New for MAY 2019!! The no- parole Iceberg is melting!!

1) Late April TCI, long suffering prisoner Nancy Ezell was granted parole using Executive Order 31, Compassionate Release for old law prisoners. This is the first time the existence of this order has been acknowledged. Executive order 31 was featured in FFUP’s Winter newsletter. GO for it!!!

2) LAIP will help old law prisoners prepare their Compassionate release applications. You must go to them and ask for help, either by filling out their application which is supposed to be available in your law Library, OR write them directly with your request: LAIP c/o Frank Remington Center. UW Law School; 975 Bascom Mall, Madison WI 53706.

3) And as the iceberg cracks: MILWAUKEE – On 4 30 19 the ACLU of Wisconsin and attorneys Issa Kohler-Hausmann and Avery Gilbert, with pro-bono assistance from Wisconsin law firms Quarles & Brady LLP and Foley & Lardner LLP, filed a class-action lawsuit in federal court in Madison seeking to halt unconstitutional refusals to release parole-eligible people sentenced to life imprisonment for crimes they committed while they were children. More here: https://www.aclu-wi.org/en/press-releases/aclu-wisconsin-challenges-wisconsins-unconstitutional-parole-system

4) To help on our end see page 8-10 - we need support letters for our rule change petition - these rules will ensure those ready for release will be let go,

Views of Madison Actions Day March 26, 2019

1) David Liners, Wisdom:
About 750 WISDOM members from all parts of Wisconsin made a big impact in Madison on Tuesday. The only downside of Madison Action Day was that we had more people than expected and we ran out of lunches. Luckily, there was still some breakfast food left over and nobody went hungry! The morning was an inspirational and challenging program, led by African-American, Latina, Native and Caucasian WISDOM leaders from Racine, Eau Claire, Green Bay, Beloit, and points between.

The speakers led reflections on the hard work of “building the Beloved Community,” including the challenges of radical inclusion, costly reconciliation and living for the seventh generation. Speakers called on WISDOM leaders to work to reform ourselves, our own organizations, and the state we live in.

After lunch, Madison Action Day became a blocks-long procession to the Capitol, led by the 14-foot high Jingle Dress Puppet, created by Native people of northwestern Wisconsin, who prays for unity. A rally on the Capitol steps called for racial equity, and a pledge to continue to lift our voices until every Wisconsinite knows justice. WISDOM leaders then visited the offices of nearly every member of the Wisconsin State Senate and Assembly.

Many thanks to those who travelled great distances, who spoke, who worked on logistics and who took many different leadership roles.

Madison Action Day was an amazing display of unity, of shared purpose and of the power of organized people!

2) My thoughts on yesterday for newsletter:
Madison Action Day 2019 was a tentative success, the start of something new. The day started with inspiring speeches on radical inclusion, the beloved community and organizing for the next seven generations. Over lunch we shared ideas and deepened connections with organizers across the state, then we marched over to the Capitol building itself. With more than 500 people crowding the steps, speakers upheld the cause of racial justice and the necessity to work together. During the ACLU’s speech, they announced a protest led by Cesar DeLeon and others in Racine that started the same day. Everyone cheered in support.

Then we entered the halls of power, and sat down with as many elected representatives and decision-makers we could. We focused on the needs to invest in treatment alternatives and diversion, rather than more prisons. We stood against the investment of $8.1 Million dollars into Milwaukee Secure Detention Facility (MSDF) a particularly cruel institution that we intend to see closed before those renovations would be scheduled to complete. Last Sunday's death at MSDF drove this cause home. Bill Leary, a 51 year old man held at MSDF for a technical rules violation died on Sunday March 17, after complaining for days of difficulty breathing and abdominal pain. His complaints were ignored by medical staff even after he collapsed into seizures from internal hemorrhaging. Millions of dollars in repairs will not restore humanity to the overburdened and uncaring staff, which is the real problem at MSDF and across the Wisconsin prison system. Instead, MSDF can be closed with three simple rules changes: 1. end the practice of incarcerating people during violation investigations. 2. end revocation for technical rules violations, instead enforce rules through community sanctions and adequate counseling and support. 3. provide alternative to revocation programming, like AODA in the community, rather than in this prison. After those changes, MSDF would be near empty. Reform of the parole board, pardons, and compassionate release can also drastically reduce prison population generally. That will end the problem of overcrowding county jails with transfers, and imposing modified lockdown to accommodate staff shortage.

Bridge of Voices 2nd bunch 5 19 SPRING!!
We advocated hard as we could for all of these changes. Ben, a new FFUP member attended a meeting with three staff people from Governor Evers' office. These three people expressed sympathy for our issues, and assured us they were working to bring sweeping changes in, but that it will require a large institutional culture shift in the DOC, and such things take time. For example, they are currently hiring a new parole commissioner, and we should expect an improvement to parole, especially for old law prisoners after that change occurs. This meeting included a dozen organizers, from WISDOM, ACLU, JustLeadershipUSA, ExPO and other groups. Baron and Beverly Walker spoke passionately about Old Law Prisoners, while others spoke up against plans for new barracks at Taycheedah and Jackson Correctional, knowing that new beds will quickly be overcrowded and only delay the just and righteous solution: reducing the prison population.

