staff Complaints	19
XIV Group Complaints	19
XV Number of Complaints per Individual.....	19
APPENDIX	20
A — Ombudsman for Corrections Act.....	20
B — Executive Order	24
C — Budget	25
D — Policy on Funeral Procedures.....	26

INTRODUCTION

INTRODUCTION

The Minnesota Ombudsman for Corrections was begun in July, 1972 out of a need and a commitment to provide external review for prisoner grievances and complaints. It began with, and still has, the support of the Commissioner of Corrections and other officials within the Department of Corrections.

The Program operated during its first year as a federally-funded project. In May, 1973, an Act was passed by the Minnesota Legislature creating the office of Ombudsman for Corrections as an independent State agency. The office is part of the executive branch of government with the Ombudsman appointed by and responsible to the Governor. See Appendix A and B.

The State Legislature provided partial funding for the operation of the office during fiscal year 1974. Federal funds and a grant from the Bush Foundation are the sources for the remainder of the funds. See Appendix C.

The Minnesota Ombudsman For Corrections continues to pursue its basic statutory objectives. The primary thrust of the office is directed towards improving the opportunity for justice and fair play for people caught in what many have described to be an unfair and unjust system. The Ombudsman provides an external grievance mechanism to be used when Corrections' internal procedures fail to formulate and/or implement reasonable standards, rules, regulations, and goals.

Credibility is the most powerful tool the Ombudsman has at his disposal. The Minnesota Ombudsman for Corrections has had to work hard at developing credibility among the residents of the various institutions and the staff. Providing meaningful solutions to problems is what develops credibility. A continuation of that process is what sustains it.

The Ombudsman continues to function with a low profile. Every effort is made to resolve situations of conflict within the framework of the Department of Corrections. Public pressure has not yet been used to resolve an issue, nor has the Governor's Office been

used in such a way. Both are seen as resources available to the Ombudsman in time of need. The Ombudsman has published three special reports dealing with problems at the Reformatory and at the Prison. Those reports were made public at press conferences and the Department of Corrections had copies of the reports prior to their release. A more detailed discussion and analysis of those reports are contained in the body of this report.

The effectiveness of the Ombudsman depends a great deal upon his staff. Care was given in the selection of staff that could help maintain and add to the credibility of the office. The staff has increased from seven full time members to eight full time people effective July, 1974. In addition to the eight full time people, there are two interns and one part time professional. The staff is competent and adequate. The interns are carefully chosen, and they make a real contribution to the program.



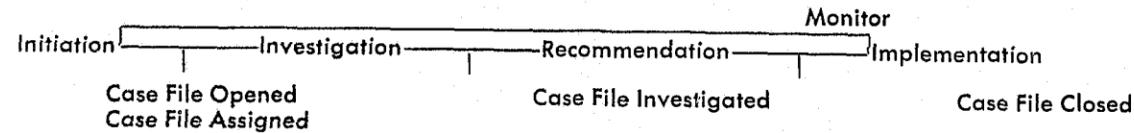
This report will discuss the organization and function of the Ombudsman office focusing specifically on the description of the complaint processing mechanism, functional analysis of the total program, and an explanation of the type of complaints received.

ORGANIZATION AND FUNCTION OF THE OMBUDSMAN OFFICE

The office of Ombudsman for Corrections is organized to maximize the prompt processing and investigation of complaints. A table of organization found on

the inside cover gives a graphic illustration of the different staff roles. These roles are further delineated by the following scheme:

COMPLAINT PROCESSING PROCEDURE



Initiation

Complaint Received. The Ombudsman may, on his own motion or at a request from any source, investigate any action of the Department of Corrections.

Complaints can be initiated by three basic methods:

- ... Ombudsman may initiate an investigation,
- ... complainant may file complaint personally, by telephone or by mail,
- ... a person on behalf of another may file a complaint personally, by telephone or by mail.

Case File Opened. Every complaint received or initiated by the Ombudsman is directed to the Administrative Secretary or her designee. She records the complaint in the pertinent file and on the appropriate index cards. The file is then given to the Ombudsman.

Case File Assigned. After receiving the case file, the Ombudsman may investigate the complaint himself or assign it to a member of his staff. The following factors determine to which staff member a case is assigned:

- ... source of complaint,
- ... type of complaint,
- ... location of complainant, and
- ... caseload of staff members.

Investigation

After reviewing the case file, the investigator will proceed in the following manner:

- ... Personally contact 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 Department of Corrections that an investigation is being undertaken when appropriate.

... Conduct interview and review documents, thus gathering all necessary and pertinent information.

... Formulate a conclusion on the basis of accumulated evidence.

... Notify complainant concerning conclusions reached.

Recommendation

If the investigator, in conjunction with his/her client, concludes that a recommendation is warranted, such recommendation will be submitted, in writing, to the appropriate official of the Department of Corrections. The Ombudsman will be made personally aware of all cases involving recommendations and shall determine which ones require his signature.

The Ombudsman may publish his conclusions and recommendations in accordance with Minnesota Statute 241.45. See Appendix A.

When an Investigation is concluded, the investigator completes the complaint form in the case file and records the closing on his two monthly report forms. The Administrative Secretary or her designee then enters the closing date on the case index card.

Implementation

The Ombudsman may request, within the time he specifies, to be informed of any action taken on a recommendation or the reasons for not complying with it.

The Ombudsman shall inform the complainant of any action taken on his/her recommendation.

The Ombudsman shall monitor the implementation of recommendations accepted by the Department of Corrections.

FUNCTIONAL ANALYSIS PROGRAM ACTIVITIES

The Ombudsman for Corrections has been organized

along functional lines to facilitate management, budgeting, and reporting the activities of the office. The function has been divided into five program or activity areas.

Investigation of Sentenced Persons' Complaints

The greater portion of the Ombudsman's activity falls into this area. Included under this activity is all of the complaints of the eight institutions under the supervision of the Department of Corrections. In addition, there are those complaints from residents of the various community corrections programs, such as halfway houses and group homes, as well as persons on parole. The eight institutions, however, accounted for 92.7 percent of the complaints which comprise this activity area.

The institutions have provided the greatest activity for the Ombudsman and will probably continue to do so. It is understandable that it should be that way. Many of the complaints, as will be discussed later in the analysis of complaints, are a direct consequence of a person's institutionalization. Once the person is removed from the institution, the complaint disappears.

The focus of an investigation is to resolve the individual complaint. However, each individual complaint is reviewed to determine its implication for the need for changes in the policies of the Department of Corrections or an individual institution. The resolution of an individual complaint may result in a major policy recommendation to the Department of Corrections. Such a change resulted from a complaint registered by the family of an inmate who had died at the Prison. The complaint alleged that the Department of Corrections was liable for payment of the deceased inmate's funeral and burial expense. The Prison had denied the family's initial claim, but the Prison reconsidered its position upon request of the Ombudsman. The Department of Corrections subsequently honored the family's claim and changed its policy in accordance with the Ombudsman recommendation. See Appendix D.

