

12)Release – for those nearing release, out, or revoked

What help is or did the parole agent or DOC give you to prepare for release and what is offered as conditions of release:

- a) Do you or did you have a place to go with family or friends? Did the DOC /parole approve of your plan?
- b) were you or will be you given things you need to sustain yourself after release? What exactly were you supplied with or will you be given- ( check if yes and explain in lines/please use more paper if needed)

state id \_\_\_\_\_ housing for how long where \_\_\_\_\_ access to phone \_\_\_\_\_ -clothes-----  
 voucher for thrift shops \_\_\_\_\_ bus pass \_\_\_\_\_ money \_\_\_\_\_ transport by \_\_\_\_\_  
 agent? \_\_\_\_\_ curfew \_\_\_\_\_ other restrictions \_\_\_\_\_ anything else? \_\_\_\_\_

*I have no parole and I will be no release in this country because I am not American citizen.*

For those reincarcerated for non felonies- Please summarize your experience – try to be clear about the dangers your actions posed and alternatives to reincarceration that could have been use, We have heard of reincarceration for very minor rule offences. Be specific about what happened and you will be educating us all . This is a nebulous topic with near nothing in data.(again , use more paper)

*I have not comments about this.*

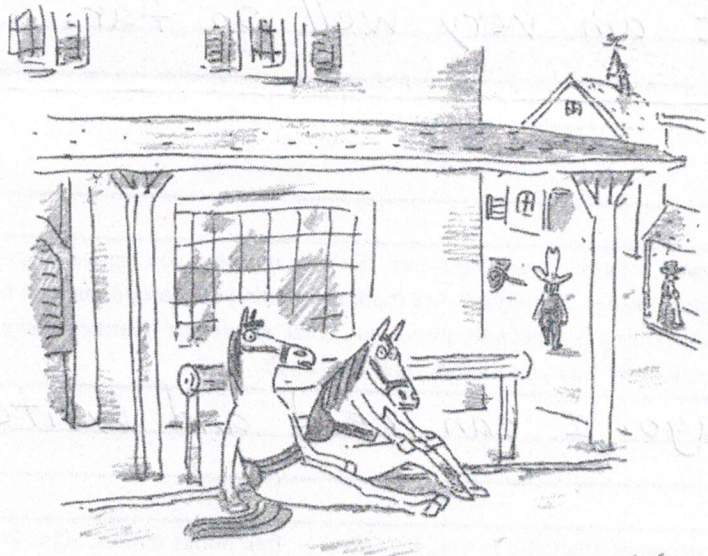
Specific issues: overcrowding and lack of staff- if you have PERSONALLY experienced the effects of this- please site specifics. And items you want to stress even if you noted them above, plus note things you think we missed. Be factual and on point as much as possible.

*I don't know what to say about it.*

Here add anything you want- critique of questionnaire okay. And thank you very much for your participation

*I want to go back to my country. I want to go home.*

Send to FFUP c/o peg Swan; 29631 Wild Rose Drive, Blue River, WI 53518



*"You're right—it does feel good to sit."*

**Help Educate your Legislators**

**COMMITTEES of importance in the next few sessions: see founder notes: Help to educate your legislators- especially if one of them is on one of these committees**

**2017 Senate Committee on Administrative Rules (proposal to work on standardizing DOC's administrative rules needs support -see founders notes p2** Senator Steven Nass (Chair) Whitewater; Senator Devin LeMahieu (Vice-Chair)(Oostburg 53070 District9) Senator Duey Stroebel ( Saukville); Senator Chris Larson (Milwaukee); Senator Robert W Wirch (Sommers)

**2017 Senators on the Judiciary and Public Safety Committee(** Senator Risser is trying to get support for a proposal giving DOC a year to come up with alternatives to solitary\_ Senator Van Wanggaard (Racine)(Chair); Sen. Patrick Testin (Stevens Point)(vice-chair); Sen. Duey Stroebel (West Bend/Fond du Lac area.); Sen. Fred Risser (Madison); Sen. Lena Taylor (Milwaukee)

**Contacting legislators with your own with our own problems and big picture: Finding your legislator- where you used to live or where you family lives now - - legislators are easily found here: <http://legis.wisconsin.gov> Plug in zipcode and your guys will pop up OR call **800-362-9472/** or write FFUP**



5) For the mentally ill: (diagnosis and treatment)  
What is your diagnosis? Has your diagnosis been changed? If your diagnosis was recently changed, from what to what- was the MH level changed. What is your diagnosis now? and the MH level? Was your seg status changes? Were you transferred to another prison? Other consequences? Are you or have you been on AC? How long have you been in solitary?

No mental treatment needed.

6) More For the mentally ill: (diagnosis and treatment): What treatment have you received. State the name and years you received it and whether it was paper work, in person sessions with a therapist or groups sessions. Describe a session briefly and explain if it helped. Did the treatment help? add what you think is important. Have you requested treatment at WRC? What happened? Be specific whenever you can.

