

WISCONSIN CAMPAIGN EDITION

Re: Parole Rule change petition Using Statute 227 went out April 6th - needs support.

Well, the rule change petition is finally done and went to DOC Secretary Wall, Parole Commissioner Dean Stensberg and Health Director James Greer on the 6th of April. A major question was "who makes the PAC rules?" According to the statutes, only the legislature can give that power and they only give it to the DOC. But we found this law was little known and after

long research and many questions we were advised to send to the heads of the three departments as this was an important issue for all of them. We hope this will at least spark a discussion in the right direction. They must by law answer this petition. It has compelling argument for the change and gives history of the whole debacle and charts showing relative "dangerousness" of various age groups and the money to be saved by doing the right thing. A copy of the Petition for Parole Rule change is also online at : secondchancewi.org. The final rule changes proposed are here on page 8. If you want a full copy (half size) of the 27 page document, Write FFUP. This was a product of months of back and forth writing between FFUP and several dedicated prisoners. We thank all for help and also the legislative aides that advised us in procedure.

WHAT NEXT??? . It seems to this writer that the pressure we have brought so far on the WI DOC has increased awareness but on the ground only resulted in a little discomfort and seemingly more corruption. For example, we have reports that a new assessment, compass testing is being used now to mandate new programming for those long ago ready for release. We must widen our scope and speak not only to those who are directly affected and aware of the prison debacle -We have to reach our neighbors, our friends, our legislators. Students need to learn that we are spending more on prisons than on our college system for the first time in history. In the dark ages I went to college for \$300 a semester, my husband free (NY). The State supported education!! The prison population was small, prisons had decent programming and prisoners got college degrees through Pell grants. Now our State's entire school system is in jeopardy and there is almost no programming for the kids streaming into our gulags.

A big part of our financial difficulties is due to incredible health care costs for elderly and sick old law prisoners and this what will resonate best with our legislators, I am afraid- not the underling moral message. 40 to 100000 thousand a year per prisoner can be saved if released. We need to use all our creative powers to bring the full scale of the moral and financial debacle to the public. The article on pages 6 and 7 outlines a shift in focus of the National Republican party toward prison reform. The Supreme Court also blasted our justice system recently. Unfortunately, as the enclosed article points out, Governor Walker stands alone among republican biggies in his opposition to any kind of prison reform. The time is right for a full scale campaign. NO LAWS need to be changed- Just a change in heart and that is what political pressure can bring.

1) **Our next move is contacting legislators** requesting that that they ask DOC Secretary Wall and Parole commissioner Dean Stensberg to implement the new rules and I ask those of you who have contact with your families to ask them to contact their legislators by phone or mail or email.. All your efforts are important and are appreciated. Calls to legislators so far show there is support and interest when the issue is explained.. (2 Sample letters and where to write on next page)

2) **Ask your families to put out our campaign materials.** We need to talk to our neighbors, people in our groups and churches about old law prisoners too. This is the hardest, to make this a real movement more people need to be outraged. As Supreme Court Justice Kennedy said in his recent blasting of the justice system : "I think, Mr. Chairman, that the corrections system is one of the most overlooked, misunderstood institutions we have in our entire government. In law school, I never heard about corrections. Lawyers are fascinated with the guilt/innocence adjudication process. Once the adjudication process is over, we have no interest in corrections.. Nobody looks at it." We need to help change that. **See FLIER PAGE 9 and 10.**

3) **PRISONERS- we need posters and pamphlets!!** We have one flier t (enclosed) need more and better- Keep them black and white though- this is a low budget movement.

4) **Petitions for individual parole applicants.** One way to build solidarity and consistency in this movement is if all work for all through petitions for our individual incarcerated loved ones. The idea is to do online petitions for specific inmates as they come up for parole, while each petitions would be linked to a blog telling the prisoner's story. All would sign for each and gradually the net of awareness would grow into a pressure movement with a group solid enough to have a petition drive targeting Walker, listening sessions and media that would highlight the outrage of the system through individual stories. Petitions are a great educational tool and if we link all to blogs on specific prisoners issues, we can help raise public awareness of the morale and financial outrage our system has become.

To start, we would put petitions online for those prisoners with families who have time, energy and resources to spread the petition to friends and allies. To merely post something on the web does nothing- it merely molders- spreading the word is essential. Family members and friends would learn about each others' imprisoned loved ones and sign each others' petitions and gradually this would grow. Finally, if we work at it, we can have enough of a network that prisoners without families will also get supported. With this technique, we can gradually highlight other specific groups and issues like juvenile lifers - again using the petitions as an educational tool , for each prisoners name will be linked to a blog post about him/her and that can feature all the docs and writings needed to tell a complete story. Bringing the media in is important and these blogs and petitions will attract interest that can finally make the law do right.

PLEASE Have your families CONTACT FFUP if they can help with ANY OF THE ABOVE

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Pg 9 and 10 parole flier ready for distribution to the public

Please ask your families and friends to join us in this effort!!

Sample letter to legislators

WHO REPRESENTS ME?

Here is the website to find out your legislators' contact information:

<http://legis.wisconsin.gov/>

phone number to get contact info on legislators is: 800 362-9472 (state switchboard)

address for senators: PO Box 8952, Madison, WI 53707

address for representatives by last name

a-l : PO Box 8952, Madison 53708;

m-z : PO box 8953; Madison 53708

And here are two sample letters:

1) Name and address of your representative (see above)

Date

Dear Representative/ Senator _____,

I write to bring an important matter to your attention. Increasing attention has been given Wisconsin's incarcerated "Old Law Prisoners." These are the over 2500 prisoners long eligible for parole, many rehabilitated, who are being held in our prisons at enormous cost in lives and resources. I understand that no laws need to be changed to fix this, but that the vagueness of the parole rules allow for the present mismanagement. Please put pressure on the DOC Secretary and the Parole chairman to do the right thing, to make changes in the parole rules PAC106 that allow the parole system work as the statutes intended.