We also publicly delivered a comprehensive list of reforms and changes that the Evers administration could institute by executive order, bypassing the recalcitrant legislature. We included more than 3,300 petition signatures that the CLOSEmsdf campaign has gathered in the last year and a half. Ben worked hard to include the words of prisoners with these documents, also delivering a binder of articles, reports and dozens of prisoner stories to support the reform agenda. The staff members appeared receptive of these documents, as new higher ups at the Division of Adult Institutions and the DOC Communications Office have been since the new administration came in January. They are definitely trying to come across as more compassionate and concerned than the previous administration, the substance of this change of attitude remains to be seen, though.

Meanwhile, hundreds of other advocates traveled from office to office around the statehouse, pushing legislators on both sides of the aisles to relieve the pressures and torments prisoners experience daily, to advocate for justice, and to demonstrate our opposition to a system that treats people as disposable and subhuman. Each of these meetings requires follow up, continued support and pressure. Those in the halls of power are distant from the problem, thus they fail to understand the urgent crises occurring in Wisconsin prisons. Those of us who are closer to, or connected with the people trapped in the belly of this system need to be constantly reminding politicians, demonstrating and leveraging what power we can to put decarceration and human rights back at the center of their attention.

I hope we get results, that our next newsletter will contain reports of real progress, rather than further delays and potentially empty reassurances.

All power to the people.

Ben/FFUP volunteer and Chair of the CLOSEmsdf strategy and outreach committee

3)Jacob Glicklich

On 3/26/19 750 people with WISDOM and allied organizations gathered at the state capitol, seeking to pressure Governor Evers and the legislature to improve issues with the Wisconsin prison system. At the same time, 9 people in Racine and Columbia Correctional began a hunger strike, working to pressure Evers to stop destructive practices in longterm solitary confinement.

Milwaukee IWOC (Incarcerated Workers Organizing Committee) participated in the WISDOM action day, presented the hunger strike demands to the Governor's office, media and WISDOM affiliates who were present. IWOC also signed up volunteers to help do phone zaps against Racine and Columbia Correctional to check on hunger strikers and deter retaliation. You can write to IWOC at P. O. Box 342294, Milwaukee 53234, or connect via email through corrlinks at iwoc.milwaukee@gmail.com

"Out-Of-State Transfers: Some Things U Need To Know"

By: Mustafa-El K.A. Ajala

If you are scheduled for a single-prisoner out-of-state transfer, or a likely candidate for one, you need to review DAI Policy 302.00.02, and prepare yourself. First, to be clear, it is an unlawful rule because it has not been promulgated as an “administrative” rule pursuant to Ch. 227 of the WI. Statutes, so it may be challenged on that basis. See Clifton V. Young, 133 Wis.2d 193, 200, 394 N.W.2d 769, 772 (Ct. App. 1986) (“Section 227.10(1) requires administrative agencies to 'promulgate as a rule each statement of general policy.’”). See also the additional case notes to Ch. 227.

In the meantime this unpromulgated rule is being used to send those the DOC considers a problem out-of-state with virtually nothing and ties to no one, for purposes of punishment and isolation. Your med. files are not sent with you, nor your electronics, clothes, canteen, hygiene items, books, religious items, or release account money. You will likely have to write and demand your regular account money, and litigate for the rest.

The only things the DOC "says" it will send are legal files for active/open cases, photos, letters, some limited medical prescriptions, watch, ring, and address book, but don't count on receiving your address book, all of your photos, pill meds, or most of your legal files. Some systems you may go to, like VA., don't' supply you with WI. statutes or case law, not even on lexis nexis. It is on WI. to do so. See Lehn V. Holmes, 364 F.3d 862, 867-868 (7th Cir. 2004). However, you may have to file grievances (in both states), and possibly a civil action (or injunction if you already have a case pending, as I had to). The DOC has acknowledged it's on them to supply the case law and statutes (on a lexis nexis disk, which is updated quarterly), but it still took over 6 months for them to do so, after litigation. If you are similarly delayed you will be able to show deliberate denial of access to the court because they have done this repeatedly to those of us they've sent out-of-state, knowing what they are required to do, and deliberately failing to do so.

Should they fail to send you needed case files a good case to use is: Crawford V. Britton, 523 U.S. 574, 118 S.Ct. 1584 (1998) (court applies objective standard in assessing whether prison officials should have known that failure to deliver transferred prisoner's personal box of legal papers to him violated his constitutional rights).
The WI. DOC is the sending party, and the state you're sent to is the receiving party. The DAI 302.00.02, I., J., 7., states: "Property shall be disposed of prior to transfer pursuant to sending party policies." However, in most cases they will disregard that and ship you out without giving you an opportunity to go through your property (which will be stored at DCI). They won't tell anyone on your end (family or otherwise) where you have been transferred to, but will instead tell them you're "staffed" at DCI (leading them to believe you're there).

DAI 302.00.02, I., L., 2., states: "Inmates having problems beyond the ordinary course of incarceration relating to medical, psychological, dental, or legal matters shall not be considered for transfer until these matters are resolved or approved by both parties." However, once again, this part of the policy is not honored. I had two cases pending (against the DOC), and I was sent to a state at which they knew I would be denied access to WI. case law and statutes.

