

# MOSES



Madison Organizing in Strength, Equality, and Solidarity  
**for Criminal Justice Reform**

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## Follow the Money

### DOC confiscation of funds belonging to incarcerated people

by Barbie Jackson, MOSES Secretary

One of the punishments imposed on people in our criminal justice system is a set of practices that increases impoverishment. People incarcerated in the Wisconsin prison system are routinely billed by the Department of Corrections (DOC) for a wide array of mandatory payments established by state statute, which places a heavy burden on both incarcerated people and their families.

WISDOM raised a concern about these practices through EXPO and Jerome Dillard, the organizer for Madison EXPO, brought the issue to MOSES. Together they formed a small group of people to discuss and explore what to do about it. The issue that sparked our concern is current DOC management of the two accounts kept for every prisoner, which are outsourced to a prisoner fund management system in St. Louis. These two funds are referred to as (1) the inmates' general prison account and (2) the inmates' release account.

Accounts of incarcerated people can receive money from two sources: money provided by a family member and money earned by the prisoner for work assigned within the prison, which is paid as little as 11 cents an hour. Some of this money goes into the general account available for prisoner use, but the DOC takes 10% of their pay and puts it into release accounts, which are held for prisoners until they

are released from prison.

Money is taken from prisoner accounts by DOC via liens assessed against their general accounts to pay for service charges on every new deposit, medical service co-payments, restitution payments to crime victims, surcharges for DNA samplings mandated by DOC, charges for any lawsuits filed by the prisoner, and a wide range of additional charges. Here's a sample of what they take from the prisoners' general accounts:

- For each new deposit they take a flat, off-the-top service fee of \$5.
- For every doctor's visit they charge a \$7.32 co-pay, which is deducted at 100% of any amount in the account until all co-payments are paid off.
- Assessed restitution payments to crime victims are deducted at 50%.
- If DNA sampling and sequencing is required from a person, there is a \$250 DNA surcharge, which is deducted at 50% of each new deposit and can be charged for every count against a person.
- For each lawsuit filed by the prisoner, there is a charge of four hundred dollars, which is deducted at 20% of each new deposit.

Here's an example of the effect of these practices:

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## Executive Committee

Eric Howland, President  
 Alison Mix, Vice President  
 Talib Akbar, Vice President  
 Ann Lacy, Financial Secretary  
 Janice Greening, Treasurer  
 Barbie Jackson, Secretary  
 Mary Wells,  
 Assistant Secretary  
 Joan Duerst,  
 Religious Leaders Caucus

## Operational Team Leads

Communications  
 Alison Mix  
 Tina Hogle  
 Data/Information  
 Terry Millar  
 Becca Everett  
 Event Programming  
 Lucy Gibson  
 Todd Marcotte  
 Event Logistics  
 Linda Wills  
 Talib Akbar  
 Fundraising  
 Rachel Morgan  
 Joan Duerst  
 Media/Government Relations  
 Gil Halsted  
 Jeanie Verschay  
 Recruitment and Retention  
 Karen Julesberg  
 Frank Davis  
 MOSES Justice System Reform  
 Task Force  
 Paul Saeman  
 Jeanie Verschay

## Organizer's Corner

It is 2018!! As we approach the month of February, embark on a new year, new goals, and new racial disparities to destroy, I can't help but to reflect on the path of so many people who have devoted their lives to fight for justice. I can't recall a time when it has been more important to be involved in this struggle because it is truer today than it has ever been.... "if you aren't part of the solution, then you are complicit with the ills of our society." I devote space to some of the people that have inspired generations to stand up and speak out, showing that courage binds us when forces of hate threaten to divide us:

**Rosa Parks, William Wilberforce, Sojourner Truth, Olaudah Equiano, Rev. Martin Luther King Jr., Frederick Douglass, Harriet Tubman, Desmond Tutu, Theodore Parker, Malala Yousafzai, John Brown, William Lloyd Garrison, Susan B. Anthony, Elizabeth Cady Stanton, Sam Sharpe, George Fox, Nathaniel Bacon, Malcolm X.**

The challenges are real but so are the victories. In 2018, we will be adding last year's momentum by pushing for more change and making more demands of a system of oppression that has subjected so many to its injustices. We will be keeping our eye on the issue of 'Mothers In Chains' to insure that women who are incarcerated don't have to endure the health risk of giving birth while chained to their beds. Crimeless Revocation will continue to be a focus because there are about 3,000 people sent to prison each year, not because they have been convicted of a new crime, but for failure to comply with a rule of supervision.

