



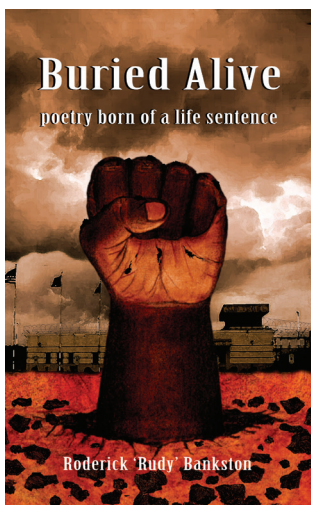
**MOSES 2019**

**for Criminal Justice Reform**

## Imagine

imagine havin' ya dreams shattered  
b4 ya drift 2 sleep  
&  
poison poured in ya gray matter  
causing ya 3rd eye to weep  
with ya heart knee-deep in sorrow  
&  
the tides rapidly rising  
ya try'na float N2 2morrow  
while feelin' ya boat capsizing  
visualizing ya self planting seeds in acid rain  
hopin' rose petals spring 4th 2 decorate ya pain  
as faith strains 2 push through the steel of ya soul  
thoughts frappeed by the chill of the cold  
watchin' each day erode  
'til daybreak dawns 2 mock ya existence  
de-spite all that shit U tackle the new horizon  
as the windstorm roadblocks ya resistance  
...imagine it

*written by Rudy Bankston, while incarcerated  
for a crime he didn't commit.*



Excerpted from *Buried Alive:*  
*poetry born of a life sentence*  
by Roderick "Rudy" Bankston

Available at  
[iamWeClassics.com](http://iamWeClassics.com)

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# About MOSES

## **MOSES (Madison Organizing in Strength, Equality and Solidarity) is a grass roots, interfaith organization**

working in the Madison area that unites congregations, individuals, and nonprofit organizations to build a better community. We join together to take action on social justice issues affected by public policy, beginning with the problem of mass incarceration in Wisconsin. We are an affiliate of WISDOM, a statewide network of organizations like ours. MOSES had its formal commitment ceremony in November 2012, so we were 6 years old in November 2018. We welcome faith communities, individuals, and other partners to join MOSES in building community and addressing issues of social injustice.

### **We seek to:**

- Deliver a message of hope, healing, and unity that reaches beyond the divisions of race, creed, and social-economic barriers.
- Build solid relationships with one another and with the greater community.
- Identify and take action on root causes of poverty, oppression, and injustice.
- Empower and train leaders to respond to injustices at local, state, and national levels.
- Be agents of change that build upon and create strong and just communities.
- Begin a discussion on social justice issues and their possible solutions in our communities.

### **To create change, MOSES uses:**

- **Connection:** Relating to each other and to those in our community, including those different from ourselves;
- **Education:** Helping communities better understand the public policy issues that affect our lives;
- **Training:** Enhancing our abilities to act as leaders;
- **Advocacy:** Speaking with a common voice so public policy better reflects our common values;
- **Action:** Moving beyond the walls of our congregations to make our presence felt and to transform our communities.

### **Working locally, throughout the State of Wisconsin, and across the nation**

MOSES is part of a powerful statewide organization, WISDOM, which has 11 other congregation-based affiliates across the state that work to live out their values in the world. WISDOM is a member of the Gamaliel Foundation, a national network that works to address issues of justice. While MOSES maintains its own leadership board, bylaws, and finances and selects its issues locally, our partnership with WISDOM and Gamaliel allows us to work together at the state and national level when needed.

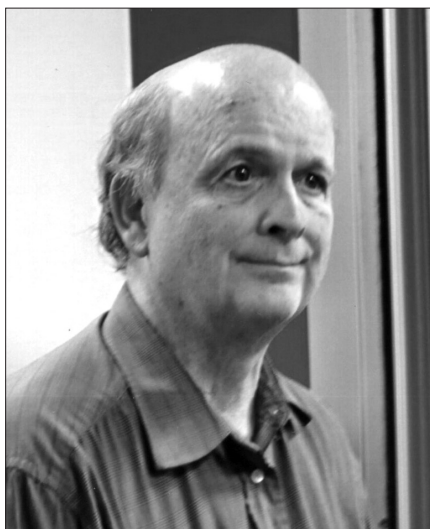
### **MOSES is nonpartisan**

As an organization that works to address systemic change, we are often engaged in public policy affairs. However, we do not endorse candidates or parties. We believe in the need to build relationships with all elected officials, state and local, and in the need to hold public officials accountable, no matter what party they represent.

#### **MOSES Executive Committee:**

Eric Howland, *President*  
Rachel Morgan, *Designated Vice President*  
Alison Mix, *Vice President*  
Ann Lacy, *Treasurer*  
Barbie Jackson, *Secretary*  
Sister Joan Duerst, *Chair, Faith Leaders Caucus*

## From the President:



**Eric Howland, President of MOSES**

This, the last year of my presidency, has had both ups and downs. The year started with high hopes after the campaign promises and subsequent election of Governor Evers. Evers did start well by appointing good people to head the Department of Corrections and the Parole Board. The new Parole Board's performance has risen above the deplorably low bar of previous years. We applaud the reinstatement of the parole process and the compassionate release of people with debilitating and/or fatal illness.

Despite a strong start, we have become disappointed with Governor Evers and Department of Corrections Secretary Carr. Evers, for instance, pledged during his campaign to reduce the number of people in prison, but in his first budget added barracks at two prisons, expanding prison capacity. Secretary Carr proclaimed interest in reforming Community Corrections (parole, probation, and extended supervision) but has not implemented short-term sanctions, which allow parole agents to sanction people on

supervision without causing them to lose jobs or housing.

By contrast, the Dane County government has been widely supportive of criminal justice reform. In this year's budget, the board of supervisors added 3.5 social workers and data analysts to various parts of the criminal justice system, including one position that directly expands the restorative court. We know that employee positions are the hardest item to add to the budget, since they require long-term funding from the general fund, which is capped by state law. These new allocations came in addition to items supporting reform in the county executive's budget: expanding the restorative court, creating a position with a mandate to reduce the jail population by expediting legal procedures, and allocating \$1 million for a one-stop call center for people in need of mental and behavioral health care.

