

	State of Alaska Department of Corrections Policies and Procedures	Index #: 101.07	Page 1 of 3	
		Effective: 8/2/2012	Reviewed:	
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	Chapter:	Administration, Organization and Management		
Subject:	State Ombudsman			

I. Authority

In accordance with 22 AAC 05.155, the Department will maintain a manual composed of policies and procedures established by the Commissioner to interpret and implement relevant sections of the Alaska Statutes and 22 AAC.

II. References

Alaska Statutes

AS 24.55.010 – AS 24.55.340

III. Purpose

To establish uniform procedures within the Department for the prompt and proper response to Ombudsman investigations and inquiries.

IV. Application

To all staff, and in particular to those employees who receive or respond to inquiries or investigations from the Ombudsman's office.

V. Definitions

As used in this policy, the following definitions shall apply:

A. Ombudsman

An office in the legislative branch of government responsible for receiving and processing citizen complaints regarding governmental agency operations, and for reporting findings to the public after investigation; the head of that office or a staff member to whom Ombudsman duties have been assigned.

VI. Policy

It is the policy of the Department to respond to inquiries or investigations by the Ombudsman in a timely and efficient manner.

VII. Procedures

A. Informational Inquiries

1. All employees shall report to their respective manager any Ombudsman inquiries made about department operations.
2. The manager will determine if a written report or response should be made.
3. A manager receiving or learning of an inquiry or investigation from the Ombudsman shall notify the Superintendent or designee of the nature of the inquiry or investigation as soon as feasible.
4. A copy of any written communication received from the Ombudsman's Office shall be sent to the Superintendent or designee in a timely manner.

B. Letters to Prisoners

A letter from the Ombudsman to a person held in custody is privileged mail and shall be delivered within 24 hours of receipt, excluding weekends and holidays.

Privileged mail can only be opened in the prisoner's presence to search for contraband. (See Policy 810.03 Prisoner Mail).

C. Letters to Ombudsman

A letter to the Ombudsman from a person held in custody is privileged mail and shall be sent unopened via U.S. mail to the Ombudsman. (See Policy 810.03 Prisoner Mail).

D. Telephone Calls to the Ombudsman's Office

1. Telephone calls between a prisoner and the Ombudsman's office shall not be monitored or recorded except pursuant to a court order.
2. Prisoners housed in segregation, convicted of rule infractions, or who are pending a hearing for a rule infraction involving telephone abuse may not be prohibited from telephone communication with the office of the Ombudsman.

E. Time Limit to Respond

1. When correspondence from the Ombudsman includes a requested response date, a manager shall make a reasonable effort to comply.
2. The manager shall notify the Ombudsman in writing as to when a response will be provided.

F. Visits by an Ombudsman

1. Announced visits

When an Ombudsman schedules a facility visit, the manager shall:

- a. Advise the appropriate director in advance of the scheduled visit; and
- b. Be available to the Ombudsman during normal working hours.

2. Unannounced visits

- a. If an Ombudsman enters an office or facility unannounced as part of an investigation, correctional staff shall immediately notify the Superintendent or designee.
- b. The Superintendent or designee shall make arrangements to reasonably accommodate the Ombudsman.
- c. The Superintendent or designee shall contact the division director as soon as possible about the unannounced visit.
- d. An Ombudsman, on an unannounced visit, shall be escorted in secure areas of the facility by the Superintendent, Acting Superintendent, or staff person specifically designated for this task by the Superintendent or Acting Superintendent.

VIII. Implementation

This policy and procedure is effective 14 days following the date signed by the Commissioner. Each Manager shall incorporate the contents of this document into local policy and procedure. All local policies and procedures must conform to the contents of this document; any deviation from the contents of this document must be approved in writing by the Division Director.



August 8, 2012

Date

Joseph D. Schmidt, Commissioner
Department of Corrections