

**A report on COVID-19 in Wisconsin prisons from Forum For Understanding Prisons (FFUP). Also online with links at Prisonforum.org.
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Waupun CI Response to COVID-19 Exposure: Lackadaisical and Punitive.

March 22, 2020

This report relies mainly on phone calls with our friend Elijah Prioleau, who is locked up inside Waupun Correctional Institution (WCI) on a 3 year revocation after spending 16 years trapped in Wisconsin prisons. Elijah has health conditions that make him especially vulnerable to COVID-19 and to the hardship of an extended lockdown. We demand that he, and others like him be released immediately and quarantined in a hospital or other facility that cares for people and tries to keep them alive. The Wisconsin prison system does not.

By speaking with us and bringing truth to the outside world, Elijah faces risk of retaliation. We haven't heard from him since early Saturday morning. Please write him support letters, thanking him for helping raise awareness and protect people held in Wisconsin prisons. Receiving mail demonstrates to staff that Elijah has friends outside who will not stand by if he's persecuted or silenced. Write him here:



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Elijah's testimony is based on what he saw and heard about from the cell block. We researched background information to put his observations into context. We can see two things clearly:

- First, Governor Evers and the DOC could have prevented this exposure if they'd cared to protect incarcerated people's health and wellness over the last year.
- Second, Warden Brian Foster at WCI and his staff are not taking serious action to prevent the spread of COVID-19 in the facility.

The Source of Exposure

Multiple news outlets have [reported](#) that a Department of Corrections staff doctor who had recently been out of the country tested positive for COVID-19. Elijah heard that the infected doctor was [Jeffrey C Manlove](#). Manlove's name is familiar to incarcerated people and their advocates because of his years of negligence and mistreatment. He has been a doctor for the DOC since at least 2013, mainly but not exclusively at Waupun CI. If Elijah's information is correct, the DOC could have prevented this exposure by not allowing a doctor with Manlove's history of disregard for incarcerated people's health to continue working for them.

In 2016, when 30 people started the [Dying to Live hunger strike](#), Manlove helped break the protest after only ten days by authorizing [torture by force-feeding](#). With just a few minutes' worth of searching, we've found a number of lawsuits filed by prisoners against Manlove. Filing these lawsuits from within prison is incredibly difficult. Lack of counsel, frequent interference and harassment of prisoner litigators by DOC staff, combined with barriers created by the [1995 Prison Litigation Reform Act](#) (PLRA) can make suing the DOC a harrowing years-long ordeal. These cases, even the ones that were denied or remain unresolved due to PLRA or missing documents, are likely a mere glimpse of the negligence and abuse Dr Manlove has brought upon people incarcerated in Wisconsin.

- Andrew Witcomb [successfully filed a suit](#) against Manlove, Waupun Warden Brian Foster and others for mistreatment that resulted in a torn ACL and his knee continuously falling out of socket.
- Daniel Lee Wachowiak [filed a suit](#) claiming Dr Manlove refused to treat his foot infection. The suit was suspended because Wachowiak could not provide necessary documentation. We've caught DOC staff interfering with legal documents in the past.
- Elbert Compton [filed suit](#) against Manlove and others for failing to treat his broken finger. His claim was partially denied because he failed to exhaust all the PLRA stringent requirements.
- Daniel Oswald [filed a suit](#) against Manlove for denying him a wheelchair and treatment. His claim was mostly denied because he failed to exhaust all the PLRA stringent requirements.
- Larry Donnell Harris Jr [filed a suit](#) claiming that Manlove misled him about the use of results from a blood test he'd performed. The court found in favor of Manlove, because he claimed not to remember.
- Mark Anthony Adell successfully [filed deliberate indifference and retaliation claims](#) after he says Manlove mis-prescribed him drugs and then subjected him to weeks of severe back pain by denying him treatment when he complained.

Each of these lawsuits could only be filed under PLRA if the plaintiff had exhausted all administrative remedies. This means Manlove's record had to be known to WCI Warden Brian Foster (who is also named in a number of the complaints), Secretary Carr and DAI Administrator Makda Fessahaye. They have misled the public by [overstating the presence](#) of "professionals on-site monitoring the health of individuals in our care." The responsible thing for these officials to do would have been to raise the alarm and join advocates calls to release people, reduce overcrowding, and mitigate the inevitable spread of COVID-19 in Wisconsin's prisons. This approach would have simply accelerated the decarceration process they say they were [tasked with](#) by Governor Evers when hired.

Careless Response

Warden Brian Foster is quoted in most articles about the exposure saying “be assured, we as an institution and a Department are taking this situation very seriously”. Warden Foster stated that “extensive cleaning of the institution” has been implemented to prevent the spread of the coronavirus.

