

# MOSES



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

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## A Conversation with Ada Deer

By Joan Duerst

**M**enominee Nation member Ada Deer, director of the University of Wisconsin-Madison American Indian Studies Program from 1998 to 2007 and distinguished lecturer emerita in the School of Social Work, brought her experiences as a social worker and as an American Indian (her preferred term) to the MOSES general membership meeting on Dec. 8, 2019. Deer shared from her background what we in MOSES need to remember as we go about our efforts to bring about change in the criminal justice system. The conversation was moderated by Sister Joan Duerst of MOSES's Faith Leaders Caucus.

Below are some recollections Deer shared of working with the Wisconsin Department of Corrections (DOC) while establishing a reentry program for American Indians. After her statements, we have included a summary, guided by Deer, of the valuable role of social workers could have in changing our extremely punitive criminal justice system.

Deer: **"You have to get information and do your homework. You have to gather the people who are involved."**

I decided to work with my own people. They have the highest percentage of their population in prison. I decided to work with reentry. I knew I needed a committee. First of all, we needed lawyers. I asked the Wisconsin Judicare Program to assign someone,



and the other lawyer was from the Great Lakes Intertribal Council. Then I went to get the tribes involved. There are 11 tribes in Wisconsin. I thought three tribes – the Menominee, Oneida, and Stockbridge Munsee – would be the easiest to get, because we didn't have enough money to do more organizing and these three were in close proximity geographically.

### Then decide what to do.

Our committee met with the DOC people in Madison, sometime in the early '70s. The meeting was very unsatisfactory. We as citizens were approaching the DOC in a very civil way, explaining that we would be working on these problems with the American Indians. I introduced our committee and said we wanted to work to establish a re-entry program, and I thought it would be a good way to start this whole effort. I had

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# Ada Deer *continued from page one*

the vision for all the tribes to know about this and participate. A DOC employee asked, “How many American Indians are in the system?”

“That’s why we’re here to talk with you, because you have that data and we don’t have a way to get that data.” They didn’t like that, because it means that they would have to do some work ... They thought we were so uncooperative, rude, impolite, just from us introducing ourselves ... You have this huge bureaucracy.”

## **Don’t give up.**

“We appreciate your meeting with us, and we’ll do our best to be of assistance.” They didn’t thank us for meeting or say good-bye or anything. Then we thought we need some money, so I went to the Legislature. I went to Mark Miller and Mark Pocan, and they liked the idea and said they would introduce legislation. We ended up with \$50,000. Pretty soon, people started coming to our meetings and were curious about what we were doing.

Ray Lueck, who was working with the DOJ [Department of Justice] at the time, met with us and told us we could get money from the DOJ. So we had enough money to hire some people. It’s hard to find enough people who can qualify who are people of color. [They needed social work training.]

**You have to involve the communities, no matter who or what.**

We were able to tell the DOC that we had tribal resolutions supporting what we were doing.

**The communities themselves determine the outcome of the action.**

On my reservation, the spiritual leader was willing to do this. We sat in a circle, and people from the community welcomed that person [back from incarceration], and we had a smudge, and a tribal official also welcomed them, and we thought that that would be a good way to welcome them back into the community. We said our program would follow through and meet with them, to try to make sure they got a job and an education. It’s not magical. It’s based on your knowledge of the community. You bring people along; you expose people.”

In conclusion, Deer gave us homework, leaving us with a copy of the National Association of Social Workers’ journal, “Social Work Advocates.” The cover story in that issue is: “A Broken System: Social Work Tackles Criminal Justice Reform.” The article offers reasons for partnership between social workers, like Ada Deer, and criminal justice reform advocates, like MOSES.

The social work profession often provides services to criminal justice populations. Schools of social work across the nation provide practical and academic training that prepares graduates to address the complex psychosocial needs of individuals in the criminal justice system. The article Deer gave us calls attention to studies on solitary confinement, mental illness, and the effects of cash bail.

The article analyzes the growth of incarceration and calls on the social worker system to use its wisdom to not only help individuals and families, but also to make communities safer and less dependent on a punitive incarceration system. It encourages social workers and the whole social work network to work to get policy changes that will maintain public safety, while also helping returning individuals and families lead productive and satisfying lives. The article refers to the [socialwork.org](http://socialwork.org) website, where a comparison of the U.S. criminal justice system with that of Scotland shows how Scotland’s social work system has an official place in its criminal justice system. U.S. criminal justice reformers can observe how the social work system can offer valuable insight into potential changes to the criminal justice system.