It is not enough to get individual relief if the conditions that resulted in the complaint go unchanged. However, it is unfair to ask the individual to wait until the system can be changed before he is granted some form of relief. One must work simultaneously to get individual relief and to change the system. Frequently, individual relief comes first because of the nature of the process.

The Ombudsman expects that during the next year there will be an increase in the number of non-institution complaints. A special effort is being made to make the Ombudsman's services available to the community corrections programs. Included will be the halfway houses and group homes. In addition, attention will be given to those programs that will be directly administered by the counties with support funding from the Department of Corrections. Approximately 66 percent of staff time is devoted to this activity.

Investigation of Staff Complaints

The Ombudsman for Corrections has the authority to investigate complaints from members of the staff of the Department of Corrections and its various institutions. The Ombudsman Act gives the Ombudsman the authority to investigate "any act of the administrative agency" (Department of Corrections). See Appendix B.

The staff has not made extensive use of the Ombudsman to assist in resolving its grievances. Only 1.6 percent of all complaints filed were from staff. There may be several reasons for that. First, their problems are not, nor are they perceived to be, as debilitating as those of the prisoners. Second, they have alternate outlets such as Union and Civil Service for many of their grievances. Third, they see the Ombudsman more as a tool for the prisoners than the staff. Some have stated that they did not know that staff could make use of the Ombudsman. Finally, the Ombudsman has not done as much to acquaint staff with the availability of his services to them as has been the case with the prisoners. Nevertheless, there was a numerical increase from 8 to 17 in the number of staff complaints.

Future plans do call for the Ombudsman working more closely with staff to acquaint them with the availability of the Ombudsman as a resource for staff grievances. In so doing, it will be with the clear understanding that the Ombudsman will become involved after all else has failed. Approximately four percent of staff time was devoted to this activity.

Special Investigations

Under the Ombudsman Act, the Ombudsman has the authority to initiate investigations on his own motion. This authority is valuable and essential. It is under this authority that three special investigations were conducted during the past year. Also, an additional 19 group complaints were investigated. The group complaints frequently came from the various organized groups at the institutions, such as the Indian Folklore, Jaycees, Afro-American Brotherhood and Culture, etc. These complaints often were related to the institutions' policies affecting how the groups functioned.

Two of the three special investigations involved suicides at the Prison and the third involved a disturbance at the Reformatory. In each instance, the Ombudsman decided to initiate the investigation. The institutions, in turn, were supportive of that decision.

In the November, 1973 investigation at the Reformatory, the Ombudsman relied upon his authority to call witnesses to give testimony. A formal hearing was conducted using the Ombudsman and two members of his staff and an attorney from the Attorney General's Office. The Ombudsman heard testimony from 61 people: 21 inmates, 35 staff and two news media personnel, one county attorney and two persons from the

State Bureau of Criminal Apprehension. Over 56 hours were involved in taking testimony. The purpose of the investigation was to determine the reasons for the disturbance and make recommendations that might minimize its reoccurrence. See analysis of complaints for a discussion of the recommendations.

The second special investigation at the Prison in December, 1973 was similarly structured. Two black inmates had been reported as suicide victims within 48 hours of each other. While this investigation was being conducted, a third person committed suicide.

The purpose of this investigation was to determine whether the black inmates had died by suicide because of the circumstances around one of the deaths. A second reason was to prevent a major disturbance because the tensions among the black inmates were high and the credibility of the staff and the traditional legal investigating agency was low.

In this investigation, testimony was taken from 43 people involving 41 hours. Besides verbal testimony, a variety of evidence was examined which included autopsy reports, suicide notes and a graphologist's report. The findings substantiated death by suicide for all three men. The recommendations from this report are discussed in the section on analysis of complaints.

The third special investigation of May, 1974 involved two suicides, one at the Reformatory and one at the Prison. From October 28, 1973 to March 14, 1974, six people committed suicide. This investigation and the report resulting from it dealt not only with the specifics of the last two deaths but raised some broader mental health questions.

The method of inquiry in this investigation differed from the two previous inquiries. Instead of the formal and time-consuming hearing approach, the Ombudsman had two staff people conduct the entire investigation and prepare a report with recommendations. This report with its recommendations, as was the case with the other reports, was made public during a press conference. These recommendations are discussed in the section on analysis of complaints. Approximately six percent of staff time was devoted to this activity.

Public Information and Education

The Ombudsman for Corrections is a new concept in Minnesota and is virtually untried elsewhere in the United States. Minnesota is often looked to for direction and information from many other states and communities. Over 600 packets of material were mailed to organizations, government agencies, educational institutions, and individuals. Several major colleges and universities requested copies of the 1972-73 Annual Report for their libraries. Copies of the Annual Report were sent to the legislative libraries of all 50 states.

Also, 100 copies were made available to the Governor

of Minnesota for distribution at the Annual Governors' Conference.

The Ombudsman and his staff have participated in a variety of conferences and workshops both local and national. The Ombudsman addressed the 1973 Annual meeting at the Kansas Council on Crime and Delinquency. He also was a participant at the 1974 National Institute on Crime and Delinquency.

Keeping the Department of Corrections informed about the Ombudsman is an ongoing effort. The Ombudsman or members of his staff are regular participants in the Department of Corrections training academy which provides training for all new correctional counselors.

Public information and education is seen as an integral part of the Ombudsman for Corrections function. The program will continue to be accepted to the extent that a high level of credibility can be maintained. The provision of public information and education fosters the development of credibility. Approximately four percent of staff time was devoted to this function.

General Support

The Ombudsman for Corrections office could not function without the backup services provided under general support. Those services include clerical, secretarial, financial and general office work. The office has to be organized in such a way that records and other materials are easily available. Because the Ombudsman office is new and among the smallest agencies of State government, if not the smallest, an efficient general support service is crucial. The administrative secretary has to assume far greater responsibilities than her counterpart in larger agencies. She is the office manager, in-house accountant, secretary, and payroll clerk all rolled into one. Approximately 20 percent of staff time is devoted to this activity.

ANALYSIS OF COMPLAINTS

The Ombudsman may investigate upon complaint or his own motion the action of any division, official, or employee of the Minnesota Department of Corrections, the Minnesota Corrections Authority, and the Board of Pardons. The Ombudsman's services are directly available to any person under the jurisdiction of the Minnesota Department of Corrections and includes all persons in state correctional institutions and all persons on parole or probation under the supervision of the Commissioner of Corrections or the Minnesota Corrections Authority.

Upon investigation, complaints are placed in one of the following categories:

Parole—Complaints concerning any matter under the jurisdiction of the Parole Board. For example, work re-

lease, temporary parole and special review, etc.

Medical—Complaints about the ability to get treatment from staff physician or other medical source.

Legal—Complaints that require legal assistance or problems with getting proper response from the public defender or other legal counsel.

Placement—Complaints about the facility, area, or physical unit to which an inmate is assigned to live for a part of or all of his sentence.

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

Program—Complaints relating to the inability to get involved in a meaningful training or rehabilitative program requiring classification team's approval, i.e. drug, alcohol, vocational, etc.

Racial—Complaints concerning the use of race as a means of invidious classification or treatment.

