

MOSES



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

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State Watch



Three Good Bills Poised for Passage

by Kate Mulligan

Wisconsin state legislators are taking small steps forward to bring about criminal justice reform. Most promising are the signs that Democrats and Republicans are working together on bills that previously died before they could be voted upon by the full Legislature. Here are three bills that gained bipartisan support at the Senate Committee on Judiciary and Public Safety in August.

The Safe Haven bill (SB 49-AB 41) offers the most uplifting sign of progress. Under current law, a child who has been trafficked can be charged with prostitution. Advocates for a change pointed out that a person under the age of 18 cannot consent to sexual behavior and should be considered a victim of sexual assault, rather than a criminal. A criminal charge would further traumatize a child who has already suffered trauma and decrease chances for a healthy and productive transition to adulthood.

Despite compelling arguments for a change, advocates failed in three previous legislative sessions to gain passage of the bill. But Sen. Alberta Darling (R) and Sen. LaTonya Johnson (D) joined forces at the hearing to support the legislation. Former Attorney General Brad Schimel (R) added his endorsement



to the change in law despite his previous opposition. The Wisconsin Bar Association and other advocates argued vigorously in favor of the bill.

Another proposal (SB 316-AB 398) would prohibit a barbaric practice that is legal in the state's correctional facilities. Pregnant women have been subject to physical restraints (shackled) while they are in labor to deliver a baby. The bill would limit the use of those restraints unless there are legitimate and extraordinary safety concerns and would prohibit the use of solitary confinement for pregnant women. The bill would also provide an extensive array of medical and mental health benefits for pregnant women.

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MOSES Task Force

MOSES Justice System Reform
 Initiative
 Paul Saeman
 Jeanie Verschay

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The bill, which failed in the last legislative session, was introduced by Sen. Lena Taylor (D) and Sen. Van Wanggaard (R). Its prospects are enhanced because Wanggaard is the chair of the Senate Committee on Judiciary and Public Safety. Eighteen organizations registered in support of the bill, including the Wisconsin Medical Society, the Wisconsin Public Health Association, and the Wisconsin Association of Local Health Departments.

Senators Darling (R) and Taylor (D) sat side-by-side at the hearing to introduce another bill that had failed in the last legislative session. That bill (SB 34-AB 30) would establish a process whereby prisoners and former prisoners could receive a “certificate of qualification for employment.” The bill addresses one of the most serious problems for released prisoners: limited employment opportunities because of their criminal records. Persons convicted of nonviolent crimes would be evaluated by a council to establish the likelihood of another offense. The bill is supported by six organizations, including the Milwaukee Association of Commerce and the Wisconsin Chiefs of Police Association.

Change is coming slowly in Wisconsin, but movement is in the right direction. Divided government provides opportunities for successful advocacy, but it also brings the need for persistent and informed activity. None of these bills is guaranteed victory. See box at right to find out how you can ensure their success. ■

How to Monitor and Promote Bills in the State Legislature

Here are a couple of tools that will make it easier for you to capitalize on our improved chances for successful reform during this legislative session.

Click on the website for the Wisconsin State Legislature at <https://legis.wisconsin.gov>. Scroll down to the Notification Service on the left side. You can create a free account that will enable you to receive emails about legislation in your area of interest. You will be notified when a bill is introduced, when a hearing is scheduled, and about other actions by the Legislature. Use key words such as criminal justice, corrections, and mental health to set up your account. On the top right hand corner of the page is a box wherein you can search for a specific bill by its number or author.

The Wheeler Report (www.thewheelerreport.com) is another valuable source of information. The daily report includes links to newspaper stories around the state, announcements by legisla-

MOSES Meetings

MOSES Faith Leaders Caucus (FLC)

- FLC Monthly Meeting: Thursday, Oct. 24, 6:30-8:30 pm
St. Luke's Episcopal Church (Jericho Room)
4011 Major Ave, Madison, WI 53716

Next MOSES monthly meetings

- Sunday, November 3, 2:30 pm
- Sunday, December 8, 2:30 pm

Click on the calendar link at the MOSES website for details.

