

GOVERNOR VICTOR ATIYEH



CITIZENS' REPRESENTATIVE

FINAL REPORT

1979 — 1986

PREPARED BY:

GEORGENA CARROW, CITIZENS' REPRESENTATIVE

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VICTOR ATIYEH
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM, OREGON 97310

The Citizens' Representative is a state officer appointed by the governor to receive and act on citizen complaints concerning any state agency or employe. The Citizens' Representative may also initiate investigations when appropriate. The position, formerly called "ombudsman," was changed February 1, 1981 to more clearly reflect the duties of the office.

The Citizens' Representative reports regularly to the governor and legislature, noting problems in government areas that indicate a need for action or change and often initiating projects intended to get information to Oregonians before problems develop.

This report is intended to be a final compilation of the activities of the office of Citizens' Representative during the administration of Governor Atiyeh. It has been through his guidance and leadership that this office has become a focal point for citizen issues to state government.

This report contains a statistical review of the past two years of activity in the office, as well as a summary of the previous years performance.

The top priority of this office and Governor Atiyeh is to serve the citizens of Oregon by providing a constant means of direct access between people and state government. It is in that spirit that this report is submitted.

Sincerely,

Georgena Carrow
Assistant to the Governor
Citizens' Representative

GC/kg

HISTORY OF OFFICE

In July 1969, Governor Tom McCall established the first "ombudsman" office for State government. That office operated until February 1, 1981 when Governor Atiyeh changed it to be called the Citizens Representative.

During the Atiyeh administration, there have been four persons in the post of Citizen's Representative:

Jackie Winters served January 1979 - December 1980

Paul Phillips served from January 1981 - April 1983

Jeffrey Lewis served from June 1984 - August 1986

Georgena Carrow served from August 1986 - January 1987

Throughout the years, the office has maintained its general purpose to provide an avenue to state government for the citizens of the state of Oregon. Whether it be a complaint about service, a need for information, a helpful hint, or words of praise, the Citizens Representatives' Office has been available to the citizen.

Governor McCall described the office as a way to make government "more viable, more responsive, more human from within as well as from without."

AUTHORITY/RESPONSIBILITIES

Authority:

Governor Atiyeh in his charge for the Citizens' Representative/Ombudsman included the following:*

1. Investigate, upon complaint of any person or upon own initiative, any administrative action of any state agency.
2. When an agency is found to be objectionable, the Citizens' Representative is directed to submit constructive criticism to the agency concerned with recommendations for modifying the policy procedure or circumstances precipitating the undesirable action.
3. Identify patterns or clusters of problems, procedures or policies.
4. Assist in organizing "the system" so the individual is given top priority.
5. Assist the Governor in determining priorities and positions on issues and citizen concerns; and report these to the Governor and Legislature.
6. Include in his/her workload field contact, observation and investigation.
7. Perform a variety of special assignments upon the request of the Governor.

The Citizens' Representative speaks for, and on the behalf of, the Governor in dealing with citizen concerns and problems. The Citizens' Representative concerns are the concerns of the Governor and his/her requests are to be treated as requested from the Governor.

*as originally described by Jackie Winters, first Citizens' Representative/Ombudsman.

Responsibilities and Functions

Although the authority is clearly established for the office, its actual functioning is most dependent on the Citizens' Representative fulfilling the duties of the office.

The Citizens' Representative office performs best in an informal yet professional atmosphere. The office must have independence, access to the Governor, knowledge of state government and cooperation of the agencies.

Oregon residents from inside and outside the state have contacted the Citizens' Representative with their inquiries, requests for assistance and requests for information relating to state agencies and other governments.

The method of public contact with the Citizens' Representative is a matter of personal convenience. Citizens may visit the office, write their complaints and concerns or communicate by telephone.

Many inquiries are referred by the Oregon congressional members who lack jurisdiction in state matters, by state legislators, and by other public officials. Just as the Citizens' Representative receives referrals from these bodies, the exchange is mutual where the problem coming to the Citizens' Representative is not within the Citizens' Representative's jurisdiction. The Citizens' Representative also receives complaints from persons wanting to talk to the Governor who accept referral to this office for the immediate service the Governor may be unable to provide.