Staff—Complaints, other than racial, about an inmate's relationship to a staff member.

Rules—Complaints about administrative policy establishing regulations that an inmate is expected to follow, i.e. visits, disciplinary hearings, dress, etc.

Threats—Complaints concerning threats of bodily harm to an inmate from other inmates.

Other—Complaints not covered in the previous categories.

Table I indicates that the Ombudsman acts primarily on individual complaints from the eight institutions of the Department of Corrections. See Chart II for location. These eight institutions, Minnesota State Prison (adult male), State Reformatory for Men (young men), Minnesota Correctional Institution for Women (adult women), Willow River Camp (adult and young adult male), Minnesota Metropolitan Training Center (male and female juveniles), Minnesota Home School (male and female juveniles), State Training School (male and female juveniles), and Thistledeew Camp (male juvenile), are responsible for approximately 93 percent of the complaints to the Ombudsman. In addition to receiving complaints from these eight institutions, the Ombudsman maintains contact with inmates from the correctional institutions who transfer to the Minnesota Security Hospital which is under the jurisdiction of the Department of Welfare. Of these nine institutions, the Prison continues to produce the greatest number of complaints. As Tables III and IV indicate, 56.9 percent of all complaints came from the Prison which has a population representing approximately 40 percent of the total institutionalized population.

Methods for contacting the Ombudsman are shown

in Table V. Approximately 85 percent of the complaints received by the Ombudsman are by direct contact—personal, 41.4 percent; letter, 32.9 percent; and telephone, 10.4 percent. As was expected, the greatest percentage of contact is made personally. This is the direct result of the Ombudsman's attempt to visit the major institutions on a regular and frequent basis.

Once a complaint has been received, the Ombudsman seeks to contact each complainant within the shortest period of time possible. Approximately 60 percent of the complainants are seen the same day their complaint was received by the Ombudsman. See Table VI. Of the 628 complainants who were seen the same day they registered a grievance, 443 personally contacted the Ombudsman or his staff. The remaining 185 complainants were seen the same day even though they contacted the Ombudsman by one of the five other methods. Approximately 80 percent of all complainants were seen within six days after their complaints were received.

After initial contact with the complainant, the Ombudsman's investigation is conducted as thoroughly and as quickly as possible. Table VII shows that 63.3 percent of the complaints were closed within 30 days, 17 percent were closed within 45 days, 6.5 percent were closed within 60 days, and 13.2 percent took longer than 60 days to resolve. While most complaints are resolved within 30 days, the fact that nearly 40 percent took more than one month to resolve is the result of two factors. The first relates to the manner used in closing complaints. All complaints are officially closed on the last day of the month. Therefore, even though many complaints may take only a few days to resolve, the action is recorded in the 0-30 category.

If a complaint is received on the last day of a month and was resolved within the first few days of the next month, it would be recorded as closed in the 31 to 45-day period of time. This manner of recording closing dates thus tends to distort the actual amount of time taken to resolve a complaint. A second factor to consider is the type of complaint received. A comparison of fiscal years 1973 and 1974 shows a marked increase in the number of parole and program complaints. See Table VIII. The problems surrounding these two "treatment" categories are neither quickly nor easily resolved.

In an effort to measure their success, the Ombudsman and his staff determine the extent to which each complaint is resolved. The basic standard is simply whether or not the Ombudsman did all he could as well as he could within the limits of his jurisdiction. Consideration is also given to the probable view of the complainant. Subjective judgments play a large role in determining how a complaint has been resolved. For example, in a circumstance in which the Ombudsman concludes that every reasonable alternative has been exhausted, but in which there is little substantial prog-

ress towards resolution, the complaint would likely be recorded in the partial resolution category. However, the complainant whose situation has not appreciably changed, may be highly dissatisfied with the effort.

Tables IX and X represent the judgment of the Ombudsman and his staff. The extent to which each complaint is resolved is difficult to measure. However, the fact that 56.4 percent of the cases closed were recorded as fully resolved reveals an acceptable degree of success. A success figure in the 50 percent range may seem low, but given the nature of the corrections system and the magnitude of problems faced by its clients, this figure which represents substantive change in 604 cases is as much as, if not more than, can be expected.

The grievances investigated by the Ombudsman arise from legitimate need. Of the 1,070 complaints closed last year, only 12 were dismissed as being invalid. See Tables IX and X.

Although 98.2 percent of the complaints received were valid, the Ombudsman was unable to complete the investigation of 9.4 percent of these. During the year, 101 cases were referred to other agencies for final resolution. See Table XI. Of this number, 77 went to the Legal Assistance to Minnesota Prisoners' office (LAMP). Table XI gives a complete breakdown of these referrals and Table XII indicates the type of complaints that were referred.

The Ombudsman has placed all complaints, regardless of source, into eleven categories as listed earlier in this report. The figures in Tables I through XII reflect results of the 1,070 categorized complaints. Seventeen of this total were registered by staff members. See Table XIII. Nineteen of this total were made by inmate groups. See Table XIV. The 1,070 complaints were made by 703 individuals (a group is here defined as an individual). Seventy percent of the complaints were from individuals who used the Ombudsman services one time during the year. See Table XV. Review will be made of those cases where individuals complained four to six times. While only 11 percent of the complaints fall in the 4 to 6 category, seven individuals accounted for 37 complaints.

Included among the 703 complainants are the six individuals who committed suicide during the year. The Ombudsman opened complaints in their names and conducted two major investigations which examined the circumstances surrounding four of these deaths in detail. As a result, 28 recommendations were forwarded to the Department of Corrections. These included:

... The Prison's Intensive Treatment Unit (ITU) terminated February 22, 1974, must be reactivated. Persons who show signs of mental disturbance could be referred to this unit where treatment could be immediately initiated.¹

The reimplementation of the ITU must avoid the following "unstabilizing conditions" identified by a recent Prison report.

1. Poor to non-existent isolation of the physical plant.
2. Free movement in and out of the unit by non-residents and residents alike.
3. Presence of mood-altering chemicals.
4. Slow assignment of patients, both in and out of the unit.
5. Inconsistent treatment.
6. Poor leadership and direction.
7. No systematic appraisal of client progress.

... The Ombudsman recommends that the Department of Public Welfare, in conjunction with the Department of Corrections, encourage the facilities under its jurisdiction to make every reasonable effort to meet inmate treatment needs. Inmates are often caught between the policies of the Department of Corrections and the Department of Public Welfare. Transfer procedures should be established that would permit inmates to be admitted on a voluntary basis to these institutions or other community mental health facilities.²

... The use of isolation as punishment should be abolished. The disciplinary procedures should be revised to exclude isolation as a punishment option for rule violation.³

... Four-point restraints should be used only as a last resort to control an inmate from self-abuse. Restraints should be used only for medical reasons upon the written recommendation of a doctor. The Reformatory's current option of placing men who have cut themselves in four-point restraints for four days should be terminated immediately. The Ombudsman views this policy as neither effective treatment nor justifiable punishment.⁴

... The Reformatory should develop a program to make effective use of inmate counselors. Both the

¹In the process of being implemented. It has been partially delayed because of reorganization of the Prison staff and program.