Tell your story here. Remember your legislators hire staff to serve you and getting to know the aides of your representative is a good idea.

Your name and address (address important).

2) More complicated sample- tells the whole thing. Tell your story here too

Name and address of your representative (see above)

Date

Dear Representative/ Senator _____,

I write to bring an important matter to your attention. Increasing attention has been Wisconsin's incarcerated "Old Law Prisoners." These are the over 2500 prisoners long eligible for parole, many rehabilitated, who are being held in our prisons at enormous cost in lives and resources. I come to you with a solution, a **Petition for Parole Rule Changes Using Statute 227** that if adopted, would make the parole system work as it was intended. This parole rule change petition was sent to DOC Secretary Wall and Parole Chairman Dean Stensberg April 6th and is written under the rubric of statute 227, which mandates that the rule proposals be seriously considered and the petitioners be given a considered response.

I write to ask you to look over the petition at www.secondchance.org and contact Parole chairman Stensberg and DOC Secretary Wall to ask that they adopt these rules. There need be no law changes to fix our broken system. The vague and subjective nature the present parole rules (PAC106) allow for contradicting and ever changing unwritten guidelines and rules that keep the parole ready inmate incarcerated year after decade. Because of the health care needs for this aging group of prisoners, the Department of Corrections has no funds for rehabilitation, mental health treatment or adequate professional staff. There is no Medicare or Medicaid for prisoners and we the WI taxpayer must pay 60 to 100 thousand dollars a year per inmate to provide health care as they age and become sick. The result is that we Wisconsin taxpayers for the first time in history spend more on our prisons than we do on the entire College system.

All Old Law prisoners are over 30 and many have families waiting for them and all are past the age when most crime is committed. Our new rules will ensure that those that are ready for release will get to go back to their communities and will stop the enormous waste in lives and resources. Please take a serious look at the petition online at

www.secondchancewi.org and consider supporting it...

Thank you, (your name and address)

New State Parole Chief Faces Pressure from Justice Reform Advocates

<http://www.wpr.org/new-state-parole-chief-faces-pressure-justice-reform-advocates>

Activists Push For Speedier Parole For Prisoners Sentenced Under Old Rule; 4 23 15; By Gilman Halsted

Prison reform advocates want the newly appointed chairman of the state's parole commission to streamline the parole process for inmates known as "old law prisoners." They were sentenced before the year 2000 when a law passed effectively abolishing parole.

Family members of some of the 400 old law inmates who are now eligible for parole testified at the confirmation hearing for the new parole chief Dean Stensberg. Judy Cooper said her husband Tony has served 24 years in prison for robbery and attempted homicide and has met all criteria for release but he has been denied parole 14 times.

"You committed a violent crime and, yes, that's true, victims are never forgotten. But do you believe in change?" Cooper asked. "It says 'corrections' but when you've taken all the corrective measures that have been given to you, then why isn't it recognized?"

Stensberg said he'll follow current law on granting parole and will pay particular attention to whether inmates have completed all their required treatment programs and pose little risk of committing new crimes.

Reform advocates from the group WISDOM said the current parole system is broken because it ignores the intended sentences handed down by judges before so-called "truth in sentencing" changes went into effect. The most common reason the parole board gives inmates for denying their parole is that they have not served enough time to be punished for their crime. But reformers argue judges who sentenced these inmates expected them to be eligible for parole long before they completed the sentences.

The percentage of inmates eligible for parole who have been granted release has declined steadily since over the past decade. More than a thousand were paroled in 2003-04 but only 140 in 2012-13. Stensberg said the number increased last year to 200.

Reform advocate Ralph Jackson of Madison said he supports Stensberg's appointment but urged him to consider national studies that indicate most violent offenders who do get paroled don't go on to commit more violent acts. Reverend Jerry Hancock, who runs a prison ministry program in Madison, said releasing the 400 old law prisoners who are now already in minimum security prisons would save the state \$20 million a year.

Also this: MacIver News Service | April 1, 2015:[Madison, Wisc...] Grover Norquist, President of Americans for Tax Reform, delivered the keynote address at a criminal justice reform policy briefing to state legislators on Tuesday. The speech at the state capitol focused on the Right on Crime initiative that aims to create a more effective criminal justice system that reduces crime while becoming more efficient for taxpayers. Republican lawmakers are supportive of Norquist's policy ideas, but Democrats are also joining the cause.

Wisconsin prison guard fired for harassing inmates

Investigation confirmed sexual misconduct, other 'demeaning' behavior

April 15, 2015 By [Bill Lueders](#) (edited)

Note from FFUP:: This article is much reduced and the name of prison , guard and prisoner has been removed. We put the story here because it shows the value of persistence in investigative journalist Bill Lueders's efforts to secure his open records request and the courage of the abused prisoner. According to the wisconsinwatch.org article, the prisoner pursued his complaint even though he had been warned in writing by the guard that no one would believe you" if he complained, and it would lead to him being "buried in the hole," meaning solitary confinement . Bravo to Center for Investigative Journalism, Bill Lueders and this anonymous brave prisoner! Full article and Writ of Mandamus filed in case available upon request.