The **End Child Poverty Campaign** is something we are doing together with our friends from the Wisconsin Council of Churches, Kids First, and Citizen Action of Wisconsin. Already, more than 1,000 Wisconsinites have signed the three-part goal, calling on our state to:

- Reduce Child Poverty in Wisconsin by half in the next 10 years;
- Reduce racial disparities in Child Poverty by half in 10 years;
- Establish a mechanism to do an annual assessment of our progress in reducing Child Poverty.

We will be running statewide community forums for potential gubernatorial candidates to see where they stand on our issues. MOSES will be holding its forum on April 14th (location TBD) preceded by an Integrated Voter Engagement (IVE) door-knocking campaign on March 17th. Other forums will be held at the following locations by affiliate organizations.

Wausau–March 24  
SE Wis.–April 7  
Madison–April 14  
Green Bay & Fox Valley–April 28  
Eau Claire–May 5  
(Superior–May 4)



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This year is going to be a stellar year for making change in Madison and the State of Wisconsin. So, get on board and be part of a collective that's breaking down the barriers of mass incarceration and fighting to restore people to healthy and fulfilling lives.

## Join one of our teams!

### COMMUNICATIONS TEAM

Co/Lead—Alison Mix ... [alisonbmix@gmail.com](mailto:alisonbmix@gmail.com)  
Co/Lead—Tina Hogle ... [mamahogle@gmail.com](mailto:mamahogle@gmail.com)

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### FUNDRAISING TEAM

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### DATA/INFORMATION TEAM

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### RECRUITMENT AND RETENTION TEAM

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## Follow the Money... continued from page 1

### Deposits to general account:

One month of payments at 11 cents per hr x 200 hrs	= + \$22
One month of 1 deposit by loved one, for example	= + \$50
Total deposits	= + \$72

### Withdrawals from general account:

\$5 deposit service fee	= - \$ 5.00
20% of \$22 pay goes to release account	= - \$ 4.40
\$7.32 co-pay for 1 doctor's visit, for example	= - \$ 7.32
50% of \$50 deposit for combined assessments	= - \$25.00
Total withdrawals	= - \$41.72
Net amount for the month (\$72 - \$41.72)	= \$30.28

What is the reality for prisoners? They are provided food, toilet paper and soap. They must pay for other personal toiletries (toothpaste, etc.), bottled water (when supplied water is poor), paper and writing implements, and any other needs.

In the summer of 2017, a new vendor was selected to handle prisoner funds. This software had a glitch wherein if there was, for example, restitution for more than one victim the system would first take 50% for the first victim and then take 50% of remainder for the second victim. This would have reduced the net remainder in the example above \$15.14. When this error was discovered an update was installed. Another problem is that a lot of people are seeing new charges they say were paid off in the past. DOC said they would refund for errors people can document, but if you're in prison it is hard to hold onto your paperwork, so it is difficult to document.

Last summer during the hearings before the confirmation of Daniel Gabler as chair of the Parole Commission, Mr. Gabler commented that he thought it would be great if everyone let out of prison had accumulated \$15,000 in their release fund before granting parole. This is another way that prisoners under the Old Law system could continue to be denied parole. Given all the other ways prisoners' money is taken out of their accounts, it could be a very long time to be able to accumulate such an amount.

In *Akbar v. Kronzer*, Talib Akbar won the right to use release account funds to pay his court filing fees rather than taking fees from his general account. The court agreed.

The MOSES and Madison EXPO group studying this issue found that the state statute is so broad that a legal challenge isn't viable. They have decided that publicity is the next, best option. So we're trying to find a way to "cut this issue" to make a powerful statement in the press, to make it clear to everybody that there's an injustice here. The most probable example is a \$250 DNA surcharge to pay for mandatory taking of DNA sample and sequencing, for which people can be charged \$250 for each count against them even though there is only a single sample. We know the statute is written in such a way to permit this, but thus far we haven't found an instance of it. If we can find a clear case of this practice, we believe we'll have a very compelling issue to publicize and build momentum for change.

For more information on this issue see page 7.