The above are the cons. Now, as to the pros, you will be hard-pressed to find yourself in a state that keeps you locked down as much as WI., or segregates for disciplinary infractions as much as WI. Many, as the VA. DOC, have an open tier policy and you're out of the cell nearly all day, (except for count and 11 p.m. lockdown, 1 a.m. on weekends), cable, microwaves, free weights, much more religious freedom, a brawl on the yard may land you in seg. two weeks max (sometimes released the same day), no TLU (unless knives, drugs, assault or sexual assault is involved), e-mails sent/received within the hour (sometime in minutes) and w/photos or cards attached. For those of you who are repeatedly being placed on a.c. an out-of-state transfer works in your favor.

In either case, here are some tips: send a list of your addresses and comrades DOC#s, copies of key cases and files home to reliable family, or counsel. Have you some money set aside on the outside so wherever you land you do not find yourself in need for long, because WI. will drag you with regard to sending your money. Have enough set aside, if possible, to buy all new electronics, clothes, canteen, etc., while you fight to have WI. reimburse you for having done so. Have your paperwork (PRC and sentencing transcripts) in order, come correct (i.e., be who you say you are, not somebody you're not); and, for the Muslim, maintain Iman and stay on your Deen. For those who wish to know, we are well out here, and Midwest (though we're only a handful) is well respected. By the Grace of Allah, this way has been paved. Peace Comrades!

SOME UPDATES ON KEY ISSUES-it has become clear that we will be in a time of transition for awhile yet< We will put out new newsletter as soon as there are resolutions but for now here are updates and new directions.

MONEY SCAM update: Kerby appeal still in limbo- ACTION REQUESTED:

Imprisoned citizens: please ask families to write Governor Evers and pressure him to order Secretary Carr to change the policy of taking 50% of all incoming moneys. Ask them to tell your story- we have reports of citizen prisoners working 2 jobs and having a few cents of “take home pay”. Even without the deductions, prison wages are lower now than in the 1980s - before restitution and costs could be lawfully collected from prisoners. Wages have been cut twice since then. If prisoners are expected to pay obligations, the DOC should double everyone's wages so they can afford to pay them. Otherwise, either families end up paying or the amounts collected are so small it costs the DOC more in staff time and resources than the amount collected. Governor's address: Gov. Tony Evers/P. O. Box 7863/Madison, WI 53707

Sec. 973.20(11)(c), authorizes the DOC to withhold "an amount or percentage the department determines is reasonable for payment to victims." The 50% deduction is excessive and unreasonable and imposes a harsh burden on imprisoned citizens and their families. DOC officials arbitrarily set this amount and it can be reduced at any time by Secretary Carr or the administrator of the Division of Adult Institutions.

Background: The Wisconsin State Legislature enacted 2015 Wisconsin Act 355 and made it effective July 31, 2016. Act 355 amended 973.20 Restitution, and 301.32 property delivered to the Warden or Superintendent for the benefit of the prisoners. Please take Judicial Notice that the Act 355 is not being challenged here. The issues at stake herein are the acts of the DOC in their interpretation of Act 355.

The DOC has followed 973.045, 973.05 and 973.06 Wis. Stats and the 309.465 Administrative Code since the mid 1980s. These laws and rule allow the DOC to take 25% deductions from inmate wages and gift money for the purpose of paying their court ordered financial obligations. These obligations are commonly referred to as Crime victim and witness surcharges "A" and "B" and "C", DNA surcharges, Court cost, fees and fines, restitution, etc.

Act 355 amended restitution costs to be taken as "a reasonable amount or percentage". The DOC immediately made an IMP (policy) known now as DAI P&P 309.45.02 in which they changed the 25% deduction rule to 50% deductions across all of the above categories of court ordered debts.

DAI policy 309.45.02 has no lawful authority because it was never properly promulgated as a rule and affects private rights. DAI policy 309.45.02 was issued by the administrator of the Division of Adult Institutions - Mr. Schwocher . Either the head of DAI or DOC Secretary Kevin Carr can change the policy with a stroke of his/her pen and resolve the issue.

( the above statement crafted with help of Litigator Harlan Richards)
Clemency/Pardon In Wisconsin: Action Requested

Wisconsin has a long history of granting clemency to imprisoned citizens to allow them to be released from prison early. Until the Mass Incarceration Movement hijacked our criminal justice system in the mid-1980s, imprisoned citizens were permitted to request commutation of sentence from the governor. Gov. Thompson created the "extraordinary circumstances" requirement for prisoners which has prevented anyone in prison from receiving clemency in the last 30 years. The standard is virtually impossible to meet.

Gov. Evers is restarting the clemency process after Gov. Walker shut it down during his time in office. New forms are being created and it is crucial that the "extraordinary circumstances" requirement be abolished. Friends and family should be asked to write to the governor to oppose this requirement. Otherwise, imprisoned citizens will be barred from seeking clemency.

