

Jason Faber 4290110  
Oshkosh Correctional *Institution* P.O. Box 3310  
Oshkosh, WI 54903-33 10

January 23, 2016

Senator Jon Erpenbach Room 104  
South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator Erpenbach:

I would like to comment and offer some clarification and suggestions on the topic of the Department of Corrections (DOC) staffing shortages and related information, as detailed on "Up Front" with Mike Gousha that aired on Sunday, January 10th•

You spoke on the "crisis" of DOC staffing shortages and presumed consequences of that circumstance, as likely conveyed to you by DOC representatives. Based on this, you and other Democrats are advancing legislation to attempt to rectify this issue. Respectfully, I would like to extend a different opinion and position as a person who is far more directly involved and experienced in the environment of corrections than any legislator and most current DOC staff. As an inmate who has lived in the prison environment 24/7; 365 days a year, for almost 20 years consecutively, I have had the unfortunate opportunity to witness the evolution of the DOC through changing political platforms and the resulting legislation of those parties as they attempted to address the criminal justice and correctional systems in Wisconsin. While this may give you the sense that I am biased, I assure you that the details of this letter are factual and honest.

Since Act 10, the morale of staff in the DOC took an observably significant decline; however, this frustration seems largely based on financial consequences than any legitimate concern for safety. The hourly rates for DOC security staff are more than fair compensation for what is observable as staff responsibilities/duties. Some claim the Wisconsin prison system is dangerous; I unequivocally disagree with that position. Assaults on staff and inmates are relatively rare and minor in this system, especially when compared to the statistics of assaults in other states like Illinois, California, Texas, New York, or frankly most every other state. If anyone were to enter a Wisconsin maximum-security prison and one in Illinois, for instance, the stark differences would clearly indicate the comparative level of danger to staff and inmates. Danger to staff and inmates in the DOC has long been exaggerated because no one in the public knows otherwise—they do not live here; however, I do and have for a long time. Staff do not keep their heads on a swivel as some have expressed to the media; in fact, most spend a significant amount of their day with their eyes glued to their computer screens. If the Bureau of Technology Management (BTM) were to actively monitor staff emailing, internet use, or general computer access and use, the results would be a stark contradiction to claims of a dangerous work environment. For more clear and unquestionable evidence on how staff spend their work days and are not in a dangerous environment, all you would need to do is requisition the prison(s) security, video camera feed or footage for daily operations on Pt, 2nd and 3<sup>rd</sup> shifts. In fact, the legislature may want to advance legislation to require public access to live prison video footage so the public can be informed on the true degree of danger and overall operations of the DOC prisons, especially in light of the problems being investigated at Lincoln Hills by the FBI. . . .

All of the issues of perceived or exaggerated danger in the DOC prisons aside, the DOC has operated well above the intended population capacities since I came to prison in 1996. The overcrowding has been a real issue for decades; however, the legislators and senators during these time periods have continued to allow operations on an "emergency" basis at a level known to increase health and safety concerns. Since 2000, Truth-in-Sentencing (TIS) has been known to affect greater population rates, longer incarceration rates, and increased safety concerns—there is little to no incentive for rehabilitation or good behavior for someone sentenced to serve 30, 40, or more years in prison. Increased sentences and no parole system for TIS, it cannot do anything other than ensure continuous increases in prison populations and financial costs; other states have come to that conclusion in repealing TIS systems. Moreover, the implementation of TIS has resulted in a presumably politically-motivated elimination of real discretionary parole for the approximately 2,600 people who are parole eligible under the Old Law—a fact consistently reported by WISDOM, Forum for Understanding Prisons, and other prison reform organizations, as well as by statistical evidence in the Wisconsin Parole Commission discretionary parole rates (rates that are padded by parole grants mere months from mandatory release dates, if not

days). In short, past criminal justice and correctional legislation have created a system that keeps people incarcerated for far longer than necessary for rehabilitation, and the consequences of this are overcrowding and health and safety concerns—a consequence that directly bears on staffing shortages and inmate-to-staff ratios. Nationally, correctional and criminal justice reform have been advanced due to the extreme economic and human costs of lengthy incarceration; yet, Wisconsin is acting as if there is no need for change in its correctional and criminal justice systems—20 years of incarceration tells me a different story. However, legislation to incentivize employment in corrections far beyond the fair compensation package staff earn now is a drain on state resources, as clearly seen in the reduction in education spending. Effective administration is the only solution you need.

I would like to offer the following suggestions to consider in addressing the current staffing and correctional concerns:

1. Reduce the prison population.
  - a. Investigate the manner of review and use of parole for effectiveness in controlling pre-TIS populations.
  - b. Institute incentives for good behavior and program completions for all inmates, Old Law and TIS, as other states and the Federal Bureau of Prisons already does.
  - c. Institute reforms in the use of parole revocations for non-criminal, rule violations.
  - d. Increase funding for alternatives to incarceration.
  - e. Form a committee to investigate the effectiveness of TIS for repeal consideration.
2. Administrative changes for training and staffing.
  - a. Institute 12-hour work shifts to reduce forced overtime shifts.
  - b. Implement administrative oversight of staff use of state resources. (i.e. computer use)
  - c. Eliminate non-essential activities such as prison touring by staffs' family and friends (a reality that completely invalidates the claim of a dangerous environment).
  - d. Revise the Inmate Complaint Review System to ensure valid, unbiased investigations by an independent, outside agency.
  - e. Create contract-based training for security staff to ensure retention for a 1- to 2-year minimum period. (i.e. forced reimbursement of funds paid by the state for officer training if they terminate early.)
  - f. Clearly explain in writing and verbally ALL requirements for forced overtime expectations of trainees.
  - g. Create administrative requirements for video review of staff for rule compliance and fulfillment of job duties.
  - h. These are just a few suggestions from someone who has had first-hand, direct and observable experiences in the prison system to comment on the problems that are current and/or have been pervasive. If the concerns you have spoken on are open to outside insights and comment, please consider what I have detailed in this letter. The DOC needs to be overhauled, and it is more involved than staff expressions of overestimated concerns for safety, veiled behind the true intent of getting back some of what staff lost to Act 10.
  - i. Thank you for your time and consideration of what I have written about these issues of concern to staff, inmates, and the public.
  - j. Sincerely,
  - k. Jason Faber
  - l. ccDavid Liners, WISDOM
  - m. Peg Swan, Forum for Understanding Prisons (FFUP)