²Discussions have been initiated with the Department of Welfare officials to develop a solution.

³Partly implemented. Isolation cells have been closed. One is used as a temporary holding cell limited to 48-hour use.

⁴Neither accepted or rejected. Restraints have not been used since, although there has been an opportunity to do so.

Prison and the Minnesota Security Hospital have initiated such a program and report favorable results.⁵

... The death procedure now in use at the Prison should be revised to include the calling of the appropriate law enforcement officials in the case of deaths that are not due to obvious natural causes. Things should remain undisturbed until such officials appear on the scene. This does not mean that a person should not attempt to give first aid where there might be an opportunity for survival.⁶

... The Prison should explore the creation of a crises intervention team that would be on call on a 24-hour basis. This team could consist of both staff and inmates and they would be available to talk with an inmate who is undergoing a crisis that might lead to suicide or some other form of destructive behavior. Members of such a team should be trained.⁷

A third special investigation resulted from a major fist fight among inmates at the Reformatory. This investigation was not opened under the name of any single person and, therefore, is not reflected in any of the previously-mentioned data. Eleven recommendations were forwarded to the Department of Corrections. They included:

... A human relations training program should be developed and implemented for the entire staff. Such a program should not restrict itself just to the problems of race. There is a need for a better understanding of the cultures of the prison community and the impact that it has on an individual.⁸

... The Department of Corrections should undertake the immediate development of a comprehensive training program for the staff at all three adult institutions regarding disciplinary proceedings and "due process" as outlined in Judge Neville's Court Order. Special emphasis should be placed on the following:⁹

1. membership of the disciplinary boards and hearing officers,
2. development of a cadre of hearing officers that could fill in at the different institutions on an as-needed basis to allow for continuity in cases of illness, vacation, resignation, etc.
3. utilization of outside resources to assist with the training; examples of such resources would be Legal Assistance to Minnesota Prisoners (LAMP), Public Defender, private attorney, Ombudsman, etc.
4. clarification of the role of the representa-

tive, advocate, or counsel and who may serve, and

5. training should also clarify the parole revocation process.

... Policy effecting the transfer of inmates from one institution to another ought to be clearly stated and immediately communicated to the Reformatory; such policy ought to avoid the use of transfer as a disciplinary measure.¹⁰

... Develop some means for improving intra-staff communications at the Reformatory. More frequent staff meetings at the correctional officer level and interdepartmental staff meetings are two possibilities.¹¹

... Establish an inmate/staff advisory council to advise the Superintendent of those matters that affect inmate life in the Reformatory. Such a body should improve staff/inmate communications and could assist in meeting certain of the inmate and staff human relations needs.¹²

Examples of Complaints

Most of the complaints to the Ombudsman do not result in formal recommendations being made to the Department of Corrections concerning resolution of the complaint. Some of the complaints do not involve the Department of Corrections and can be resolved without its input. The following are two examples of complaints filed with the Ombudsman. The first is a parole complaint and is resolved within the framework of the Department of Corrections and the other is a property complaint that is resolved without any formal contact with the Prison or the Department of Corrections.

⁵Under consideration.

⁶Fully implemented.

⁷Being implemented.

⁸There has been partial implementation. Further consideration is being given to its fullest implementation.

⁹Due process has been incorporated into the Training Academy curriculum for new corrections counselors.

¹⁰Fully implemented.

¹¹In the process of being implemented.

¹²Under consideration.

OMBUDSMAN
THEARTRICE (T) WILLIAMS



STATE OF MINNESOTA
OMBUDSMAN FOR CORRECTIONS
136 EAST THIRTEENTH STREET
ST. PAUL 55101

March 28, 1974

Mr. Richard Mulcrone
Chairman, MCA
495 C Metro Square
Seventh and Robert Streets
St. Paul, MN 55101

Dear Mr. Mulcrone:

I received a call from _____ relative to the fact that his parole sentencing has been reduced to such an extent that he thinks he qualifies for an immediate interview before the MCA for consideration for a discharge. _____ states that his parole agent said that his papers are on Mr. George Crust's desk.

Will you please advise _____ of the earliest possible date that he can be seen by the MCA? Thank you very much.

Sincerely,

Melvyn H. Brown
Deputy Ombudsman

MHB/kc

cc:

Minneapolis, MN 55405



STATE OF MINNESOTA
DEPARTMENT OF CORRECTIONS

612-296-6133

SUITE 430 METRO SQUARE BLDG. • 7th & ROBERT STREETS • ST. PAUL, MINN. 55101

April 3, 1974

Mr. Melvyn H. Brown, Deputy Ombudsman
Ombudsman for Corrections
136 East Thirteenth Street
St. Paul, Minnesota 55155

Re: _____

Dear Mr. Brown:

Thank you for your letter of March 28 with reference to _____.

We have received confirmation from Mr. Crust that by District Court action, _____ sentence has been reduced with a new expiration date of July 29, 1974.

We are instructing Agent Rodger St. George to prepare a current parole progress report to reflect a change in his expiration plus a recommendation. When this report is received, the Authority will review _____ situation.

Your cooperation is appreciated.

Sincerely,

R. T. MULCRONE, Chairman
MINNESOTA CORRECTIONS AUTHORITY

RTM:z

cc: Rodger St. George, Agent

Mr. Delbert Ellis: Ombudsman
Should you please check with
the Itasca Co. Authorities
and request the release of
Inmate Money.

OMBUDSMAN
THEATRICE (T) WILLIAMS



STATE OF MINNESOTA
OMBUDSMAN FOR CORRECTIONS
136 EAST THIRTEENTH STREET
ST. PAUL 55101

Mr. John Muhar, Sheriff
Itasca County Court House
Grand Rapids, MN 55774

Re: _____

Dear Sheriff Muhar:

I am writing on behalf of _____ an inmate at Minnesota State Prison at Stillwater. He has requested our assistance in securing the money that was detained from him while at the Itasca County Jail. He would like these funds placed in his account at MSP.

If your investigation has produced no evidence for conviction of forgery or conspiring regarding the Sunday, June 16, 1974, incident, I would like to request for _____ that the money be released.

By continuing to detain the money, it is an indication that _____ is considered guilty or a prime suspect. This action could jeopardize his opportunity for parole. He is scheduled to appear before the Parole Board in July.

Thank you for your attention to this matter.

Sincerely,

DELBERT J. ELLIS
Field Investigator

DJE:lv

cc: Glen Hall, Caseworker

Mary Winter, LAMP

Contacted Mr. Bill Spooner and talked to him of this matter and he advised me to return the money to _____ for we can not prove the money came from the checks. So the money has been sent back to _____ at Stillwater prison in care of Mr. _____. The money was taken from _____ and not _____ and _____ was charged but no or not enough evidence to charge _____.

