**1889-S2.E AMS DARN S6015.1 - NOT FOR FLOOR USE**

**E2SHB 1889** - S AMD TO WM COMM AMD (S-5739.1/18) **789**

By Senator Darneille

**ADOPTED 02/28/2018**

On page 1, line 20 of the amendment, after "ombuds" insert "reports directly to the governor and"

On page 1, beginning on line 21 of the amendment, after "secretary." strike all material through "governor." on line 23

On page 4, line 4 of the amendment, after "regarding" insert "any of the following that may adversely affect the health, safety, welfare, and rights of inmates"

On page 7, line 26 of the amendment, after "section." strike all material through "office" and insert "All records exchanged and communications between the office of the corrections ombuds and the department to include the investigative record"

On page 7, line 35 of the amendment, after "(5)" insert "If the ombuds believes it is necessary to reveal investigative records for any of the reasons outlined in section 4 of this act, the ombuds shall provide a copy of what they intend to disclose to the department for review and application of legal exemptions prior to releasing to any other persons."

EFFECT: The power of the Ombuds to initiate and attempt to resolve an investigation upon his or her own initiative must relate to the health, safety, welfare, or rights of inmates. All records exchanged and communications between the office of the corrections Ombuds and the department, including the investigative record, must be confidential and exempt from public disclosure. The Ombuds must provide a copy of investigative records which it intends to disclose to the public to DOC for review and application of legal exemptions prior to release. The Ombuds must report directly to the Governor. A requirement for the Ombuds to have a clearly delineated budget separate from the overall budget for the Office of the Governor is removed.