These positive steps result from a change in attitude within Dane County toward criminal justice reform. Elected officials such as the sheriff, the district attorney, and the county executive, as well as County Board supervisors, are supporting reforms. While we are not satisfied with our current criminal justice system, each improvement is satisfying. This is particularly true this year for the treatment of people with mental health challenges. Considering that about 40 percent of the people in the Dane County Jail have documented mental health challenges, this is an important step for criminal justice reform. (See the article on p. 4)

As we appreciate progress in Dane County and regroup in our advocacy aimed at Wisconsin government, let us consider lessons learned in 2019:

1. We cannot rely on electing people

to prominent positions. In state government, officials such as the governor and secretary of the Department of Corrections have many people pushing them in different directions, including staff of the institutions they run. An advocacy organization must, in addition to persuading individual elected officials, create widespread public support for the legislation we need.

2. We do not have permanent friends or permanent enemies. It is great when we have a chance to present to individuals with the authority to make decisions. However, their goals differ from our own goals. That difference will show up in their actions. We need to find a way to constructively point out our differences and develop public support for our recommendations.

As I look back over the ups and downs of the last four plus years, I feel an outpouring of gratitude for the people who have stepped up to support me when I was down and to take leadership in areas where I was not able to provide it, people who started as teammates and became friends. It often amazes me how we show up, organize ourselves, and make progress: a human network working to increase our society's humanity. Thank you. ■

A handwritten signature in dark ink that reads "Eric Howland". The signature is fluid and cursive, with a large, stylized "H".



# MOSES at Madison Action Day

On March 26, about 750 people from all over the state assembled at the Masonic Temple to share collective and individual hopes for justice with each other and with our state legislators. We heard from many powerful speakers about America's history of oppression, which continues today through our corrections systems, and about living our lives with a deep respect for generations to come, all the way to the seventh generation. Speakers ranged in age from high school (RIC youth group members Evaline and Sean Mitchell) to grandparents, in ethnicity from white to Native to Latina to African American. That was the morning.

In the afternoon, we followed the Jingle Dress Dancers to the Capitol steps. There MOSES's Sandra Brown enumerated the effects of parents' incarceration on their children and exhorted us to speak up on our children's behalf. MICAH's Rev. Marilyn Miller de-

manded radical inclusion of all people: "Anything less than racial equity and liberation is unacceptable." Tony Brown stated that the Native people love those of the dominant culture and want us here, but they also want respect. The ACLU's Emilio De Torre spoke on reconciliation, which "cannot come before a shared understanding of the truth" of the realities and the effects of poverty, mental health, and skin color. He demanded "a future without ICE [Immigration Customs and Enforcement]."

Next on the agenda were meetings with state senators and representatives. Eleven of us met with Rep. Shelia Stubbs and her very capable aide Savion Castro. Stubbs agreed that mass incarceration is a problem in Wisconsin and that we cannot continue present policies. She assured us that she'd be fighting hard and urged us to do so as well by writing letters, making phone calls, and attending and speak-

ing at hearings, e.g., the Joint Finance Committee hearing on the state budget April 3 in Janesville.

New this year was a gathering of people with loved ones in the prison system. About 20 showed up for this end-of-the-day opportunity; probably more would have done so if the timing had been different. (Buses to other parts of the state were departing imminently.)

The discussion at this meeting was mainly about Old Law Parole. That is also the subject of a follow-up to the documentary film "53206," which featured Baron Walker and his wife, Beverly. Both Mr. and Mrs. Walker were at the meeting, along with a film crew working on the follow-up documentary. All in all, Madison Action Day was a very inspiring experience! ■



# Better mental health care is on the horizon

One of the significant issues driving the population in the Dane County Jail is the number of people who experience a contact with police due to a behavioral manifestation of their mental health issues. There are many reasons these people end up in the jail. Often it is because there are no better alternatives in Dane County.

The MOSES members who participate in the Justice System Reform Initiative (JSRI) have been advocating for a better mental health care system in Dane County and a reduction in the number of people with mental health issues who are incarcerated. While we are not the only voices in the community conversation on these matters, it seems that county supervisors and officials have been listening to our message.

We have written and circulated thoughtful papers addressing these issues. One paper examined models of 24/7 mental health urgent care services (sometimes called Crisis/Restoration Centers) in cities around the country and how such services might help fill important gaps in the services available in our county, particularly when a person is experiencing a mental health crisis. Another paper laid out our vision for mental health services in the county, using 15 “desired future condition” statements that describe what the future looks like in terms of facilities and services and how these would work together to eliminate gaps. Our voices have also been heard because JSRI members have kept their faces in front of county leaders by regularly attending meetings of the Public Protection and Judiciary Committee (PP&J) and the Criminal Justice Council (CJC), and most recently the Behavioral Health Subcommittee of the CJC. We have prepared and presented testimony at these meetings during “Public Comments” portions of their agendas. We have been so regularly in attendance that sometimes these bodies have invited our members to join them around the table or to participate in specific work groups and exercises with other community leaders.

Our efforts bore fruit in late 2017, when County Executive Joe Parisi included \$140,000 in the 2018 budget to study gaps in the mental health services delivery system, and to specifically look at whether a crisis/restoration cen-



ter would help fill important gaps. Public Consulting Group (PCG) delivered its report, “Dane County Behavioral Health Needs Assessment,” in October 2019 and made a public presentation to the Dane County Board of Supervisors on Nov. 21.

The report examines Dane County demographics and the utilization of mental health services. It describes the services available for mental health care in the county, who provides those services, and how utilizers are able to access those services. It describes the patient outcomes from such services and the disparities that exist along racial and ethnic lines. Before presenting its rec-

ommendations, the report devotes two sections to specific issues:

- Impact of Law Enforcement Practices and Emergency Detention
- Crisis Restoration Centers Assessment

## Recommendations of PCG:

1. Maximize capacity through better facility and provider coordination: Capacity analysis shows that some facilities are over-utilized, while others are underutilized. PCG recommends conducting a root cause analysis to determine reasons underpinning lack of utilization for certain providers. After the root cause analysis, PCG recommends that Dane County collaborate with Medicaid and commercial payers to centralize resource information and educate advocates, clients, and providers about all care options, with the goal of using existing capacity more effectively.
2. Establish formal partnerships between providers and facilities: Formal relationships can ease the administrative burden of finding placements for individuals in need of various levels of care.
3. Develop additional services to reduce gaps in crisis care: One notable gap within the continuum of care is the absence of 23-hour observation beds. These extended observation beds help reduce emergency room and inpatient care for behavioral health crises. Currently, crises that occur after hours in Dane County are largely

managed by hospital emergency departments.

