

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 / Robert M. Lietsch / 444108 / C.C.I. / 28 / 12-20-88

what city/county did you reside before incarceration? Lake Geneva / Walworth Co. / WI

release date/length of time in prison/ Jan. 16<sup>th</sup> 2018 / 3 years 4 months (revocation)

crime convicted of/Date of crime for which you were convicted: are you <sup>TIS3</sup> TIS or OL? PCT Armed Robbery / May 4, 2007

guilty as charged  (yes) (no)/length of sentence given 8 years In / 10 years Extended Supervision

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

Add items you think are important but be factual and focused. My attorney expressed mental health concerns at my sentencing and that it worries him I'll be in and out because of revocations. My attorney's on my 2 revocations have pressed mental health needs & DOC ignored.  
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? The DOC doesnt at all help me contact anyone or stay in-touch with anyone. It creates a huge financial burden on my few family/friends I try to keep contact with. When I dont speak to them it seems to make my world dark and black.

**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. See extra paper \*

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

Social Worker Katrina Strese is and has been my driving force to change my life. And Justin Welch (Inmate) has given me alot of support and resource to reach out

**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 irrevocably corrupt (can not be rehabilitated and safely released) before sentencing a child to juvenile life without parole.

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** says Miller applies retroactively. And repeats and a judge must find that a child is irrevocably 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 life in prison without parole, regardless of the crime committed? The simple answer is NO! It's not fair from a scientific 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 justified on the pretense 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".

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? No

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 30 days I think access to phone Nope clothes Nope  
voucher for thrift shops yes bus pass Nope money My Own transport by agent? yes curfew yes other restrictions GPS, everything anything else?

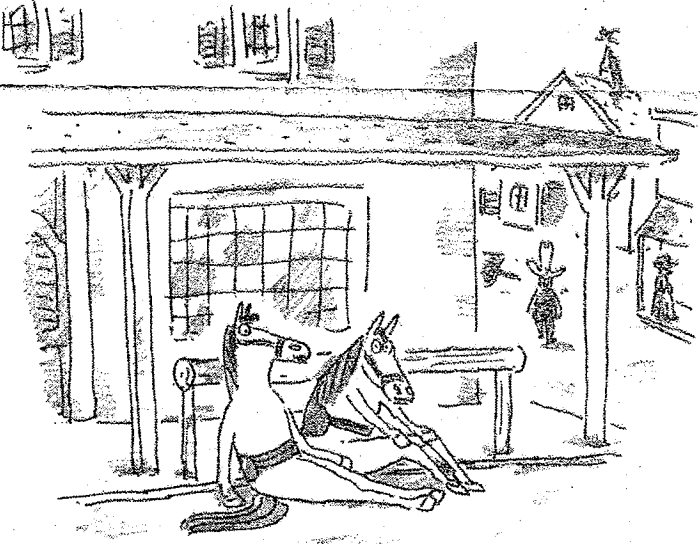
My P.O. wont even allow me a X-Box or gym membership. I have an extremely strict P.O.

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)

Will be obtaining both revocation legal record I am one of those for non-violent rule violation  
revoked  
NO rec. C.O.'s are very abusive.  
14 MO 1st time  
NO 2nd time

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

It is crazy no politician is complaining about the size of DOC Budget  
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 33070 District9) Senator Ducey Stroebel (Saukville); Senator Chris Larson (Milwaukee); Senator Robert W Wirsch (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. Ducey 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?

~~\* See separate paper \*~~

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.

~~\* See separate paper \*~~

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 don't know how to answer this. I was in a mental institution 4 times before I turned 12 and it helped. When the DHHS was involved in my life I made the most advances in 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.

~~\* See separate paper \*~~

9) General health care please outline problems and good things here. Note health care staff shortages where you have encountered them To describe CCI's health care please request information on all the lawsuits and complaints filed.

It's astronomical.

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?

HSED (2009) very ~~useful~~ useful. Vocational (ground maintenance) not useful since users have winters in WI. ERP (2003) best program I've ever received, really helped me understand myself.

