

**Special points of interest:**

- **USOA Board is working to improve website, revitalize specialty Chapters and encourage non-member ombudsman offices to join USOA.**
- **The 2016 USOA's 37th Annual Conference will be held October 17-21 in Arlington, Virginia.**
- **The Family & Children Chapter is developing a survey of its members to learn more about each other's operations.**

**Inside this issue:**

Message from the President	<b>2</b>
USOA Annual Conference	<b>3</b>
Greetings From the Co-Chairs of the USOA Family and Children Chapter	<b>4</b>
Use of Admin Segregation for Federal Inmates Housed in State	<b>6</b>
Ombuds Report Finds Children Under the Age of 3 are at Greatest Risk of Maltreatment Related Fatalities	<b>7</b>



# United States Ombudsman Association

## Welcome!

Dear colleagues,

Please enjoy this issue of the USOA Newsletter. Our goal is to create a forum that provides you with information about the activities of USOA as an organization and of USOA section chapters, as well as articles from the field- about your achievements, new ideas, and issues that apply to our work as ombudsmen.

Inside this issue you will find updates on the USOA annual conference in Arlington VA, news from the President, information on the Family and Children's Chapter, and articles on solitary confinement for federal inmates, and child maltreatment related fatalities.

If you would like to submit an article for the newsletter, or have suggestions for our newsletter, please contact:

Patrick Dowd, [Patrick.dowd@ofco.wa.gov](mailto:Patrick.dowd@ofco.wa.gov)



## Message from the President

Dear USOA colleagues and friends:

I hope that this message finds you in good health and spirit. According to the Chinese Zodiac, 2016 is the Year of the Fire Monkey, a year where anything can happen, and a time to shake things up and create change. So it is fitting that with this issue we are reestablishing the USOA newsletter to share news, stories, photos, and other items of interest with you. In the coming months, your USOA Board will also be working to improve our website, revitalize our specialty Chapters, and encourage non-member ombudsman offices to join USOA. Please do contact us if you are interested in assisting in any of these efforts, or to let us know how we can serve you better.

People born in the Year of the Monkey are said to be intelligent, clever, inventive, and energetic, which make them good problem-solvers and well-fit for the ombudsman profession. I would not be surprised to learn that many of you, proficient in your role as an ombudsman, were born in the Year of the Monkey. Our current Board of Directors is comprised of an excellent blend of first-time members with high energy and new ideas, and seasoned members with broad institutional knowledge, but who are open to exploring new opportunities and improving how we operate. I would like to thank the members of the Board for their continued support and for donating their time and energy to benefit the USOA, its members, and the public sector ombudsman institution. I am confident that together we will make significant progress in furthering the value, credibility and professionalism of the USOA.

Unfortunately, the Board cannot accomplish all that it hopes to without the help of other USOA members. In particular, the Board can really use your help in finding new ombudsman offices to reach out to, identifying opportunities where USOA can assist in creating new offices, and writing articles for our newsletters. I look forward to working with each of you to continue our efforts to build the stature of the USOA and ensure its viability and relevance in the future.

This year's annual conference will be in Arlington, Virginia, and I urge you to mark your calendars to attend this event. The conference will be held at the Westin Arlington Gateway hotel from Wednesday, October 19, to Friday, October 21, with pre-conference workshops on Monday, October 17, and Tuesday, October 18. The Conference Planning Committee has been meeting regularly since February to develop the conference program and I hope you will find that this year's sessions are relevant to you. If you would like more information about the conference, please contact USOA Conferences and Training Committee Chair Gerald Papica by telephone at 615-532-1572 or by e-mail at [gerald.papica@tn.gov](mailto:gerald.papica@tn.gov).

On behalf of your Board of Directors, I would like to thank each of you for your membership in and support of the USOA. I look forward to working with you and meeting you at our annual conference in Arlington.

With my best regards and deepest appreciation,

Robin K. Matsunaga

President



## 2016 USOA Annual Conference

**When:** October 17– 21

**Where:** Arlington ,VA

Westin Arlington Gateway

To register for the conference, go to <http://www.usombudsman.org/>

To book lodging for the negotiated group rate (\$222 per night plus 13% tax), go to <http://www.westinarlingtongateway.com/>.

