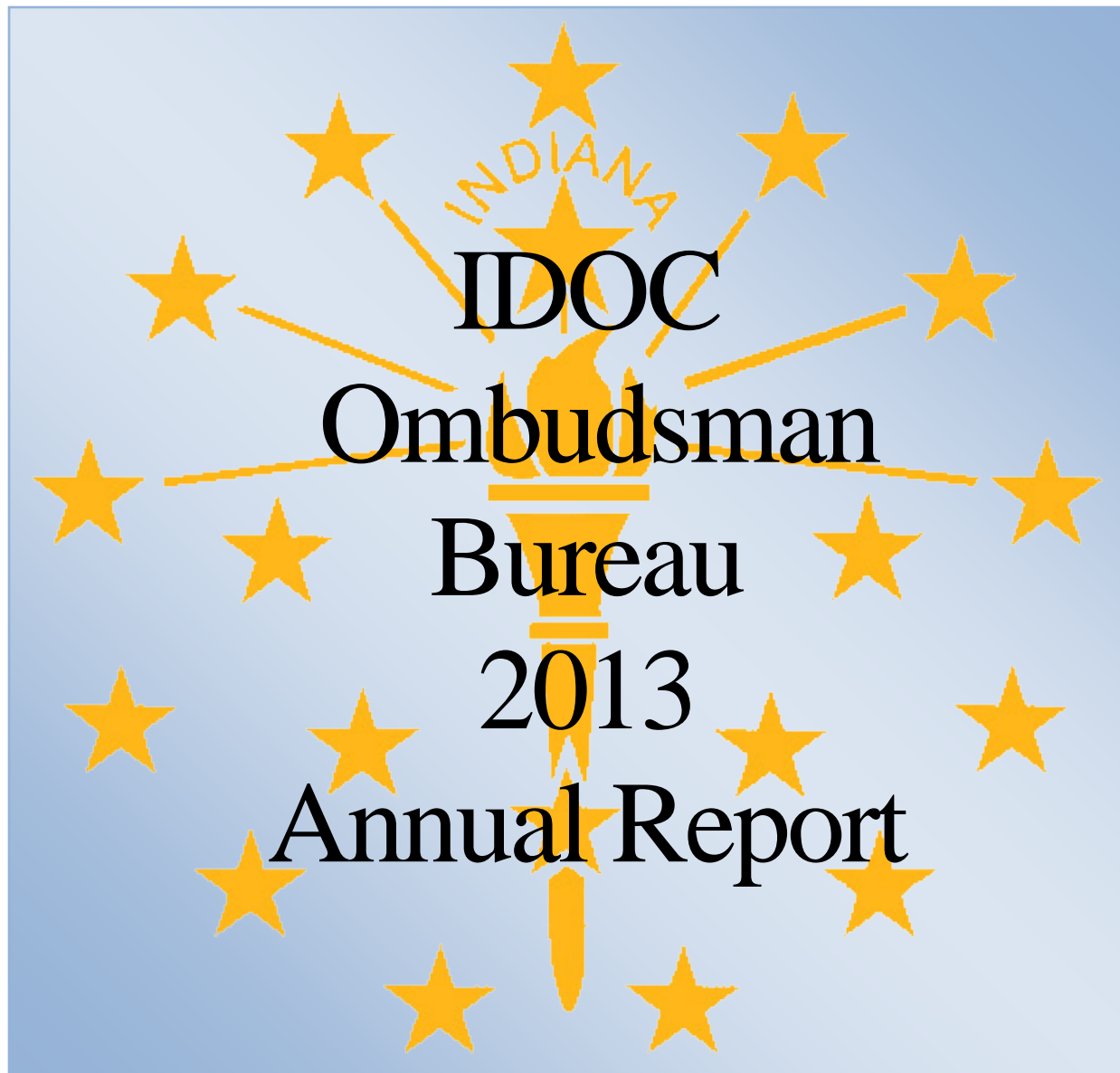


Indiana DOC Ombudsman Bureau

402 W. Washington Room W479

Indianapolis IN 46204



*A synopsis of the activity in 2013 of the IDOC
Ombudsman Bureau*



STATE OF INDIANA

Michael R. Pence, Governor

DEPARTMENT OF ADMINISTRATION
OMBUDSMAN BUREAU

Indiana Government Center South
402 West Washington Street, Room W479
Indianapolis, IN 46204

March 7, 2014

Dear Governor Pence, the Honorable Speaker, President Pro Tem, and Commissioners Lemmon and Robertson,

I am honored to submit to you the 2013 Annual Report of the Department of Correction Ombudsman Bureau as required by I.C. 4-13-1.2-10.

This report provides an overview of the number and types of complaints and resolutions provided for complaints that the Bureau received from January 1, 2013 through December 31, 2013. Significant in these numbers is that the number of substantiated complaints or complaints that the Bureau found to be true and needed further action from the IDOC rose by nine percent, despite the overall number of complaints received only increasing by three percent. Included in this nine percent increase is the number of substantiated medical complaints, which also increased by nine percent. This climb in substantiated medical complaints occurred despite the total number of investigated medical complaints increasing by only two percent. The Bureau contributes this increase to the Bureau receiving a higher quality of complaint, due to the offender population being more aware of the function of the Bureau and how to use the Bureau.

Other activities reported by the Bureau in this calendar year summation include hosting a national conference for governmental ombudsman and proposing a legislative change in the duties of the Ombudsman. The national conference was attended by over 20 states and four countries. The attendees' remarks reflected that the sessions provided relevant training and were well-organized. Upon your signing of the legislation, the proposed legislative changes in the duties of the Ombudsman will take effect July 1, 2014.

The 2013 Annual Report also includes examples of substantiated cases as well as department wide recommendations. These department wide recommendations are as follows:

- 1. Devise a case plan which includes an outdate from Restrictive Housing ("RH") for each offender located within Restrictive Housing, which would allow for each offender to eventually be released from RH.**

The corrections industry as a whole has recognized the mental and physical effects of being held in a restrictive environment long term. The industry has moved away from the use of Restrictive Housing unless absolutely necessary and even then manages its use very closely. The Department could move to the forefront of this movement by writing a case plan to be placed in the Offender Case Management System ("OCMS") for each and every segregation offender in the department, which includes an anticipated outdate from RH. This case plan could be updated monthly. Every

offender already has a counselor and is reviewed at least this frequently, thus doing this would not have a significant financial impact on the department.

2. Institute range walkers in all RH Units in the Department.

Range walkers would be offenders who are clear of conduct and satisfy other requirements who would “check on” offenders in Restrictive Housing. These range walkers are useful in noticing whether an offender may be experiencing a change in health or have other needs, as well as providing needed human communication in the restricted environment. While the range walkers would not be able to pass anything to the offenders and would be searched coming on and off the ranges, these offenders could be paid for this, which finding jobs in these restrictive environments always seems to be challenging as well.

3. Fix all Call Buttons in the Department.

While this may have a financial impact, the benefits of making this improvement far outweigh the costs associated. While the Bureau did not find any incidents that could have necessarily been prevented had the buttons had been working, surely the offenders are safer with the call buttons working. If the buttons worked, they could potentially prevent incidents from occurring.

4. Implement contract monitoring and program monitoring procedures for PEN Products.

PEN Products runs several programs throughout IDOC. They are an asset to IDOC. The IDOC, however, is ultimately responsible for the programs that PEN implements in its facilities. PEN should be given performance measures and program monitoring should be implemented to ensure that PEN is operating as efficiently as possible in the IDOC facilities. This should not have a significant financial impact and should improve the implementation and administration of programs throughout IDOC.

I am deeply humbled at the opportunity to serve Governor Pence and look forward to continuing to strive to provide great service to the great people of our State.

Sincerely,



Charlene A. Burkett
DOC Ombudsman Bureau Director

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Executive Summary

About the Bureau

The Indiana General Assembly first enacted legislation forming the Indiana Department of Correction (“IDOC”) Ombudsman Bureau (“Bureau”) in 2002. The Bureau is charged with receiving, investigating and attempting to resolve matters, including those involving the health and safety of offenders housed in the IDOC. The Bureau determines whether a matter is being handled according to law and/or IDOC policy and/or procedure.

Our Process

The Bureau requires that offenders attempt to resolve matters through the IDOC first, before filing a complaint with the Bureau.¹ This assumes that offenders are receiving access to the applicable process (tort claim process, grievance process, etc.) and that process is functioning as it should under policy. Thus, if offenders are having trouble with a process, the Bureau also addresses these issues.

After offenders file a complaint with the Bureau, the Bureau decides whether further investigation is required into the matter. If, however, the Bureau determines that no further investigation is necessary, then the complaint is disposed of in one of four ways: returned to IDOC for resolution, determined not to be a violation, determined not to have jurisdiction, or more information is required.

If, however, a complaint requires further investigation, then the Bureau will contact the appropriate IDOC personnel and make a recommendation to IDOC regarding resolution of the matter. The IDOC then reviews the matter and reports its action back to the Bureau. If the Bureau deems it to be appropriate, further investigation into the matter may take place. The investigation may entail the Bureau contacting IDOC personnel further, visiting the facility, interviewing the offender and/or other individuals.

After the investigation is complete, the Bureau then issues a monthly report, including any findings pertaining to the matter. This report is posted on the Bureau’s website and submitted to the Governor’s Office.

If the Bureau substantiates a complaint, this means that the Bureau has found the complaint is true and that some IDOC action is necessary to remediate the matter. Assists occur in the same manner, however, the key difference between a substantiated complaint and an assist is whether the offender has attempted to resolve the issue within the IDOC before contacting the Bureau. Assists occur when the offender has not yet attempted to resolve a

¹ See Attachment 1 for a chart description of this process

matter in the IDOC before contacting the Bureau, whereas substantiated complaints occur after the IDOC has already been alerted of the issue.