If you want your name added to the list to receive the new clemency forms, write to:
Corissa Mosher, Asst. Director of Constituent Services/Office of Gov. Tony Evers/P. O. Box 7863/Madison, WI 53707

note:
FFUP’s website includes a report by Harlan Richards on clemencies granted in Wisconsin from 1969 to 1986 and the original documents informing congress of the clemencies. These pre Walker pardons are important as they include many lifers and show that at that time common belief was that 25% is enough time for punishment. To find report and original pardon notices, Go web and click on side bar link: www.prisonforum.org.

 parole and pardon continued on page 7

A FEW PATHWAYS for RELEASE or sentence adjustment for TIS inmates

TIS prisoners:

YOUR RIGHT TO COUNSEL when applying for geriatric or extraordinary health condition release

This is the new or many of us: if you qualify, they must appoint counsel for you

§302.113(9g)(j) : (j) An inmate eligible to seek modification of his or her bifurcated sentence under this subsection has a right to be represented by counsel in proceedings under this subsection. An inmate, or the department on the inmate's behalf, may apply to the state public defender for determination of indigency and appointment of counsel under s. 977.05 (4) (jm) before or after the filing of a petition with the program review committee under par. (c). If an inmate whose petition has been referred to the court under par. (cm) is without counsel, the court shall refer the matter to the state public defender for determination of indigency and appointment of counsel under s. 977.05 (4) (jm).

QUALIFIERS: you cannot have a "Life-Sentence", A, or B Felony; Civil Commitment; and the Inmate must be on TIS-1,2, or 3.

you must fit one of these:

65-years old and 5-years of your sentence done;
60-years old and 10-years done;
The Inmate has 'Extraordinary Health Condition'.

"Extraordinary Health Condition" means a condition afflicting person, such as age, infirmity, or disability of the person or need for medical treatment or services not available within a correctional Institution.

Template for letter to public defender

Date/To:
Re: Geriatric/Extraordinary Health Condition Release
Petition and Request for Assistance
I am in need of any and all assistance concerning filing a petition for "Geriatric/Extraordinary health Release." According to Wis.Stat. §302.113(9g) (j):
"An eligible inmate who is seeking Geriatric/EHC release does have a right to counsel in proceedings under this section. In particular, an indigent inmate has the right to seek State Public Defender representation, either before or after submitting a petition to the PRC."
I am hereby requesting any and all assistance from the Public Defender's Office in regards to my petition. Please contact me as soon as possible in order to discuss next step. I look forward to working with you and I hope to hear from you soon.
Sincerely,
on form/ letter place your criminal conviction case number and send it to the public defender in the county of conviction.
I thank the prisoner litigators who sent me this info and did the research on the above.

MORE FOR TIS PRISONERS

In my own research I came upon LAIP prose handbooks some answers to questions I have been asked “what’s for TIS inmates?” and about getting released at 75% time. There are two LAIP prose handouts addressing this:1) “Sentence Adjustment Pro Se Packet 973.19(27 pages)” and 2) “Positive Adjustment Time (PAT) sentence adjustment prose packet (13 pages)"

I gleaned a few things from these packs- nothing complete and I do not know the law- BUT..

GLEANINGS FROM LAIP pro se Packets for TIS inmates -

1. From Part A Summary from “Sentence Adjustment Pro Se Packet 973.195(27 pages)”

   Under 2011 Wisconsin Act 38, all eligible inmates serving TIS sentence imposed for crimes committed since December 21, 1999, can petition the court for sentence adjustment. (Act 38 modified Wis. Stat. § 973.195 which 2009 Wisconsin Act 28 had limited to inmates sentenced before October 1, 2009, The section now states that any eligible inmate, who is serving a IIS sentence can apply for sentence adjustment.)

   • An inmate serving a sentence for a Class C.D. or F felony may petition for a sentence adjustment after serving 85% of the confinement portion of the sentence.
   • An inmate serving a sentence for a Class F, G, H. or .1 Felony or enhanced or bifurcated misdemeanor may petition after serving 75% of the confinement portion of the sentence.
   • No one can petition before serving the full 75% or 85% of the confinement time,
   • Inmates who were sentenced under TIS before February 1, 2003 can apply for sentence adjustment. See State v. Tucker, 2005 WI46,22,279 Wis. 2d 697,694 N.W.2d 926. These inmates will use the TIS 2 rather than TIS I felony categories to determine whether they are eligible for sentence adjustment at 75% or 85% of confinement.
   • In State V. Anderson 2015 WI App 92, the court of appeals held that persons sentenced to prison to serve a bifurcated TIS sentence imposed for an enhanced misdemeanor are eligible to petition for sentence adjustment after serving 75% of the initial confinement portion of their sentences.

   • The judge may grant a sentence adjustment for one of these reasons
   - Good conduct or participation in educational or treatment programs.
   - Change in law (usually under TIS 2) that would have resulted in less confinement.
   - The person is facing deportation or a prison sentence in another jurisdiction.
   - Sentence adjustment is otherwise in the interests of justice.


2.) Then there is the “positive Adjustment Time (PAT) sentence adjustment prose packet (13 pages)”

   LAIP lawyers strongly recommend that sentence Modification 973.195 is used first and although you can apply for both at same time, you rather apply for PAT only if you fail on 973.195

   From Packet “Can I apply for both 973 sentence adjustment and "PAT" sentence adjustment under 973.198?

   after a long interesting history: “LAIP attorneys believe that most inmates should file for § 973.195 sentence adjustment first. If sentence adjustment is denied and the inmate is eligible for "PAT sentence adjustment," the inmate can file for § 973.198 "PAT sentence adjustment" afterward. See our reasons below.