You can also call the hotel to make a reservation @ 888-627-7076. The Westin Arlington Gateway telephone number is 703-717-6200.

*For questions and assistance, contact the co-chairs of the 2016 Conference Planning Committee:*

Gerald Papica (615-532-1572) or e-mail @ [gerald.papica@tn.gov](mailto:gerald.papica@tn.gov)



Kristie Hirschman (515-281-3592) or e-mail @ [kristie.hirschman@legis.iowa.gov](mailto:kristie.hirschman@legis.iowa.gov)



## 2016 USOA Annual Conference

### The Ombudsman: Life, Liberty, and the Pursuit of Fairness

Greetings and welcome to the 2016 United States Ombudsman Association's (USOA) 37<sup>th</sup> Annual Conference! The event will be held on October 17-21, 2016 in Arlington, Virginia, at the Westin Arlington Gateway. Arlington is the second-largest major city of the Washington DC metropolitan area.

This year's 12-member conference committee began planning for the annual event in mid-February. The Registration Packet will be posted in the USOA website on or before June 24<sup>th</sup>. If you are thinking of attending, plan your trip ahead of time. Remember to take advantage of discounts offered for USOA members and early bird registrants (before September 16<sup>th</sup>).

Since 1979, the USOA's annual conferences have provided sessions to enhance the skills needed by government ombudsmen in various jurisdictions to: effectively carry out their duties; to learn about best practices; and to discuss trends of the profession. The USOA conferences also provide attendees opportunities to network with peers for moral support, to share evidence-based strategies and to build lasting friendship.

This year's conference includes sessions that should appeal to anyone working in the field of conflict resolution, as well as those who work with the public. There are three plenary sessions and nine concurrent sessions addressing various where topics include: equitableness and fairness; annual reports; federal regulatory fairness; reaching audiences in the digital age; dispute resolution the perspective of a child; Coalition of Federal Ombudsmen panel; ombuds writing workshop; role of an ombudsman; detecting deception in phone interviews; and emotional intelligence or EI. During the conference, the USOA Annual and Chapters meetings are scheduled to take place.

The annual conference will be preceded by two pre-conference workshops on October 17 and 18. The popular two-day New Ombudsman Training will be offered again, with instructors who are experienced ombudsmen from both legislative and executive branch offices. We will also be offering a pre-conference workshop entitled, "Dealing with Unreasonable Complainant Conduct." This one-day workshop has a 40-attendee limit each day and will therefore be offered on Monday, October 17, and Tuesday, October 18 in order to accommodate the anticipated demand.

Gerald R. Papica, Ed.D  
Director, USOA Conferences and Training



*“The Family and Children Chapter has its emphasis on the segment of ombudsman operations that investigates complaints about the administrative acts of child welfare agencies.”*



## Greetings From the Co-Chairs of the USOA Family and Children Chapter

Greetings from Orlene Hawks of the Office of Children’s Ombudsman Office in Michigan and Joanne MacDonnell of the Arizona Ombudsman-Citizens’ Aide Office, co-chairs the USOA Family and Children Chapter!

The Children and Families Chapter has its emphasis on the segment of ombudsman operations that investigates complaints about the administrative acts of child safety agencies. Our primary event is our chapter meeting at the annual USOA Conference in October; however, we will periodically be reaching out to you during the year.

The chapter exists to facilitate networking and training amongst individuals involved in child safety ombudsman activities. To accomplish this we use a Google email list for the group’s primary form of communication. Any USOA member who indicates an interest in child and safety issues is automatically included in the list of Children and Family Chapter members. Currently, we have 23 members. The chapter members typically fall into one of two types of ombudsman organizations (with the exception of a few local or nonprofit offices). Either they are legislative ombudsman offices operating outside of the agency or they are executive/agency ombudsman operating with more of an internal track of oversight.