L. G. Hince Dep. Sheriff

What is the Deputy - so important?
Called MSP?
Double check!
Tell who you don't show at Blonds paper
Who is your P.O.? Who visited you at Grand Rapids
Agents that happen on Parole.
Why didn't the Co-workers produce
Chamman - new report w/ inmate
Proposed Annual review
Criminal activities
Should you
Burn the book

John P. Muhar

ITASCA COUNTY SHERIFF

GRAND RAPIDS, MINNESOTA 55744

TO Ombudsman for Corrections
State of Minnesota
136 East Thirteenth Street
St. Paul, Minnesota 55101

DATE _____

SUBJECT _____

Attention: Lt. Langham

Dear Lt. Langham:

Our deputy L. G. Hince contacted our County Attorney, Mr. William Spooner, and he advised as follows:

"the money is to be returned to _____ for we cannot prove the money came from the checks."

The money was sent back to _____ at Stillwater Prison in care of _____. The money was taken from _____ and not _____ and _____ was charged but there was not enough evidence to charge _____.

The check to _____ was sent to him on _____, our check _____.

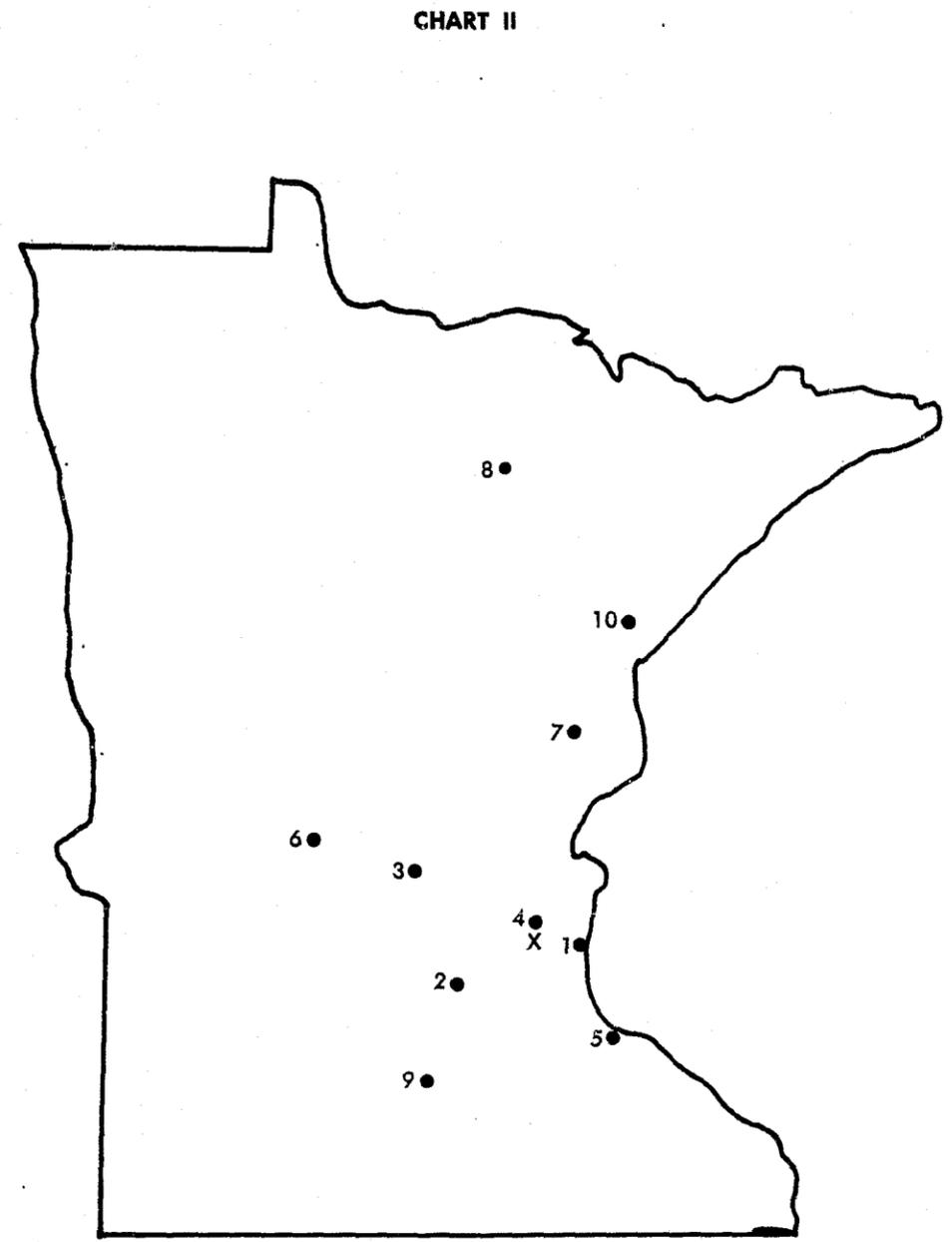
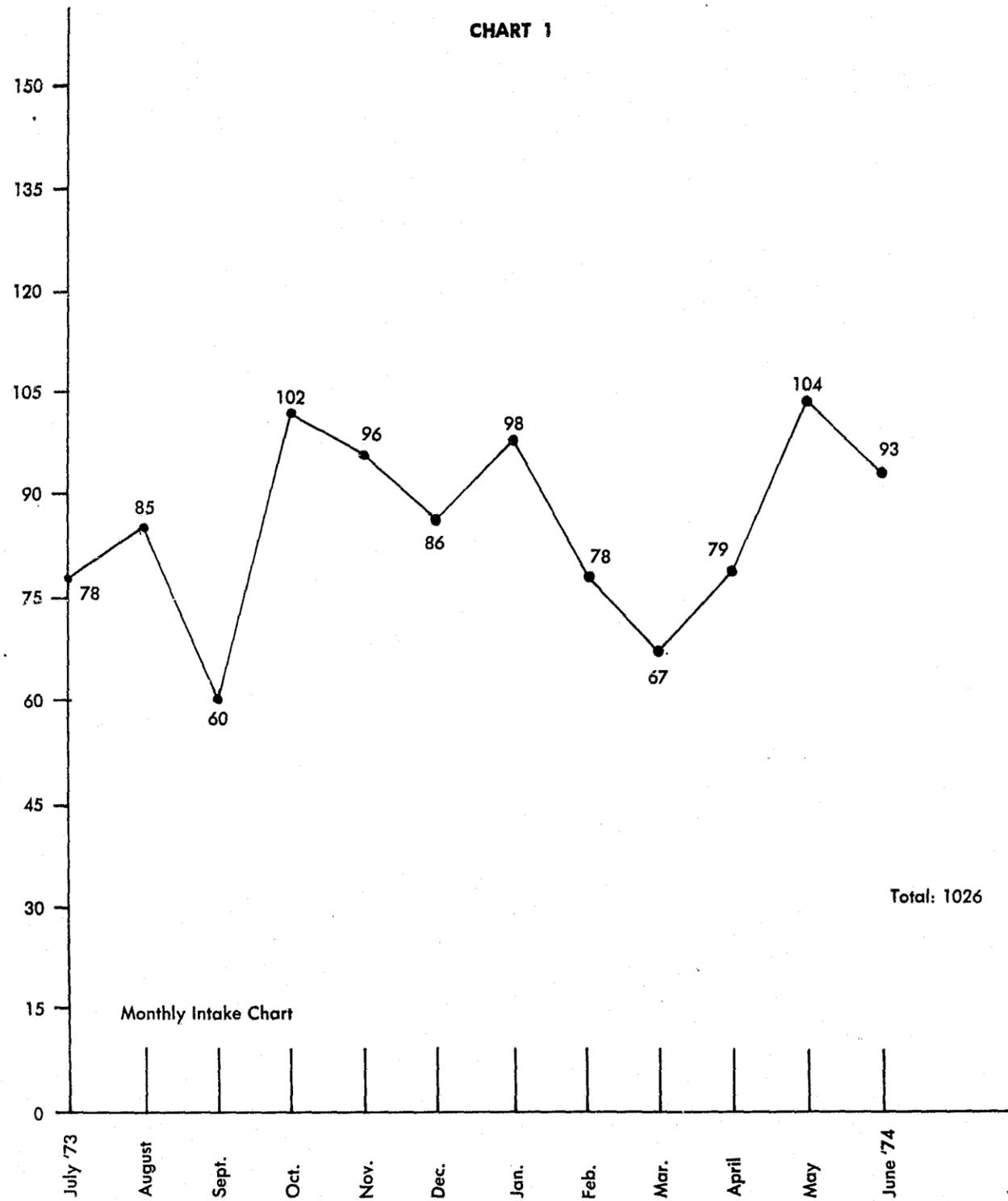
Yours truly,