The state Department of Corrections quietly terminated a correctional officer in 2014 for sexually harassing prison inmates, according to records obtained following the filing of a lawsuit. An internal investigation found that a guard engaged in "demeaning and harassing behavior" toward. The records were released Monday, nearly seven months after they were requested by the Wisconsin Center for Investigative Journalism. The Center sued the DOC in late January, citing the agency's failures to respond to this and another records request. In response, the DOC produced a letter denying access to the records, claiming their release would expose DOC employees to "harassment and ridicule, infringing upon their privacy and reputations," undercutting morale and the agency's ability to "hire and retain competent personnel." But after the lawsuit was filed, the DOC's attorneys in the state Department of Justice released more than 100 pages of responsive records, with only minor redactions. the inmate signed a "confidential information" release waiver.



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WISDOM ACTIONS: The following was delivered to all Legislative offices by WISDOM members
March 15

Dear Members of the Wisconsin State Legislature:

I write on behalf more than 150 communities of faith around Wisconsin that comprise the WISDOM statewide network.

You have an opportunity, through the state budget process, to bring some balance and responsibility back to our criminal justice system. There are things you can do immediately. You can:

- Save millions of dollars by demanding that the DOC and the Parole Commission act to release hundreds of “old law” prisoners who should have been home long ago -- **could save at least \$25 million/year;**
- Save many more millions by demanding that the DOC implement alternatives to revocation in a meaningful way -- **could save \$50 million/year;**
- Increase TAD by \$20 million per year, targeting at least half the money for the communities with the highest incarceration rates -- **within 2 years, would save more than \$20 million/year;**
- Move 17 year-olds back to the juvenile justice system where they belong.

Two years ago, you increased funding for Treatment Alternatives and Diversions (TAD) from \$1 million to \$4 million per year. That increase has kept at least 1,000 people out of the state’s jails and prisons.

This year, we ask you to include at least an additional \$20 million per year in the TAD program in the state budget. We further request that at least half of the increase be targeted to the communities with the greatest need.

Recent TAD expansions have gone to new counties, and that has been welcomed. To significantly reduce the prison population, and to move Wisconsin away from having the highest rate of incarceration for African-Americans of any state in the country, the next expansion should go predominantly to communities with the highest incarceration rates. TAD administrators should be given the task of reaching out to the communities that most need it.

TAD programs save taxpayers \$1.96 for every dollar spent. Money spent on TAD will yield dividends in the current budget cycle, and in every future year.

In the 2015-17 budget, we also encourage you to end the waste of money in the Department of Corrections (DOC). There are thousands of people in our prisons, costing an average of more than \$50,000 per year, who do not need to be there. These Old Law prisoners, more than 2,500 men and women who have served the time envisioned by the judge who sentenced them in the last century, are eligible for parole. But the parole system has broken down. By its own admission, it does not coordinate efforts with the DOC. Not all Old Law prisoners are ready to be released, but many are. The DOC and the Parole Commission must be challenged to do their jobs, to move low-risk men and women toward release as soon as possible.

Related to Old Law prisoners is the issue of “compassionate release” for people who are elderly and infirm. There are statutory provisions in both the “old law” and “truth in sentencing” that provide for the appropriate release of many of these prisoners. Yet, the DOC and Parole Commission make very sparing use of this capacity, and continue to waste enormous sums of money on elderly and sick prisoners who could spend their final years with family or in care facilities that would welcome them. The average cost for a state prisoner over age 55 is \$100,000/year. In prison they are not eligible for Medicare dollars to pay for their care.

Another potential source of savings can come from reducing the number of crimeless revocations back to prison. Each year, about 4,000 prison admissions (about half the total) are former prisoners being sent back to prison without being convicted of a new crime. The last legislature passed a law calling for lesser sanctions for technical violations of the terms of supervision, yet the DOC’s proposed budget assumes the same number of revocations as in years past. The DOC has either planned to fail or intends to ignore these provisions, and they have asked you to budget accordingly.

A final area of concern that must be addressed by this budget is the question of 17 year-olds. It seems that there is little opposition in theory to the Second Chance Act, which would move most 17 year-olds back to juvenile court where they belong. The sticking point is that this would increase costs to counties. The budget needs to ensure that counties will have the funding needed to deal with the increased workload in the juvenile justice programs. It is embarrassing that we would sacrifice the future well-being of our youth to a financial squabble between two units of government.

Wisconsin’s annual prison budget has grown from \$178 million to \$1.2 billion since 1990, under the leadership of both political parties. Working together, both parties have an opportunity to cooperate in taking steps to restore balance to our system.

There is no reason to wait two more years.

Wisconsin’s prison facilities are aging and some are rapidly approaching a time when they will need to be closed or have massive renovations. By reducing the prison population today, and providing alternatives that will slow the entry of new inmates, you can ensure that we will not pay for a massive project tomorrow. You can be part of the legislature that finally, in a bipartisan fashion, chooses to do the humane, safe, and fiscally responsible thing.

Sincerely, Sandra A. Milligan, WISDOM President

Exhibit brings home stark reality of solitary confinement

By [Meg Jones](#) of the Journal Sentinel ;March 20, 2015

Most only stay inside a short time, others sit for as long as 45 minutes, listening to their thoughts or a recording of yelling and banging on walls.

It's not actually solitary confinement since visitors can leave at any time, but the replica prison cell that was on display in the lobby of Marquette University's Raynor Library this week is drawing students and curious onlookers who can sit inside for up to 45 minutes. They have the option of going in only with a Bible or Qur'an and pen and piece of paper, just like actual prisoners.

"It's a scary experience," said Tom Harrington, a Marquette freshman from Clarendon Hills, Ill. "You're only there for a couple minutes but just listening to those sounds." "You wouldn't want to hear Chicago." "You'd go crazy after a couple hours." The idea behind the exhibit, which was visiting Milwaukee for the first time, is to draw attention to the treatment of prisoners in solitary confinement in U.S. prisons and jails.