## TAD Resolution Unanimously Passed

**Dane County Board of Supervisors approves resolution to be sent to Governor**

**M**OSES is the first WISDOM affiliate to have a Treatment Alternatives and Diversion (TAD) Resolution approved by its County Board of Supervisors (1/18/18). This resolution also has the support of County Executive Joe Parisi. In fall 2017, WISDOM's Prison Prevention Task Force initiated a state-wide concerted effort in which WISDOM affiliates would work with their county representatives to propose TAD county resolutions.

County resolutions request an annual increase of \$15 million in state funding for TAD programs and propose changes in the TAD statute to expand eligibility. In addition, the resolutions ask that growth in TAD programs focus on drunk driving and drug treatment courts as well as targeting com-

munities with the state's highest incarceration rates. With the Dane County Board approval of this TAD resolution, a copy of the resolution will now be sent to the Dane County legislative delegation and Governor Scott Walker.

Thank you to all MOSES members who contacted their Dane County Supervisors to request support for this resolution and to those who testified at the County Board meeting and at its Public Protection and Judiciary Committee meeting. Also appreciated are the MOSES members who attended one of these county meetings to register in support of this resolution.

One more success!



# WISDOM / EXPO Forum on Revocations

Candidates & experts discuss harmful and costly DOC practices

by Margaret Irwin, MOSES Communications Team

It was 'standing room only' on January 17th as some 150 people packed Grace Episcopal Church hall in Madison for the WISDOM/EXPO Forum on Revocations. All candidates for lieutenant governor and governor were invited to attend and respond to the issue of crimeless revocation.

Background information was provided by Victoria Faust of the UW Population Health program. Their study showed that annually 3000 people on parole are sent back to jail or prison for an average of 1.5 years for having broken a rule of extended supervision without having committed a new crime. These revocations cost the state \$147 million each year; they cause defendants to lose jobs, housing, and educational opportunities; and they negatively impact the defendant's children and other family members. Furthermore, revocation is not effective in reducing crime.

In response, Rev. Willie Brisco, WISDOM President, demanded that crimeless revocation be abolished, saying that it takes away a second chance for those who have paid their debt to society. "You cannot keep people in jail when they are out of jail," he maintained.

A testimonial from one man on parole reminded authorities: "I'm a client, not an offender." The parents of another told how the mental illness of their son led to misunderstanding on the part of the police, revocation, and a severe additional sentence, even though he had committed no new crime.

Rep. Evan Goyke, Democrat, spoke on the Crimeless Revocation Reform Bill, AB 796, he introduced in the state Assembly in November, 2017. He said the goal of the bill is to limit revocation to those who have committed a new crime. A 10-page paper he wrote entitled "Inmate 501", refers to the need for prison reform to prevent sending inmates to private prisons out of state because of overcrowding in Wisconsin prisons. This document can be accessed at <http://legis.wisconsin.gov/assembly/18/goyke/media/1206/corrections-publication-final.pdf>.

Dr. Pamela Oliver of the UW Department of Sociology offered ways to mitigate crimeless incarceration. "Stop incarcerating people for technical violations even on alternatives to revocation, stop putting people on holds for possible technical violations, and stop using holds to deny people the right to bail when accused of a crime. Instead

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offer treatment for those with addiction or mental illness problems and support for employment for people with poverty problems. People reentering from prison should have a short period of supervision, probably six months maximum, that is focused on reentry issues.”

Candidates for governor who attended the forum were Democrats Matt Flynn, Andy Gronik, Mike McCabe, Mahlon Mitchell, Kelda Roys, Jeffrey Rumbaugh, Kathleen Vinehout, and Dana Wachs, as well as Mandela Barnes for lieutenant governor. They were asked if they favored making changes to the current practice of revocation and how they would do it. All candidates said they supported AB 796. Several candidates advocated the legalization of marijuana. Currently a second marijuana offense is a felony, and people of color are disproportionately affected by this

law. Other suggestions included reforming the entire criminal justice system, researching best practices in other states and adopting evidence-based practices, expanding and adequately funding rehabilitation and job training programs, addressing the disparities in sentencing between Old Law and Truth in Sentencing offenders, and using gubernatorial pardons more frequently. One candidate asked when we as a society had become so unforgiving. Another said revocations are not just a budget issue but a moral issue.

The forum concluded with a call to action by Aaron Hicks of Madison EXPO. He challenged candidates to get to know the African-American community – “Come and see! Walk with us!” – so this knowledge can inform their legislative activity.