JOHN P. MUHAR
Sheriff

SUMMARY AND PROJECTION

An evaluation of the Ombudsman for Corrections will be completed and presented to the Governor and the State Legislature in January, 1975. At that time, a recommendation will be made to the Legislature that the jurisdiction of the office be expanded to include county and regional corrections programs and facilities. An expansion of the jurisdiction will clarify the Ombudsman authority in relation to the Community Corrections Act. Programs developed under that Act will be administered by county and regional commissions and boards.

The Ombudsman for Corrections no longer is seen as an experimental program. The Commissioner of Corrections and many members of his staff see the Ombudsman as an essential part of the corrections system in the State of Minnesota.



X — OMBUDSMAN, St. Paul

- 1 MSP — Minnesota State Prison, Stillwater
- 2 MCIW — Minnesota Corrections Institution for Women, Shakopee
- 3 SRM — State Reformatory for Men, St. Cloud
- 4 MMTC — Minnesota Metropolitan Training Center, Lino Lakes
- 5 STS — State Training School, Red Wing
- 6 MHS — Minnesota Home School, Sauk Centre
- 7 WRC — Willow River Camp, Willow River
- 8 TC — Thistledeew Camp, Togo
- 9 MSH — Minnesota Security Hospital, St. Peter
- 10 NRCC — Northeast Regional Corrections' Center, Saginaw

Table I
Ombudsman Complaints (Closed): July 1973-June 1974

	MSP	MCIW	SRM	MMTC	STS	MHS	WRC	TC	MSH	FS	Other	Totals
Parole	167	17	33	17	0	3	2	0	0	14	0	253
Medical	60	6	13	0	0	0	0	0	0	7	0	86
Legal	66	8	20	17	0	2	0	0	3	12	0	128
Placement	31	0	6	34	2	1	0	0	0	6	0	80
Property	70	0	13	0	1	0	0	0	0	4	0	88
Program	59	15	32	29	5	4	0	0	2	11	2	159
Racial	2	0	2	1	0	0	0	0	0	1	0	6
Staff	15	1	8	1	0	0	0	0	0	2	1	28
Rules	112	9	33	13	5	8	3	0	0	8	1	192
Threats	3	0	3	0	0	0	0	0	0	0	0	6
Other	24	4	2	5	3	1	1	1	0	3	0	44
Totals	609	60	165	117	16	19	6	1	5	68	4	1,070
F.Y. 74 (Est.) Average Daily Population	782	57	477	175	196	125	37	44	20	3,950	—	5,863

MSP—Minnesota State Prison; MCIW—Minnesota Correctional Institution for Women; SRM—State Reformatory for Men; MMTC—Minnesota Metropolitan Training Center; STS—State Training School; MHS—Minnesota Home School; WRC—Willow River Camp; TC—Thistledeew Camp; MSH—Minnesota Security Hospital; FS—Field Services (including probation and parole).

Table II
TOTAL CASELOAD

Number of cases opened July 1973 through June 1974	1,026
Number of cases carried from June 1973	88
TOTAL:	1,114
Number of cases closed July 1973 through June 1974	1,070
Number of cases carried to July 1974	44

Table III
Complaint Distribution by Institution

Institution	Complaints	Percent
MSP	609	56.9%
MCIW	60	5.6%
SRM	165	15.4%
MMTC	117	10.9%
STS	16	1.5%
MHS	19	1.7%
WRC	6	.6%
TC	1	.1%
MSH	5	.5%
FS	68	6.4%
Other	4	.4%
TOTAL:	1070	100%

MSP—Minnesota State Prison; MCIW—Minnesota Correctional Institution for Women; SRM—State Reformatory for Men; MMTC—Minnesota Metropolitan Training Center; STS—State Training School; MHS—Minnesota Home School; WRC—Willow River Camp; TC—Thistledeew Camp; MSH—Minnesota Security Hospital; FS—Field Services (including probation and parole).

Table IV
Population by Institution*

Institution	Population	Percent
MSP	782	40.9%
MCIW	57	3.0%
SRM	477	25.0%
MMTC	175	9.1%
STS	196	10.2%
MHS	125	6.5%
WRC	37	1.9%
TC	44	2.3%
MSH	20**	1.1%
TOTAL:	1913	100.0%

*Estimated average daily population for F.Y. 74.
**MSH has a capacity of 115 patients; an average of 20 of these are from the Department of Corrections.

Table V
Methods of Communication

Method	Complaints	Percent
W.D.	352	32.9%
W.I.	26	2.4%
P.D.	443	41.4%
P.I.	50	4.7%
T.D.	111	10.4%
T.I.	88	8.2%
TOTAL:	1070	100.0%

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

Table VI
Initial Contact

Time Lapse	Complaints	Percent
Same day	628	58.7%
1-6 days	225	21.0%
7-10 days	83	7.8%
11-15 days	35	3.3%
16 and over days	46	4.3%
No record	53	4.9%
TOTAL:	1070	100.0%

Time lag between the date a complaint was received and the date the complainant was contacted by a member of the Ombudsman staff.