The volume and nature of citizen inquiries received makes it necessary to route some inquiries to agency administrators for investigation, resolution and/or recommendation to the Citizens' Representative. Reports and recommendations on referred cases are fully reviewed. If there is a question to the adequacy of information, the appropriateness of action resulting from the inquiry, or the value of recommendations, the Citizens' Representative or the staff will usually meet with an administrator and/or appropriate agency staff for clarification and possible negotiation for what may be considered a more appropriate or favorable resolution. Depending on the agency and type of complaint, local, branch or regional offices may be utilized.

Where patterns or clusters of complaints emerge, the Citizens' Representative will advise the Governor of the extent of the problem and discuss administrative resolution sought or statutory changes that may be required. Contact with the agency will be made and action sought.

On a limited basis, inquiries may warrant visits to institutions, agencies or to other areas of the state. They may involve a number of people, a formal organization, a local branch of an agency, or governmental officials; and the inquiry may be complicated or volatile that only in-depth investigation can create the atmosphere for negotiation.

As in all relationships where cooperation is key to success, this office has experienced, with few exceptions, excellent cooperation. In addition, there are agencies that are outstanding in response time and who go the extra mile to resolve a problem.

SPECIAL PROGRAMS

Listening Post:

The Listening Post Program, one of the special projects under the auspices of the Citizens' Representative, was initiated by Governor Atiyeh in 1979. Concerned that citizens at the "grass roots" level were being squeezed out of government, the Governor organized the Listening Post Program in an attempt to keep the executive branch of government responsive to its citizenry.

The original premise of the program, that "government makes better decisions when it has the most information from the most people," continues to be true; however, the structure of the Listening Post program has changed considerably.

Throughout his 1978 gubernatorial campaign, Governor Atiyeh promised the people that he would not listen to them only during his campaign, but that he would continue to listen after his election. Originally, the fulfillment of this promise took the form of a tri-annual television presentation discussing one or more major state issues of the day. Residents of Oregon communities were subsequently polled for their opinion on the issue presented and those results were reported to the Governor. In addition to the television presentation, a designated "Director" from each county was to report monthly to the Governor on county activities and concerns. Although the program in this form accomplished a great deal, it was not yet as effective a tool as Governor Atiyeh had hoped. Changes were made and, gradually, the Listening Post Program evolved into what it is today.

Currently, Governor Atiyeh has Listening Post Representatives working in all 36 Oregon counties, representing 46 urban and rural communities. These posts are responsible for keeping the Governor informed regarding the particular concerns and issues in and around their community. Through monthly reports, letters and telephone contacts, the Listening Post Representatives are able to accomplish this task.

It should be noted that the Listening Post Program has developed an important secondary function. Information no longer flows strictly from the Representatives to the Governor, but Governor Atiyeh has found that he can reach out to Oregon communities through these Representatives. For example, the Governor believes that community activism, voluntarism and good citizenship are crucial to our society today. Through the Listening Post Program, Governor Atiyeh is made aware of individuals who have exhibited these qualities and can recognize them through letters of appreciation.

CURRENT STAFF/DUTIES

The following are the current staff positions located in the Citizens' Representative office;

Assistant to the Governor, Citizens' Representative

General Duties:

- o Receive citizen complaints
- o Review, investigate and resolve
- o Provide information to citizens as needed
- o Refer citizens to appropriate agencies in state government
- o Manage Citizens' Representative's Office
- o Prepare reports
- o Supervise Listening Post Program
- o Special duties assigned by Governor

Deputy Citizens' Representative

General Duties:

- o Review, investigate, resolve citizen complaints as assigned
- o Provide information and referral for citizen inquiries as assigned
- o Maintain files of each case reviewed
- o Act as Citizens' Representative when needed

Assistant to Citizens' Representative

General Duties:

- o Review, investigate, resolve citizen complaints as assigned
- o Provide information and referral for citizen inquiries as assigned
- o Maintain files of each case reviewed
- o Provide staff assistance for Governor's Open House program
- o Provide receptionist/clerical back-up as needed

Management Assistant to Citizens Representative

General Duties:

- o Serve as first contact for citizens, either by answering telephone inquiries or visitors
- o Refer citizens to appropriate agency or staff person for assistance
- o Manage office functions: files, reports, telephone logs and general clerical functions
- o Special assignments for Governor or Governor's staff

STATISTICAL REVIEW

Statistical View

1984-86 - Report of two year period

1979-86 - Summary of seven year period during Governor Atiyeh's administration

Definition of Terms:

For statistical purposes, two types of categories are used - "information and referral" and "cases". Information and referral is considered a contact if assistance can be provided the complainant directly without involvement between the Citizens' Representative and the agency. The Citizens' Representative seeks in the initial citizen's contact to determine whether the individual has sought a solution from the agency. If the citizen has not made contact with the appropriate agency, the Citizens' Representative refers the individual to the appropriate agency or provides the necessary information to a question. A citizen inquiry becomes a case if resolution requires research, communication with an agency, personal conferences with agency officials, or investigation by an agency and/or the Citizens' Representative.

An inquiry is considered resolved when the Citizens' Representative need not take further action and the citizen is so advised. Resolution is also considered reached when it is determined there has been equity even though the client is dissatisfied; regulator or budgetary limitation which, if altered, would penalize others who might be affected; or statutory or jurisdictional authority prohibits any action by the Citizens' Representative or an agency. Whatever the results, every effort is made to share the final decision with the citizen.

Inquiry resolution time can take from a day to several months depending upon the complexity. Whatever the resolution or the time required to resolve, with few exceptions, citizens accept the results in good faith, feeling they have had the benefit of a fair and impartial hearing.

CLOSED CASE AND TELEPHONE STATISTICS

January 9, 1979 - December 31, 1986

TOTAL TELEPHONE CALLS RECEIVED	<u>109,722</u>
TOTAL CASES CLOSED	14,387
TELEPHONE & STAFF INFORMATION & REFERRALS	<u>26,714</u>
TOTAL OFFICE INTAKE	41,101

COMPLETED CASELOAD TOTALS
 BY
 ADMINISTRATIVE AGENCIES
 FOR THE EIGHT YEAR PERIOD
 January 1979 - December 1986

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
ACCIDENT INSURANCE FUND (SAIF)	90	89	51	80	65	43	24	8	450
AGRICULTURE, DEPARTMENT OF	1	7	1	12	2	2	8	4	37
ARTS COMMISSION, OREGON				2	1	1			4
BAR ASSOCIATION, OREGON	2			5					7
BLIND, COMMISSION FOR THE	1	2		5	4		1		13
COMMERCE, DEPARTMENT OF	2	6	3	7		9	2	5	34
Accountancy, Board of			1	1	1				3
Architect Examiners, Board of		1				1			2
Auctioneers, Board of	1								1
Banking Division			2				1	1	4
Barbers and Hairdressers, Bd. of					2			1	3
Builders Board	18	22	6	14	8	11	6	8	93
Building Codes Division	15	8	12	12	7	9	17	7	87
Consumer Services Division	4	3							7
Corporation Division	4	5	4	7	3	9	14	4	50