The gray walls are made of wood but look like cinder block and the stainless steel toilet and sink, mattress pad and door with small window and slot to slide a food tray are accurate. The 6 feet by 12 feet exhibit was made by the theater department at Madison's Edgewood College, said Dave Liners of [WISDOM](#), a statewide network of a dozen congregation-based community organizations including Milwaukee Inner-City Congregations Allied for Hope. The exhibit was built last fall and first displayed on the Capitol steps in Madison as well as Edgewood and a few Madison churches. Organizers hope more communities and schools will want to display the jail cell. It stayed up through Friday at Marquette, and will now be taken back to Madison.

An iPad and headphones are proffered to anyone who wants to hear the sounds of incarceration — the audio comes from a Frontline story on solitary confinement.

"One of the things people find so frightening is the sound," Liners said Thursday afternoon. "You can talk about solitary confinement, but when you sit in the place it's quite a different experience."

On Wednesday, a young woman spent 15 minutes alone in the cell, and when she came out she told Liners that her brother was currently serving time in solitary confinement. She wanted to feel a connection to her brother, Liners said. Kirsten Guidero sent the 38 students in her Introduction to Theology class, a required course for Marquette students, in groups of five to spend a few minutes in the exhibit Thursday afternoon.

"I want them to see this as a social justice issue," said Guidero, pointing out to her students, most of whom are freshmen, that Jesus Christ was a prisoner. "I wanted my students to see this is a homegrown issue, it's happening right here in Milwaukee."

Visitors are asked if they want to sign a petition seeking changes in the way solitary confinement is handled in Wisconsin prisons and jails, limiting time to 15 days and ending incarceration for people under 18. A large poster on the side of the exhibit says "Solitary Confinement is Torture."

Delores Bogenrief and Jane Miller spent two hours volunteering as guides Thursday as dozens of high school and college students stopped and went inside.

"A lot of shock," Bogenrief said about the response by students. "They are not aware of what solitary confinement is. A lot shake their head and say 'can this be happening in this country?'"

As students in Guidero's theology class sat on the mattress pad and peered at the toilet and sink, Miller explained that there's nothing for prisoners to do except read and sleep. Lights are always kept on so there's no privacy and there's nothing to occupy their minds. "Guys say, 'Oh, I'll sleep' but you can't sleep your life away. Guys say, 'Oh, I'll just read,' but there's only so much reading you can do," Miller said.



From **Republican 2016ers Are Rethinking ‘Tough on Crime’**

by Michael Tanner March 18, 2015

<http://www.nationalreview.com/article/415557/republican-2016ers-are-rethinking-tough-crime-michael-tanner>

Criminal-justice reform is increasingly an issue among potential 2016 candidates. It wasn't so very long ago that every Republican running for higher office sounded as if he were really running for sheriff. "Tough on crime" was a slogan that never failed. But this time around, something is different. Most of the Republican presidential candidates are touting their positions in favor of reducing prison time, allowing some felons to expunge or seal their criminal records, and even reforming federal drug laws. Senator Rand Paul has been the candidate most identified with calls for criminal-justice reform. Recently, for example, he joined Democratic Senators Cory Booker (N.J.) and Kirsten Gillibrand (N.Y.) in sponsoring legislation that would repeal the federal ban on marijuana. Paul has also co-sponsored the REDEEM (Record Expungement Designed to Enhance Employment) Act with Booker, to make it easier to expunge or seal criminal records for nonviolent offenses. The idea behind the legislation is that a youthful arrest for marijuana possession or joy-riding should not become a permanent barrier to getting a job.

But Paul is not the only senator cum presidential aspirant advocating criminal-justice reform. Recently Senator Ted Cruz joined Democratic Senators Richard Durbin (Ill.) and Patrick Leahy (Vt.), as well as Booker, in introducing legislation that would significantly reduce sentences for many federal drug crimes. That bill passed the Judiciary Committee last year by a vote of 12 to 5. Cruz also co-sponsored legislation with Senator Paul to make the reduction in crack sentencing approved by Congress in 2010 retroactive, as well as cutting the mandatory minimum sentence for a variety of drug offenses in half. More surprising to some, Cruz's fellow Texan Rick Perry has also become a leader on these issues. For instance, the former governor told CPAC, "You want to talk about real conservative governance? Shut prisons down. Save that money." He has pointed out that "During my leadership as governor, Texas shut down three prisons, and we saved taxpayers \$2 billion. When I left office, Texas had the lowest crime rate in our state since 1968. My administration started treatment programs and drug courts for people who wouldn't be served well by sitting behind bars. We made sure our parole and probation programs were strong. Most of all, we evaluated prisons based on whether they got results. Governor Chris Christie has been unwilling to go as far as Paul, Cruz, or Perry, but he has still called for treatment rather than jail for most nonviolent drug offenses, promising that "We will end the failed war on drugs that believes that incarceration is the cure of every ill caused by drug abuse." Christie has also pushed for bail reform, "giving nonviolent offenders who often sit in jail because they can't afford bail a chance to reclaim their lives." Even Jeb Bush appears to be evolving on the issue. Whereas, as governor, Bush once called for building more prisons and emphasized "punishment over therapy" for juvenile offenders, today he supports reforming the criminal-justice system, warning that incarceration can turn low-level lawbreakers into hardened career criminals. Like Perry, Bush has signed onto the Right on Crime initiative.