Table VII
Time Taken to Resolve Complaint

Time	Complaints	Percent
0-30 days	677	63.3%
31-45 days	182	17.0%
46-60 days	70	6.5%
61-over	141	13.2%
TOTAL:	1070	100.0%

Table VIII

Complaint Distribution by Category

Category	# '73	# '74	% '73	% '74	Change #
Parole	130	253	14.0	23.7	+123
Medical	90	86	9.7	8.0	-4
Legal	125	128	13.5	12.0	+3
Placement	121	80	13.0	7.5	-41
Property	110	88	11.9	8.2	-22
Program	59	159	6.4	14.6	+100
Racial	21	6	2.3	0.6	-15
Staff	59	28	6.4	2.6	-31
Rules	156	192	16.8	18.0	+36
Threats	17	6	1.8	0.7	-11
Other	39	44	4.2	4.1	+5
TOTAL:	927	1070	100.0	100.0	+143

Table IX

Complaint Resolution

Resolution	Number	Percent
Full	604	56.4%
Partial	347	32.4%
None	78	7.3%
Withdrawn	21	2.0%
Not Valid	12	1.2%
Other	8	.7%
TOTAL:	1070	100.0%

Table X

Complaint Resolution by Category

	Full	Partial	None	Withdrawn	Not Valid	Other*	Total
Parole	146	78	23	—	3	3	253
Medical	46	30	6	4	—	—	86
Legal	69	51	3	4	—	1	128
Placement	47	26	7	—	—	—	80
Property	50	29	4	3	2	—	88
Program	94	47	15	3	—	—	159
Racial	—	2	1	1	2	—	6
Staff	14	10	—	2	2	—	28
Rules	111	62	15	2	2	—	192
Threats	4	1	—	1	—	—	6
Other	23	11	4	1	1	4	44
TOTAL:	604	347	78	21	12	8	1070

*Information not available or no follow through by inmate.

Table XI

Referrals to Agencies

Organization	Number
LAMP*	77
Private Attorney	5
Public Defender	7
Human Rights	2
Attorney General	2
Neighborhood Justice Center	3
Civil Service	1
County Jail Officials	2
Legal Resource Center	2
TOTAL:	101

Table XII

Category of Referrals

Complaint	Number
Parole	8
Medical	6
Legal	63
Placement	2
Property	3
Program	4
Racial	1
Staff	1
Rules	10
Other	3
TOTAL:	101

Table XIII

Staff Complaints

Source	#	Category	
FS	6	parole	1
		legal	1
		rules	3
MHS	1	other	1
		other	1
MMTC	3	rules	1
		other	2
SRM	1	rules	1
MCIW	1	other	1
MSP	5	other	5
Total	17		

*Legal Assistance to Minnesota Prisoners

TABLE XIV

Group Complaints

Source	#	Category	
WRC	1	rules	1
		program	2
MMTC	3	rules	1
		program	2
		threats	1
SRM	7	staff	1
		racial	2
		program	3
		rules	4
MSP	7	staff	1
		program	1
		other	1
Other (NRCC)	1	other	1
Total	19		

TABLE XV

Number of Complaints Per Individual

Complainants Number	Percent	Number of Separate Complaints	Total Complaints	
			Number	Percent
493	70.1	1 =	493	48.1
132	18.8	2 =	264	25.7
52	7.4	3 =	156	15.2
19	2.7	4 =	76	7.4
5	.7	5 =	25	2.4
2	.3	6 =	12	1.2
703	100.0		1026	100.0

Appendix A

641

S. F. NO. 672

SENATE

STATE OF MINNESOTA

SIXTY-EIGHTH LEGISLATURE

Introduced by Conzemius and Humphrey.

Read First Time Feb. 19, 1973, and Referred to the Committee on Health, Welfare and Corrections.

Committee Recommendation. To Pass as Amended and Re-referred to the Committee on Finance.

Committee Report Adopted Apr. 4, 1973.

Committee Recommendation. To Pass as Amended.

Committee Report Adopted Apr. 28, 1973.

Read Second Time Apr. 28, 1973.

1 A bill for an act
2 relating to corrections; establishing an
3 office of ombudsman; definitions;
4 granting the ombudsman certain
5 enforcement powers of investigation,
6 action on complaints, publication of
7 opinions and recommendations; amending
8 Minnesota Statutes 1971, Chapter 241, by
9 adding sections.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
11 Section 1. Minnesota Statutes 1971, Chapter 241, is
12 amended by adding a section to read:
13 [241.407] [OFFICE OF OMBUDSMAN; CREATION;
14 QUALIFICATIONS; FUNCTION.] The office of ombudsman for the
15 Minnesota state department of corrections is hereby created.
16 The ombudsman shall serve at the pleasure of the governor in
17 the unclassified service, shall be selected without regard
18 to political affiliation, and shall be a person highly
19 competent and qualified to analyze questions of law,
20 administration, and public policy. No person may serve as
21 ombudsman while holding any other public office. The
22 ombudsman for the department of corrections shall be
23 accountable to the governor and shall have the authority to
24 investigate decisions, acts, and other matters of the
25 department of corrections so as to promote the highest
26 attainable standards of competence, efficiency, and justice
27 in the administration of corrections.

28 Sec. 2. Minnesota Statutes 1971, Chapter 241, is
29 amended by adding a section to read:
30 [241.42] [DEFINITIONS.] Subdivision 1. For the
31 purposes of this act, the following terms shall have the
32 meanings here given them.

1 Subd. 2. "Administrative agency" or "agency" means any
2 division, official, or employee of the Minnesota department
3 of corrections, the youth conservation commission, the adult
4 corrections commission and the board of pardons, but does
5 not include:
6 (a) any court or judge;
7 (b) any member of the senate or house of
8 representatives of the state of Minnesota;
9 (c) the governor or his personal staff;
10 (d) any instrumentality of the federal government of
11 the United States;
12 (e) any political subdivision of the state of
13 Minnesota;
14 (f) any interstate compact.

15 Subd. 3. "Correctional client" means any person under
16 the jurisdiction of the Minnesota department of corrections,
17 and includes all persons in state correctional institutions
18 and all persons on parole or probation under the supervision
19 of the commissioner of corrections, the youth conservation
20 commission or the adult corrections commission.

21 Sec. 3. Minnesota Statutes 1971, Chapter 241, is
22 amended by adding a section to read:
23 [241.43] [ORGANIZATION OF OFFICE OF OMBUDSMAN.]
24 Subdivision 1. The ombudsman may select, appoint, and
25 compensate out of available funds such assistants and
26 employees as he may deem necessary to discharge his
27 responsibilities. All employees, except the secretarial and
1 clerical staff, shall serve at the pleasure of the ombudsman
2 in the unclassified service. The ombudsman and his
3 full-time staff shall be members of the Minnesota state
4 retirement association.

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

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

12 Sec. 4. Minnesota Statutes 1971, Chapter 241, is
13 amended by adding a section to read:
14 [241.44] [POWERS OF OMBUDSMAN; INVESTIGATIONS; ACTION
15 ON COMPLAINTS; RECOMMENDATIONS.] Subdivision 1. [POWERS.]
16 The ombudsman shall have the following powers:
17 (a) He may prescribe the methods by which complaints
18 are to be made, reviewed, and acted upon; provided, however,
19 that he may not levy a complaint fee;
20 (b) He may determine the scope and manner of
21 investigations to be made;
22 (c) Except as otherwise provided, he may determine the
23 form, frequency, and distribution of his conclusions,
24 recommendations, and proposals; provided, however, that the
25 governor or his representative may, at any time the governor
26 deems it necessary, request and receive information from the
27 ombudsman;

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

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

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

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

11 (h) He may order any person to appear, give testimony,
12 or produce documentary or other evidence which the ombudsman
13 deems relevant to a matter under his inquiry; provided,
14 however, that any witness at a hearing or before an
15 investigation as herein provided, shall possess the same
16 privileges reserved to such a witness in the courts or under
17 the laws of this state;

18 (i) The ombudsman may bring an action in an appropriate
19 state court to provide the operation of the powers provided
20 in this subdivision. The ombudsman may use the services of
21 legal assistance to Minnesota prisoners for legal counsel.
22 The provisions of this act are in addition to other
23 provisions of law under which any remedy or right of appeal
24 or objection is provided for any person, or any procedure
25 provided for inquiry or investigation concerning any matter.
26 Nothing in this act shall be construed to limit or affect
27 any other remedy or right of appeal or objection nor shall
28 it be deemed part of an exclusionary process.