   • "PAT sentence adjustment" is available only to inmates who were serving time between October 1, 2009 and August 3, 2011. If you were not incarcerated during this period, you cannot file for "PAT sentence adjustment" at all
   • "PAT excludes" many offenders and specific felonies that are not excluded under Wis. Stat.’ 973.195. Thus, many inmates who are not eligible for § 973.198 "PAT sentence adjustment" will be eligible for § 973.195 sentence adjustment.
   • Most inmates will have more time available for adjustment under Wis. Stat. 973.195 than under Wis. Stat. 973.198. PAT is calculated differently than eligibility for § 973.195 sentence adjustment. As a result, it appears that nearly all inmates will be eligible for more time off with § 973.195 sentence adjustment than with § 973.198 "PAT sentence adjustment."

   Over the years, the courts have determined a way to calculate the 75% or-85% eligibility date for § 973.195 sentence adjustment. This eligibility date is based on the inmate’s entire confinement period, beginning with the "date sentence (5)
"Stupid is when you think ignorant means dumb or stupid, it doesn't. It means not knowing to be less than responsible. Defective goods & foods products that are not fit for animal consumption? Why are we settling for our children & grandchildren?"

"RESPONSIBLY, so what about racism in this country, but do something about it in the form of structuring ourselves to deal with ourselves, Blacks say about whites!"

"We degrade us, dehumanize us? This is the mentality of some Black people: We shouldn't put "them people" in our business some safety in the haunted corner or 2 miles away from our property?"

"DEFINITELY must not be returned to society. Should we be left to police our own via street justice? I should put my family's safety in the hands of person who wants to rob me, pimp the women in my family, sell dope to us, cheat us, disrespect us, degrade us, dehumanize us? This is the mentality of some Black people: We shouldn't put "them people" in our business some Blacks say about whites!"

"We owe it to ourselves, to those who came before us & those yet to come, to come together & not only have a conversation about racism in this country, but do something about it in the form of structuring ourselves to deal with ourselves, RESPONSIBLY, so that we can EFFECTIVELY respond to the atrocities that are forced upon our people, & not just against our people, but people in general."

"Why are we allowing school after school to be closed in the areas we live in? Why are we allowing liquor stores on every other corner or 2-3 on the same block? Why do we allow shady business people to open up shop in our neighborhoods to sell us defective goods & foods products that are not fit for animal consumption? Why are we settling for our children & grand-children to be less than responsible? Why in the hell are we proud of not only being ignorant, but proud of deciding to be ignorant? For the record, some think ignorant means dumb or stupid, it doesn't, it means not knowing! Stupid is when you have the means to know & you make the conscious choice to remain ignorant!"
Our people have been hurting for eons, & unfortunately, we've taken that hurt & turned it on others... HURT PEOPLE, HURT PEOPLE! It is time we recognize the fact that we've been hurt & make the choice to do what's necessary to commence the healing process. There's no honor in playing the victim role all the time, wanting handouts from the very same people we same are against us & then take it out on the very same people who look like us! We are indeed far better than that.

I purpose that "WE" arrange a town hall type of coming together once a month to begin the process of structuring how we're going to get our sh** together. We have to talk amongst ourselves first, we have to have that space to speak what we need to speak in ways we can relate to & understand, which will entail getting some stuff off our chest initially, which is cool & understandable, but after that, it's time to get down to the business of taking care of us!!!

I'm putting this out there to see who's willing to really demonstrate the fact that Black live really do matter to Black live? I'm saying, even from the confines of prison, not only am I ready & willing to play my part, but I've been doing it for the entirety, thus far, of my incarceration! So I close this missive with one simple question... "CAN WE REALLY TALK?"

AUTHORED BY: MR. TOUSSANT L. HARLEY #241861/a.k.a. ‘ABD AL-MALIK SHABAZZ/WSPF BOX 1000/BOSCOBEL WI 53805

Brandon D Bradley 644115

My name is Brandon D Bradley #644115 and I’m an inmate at the Waupun Correction Institution. I’m going to talk about daily life in segregation, no filter, no half stepping. We inmates need to come together and peacefully protest, exhaust our remedies, group petition. Instead we spend our days kicking city, snorting pills, busting heads, cranking out basically a bunch of nonsense. PSU is not here to help you, HSU is not here to help you, Security is not here to help you. Help yourself. Take care of your mind and body. Exercise as much as you can. Meditate. Drink plenty of water. Stop shoving all those pills up your nose. You do not know the allergic reactions you are opening yourself up to. There is no need to argue back and forth all day. If we can’t get along, move along. I personally refuse to be angry and upset all day for no reason AT ALL. Also men, please keep your penis in your pants. What if your mom, sister, daughter, granddaughter, niece was a prison guard. Would you want her to be respected?