One big exception to this trend is Scott Walker. Walker ran for governor of Wisconsin as an old-fashioned "law and order" Republican, pledging "to protect our families, our senior citizens and our property." Bills that Walker sponsored while a legislator would have increased mandatory minimum sentences for everything from perjury to privacy invasion to intoxicated boating. He was perhaps the leading backer of Wisconsin's "Truth in Sentencing" legislation, which ended parole opportunities for many categories of prisoners and increased prison time for others. As governor, Walker has resisted efforts to liberalize the state's parole system, and the proportion of inmates granted parole has fallen in half during his tenure.

Senator Marco Rubio also appears to be sticking to a hard line on criminal-justice issues. "While individuals from a variety of perspectives have made a compelling case that American law has been over-criminalized and over-federalized," Rubio wrote in an op-ed, "reform should not begin with careless weakening of drug laws that have done so much to help end the violence and mayhem that plagued American cities in prior decades."

But despite disagreements on the details, the need for criminal-justice reform seems clear. The United States has one of the highest per-capita incarceration rates in the world, more than six times higher than the average for other industrialized nations. One out of every hundred American adults is in prison or jail. When you add in those on probation or parole, almost 1 in 33 adults is under some type of control by the criminal-justice system. The current system is particularly harsh for young African-Americans. For example, illicit drug use is comparable for white and black populations (9.5 percent for whites and 10.5 percent for blacks), but drug-related arrests per 100,000 people are 2.6 times higher for blacks than for whites. Is it any wonder that African-Americans feel that they are unfairly treated? All this comes at a cost for taxpayers, too, both directly and indirectly. The United States spends more than \$80 billion per year on corrections at the federal, state, and local levels, a cost that has more than quadrupled over the past 20 years in real terms.

Moreover, the high incarceration rates among the poor and in minority communities lead to increased family disintegration and high unemployment. These conditions in turn give rise to increased welfare spending. As Senator Paul puts it, "If we're for families with a mother and father around, we need to be for fixing the criminal-justice system." The result has been a growing bipartisan push for reform, one that has seen the Koch brothers working with the Center for American Progress, and Ted Cruz co-sponsoring legislation with Richard Durbin. As Grover Norquist recently told *The Daily Beast*, "By the time we get to the caucuses, every single Republican running for president will be versed on this, and largely in the same place . . . Some guys will be playing catchup ball, but I do believe that, largely, this will become a consensus issue within the center-right." At the very least we can expect a very interesting debate in Republican ranks. **Sheriffs need not apply. — *Michael Tanner is a senior fellow at the Cato Institute and the author of *Leviathan on the Right* pg6***

THIS IS A Request for donations for stamps for inmates and ideas for making FFUP and Prisoners' efforts sustainable. Reality encroaches on dreams eventually and those who care about FFUP need to think about the future as I am old. First problem is funds. Most of FFUP's money comes from my social security and goes to buy stamps for inmates or for FFUP's outgoing mail and newsletters. FFUP receives some wonderful regular donations from inmates, much appreciated, and an occasional donation from others and WISDOM generously donated a years' worth of internet, soon to be exhausted but also very helpful. FFUP will keep that up..

Recently funds are dried up by mid month due to the stopping of the free weekly stamp to indigent inmates at WSPF and WCI. The need is dire and we need to attack the new rule(s) legally but right now, I ask those of you who can afford it , to donate to FFUP's stamp fund. You can also designate exactly how you want your moneys spent if not the stamp fund. FFUP has a list of prisoners who will receive their monthly free pack without asking so they will not have to spend the stamp and we would like to enlarge the list but right now new requests are coming in by the armload and funds are not there. In order to get free pack of embossed envelopes and pad of paper , prisoners have to send an account statement to prove indigency.. We ask that requesters be patient and if you do not get a response, do not waste a stamp for it only means that funds or time are lacking. I am also in some instances cutting out the tablet of paper that generally goes with the program until more funds are available as I conclude the stamps are the most essential. I am now receiving most of my mail I believe and get between 7 and 15 letters a day- needless to say, I do not keep up. Do not pass the word about the stamp program now and do not request other items- you will disappoint until we get some other funding source. FFUP will be asking allies out here to help with this worthy cause also. I would love to have a book program for segregation inmates but hat is not possible now.

Now for the old part: And my hope is that some of you prisoners will choose to take the reins of with FFUP upon release and carry on her mission- with an outside group we can finally connect prisoners with the help that should be available to them and get training and education and preparation for release done while incarcerated. This is more than simply getting those ready people out, it is about making justice real –prisons need to become healing places for a society that has turned its back on its needy. You have given me terrific ideas for jobs programs and training in and out of prisons- and it is possible. We know what is wrong, we have models for what's right- it s the work in between we need and can focus on. FFUP most needs to have more than one person out here committed to giving real hours to prison work. Kudos and ideas are great but nothing changes unless there are people on the ground making those changes and as FFUP pays no wages or even expenses, workers even for one hour a week are hard to find.

For example, I have received wonderful internet fundraising ideas . To put these ideas into action, however, we need someone to work the web- even one hour a week on the web and someone to strategize with would help pull it off. - I can set the web up but the shepherding of any kind of fundraising idea is vital. Again- it takes WORK to get a website visited. We have had fundraisers on the web before =NADA because there was no one to push it along. All things become possible with a group, however small... FFUP has built good rapport and trust and has the nonprofit status and because I am often the only one to answer inmate mail, I am recipient of incredible documents, artwork, ideas. I feel usually like it is often "pearls cast before swine" as I have no resources to deal with much effectively- but there is much good here. This work has been a great gift and though the future of FFUP is uncertain, the trust and love we have built up between us is most precious and real.