In 2013, the Bureau implemented follow-up procedures and reports any follow up that is necessary in its monthly report. This is to ensure that the changes that the IDOC agrees to implement are put into effect and are lasting. Not every substantiated complaint requires follow-up because some issues can be immediately addressed. The issues that do require follow-up, the Bureau will determine the appropriate follow-up schedule. While most follow-up can be completed with a 30-day review, if deemed necessary to ensure an issue is addressed, the Bureau may extend follow-up in 30-day increments.

Administration

The Bureau currently consists of its current Director Charlene Burkett and Assistant Amanda Bennett. Director Burkett was originally appointed in 2005 by Governor Daniels and reappointed by Governor Pence in 2013. Ms. Bennett joined the Bureau in April 2012.

The current budget appropriation for the Bureau is \$151,179. The total spendable appropriation is \$144,376. The majority of the Budget comprises employee salaries and benefits, as well as equipment and supplies. The budget also allots for necessary travel expenditures for facilities to investigate complaints. Notably, the Bureau's budget has fallen short in covering these travel expenses.

2013 Activity Summary

In the calendar year of 2013, the Bureau received 1,063 complaints.² This number represents a 10% increase in the total number of complaints from 2012. In 2013, the Bureau investigated 321 complaints, which represents a 3% increase in the total number of investigated complaints from 2012. The Bureau substantiated 63 complaints, which represents a 57% increase from 2012. The Bureau also provided 14 assists in resolving complaints with the IDOC. The Bureau created the assist category in 2012, which accounts for complaints where the Bureau assists the Department in resolving the issue, despite the Department not having had the opportunity to resolve the matter. Although 2012 data was not a complete year in counting assists, due to the Bureau creating the category in 2012, the Bureau had nine assists in August – December 2012, but had 14 assists in 2013.³

The Bureau received 252 phone calls from potential complainants throughout calendar year 2013. At least 38 of these phone calls initially turned into complaints, while forms were sent

² See Attachment 2 for a complete spreadsheet of all complaints for the calendar year 2013.

³ See Attachment 3 for a listing of Assists

to an additional 32; of these, 10 returned the forms as formal complaints. The other 204 phone calls not accounted for in these numbers were either referred to other agencies or resources or the caller did not find it necessary to file a complaint with the Bureau.

Despite the overall 10% increase in complaints, the Bureau was able to maintain its green performance metric of all complaints only being open an average of five days.⁴ As far as investigated complaints, despite the 3% increase in investigated complaints from 2012, the Bureau was actually able to improve on the number of days that investigated complaints were open; reducing the average number of days to 11 days from 15 days in 2012. For substantiated complaints, the Bureau increased the number of substantiated complaints by 9% over 2012, but still maintained its yellow metric goal of closing substantiated complaints within an average of twenty (20) days.

I. Activity Overview

A. Program Development

Over the course of 2013, the Bureau made several improvements in its program to ensure not just its utility to the IDOC, but also effective operation. These changes are outlined below.

Legislation

The Bureau began working on legislation that potentially would pass in the 2014 Legislative Session and go into effect July 1, 2014. This legislation preserves the duties of the Bureau. The Bureau will include further information on this important legislation in its annual report in 2014.

New Complaint Categories

This past year, the Bureau added five new complaint categories: classification (time cut), offender safety, classification (codes), mental health, and visitation with minor restriction (VMR). Splitting the large classification category began to make sense when seeing that the category was so broad and really could be made more specific based upon the main types of complaints that the Bureau receives concerning classification. The classification time cut category includes those complaints where an offender has qualified for a sentence reduction through completing programming and this needs to be applied to his sentence. The classification code category includes the codes used to determine security level, custody level, health code, mental health code, education code, and disability. Thus, the classification code category includes complaints concerning one or more of these being

⁴ See Attachment 4 for a graph of the 2013 Performance Metrics

incorrect. This further clarification helps the IDOC more quickly identify what specific issue in classification is posing a potential issue.

Revised Monthly Reports

The Bureau also revised the format of its monthly reports. The Bureau has always posted a monthly report on its website, to the IDOC, and the Governor's Office. The Bureau now has a new format for this report, which includes more details of the actual complaint, resolution, findings and if necessary, any follow up that is required or has been conducted.

Outreach

The Bureau has continued its outreach efforts in keeping the offender population aware of the Bureau. The Bureau has a 3 ½ minute DVD that is shown to each offender who enters the IDOC. This DVD is also played semi-annually at each facility.

Another outreach effort that the Bureau has successfully implemented in early 2014 is having a J-Pay, Inc. email account created. This will allow offenders to send an email directly to the Bureau using the ombud@idoa.in.gov email address. The Bureau is beginning this service on a trial basis in certain facilities and hopes to have this expanded to all facilities by the end of 2014.

Call Log

Prior to 2013, the Bureau had not kept a log of calls that it receives over the course of the year. The Bureau recognized the need for such a log not only to more accurately track its activity, but also to determine further what action is taken by the Bureau as a result of phone calls. A summary of the phone calls received by the Bureau in 2013 can be found in this report in the "2013 Activity Summary".

Training

The Bureau's Director maintains involvement with the USOA ("United States Ombudsman Association") as the member services director on the national board of the organization. In doing so, in October of 2013, she hosted the annual conference for the organization in Indianapolis. The event was a huge success. Additionally, the event allowed for the director to participate in Reid Institute training associated with the event. This is a highly desirable training that covers interrogation and interviewing techniques.

The Director of the Bureau was also able to attend the American Correctional Association ("ACA") in August that provided corrections specific training.

II. Complaints

The Year in Review

In the year 2013, the Bureau received a total of 1,063 complaints. Of these 1,063 complaints, 735 complaints were not investigated (270 were considered no violation, 243 were sent back to the IDOC process, 72 requested more info, and 70 lacked jurisdiction). Of these 1,063 complaints, 321 complaints were investigated. Out of these 321 complaints that were investigated, 63 complaints were substantiated. See Figure 1 below.

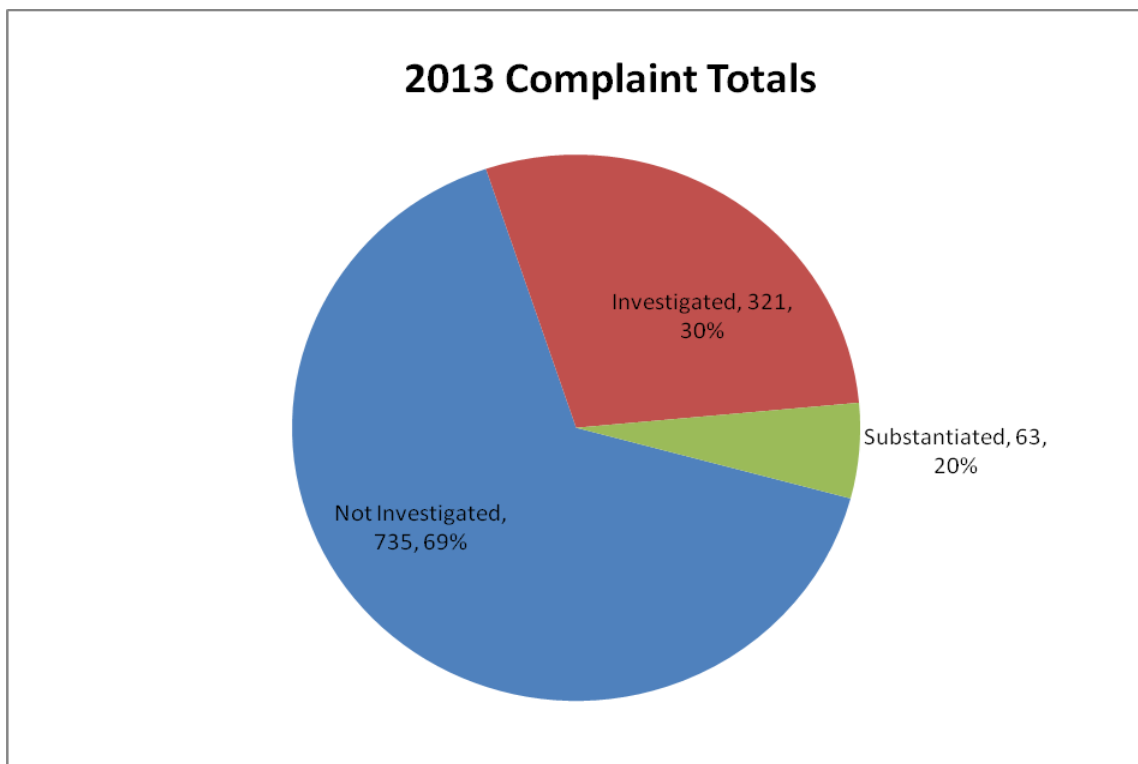


Figure 1

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Compared to 2012, the number of received complaints in 2013 accounts for a 10% increase. Figure 2 below depicts the upward trend in the number of overall complaints received by the Bureau since 2010. As a matter of fact, the Bureau has experienced a 25% overall increase in the amount of complaints that it received in 2013 compared to 2010. See Figure 2 below.