Chapter members can use the e-mail list to post news articles, news releases, and links to investigative and annual reports that would be of interest to others in the ombudsman field. Members can post a question or concern, benchmark best practices and ask other chapter members to provide them with feedback or advice. These smaller, topic-specific discussion groups are a useful way to interact with colleagues in the ombudsman community.

We are developing a survey of the Children and Family Chapter members so we can become more familiar with one another’s operations. We plan to gather information from each jurisdiction ahead of the conference with the intent of distributing the results at the conference.

We want this survey to be meaningful and attuned to your interests. Therefore, we ask all Children and Family Chapter members to send us possible questions. Our email and mailing addresses are listed below. **Please submit your additional recommended questions by July 15, 2016.**

Aside from name, contact information, web site, and other jurisdictional facts, below are some questions we are considering for the survey:

*[Do not answer these yet, we will send them in a survey later (shooting for July 22, 2016). The questions are meant to start you thinking and to prompt you to suggest additional questions.]*

- How many people in your ombud office? [FTE count in either fiscal year (FY) 2016 or calendar year (CY) 2015]
- Total cases? [Again, use FY16 or CY15]
- Of those, how many are child safety cases?
- What is the name of the child safety agency you investigate?
- Are you an Agency, Legislative, Executive, or other form of ombudsman office?
- Do you create and distribute annual or other periodic reports? If so, are they publically available at a specific web link?
- Have you issued any case specific child safety public report in the past five years? If so, are they publically available at a specific web link?
- List your child safety agency’s most frequent 5 root causes of problems you substantiate:
- List where your agency has contributed significantly, through ombudsman actions that has resulted in the agency making a positive change:
- If you could get your child safety agency to make two changes to their operations, what would they be?

(continued on page 5)

(continued from page 4)

- Regarding the prior question, have you made recommendations in these areas?  
Y / N
- If state agencies push back, what have you done? Has that worked or not?
- Most jurisdictions do not have authority to order operational changes at an agency, but may issue recommendations. Given that, what has been successful in your jurisdiction at getting agencies to do what you suggest and/or interact collaboratively?
- In your state, is there a particular pamphlet, web site or other resource(s) that is/are good at helping families understand the dependency process? If so, please note where the resource is found.
- Is there a particular resources from the Federal government that your office finds valuable for child safety matters?
- Good trends in the area of child safety? Bad trends in the area of child safety?

We hope each of you can join us at the annual conference this October. This newsletter has other articles specific to the conference, so we will not be redundant. However, we will note that we anticipate that confirmed speakers from the Anne Casey Foundation will be a big draw to Child and Family Chapter members because of that foundation's special expertise in child and family safety issues. Because the conference will be held in the Washington, DC area, members will have proximity to Federal child and safety resources too. If you know of ombudsmen who are not yet members of USOA, who we should notify of this training opportunity, please drop us a line with their name and email. We will be happy to send conference materials to them.

We also encourage each of you to send us copies of your recent public reports relating to child and family issues. We will be happy to post these documents for their sample and news value.

Please do not hesitate to contact us if you have questions or ideas.



**Joanne MacDonnell**, Deputy Ombudsman  
[Arizona Ombudsman Office](#)  
 3737 N. 7th Street, Suite #209  
 Phoenix, AZ 85014  
 Phone: 602-277-7292  
 Fax: 602-277-7312  
 Email: [jmacdonnell@azoca.gov](mailto:jmacdonnell@azoca.gov)



**Orlene Hawks**, Director  
[Office of Children's Ombudsman](#)  
 124 W. Allegan, Ste. 100, Boji tower  
 Lansing, MI 48933  
 Phone: 517-373-3077  
 Fax: 517-335-4471  
 Email: [hawks@oomb.michigan.gov](mailto:hawks@oomb.michigan.gov)



*“How many inmates in your jurisdiction are currently held in administrative segregation based on a request by the federal government, and for how long?”*



## **Use of Admin Segregation for Federal Inmates Housed in State Facilities**

There is a growing concern over correctional facilities’ use of segregation, or solitary confinement, and it is gaining increasing attention across the political spectrum. As ombudsmen, it is likely you deal with many issues associated with this practice. But there may be one you haven’t yet considered.