MOSES Events

Implicit Bias Training

Wednesday, November 23, 2019, 9:30 am–3:00 pm
St. Luke's Episcopal Church
4011 Major Ave, Madison, WI 53716
Program includes lunch.
Check MOSES website for registration details.

Transformation Celebration: MOSES Fundraising Gala

Saturday, December 14
Doors open at 5:30 pm.
6:00-7:30 Mingling and heavy hors d'oeuvres
7:30 Program, followed by music and dancing.
Watch for more details!

Why We Are Sustaining Members of MOSES by Tom and Jan Gilbert

We have two adopted sons. Our older son is on the autism spectrum. Our younger son, Aaron, 30, is on the fetal alcohol spectrum, due to his birth mother's abuse of alcohol and drugs.

Aaron has been involved with the justice system since age 12. We tried many interventions over the years, but an organically damaged brain does not function in a normal manner. With no executive brain function, he cannot learn from experience. He cannot problem-solve while events are happening; he cannot call up past experiences and apply them to current circumstances in order to determine a good course of action. Since age 17, he has been in and out of jail and prison multiple times, adding up to perhaps nine years of the past 13.

Because of his thinking deficits, he was unable to extricate himself from circumstances that led to felony "party to a crime" charges and a five-year prison term, 2010-2015. Five months in solitary confinement at Columbia Correctional Institution in 2014 pushed him into a complete psychotic breakdown. He spoke in gibberish and didn't believe we were his parents. He spent his final prison year at the Wisconsin Resource Center, and they were able to bring him out of his psychosis.

The Department of Corrections (DOC) tried to revoke him twice when he self-reported being in a mental health crisis. He spent long months in jail while those attempts worked their way through the system to hearings. Both times, administrative law judges denied the DOC's request.

Their third attempt, triggered by Aaron's calling 911 to report that the person he was with had overdosed on heroin, landed him back in Columbia for four years.

We learned of MOSES while seeking answers to questions about Aaron's mistreatment in solitary confinement, treatment which led to his psychosis. We decided to join MOSES because we realized that we could accomplish more working with a group than just as a

couple. MOSES not only talks about the issues, but reaches out to and engages those working in the system in order to bring about real changes.

Our stress and frustration over Aaron's situation is made bearable by our involvement in efforts to make the justice system and institutions of incarceration more humane and less punitive, especially for those with mental health issues. As members of MOSES, we not only work with other people dedicated to justice, forgiveness, and compassion; we also receive incredible support from members as we continue on the journey with our son and his challenges.

Over the years, we have learned that organizations run completely by volunteers are not as effective as those which have paid staff supporting the work of the volunteers. That is why we

believe in the importance of the MOSES Organizer position and why we have become sustaining members: to help ensure that funds are dependably available to support that position and the other work of MOSES. We encourage all who can to become sustaining members, to give our work a reliable, predictable stream of funding. ■



Tom and Jan Gilbert

Statewide Task Forces

WISDOM conference calls (605) 468-8012

- Old Law: October 12 and Nov. 9 at 8:30 am (code 423950)
- Solitary Confinement: October 11 and Nov. 8 at 4:00 pm (code 423950)
- Prison Prevention: October 11 and Nov. 8 at 5:00 pm (code 423950)
- Post-Release: October 27 and Nov. 24 at 7:30 pm (code 423951)

Talib Akbar Receives Change-Maker Award!

By Margaret Irwin

On Sept. 19, many MOSES members celebrated with Talib Akbar, recipient of the Civil Rights Defender Award from Community Shares of Wisconsin. The awards ceremony, which was held at the UW Union South, recognized Talib and two other Community Change-Makers, Ginger Baier and Ruth Schmidt. Talib was introduced by the Rev. Jerry Hancock of MOSES-WISDOM and Alexis Gardner of Dane County TimeBank.

While he was confined to prison in his earlier years, Talib took a paralegal course and then used his knowledge to help other inmates and to call attention to solitary confinement. He experienced its devastating effects himself and has made it his mission to educate the public about the damage it does to people. After he got out of prison, he used a sketch of the cell he'd been confined in

and, with the help of some Edgewood College students and Jerry Hancock, built a replica of the cell and mounted it on a truck. This replica has traveled throughout Madison and around the state so that people can see for themselves what such confinement is like.