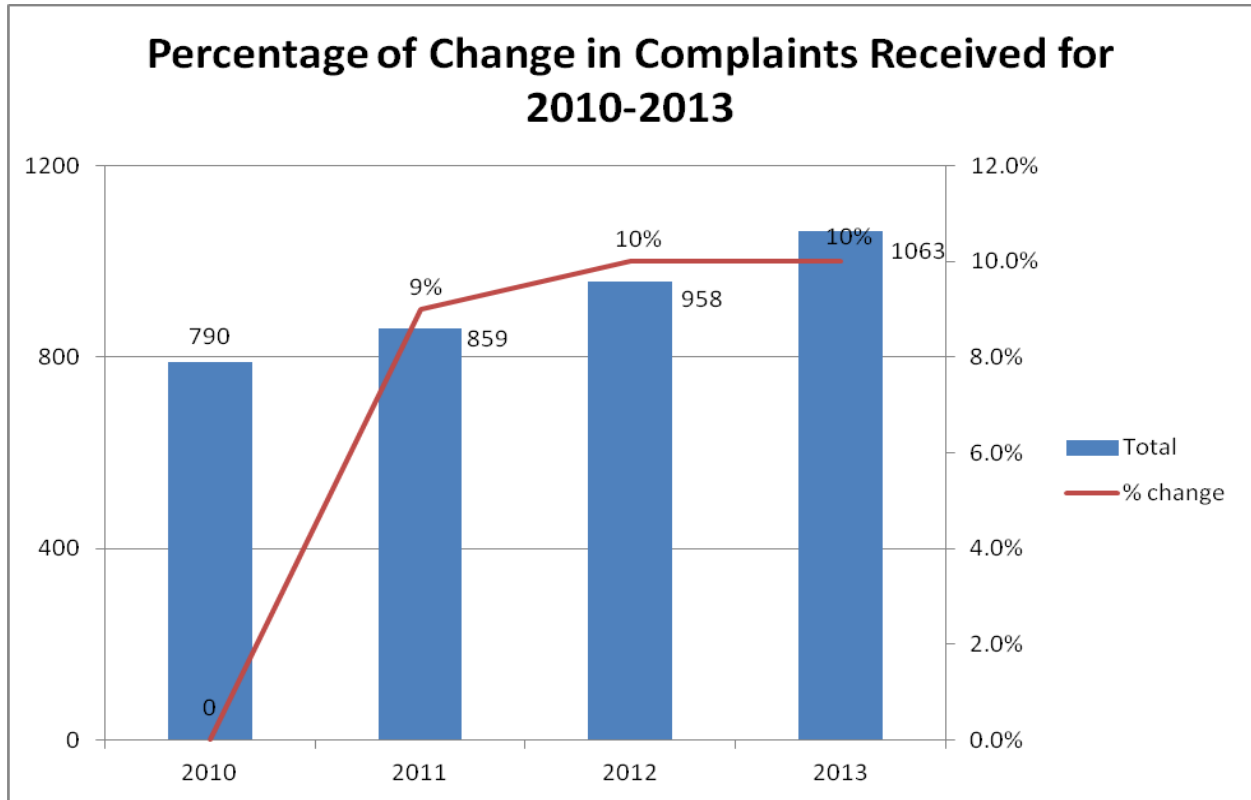


Figure 2

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The Bureau investigated 321 complaints in 2013, which accounts for a 3% increase over the 2012 amount. The Bureau substantiated 63 complaints this past year, which is a 9% increase over the 2012 amount. This 9% increase in substantiated complaints is quite significant. The Bureau attributes this significant increase to the offender population being more aware of the Bureau’s process and the Bureau overall receiving quality complaints. See Figure 3 below.

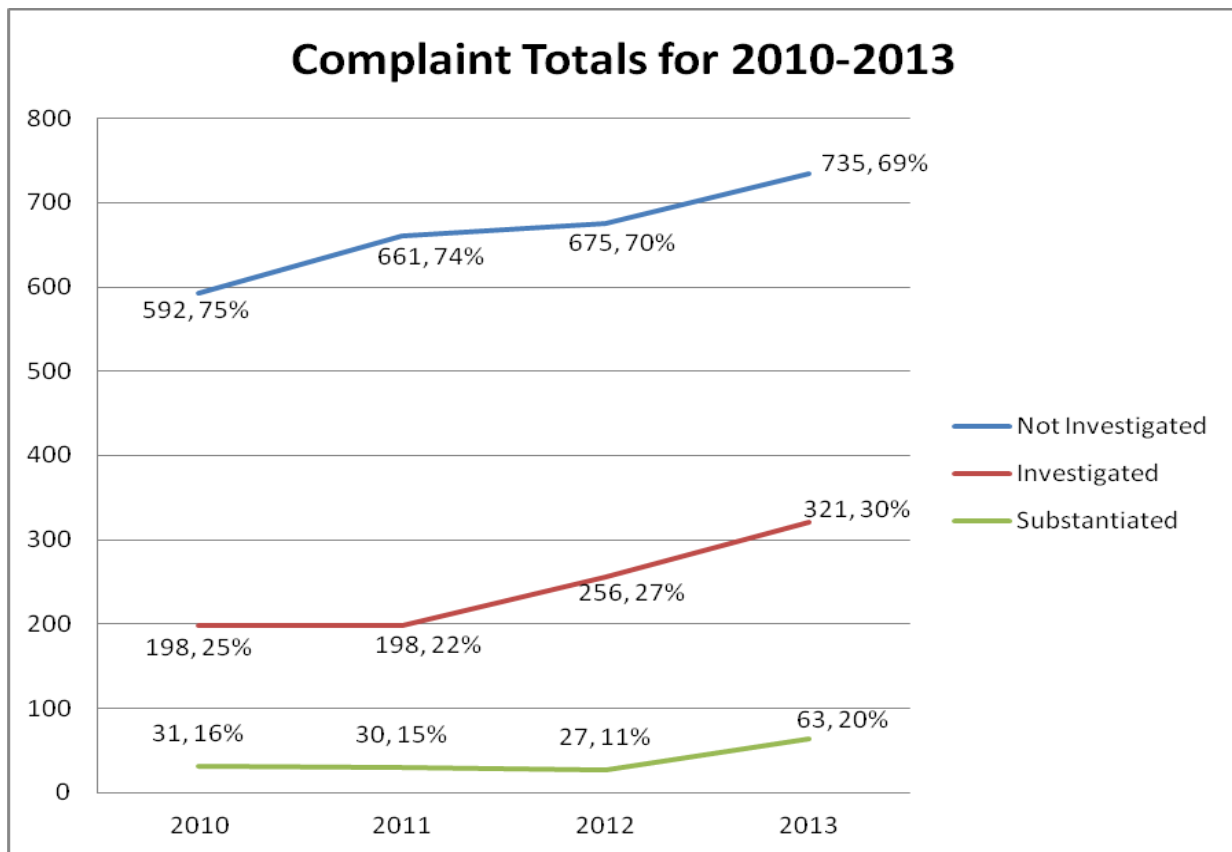


Figure 3

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As in years past, the Bureau has tracked the number of “not investigated” complaints and categorized the disposition of those in four ways: no violation, no jurisdiction, more information and IDOC Process. Figure 4 below depicts that while the percentage of complaints referred to the appropriate IDOC process, determined to be of no jurisdiction, and required additional information decreased compared to 2012, the percentage of complaints determined to be no violation rose significantly. This increase indicates that the Bureau has been able to address more complaints that it has received. This increase is further indication that the Bureau is receiving better quality complaints and the offenders are hearing the message as far as the type of complaints that the Bureau can address. See Figure 4 below.

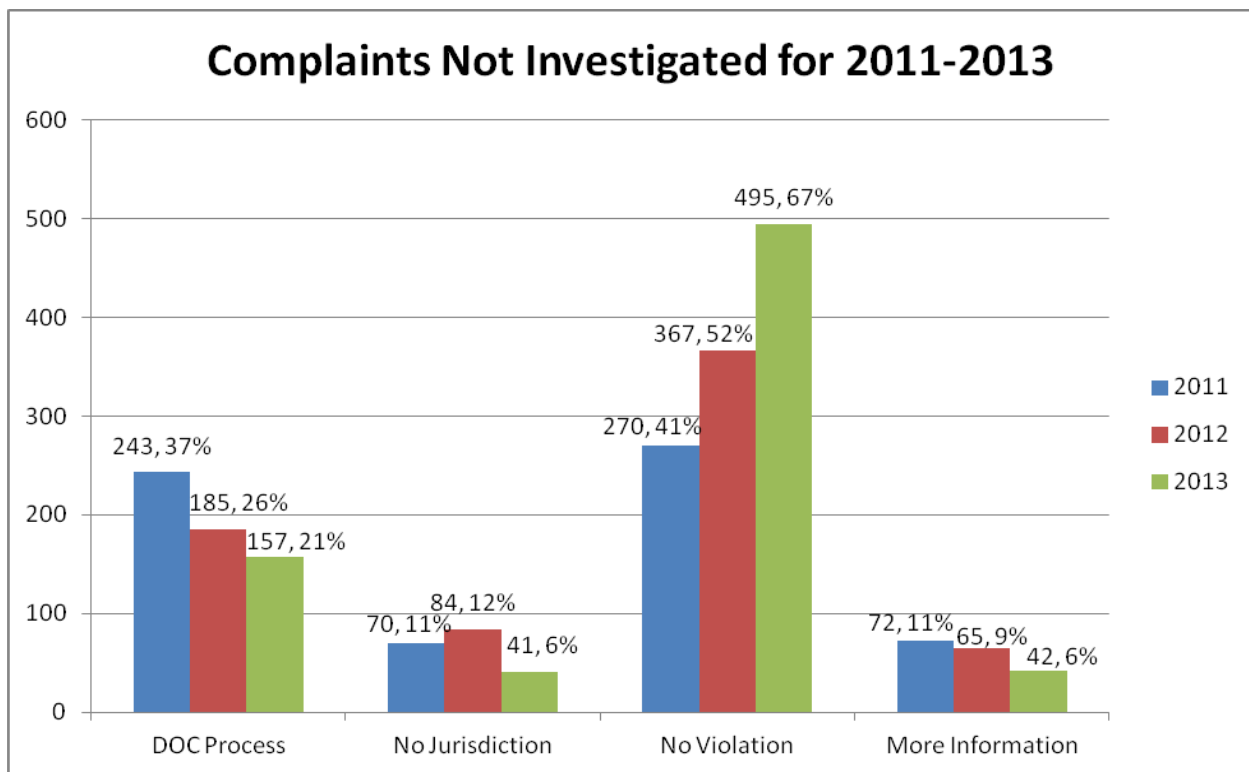


Figure 4

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Figure 5 below depicts the sources of complaints as received by the Bureau. As in previous years, the Bureau overwhelmingly received most of its complaints from the offenders themselves. See Figure 5 below.