PS: I recently received notice from one inmate about donating to FFUP- the prison said I was not on his visiting list so he could not donate. I was banned from visiting from ALL prisons shortly after the infamous wisconsinwatch.com articles came out about WCI last July. Disputations of charges were ignored and this will be part of legal action in the future. I receive many donations from prisoners and know of no visiting list rule that prohibits them- please advise if you know otherwise. Send donations to FFUP c/o Peg Swan; 29631 Wild Rose Drive, Blue River, WI53518. They will go to buy stamps for indigent inmates unless otherwise designated by donor.

The following was sent to FFUP by the mother of an inmate who has spent many years in WCI Seg, is mentally ill.

A mother's common sense yet radical suggestions for seg

I saw a program on prison isolation wards some time ago. I think the maddening situation could be improved greatly just by one change in terms. The prison officials and guards could discontinue the idea of punishment and use real reasons to explain things to prisoners. For example, instead of telling the prisoners who react angrily by throwing urine at guards (or whatever)that now they'll be punished with three more months of isolation, guards could explain it rather by saying "We see how explosive you are, so we won't be able to let you out into the general population for fear of what type of trouble you might start out there. We're sorry you'll have to stay here longer- for three more months."

I think the framework of punishment makes prisoners much more frustrated and angry. So if situations could be explained in a different way according to real reasons for them, it could help calm prisoners down, and also they might increase their awareness if what they are actually doing.

**FINAL RULES PROPOSED in our
Petition for Parole Rule changes using Statute 227**

Sent to DOC secretary, parole Chairman and Director of DOC Health Services April 2015

Here are the broad outlines of what we would like to achieve for

WISCONSIN'S OLD LAW INMATES

- 1) For inmates sentenced for crimes committed prior to December 3rd, 1999, the mandated 25% of their sentence shall be considered sufficient time for punishment. Afterwards, release on parole shall be granted, absent substantive extenuating circumstances, based on conduct and accomplishments while incarcerated.
- 2) If parole is not granted, the Parole Board must state in written detail the specific requirements an eligible inmate must meet to be granted parole. This cannot contain a catch-all provision that might allow the decision-maker to base his or her decision on a factor of which the inmate has no control such as "insufficient time for punishment" or "seriousness of the crime". Also, There is no statutory requirement that a prisoner be transitioned to a minimum security prison before release. Yet unwritten rules today usually require it and overcrowded conditions leave many parole-ready inmates waiting years for the next transition. If timely transition to a lower level security prison is not possible, a prisoner who can otherwise show himself ready for release shall be paroled without regard to the security level of the prison in which he resides. Likewise, working outside the prison before release, although laudable, is not a prerequisite for release as there are many times the applicants for these jobs than there are openings.

3) Also, availability of programs and prison overcrowding cannot be a factor in determining release eligibility. The Department of Corrections and Community Supervision shall provide parole eligible inmates access to the programs/facilities necessary to complete the requirements for their parole release within 90 days of denial of parole for reasons of programming. If this is not possible, the prisoner will be allowed to complete the program in the community or it will be waived.

4) The Parole Board shall have the widest possible view of the prisoner. In addition to allowing victims and victim advocates to testify at the hearing, prisoners shall be able to invite family members and advocates. Also, the prisoners shall be allowed to submit letters of recommendation by WIDOC staff and WIDOC volunteers who have worked with him/her. Staff and community members who are against the release shall be allowed to speak.

5) The decision whether to release an inmate shall be made based on testimony at the hearing and documents in the prisoner's file only and the prisoner shall be able to view and contest contents of his/her file beforehand.

THE PROPOSED RULES

Below is a Rewriting of PAC 106 (16) through (20) with proposed changes inserted

Here we have expanded and added details in order to fold the new rule proposals into the existing PAC rules PAC 1.06(16) thru (20) A RECOMMENDATION FOR A PAROLE GRANT OR RELEASE TO EXTENDED SUPERVISION ORDER MAY BE MADE AFTER CONSIDERATION OF ALL THE FOLLOWING CRITERIA:

(NEW RULES IN BOLD PRINT)

PAC 1.06(16)(a) The inmate has become parole or release to extended supervision eligible under s. 304.06, Stats., and s. PAC 1.05.

PAC 1.06(16)(b) Once a prisoner has served the statutorily imposed minimum amount of time necessary to become parole eligible, the Parole Commission shall recognize that the prisoner has served the "sufficient time for punishment" portion of his/her sentence.) For inmates sentenced for crimes committed prior to December 3rd, 1999, the mandated 25% of their sentence shall be considered sufficient time for punishment, for those with life sentences, it is 13 1/2 years. For Prisoners sentenced pre-1981, parole eligibility for those serving life sentences started at 11 yrs, 3 months.

PAC 1.06(16)(c) The inmate has demonstrated satisfactory adjustment to the institution.

PAC 1.06(16)(d) The inmate has not refused or neglected to perform required or assigned duties.

PAC 1.06(16)(e) The inmate has participated in and has demonstrated sufficient efforts in required or recommended programs which have been made available by demonstrating one of the following

PAC 1.06(16)(e)(1) P.A.C.1.06 (16)(e) 1.1 Inmate has participated in the community OR

PAC 1.06(16)(e)(2.) The inmate can complete programming in the community OR

PAC 1.06(16)(e)(3) The inmate has not been able to gain entry into programming because the program was not available at his institution. In cases where the inmate is in administrative confinement, a non punitive status, all efforts shall be made to see that programming required for release is successfully taken. If the inmate requests such programming and a good faith attempt to supply it is not made, this lack of programming shall not be used against the inmate when deciding readiness for release.

