



# WISCONSIN OMBUDSMAN PROPOSAL 2025

Submitted by Ladies of SCI Advocacy Group

## Ombudsman History

*Ombudsman: Swedish, meaning "Representative of the People." Intended to protect the rights of individuals against the abuse of royal power.*

The first Ombudsman office for corrections was established by executive order in Minnesota in 1972 by Governor Wendall Anderson as an independent agency in the executive branch, and later in 1973 by the legislature as an independent agency. Connecticut has a similar system to Minnesota. New Jersey, South Carolina, Kentucky, Ohio, and New York employ ombudsmen within the correctional bureaucracy. Michigan and Kansas are in start-up phases of similar programs. Currently 18 states have some form of Ombudsman for corrections titled various names.

## WI Ombudsman for Corrections (WIOC) Proposal

Due to the severity of problems in the Wisconsin Prison system, the first 10 years of an Ombudsman office will likely cost up to double the national average of .1% of the Corrections budget (.2% = \$3,000,000,000) We believe this is necessary to fully address systemic problems that have been building over decades.

- **Structure:** WIOC operates as an independent agency. The Ombuds is appointed by the Governor with legislative approval/confirmation to serve a 6 year term and can only be removed for good cause. The appointed Ombuds person then shall appoint 10 deputy Ombuds persons- 3 for the 6 maximum security facilities, 6 for the 12 medium facilities, and 1 for the 21 minimal correctional institutions and centers. Officers of the Ombudsman office shall be citizens of Wisconsin and not former WIDOC staff to ensure the humane, rehabilitative, and fair treatment of persons incarcerated in the Wisconsin prison system. Support staff may be added as determined appropriate. We assumed approximately one FTE for each ombuds.
- **Authorized Activities:** The WIOC can conduct a broad range of activities, including audits, special reviews, monitoring of internal WIDOC processes (including its investigative and disciplinary processes and use of force review process), inspections of specific areas of WIDOC practice (such as medical care), monitoring of sexual abuse complaints from incarcerated people, complaints of whistleblower retaliation from WIDOC employees, and additional vetting of warden/superintendent candidates prior to appointment by the Secretary.



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- WIOC can receive and investigate complaints about any WIDOC facility or staff.
- WIOC is tasked with defining a process to intake complaints, perform investigations, and report findings and recommendations. Within this mandate, WIOC can also informally facilitate resolutions and provide education. The WIOC can initiate an investigation under its own initiative, via request from the governor/legislative office, or from a complaint filed by family, support people, inmates, or staff.
- WIOC is responsible for performing annual inspections of each correctional institution or center in Wisconsin.
- The WIOC is charged with evaluating WIDOC provision of services and whether WIDOC policies conflict with the rights of incarcerated people; receiving concerns about WIDOC actions, policies, or procedures from incarcerated people; conducting site visits and reviewing the operations of correctional facilities; and recommending policy and procedure changes.
- WIOC is required to make annual reports available to the public.
- **Information and Facility Access:** WIOC staff can enter and inspect any facility or premises under WIDOC control at any time without notice. The WIOC must be given access to WIDOC records, documents, and information needed to complete their investigation. WICO may observe agency proceedings and hearings. WICO can go anywhere in a facility at any time and speak to any staff member or inmate. The WICO has the authority to regularly and privately interview staff and incarcerated people and to subpoena witnesses and documents.
- **Privacy:** All correspondence between incarcerated people and the WIOC is privileged and cannot be opened by correctional staff. The names of individuals who file complaints and their WIDOC ID number can be accessed with a public records request but cannot be tied to a specific complaint. Communication with the WIOC is confidential and privileged as legal communication.

## **Activities Descriptions**

WIOC investigates complaints about WIDOC staff and facilities. At its discretion, WIOC can also investigate apparent systemic issues in WIDOC facilities.

- **Complaint Investigation:** WIOC only investigates complaints after people who are incarcerated have pursued the WIDOC grievance process, unless there is a reason why they cannot pursue the process. Ex: Valid complaint denied for arbitrary reasons or those out of the inmate's control. Complaints are filed via



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mail using WIOC's official form or via email on DOC issued tablets, free of cost. Full complaint investigations are used to both verify immediate complaints and make recommendations for resolution, and to understand potential systemic issues. The WIOC must determine whether the office will conduct a full investigation within 21 days of receiving the complaint.