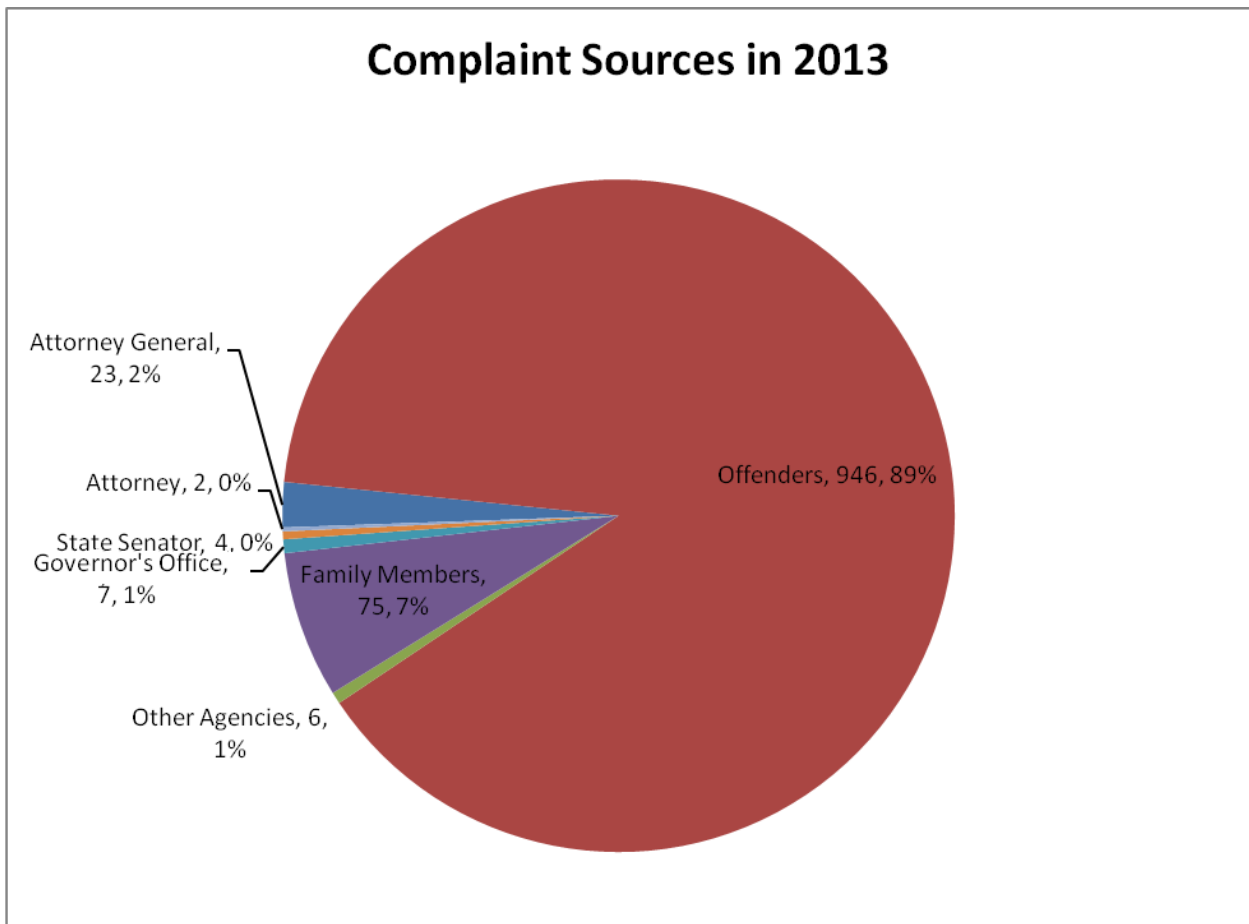


Figure 5

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Complaint Characteristics

The complaint category in which the Bureau received the highest number of complaints in 2013 is medical, as in previous years. As Figure 6 below depicts, in 2013, the number of medical complaints increased by 2% from the number received in 2012. This 2% increase represents the largest increase in complaint categories (other than newly created categories) except that of legal which also experienced a 2% increase from 2012 and personal property which experienced the most growth of 3% of any existing category. See Figure 6 below for a complete breakdown for all complaint received and their percentage increases from 2012.

Percentage for Complaints Received by Type in 2013			
Category	Total Complaints Received	Percentage	% increase from 2012
Medical Care	166	16%	2%
Disciplinary Action	153	14%	1%
Legal	81	8%	2%
Personal Property	83	8%	3%
Transfer	75	7%	0%
⁵ Classification (Time Cut)*	50	5%	100%
Confinement Conditions	54	5%	-3%
Offender Safety*	54	5%	100%
Officer Misbehavior	40	4%	-4%
Classification	33	3%	-4%
Housing	29	3%	0%
Programs	29	3%	-1%
Visitation	30	3%	-1%
Classification (Codes)*	18	2%	100%
Food	22	2%	0%
Mail	20	2%	0%
Mental Health*	20	2%	100%
Parole Board	18	2%	0%
Religious	16	2%	2%
Work	19	2%	-1%
Credit Time	8	1%	-6%
Dental	12	1%	0%

⁵ See explanation of classification categories on page 5

Offender Violence	8	1%	0%
Clothing	5	0%	-1%
Contract*	3	0%	0%
Excess Force	3	0%	-1%
Phone	3	0%	-1%
Recreation	3	0%	0%
Sanitation	2	0%	0%
School	1	0%	0%
VMR*	5	0%	100%
* Note a new category for 2013			

Figure 6

Figure 7 below lists the number of investigated complaints and their percentage change from 2012. Most notable is that the percentage of investigated medical complaints increased by 2%, which is the highest percentage change besides the legal category, aside from the newly formed categories in 2013. See Figure 7 below.

Percentage for Complaints Investigated by Type in 2013			
Category	Total Complaints Investigated	Percentage	% increase from 2012
Medical Care	81	25%	2%
Offender Safety*	30	9%	100%
Legal	24	7%	3%
Confinement Conditions	20	6%	-4%
Personal Property	20	6%	1%
Disciplinary Action	15	5%	-2%
Mental Health*	13	4%	100%
Housing	12	4%	0%
Officer Misbehavior	11	3%	-3%
Programs	11	3%	-1%
Food	10	3%	0%
Religious	9	3%	3%
Visitation	8	2%	-3%
Classification (Time Cut)*	7	2%	100%
Transfer	7	2%	-3%
Classification	6	2%	-6%
Parole Board	5	2%	-1%
VMR*	5	2%	100%
Clothing	4	1%	0%
Dental	4	1%	1%
Mail	4	1%	1%
Offender Violence	4	1%	0%
Work	3	1%	-2%

Classification (Codes)*	2	1%	100%
Sanitation	2	1%	0%
Credit Time	1	0%	-5%
Excess Force	1	0%	-1%
Phone	1	0%	-1%
Recreation	1	0%	0%
Contract*	0	0%	100%
School	0	0%	0%
* Note a new category for 2013			

Figure 7

Figure 8 below illustrates the percentage increase in the number of substantiated complaints for each complaint category in 2013. The most notable increases are substantiated legal and visitation complaints, which both increased 13% from 2012. The legal category included the subject matter of grievances, which accounts for this complaint category increasing. The visitation category includes Visitation with Minor Restrictions (VMRs) which accounts for the increase in this category. Also notable, is the increase in substantiated medical complaints, which experienced a 9% increase from that of 2012. This increase in substantiated medical complaints is significantly more of an increase than the increase in received and investigated medical complaints.

Percentage for Complaints Substantiated by Type in 2013			
Category	Total Complaints Substantiated	Percentage	% increase from 2012
Medical Care	15	24%	9%
Legal	8	13%	13%
Confinement Conditions	5	8%	7%
Disciplinary Action	5	8%	8%
Personal Property	5	8%	4%
VMR*	5	8%	100%
Religious	4	6%	6%
Visitation	4	6%	13%
Dental	2	3%	3%
Work	2	3%	3%
Classification (Codes)*	1	2%	100%
Classification	1	2%	-2%
Clothing	1	2%	2%
Housing	1	2%	2%
Mental Health*	1	2%	100%
Offender Safety	1	2%	100%
Offender Violence	1	2%	2%

Programs	1	2%	-5%
Classification (Time Cut)*	0	0%	0%
Contract*	0	0%	0%
Credit Time	0	0%	-15%
Excess Force	0	0%	-4%
Food	0	0%	0%
Mail	0	0%	0%
Officer Misbehavior	0	0%	-15%
Parole Board	0	0%	-4%
* Note a new category for 2013			

Figure 8

Figure 9 below shows that in 2012 the Bureau received the most complaints from Miami Correctional Facility. The Bureau received the most complaints from Westville Correctional Facility in 2013. Westville Correctional Facility also experienced the highest percentage increase in complaints of any facility as well from 2012 with an overall 4% increase in complaints for the year. See Figure 9 below for a comparison in the percentage of complaints received, investigated, and substantiated in 2012 and 2013 for the facilities with the highest number of complaints in these years.