Seriously guys, we have a ton of problems in seg statewide, excessive force, retaliation, cruel and unusual punishment, deliberate indifference etc. We’re being underfed, put in dirty cells, having the heat cut off on the ranges “for the problems”. I know you guys seen men get jumped by guard, skipped out of trays and showers, sprayed out their sleep, walked down the hallway naked, cut themselves with no medical attention. I’m a victim of all of the above. Instead of cheering for the cops, write a complaint refuse, trays or showers as a group. If WE the inmates did that, things would slowly change. I lost my sister in April 2018 to gun violence in Chicago, been beaten and starved by the guards, had my medication that I was on for years cut off, throw out and off obs as a punishment and retaliation. A weaker man would have committed suicide. I’m not weak though! It’s a lot of strong mentally ill inmates in seg statewide keep fighting. I’m one of them. I have a sixth grade education and I’m litigating at ease. Protect yourselves and your rights. Stop using meds, PSU, HSU as a crutch. Man up. Network with the real, I want to send a special shout out to a beautiful wonderful prison activist Peg Swan. She put me back in contact with my family, sent me those trusty five flags and paper which I use to exhaust my remedies, write family, litigate. I refuse to sell her flags for hygiene or pills. She helps the best she can. NOW fellow inmate statewide HELP YOURSELF.

Peace
Salaa Udeen AKA Scrap DOG
former RHU crank turned Jailhouse lawyer

Founders notes: Been hesitating too long to put this out as I wanted to print pardon application and final Kerby decision but all is still in transition and that is the way it will be for awhile. Hence, the updates above. I have also received wonderful proposals for Evers and the new administration and am passing them on and connecting with others in activist groups—it is a time of (7) high energy. Along with this, there is real need for FFUP to structure the wealth of information you prisoners send and get it to people who can help and that is happening albeit slowly and painfully but we all know there is more listening possible and a little more light to see by. I am not getting to Corrlinks and I apologize- all will get this newsletter and I hope to have enough structure and support in the future that I have the time to take better advantage of the corrlinks tool. One more thing- for those new requesting regular stamps- send account statement proving indigence (every 6 months) and I do my best .Peg

Proposal for Legal Project:

I purpose: This is intended to be a way to give structure that allows what works in FFUP to be more effective, to eliminate the bottle neck of one intake person for so much information, and also to start building a structure that will eventually allow FFUP to go ahead without founder. After years of shouting into a gale of hostility and hysteria, we now have listening ears and we need to give them ammunition so they can do what they know is right but is politically treacherous. In sum, we hope to help individuals who ask FFUP for help and also gather for broader actions.
TO that end, if you are a seasoned litigator who is not currently connected with FFUP and want to be part of the guidance end of this, let me know and let me know what type of cases you are comfortable helping with. FFUP right now offers little except stamps and paper. case lookups, letters writing- all as is possible, and there are a few litigators who have been stalwart in guiding prisoners as requests by FFUP. But it is haphazard and not reliable, I believe that IF we get this set up , we will be well funded with both volunteers on the outside and money donations from outside and in. People do support what they believe in and structure is vital toward this process.

So as we set this up, I ask all those who write me with requests for assistance in health care, solitary confinement abuse, mental health treatment, prea violations, property violations etcetc to submit the following form-This will be sent to a litigator guide . Use your best handwriting and be focused- make it easy to read.

Everything will change as this evolves but using this form gets us started. Of course you can write me in your own way too- just include this form with your request so I can process it quickly and get it on its way. Be complete as you can -( do not make me go through a long intricate letter to extricate your problem and rewrite it)- you can lessen backlog amazingly if you are focused and write with a seasoned capable litigator in mind as one who will receive your summary- a litigator guide will send back a few paragraphs of directions. Then you decide if you want to work with us, I supply materials as needed- the litigator guides will direct as needed and you learn the law and do you own case with guidance and support.

REQUEST FORM

use separate sheet and answer these questions:

1) name number prison/

2) ______ Request for assistance on abuse, health care, conditions, property, PREA violations etc: number your request – each new aspect gets a number- make it easy to read and scan-think of less than a page but enough to give good view to litigator. These guys know the system so a lot you do not have to say. Include most of all what exhaustion of remedies you have done. efforts to remedy you have made.

OR/AND

_______ request for assistance on your criminal case- innocence, too harsh sentence, release miscalculation, revocations etc- this is in process and reports to the powers are needed. Prisoner litigators can help with sentence modification motions etc- but mostly is requiring public awareness rising

1) state problem, what you have done to remedy, how far you are in exhausting your remedies. Number each point.

2) Cases you have filed before- cite them and give outcome.