Recently, our office completed an investigation of a complaint from an inmate who said that he had been held in segregation for nearly two years even though he had no disciplinary write-ups, nor was he in protective custody. Under Alaska Department of Corrections (DOC) policy and procedure, inmates are afforded monthly review hearings when they are held in administrative segregation. Although DOC was providing him with the requisite monthly review, those hearings were simply pro forma.

The inmate was a federal inmate and it turned out he was held in segregation strictly because the U.S. Marshal’s office requested it. Instead of making an independent decision on the inmate’s segregation status, the DOC relied entirely on the U.S. Marshals request that the inmate be placed in segregation.

In addition to holding the inmate in administrative segregation just because the U.S. Marshals asked them to, both the U.S. Marshals and DOC officials refused to provide the inmate with a copy of the request so that he could challenge the reasons for it.

This denial of due process brings up some aspects that you may not have considered before: How many inmates in your jurisdiction are currently held in administrative segregation based on a request by the federal government, and for how long?

In this case, our office recommended that DOC immediately hold a true classification hearing for the inmate. The department failed to respond to the recommendation and the inmate was subsequently transferred to the Federal Bureau of Prisons where he was released into general population. The ombudsman then offered another recommendation in place of the first—that the department stop its practice of deferring its classification responsibilities to outside entities such as the US Marshals and, that if it is currently holding any inmates in solitary confinement as a result of a federal request, that it immediately hold classification hearings for those inmates.

Unfortunately, the department hasn’t responded to that recommendation either. However, this case brought a new class of inmates into focus for our office. This class of inmates may not be large in number, but the devastating effects of segregation warrants that ombudsmen with jurisdiction over state departments of corrections be aware of this practice.

Linda Ritchey  
USOA Corrections Chapter Co-Chair  
State of Alaska  
Office of The Ombudsman  
Intake Officer

## Ombuds Report Finds Children Under the Age of 3 are at Greatest Risk of Maltreatment Related Fatalities

The Washington State Office of the Family and Children’s Ombuds (OFCO) found that the overwhelming majority of maltreatment related fatalities it reviewed involved children zero to three years of age. OFCO conducts administrative reviews of all child fatalities and near fatalities both involving child abuse or neglect and cases unrelated to child maltreatment, of children, whose family had an open case with DSHS within one year prior to the incident. As described in this report, OFCO examined **114 child fatality cases** and **45 near fatality cases** between calendar year 2014 and 2015. Through these reviews OFCO identifies common factors and systemic issues regarding these critical incidents.

### Key points discussed in this report include:

- **Unsafe sleep practices** continue to be a leading factor associated with infant deaths. Many of these deaths involved a parent or another adult co-sleeping with the child.
- Fatalities of **Native American** and African American children continue to be disproportionately high relative to their representation in the state population.
- Major risk factors in these child fatalities include: **substance abuse** by and/or **mental health problems** of a caregiver; and/or a history of **domestic violence** in the family.
- **Opioid use** specifically has been increasing both nationally and across Washington in recent years. From 2012 to 2015, OFCO identified 32 maltreatment related child fatalities where a caregiver’s opioid use was a known risk factor.

### Recommendations include:

To reduce child maltreatment related child fatalities, OFCO recommends that the state take action to: expand services for expectant mothers, and mothers of newborns such as the Nurse-Family Partnership; provide DCFS caseworkers with additional training and support resources addressing substance abuse by parents, and assessing child safety; and provide evidence based substance abuse education and prevention for children and youth in state care.

The full report is available at: [ofco.wa.gov](http://ofco.wa.gov)

*“Major risk factors in these child fatalities include: substance abuse by and/or mental health problems of a caregiver; and/or a history of domestic violence in the family”*





United States  
Ombudsman Association

USOA CONTACT INFORMATION:

United States Ombudsman Association

200 W. 2nd Avenue

Indianola, IA 50125

Fax: (866) 442-6751

<http://www.usombudsman.org/>

**The United States Ombudsman Association was founded in 1977 to foster the establishment and professional development of public sector ombudsman offices throughout the United States and the World. The USOA is the oldest ombudsman organization in North America.**