In the U.S., incarceration rates have increased even while the crime rate has decreased. “Tough on Crime” has resulted in a more punitive system, rather than a more restorative one. An online discussion suggests broadening social work’s role in developing policies and plans for service delivery within the criminal justice system. For specific ways social work can collaborate in changing the criminal justice system, go to:

<https://www.socialworkers.org/LinkClick.aspx?fileticket=n8L3HaALWb8%3D&portalid=o>

Thanks, Ada Deer, for this conversation, and thanks for giving us our homework!

*On Jan. 20, 2020, at the annual Martin Luther King Jr. city-county celebration at the Overture Center, Ada Deer received the Dane County Humanitarian Award. Deer also recently published her memoir, titled “Making a Difference: My Fight for Native Rights and Social Justice.” If you purchase this book at University Bookstore, the store will donate part of the profit to programs Deer has initiated. ■*

## County to Offer Better Access to Mental Health, Behavioral Care

*By Dane County Executive Joe Parisi*

**A**s we begin a new decade, I want to call attention to a new community service soon to be available to Dane County residents. In a first-of-its-kind collaboration, Dane County government, private health providers and insurers, and community nonprofit service providers are teaming up to support the creation of Dane County's new Mental Health Resource Center. This center will help residents struggling with mental health and addiction challenges get connected to supportive resources and treatment.

Trying to navigate the maze of service options within the mental and behavioral health-care field based on the type of insurance someone has and where their plan allows them to go can be overwhelming. By opening this one-stop resource center and collaborating with health-care providers, we hope it will be easier for Dane County residents to navigate the health-care system and advocate for themselves and their loved ones.

With nearly \$500,000 being included in Dane County's 2020 budget, our goal is to hire staff for the new Mental Health Resource Center this spring, with a grand opening this summer. The center will operate noon-4 a.m. seven days a week, with professional resource staff on hand to help connect individuals with care and treatment.

Staff at the center will stay informed on service-delivery changes related to behavioral and mental health in Dane County. They will use their knowledge to give county residents information on how to access care, regardless of the system they are in. Our community has reason to hope that this new decade will be marked by better collaboration in the name of improved mental and behavioral health services. ■



## "Just Mercy" Now a Film

*By Chris Niblack*

**B**ryan Stevenson's best-selling book "Just Mercy" is now a film as well, written and directed by Destin Daniel Cretin. The movie is based on the true story of a man unjustly convicted and sent to death row for the murder of a young woman in Monroeville, Ala., in 1987.

Jamie Foxx plays Walter McMillian, a young man who had decades of life and hope stolen from him when he was convicted of the murder of someone he had never met in a town he had never been to. He even had an alibi; multiple witnesses placed him impossibly far from the

crime at the time it occurred. Michael B. Jordan plays Bryan Stevenson, the real life Harvard-

trained attorney who passed up lucrative opportunities to start the Equal Justice Initiative, an organization which reexamines convictions and tries to get justice for people awaiting capital punishment.

The film has an effective, almost documentary-like pace, because the filmmakers don't overdramatize or take a lot of unnecessary time with backstories. They stick with the facts of the case and show the unnerving reality of the lack of and almost fear of hope in many of these cases. They also don't sugarcoat how insanely fast the rush

to convict often is, while the fight for real justice can be maddeningly slow and often not happen at all.

There is a grave execution scene sequence which shows the stakes of miscarried justice. Jamie Foxx shows McMillian's frustration and hopelessness with subtle body language and sighs, as well as flashbacks to his last glimpses of freedom and peace, just before his life became a nightmare.

The film didn't go into depth on what motivated Bryan Stevenson to pursue justice for wrongly convicted death-row inmates, but it effectively showed the skill and tenacity with which he does so. I did find it surprising that in the movie his character seemed so shocked at the institutionalized racism and corrupt back channels of the justice wheel, particularly in the South, given the long, well documented historical and legal precedents with which he must have already been very familiar.