PAC 1.06(16)(e)(4) Where such inmate chances to obtain favorable parole is contingent upon his completion or participation in such program or treatment, the Parole Commission and Program Review Committee, shall work together in securing an inmate a space in required programs and treatment, as required by DOC 302.15 (4)(9) WI Adm. Code.

PAC 1.06(16)(f) The inmate has developed an adequate release plan.

PAC 1.06(16)(g) The inmate is subject to a sentence of confinement in another state or is in the United States illegally and may be deported.

PAC 1.06 (16)(h) Inmates who committed their crimes before 1999 who were ordered by the judge to be deported upon release, shall, if permission is given by the host country and the inmate, be deported to his or her country of origin.

PAC 1.06(16)(i) In order to assess whether or not release would pose an unreasonable risk to the public and would be in the interest of justice, the Parole Commission shall be afforded the widest possible view of the prisoner. Therefore:

PAC 106(16)(i)(1) In addition to permitting victims and victim advocates the opportunity to be heard at each hearing, the Parole Commission shall permit interested parties to speak at parole hearings on behalf of the prisoner. These interested parties may consist of family, friends, members of the prisoner's support group, clergy, employers or other advocates as well as prison staff who support release.

PAC 106(16)(i)(2) The Parole Commission shall also permit two institutional staff and/or community members who voice opposition to release to speak at the hearing. In addition, Correctional staff or any person in the community will be allowed to submit written testimony in opposition to the parole.

PAC 106 (16)(i)(3) The commission may use the independently scored findings of evidence-based-practice evaluations used initially to identify essential program needs during the Assessment & Evaluation process and subsequently used to evaluate current dangerousness to the community in preparation for release. If these test scores are used in the assessment, copies of the questions and answers and test results shall be made available to the prisoners before the parole hearing. He/she shall be able to comment on test process and fairness.

PAC 106(16)(j) All documents used in accessing whether to release an inmate shall be made available to the prisoner.

PAC 1.06 (19) If parole is not granted, the Parole Commissioner must detail in writing, exactly what specific, achievable requirements the prisoner needs to satisfy to become suitable for release. These requirements cannot contain any highly subjective, catch-all provisions that might allow a decision-maker to base his or her decision on immutable factors over which neither the prisoner nor the Parole Commission has any control such as "seriousness of the offense" or "unreasonable risk to the community" without detailing exactly what achievable requirements the prisoner needs to satisfy to become suitable for release. Any such requirements shall then be endorsed for prompt implementation/action in the written decision of the hearing in which they were made.

PAC 1.06 (20) Once the prisoner has been issued a deferment, the Parole Commission shall not increase or repeat that deferment for any reason other than the following:

The prisoner's negative institution conduct based upon a lawful finding of guilt made by Department of Corrections personnel authorized by rule to make such findings;

The prisoner's refusal to participate in essential programming mandated by the court or • The negative removal of the prisoner from such essential programming during the current deferment period for a well documented cause.

PAC 1.06 (21) In every case, each Parole Commissioner shall be required to maintain continuity in the decision making process by continuing with the case plan set forth in any written decision which was made subsequent to the implementation of these proposed rules.

IN addition we add this rule which honors the education effort made by many old law prisoners. A similar provision was in the 1989-90 statutes (304.06(1 r) (g) (2):

PAC 1.06 (22) a parole eligible prisoner who came into prison without a high school diploma, GED or HSED, and has attained his HSED or GED shall be paroled unless the prisoner has received a major provable behavior conduct report within the last one year or if his current parole review that indicates his or her release would post a significant risk to the public. Also a prisoner who gained a college degree or completed a vocational course while in prison shall be paroled if there is no provable evidence within the last one year to show that his or her release would pose a significant risk to the public.

WHAT YOU CAN DO

1) Call or write us or go to www.secondchancewi.org to download our flier and read our **petition for parole rule changes** sent to DOC Secretary and Parole Chairman on April 6th. This must by law be responded to and these rules if enacted, will fix the system

- Read summary
- Read full proposal

2) **Write, email or call your legislators** and ask them to support parole reform and pressure the DOC and governor to enact real parole reform. Tell them about the parole rule change petition, that no laws need to be changed—just rule changes—.

Find out who your representatives are by calling

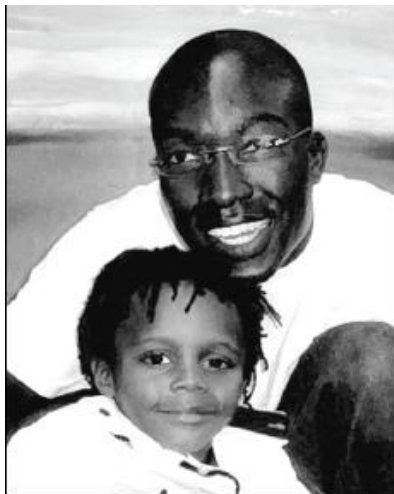
1-800 30621-9472 (state switchboard) OR on the web at <http://legis.wisconsin.gov/>

3) **Help build a petition campaign** that starts with petitions for individual prisoners and gains solidarity to where all support all— contact FFUP if you have a loved one stuck on prison and you are willing to help work on a petition for him/her or if you can help in any way.

4) **Help us by putting our fliers, posters, petitions** in your local businesses, libraries, churches and schools. Give one to your neighbors. Help us make this a real movement, for everyone is affected by this horror.

5) Call or write Governor Walker— tell him we are spending 40 to 100 thousand a year per prisoner on people that are ready to be good citizens. Tell him you are outraged at the waste of lives and money. We will be doing petition drive targeting Walker once we gain strength.