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 FUP- 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.

# Questionnaire Extra Paper

3) I totally agree that over incarceration causes crime. It further limits resources and opportunity that is offered in the DOC. And I know for a fact all these times I've been put back into prison has caused me to be angrier and more criminalized. I had a father and mother at home till I was 12 years old. At 12 the system took me permanently. My mom was/is very mentally ill and dad was/is a alcoholic and pot abuser. Dad has been to jail but not more than 3 times in my life and not for more than 2 days.

My uncle was incarcerated in Illinois 3 times for gang stuff. My brother was incarcerated 2 or 3 times. If my family / Dad / Brother were never ~~been~~ incarcerated it would mean they were law abiding citizens. I believe I would of never went to prison if my other family wouldnt of. I never had a true role model. I am not in a gang.

5) I've been diagnosed with life long ADHD, Bi-polar, depression, Childhood PTSD, Conduct Disorder, and all types of stuff. But the DOC refuses to recognize DHHS diagnoses so the Doc only has me as ADHD, Depression, and Anti-Personality disorder - with

Borderline personality. ~~The~~ ~~DOC~~ ~~changes~~ my diagnoses everytime I come back and in my opinion so I am not a MH-2. I have been a MH-2 in the past, not sure why it was changed. ~~I~~ Since I have ~~been~~ off the medication my street Doctor (DHTS) had me on my conduct has been horrible. A lot of solitary time.

(6) I have been sent to prison for rehabilitation but never have received any. I ~~was~~ have not received no treatment for my diagnoses. I did Positive Psychology (wasnt beneficial) and was sent to WRC for copying skills (30 days) but begged and pleaded to stay for additional treatment cuz I am so worried about my violent thoughts and self harm. But of course was ignored and since have cut almost daily and recently attempted suicide.

(8) I am in Solitary. TLV (Temporary Lock UP) as of right now since 8-28-17 but most likely they will put me in disciplinary separation for attempting to kill myself, timeline is unknown but if I'm lucky 3 months.

Unsure the definite reason for me being in solitary but am sure it was due to my suicide attempt and hospital ER visit to save my life. They use punishment and "Obs" as a deterrent for my mental illness. Yes, I have filed ~~my~~ complaints and many PSU slips asking to be urgently seen because I am now hearing scary flash back voices but not one has been answered since I've come to solitary. I have all the proof. Segregation while on "Obs" I had no running toilet water, was given 6 ~~sq~~ square pieces 2 times a day of toilet paper in a room naked with only my thoughts no books, blood and feces all over the walls, feed small portions, and cold meals. ~~When~~ I went on "Obs" on 8-28-17 was seen by Doc Norge for 4 to 6 min. (not removed from cell) through my door, then told I'd been seen by one Doctor over a 3 day period 8-30-17, 8-31-17, 9-1-17 ~~was~~ <sup>was</sup> engaging in self harm hitting my head and requested to talk to a doctor but none ever came in.

Everything here in a max seems to be very old and outdated. They don't have many resources at all. I can't write about this if upset me. They continue to set me up for failure each time I am revoked. Cur they claim on each revocation that they are gonna give me rehabilitation, mental health, and treatment. Which our 11 years of adult incarcerations has only made me into a more angry and criminal.

So the pre-release curriculum... you have to choose between going to rec or going to the library to receive the curriculum - we only get 2 or 3 rec's a week.

I have received absolutely the very-very bare minimum. My Parole Agent hasn't even helped me find a place to live. I have a perfect situation up north but PO refuses to let me move up north.

12

11



Peggy, I promise you, you want to really blow the top off this corruption? I am the perfect poster child for exactly what you are framing with this. ~~I~~ They don't even hide it I have all the paperwork. Please use me as the main exhibit, I'll release all my juvenile, mental health, and whatever to you. I want a powerful partner (you) in exposing this injustices. I'll fight no matter the consequences.

Truly  
R. Letch

Robert Letch 444108

CCI

P.O. Box 900

Portage WI 53901

for having my  
claim I want  
to sign this  
I will sign this

Justin Welch