No mental treatment needed.

7) more: For the mentally ill. How was treatment you received before incarceration? Did you have access to a mental health clinic or therapists. Describe help you were given and by whom. Was there anyone in your family who helped you cope or a friend? Was poverty a factor in your illness?

I never received mental treatment in my life.

8) For ALL: are you in solitary? What is your status called? for what and what time line? Are you on AC/ What is conduct report or reason. Do you have documentation? Have you filed complaints? Describe conditions. Attempts to get out of solitary etc. all information needed.

I never been in solitary.

9) General health care please outline problems and good things here. Note health care staff shortages where you have encountered them

No mental help needed. I am very well so far.

10) For all: Training received while in prison: what you received, when (years), whether it was effective. Is there anything you can use once you get out? Did you receive your GED and how was that- are you a competent reader and writer? Are there any skills you learned that can be used once you are out? If you are an old law prisoner when you received this training is especially important, what training or treatment have you received since TIS was enacted? Was there treatment or treatment you asked for that you did not receive? Why?

I got my GED five years ago. I can read and write a little bit.

11) more on training and treatment and preparation for release: books and resources available to you, law library. free books to prisoners. This is a big one for FFUP- what can you access to help yourself to learn and grow. Delineate some of the good things and obstacles- If you are motivated to get the most out of your incarceration, what tools are available? What are the obstacles? Again, show specific examples. Also physical well being is important- recreation and diet. All these things are important. Be on point.

I am not receiving training or treatment for my release



The simple truth is a juvenile, at let's say age 15 to 17 years old only has 15 to 17 years of experience at living life, at experiencing themselves. It's experience that ultimately determines how a person applies their intellect, their emotions and themselves as a whole. So it's not about intellect, or emotions, it's about the application of these things.

For those that try to justify JLWOP using the intellectual capacity, the emotional stability or maturity of a juvenile, I must ask you this: looking at yourself in retrospect, would you choose to go back to being the person you were at 15 to 17 and stay that exact way for the rest of your life? I assume you'll answer no, despite how mature and intelligent you were as a juvenile. Even if you didn't commit a crime as extreme as murder or any crime for that matter as a juvenile, you still find a plethora of reasons why it wouldn't be fair, or logical or right to be condemned FOREVER as a juvenile. If we were all permanently stuck in our 15 to 27-year old state of evolution, I'm sure it's only be a matter of time before human kind diminishes. It'd be like defying the evolutionary process of nature.

In closing I would like to say that juvenile crime is not a product of ruthless, coldhearted teens. It's a product of a system failed. We are what we consume.

**QUESTIONNAIRE:** To all prisoners in the WI system

We need data on what you are given in the way of treatment, training in preparation for release as we only have anecdotal evidence right now. Please consider filling out this form as it will have many uses and will be widely shared. If enough of you fill this out, we will have a powerful tool to use for real change. Please be honest and include data you consider favorable as well as unfavorable. We ask you to help if you can and add information you think we missed. Return the forms to : FFUP/ c/o peg Swan; 29631 Wild Rose Drive, Blue River, WI 53518. And thanks much to all who help.

*This is squinched from 4 to 2+pages to fit in newsletter- please use your own paper if needed to expand answers. Put down number you are answering if you use your own paper. And thankyou.*

**1) personal data:**

name/ number/ prison /age and birth year / Bartolo Peña Domínguez #405284 C.C.I.  
44 years old, 1973

what city/county did you reside before incarceration? Milwaukee, but I come from Mexico

release date/length of time in prison/ 2300 - ~~XXXX~~ 17 years

crime convicted of/Date of crime for which you were convicted: are you TIS or OL? sexual assault - 8-22-00

guilty as charged(yes)  (no) /length of sentence given 300 years

Did you have a private lawyer? Public defender? public defender

Add items you think are important but be factual and focused. DNA

To prove my innocence

**For the rest of the questions,** use more paper if you need- just write the number on the new sheet of the question you are answering

**2) support from outside:**

Do you have family or friends in touch with you- do they visit/write/ help with funds/what difference does that make in your time in prison/ what could the prison do to make connections with family and friends easier? No family or friends in this country

**3) Support growing up.** There is talk these days that over incarceration cause crime? Do you agree? Did you have a father at home while growing up? Was your father incarcerated? Was any other member of your family incarcerated? Does yes or no to that question make a difference in your prison experience? Who were your role models as you grew up? How about gangs? Positive and negatives about gang support in your life yes, I have a father but he never was incarcerated neither family members. My role model was my father.

**4) support on the inside:** were there people within the system, either staff or prisoners who helped you sustain yourself- or grow

NO



**Miller v Alabama**

2005 Roper v Simmons Supreme Court of the United States (SCOTUS) said it's unconstitutional to execute someone for crimes committed under the age of 18 years old.