1 Subd. 2. [MATTERS APPROPRIATE FOR INVESTIGATION.]

2 (a) In selecting matters for his attention, the
3 ombudsman should address himself particularly to actions of
4 an administrative agency which might be:

5 (1) contrary to law or regulation;

6 (2) unreasonable, unfair, oppressive, or inconsistent
7 with any policy or judgment of an administrative agency;

8 (3) mistaken in law or arbitrary in the ascertainment
9 of facts;

10 (4) unclear or inadequately explained when reasons
11 should have been revealed;

12 (5) inefficiently performed;

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

17 Subd. 3. [COMPLAINTS.] The ombudsman may receive a
18 complaint from any source concerning an action of an
19 administrative agency. He may, on his own motion or at the
20 request of another, investigate any action of an
21 administrative agency.

22 The ombudsman may exercise his powers without regard to
23 the finality of any action of an administrative agency;
24 however, he may require a complainant to pursue other
25 remedies or channels of complaint open to the complainant

26 before accepting or investigating the complaint.

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

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

6 Subd. 4. [RECOMMENDATIONS.] (a) If, after duly
7 considering a complaint and whatever material he deems
8 pertinent, the ombudsman is of the opinion that the
9 complaint is valid, he may recommend that an administrative
10 agency should:

11 (1) consider the matter further;

12 (2) modify or cancel its actions;

13 (3) alter a regulation or ruling;

14 (4) explain more fully the action in question; or

15 (5) take any other step which the ombudsman states as
16 his recommendation to the administrative agency involved.

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

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

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

3 Sec. 5. Minnesota Statutes 1971, Chapter 241, is
4 amended by adding a section to read:

5 [241.45] [PUBLICATION OF RECOMMENDATIONS; REPORTS.]

6 Subdivision 1. The ombudsman may publish his conclusions
7 and suggestions by transmitting them to the office of the
8 governor. Before announcing a conclusion or recommendation
9 that expressly or impliedly criticizes an administrative
10 agency, or any person, the ombudsman shall consult with that
11 agency or person. When publishing an opinion adverse to an
12 administrative agency, or any person, the ombudsman shall
13 include in such publication any statement of reasonable
14 length made to him by that agency or person in defense or
15 mitigation of the action.

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

20 Sec. 6. This act is effective July 1, 1973.

21 Sec. 7. [EXPIRATION DATE.] This act shall expire July
22 1, 1977.

Appendix B

EXECUTIVE ORDER NO. 14

I, Wendell R. Anderson, Governor of the State of Minnesota, do hereby issue this Executive Order in regard to the establishment of an Ombudsman Commission for the purpose of establishing an office of Ombudsman for the Department of Corrections accountable to the Governor with authority to investigate decisions, acts, and other matters of the Department of Corrections, so as to promote higher standards of competence, efficiency and justice in the administration of corrections.

The Ombudsman Commission shall be composed of ten (10) members:

1. The Commissioner of Corrections, or his representative.
2. The Attorney General, or his representative.
3. The State Public Defender, or his representative.
4. The Commissioner of Human Rights, or his representatives.
5. The remainder of the Commission shall be appointed by the Governor, provided that there be at least one woman and two representatives of racial minorities.

The term of office for the members of the Ombudsman Commission shall be for one and one-half (1½) years.

The Governor shall make appointments to vacancies occurring during the term of the members.

The powers and Duties of the Ombudsman Commission shall be as follows:

1. The Commission shall convene within 10 days after the effective date of this order, and act as a board of selection and review for the purpose of submitting names of nominees to the Governor to fill the office of Department of Corrections Ombudsman.
2. The Commission shall, by majority vote of all of the members thereof, submit to the Governor the names of the nominees, who in the judgement of the Commission are persons well equipped to analyze questions of law, administration, and public policy, and the Governor shall appoint from this list the Department of Corrections Ombudsman.
3. If after 30 days the Commission is unable to determine the names of the nominees, the Governor may proceed to appoint his own nominee.
4. The Ombudsman Commission may submit an annual report to the Governor and the Legislature, commenting on and analyzing the function and operation of the office of Ombudsman for the Department of Corrections.
5. The Commission may act in an advisory capacity to the Ombudsman, and shall provide any other assistance requested by the Ombudsman.
6. The Commission shall meet on the call of the Ombudsman, or the call of the Chairman of the Ombudsman Commission.
7. The Ombudsman Commission shall be subject to any further executive orders issued for this project.

Dated this 3rd day of February, 1972.

ARLEN I. ERDAHL
ARLEN I. ERDAHL
Secretary of State

WENDELL R. ANDERSON
WENDELL R. ANDERSON
Governor

#23620
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB. 4 - 1972
ARLEN I. ERDAHL
Secretary of State

Appendix C

EXPENDITURES

Personal Services	\$105,294.00
Lease on Office Space	2,060.00
Printing and Binding	1,767.00
Communications	1,682.00
Travel	6,532.00
Subscriptions and Memberships	241.00
Office Expenses	1,892.00
Equipment and Capital Outlay	<u>4,717.00</u>
Total	\$124,187.00

Appendix D

STATE OF MINNESOTA
Office Memorandum

DEPARTMENT: Of Corrections

TO: Institution Superintendents

DATE: June 20, 1974

FROM: Howard J. Costello
Deputy Commissioner

SUBJECT: POLICY ON FUNERAL PROCEDURES FOR DECEASED INMATES

At the request of the Ombudsman for Corrections the policy regarding funeral procedures for deceased inmates has been reviewed.

Under the present policy the institution pays for funeral expenses if the body is not claimed by a relative. Payment is made by the institution under terms of an agreement or contract with local mortuaries. If the body is claimed by relatives they must assume all costs of burial at a mortuary of their own choosing.

Since the deceased inmate, at the time of his death, was in the legal custody of the Department, it has been determined that the Department has responsibility for the expense of burial. Therefore, if relatives wish to claim the body the institution shall pay the burial expenses at any mortuary providing the amount paid shall not exceed the amount paid to any local mortuary under terms of agreement or contract. Payment shall be made to the mortuary providing the services upon receipt of a proper statement of costs. Any amount exceeding that which is authorized under this policy shall be the responsibility of the relative claiming the body.

HJC:lka

cc: Pat Mack
Orville Pung
T. Williams

END