"Just Mercy" is an excellent film. It does a good job of countering how our culture dehumanizes the reality of crime and justice. It should help all of us understand and care about the often flawed nature of our criminal justice system. ■



# Transformation Celebration Memories

Photos by James Morgan

On December 14, 2019, 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 or 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*



## In gratitude to those whose donations made this annual celebration possible:

- Summit Credit Union
- Mary Burke
- Messiah Lutheran Church
- MG & E
- Forward Community Investments
- Noonday Collection by Julie Godshall
- Steve Goldberg

## Rally Protests DOC Policies at Columbia Correctional Institution

by Pam Gates

On Jan. 22, loved ones and supporters of people held in CCI and other state prisons met at Madison's Worthington Park to share stories and offer solidarity with those held in Wisconsin's prisons. Heartfelt, painful stories were shared, giving the 15 or so mostly MOSES members who had gathered a sense of community and hope.

The assembly then marched three blocks to the Department of Corrections office on East Washington Avenue, where rally organizer Ben Turk of the Forum For Understanding Prisons (FFUP), MOSES president Rachel Morgan, and one other person met with DOC Secretary Carr, Assistant Deputy Secretary Shannon Carpenter, and Makda Fessahaye, director of DOC's Department of Internal Affairs.

The group presented concerns about CCI, where lockdown policies have led to severe abuse, such as force-feeding of hunger strikers and increased use of solitary confinement. They charged that decisions such as refusing to administer flu vaccine and denying access to medical treatment have endangered lives and caused the death of Muhammed (Larry) Bracey by medical neglect on Dec. 3, 2019.

Rachel Morgan spoke with me about their small meeting with Carr, Carpenter, and Fessahaye. They had been scheduled for half an hour, but the meeting ran

over an hour. Carr said he could not comment on the four deaths that had taken place recently at CCI, because they were under investigation. However, someone housed at CCI wrote in a letter that the guards responsible for his death had been fired.



Carr said he wasn't afraid to fire for misconduct, adding that last year he fired 30 CCI guards on the basis of their behavior. He said he is committed to changing the culture of Wisconsin's prisons, but it takes time.

One change he's made is referring to people in prison as people under his care, rather than inmates. He said he is committed to reducing the prison population by reducing the number of crimeless revocations and by releasing "old law" prisoners, who have served as much or more of their sentence as their judge ever expected them to serve. He said it was important for groups like ours to do our work and to hold people accountable, and that when the time came for changes, he would appreciate our support.

Rachel indicated that she feels hopeful about Carr's tenure as DOC secretary and wants to offer him MOSES's support as he works at improving the culture of Wisconsin's prisons and reducing the number of people held in those prisons. ■

## MOSES Meetings

### Next MOSES monthly meetings

- Sunday, March 1, 2:30 pm
- Sunday, April 5, 2:30 pm

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

## Statewide Task Forces

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

- Old Law: February 1 and March 7 at 8:30 am (code 423950)
- Solitary Confinement: Feb. 11 and March 10 at 4:00 pm (code 423950)
- Prison Prevention: Feb. 11 and March 10 at 5:00 pm (code 423950)
- Post-Release: Feb. 27 and March 26 at 7:30 pm (code 423951)



# State Watch

## Battle Lines Drawn on Criminal Justice Reform

by Kate Mulligan

Gov. Tony Evers (D) said of a new package of criminal justice bills that they would “move the needle slightly” toward reform. He and Department of Corrections staff worked with Rep. Evan Goyke (D), Sen. Lena Taylor (D), advocacy groups, and other legislators for nearly a year to develop three bills that would apply to nonviolent offenders. Rep. Michael Schraa (R) and Sen. Alberta Darling (R) were part of the bipartisan effort.



Each bill addresses an issue highlighted by WISDOM and other advocates as being part of a solution to the long-standing need for reform. The Vocational Earned Release bill would expand opportunities for people in prison to complete programs that enable them to leave prison before completing their original sentences, substituting instead a period of extended supervision. The new programs emphasize educational and vocational skills.

The Short Term Sanction Reform bill targets the pressing issue of revocation. About 3,400 people are returned to prison each year due to revocation of supervision. Of these, about 25 percent are reincarcerated solely for a non-criminal violation of their supervision rules. The bill places a maximum of 30 days of incarceration for this group and expands the use of the “swift and certain sanctions” program, which was created in 2013 to allow greater use of short-term sanctions.

The 66,000 individuals on probation, extended supervision, and parole could benefit from the Success on Supervision bill. It would limit the length of extended supervision to five years for individuals convicted of low-level felonies and other less serious crimes. It provides new pathways for early release for individuals on probation and extended supervision. Proponents pointed out that seven states have enacted bills that are very similar to those proposed. In six of the seven states, the crime rate dropped and savings “could be massive.” In September, Reps. Darling, Goyke, and Schraa and Sen. Taylor sent a letter to the

Legislature citing successful supervision and revocation systems in Texas and Michigan.