Elijah has witnessed the actual response, which includes:

- Guards lying to prisoners, telling them there was no exposure and not to believe the news.
- Careless cleaning. Elijah has only seen a “tier tender” (an incarcerated worker) come down the tier once a day spraying the top rail and doorknobs with a cleaner. The spray is not wiped and spread around. No other surfaces are being cleaned.
- Elijah and other incarcerated people are not given disinfectant with 70% or more alcohol as advised by the CDC, only standard cleaning solutions. The guards pass a bottle of spray into the cell, then demand it back and take it to the next cell.
- Prisoners are only able to spray down their surfaces and are not given clean paper products to wipe anything down. They have to use tissues, and guards won’t give them any more than they usually get.
- Prisoners are also not being given gloves or masks. or being separated from others who are showing signs of illness.
- A guard went on the news and said they can’t have hand sanitizer to protect themselves because prisoners are drinking it. This isn’t true, the guards all have mini bottles of sanitizer on their waist-belts that they are able to use whenever they need. The DOC has never allowed its captives to have hand sanitizer, no one has been drinking it.
- Food distribution is not being handled properly - trays in general population are being served to prisoner’s cells uncovered, without any protection keeping particles from sitting right on the food.
- A sergeant named Pratt is passing out juice to prisoners, uncovered, and refuses to put on gloves. He is touching people who are showing signs of illness and then passing out cups to healthy people.
- The guidelines for testing potential high-risk persons are not being followed - according to the CDC, Elijah is in the high-risk category of persons, as he has an immune-compromising pre-existing condition, and a heart condition. He’s already lost 64 pounds in the DOC’s “care” in the three months since he was revoked and reincarcerated.
- WCI’s health services unit isn’t even responding to request slips for people with pre-existing conditions and symptoms.

Slow to Act

Brian Foster and DOC admin didn’t make any changes that were noticeable to Elijah or other incarcerated people until after the exposure of their captives became public. Even the totally inadequate changes described above didn’t occur until March 18, when the news broke.

This means:

- After the state government issued a ban on gatherings of more than 10, they were still requiring all inmates to go to the chow hall until wednesday morning. It’s possible the

ban was only applied to WCI because of the exposure and other prisons may still be requiring people to gather in large groups to eat in chow halls.

- Elijah says that Dr Manlove was interacting with nursing and HSU staff as well as prisoners for nearly a week, exposing all of these people to the coronavirus.
- The man housed in the cell next to Elijah came in contact with the doctor over a week ago. He was showing symptoms, coughing, with a fever and runny nose. On Monday, March 14, he went to HSU and they sent him back to his cell with just a bottle of cough syrup. They still let him go to work, in the kitchen, preparing meals for others.
- On Wednesday, after the news came out, this sick person was pulled back out to HSU and quarantined. Neither his cellmate nor anyone on his tier have been tested.
- The quarantines are not effective. Elijah said about 30 people were quarantined, but many of them were put in the north hall alongside people who were not already sick or exposed to the infected doctor.

Punishing People for Getting Sick

Another prediction we made in our [Death Trap report](#) is that the DOC will respond to an outbreak by punishing people with lockdowns and severe restrictions. The DOC only knows punishment and control, not humanity or care. March 19, Warden Brian Foster issued a notice to all staff and prisoners invoking limited inmate movement and suspension of rules under Wisconsin Code 306.15 and 306.23. Limited movement can help prevent the spread of COVID-19, but is also a common form of collective punishment and a massive strain on incarcerated people's mental health. It's likely the lockdown will remain in place for weeks or months.

We know from our ongoing examination of the November to January lockdown at Columbia Correctional, extended lockdowns are deadly affairs. In Columbia, four people died during the lockdown, three were part of the Mulsim community, likely targeted by islamophobic staff. Elijah is also a muslim, so we are going to be especially vigilant to make sure he's not retaliated against for telling people about the lockdown.

This violence and punitive response by DOC staff has begun at WCI. Many of the quarantined people have been moved to WCI's segregation unit or "the hole". A Sergeant named Dremel has a habit of telling people who come to him with any issue, "I don't care, go lock in". If the person persists in raising their concern, Sgt Dremel says they're being disruptive, writes them a conduct report and sends them to the hole.

Guards stealing or destroying property belonging to people who are sent to segregation is a common practice and frequent complaint across the DOC. People moved to quarantine in WCI are reasonably worried that their property will also be destroyed or stolen when they're forced to move. Losing property includes at least temporarily, stamps, tablets, and televisions. These are the means to communicate with loved ones and learn about the outside world, including how the pandemic is spreading and impacting society. Being quarantined in prison without this property means trying to recover from a potentially deadly interest in the darkness of total isolation.

Elijah has seen people who do not want to go to segregation threatened by guards. The guards hold their tasers up to the prisoner's head and demand that they comply or they will be tased in the head and then brought to segregation anyway. People who have symptoms are scared to report them because doing so might make them targets of this theft and violent threats.

Our Demands

Everything we're hearing from WCI supports our worst fears about the DOC's respond to a COVID-19 outbreak. The more we learn, the more urgent and vital our demands become. Many organizations have released similar demands and impassioned pleas. None of them have anything to report. Governor Evers' office has published seventeen press releases, and made many more public statements and social media posts related to COVID-19 since March 12. None of these statements mention prisons, or the DOC.