2010 Graham v Florida SCOTUS said juvenile life without parole (JLWOP) for nonhomicide charges is unconstitutional.

2012 Miller v Alabama (and companion case Jackson v Hobbs) SCOTUS said mandatory JLWOP is unconstitutional.

The characteristics of childhood must be taken into consideration at sentencing. JLWOP should be rare. If the judge sentences the child to something other than JLWOP the opportunity of release must be meaningful. Legal questions that remain are 'what is

life?' And 'what is meaningful?'

**Montgomery v Louisiana**

2014 in December SCOTUS agreed to hear Toca v Louisiana. Less than 2 months later Louisiana vacated his conviction and released him from prison. 2015 SCOTUS dismisses the case.

2016 Montgomery v Louisiana SCOTUS says Miller applies retroactively. And repeats and a judge must find that a child is irreparably corrupt (can not be rehabilitated and safely released) before sentencing a child to juvenile life without parole.

Legal questions that remain are 'what is life?' And 'what is meaningful?'

**National Trends**

19 States and D.C. now ban JLWOP

Legislation from states has included:

- consideration of factors related to a child's age, maturity, life circumstances, and capacity for rehabilitation at the time of sentencing for all children tried in adult court
- judicial discretion to depart from mandatory minimums, sentencing enhancements, and lengthy terms of years for children being sentenced in adult court
- meaningful and periodic reviews for all children sentenced in adult court
- due process protections, including legal representation during parole and resentencing proceedings

**BY STATE**

Nevada • 15-20 Year parole eligibility for all

North Dakota • 20 Years or earlier review in front of judge

D.C. • 20 Years or earlier review in front of judge

West Virginia • Parole eligibility for any child convicted of any crime after 15 years

CA • Requires board to meet with inmate six years before the initial parole eligibility date to provide specified information, such as recommendations on rehabilitative programs

Wyoming • Makes a person sentenced to life for an offense committed as a juvenile eligible for parole after serving 25 years

**Wisconsin Specific**

11% juvenile vs. adult lifers. Second highest in the nation

1%-2% WI lifer parole grant rate between 2011 and 2013

The pamphlet ends with goals- basically taking all the right considerations into account at sentencing and at parole hearings.

Overall goal of reducing all sentences of juveniles to 20 or less years. "How long" took Arkansas nearly 3 years to go from bill

introduction to passage, took West Virginia only 4 months.

Note: We are working on good contact information that works for prisoners for this and other groups. Right now, JWAY is available on facebook. They meet monthly by phone conference and are just starting out.

**Juvenile Life Without Parole (JLWOP)**

By Demetrius Robertson 552375; GBCI, PO Box 1903, Green Bay, WI 54307

According to the dictionary, the word "justice" means: fairness; righteousness. Justice is a word often tossed around by the dictators of the American legal system. Multiple proclamations have been made regarding their application of "justice". However, we must ask ourselves is "our" legal system applying justice or "law". Are they doing what's legal or what's just? See, the word "legal" according to the dictionary means: "Conforming to or permitted by law or established rules." In other words, what's allowable and justifiable. Now, just because something is allowed-legal, doesn't mean it's "just" - fair and right. In fact, "our" legal system is guilty of using the word "justice" to justify unjustifiable acts, or should I say "laws". For instance, is it right or fair to permanently condemn a juvenile to right to sentence a juvenile to life in prison without parole, regardless of the crime committed? The simple answer is NO! It's not fair from a scientific perspective a logical perspective or a moral perspective. But clearly it's an entirely different story when being viewed from a "legal perspective." Our "American legal system is responsible for sentencing multiple juveniles to life in prison without parole. This just goes to show that "law" and "justice" are not always consistent with one another.

JLWOP is a law, or was law, that many juveniles are very mature, intelligent and

calculated. They argue that if a juvenile is smart enough, calculated and cold enough to commit a crime as extreme as murder

then they are suitable to get prosecuted to the fullest extent of the "law".



September 25, 2017

In 2000 I left my wife and children without money in Mexico and I came to the United States looking for a job to provide a better life to my family.

But when I got here to this country I was arrested and sent to prison for a crime I didn't do. The charge was sexual assault to a woman.

Since then I am not getting help to resolve this situation. I have no family or friends in this country. The only thing I want is to go back to my country. I want to go home.

Sincerely,

Bartolo Peña Domínguez



Bartholomew Dominguez

Sincerely,

I want to go home.  
I want to go back to my country.  
I want to go to my family.  
I want to go to my friends.  
I want to go to my school.  
I want to go to my work.

I want to go to my home.  
I want to go to my family.  
I want to go to my friends.  
I want to go to my school.  
I want to go to my work.

I want to go to my home.  
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