### Efforts to Move the Needle Back

“Crime is on the rise here in Wisconsin,” Rep. Joe Sanfelippo (R) said at a press conference Jan. 13. That ominous sentence helped introduce a package of initiatives that would result in more people heading into prison, and for longer stays. Some of these initiatives are in direct opposi-

tion to the bills introduced by Goyke and Taylor. All are a step backward in terms of reform.

If enacted, these proposals would: add to the list of violent crimes that prevent participation in earned release programs; further limit the use of special action release programs to relieve crowding; and render prisoners ineligible for a reduced term of confinement, based on age or health condition, if they were convicted of certain crimes.

A bill would add to the list of acts for which a juvenile can be placed in secured juvenile facilities or secured residential care. Another bill would impose a 180-day mandatory minimum jail sentence for the crime of retail theft, if the defendant has prior convictions for such theft. In recent discouraging news, Sen. Darling (R) says she plans to support this punitive package of bills. She and Rep. Schraa (R) are not listed as sponsors of the Goyke/Taylor bills, despite their earlier support of many of the initiatives.

### African American Legislators Bring New Attention to Solitary Confinement

African American legislators from Milwaukee introduced a group of bills at the end of last year to address racial inequality in Wisconsin. The package, called “Disrupting Disparities,” includes proposals that MOSES and WISDOM have long supported.

Of particular importance is a bill that would prohibit placing an inmate with a serious mental illness in solitary confinement for more than 10 days. The bill would also re-

quire that a mental health evaluation be performed before a person is put in solitary. Any persons now in solitary would be evaluated within 90 days of the bill's passage and relocated if appropriate.

A similar bill was introduced in 2017 but did not receive a hearing. Only two organizations—the League of Women Voters and the Wisconsin Chapter of the National Association of Social Workers — registered in support.

But, thanks to Talib Akbar and MOSES, much has happened about the issue since then. Akbar worked with actor Tonen O'Connor to develop a play using incident reports, his own experiences, and O'Connor's knowledge about the impact of solitary confinement on a man who committed suicide as a result of it. The play was performed five times in 2018 and was the centerpiece of a two-day event at Beloit College.

Akbar's next step was creating a full-scale model cell based on a sketch he made while he was in solitary confinement in a Wisconsin prison. The cell, which has gone on tour, gives people an opportunity to experience first-hand the horrific feeling of solitary confinement. The reintroduced bill offers opportunities for collaboration and enhanced support. WISDOM has a long-standing conference call focused on solitary confinement. The League of Women Voters of Wisconsin continues to support the bill. Members of the National Alliance on Mental Illness (NAMI) are acutely aware of the psychological damage that solitary confinement brings. The Dane County NAMI chapter, like MOSES, has been active in efforts to increase mental health services at the Dane County jail. ■

## Why I Am a Sustaining Member of MOSES

*by Ann Lacy*

In February 2011, a brief article appeared in the bulletin of my church, Plymouth United Church of Christ, about a forum on the racial disparities affecting Dane County's justice system. The forum was being presented by WISDOM-Madison, "a faith-based community-organizing project in Dane County engaging congregations in social justice work." The forum seemed like something that I, a lifelong resident of (white) Madison, should attend.

At the forum, I heard about MOSES and listened for the first, but not the last, time to James Morgan, Rev. Jerry Hancock, and Rev. Joe Ellwanger. One way to be involved in this fledgling organization, I learned, was by being part of what was called a ministry of presence. "You can be the conscience of the community just by sitting in court when people of color are being sentenced," I read, and I thought, I can do this. And for a few months I and a few other people did try to sit in courtrooms as a way of showing the system that people of faith care about racial disparities.

It was an instructive experience, in part because what I learned was that much happened before people ever came into the courtroom, and that sitting on a bench for a few

hours straining to catch the details of plea bargain after plea bargain was not really registering with anyone as being the action of a conscience of the community. I dropped away from MOSES for several months but returned in time to offer to be the organization's treasurer and to attend the MOSES commitment ceremony in November of 2012.