Wisconsin has some of the highest racial disparities in incarceration in the US, the northside of Milwaukee has the most incarcerated zipcode in the world. Regionally, and nationally, this state is an outlier in many prison-related statistics. Since coming to office Governor Evers has systematically ignored and avoided the prison crisis in Wisconsin. His negligence continues, even as COVID-19 threatens to rampage through the prisons.

We do not expect calls and letters alone to shake Evers out of his complacency. Organizers have begun to stage protests and actions, carefully designed for high spectacle, low attendance and safe social distancing. Follow [FFUP on Facebook](#) to see and participate by [boosting the actions](#) on social media.

Russian novelist Fyodor Dostoevsky has said, "The degree of civilization in a society can be judged by entering its prisons." In the time of pandemic, when we're all anxious about what the future may hold, we might want to amend this quote, "the future of a society can be glimpsed by looking into its prisons." What the government is willing to do to the most vulnerable among us today, it likely intends to do to the rest of us tomorrow.

Don't forget to write to Elijah!

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First: Release as many people as possible to reduce dangerous overcrowding.

1. **Grant compassionate release to all elderly and immune-compromised people from Wisconsin prisons.** The death penalty is not legal in Wisconsin but by continuing to incarcerate vulnerable people while a deadly virus spreads through the system Governor Evers will be effectively sentencing people to death.
2. **End crimeless revocations and release those held on them.** Nearly half of new admissions into Wisconsin's overcrowded prisons come not from new criminal convictions, but "rules only" violations. Eliminating this practice and releasing everyone currently doing time on a revocation is the single best way to reduce overcrowding and prevent the spread of COVID-19 through Wisconsin prisons. Also, endangering or shortening someone's life because they violated a technical rule of supervision is grotesque.
3. **Release all parole-eligible people with re-entry plans or on less than 12 month defers.** The parole commission under John Tate has been gradually increasing the rate of releases from a virtual standstill under the previous chair, Daniel Gabler. Many of the 2800 parole-eligible "old law" prisoners are at the lowest security levels, with release plans at the ready. Tate could expedite the release of these people so they can self-quarantine with family and not exacerbate the overcrowding and risk of COVID-19 outbreak in their prisons.
4. **Issue a mass clemency or emergency furlows for people convicted of low-level offenses and people nearing release.** Last year Governor Evers reinstated the pardon board to much fanfare, but zero actual releases. He limited criteria to people convicted of certain crimes who had finished serving their full sentence, including supervision more than 5 years ago. Meanwhile, the Republican Governor of Oklahoma recently released hundreds of people in a single day. Minimum security facilities are among the most overcrowded, and hundreds of people on work release in these facilities have been getting out daily to work in the community already. Releasing these people is surely a lower risk to public safety than forcing them to crowd prisons, turning them into incubators for disease.

Second: Give incarcerated people the means to protect themselves.

1. **Prioritize testing in prisons and distribute CDC prevention guidelines.** Testing materials are limited nation-wide, and traditionally incarcerated people are the last to receive care when it becomes scarce, even if they are most at risk. This tradition cannot continue in today's exceptional circumstances. Prisons are incubators for the disease, they will help it spread across the state. Monitoring these sites closely is necessary to slow that spread.
2. **Distribute soap, tissues, gloves, masks, gauze to filter vents, and disinfectant wipes or sprays.** Handwashing is the most effective way to stop the spread of COVID-19, but Wisconsin DOC provides some indigent people with barely enough soap to

wash their hands once daily. Tissues and toilet paper are strictly rationed. Masks, alcohol gel or wipes are completely forbidden. All these things must be distributed free of charge immediately.

3. **Stop stealing money through Act 355.** Wisconsin DOC is empowered to determine the percentage they take. The new administration continues Governor Walker's practice of taking 50% or more. Secretary Carr must reduce this amount so people can buy needs with support of their loved ones.
4. **Make phone, email and tablet access free.** The people who remain incarcerated need every opportunity to connect with their loved ones during this crisis.
5. **Support re-entry for people being released.** Governor Evers needs to expand housing and social services in light of the pandemic already. These services should be made available for the emergency prisons releases we're demanding.

Third: Drive sadistic racists and staff who dehumanize and endanger people out of the DOC.

1. **Fire Warden Susan Novak and other problem staff.** Novak's track record of medical neglect speaks for itself. Her regime of sadism and racially targeted abuse cost lives when there wasn't a deadly pandemic going on.
2. **Create an environment that supports nurses and care workers.** The DOC has a demonstrated inability to treat its captives as human beings deserving of care. The Department of Health Services should take over care-giving operations in the prisons. DOC staff should defer to medical and mental health professionals.
3. **Mandate emergency de-escalation and anti-racist training.** The DOC staff is currently unprepared to manage the heightened tension of an effective COVID-19 containment plan.