4. Improve access to care for under-served populations: PCG recommends that Dane County work with community organizations to create and implement a strategic plan to improve access to under-served populations. This should include identifying key resources, metrics, and outreach/inreach strategies to effectively engage individuals in need and meet people where they are in their communities.
5. Increase diversion options: In Dane County, there are several diversion programs available across the behavioral health and criminal justice system intercepts; however, few specifically focus on mental health. PCG recommends developing diversion models that are specifically focused on mental health and/or co-occurring disorders, to include both a pre-arrest and post-arrest option.
6. Extend crisis response to rural areas: The Madison Police Department is a national example for law enforcement response to mental health crisis. However, the same practices are not duplicated across the county, specifically in rural areas. Outside of the Madison Police Department, only the Dane County Sheriff's Office has a dedicated crisis worker, and that position is only half filled.
7. Create infrastructure for cross-sector, data-driven decision-making: The current Memorandum of Understanding (MOU) coordinated by the Criminal Justice Council (CJC) in Dane County does not include behavioral health providers. Dane County could benefit from including

*“Since the only emergency detention center is near Oshkosh, it is easier and less costly to charge the person with a crime and book him/her into the county jail.”*

behavioral health providers as part of this MOU, specifically to better track frequent users of the criminal justice system who also have a mental health disorder.

### **Only the police**

In their presentation, the PCG consultants explained one legal fact that influences why people in a mental health crisis often end up in jail. In Wisconsin and one other state, Kansas, only the police have the authority to make a commitment to an emergency detention for mental health reasons. That is why the police are nearly always called. Since the only emergency detention center is near Oshkosh, it is easier and less costly to charge the person with a crime and book him/her into the county jail. In the other 48 states, emergency detentions can be initiated by other authorities, such as medical/mental health providers, and, in some states, even by family members.

The JSRI Jail Team meets regularly with the Dane County Jail leadership to advocate for better treatment of incarcerated persons, especially those with mental health issues and those held in solitary confinement. Current discussions focus on the design of the new jail facilities. We are fortunate to have one member with architectural design expertise serving on a com-

mittee advising the jail leadership as design details go forward.

Thanks in part to MOSES's advocacy, the 2020 Dane County budget funds the creation of a one-stop call center for people in need of mental and behavioral health care. The Dane County Universal Access Resource Center is meant to serve everyone in need, whether they have private insurance, Medicare, or no insurance at all. Plans call for the center to be up and running by early summer 2020.

This development directly corresponds to the very first two of our Desired Future Condition statements:

1. There is timely access to effective mental health care for everyone in Dane County through a coordinated system of providers, regardless of payer status.
2. There is a coordinated approach among service providers, referring organizations, first responders, etc., to help people navigate the system and find the services they need.

If we have ever needed evidence that our advocacy efforts were worthwhile, these latest developments confirm that they are, and we are encouraged to continue. Better mental health care is on the horizon. ■



# MOSES' work with the Dane County Justice System bears fruit in 2019

The goal of MOSES's single task force, the Justice System Reform Initiative (JSRI), is to reduce the number of individuals in the Dane County Jail and to reduce the negative impacts of the County's justice system on individuals. To this end, it advocated in 2019 for evidence-based reforms, including community resources and supports that focus on prevention. This advocacy was carried out through its three most active Focus Areas: Crisis/Restoration Center, Diversions, and Jail Issues.

## Mental health services to expand

As an illustration of MOSES's growing reputation in the community, JSRI leaders Paul Saeman and Jeanie Verschay were invited to participate in a number of focus groups conducted by Public Consulting Group (PCG), which was hired in 2018 by the Dane County Board, at a cost of \$140,000, to determine the current situation with regard to mental health services in the county, including evaluation of crisis restoration centers. The group that Saeman attended looked at how mental health is managed, the lack of coordination, problems in rural areas, and the lack of data. The discussion, involving many stakeholders such as Briarpatch Youth Service and the Office on Aging, went into a lot of detail and substance about the issues, with a strong emphasis on the intersection with the criminal justice system. "I was very impressed," said Saeman, who was able to give the consultants MOSES's Desired Future Conditions paper and another of our papers on the need for crisis restoration centers.

PCG made its final report in Octo-



ber. For more information on its seven recommendations and for related initiatives that MOSES has advocated that were included in the 2020 Dane County budget, see "Better Mental Health Care Is on the Horizon" on p. 4-5. That article explains in depth the success recorded in 2019 by JSRI's Crisis/Restoration Center Focus Area.

## Jail remodel goes ahead but with input from MOSES

Members of the JSRI Jail Issues Focus Area met regularly in 2019 with the Dane County Jail leadership to advocate for better treatment of incarcerated persons, especially those with mental health issues and those held in solitary confinement. Current discussions focus on the design of the new jail facilities. MOSES is fortunate to have one member with architectural design expertise serving on a committee advising the jail leadership as design details go forward.

During the year, the Dane County committees chose the south tower option over three alternatives that were more expensive and would likely have required building on a site outside of downtown. The \$148 million

budget amount was approved during the Dane County budget cycle in the fall. While there was general frustration with having to move ahead with a new jail before the crisis restoration centers had been worked through, a new jail is needed by nearly all accounts, for safety reasons. "Diversion efforts," said Saeman, "take a long time. They're not easy to do. There isn't a quick fix that is going to dramatically reduce the numbers."

## DOC holds in the jail and sentence length are keys to shrinking the jail population

Over the past year, members of the Diversions Focus Area, whose numbers increased in 2019, advocated as ever for ways to keep people out of the criminal justice system. They selected two recommendations contained in Dane County's wide-ranging 2014 "Resolution 556". (That resolution developed three work groups designed to address racial disparities, length of stay issues, and mental health challenges in the Dane County Jail.) These were the Community Restorative Court (CRC) and another relating to the category 'Length of Stay'.

Re the CRC, Diversions team member Barbie Jackson spoke (as an individual) at the July meeting of the Criminal Justice Council (CJC) in favor of increasing resources for this service, which is aimed at giving young people the opportunity to avoid minor criminal charges that could harm their chances of getting a job, enrolling in college, or finding housing. MOSES was subsequently gratified to see funding in the 2020 budget for an additional staff member for the CRC. The "Length of Stay" recommendation was no-cost and involved trying to get some baseline data on the reason for probation and parole holds, broken down by duration of hold, race, reason for the hold, etc. Jackson raised the matter of

DOC holds at another CJC meeting and learned that this is one of the hardest things – even though it does not involve cost – because it involves getting information from the DOC. In other words, it is the county resolving to tell the state to do something. Basically, not just the Dane County Jail but all the county jails are full because of DOC revocation holds. Now that Evers appointee Kevin Carr, who seems to have a genuine commitment to supporting reform, is in place as DOC Secretary, perhaps some progress will be possible.