As it turns out, in MOSES I have found a ministry of presence, but not the rather passive ministry I had imagined. Through MOSES, I have met people I would not have known otherwise, and with them I have done things I would not have had the courage to do otherwise -- like speaking at a Joint Finance Committee hearing. With my MOSES comrades, I have sat through hours of testimony in the Capitol

and elsewhere, participated in hours of meetings, met with legislators, survived organizational growing pains, heard heartbreaking stories and deeply inspiring stories as well. I have laughed, argued, cried, learned, and above all, grown. I am a sustaining member of MOSES because I am grateful to have the opportunity to be actively present in the struggle against inequality, inhumanity, and racism, as we work and witness together to reform, re-form, and transform our unjust "justice" system. ■



*Ann Lacy*

# Understanding Mass Incarceration: A People's Guide to the Key Civil Rights Struggle of Our Time

reviewed by Pam Gates

By James Kilgore

“Understanding Mass Incarceration belongs on every activist’s bookshelf,” declares Mark Mauer, director of The Sentencing Project. “It provides a comprehensive analysis of the data, the political history, and the way forward in challenging mass incarceration.”

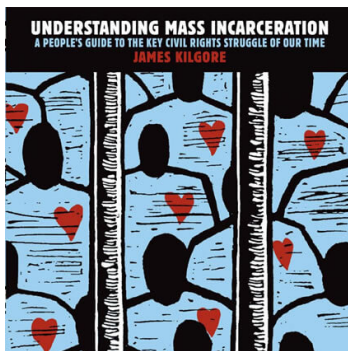
Michelle Alexander says it’s “an excellent, much-needed introduction to the racial, political, and economic dimensions of mass incarceration, as well as a brilliant overview ... [of] what must be done to end it.”

This compact book covers, in five parts broken down into 14 chapters, the basics of our “justice” system; the many aspects of the “tough on crime” approach, including race, immigrant detention, and youth (e.g. the school-to-prison pipeline); gender, crime, and imprisonment; those who profit from our prison system; and, at last, how we can start to end this blight.

Kilgore includes graphs and charts, quotations from famous and unknown activists, photos (including one from WISDOM), and boxed “asides” to more thoroughly illustrate his points. His chapter sections are brief and well labeled. He includes 20 pages of notes that provide quite a bibliography, and the index is helpful in finding a topic quickly.

We in the U.S. deal with marginalized people (any minority of any sort) with the help of our criminal justice system, and building popular support for this approach was intentional, Kilgore says. He concludes his chapter on building popular support with this summary: “... political campaigns, legislation, and the media combined to create a base of support for mass incarceration and punishment. Without this, lawmakers would have been unable to pass the required legislation and budget allocations to make mass incarceration a reality.”

Kilgore seems to have covered every aspect of the system that puts 702 per 100,000 Americans behind bars (2013 figures), topping all countries with a population of more than 100,000. (Russia was 470 per 100,000, the United Kingdom was 149, and Sweden was just 60.) He makes it pretty clear



that the makeup of our incarcerated population “has been largely determined by factors of race, class, and gender.” “Imprisonment,” he says, “has become the response of first resort to far too many of the social problems that burden people who are ensconced in poverty.”

Kilgore ends each of his chapters with a summary that gives the gist of what he covered in the chapter. But reading the whole book is well worth the time, especially for

anyone concerned about this blight on America’s social reality. To continue his comprehensive coverage, Kilgore has a chapter on private prison corporations, another (“Incarceration Inc.”) that summarizes the ways people profit from incarcerating their fellows, and one on immigration detention centers, which are essentially prisons. (And this book was published before 2016!)

His last chapters offer some hope. In “Changing the Mind-Set,” he speaks of restorative and transformative justice, as well as prison abolition (at the very least, public efforts to stand up to proposals to build more prisons). We in Dane County have seen very good things happen with restorative justice, and that program is fortunately being expanded. As Kilgore says, “these notions are already in motion in many places throughout the United States.”

Kilgore’s last chapter, “Organizing to End Mass Incarceration,” cites New York and Colorado as leading the way in decarceration. He offers advice to organizers (like MOSES and WISDOM): Include formerly imprisoned people in leadership roles, identify and work with allies, and offer real alternatives to mass incarceration. He ends with this observation:

“Understanding how the system works, including who wins and who loses from the largest carceral expansion in human history, is a start, but much more needs to be done.” We in MOSES know that; let’s keep at it! (And I do recommend this book!) ■

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