3) List Guides and type of assistance you need to effectively pursue this case/ what learning you have done

Also we will be trying to effectively address problems using all other tools available- the usual letters and calls, reports, litigation and legislation and public pressure but first- we need information. More people are looking to FFUP to supply them with info about you. Eventually trust will build up enough for more direct contact between your average American and you, the citizen prisoners, but for now, FFUP will continue to be one of the connecting links.

info needed: specifics on overcrowding, lockdowns and partial lockdowns, staff firings and quitting, harassment patterns, medications cut off abruptly, unwarranted diagnoses changes; always revocations without felonies, food and hygiene

this just in: Those who have had serious health problems –including mental health problems-- due to delay or lack of medical treatment or due to malpractice or staff negligence can write MJS journalist Maria Perez, 333 W State St (4th floor) Milwaukee, WI 53203/Or families can email her at maria.perez@jrn.com. “Please ask them to include in their letter a description of what happened, what documents/records/witnesses could substantiate their claims, if any, and an authorization for me (Maria Jesus Perez Sanchez) to be able to review their medical records, or to include their medical records in the letter, if they have a copy of them. If they know of an inmate who they suspect died after lack or delay of medical care, or after negligence by staff, I would appreciate it if they could get in touch too, and let me know any information they may have about the death, including the name of the inmate and circumstances of their death and any other information they may have about how to get in touch with the inmate’s family, etc

Parole and resubmitting our parole rule petition using statute 227

This is ready to go – remember it? We submitted it to the WIDOC a few years ago to a lot of promises and fake action by the WIDOC. NOW may be the time. Either the Guidelines or the rules below would give Governor Evers a way to reinstate parole to the way it was before the infamous Tommy Thompson memo without political drama. It would ensure that those ready would be released while those too dangerous would have a chance at rehabilitation with a new WIDOC which will have a chance to reclaim its rehabilitation mission( population dramatically reduced). This statute requires that the rules get a good review. The arguments for the new rules have been redone since first submission and the whole thing is about 22 pages and it will be resubmitted as soon as there is a parole chairman to receive it. Letters in support are needed to go with it- see example at end of this section.
1) For inmates sentenced for crimes committed prior to December 31st, 1999, the mandated 25% of their sentence shall be considered sufficient time for punishment. Afterwards, release on parole shall be granted, absent substantive extenuating circumstances, based on conduct and accomplishments while incarcerated.

2) If parole is not granted, the Parole Board must state in written detail the specific requirements an eligible inmate must meet to be granted parole. This cannot contain a catch-all provision that might allow the decision-maker to base his or her decision on a factor of which the inmate has no control such as “insufficient time for punishment” or “seriousness of the crime”. Also, there is no statutory requirement that a prisoner be transitioned to a minimum security prison before release. Yet unwritten rules today usually require it and overcrowded conditions leave many parole-ready inmates waiting years for the next transition. If timely transition to a lower level security prison is not possible, prisoner who can otherwise show himself ready for release shall be paroled without regard to the security level of the prison in which he resides. Likewise, working outside the prison before release, although laudable, is not a prerequisite for release as there are many times the applicants for these jobs than there are openings.

3) Also, availability of programs and prison overcrowding cannot be a factor in determining release eligibility. The Department of Corrections and Community Supervision shall provide parole eligible inmates access to the programs/facilities necessary to complete the requirements for their parole release within 90 days of denial of parole for reasons of programming. If this is not possible, the prisoner will be allowed to complete the program in the community or it will be waived.

4) The Parole Board shall have the widest possible view of the prisoner. In addition to allowing victims and victim advocates to testify at the hearing, prisoners shall be able to invite family members and advocates. Also, the prisoners shall be allowed to submit letters of recommendation by WIODC staff and WTDCC volunteers who have worked with him/her. Staff and community members who are against the release shall be allowed to speak.

5) The decision whether to release an inmate shall be made based on testimony at the hearing and documents in the prisoner's file only and the prisoner shall be able to view and contest contents of his/her file beforehand.

THE PROPOSED RULES (stuff we added to existing rules is in bold sorry for the small font but space is precious and this IS readable)

Below is a Rewriting of PAC 106 (16) through (20) with proposed changes inserted

Here we have expanded and added details in order to fold the new rule proposals into the existing PAC rules

PAC 1.06(16) thru (20)

A RECOMMENDATION FOR A PAROLE GRANT OR RELEASE TO EXTENDED SUPERVISION ORDER MAY BE MADE AFTER CONSIDERATION OF ALL THE FOLLOWING CRITERIA:

(NEW RULES IN BOLD PRINT)

PAC 1.06(16)(a) The inmate has become parole or release to extended supervision eligible under s. 304.06, Stats., and s. PAC 1.05.

PAC 1.06(16)(b) Once a prisoner has served the statutorily imposed minimum amount of time necessary to become parole-eligible, the Parole Commission shall recognize that the prisoner has served the "sufficient time for punishment" - portion of his/her sentence. For inmates sentenced for crimes committed prior to December 31st, 1999, the mandated 25% of their sentence shall be considered sufficient time for punishment, for those with life sentences, it is 13/2 years. For Prisoners sentenced pre-1981, parole eligibility for those serving life sentences started at 11 yrs, 3 months.

PAC 1.06(16)(c) The inmate has demonstrated satisfactory adjustment to the institution.

PAC 1.06(16)(d) The inmate has not refused or neglected to perform required or assigned duties.

PAC 1.06(16)(e) The inmate has participated in and has demonstrated sufficient efforts in required or recommended programs which have been made available by demonstrating one of the following

PAC 1.06(16)(e)(1) P.A.C.1.06 (16)(e) 1.1 Inmate has participated in the community OR

PAC 1.06(16)(e)(2) The inmate can complete programming in the community OR PAC 1.06(16)(e)(3) The inmate has not been able to gain entry into programming because the program was not available at his institution. In cases where the inmate is in administrative confinement, a non punitive status, all efforts shall be made to see that programming required for release is successfully taken. If the inmate requests such programming and a good faith attempt to supply it is not made, this lack of programming shall not be used against the inmate when deciding readiness for release.

