

CORRECTIONS AGENTS' IMPOSITION OF COMMUNITY SUPERVISION
CONDITIONS UNLAWFUL - PRISONER PETITIONS COURT
TO STOP PRACTICE

In an attempt to curb the state's mass incarceration and "crimeless revocation" problems, a prisoner has petitioned the court with a novel claim.

On Jan. 25, 2017 Jackson Correctional Institution inmate Ron Schroeder filed a motion with Waukesha Co. Circuit Court Judge Ralph Ramirez arguing that only the Judiciary branch of government may impose criminal sentences, including the conditions of them. He further argues that Dept. of Corrections agents, as employees of the Executive Branch, lack authority to impose community supervision conditions. And this practice, according to Ron's motion, violates the Separation of Powers doctrine. Under this doctrine, government branches may not interfere with other branches' functions.

At Ron's sentencing, Judge J. Mac Davis said, "Substance abuse apparently is not an issue, interestingly enough. That's kind of uncommon in our courts. So many offenders have substance abuse problems. He doesn't. In fact, I recall the testimony at the trial that, if anything, he was trying to slow down his victim from drinking as much as she did. And every report is that he responsibly monitored his own consumption on these occasions." "But my probation agent went flatly against the judge and said I couldn't even enter establishments that sold alcohol. This clearly interfered with Judge Davis' sentence," says Ron.

This appears to be the first challenge of this type in the state. If successful, probation agents will be stripped of their power to impose community supervision conditions, resulting in fewer revocations. Readers are asked to write Judge Ramirez in support of this claim/motion. A hearing's been scheduled for April 13, 2017. Judge Ramirez' information follows: The Honorable Ralph Ramirez; Waukesha Co. Courthouse; 515 W. Moreland Blvd.; Waukesha, WI 53188; Re: Ron Schroeder, 07CF496, 4/13/17 hearing.

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Permission to print with or without editing. Thank you very much! Ron Schroeder, 528682; JCI - Melrose B; P.O. Box 233; BRF, WI 54615

 3/7/17