One of the most exciting findings this year came in August, with the results of the criminal justice system stress test, for which Dane County paid the JFA Institute \$35,000 early in the year

in order to help understand the size and attributes behind jail population. The analysis 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.

For 2020, the Diversions team intends to focus on probation/parole holds data, sentencing, the Community Restorative Court, and deferred prosecution, while advocating for a better breakdown of county data by race and ethnicity. ■

## Talib Akbar receives Change-maker Award

*"You can't cure evil  
if you can't see evil.  
Talib has helped us see."*

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. Akbar 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, Akbar 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 Akbar: "You can't cure evil if you can't see evil." Akbar's ultimate goal is to end the practice of solitary confinement.

Akbar would be happy to bring his solitary confinement truck to congrega-



tions or other groups. To make arrangements, you can get in touch with Akbar at switcho453@gmail.com. Contributions to keep the truck running can be made to MOSES.

Thanks to Rachel Morgan of MOSES for nominating Akbar for the award. ■

# State watch: both progress and setbacks for criminal justice reform in 2019

The year had an auspicious start with the inauguration of Tony Evers (D) as governor. Evers had campaigned with the bold commitment to cut the state's prison population by 50 percent and also had promised to include \$15 million in his budget for the Treatment and Alternatives Diversion (TAD) program.

Evers's budget was the first disappointment. It included only \$2 million for TAD. WISDOM has urged the closing of the Milwaukee Secure Detention Facility (MSDF); Evers instead proposed funds to renovate the facility and offered no plans for its closure. He also requested money to add beds at a women's prison and correctional facility in Black River Falls.

Evers then got into a strange argument with Republicans and members of his own party when he removed a deadline for closing the Lincoln Hills/Copper Lakes complex. In a rare bipartisan gesture, legislators from both parties unanimously passed a bill that restored the deadline.

More hopeful signs emerged as the year progressed. In early June, Evers appointed John Tate II, a Racine alderman with a background in social work, to serve as chair of the Parole Commission. To our knowledge, Tate is the first African American to hold this position. Former Gov. Walker (R) had reduced the number of commissioners from six to three, while recommending a further reduction of the body to a single member. In October, Evers announced that he would issue Wisconsin's first pardons in nine years. Walker had issued no pardons during his two terms in office.

The fate of the Green Bay Correctional Institution could be a defining

issue for Evers and criminal justice advocates during the coming years. The Republican-controlled Joint Finance Committee added money to the budget to acquire land for the prison, but Evers vetoed the item. At WISDOM's kick-off campaign in November to close the facility, Evers said, "We can't close GBCI without dealing with criminal justice reform and finding ways to draw down the population statewide."

WISDOM representatives pointed out that "finding ways" is not a problem and told the governor how he could go about it. Rep. Goyke (D) of Milwaukee also has been pushing a comprehensive plan for more than a year that would save money, reduce the prison population, and improve community life. Gov-elect Evers appointed the "Public Safety and Criminal Justice Reform Policy Advisory Council" last December, with the charge of exploring solutions for reforming Wisconsin's criminal justice system. Watch for their report and hope its recommendations include some of the thoughtful and well-researched ideas that have already been advanced.

## New push for crisis restoration centers

The state's newly elected Attorney General Josh Kaul (D) brought attention to a problem that has been plaguing many counties since an ill-considered decision by Gov. Walker. Before Walker's election, the Mendota Mental Health Institute in Madison and the Winnebago Mental Health Institute in Oshkosh were both available for civil commitments of persons detained by the police because of acute mental health crises. Walker

ruled that civil commitments would be limited to the Winnebago facility only.

The result was that police officers from all parts of the state were diverted from their regular duties to make long trips delivering people suffering psychosis to Oshkosh. Those individuals likely deteriorated – and surely suffered – as they spent hours in the back seats of police cars before they received treatment. County and local officials complained bitterly about the expense of the trips.

Kaul hosted a policy summit on emergency detention and mental health in late October. Attendees included law enforcement and health care professionals, county officials, and mental health advocates.

They considered policy reforms in the areas of diversion, respite facilities, trauma-informed transport during detention, and access to psychiatric care.

MOSES was a leader in the effort to establish regional crisis restoration centers with its energetic campaign in 2017. Validation for its approach appears in the recent "Dane County Behavioral Health Needs Assessment," which identifies the need for crisis care services. In addition, targeted funding for crisis services was included in the Dane County budget passed in October.

## Roadblocks and disturbing trends in the Legislature

The year began with hopeful signs of bipartisan efforts to move reform legislation that had stalled for years. The Safe Haven bill (SB 49-AB 41), which would prohibit charging a person under 18 with prostitution if she has been trafficked, received committee approval





*“At the same time that MOSES members are struggling to get people out of prison, a group of legislators are devising new methods of putting people inside.”*

and was sent to the Senate. The “shackling” bill (SB 316-AB 398) would have prohibited the barbaric practice of subjecting an incarcerated woman to physical restraints while she is pregnant. It was sponsored by the Republican chair of the relevant Senate committee and a Democratic member of the committee.

A modest reform (AB 33-SB 39) would have allowed the possibility for expungement of a criminal record for people over 25. Wisconsin is one of only four states that allow expungement only for those under 25. That bill, which has bipartisan support and endorsements by 29 organizations, was approved by appropriate committees and passed by the Assembly.

The Safe Haven bill has the best prognosis, although passage is not certain. It passed the Senate, but a last-minute Republican amendment

jeopardizes its chances of passing in the Assembly. The “shackling” bill was the object of a last-minute amendment by its Republican sponsor. According to its Democratic sponsor, the bill might fail yet again. Since May, Republican leadership has refused to allow the expungement bill to be considered by the full Senate.

At the same time that MOSES members are struggling to get people out of prison, a group of legislators are devising new methods of putting people inside. They propose bills that change penalties for crimes from misdemeanors to felonies or add new categories of crimes that can receive felony charges.

The “nurse’s bill” (SB 163-AB 175) would make it a felony to commit battery against nurses and other health care workers. Currently, the charge is a misdemeanor. The so-called “swat-

ting” bill (AB 454-SB 363) would make it a felony for a person who falsely reports an emergency to a public safety entity. This ups the ante from a misdemeanor charge.