- **Systemic Issues and Policy Recommendations:** WIOC identifies widespread and serious issues in statewide correctional facilities. WIOC staff investigate these systemic problems to identify underlying issues and make recommendations for changes to policies or practices.
- **Facility Visits/Monitoring:** The WIOC has “golden key” access to any WIDOC facility at any time with broad access to documents and records for investigations. Monitoring visits involve conversations with prison officials and staff, structured interviews with incarcerated people, and observations of procedures and hearings.
  - WIOC is to conduct regular inspections of WIDOC facilities, conditions and operations.
  - Facility monitoring and visits are extended to private phone calls when deemed necessary by the WIOC, in person conversations preferred.
  - WIOC also can use surveys sent to incarcerated individuals to proactively collect and track concerns on specific, targeted issues like meal service or family visits.
- **Support Services:** provides a set of services to support incarcerated people and their families. WIOC maintains a family support line, which family members of incarcerated individuals can call to get information on facilities, policies, and general questions, as well as direct support.
- **Education and Advocacy:** WIOC uses its insight into prison conditions to help keep the public and policymakers well-informed about corrections issues.
- **Death and Critical Incident Investigation:** The WIOC is mandated to investigate deaths in custody as well as suicide attempts, assaults, uses of force, and other incidents that result in at least 24 hours of hospitalization. When investigating deaths and critical incidents, the WIOC collects extensive documentation from WIDOC including video, phone logs, mail records, and electronic files, and speaks to relevant individuals, including incarcerated people, family members, past attorneys, and WIDOC staff.
- **Critical Incident Monitoring:** The WIOC monitors WIDOC's response to “critical incidents” that occur at WIDOC facilities, including riots, unexpected deaths, uses of force, and hunger strikes.



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- **Advocacy:** Broadly, WIOC frames its work in terms of bringing the voices of the incarcerated into public debate.
- **Data Collection:** The WIOC also collects data on population information, use of restrictive housing, assaults, overcrowding, staffing challenges (e.g. overtime, turnover), prevalence of contraband, deaths, escapes, and programming.
- **Retaliation Complaint Review:** The WIOC reviews complaints submitted by WIDOC staff alleging whistleblower retaliation for reporting an improper activity.
- **Warden and Superintendent Vetting:** The WIOC assesses the qualifications of candidates for warden at adult WIDOC facilities and superintendent at juvenile facilities to ensure the public's interest in rehabilitation.
- **Use of Force Monitoring:** The WIOC reviews use of force incidents.
- **Employee Discipline Monitoring:** WIOC evaluates WIDOC's internal investigations into allegations of employee misconduct, and any ensuing disciplinary processes.
- **Audits:** The WIOC conducts audits to help WIDOC improve operations, reduce costs, and identify corrective actions for any issues. Audits can range in focus from the entire WIDOC to a specific institution, division, or office. Audit reports are publicly available and serve to increase public accountability.

## **Reporting**

Annual reports are provided to the governor and the Wisconsin Legislature. Also, reports published on individual investigations and systemic issues. All reports will be publicly available on an annual basis.

- **Investigative Reports:** published when an investigation makes significant and critical findings about an agency.
- **Special Reports:** published when an investigation's findings are not critical of an agency but are still of significant interest to the public. Such as reports about facility conditions, medical care, visitation, etc.
- **Annual Reports:** summarize the Office of the Ombudsman's activities over the past year. WIOC publishes conclusions and recommendations following investigations, but if a report is critical of an agency, facility, or employee, the WIOC must notify the criticized party in advance of publication and attach the party's unedited response in its report.
- **Inspection Reports:** describe the findings, recommendations, and WIDOC responses from announced and unannounced monitoring inspections of individual facilities.



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- **Sentinel Reports:** Used to flag particularly concerning issues or cases where WIDOC violated its own policies.
- **Institution Response:** Before reports are made public, the institution involved in the report shall have adequate time to resolve issues defined in the report or formulate a plan to address them. Institution responses shall be included in reports released to the public.

## Special Notes

- All states surrounding Wisconsin (Minnesota, Michigan, Iowa, Illinois) have some version of Ombudsman for Corrections.
- **Indiana:** In 2018, the Bureau began tracking estimated financial savings to the state and reporting that figure in annual reports. The estimate is based on missed or unapplied time cuts – good time credits – that the Bureau has caught and ensured are applied in line with IDOC policy. The number of days that the Bureau has insured are applied, and therefore are not served in IDOC facilities, is multiplied by the average daily cost of housing someone in an IDOC facility. In 2018, the Ombudsman was estimated to save the state \$178,436.95 solely through this work, which accounts for roughly 2% of complaints that the Bureau handles.
- **Ohio:** If ODRC determines that there is an overcrowding emergency in its facilities and does not have another way to address the overcrowding, it must tell CIIC about the overcrowding emergency. CIIC is responsible for reviewing that determination and can make recommendations to the Governor about reducing prison terms for people who are incarcerated to alleviate overcrowding. (2967.18)
- **Pennsylvania, New York, and Illinois:** Have non-governmental prison oversight organizations. Together, the three organizations are working on a series of joint projects comparing issues through a variety of monitoring methods across their jurisdiction.
- **Virginia:** Virginia is believed to be the only state that has established correctional oversight through the budget bill rather than through traditional legislation.

