

On April 11th, 2016, the Wisconsin Legislature enacted Act 355 into law, which relates to restitution owed to victims of crimes and requires that the Division of Adult Institutions (herein after referred to as D.A.I.) change its methods used to collect restitution fees. One of the changes is concerned with the rate of deduction for restitution from an inmate's General Prison Trust Account, which is to increase to 50% from 25%.

The effective date of Act 355 was July 1st, 2016. Since on or after that date the employees for the D.O.C., D.A.I., and S.C.I. began, out of convenience to themselves when a person's civil rights and liberties get in their way, illegally taking twice the amount of restitution fees from an inmate's General Prison Trust Account who owes restitution, than that originally ordered for them to pay by the Courts which sentenced them to prison. These said employees have attempted to justify their unlawful conduct against the prisoners under their care, control, and/or custody who owe restitution on the grounds of the enactment of Act 355 and the newly changed D.A.I. Policy 309.45.02-Inmate Trust System Deductions (which they changed after Act 355 was passed into law by the Legislature)

Their conduct is unlawful because "**Statutes are to be construed as relating to future and not past acts.**" This has to do with the nature of the impact of the change in law upon existing rights. The Courts have traditionally '... refused to apply an intervening change.. "Where it has concluded that to do so would infringe upon or deprive a person of a right that had matured or become unconditional." Bradley v. Richmond School Board, 416 U.S. 696 (1974).

Their conduct also violates a person's 14th Amendment Rights (Due Process Clause) against the government officials unlawfully applying retroactively new laws to past acts, which is what the D.O.C., D.A.I., and S.C.I. employees are now doing to inmates today while making it appear as if they are doing what they are doing in obedience to the law. Even if it means that they capriciously and deliberately ignore a legitimate Court Order in the form of a Judgment of Conviction/Sentence to Confinement Order (herein after referred to as being the J.O.C.), which usually states that restitution fees "...shall be paid at the rate 25% of the prison wages and work release funds."

It really chaffs-my-hide when I see these self-righteous, sanctimonious prison officials running roughshod over a person's civil rights like pearls before swine and doing so under the guise of operating under legal form (obeying the law), when they know that they are really in fact breaking it. Which begs the question: 'If they don't have to obey the law, then why does anybody else have to?' After all, they are nobody special even though they think they are. So I assisted someone in filing a motion to the Court which sentenced them, asking the Court to Issue an Order that, among other things, prohibited these employees of the D.O.C., D.A.I., and S.C.I. from retroactively applying the newly enacted Act 355 and newly changed D.A.I. Policy 309.45.02 to his 12 year old J.O.C. Order, in regards to his Court-Ordered restitution obligation. The goal here is to get these people to obey to the letter the original J.O.C. Order's wording or risk jail-

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