As Jerry Hancock said in his introduction of Talib: "You can't cure evil if you can't see evil." Talib's ultimate goal is to end the practice of solitary confinement.

Talib would be happy to bring his solitary confinement truck to your congregation or other group. To make arrangements, you can get in touch with Talib at switcho453@gmail.com. Contributions to keep the truck running can be made to MOSES.

Thanks to Rachel Kincade of MOSES for nominating Talib for the award. Talib, we are so proud of you! ■



Core Group in the Spotlight: Christ Presbyterian Church

by Jami Woods


On Aug. 22, Christ Presbyterian Church (CPC) hosted a discussion of a mini-series on Netflix called "When They See Us." This is a very important show that reminds the world about a case in 1989, when five teenagers of color in New York City were arrested and convicted of a crime they didn't commit. They were eventually cleared of all charges, but not until after all of them had done time behind bars.

The mini-series did a good job of showing the issues surrounding criminal justice, from policing, the courts, and reentry to solitary confinement. We had a good discussion, with 30 people in attendance. We had prepared clips from each episode and questions related to the clips. People sat at tables in groups of six or seven, and each table had a leader to guide the discussion.

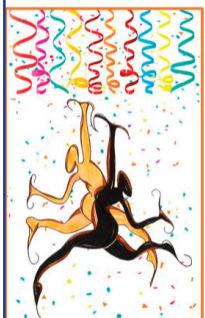
The CPC core group wanted to use the popularity of "When They See Us" to get a discussion of the flaws in

our criminal justice system out to a wider audience. It was a good night, and we hope to use the experience to keep us reaching out and moving forward together! ■





SAVE THE DATE!
December 14, 2019
5:30 - 11:00 PM
Goodman Community Center
Brassworks




MOSES Annual Gala & Awards Ceremony

Transformation Celebration

People, Families, Communities, Systems & Lives

Join MOSES, Madison's Criminal Justice Reform organization, to honor & celebrate three amazing recipients of the 2019 MOSES Transformation Award.

The evening will include
networking, music & dancing with
DJ Lady L from WORT's Soul
Sessions & hors d'oeuvres



It's time to put together the 2019 MOSES yearbook, and we need YOU to help!

by Ann Lacy

Each year, MOSES produces a yearbook full of articles about criminal justice reform, inspirational quotations and poems, photographs from MOSES events, and information useful to those seeking to learn more about MOSES. The yearbook also has another purpose: offering local businesses, faith communities, and organizations the opportunity to support criminal justice reform by purchasing advertising space. Ad space is available in dimensions ranging from the size of a business card to a full page.

We depend on our members to sell ad space. While this is a big responsibility, it's not as difficult as it may sound. This is how to do it: make a list of businesses and organizations—don't forget your faith community—to approach about buying an ad. Pick up some copies of the 2018 yearbook at a MOSES meeting. (Pdf copies of every MOSES yearbook are also available on the MOSES website: <http://mosesmadison.org/get-involved-2/yearbook/>) Download some copies of the

2019 ad sales recording form from the MOSES website. And now for the most important part: spend some time thinking about why you are involved with MOSES. Remember that your "product" is MOSES, not the yearbook; MOSES is worth your investment of time, energy, and money; and it is worth theirs, too. Then square your shoulders and make your ask, knowing that you are inviting an investment in a strong, vibrant, interesting organization.

The deadline to submit camera-ready ad copy for the 2019 yearbook is Friday, November 15. The yearbook will be ready for distribution in early February 2020. For questions on yearbook articles, please contact a Communications Team co-leader: Alison Mix at alisonbmix@gmail.com or Pam Gates at pml.gts@gmail.com. For questions about ads, please contact yearbook ad coordinator Ann Lacy at mosesyearbook@gmail.com. ■

Demeter Foundation Advocates for Wisconsin's Incarcerated Women

By Pam Gates

A good-sized crowd of 65 welcomed Alice Pauser, founder of The Demeter Foundation Inc., to MOSES's general meeting on Aug. 4. Pauser spoke to us about women in the Wisconsin prison system and their families. She personalized it all by alluding to her daughter, Genevieve, who was sentenced at age 19 to life in prison for her part in a very serious crime. In effect, Pauser said, Wisconsin's prison system raised Genevieve for the whole of her young adult life.