Another bill (AB 338-SB 311) creates the possibility of a felony charge for a student or other person on school property who conveys a threat or false information concerning an attempt to use a dangerous weapon or kill a person on school property.

This bill got the attention of disability rights advocates, who pointed out that young people with mental health and other issues often lack the judgment to assess the consequences of what could be a harmless comment or outburst. Social workers also protested, arguing that counseling and other interventions should precede a felony charge. ■

# New Parole Chair and ‘ready for release’ campaign for old law prisoners

Approximately 2,800 people in Wisconsin’s prisons were convicted before “Truth in Sentencing” became law in 2000. The judges who sentenced them expected them to be granted parole for good behavior after a quarter to a third of their sentence was completed. Instead, they have been left to languish for 20, 30, even 40 years. Under Governor Walker, the rate of release of these “Old Law” prisoners was less than 10 percent annually. Governor Tony Evers promised to change things and began, on May 21, by appointing a new Chair of the Parole Commission: John Tate II, an alderman from Racine with a background in social work. The appointment was met with great enthusiasm by MOSES members. In announcing Tate’s selection, Gov. Evers said, “I know that John Tate II will be a strong advocate for the change we need to ensure our criminal justice system treats everyone fairly and focuses on rehabilitation.”

Tate believes his experience as a social worker is helping him make good decisions about prisoners who deserve a second chance: “I’m trying to find ways to get people back to their communities... and find the inefficiencies within DOC [Department of Corrections] that leave these folks on the sidelines.”

On May 31, three days before Tate took on his new position, he met with a group of 20 WISDOM and EXPO members. They presented him with a “Ready for Release” spreadsheet of some 180 Old Law prisoner files put together by a MOSES team, meant to represent the tip of the iceberg. The spreadsheet contained information about how long these prisoners had been incarcerated, the nature of their crime, their age when convicted, the number of parole hearings they’d had and reasons they’d been given for deferral of parole, their



John Tate II photo credit NPR

post-release support systems, etc. In addition, a dozen more extensive profiles on separate sheets of paper highlighted the information, personal statements, and family photos of some of the 2,800 people deserving of release. Chairman Tate expressed appreciation for this well-organized information and said it would be very useful to him.

The “Ready for Release” campaign, which had been started following a proposal by WISDOM director David Liners early in 2019, had been coordinated by MOSES under the leadership of Alison Mix. Soon, WISDOM’s Milwaukee office was in-

of these work parties as a project and covered the cost of refreshments as well as postage when letters needed to be sent back to prisoners by mail.

After the work on the spreadsheet was completed June 1, the ongoing work was transferred to WISDOM’s affiliate EXPO, which, based on Tate’s enthusiastic response to the spreadsheet, stepped forward to take on the task of continuing to develop it, with a plan to send questionnaires to all of the current Old Law prison population. EXPO planned to send Chairman Tate a link to the online spreadsheet every month, perhaps sorting the list one month according to the number of years people have been in prison, another month according to age at the time of conviction, another month highlighting those who had never even had a parole hearing, and so on. Peggy West, the southeast Wisconsin coordinator for EXPO, had already accumulated completed questionnaires from some 100 people, in addition to the 200 names in the spreadsheet. To get all of that data added

*“This project gives hope to nearly 3,000 neglected men and women yearning to return to their families and communities.”*

undated with letters and completed questionnaires, which were forwarded to Mix in Madison. Mix was able to organize a series of “Ready for Release” work parties, which met monthly between March and June at First Unitarian Society (FUS) in Madison. Most of the 15-20 participants brought laptops and had the ability to input data. A few individuals without laptops worked to help clarify information and provide hand-written responses.

The FUS MOSES Ministry Team, headed by Pat Watson, adopted the hosting

to the spreadsheet, she organized regular work parties in Milwaukee, benefiting from a core group of six to eight experienced volunteers, all with laptops and all tech-savvy. She was planning to distribute the questionnaire at Taycheedah women’s prison, as so far all of the respondents had been men. MOSES leadership wishes EXPO well as it works to keep this significant project alive. This project gives hope to nearly 3,000 neglected men and women yearning to return to their families and communities. ■

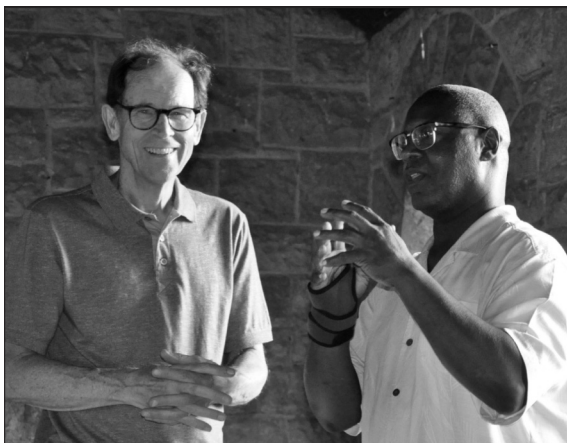


# MOSES jazzes up annual picnic

About 40 people turned out on July 11, a beautiful, sunny summer evening, for MOSES's second annual potluck picnic. It was held again at Burrows Park, but without the sailing activity that was so popular last year. To make up for that, MOSES engaged the jazz trio Chance Allies, which played jazz classics to rave reviews. A few couples even took the opportunity to dance!

Chance Allies performs for charities and churches, helping them to raise funds. Lead singer Tisha Brown, who is studying for her Doctor of Divinity degree, was for several years the minister at Madison's Community of Hope, UCC. In addition to regular MOSES attendees

and their guests, a number of folks from EXPO (Ex-incarcerated People Organizing) joined the party, including EXPO director Jerome Dillard and others who made the trip from Milwaukee. There was plenty of food and drink for all, and plenty of opportunity for deep conversation. For the kids there was croquet and corn hole, plus the chance to run around freely in a beautiful outdoor space and make some new friends. Everything was masterfully organized by Jami Wood. Thank you, Jami, for all your hard work, and thank you to all who contributed food and drink items. ■





# Punishment outside the box: mass supervision in Wisconsin

University of Wisconsin-Madison Law School Associate Professor Cecilia Klingele spoke at a MOSES- and EXPO-sponsored forum in February and at a MOSES general meeting in September 2019. Her topic both times was community supervision, which, she explained, is a generic term that can refer to a sentence served on probation in the community with no time “inside,” or the period of conditional release following a prison term. In either case, the person must report regularly to an agent and adhere to a complicated list of rules; if they break a rule, they can be sent back to prison.