# Mothers in Chains

MOSES initiative gathering statewide momentum

by Alison Mix, MOSES Communications Team

The MOSES Religious Leaders Caucus (RLC) learned of the dehumanizing practice of shackling pregnant women incarcerated in Wisconsin prisons and jails from Patti LaCross, MOSES member and advocate for families and women.

The shackling, which routinely takes place during prenatal examinations, labor, delivery, and postpartum care — whenever the women are being transferred into or out of their cells — became in October the subject of a new bill in the Wisconsin Legislature. Under the direction of Sister Joan Duerst, the RLC mobilized soon thereafter and, recognizing the connection to the Christian season of Advent, had graphic images created to inform people about this dehumanizing practice and to mobilize support for the bill. Senate Bill 393, authored by Sen. Lena Taylor (D-Milwaukee) and Rep. Lisa Subeck (D-Madison) was at this writing ready to be introduced in the state Senate for the second time in January 2018; it hadn't made it to a vote in 2017. The bill would restrict shackling of incarcerated women during labor and childbirth and would ensure that they have access to needed prenatal and post-natal maternal support services, including supplies for pumping breast milk, and testing for pregnancy and sexually transmitted diseases. The bill provides statutory guidance on when and how correctional officers may restrain women in labor. If it becomes law, a woman in labor may not be restrained unless the restraints are reasonably necessary for the legitimate safety and security needs of the person, correctional staff, or public, and any restraints used must be the least restrictive. Moreover, the bill eliminates solitary confinement of pregnant women and provides for appropriate mental health services and medication-assisted treatment. A bipartisan measure, it is considered likely to pass both houses. Although MOSES supports the bill, it would have liked to see it expanded to limit the use of shackles during prenatal and postpartum care as well. According to sentencingproject.org, women's incarceration has been increasing at a rate 50% higher than that for men since the 1980s. This increase is due to stiffer drug sentencing laws,



image by Tina Hogle

post-conviction barriers to reentry that have uniquely affected women and, more recently, the opioid epidemic. This increase in women's incarceration has also meant an increase in the number of children born during imprisonment. Prevailing policies have failed to address the physical, psychological and spiritual needs of this vulnerable population. Shackles, in particular, have Mothers in Chains added an extra emotional burden of shame and are a health risk to both mother and child. Our practices in

Wisconsin, including Dane County, have been far from humane. Shackling, including the use of belly-chains during labor (which poses health risks for both mother and child) is opposed by leading medical groups such as the American Medical Association and has been banned in 21 states, including neighboring Minnesota and Illinois. Passage of Senate Bill 393 is an essential step in the direction of providing more humane care of pregnant women in jails and prisons and would encourage more research, review, and policy changes in the future to implement best practices on behalf of pregnant and postpartum women inside correctional facilities. Due to the trauma it causes and the contribution of stress in turn to miscarriage, the RLC urges a review of the manner in which shackling is used throughout a woman's pregnancy, not only during labor. The Federal Bureau of Prisons has taken steps to develop better care for pregnant and postpartum incarcerated women. It is time for Wisconsin and its state prisons to move forward as well.

*As of this writing, the bill has not yet been scheduled. Please contact your legislators to request scheduling of Senate Bill 393 in it's original form on the legislative calendar.*

## Upcoming Events

### WISDOM conference calls (605) 468-8012

- Old Law: February 10 and March 10 at 8:30 am (code 423950)
- Solitary Confinement: February 13 and March 13 at 4:00 pm (code 423950)
- Prison Prevention: February 13 and March 13 at 5:00 pm (code 423950)
- Post-Release: February 22 at 7:30 pm and March 22 at 7:30 pm (code 423951)

### MOSES Task Force: Justice System Reform (MJSR)

- MJSR Monthly Meeting: February 8 and March 8  
6:30-8:30 at Madison Police Station South District, 825 Hughes Place

### Mother's in Chains Exhibit at Annual Wisconsin Women's Health Advocacy Summit

March 12, 8:00-5:00, The Edgewater Hotel

### Door-Knocking Campaign: Integrated Voter Engagement

March 17th, West side neighborhood (TBD)

### WISDOM Candidate Forums

Madison-April 14th  
Wausau-March 24  
SE Wis.-April 7  
Madison-April 14  
Green Bay & Fox Valley-April 28  
Eau Claire-May 5  
(Superior-May 4)