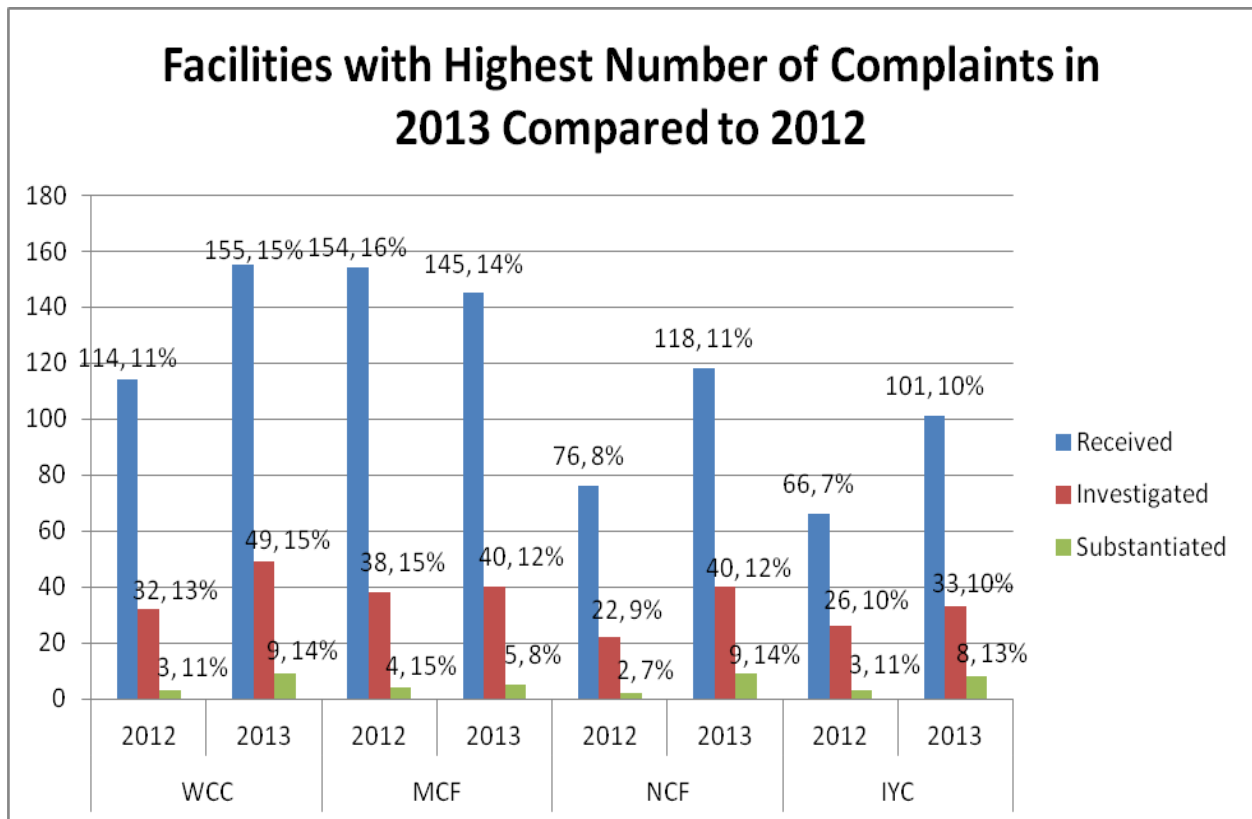


Figure 9

For a complete listing of all facilities in 2013, see Figures 10-15 below.

Figure 10 below illustrates that of the Level 1 facilities and work release centers Henryville and South Bend Work Release each had a comparable number of complaints received and investigated. While these two facilities do have a comparable number of offenders at each,⁶ it is interesting to note that the Indianapolis Re-entry Education Facility has almost twice the number of offenders, however, their number of complaints received is half of the number received from both Henryville and South Bend.

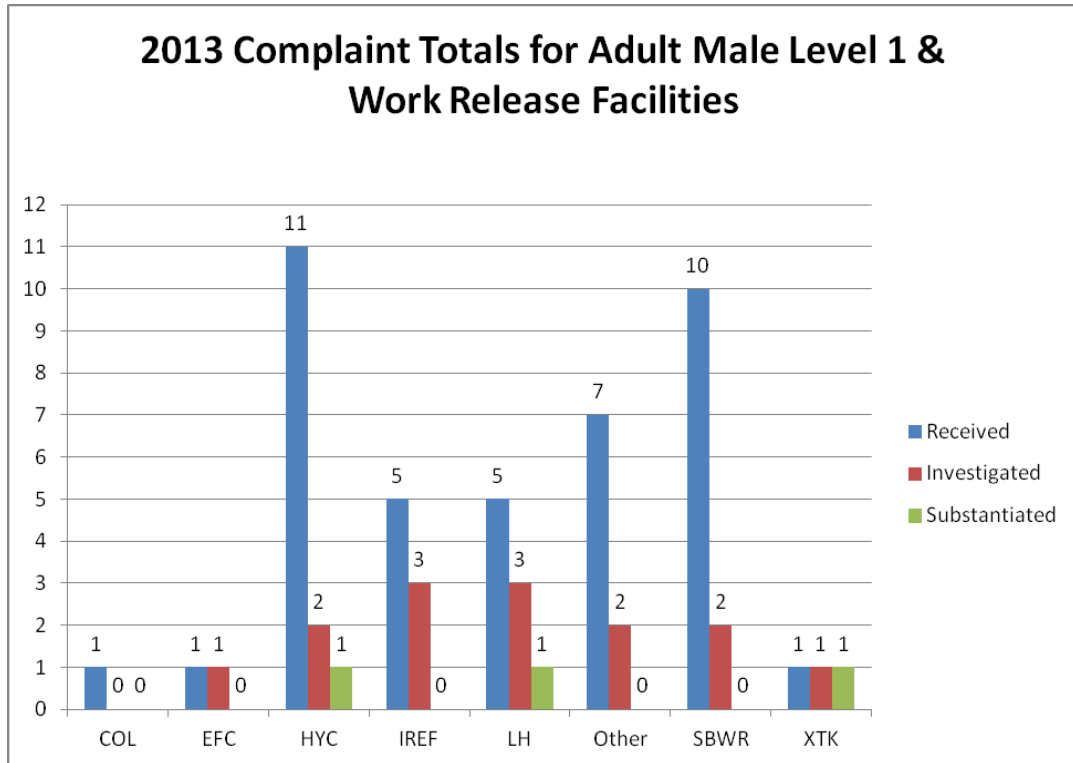


Figure 10

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⁶ Average offender population numbers are Henryville 133, South Bend 137 and Indianapolis Re-entry 385 according to the IDOC website listing of Offender Average Daily Population, by Facility Security Level Calendar Year 2013

Figure 11 below depicts the numbers of complaints received, investigated, and substantiated for Level 2 facilities. Westville, who also houses at least 300 more offenders than the next largest facility, notably has the highest number of complaints received and investigated amongst these facilities. New Castle, which is also the next largest facility according to population numbers, notably may have the second number of received complaints, but has 23% substantiated compared to Westville only having 18% substantiated.

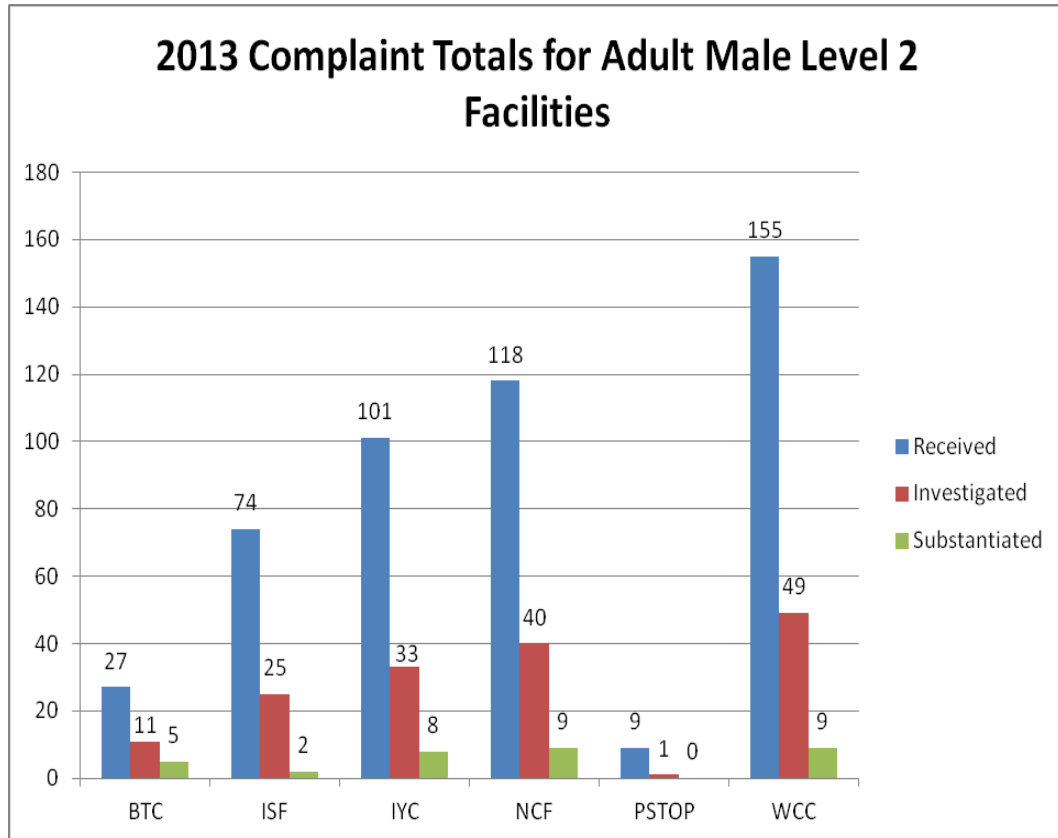


Figure 11

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Figure 12 below depicts the number of complaints received, investigated and substantiated in calendar year 2013 by the Bureau from Level 3 facilities. The Bureau receives many more complaints from Miami Correctional Facility than any of the other level 3 facilities. It should also be noted, however, that the population of Miami Correctional Facility is also almost double that of the Correctional Industrial Facility (“CIF”) and is almost quadruple that of the Reception Diagnostic Center (“RDC”).