A 2017 Columbia University Justice Labs study of Wisconsin pointed out that mass supervision – author Michelle Alexander calls it “the newest Jim Crow” – is driving Wisconsin’s incarceration rate. In 2017, nearly half the adults in Wisconsin prisons had been on community supervision before incarceration; over one-fifth had been incarcerated for a supervision violation, not a new crime.

It was clear from Klingele’s presentations that this is a very complicated subject and that there are no easy answers. Here are a few of the points she made:

- It’s hard to study community supervision because the data is not uniformly recorded.
- Wisconsin is the only state that has uniform reporting rules for people on supervision. In some states, people have separate agents and separate sets of rules at the state, the county, and even the municipal level.
- Even though the uniform rules are intended to be applied in the same way in all cases, this goal is impossible to reach.
- The goal should be to control for abuses of the system but to leave room for creativity and individualization of consequences, based on the particular circumstances of the rule violation.
- The qualifications and training of agents are crucial. In general, social workers appear to do a better job than agents with a military or criminal-justice background. Agents’ working conditions are also important, including their pay and the size of their caseload.
- Running a supervision program is costly. The state collects supervision fees from clients, somewhere between \$4 and \$6 million. Much of that money goes for transitional housing, but it is not enough.
- Not all social services should have to go through the criminal-justice system. We need to improve community provision of services such as food, health care, and therapy. The public health system in rural areas is inadequate and must be addressed.
- There are too many people on supervision who don’t need to be there. We should have a stand-alone program of community service without probation, for example.

## Professor Klingele is one of the nation’s foremost experts in the area of supervision

Working independently with some Badger Institute assistance in securing records, Dr. Klingele thoroughly examined 189 cases from late 2016 in which supervision was revoked. A few underlying themes emerged:

1. An overwhelming majority (81 percent) of the persons revoked had a substance-abuse problem that contributed to their revocation.
2. Agents have few options for meaningful sanctions to impose, other than imprisonment.
3. One of the top noncriminal offenses that led to revocation was the simple failure to report to an agent.

## Perhaps the most important takeaway

Wisconsin metes out unusually long terms of supervision. Many states, and the federal government as well, limit the length of probation and extended supervision (a period of community supervision after a prison term) to 3-5 years, which is much shorter than the maximum possible in Wisconsin. In fact, state law requires that the term of community supervision equal at least 25 percent of the total period of initial confinement. In Wisconsin, there are formerly incarcerated persons under expensive state oversight for decades.

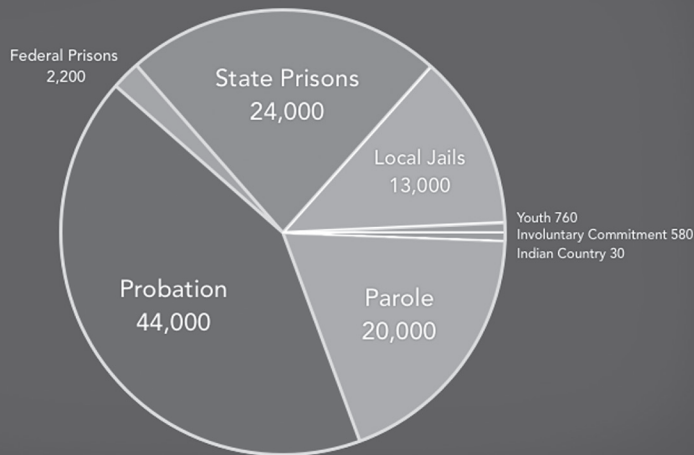
There is little evidence that society benefits from such lengthy periods of

## Suggested changes to the system

- When a rule violation leads to revocation, the person on supervision should still be given credit for the time spent successfully on supervision. Currently, that time is erased, and the person coming out of jail or prison for a rule violation must start over in counting his/her supervision time.
- Supervision times should be shortened. Research has shown that after a certain period of time served, additional time provides no added benefit.

## How many people are in Wisconsin's criminal justice system?

105,000 Wisconsin residents are behind bars or under criminal justice supervision.



**PRISON**  
POLICY INITIATIVE

Sources and data notes: See <https://www.prisonpolicy.org/reports/correctionalcontrol2018.html>

supervision. Over 90 percent of revocations in the cases Klingele studied occurred within the first two years after release. This suggests that overly lengthy supervision is an unnecessary burden on the people being supervised, their agents, and taxpayers as well.

The Badger Institute posits that the state should take a closer look at the substantial costs and minimal benefits of long periods of supervision. Revocation is often justified and necessary, according to the Institute, and offering overly simplistic solutions should be avoided. But the system is ripe for scrutiny and reform. Professor Klingele's findings and the Badger Institute's separate, independent analysis can help legislators, citizens, and groups find, as an Institute report puts it: "common sense reforms that save money, protect victims, bolster the workforce, and stabilize communities."

"Supervision gets in people's way," Professor Klingele stated at the MOSES-EXPO forum in February, where several people on supervision and their partners explained the

difficulty of their situations. "Huge numbers of people don't need it ... Wisconsin stands out because of the length of our periods of supervision: You mess up, you do the whole rest of your time." She also noted the problem of racial disparities, which is present in this part of the criminal-justice system as well as in all the others.

"People coming out [of jail or prison] are already pretty overwhelmed and vulnerable," Klingele said. " ... [There is] an absolute absence of programs people need to succeed, for example treatment programs." She called the ankle bracelet that many on supervision are required to wear a shackle. "It's easy to minimize burdens that you yourself don't bear," she added.

Former MOSES organizer Frank Davis summed up the forum with these words: "Mass supervision is far-reaching, to the depths of who we are as human beings, as a community. We need to stand up and say, 'Stop. Mass supervision is inhumane, it isn't decent, and it destroys people's lives.'" ■

## Read!

In each issue of the bimonthly MOSES newsletter, we review a book on a topic relevant to our concerns. A lot is being published in the area of criminal justice – or injustice – reform, and the books are scholarly as well as engrossing.

Sometimes we hear directly from those oppressed by the system we've created in America; sometimes a professor of law clarifies how we got to where we are with mass incarceration and mass supervision, and what we can do about it now. Sometimes an attorney looks at his clients and dreams of different outcomes for them, outcomes that make more humane, more logical sense.