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
COMMERCE, DEPT. OF (Cont'd)									
Engineering Examiners, Bd. of	2			2			1		5
Fire Marshal Division	3	2	1	2	2		2	2	14
Geologists Examiner, Bd. of	1	2							3
Housing Division	2	6		2	5	4	5	4	28
Insurance Division	17	11	10	13	8	8	20	36	123
Landscape Contrs. Advisory Bd.		1		2	1			1	5
Real Estate Division	22	2	6	8	3	1	4	5	51
Tax Service Examiners, Bd. of		1		1		1			3
TV & Radio Services Advisory Bd.			1	1	1	1	4		8
ECONOMIC DEVELOPMENT, DEPARTMENT OF	3	8		3	2		2	5	23
EDUCATION, DEPARTMENT OF	14	3	6	8	13	8	6	4	62
EMPLOYMENT RELATIONS BD.		1	1	1	2				5
ENERGY, DEPARTMENT OF	9	8	3	6	2	3	1	1	33
ENVIRONMENTAL QUALITY, DEPT. OF	34	46	32	21	23	13	10	16	195
ETHICS COMMISSION, OREGON GOVNMT.		1	1					3	5

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
EXECUTIVE DEPARTMENT	9	3	2	6	3	2	6	6	37
Emergency Management Division				1			2		3
Intergovernmental Relations Div.		1	1				1		3
Personnel Division	5	2	4	1	2		1		15
FAIR & EXPOSITION CTR., ORE. STATE	3	5	6	1	1		2		18
FISH AND WILDLIFE, DEPARTMENT OF	8	18	12	14	11	6	15	8	92
FORESTRY, DEPARTMENT OF	4	4	6	6	2	4			26
GENERAL SERVICES, DEPT. OF	13	12	17	13	7	14	14	10	100
GEOLOGY & MINERAL INDUS., DEPT. OF		1	1	2	2				6
GOVERNOR'S OFFICE	3	6	4	1	17	19	3	4	57
HEALTH PLANNING & DEV. AGENCY, STATE		1	2	1		4	2	3	13
HIGHER ED., OREGON STATE SYSTEM OF	24	29	28	18	7	29	22	22	179
HUMAN RESOURCES, DEPARTMENT OF	4	6	7	17	3	12	14	20	83
Adult & Family Services Div.	171	185	142	355	464	432	587	672	3,008
Children's Services Division	71	63	80	101	113	150	129	118	825
Community Services Division			1	3	3	1			8
Corrections Division	43	16	212	516	226	176	81	41	1,311
Elderly Affairs, Office of (Now Senior Services Div.)	5		2						7

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
HUMAN RESOURCES, DEPT. OF (Cont'd)									
Employment Division	73	63	127	125	136	157	147	79	907
Health Division	57	42	23	19	26	41	20	18	246
Chiropractic Examiners Bd.				12			1		13
Dentistry, Oregon Bd. of				1	1	1		1	4
Funeral Directors & Embalm. Bd.		1			1				2
Massage Technicians, Bd. of			1		1	1			3
Naturopathic Examiners, Bd. of			1		1				2
Nursing Home Admin. Exam. Bd.	4	19							23
Nursing, Board of	1	1			4		1		7
Optometry, Board of		1							1
Pharmacy, Board of		1	2	1					4
Psychologist Exam., Board of		1	1	1					3
Social Protection, Board of		1		1					2
Veterinary Medical Exam. Bd.				1					1
Mental Health Division	53	36	56	55	44	65	51	29	389
Senior Services Division				14	27	74	99	88	302
Vocational Rehabilitation Div.	24	35	25	31	52	17	12	9	205

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
JUDICIAL DEPARTMENT							1	2	3
Court of Appeals	5		1	1	8				15
Court Administrator's Office					1	1			2
JUDICIAL FITNESS COMMISSION	1		2						3
JUSTICE, DEPARTMENT OF	2	4	12	2	9		6	3	38
Consumer Protection Affairs (Financial Fraud Unit)	1	2	5	4	6	4	1		23
Special Compensation Fund					1				1
Support Enforcement Division	11	9	12	45	61	39	46	49	272
LABOR AND INDUSTRIES, BUREAU OF	23	10	5	9	1	4	3	1	56
LANDS, DIVISION OF STATE	3	2	2	5	7	2	6	4	31
LAND CONSERVATION & DEVELOPMENT	2	14	11	15	7	12	14	7	82
LEGISLATURE	4								4
LIBRARY, OREGON STATE					1		1		2
LIQUOR CONTROL COMMISSION, OREGON	18	16	7	26	4	7	7	2	87
LOTTERY, OREGON STATE							14	4	18
MARINE BOARD, OREGON STATE	2	1		3		1			7
MEDICAL EXAMINERS, BOARD OF		1			5	3	3	2	14
MILITARY DEPARTMENT, ST. OF OREGON	7	13	6	5	7	6	8	13	65

