

PETITION FOR PAROLE OF JASON FABER

TO: Parole Commission Chairman Dean Stensberg  
Department of Corrections Secretary Edward Wall  
Wisconsin Legislators  
Wisconsin Governor Scott Walker

FROM: Jason Faber #290110  
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IDEOLOGY OF CORRECTIONS AND PAROLE

The Wisconsin Department of Corrections is vested with the authority and responsibility to protect the public and rehabilitate prisoners in preparation for the prisoner's reentry into society. The Wisconsin Parole Commission operates under the hierarchy of the Department of Corrections to assess and grant or deny parole to parole-eligible prisoners sentenced prior to 2000. These agencies exist with the inherent understanding that rehabilitation is the ultimate goal in a correctional system.

SUMMARIZED HISTORY OF JASON FABER

At the age of 19 and following significant personal and familial difficulties that resulted from Jason's father's death when he was 15, Jason engaged in high risk, criminal behavior in the form of burglaries—this resulted in the shooting of a police officer during an attempt to evade arrest from one such burglary. The officer was wearing a bullet-proof vest and was not seriously injured in the shooting. In July of 1996, Jason accepted a guilty plea and was sentenced to 50 years in prison with the possibility of parole as an expected belief within the system. Almost 20 years later and with numerous accumulated educational degrees/diplomas/certifications and an affirmed statement that all rehabilitative programming has been accomplished (a statement made almost 2 years prior to Jason's first parole eligibility date in 2008), Jason still remains in medium custody within the prison system and has been denied parole twice, each time with a 3-year parole deferment given and premised on the identical reasoning that insufficient time for punishment had been served and release would be at a risk to the public [neither reason was based on any evidence other than the offense committed and by dismissing all positive indications of rehabilitation]. The last parole hearing and decision illustrates this truth.

PAROLE COMMISSION ACTION/COMMENTS

You have served 15 years of a 50 year sentence for 1<sup>st</sup> Deg Intent Homicide (Attempt)(w/Use of Dang Weapon)(Conceal ID). In Feb 1996, law enforcement responded to a report of a business burglary and encountered you exiting the building. One officer identified himself and directed you to stop, and in response, you turned around and shot a 40 caliber pistol with a laser site at the officer. Fortunately, the officer was wearing a cavalier vest, and the bullet lodged in the chest area the vest was covering. At the time of the offense you had identified with an anarchy group and were reported to speak of a revolution killing and injuring officers. At today's hearing, you explained the loss of your father at a young age resulted in emotional struggles in which you were unable to process your feelings. This led to acting out as a juvenile and feelings of extreme anger. During this incarceration, you were able to work through these emotions with the assistance of PSU staff. You have also completed recommended programming of CGIP, Anger Management, and Vocational Education in Braille Transcription. You have participated in a number of volunteer programs including the BRICK and Challenges and Possibilities. You have attempted to engage in victim offender dialogue through Restorative Justice. You have also obtained higher education courses and currently work at BSI. You have made significant progress during this incarceration, as evidenced by your accomplishments. Unfortunately, this positive progress was at the expense of an officer's safety and a community's security. Therefore, continued time is warranted to address punishment. Institutional conduct has been positive with no problems in 10 years. This is expected to continue. Residence plan lists to live with a friend in Cumberland and you have also identified a number of families who are supportive. This requires agent approval when more timeframe appropriate.

### MISAPPLIED STATEMENT/CLARIFICATION

At the parole hearing and in the comments, Commissioner Emily Davidson reported that, "At the time of the offense you had identified with an anarchy group and were reported to speak of a revolution killing and injuring officers." This was inaccurate; Jason's co-defendant made these statements and applied them to both of them in his statement for Jason's pre-sentence investigation report.

### CONCLUSION

The taxpayers of the State of Wisconsin rightly deserve to expect effective and efficient operations of the governmental agencies they fund through tax revenue. Currently, the budget for the correctional system has eclipsed the budget for the educational system. This is deplorable by any rational standard. As a continuing trend this is unsustainable by our government and takes a toll on the economy and our communities. The Wisconsin Department of Corrections and Parole Commission can begin to reverse this trend by effectively utilizing the parole system that still exists under the Old Law provisions that existed before 2000 and the implementation of Truth-in-Sentencing. In considering the case of Jason Faber, this individual has accomplished everything asked of him and more during the last 20 years of incarceration, and he has proven to be what one should consider a model prisoner. Continuing to incarcerate someone who has fulfilled every rehabilitative goal possible and more to ensure success on reentry under parole is a disservice to the correctional system and our communities who would benefit from his release. As taxpayers, shouldn't we be asking why this man is still in prison? Does a person who enters the prison system at 19 years of age and is now nearing 40 years old deserve consideration for all he has done to rehabilitate himself? And if this state and correctional system believe in second chances then why hasn't this person been given one? He can never change what he did, but clearly he is not the same person he once was as a young adult. After reading this case, anyone who feels this man deserves a second chance on parole should contact the governmental entities listed above and request that Jason be reviewed for immediate parole or transition through the system.