We highly recommend the books as an opportunity to get better informed on one of the most critical and far-reaching issues of our time. Here's a sample...

*UNfair: The New Science of Criminal Injustice*  
By Adam Benforado, 2015

Benforado says that we and our (in) justice system are so influenced by biases we don't even know we have that it's almost impossible for that system to deliver justice, particularly for those who are 'other' in this culture. Most people don't know what's really going on, he says, but the general public needs to confront the hidden unfairness in our system.

In *UNfair*, he examines every aspect of that system and urges a shift of resources to prevention, as well as a significant move, in spirit as well as in action, toward rehabilitation rather than punishment. The more we understand the genetic and environmental factors that shape criminal behavior, the more it looks like a disease, and the less our current framework of ascribing moral responsibility appears justifiable, he writes.

His conclusion: We enjoy magnificent advantages over our forebears in the quest to remedy unfairness. But for it to matter, we must act. The arc of history does not bend toward justice unless we bend it.

# 2019 Gala: Transformation Celebration

## Honoring Transformation

MOSES lifted up the lives of three individuals for their perseverance, talent, and success in transforming their own lives and helping to positively transform the lives of people who are and have been incarcerated. Our honorees have given people hope, skills, and tools for restoration and wholeness.

### Juba Moten

*Entrepreneur*

### Deborah Mejchar

*Chaplain in Wisconsin prisons*

### Martin Lackey, Sr.

*Business owner and activist*



PHOTOGRAPHY: James Morgan

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### Learn...

Check out the MOSES website: [www.mosesmadison.org](http://www.mosesmadison.org).  
Attend a monthly meeting (usually the first weekend of the month, check the event calendar on the MOSES website for date and time.)

### Get involved...

Serve on a task force or committee. Volunteer for an action.  
Participate in a training. Testify at a hearing.

### Donate...

Donations in any amount are always welcome! As an affiliate of WISDOM, MOSES shares in WISDOM's 501(c)3 status, so your donation is tax-deductible. The more financial support MOSES receives from our members — congregational, organizational, and individual — and friends, the less time we need to spend organizing fundraising or seeking and writing for grants. Ways to support MOSES financially:

- **Mail a check** (payable to "MOSES") to MOSES, PO Box 7031, Madison, WI 53707
- **Donate using a credit or debit card or a PayPal account**, by going to the MOSES website donations page (<http://mosesmadison.org/give/volunteer-donate>) and clicking on the "Donate" button.
- **Enroll in monthly giving.** Another advantage of being an affiliate of WISDOM is that MOSES, like the other affiliates across the state, is able to participate in WISDOM's coordination of an electronic giving program through electronic funds transfer. Download the form from the MOSES website donations page at <http://mosesmadison.org/give/volunteer-donate>.

For more information, or if you have any questions, please email the MOSES Treasurer at: [treasurer.moses.madison@gmail.com](mailto:treasurer.moses.madison@gmail.com).

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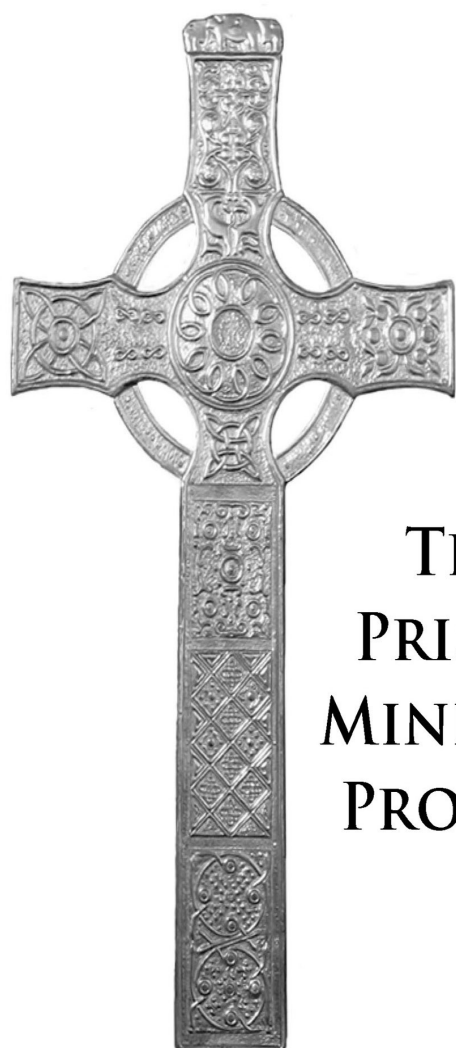


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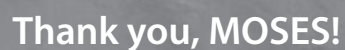
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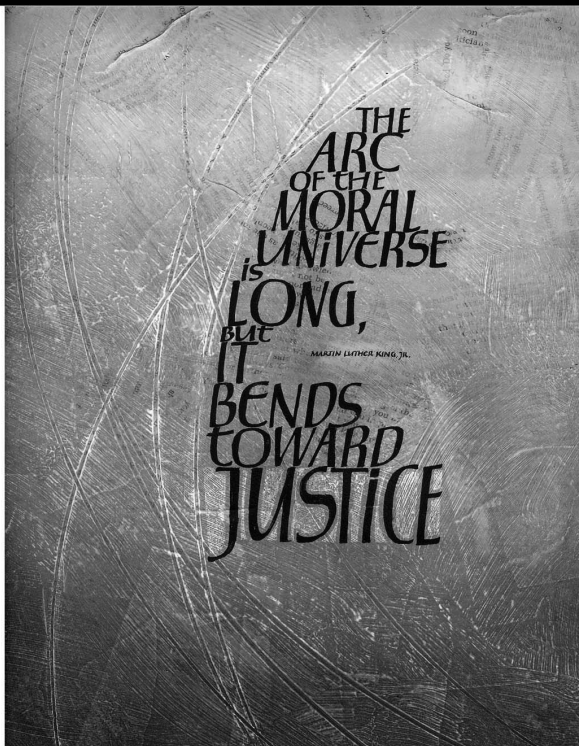
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[www.MadisonJailMinistry.org](http://www.MadisonJailMinistry.org)



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 Middleton, WI 53562

608-826-1900

[info@MeicherCPAs.com](mailto:info@MeicherCPAs.com)

Visit us online at [www.MeicherCPAs.com](http://www.MeicherCPAs.com)



[www.forwardci.org](http://www.forwardci.org)

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**stand with MOSES in support  
 of alternatives to arrest and  
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*Together we are working to restore our community.*



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*Chris*

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rep.taylor@legis.wi.gov



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of Christ**

**Standing with MOSES.**

**Following** Jesus, who came “to bring good news to the poor... to proclaim release to the captives... to let the oppressed go free.”