Pauser related sad statistics: 1,500 women in three prison facilities in Wisconsin and 13,000 on parole and other supervision. Dane County has 300 on community supervision. It costs \$100/day and \$36,000/year to house a woman in one of the three prison facilities. Eighty-five percent of these women have a mental health diagnosis; 32 percent have severe and persistent mental illness. Over 80 percent have a substance-abuse disorder. The vast majority have horrific trauma histories, Pauser said; then they're traumatized in prison as well, and of course re-traumatized when they're released because they are marginalized and stigmatized. Currently, she said, there are over 900 women in Taycheedah, a prison built for 600 that is short-staffed by 27 percent.

The Demeter Foundation helps with employment, housing, and health care for women returning to the community, mostly by helping them find the services



www.thedemeterfoundation.com

they need. It provides welcome-home kits of basic necessities to returning women, and it offers peer support to mothers of incarcerated or formerly incarcerated women. "We have facilitators available to the women for a year after they've been released," Pauser said.

Pauser emphasized the lack of facilities for prisoners with mental illness. The treatment center in Winnebago, she pointed out, has 40 beds. She called the damage caused by solitary confinement a national crisis and declared that mentally ill or pregnant women should never be held in solitary. Every family member suffers when a woman is incarcerated, she said; mothers are at significant risk of losing their kids while incarcerated, and then there's the lengthy struggle to get them back after release. She said that the state Department of Children and Families is trying to do a better job in this area.

Pauser concluded her presentation by announcing that her daughter had called recently and told her: "Mom, I'm coming home!" We all warmly applauded this announcement and thanked Alice Pauser for her efforts to advocate for Wisconsin's 1,500 female prisoners, for the 13,000 on supervision, and for the families of all of these women. ■

Ridesharing to MOSES Meetings

Bonnie Magnuson has offered to help match up folks who would like a ride to meetings with other members in their geographic area willing to drive. A meeting spot at a church, restaurant or other place with safe parking would be established so the driver wouldn't have to go a great distance to pick up a rider. If you would like a ride or are willing to provide a ride, please email bonniemagnuson@gmail.com.



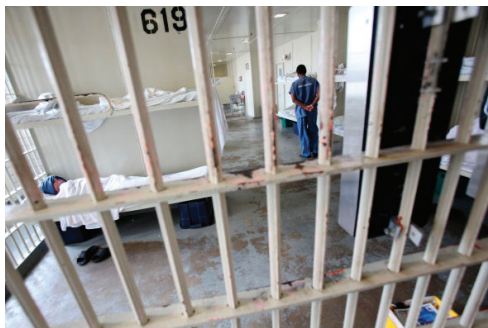
Shorter Sentences Could Safely Reduce Dane County Jail Population by 20 Percent

By Alison Mix

MOSES members belonging to the Justice System Reform Initiative (JSRI) task force and its constituent focus areas have been working on several issues in the last few months, two of which merit special mention:

The Dane County Budget

There will be a vote before Thanksgiving, and MOSES would like to see more funds for the Community Restoration Courts (CRC) and the Department of Health and Human Services' Comprehensive Community Services (CCS). MOSES member Barbie Jackson spoke (as an individual) at the July meeting of the Criminal Justice Council in favor of the former. MOSES is also interested in the budget implications, such as the need for more psychiatrists, of the Sequential Intercept Model project, developed with input from MOSES member Paul Saeman, which maps the intersections between people



with behavioral health (including addiction) problems and the criminal justice system.

Criminal Justice System Stress Test Analysis

Results of the criminal justice system stress test analysis, for which Dane County paid the JFA Institute \$35,000 last February, showed that Dane County's per capita incarceration

rate of 154 per 100,000 is well below the national average of 229 per 100,000. Most strikingly, the stress test also concluded that "Both expediting case processing of felony cases who are in pretrial status and moderately reducing the sentence lengths by 30 days that are typically in the 90-180 range would reduce the current jail population by at least 20%." Armed with this information, MOSES intends to press the County vigorously to implement the report's recommendations. ■

The New Face of MOSES Faith Leaders Caucus

Seeking Dane County Faith Leaders Supporting Criminal Justice Reform

by Tina Hogle

MOSES Faith Leader Caucus (formerly the Religious Leader Caucus) co-leaders Joan Duerst and Michael Marshall have spent time during these past months reflecting and praying about how MOSES might engage Dane County faith leaders in our work to reform the criminal justice system and create a more just, humane, and loving community.