PAC 1.06(16)(e)(4) Where such inmate chances to obtain favorable parole is contingent upon his completion or participation in such program or treatment, the Parole Commission and Program Review Committee, shall work together in securing an inmate a space in required programs and treatment, as required by DOC 302.15 (4)(9) WI Adm. Code.

PAC 1.06(16)(f) The inmate has developed an adequate release plan.

PAC 1.06(16)(g) The inmate is subject to a sentence of confinement in another state or in the United States illegally and may be deported.

PAC 1.06(16)(h) Inmates who committed their crimes before 1999 who were ordered by the judge to be deported upon release, shall, if permission is given by the host country and the inmate, be deported to his or her country of origin.

PAC 1.06(16)(i) In order to assess whether or not release would pose an unreasonable risk to the public and would be in the interest of justice, the Parole Commission shall be afforded the widest possible view of the prisoner. Therefore:

PAC 106(16)(i)(1) In addition to permitting victims and victim advocates the opportunity to be heard at each hearing, the Parole Commission shall permit interested parties to speak at parole hearings on behalf of the prisoner. These interested parties may consist of family, friends, members of the prisoner's support group, clergy, employers or other advocates as well as prison staff who support release.

PAC 106(16)(i)(2) The Parole Commission shall also permit two institutional staff and/or community members who voice opposition to release to speak at the hearing. In addition, Correctional staff or any person in the community will be allowed to submit written testimony in opposition to the parole.

PAC 106(16)(i)(3) The commission may use the independently scored findings of evidence-based-practice evaluations used initially to identify essential program needs during the Assessment & Evaluation process and subsequently used to evaluate current dangerousness to the community in preparation for release. If these test scores are used in the assessment, copies of the questions and answers and test results shall be made available to the prisoners before the parole hearing. He/she shall be able to comment on test process and fairness.

PAC 106(16)(i) All documents used in accessing whether to release an inmate shall be made available to the prisoner.
We need more supporting letters to include with the petition. Please ask your families to help.

Example of a letter:

template: Name and address; **BASICALY- ask you family member to give a quick summary of your story**- here is one example “I Support this parole rule change petition. I have had a loved one in prison for----- years. He has been eligible for parole since --- and each year that he goes in front of the parole commission he is given the same excuse, “has not served enough time for seriousness of crime.” He has completed every program required of him and meets all of the criteria for parole but he is given deferment after deferment which has begun to make him feel hopeless. There is no one that governs the parole commission which means that they are free to make up rules as they see fit. This is unfair and completely discriminatory. It is time for change. It is time for actual justice for these Old Law Prisoners. Out with the old and in with the new!”

**SEND letter or email to FFUP via Peg Swan pgswan3@aol.com; 29631 Wild Rose Drive, WI 53518**. It will be included in the doc that goes to parole chairman and Governor.  **AND FINALLY:**

**EMAIL NEWSLETTER BY THOSE IN LONG TERM SOLITARY OR WHO HAVE SERVED EXTENDED TIME IN SOLITARY**

**purpose- give you opportunities to ground your frustration and rage positively and jolt the public out of their stupor around prisoners and the mentally ill**  
**(and maybe make a few friends in the bargain)**

**I ask for introductions from prisoners who know solitary well** and we will put out a newsletter through email-you can have a regular column. I will first send it to friends and activists and ask them to spread it- gradually we will develop this. I hope to end up with plenty of penpals for you and with lots of people ready to push for real change. Send intro (your story) to FFUP.

**background thoughts:**

Solitary Confinement is what brought me to this work 20 years ago- the opening of Supermax- and since then the use of solitary confinement as the solution to all ills has increased and the abuse is now standard. And those of us who try to advocate outside find that there is no path in-recently our outrage at treatment of a mentally ill inmate who had cut himself- put in restraints naked, discolored and infected arm neglected , temperature freezing, restraints too tight and cutting off circulation- was met with the statement that of course he exaggerating and was lying.

We know he was not lying, for it has been too many years of the same story. The Department of Correction’s behavior management document itself (sent by the prisoner) shows that it is standard practice to respond to an inmate cry for treatment with more isolation in much worse conditions. Punishment forever and for everything. The inmate wrote” and Nobody EVER sat down with me to discussed treatment.”

FFUP is in a campaign forever trying to end long term solitary and get rehabilitation put back in the DOC but immediate goal is getting TIS prisoners to WRC before they are ejected by law from the prison without treatment straight from months and years of solitary. The inmate above will be release in July- what are his chances after this abuse? There are many many like him. While we continue to push as we have done- we enlist your support- you citizen prisoners who are stuck in our dungeons.

**FFUP , Forum for Understanding Prisons, a 501c3 nonprofit.**

All donations welcome- prison forum c/o 29631 Wild Rose Drive/ Blue River, WI 53518 OR go to our gofundme account:

https://www.gofundme.com/prisonforum