### Next MOSES monthly meeting

Sunday, March 4: 3:30-5:30 pm at First Unitarian Society

Joining one or more of the WISDOM conference calls is easy and can be very informative. At the appointed date and time:

- Call (605) 468-8012
- Enter the code after the beep
- State your name and that you are from MOSES after the greeting
- Listen, learn, and contribute as you wish

Old Law Parole: code 423950#

Solitary Confinement: code 423950#

Prison Prevention: code 423950#

Post-Release: code 423951#

## Follow the Money: Additional Information

For more information on the issue of confiscation of prisoner funds, issue see:

**Lock them up and take their money** - Bill Luders, Isthmus

<http://isthmus.com/news/news/state-prisons-ramp-up-deductions-from-inmates/#sthash.gvXPOilb.dpuf>

**Wisconsin inmates seek John Doe probe into money withheld from prisoner accounts** - Gina Barton, *Milwaukee Journal Sentinel*

<https://www.jsonline.com/story/news/local/wisconsin/2017/02/20/wisconsin-inmates-seek-john-doe-probe-into-money-withheld-prisoner-accounts/98149056/>

**Peg Swan: a long legal filing requesting a John Doe investigation.** (This document provides many examples of Trust Account Statements and complaints by prisoners.)

<https://ffupstuff.files.wordpress.com/2017/02/jdfinals-all-2-11-17.pdf>



## Book Review: We Are All Criminals

reviewed by Pamela Gates, MOSES Communications Team

by Emily Baxter

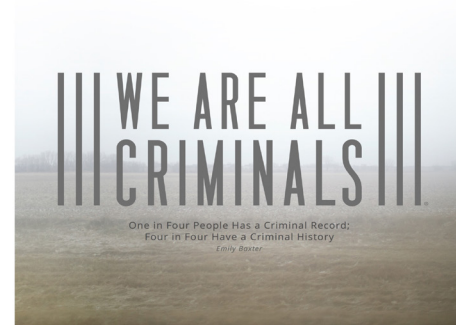
“One in 4 people has a criminal record, but 4 in 4 have a criminal history,” says Emily Baxter, a former assistant public defender and legal advocate in Minnesota. “From psychological to social, personal to professional: Who we are and how we are defined and confined by our criminal pasts. But not for everyone.”

If we search through our pasts, Baxter says, we will all find one or more criminal acts, acts that 75 percent of us have had the privilege to forget. She offers stories from physicians, lawyers, students, retailers, government officials, etc., people who have left behind their poor past choices (usually youthful poor choices) and gone on to successful lives.

Current society is unforgiving of someone with a “record,” but, really, Baxter began to realize as she worked with her clients, we all have records. It’s just that, for most of us, that record is not written down. We’ve been able to forget it and move on.

But 1 in 4 persons in this country has not had the luxury to forget. One in 4 has a record written down and is ensnared in a system that holds them in its thrall even after they have done their time. Life becomes an impossible struggle with a legal system that outlaws more and more behaviors and a communication system, CCAP in Wisconsin, that makes it impossible to make a fresh start.

Baxter’s work experiences made her hungry, she said, “to change the system that had been so relentlessly stacked against my clients, all economically disadvantaged and overwhelmingly black, brown, and indigenous.” She began traveling across the U.S., sharing and collecting stories, “deconstructing the ‘us vs. them’ mentality that plagues both



private thoughts and public discourse about crime and criminality.” The stories became the “We Are All Criminals” project, and in 2014 the project became an organization.

Baxter’s book has 12 chapters, with titles like “Perpetual Punishment,” “Policing in America,” “Foreclosed Futures,” and “Widening Net.” Each chapter is introduced by a short, few-page summary, followed by stories of people affected (1 in 4) or people who have managed to avoid being affected (3 in 4).

“Acknowledging the landscape is the first step in navigating it. Then, together, we can alter the terrain,” Baxter writes. It is good to have yet another professional speaking out about the problems our society has created in our zeal for safety and security. We’ve forgotten about second chances and youthful foolishness and the fact that we’re just finding another way to keep down the poor, the black, the brown, the indigenous, the undocumented: through an ever-expanding criminal-justice system.

Note: “We Are All Criminals” is available at the Madison Public Library.

 *Sinsinawa Dominicans*



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