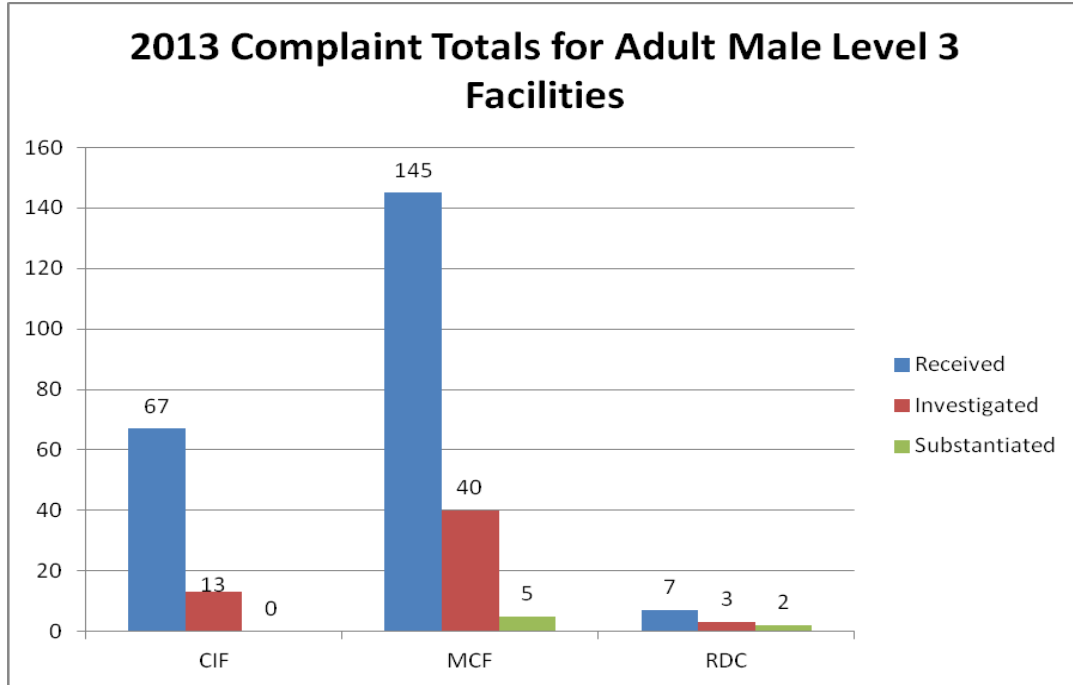


Figure 12

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Figure 13 below depicts the complaints received, investigated, and substantiated from Level 4 facilities. This graph indicates that all of the complaint totals for Level 4 facilities are pretty consistent across the board.

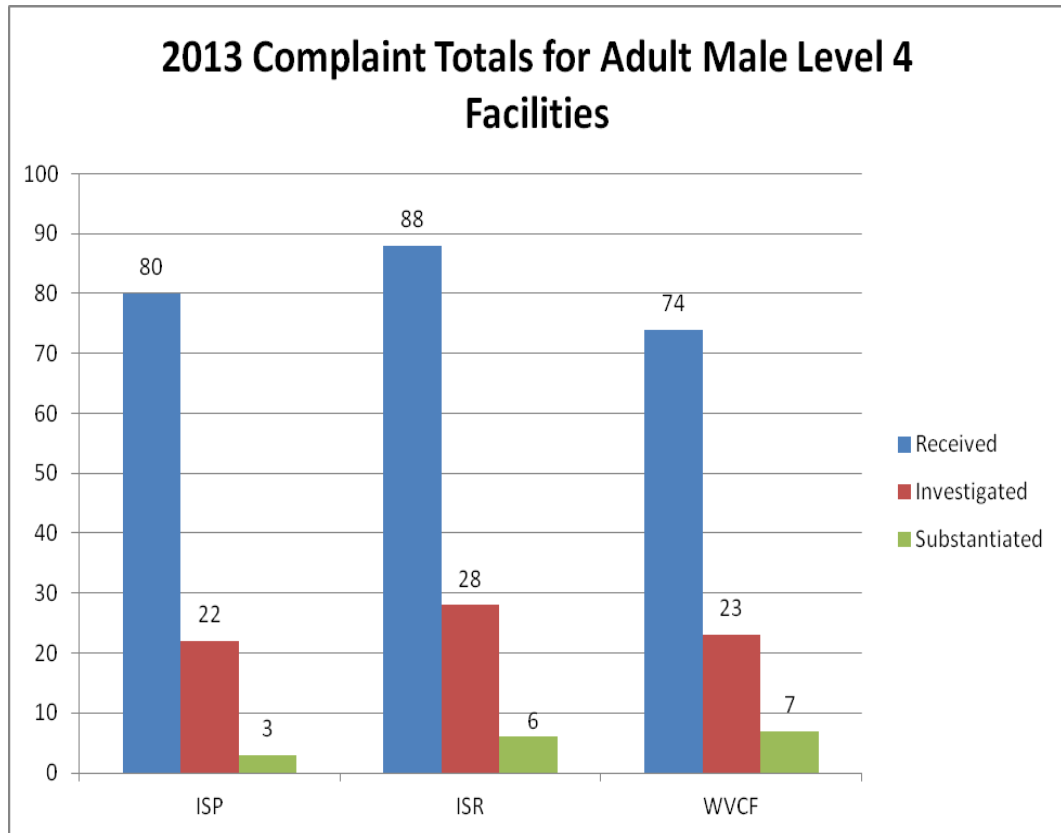


Figure 13

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Figures 14 and 15 below address the complaint totals for the female and juvenile facilities, respectively. Notably, these numbers are consistent.

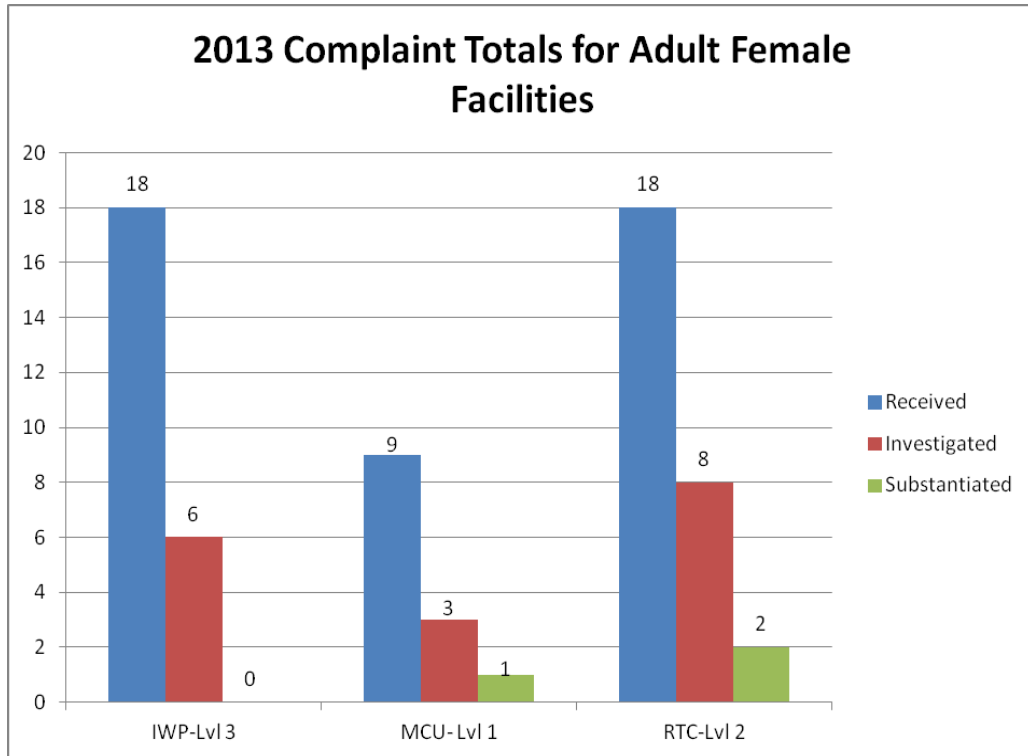


Figure 14

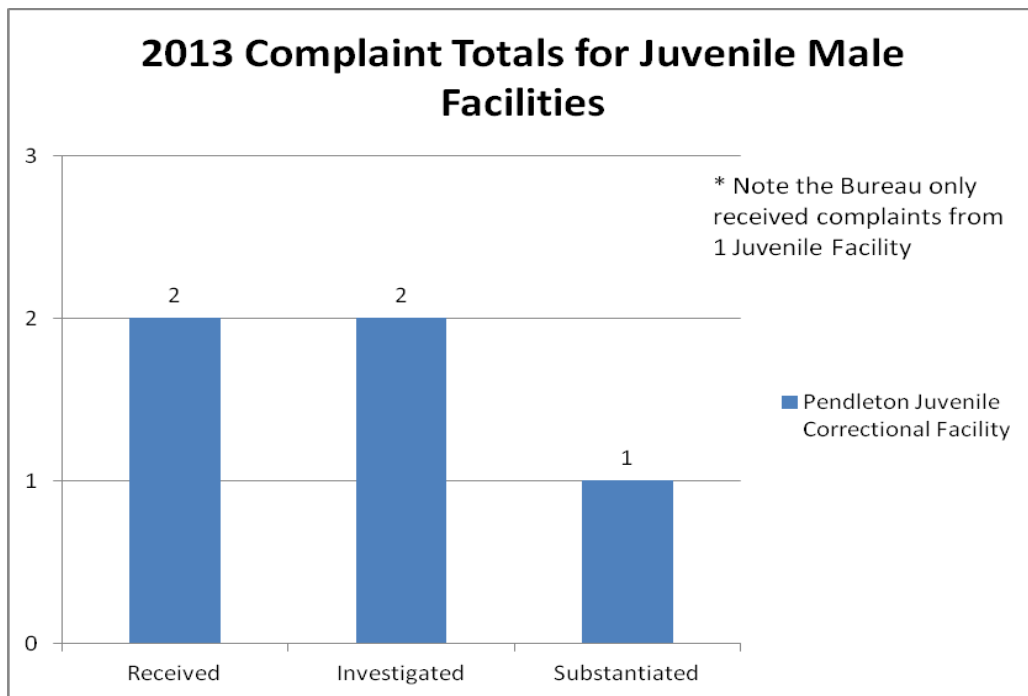


Figure 15

Substantiated Complaints

The Bureau worked with the Department on several key issues throughout the year through substantiated complaints. Some of these key issues and specific instances that the Bureau addressed are listed below.