They invite leaders in all faith communities to join them in conversation with light refreshments at a visioning meeting on October 24, 6:30-8:30 pm at St. Luke's Episcopal Church in the parish hall.

Please contact either Michael or Joan for additional information, using an email address below:

Michael Marshall: aumpm11@gmail.com

Joan Duerst: ux15joan@gmail.com ■

What will you be?

How will you encourage one another?

When will you come together?

How will you share your gift of pastoring those impacted by incarceration?

What expressions of faith will help MOSES grow?

Locking Up Our Own: Crime and Punishment in Black America

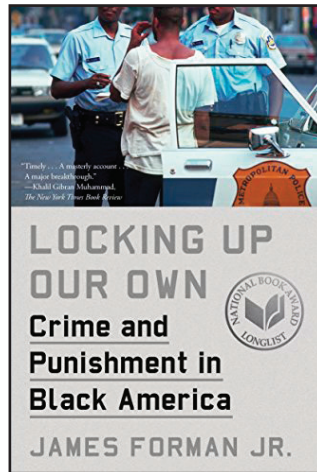
by James Forman, Jr.

reviewed by Pamela Gates

James Forman Jr., now a law professor at Yale University, spent six years as a public defender in Washington, D.C., and also served as a clerk for Supreme Court Justice Sandra Day O'Connor. It was his experience as a public defender, his frustration with a system that was destroying hopes and lives, that brought him to write this scholarly work that clearly explains how we got to where we are now: incrementally. And since we got here that way, he suggests, we may have to dismantle our mass incarceration system the same way: incrementally.

Forman details the development of harsh penalties for drug possession and selling during the 1980s, when the crack epidemic was in full swing and open air drug dealing was common on the streets of D.C. Law-abiding residents were appalled at these developments and feared for their own safety and that of their children. Increasing the number and status of blacks on police forces, both in D.C. and across the nation, didn't help either, though there had been hope that it would. A desperation to "lock 'em up" by any means necessary dominated.

This desperation resulted in, among other things, "pretext traffic stops," which are responsible for most of the racial disparities in traffic stops nationwide, Forman says. Blacks are 2.5 times more likely to get pulled over in a pretext stop (e.g., burnt-out taillight or windows tinted too dark). The officers can then ask to search the vehicle, and most people think they have to – or had better – comply. Pretext stops propel disparities into the rest of the criminal justice system, creating a world in which basically harmless, law-abiding people of color are arrested for offenses that white drivers commit with impunity. And, he points out, pretext stops are an easily remedied source of racial disparities in the system; law enforcement can correct this.



Forman addresses the issue of violent vs. nonviolent offenders: 53 percent of the nation's state prisoners are there for a violent offense, most likely robbery, and reformers generally cite nonviolent offenders as the ones most deserving of alternatives to incarceration. But nonviolent drug offenders are only about 20 percent of those in prison. We can't just shunt violent offenders into the prison system and forget about them, he says; doing so ensures that we will never resolve the human rights crisis that is 2.2 million Americans behind bars: the world's largest prison population.

Forman personalizes this book with heart-wrenching stories of people caught in the system, people he fought for but failed. There's at least one success story – because the victim of a violent crime was compassionate.

Mr. Forman, who is African American, ends his book with a series of what-ifs:

"What if we came to see that justice requires accountability, but not vengeance?"

"What if we endeavored to make the lives of black victims matter without the harsh policies that lead to mass incarceration of black defendants?"

"What if we strove for compassion, for mercy, for forgiveness? And what if we did this for everybody, including people who have harmed others? ... Our challenge as Americans is to recognize the power each of us has in our own spheres to push back against the harshness of mass incarceration."

There's a lot more in this scholarly, well-written, thought-provoking book. Each chapter ends with an excellent summary, though I highly recommend reading the whole book. ■

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 *Sinsinawa Dominicans*