(Contact::pgswan3@aol.com;608-536-3993)



All Old LAW prisoners have been incarcerated since 1999, many have served over 20 years. Many have multiple college and tech school degrees, have strong family support and are eager to give back to society. Others are sick and elderly and no longer dangerous.

It costs \$34,135 per year to house an average prisoner, but it costs between **\$60 and \$100,000** to house a prisoner age 50+ and not only is healthcare for this group skyrocketing, but prisons have no way to treat elderly inmates humanely.

The WI DOC is building hospice units for the very old and dying—people that are no danger to anyone. ALL of the cost is borne by the tax payer as those incarcerated are not eligible for Medicare, Medicaid or Social Security. Due to health care costs for the elderly, other prison programs have been slashed. Plans for mental health units cannot be implemented due to lack of funds. WIDOC has trouble keeping enough professional health care staff due to low pay.

60,000 (minimum)
x 2887 (old law inmates)
\$173,220,000.00 (minimum) per year to
Keep old law inmates stuck

Millions of Tax Dollars

Yes, Millions of tax dollars are spent in WI yearly to keep people in prison who have served their time and are ready for release.

We're not talking about an 18-year-old who committed a crime yesterday or last week, and doesn't even understand how selfish and terrifying he is to his own community and family. Those people need to do their time and hopefully be rehabilitated.

We're talking about those once 18-year-olds who have been incarcerated for 15 to 40 years, and have been parole eligible for many years, yet are being denied parole. We're talking about men who have matured, developed

an adult's perspective, and can be seen as rehabilitated even by the most untrained eye; men who have been model inmates, completing several educational, vocational and life-enhancing programs.



Did you know that Wisconsin prisons hold over 2000 parole-eligible men who are being denied parole year after year?

What is an Old Law Prisoner?

Short Version: We have 2887 prisoners who

- WERE sentenced before 2000, all are over thirty many are elderly and most pose no threat to the public.

- CAN prove themselves rehabilitated and ready for release.

- ARE ELIGIBLE for parole, all have been for years, some for decades

- ACCORDING to the law of that time, they were eligible for parole at 25 % of sentence

- have been kept in prison through the use of unwritten contradictory rules

- ARE NOT eligible for social security or Medicare: all health bills are paid for by taxpayers

- THEY COST THE TAXPAYERS FROM \$30,000 TO \$150,000 a YEAR, depending on health needs—

- about \$80/ day in prison and would cost the taxpayers about 4 dollars a day if on parole (WI WSTAX 2008)

To Get Involved:

for prisoner advocacy, parole and segregation

Issues Contact:

FFUP (Forum for Understanding Prisons)

c/o Peggy Swan

29631 Wild Rose Drive

Blue River, WI 53518

Web: secondchancewi.org or prisonforum.org

Phone: (608) 536-3993; email: pgswan3@aol.com

For general prison reform issues or to join a parole families' advocacy- support group meeting

by free conference call:

WISDOM 11x15 Campaign

3195 S Superior St, Suite 310

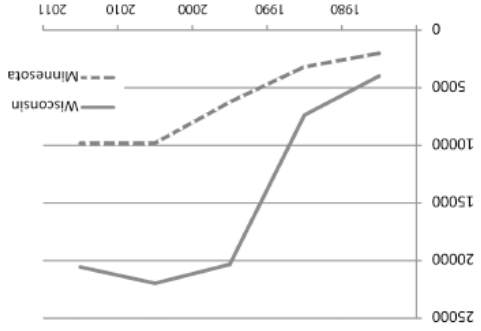
Milwaukee, WI 53207

Phone: (414) 831-2070

Organizer: David Liners

David.Liners1@gmail.com

Total Incarcerated Skyrockets



"OLD LAW" Prisoners

Old law prisoners were sentenced before truth-in-sentencing was enacted in 1999 (thus the term "old law"). At that time, the judge considered each case individually and sentences were given with the

knowledge that the prisoner, with good behavior, could be released after serving one quarter (25%) of that sentence. A sentence of "life" meant that a prisoner was eligible for parole consideration after 13^{1/2} years.

Fact: Old law prisoners are eligible for release now.

Wisconsin has 2887 "Old Law Prisoners." All are eligible for parole.

When truth-in-sentencing was enacted, parole virtually stopped for this group, as well as for new people coming in. Hysteria was whipped up, and the prison boom began with supermaxes and prisoner populations mushrooming. Prisons became a major job program for rural communities which were losing their farms to global trade. Prison rehabilitation and schooling programs were slashed in order to pay for the thousands of incoming prisoners.

Wisconsin spends eight

times more on prisons

than Minnesota yet both have the same crime rate and similar populations.

For the first time in our history, Wisconsin is spending more on prisons than on our colleges and other institutions of higher learning.

While the U.S. has the highest per-capita incarceration rate and the most prisoners in the world, Wisconsin has the third-highest rate (0.4 percent of population) of all the states, with more than 22,000 prisoners, and also the second-highest incarceration rate of African-Americans.

Between 1970 and 2010, the number of people incarcerated in this country grew by 700%.

As a result, the US incarcerates almost a quarter of the world's prisoners although we have only 5% of the world's population. At no other point in U.S. history— even when slavery was legal—has there been so many people held against their will.

Wisconsin is in a unique position because it need not pass any new laws to safely release eligible old law prisoners—it just needs the leadership and political will. Nationally, the population of prisoners age 55 and older is expected to increase by 4,400% amounting to 1/3 of the prison population by 2030. We can act now and lead the nation in a more sane prison policy.

At no other point in U.S. history—even when slavery was legal—has there been so many people held against their will