1. Visitation With Minor Restriction (VMR)

Synopsis: The Bureau received several complaints over offenders having a Visitation with Minor Restriction wrongly in place or needing further review under policy.

Recommendation: The Bureau recommended to the Department to review these matters further, which prompted the policy to be reviewed further as well.

Outcome: The Department reviewed the restrictions and when appropriate according to policy, removed the restrictions, as well as updated the associated policy.

2. Transfers of Trust Fund Account Money (Personal Property)

Synopsis: The Bureau addressed several complaints concerning the transfer of offender funds from the Reception Diagnostic Center (RDC) to the facility where the offender would be permanently housed.

Recommendation: Review this procedure to ensure that it is operating in accordance with policy 01-04-104 Inmate Trust Fund, which allows for these transfers to take two weeks.

Outcome: Procedures were reviewed and upon follow-up the transfers were found to be operating within policy limits.

3. Call Center (Programs)

Synopsis: Offender complained of illegal activity going on in the offender call center.

Recommendation: Review activities going on in the offender call center.

Outcome: The Department immediately suspended operations, pending further review of the program. Upon further review, improved security and operating procedures were put in place.

4. Medical

Synopsis: Offender complained that his foot was broken, but he was not receiving proper medical treatment for it.

Recommendation: Review offender's medical care to his foot to determine if he is in need of further care.

Outcome: Offender was in need of an urgent consult. It had taken longer to get him into the Urgent consult. Upon review of the delay, Chris Duffy, Corizon VP, sought out a new urgent consult that would see IDOC offenders.

5. Visitation

Synopsis: Offenders complained that they had all of their visitors removed from their visitation list and "all current and future visitors" were given permanent gate closures.

Recommendation: Review the visitors' eligibility to visit and re-add names to the offenders' visitation lists.

Outcome: After 60 days, the facility finally updated the offender's visitation lists.

6. Confinement Conditions

Synopsis: Offender complained that he had been kept on "red tag" status and denied recreation, phone privileges and visitation.

Recommendation: Review matter further to determine if policy were followed in utilizing this practice.

Outcome: The use and practice of "red tag" has been eliminated by the IDOC.

7. Confinement Conditions

Synopsis: Offender complained that he could not sweep underneath his bunk due to it being too low to the floor. He says that offenders' flood the ranges with urine and feces, but this space never gets cleaned.

Recommendation: Either find a way to clean behind bunks or modify bunks so that it is possible to clean underneath the bunks.

Outcome: The bunks were modified allowing for space for the area to be cleaned.

8. Medical

Synopsis: Offender complained that he had submitted a Healthcare Request Form asking for Hepatitis C and HIV screenings due to recent at-risk behaviors. The doctor responded to stop engaging in activities.

Recommendation: Review matter to determine if screenings are necessary.

Outcome: Offender received screenings.

9. Grievances

Synopsis: An offender contacted the Bureau because he was wrongly identified in a conduct report, but despite this, had been found guilty of the conduct report at all levels of appeal.

Recommendation: Review matter to determine if offender was appropriately given the conduct report.

Outcome: The conduct report was dismissed.

10. Grievances

Synopsis: An offender contacted the Bureau concerning his grievances being denied as “non-grievable” issues, when, in fact the issues were grievable issues.

Recommendation: Review the offender’s grievance and determine if they are appropriate under policy.

Outcome: The offender was able to file his grievances.

11. Housing

Synopsis: An offender complained to the Bureau that he’s been located in administrative segregation for over a year and has no way of working his way off of segregation.

Recommendation: Review offender’s administrative segregation status further.

Outcome: Offender was moved out of administrative segregation into to step-down unit and can be released into general population eventually with successful completion of the program.

12. Classification

Synopsis: Juvenile's family member contacted the Bureau concerned that the facility had no plan to release her son.

Recommendation: Review juvenile's case plan further.

Outcome: Case plan was reviewed and facility began providing needed life skills and therapy and juvenile was eventually successfully released.

13. Religious

Synopsis: Offender who is a Moorish Science Temple of American ("MSTA") complained of several policies which he believed were being implemented improperly including lapel pins being confiscated and the approved star and crescent medallion is no longer available.

Recommendation: Review matters to determine if lapel pins are being confiscated or if the star and crescent medallion is available.

Outcome: Policy updated to reflect that pins will not be allowed due to safety and security of the facility. A star and crescent medallion that meets prison standards will be found and made available to for purchase.

14. Religious

Synopsis: Offender complains that his prayer rug has been withheld from him for weeks since being transferred.

Recommendation: Review matter further to determine if offender should be given his prayer rug.

Outcome: The offender was given his prayer rug.

III. 2013 Wrap-Up

Department-wide Recommendations

During the course of its investigations, the Bureau made several observations in improvements of policy, procedure, operations. These are listed below:

- 1. Devise a case plan which includes an outdate from restrictive housing (“RH”) for each offender located within restrictive housing, which would allow for each offender to eventually be released from RH.**

The corrections industry as a whole has recognized the mental and physical effects of being held in a restrictive environment long term. The industry has moved away from the use of restrictive housing unless absolutely necessary and even then manages its use very closely. The Department could move to the forefront of this movement by writing a case plan to be placed in the Offender Case Management System (“OCMS”) for each and every segregation offender in the department, which includes an anticipated outdate from RH. This case plan could be updated monthly. Every offender already has a counselor and is reviewed at least this frequently, thus doing this would not have a significant financial impact on the department.

- 2. Institute range walkers in all RH units in the Department.**

Range walkers would be offenders who are clear of conduct and satisfy other requirements who would “check on” offenders in restrictive housing. These range walkers are useful in noticing whether an offender may be experiencing a change in health or have other needs, as well as providing needed human communication in the restricted environment. While the range walkers would not be able to pass anything to the offenders and would be searched coming on and off the ranges, these offenders could be paid for this, which finding jobs in these restrictive environments always seems to be challenging as well.

- 3. Fix all Call Buttons in the Department.**

While this may have a financial impact, the benefits of making this improvement far outweigh the costs associated. While the Bureau did not find any incidents that could have necessarily been prevented had the buttons had been working, surely the offenders are safer with the call buttons working. If the buttons worked, they could potentially prevent incidents from occurring.

- 4. Implement contract monitoring and program monitoring procedures for PEN Products.**

PEN Products runs several programs throughout IDOC. They are an asset to IDOC. The IDOC, however, is ultimately responsible for the programs that PEN implements in its facilities. PEN should be given performance measures and program monitoring should be implemented to ensure that PEN is operating as efficiently as possible in the IDOC facilities. This should not have a significant financial impact and should improve the implementation and administration of programs throughout IDOC.

2013 Goals

The Bureau set three goals in its 2012 Annual Report. The results of these goals are as follows:

1. **Meet the superior performance goals in all complaint categories in the metrics.**

The Bureau met its superior performance goal in “All Complaints Received”, despite experiencing the 10% growth in its number of complaints received over the past year. It is also due to this growth, however, that caused the Bureau to meet its yellow performance goals in investigated and substantiated complaints.

2. **Continue to send timely reports to interested parties and continue to improve/expand reporting mechanisms.**

The Bureau did continue to send timely reports and improve upon its reporting mechanisms. Evidence of this is the Bureau’s reformatted the monthly report. Furthermore, the Bureau implemented several new complaint categories. The Bureau also implemented follow up procedures. Lastly, to ensure that the reports are made available to the public the Bureau now posts all monthly reports on its webpage.

3. **Continue to keep the offender population aware of the Bureau.**

The Bureau continued playing a 3 ½ minute DVD twice per year to the offender population. Furthermore, through its responses to each of the letters it receives, the offenders gain confidence in the Bureau that the Bureau will respond to their issues. The Director also makes frequent trips to facilities, which helps keep the offenders aware of the Bureau.

IV. Looking Forward

The Bureau will continue to strive to investigate and respond to complaints in the timeliest manner possible. Furthermore, the Bureau is working to bring more awareness to the Ombudsmen profession through presenting at several different national conferences. The Bureau will continue to spread the message of why ombudsmen are not only necessary, but also relevant.

