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Office of the Ombudsperson for Corrections

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<https://mn.gov/obfc/>

AT A GLANCE

- Jurisdiction to receive, investigate, and resolve complaints regarding 10 prisons and 150 local adult and juvenile facilities statewide, with a typical daily population of over 17,000 persons and over 210,000 intakes and releases over the course of a year.
- Five full time staff.

PURPOSE

The statutory purpose of the Office of the Ombudsperson for Corrections (OBFC) is “to promote the highest attainable standards of competence, efficiency, and justice in the administration of corrections.” The Ombudsperson has the authority to take and investigate complaints from or about any Department of Corrections’ (DOC) staff or facility charged with the care and custody of incarcerated people and any regional or local correctional facility licensed by the DOC in Minnesota. The OBFC is neutral and independent. The OBFC works to resolve complaints, investigate, make recommendations, and publish reports. The OBFC is concerned with systemic and policy issues and so may also initiate systemic issue investigations. The goal is to provide for a safer and more just corrections system for staff, incarcerated people, and all Minnesotans.

BUDGET

Although the OBFC is neutral and independent from the Department of Corrections, when the office was newly recreated in the 2019 legislative session, OBFC’s funding was originally placed within the Department of Corrections budget. The Governor’s 22-23 budget separated the OBFC budget to ensure full independence and provide separation from the DOC. Beginning July 1, 2021 (FY22), OBFC became its own independent agency. Therefore, there is no historical independent spending chart available for FY20-21.

The OBFC has five full time staff who receive, investigate, and resolve complaints regarding 10 prisons and 150 local adult and juvenile facilities statewide.

STRATEGIES

The Office of the Ombudsperson for Corrections promotes the highest standards of corrections through the following strategies:

- **Receiving, Investigating and Resolving Complaints:** Provides an impartial and unbiased process for incarcerated individuals, staff, and community to share concerns about DOC and local facility actions and policies and have them investigated.
- **Providing Oversight:** Minnesota’s correctional facilities confine thousands of incarcerated adults and juveniles under the supervision of state employees. Largely, the corrections system sets and manages the conditions of confinement and public access is highly restricted. The Ombudsperson provides a way for the incarcerated and staff to voice concerns and complaints for impartial and transparent consideration.
- **Promoting Efficiency and Justice:** The Ombudsperson independently draws conclusions, examines existing policies and procedures, identifies opportunities for raising overall standards, makes recommendations, and produces reports aimed at improving the corrections system in order to promote efficiency, justice, and fairness.
- **Providing Information:** The OBFC provides engagement, education, and information to incarcerated individuals, their family and loved ones, corrections staff, and the community.

- **Increasing Health and Safety:** The OBFC increases safety and health for incarcerated individuals, staff, and community members by
 - Providing incarcerated individuals and staff an opportunity to address their complaints and concerns about unsafe or unhealthy situations and conditions.
 - Providing a productive option for incarcerated individuals' complaints who may otherwise take out frustration on staff.
 - Provides for systemic health and safety improvements.
 - Ensures that rights are protected, and that correctional programs and services promote rehabilitation, reduce recidivism, improve lives, and promote overall community safety.
- **Promoting Equity:** People of color are disproportionately represented in prisons and jails. Over 55% of male incarcerated people and 44% of female incarcerated people are BIPOC. Addressing both individual and systemic complaints and issues advances equity and provides for greater accountability and greater transparency in addressing inequitable systems within and outside of corrections.

RESULTS

A central focus is receiving, investigating, and resolving complaints from incarcerated individuals and others. Some complaints can be resolved quickly or the OBFC is able to provide resources and referral to the appropriate entity, and some are referred for deeper investigation or are used to inform future policy investigations.

OBFC COMPLAINTS BY YEAR IN OPERATION

	<i>Complaints Early Resolution 2020</i>	<i>Complaints Investigation 2020 (individual and Systemic)</i>	<i>Complaints¹ Covid 2020</i>	<i>Complaints Early Resolution 2021</i>	<i>Complaints Investigation 2021 (Individual and Systemic)</i>	<i>Complaints Covid 2021</i>
Number of Complaints	68	32	2100	350	90	1200

[M.S. 241.90-95](https://www.revisor.mn.gov/statutes/cite/241.90) (<https://www.revisor.mn.gov/statutes/cite/241.90>) provides the legal authority for the Office of the Ombudsperson for Corrections.

¹ The OBFC proactively engaged with DOC to set up a system for incarcerated people at state prisons to contact the office at no charge through the communication kiosks to share concerns related to COVID-19. The OBFC received more than 2,100 emails in 2020 (see [2020 Annual Report](#)) and approximately 1,200 emails in the first half of 2021 (see [2021 OBFC Annual Report](#)). The OBFC did not respond to these COVID specific emails but tracked the complaints and used them to inform recommendations and to monitor conditions

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General			569	753	663	663	1,105	1,099
Total			569	753	663	663	1,105	1,099
Biennial Change				1,322		4		882
Biennial % Change						0		67
Enacted Budget Change from Base								878
Enacted Budget % Change from Base								66

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base FY24 FY25		Enacted Budget FY24 FY25	
1000 - General								
Balance Forward In				90				
Direct Appropriation			659	663	663	663	1,105	1,099
Balance Forward Out			90					
Expenditures			569	753	663	663	1,105	1,099
Biennial Change in Expenditures				1,322		4		882
Biennial % Change in Expenditures						0		67
Enacted Budget Change from Base								878
Enacted Budget % Change from Base								66

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	663	663	663	1,326
Forecast Base	663	663	663	1,326
Change Items				
Maintain Current Service Levels		225	199	424
Expand Staffing		217	237	454
Total Enacted Budget	663	1,105	1,099	2,204

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25	FY26	FY27	Biennium 2026-27
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Maintain Current Service Levels

This provision provides additional operating funds to maintain the current level of service delivery at the Ombudsperson for Corrections.

1000 - General Fund Cost (Savings)	0	225	199	424	199	199	398
Expenditures	0	225	199	424	199	199	398

Expand Staffing

This provision will expand staffing within the office to meet growing service needs. The office will use this additional funding to hire an administrative support staffer and one additional assistant ombuds staffer to allow existing staff to spend more time providing necessary services and allow for greater and more equitable coverage of complaint review.

1000 - General Fund Cost (Savings)	0	217	237	454	237	237	474
Expenditures	0	217	237	454	237	237	474