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
PAROLE, BOARD OF	1		15	18	61	57	37	10	199
POLICE, OREGON STATE	36	19	11	8	16	6	8	7	111
POLICE STANDARDS & TRAINING BD. ON				3			1		4
PSYCHIATRIC SECURITY REVIEW BD.				2	8	4	1	2	17
PUBLIC DEFENDER						2			2
PUBLIC EMPLOYES RETIREMENT SYSTEM	7	7		11	3	7	9	7	51
PUBLIC UTILITIES COMMISSIONER	15	33	17	7	10	9	14	14	119
RACING COMMISSION			1				1		2
REVENUE, DEPARTMENT OF	40	29	35	37	44	43	41	24	293
SCHOLARSHIP COMMISSION, STATE		1				2	6	4	13
SECRETARY OF STATE	2	3	1	2		2			10
SOIL & WATER CONSERVATION COM.			1						1
TEACHERS STDS. & PRACTICES COM.	2	4	1	1		2	2	1	13
TRAFFIC SAFETY COMMISSION				1					1
TRANSPORTATION, DEPARTMENT OF	14	11	8	16	9	8	14	19	99
Highway Division	15	37	41	49	49	20	46	21	278

AGENCY	1979	1980	1981	1982	1983	1984	1985	1986	TOTAL
TRANSPORTATION, DEPT. OF (Cont'd)									
Motor Vehicles Division	57	69	44	46	43	86	82	72	499
Parks Division				1	6	9	5	2	23
VETERANS' AFFAIRS, DEPT. OF	39	107	69	91	109	76	91	62	644
WATER RESOURCES, DEPT. OF	3	9	5	4	9	2	2		34
WORKERS' COMPENSATION BOARD	31	58	50	42	26	4	12	11	234
WORKERS' COMPENSATION DEPT.	53	69	54	81	102	81	83	75	598
CITY	36	22	7	11	3	3	2	1	85
COUNTY	65	43	38	37	56	33	15	11	298
FEDERAL	46	31	22	29	16	19	15	3	181
MISCELLANEOUS	48	62	84	93	90	79	73	63	592
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TOTAL	1,409	1,474	1,471	2,237	2,087	1,962	2,008	1,739	14,387

COMPARISON TABLE

<u>CLOSED CASES BY MONTH</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>
JANUARY	96	99	80	140	183	152	169	142
FEBRUARY	104	120	83	156	147	159	129	176
MARCH	145	149	101	188	231	191	144	160
APRIL	112	139	92	213	194	208	140	152
MAY	97	136	110	192	189	169	130	139
JUNE	124	167	117	196	155	174	152	125
JULY	102	123	126	206	203	159	213	119
AUGUST	116	94	155	195	168	212	250	104
SEPTEMBER	137	126	136	154	148	149	204	145
OCTOBER	145	89	125	240	157	150	179	193
NOVEMBER	96	110	171	190	135	121	139	169
DECEMBER	135	117	175	167	171	118	159	115
TOTAL CLOSED CASES	1,409	1,474	1,471	2,237	2,087	1,962	2,008	1,739
INFORMATION & REFERRALS	3,888	3,079	3,410	4,246	4,091	3,015	2,615	2,370
TOTAL OFFICE INTAKE	5,297	4,553	4,881	6,483	6,178	4,977	4,623	4,109

TOTAL OFFICE INTAKE FOR THE PERIOD (JANUARY 8, 1979 through DECEMBER 31, 1986) - 41,101
TOTAL TELEPHONE CALLS (RECORDED) RECEIVED DURING THE ABOVE PERIOD - 109,722