Acknowledgements

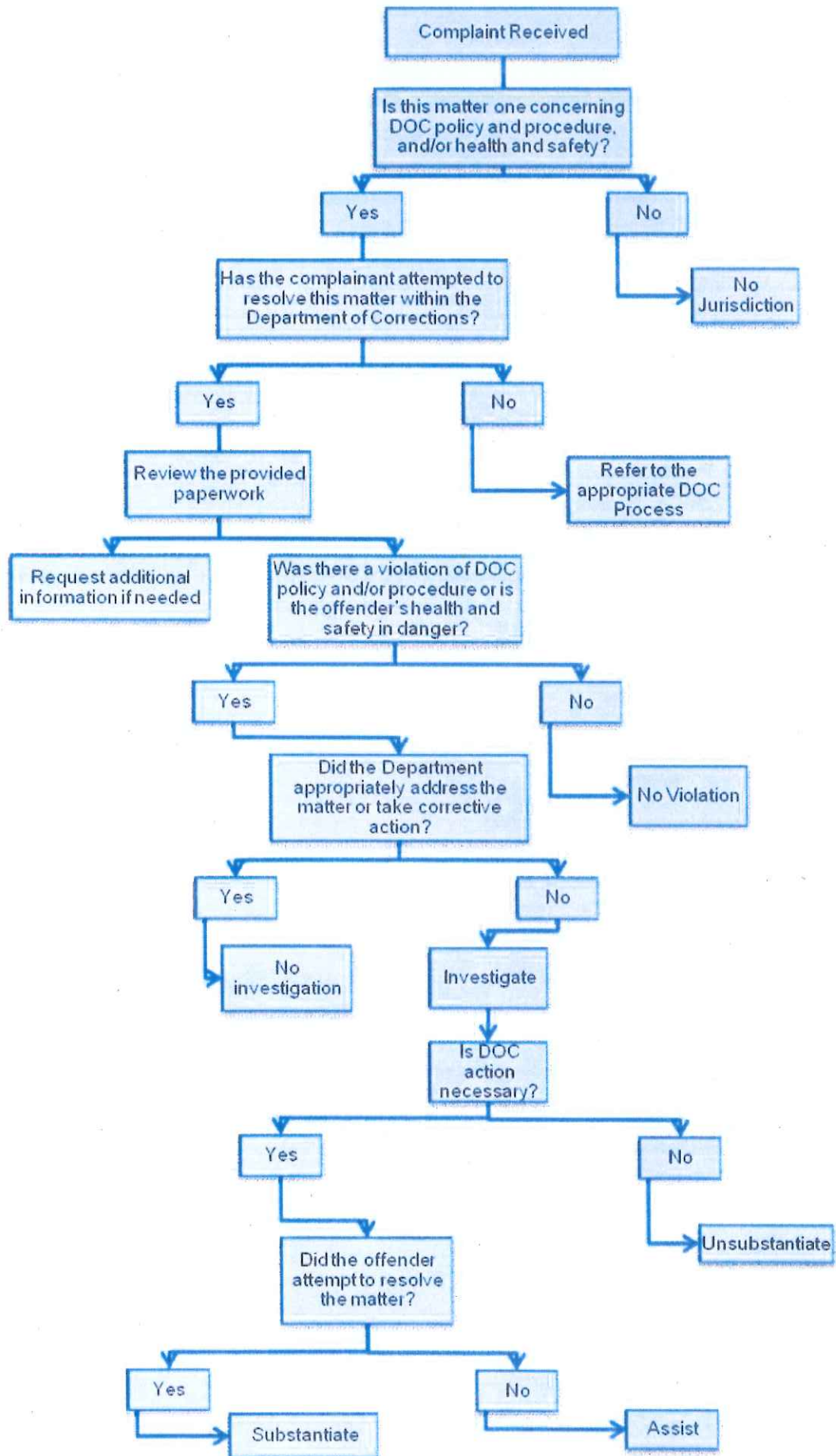
The Bureau would like to extend sincere gratitude to Governor Michael R. Pence and the Pence Administration in general for their support in the efforts of the Bureau. Your support has proved vital to the Bureau and is greatly appreciated. We are truly grateful for your leadership.

The Bureau further would like to thank IDOC Commissioner Bruce Lemmon and Deputy Commissioner James Basinger, as well as the rest of the hard-working staff of the IDOC. The Bureau is truly grateful for your timely responses and willingness to review matters and your efforts to work together to make corrections in Indiana the benchmark for others.

The Bureau would further like to thank IDOC vendors for their cooperation. The Bureau greatly appreciates the job that you do within the Department and for your continued responsiveness to the Bureau's inquiries.

Attachment 1

DOC Ombudsman Complaint Process



2013 – Summary of Assisted Complaints

Branchville Correctional Facility - Legal

The offender wrote the Bureau regarding three grievance appeals that he had filed with Central Office that were overdue in response. The Bureau contacted Central Office and the grievances were then appropriately responded to.

Miami Correctional Facility – Housing

The offender's family member called and believes he should not be in the Disciplinary Segregation Unit because he did not receive a conduct report. His housing location was classified as Disciplinary Segregation Unit in OIS. The Bureau contacted the facility and he is appropriately housed in the Administrative Segregation Unit pending the outcome of an Internal Affairs investigation and OIS was updated to reflect this location.

Plainfield Correctional Facility – Personal Property

The offender contacted the Bureau regarding the facility not allowing him to file a formal grievance regarding being charged restitution for a state issued coat. The facility stated the response to his informal grievance addressed the matter. The Bureau contacted the facility and they allowed him to file a formal grievance.

Wabash Valley Correctional Facility – Religious

The Bureau received a complaint forwarded from the Attorney General's Office in regard to the offender requesting a kosher diet application. The facility provided the offender with the Kosher Diet Application.

Miami Correctional Facility – Mail

The offender wrote the Bureau regarding his mail package that was lost at the facility after he gave it to his counselor in December of 2012. He states the remittance slip was never processed and the recipient did not receive the package. The Bureau contacted the facility and they addressed the matter.

Westville Correctional Facility – Disciplinary Action

The offender wrote the Bureau stating he had attempted to file a Disciplinary Appeal with the facility after being transferred. Due to the transfer, the facility agreed to review the matter, despite the appeal being outside the time frame allowed by policy.

2013 – Summary of Assisted Complaints Continued

Miami Correctional Facility – Offender Safety

The offender wrote the Bureau claiming his cellmate had been threatening him daily and he would like to be moved to another location. The Bureau contacted the facility and the offender was moved to another housing location.

Plainfield Correctional Facility – Legal

The offender wrote the Bureau claiming he attempted to contact the grievance department two times in one month. The Bureau contacted the facility and they addressed the matter.

Indiana Women's Prison – Medical Care

The offender's friend called and is concerned about her health. She states she has Stills Disease and was released from the hospital without the facility having the proper medication. At the request of the Bureau, Corizon re-evaluated the process for receiving patients back from the hospital.

Miami Correctional Facility – Programs

The offender wrote the Bureau claiming he was enrolled into the GED Program but did not receive his state pay. The facility awarded the offender the appropriate back pay.

Westville Correctional Facility – Offender Safety

The offender wrote the Bureau concerning receiving threats from another offender who was involved in the other offender's conviction in 2002. The facility placed a separatee against the two offenders.

Putnamville Correctional Facility – Medical Care

The offender's family member called the Bureau concerned about him being in the heat. His body was over 85% burned prior to incarceration and has no sweat glands. The facility addressed the matter. He was moved to a bed closest to the fan in the dorm and offered cold showers by medical.

Branchville Correctional Facility – Legal

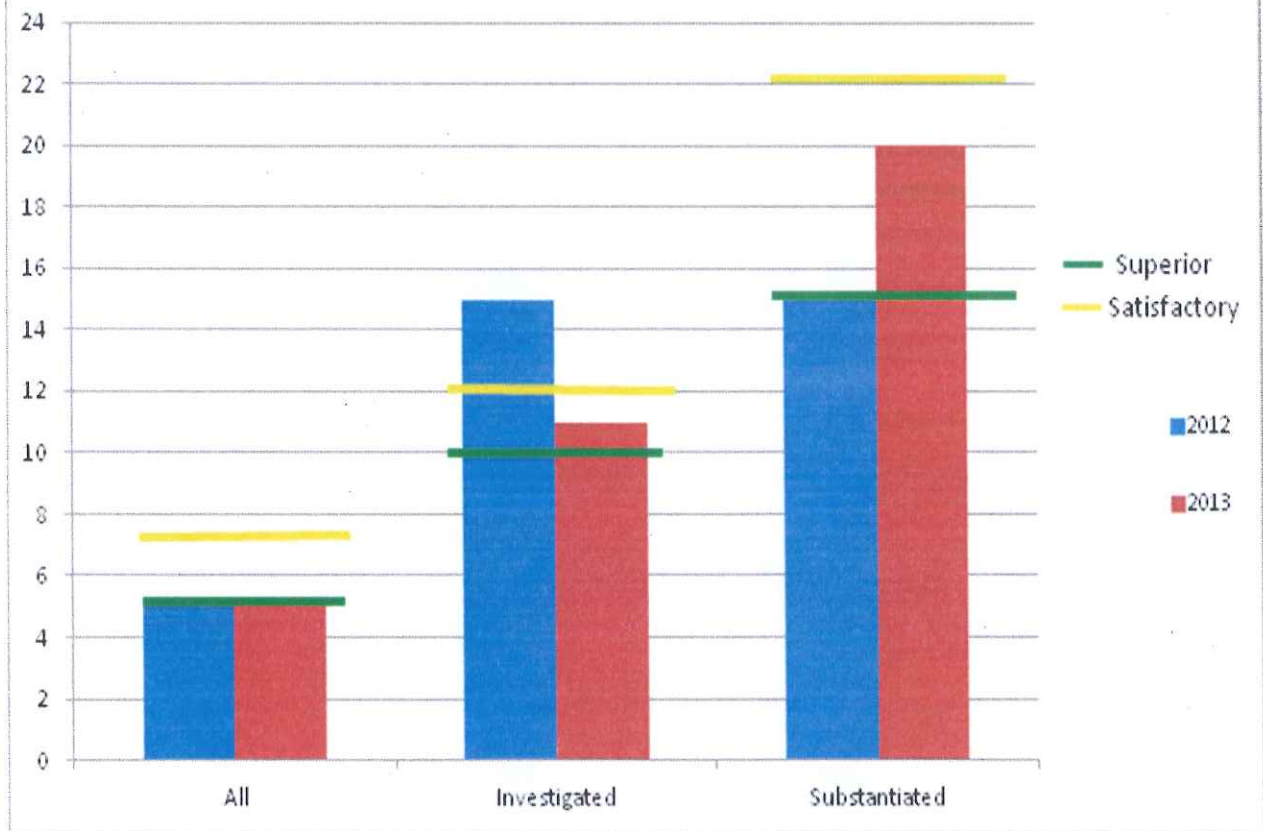
The offender contacted the Bureau stating there is a warrant for his arrest in Detroit, Michigan but it is not him. He states the name on the warrant is not his and he has never been to Detroit, Michigan. The Bureau contacted the Wayne County Prosecutor's Office in Detroit, MI and he will need to send a request by Registered Mail to them. The facility agreed to help assist him with the matter.

2013 – Summary of Assisted Complaints Continued

Wabash Valley Correctional Facility – Clothing

The offender wrote the Bureau stating he did not have a winter coat. He would like a new coat and not a re-issued coat. The facility was contacted and issued him a coat in accordance with policy.

Performance Metrics for 2012-2013



Attachment 4