**Reaching out** in ever-widening circles as witnesses of God’s all-inclusive love.

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*Never forget that justice is what  
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*~ Cornel West*

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8:30 a.m. – Classic worship

10:45 a.m. – New Song worship

12:30 p.m. – Santa Maria Misa Domingos

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*To Know Follow and Share Jesus*



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**Social Justice Ministry**

**"IT IS NOT ENOUGH TO BE COMPASSIONATE  
YOU MUST ACT."**

--His Holiness the Dalai Lama

601 Tompkins Dr., Madison, WI 53716  
608-221-1376 [www.unityofmadison.org](http://www.unityofmadison.org)



**"Do justice, love kindness, walk humbly with your God."  
—Micah 6:8**

Supporting **MOSES**  
in their work for  
**JUSTICE & EQUITY**

creating a  
**more  
just  
community**



**GRACE**  
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**Myzell E. Alexander**

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Congratulations MOSES

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**Please call before visiting.**

*True peace is not merely the  
absence of war, it is the presence  
of justice.*

*~ Jane Addams*



Traditional Service: Sunday, 9:30 a.m. • Contemporary Service: Sunday, 11:30 a.m.



**Sherman Avenue**  
United Methodist Church

3705 N. Sherman Avenue  
Madison, WI 53704  
Phone: 608-244-0868  
Email: saumcall@gmail.com  
Web: shermanavenueumc.org

*Throughout history, it has been the inaction of those who could have acted, the indifference of those who should have known better, the silence of the voice of justice when it mattered most, that has made it possible for evil to triumph.*

*~ Haile Selassie*

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Our values support MOSES and criminal justice reform

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In the 2019 Budget process, Heidi led successful efforts to double the County's affordable housing fund and increase funding for supportive housing programs for chronically homeless individuals.

**#HousingNotHandcuffs**

AUTHORIZED AND PAID FOR BY FRIENDS OF HEIDI WEGLEITNER, DIANE FARSETTA TREASURER



## CHRIST PRESBYTERIAN CHURCH

Christ Presbyterian Church is delighted to be serving with MOSES, an outstanding and effective organization seeking true justice for all.

944 E. Gorham St. Madison, WI 53703

[cpcmadison.org](http://cpcmadison.org)

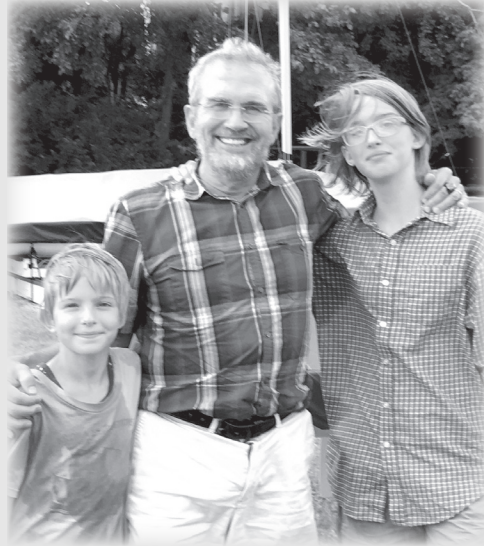
Sunday Services 9am & 11am

# In Loving Memory

of our dear friends and comrades in the fight for justice



Lynne Butorac



Terry Millar

## ROC Wisconsin Prayer

God of healing and restoration, we pray:

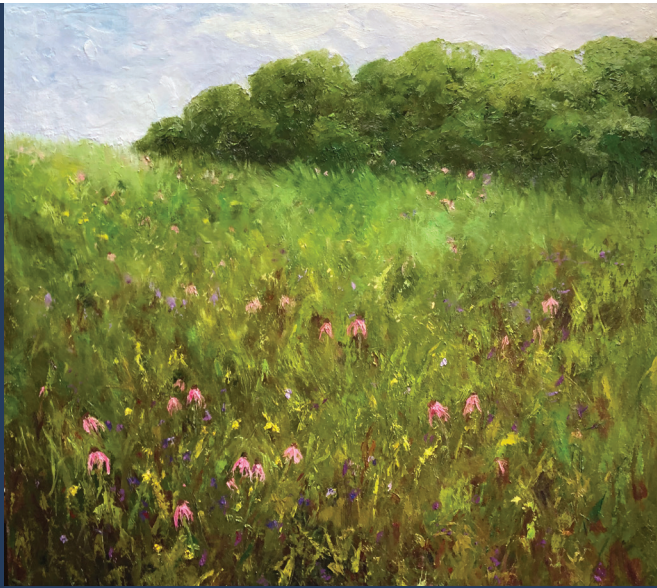
For all who are caught up in the criminal justice system, those in our jails and prisons, and for their families, that they will know healing and restoration;

For those with the difficult duties of corrections officers and parole officers, that they will be able to be agents of healing and restoration;

For political leaders and all citizens, that they will demand and create a just, humane criminal justice system. God of all, restore our people and restore our communities.







# John Mix

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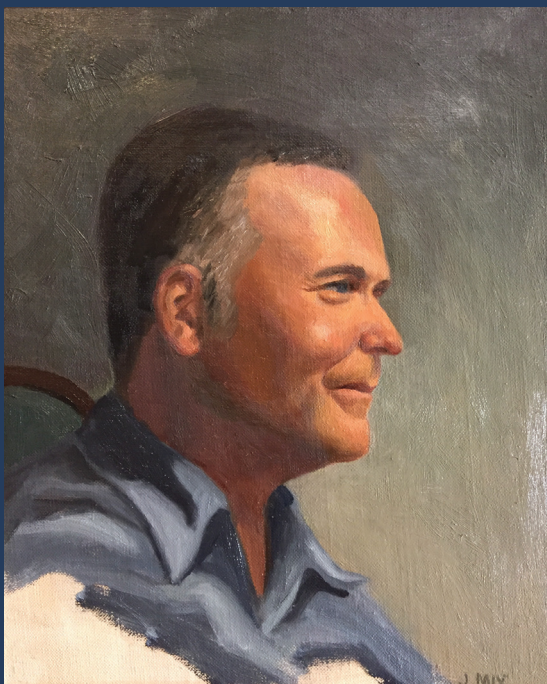
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