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## Ombudsman Offices Comparison

State	Corrections Budget	Ombuds Budget	Prisons	Inmates	Ombuds Staff	Established	% of Corrections Budget
<b>Minnesota</b> Office of the Ombuds for Corrections	\$762,379,000 2022	\$659,000 2022	11	7500	5	1972 defunded 2003, reest 2019	0.08%
<b>Michigan</b> Legislative Corrections Ombudsman	\$2,100,000,000 2022	\$1,022,000 2022	27	32,000	9	1975 2003 defunded 2008 refunded	0.04%
<b>Iowa</b> The Office of the Ombudsman	\$520,910,350	\$1,767,576	9	7625	15	1970	0.3%
<b>Illinois</b> John Howard Association of Illinois	\$2,054,560,000	\$805,000	34	28,000	7	1901	0.03%
<b>Indiana</b> Dept. of Corrections Indiana Ombudsman	\$801,000,000	\$202,438	34	26,000	2	2002	0.02%
<b>Ohio</b> Correctional Institution Inspection Committee	\$2,000,000,000	\$447,000	28	51,000	4	1997	0.02%
<b>Pennsylvania</b> Pennsylvania Prison Society	\$2,892,125,000	\$1,400,000	23	48,000	10	1829	0.04%
<b>Vermont</b> Prisoners Rights Office	\$173,727,911	\$1,170,000	6	1300	7	1972	0.6%
<b>New York</b> Correctional Association	\$3,500,000,000	\$1,800,000	44	32,000	11	1846	0.05%
<b>Connecticut</b> Correction Ombuds Office	\$690,000,000	Not active yet	12	9500	*	2022	*
<b>New Jersey</b> Office of the Corrections OmbudsPerson	\$1,220,000,000	\$2,645,000	9	13,000	26	1972	0.2%
<b>Virginia</b> Office of the Dept. of Corrections Ombudsman	\$1,533,696,064	\$250,000	43	25,000	13	2003	0.01%
<b>Florida</b> Correctional Medical Authority	\$3,400,000,000	\$1,513,751	58	99,000	17	1986, 2011, 2012	0.04%
<b>Washington</b> Office of the Corrections Ombuds	\$2,406,084,000	\$1,142,468	12	13,000	12	2018	0.04%
<b>Oregon</b> Office of Corrections Ombudsman	\$1,928,608,522	\$365,928	12	12,000	1	1977, 2022	0.01%
<b>California</b> Office of the inspector General	\$15,000,000,000	\$41,974,000	34	131,000	211	1994	0.2%

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<b>Nebraska</b> Office of the Inspector General of Nebraska	\$404,798,287	\$200,000	9	5500	2	2015	0.04%
<b>Arizona</b> Independent Prison Oversight Commission	\$1,580,422,700	Not active yet	16	33,000		2023	*
<b>Average</b>	<b>\$2,662,367,342</b>	<b>\$3,585,260</b>	<b>24</b>	<b>33,425</b>	<b>22</b>		<b>.1%</b>
<b>Wisconsin Proposed</b>	<b>\$1,540,596,600</b>	<b>\$1,540,596</b>	<b>36</b>	<b>22,789</b>	<b>21</b>	<b>2025?</b>	<b>0.1%</b>





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## Sources:

**National Resource Center for Correctional Oversight:** [prisonoversight.org](http://prisonoversight.org)

**Minnesota:** Office of the Ombuds for Corrections est.1972; <https://mn.gov/obfc/>

**Washington:** Office of the Corrections Ombuds (WADOC) est.2018;  
<https://oco.wa.gov/>

**Oregon:** Office of Corrections Ombudsman (OCO) est.1977/2022

**California:** Office of the Inspector General (OIG) est.1994; <https://www.oig.ca.gov/>

**Arizona:** Independent Prison Oversight Commission est.2023

**Nebraska:** Office of the Inspector General of the Nebraska Correctional System (OIG) est.2015; [https://nebraskalegislature.gov/divisions/oig\\_ndcs.php](https://nebraskalegislature.gov/divisions/oig_ndcs.php)

**Iowa:** The Office of the Ombudsman est.1970; <https://www.legis.iowa.gov/Ombudsman/>

**Illinois:** John Howard Association of Illinois (JHA) est.1901; <https://www.thejha.org/>

**Indiana:** Department of Correction Indiana Ombudsman est.2002;  
<https://www.in.gov/idoc/divisions/ombudsman/>

**Ohio:** Correctional Institution Inspection Committee; <https://ciic.state.oh.us/>

**Pennsylvania:** Pennsylvania Prison Society (PPS) est. 1787/1829;  
<https://www.prisonersociety.org/>

**New York:** Correctional Association of New York (CANY) est. 1846;  
<https://www.correctionalassociation.org/>

**Vermont:** Prisoners' Rights Office (PRO) est.1972;  
<https://defgen.vermont.gov/staff/central/prisoners-rights>

**Connecticut:** Correction Ombuds Office (COO) est. 2022

**New Jersey:** Office of the Corrections Ombuds Person (OCO) est. 1972;  
<https://www.nj.gov/correctionsombudsperson/>

**Virginia:** Office of the Department of Corrections Ombudsman est. 2023

**Florida:** Correctional Medical Authority (CMA) est.1986/2012; <https://www.flcma.gov/>

**Michigan:** Legislative Corrections Ombudsman (LOC);  
<http://council.legislature.mi.gov/Ombudsman/Index>