

MOSES



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

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Which Side are You On?

Join the June 18 WISDOM Caravan to Confront Governor Evers!

by David Liners

On June 18, WISDOM members from around the state will form caravans and come to Madison to confront Governor Evers. We can no longer stand back and say, "That's not my problem." Our prisons are one of the starkest results of the racist past and present of our state. It is time for every one of us to decide if we want to be part of the problem or part of the solution

The murder of George Floyd has made a difficult time into a terrible time. We were all sickened to witness the self-confident manner in which a police officer executed Mr. Floyd, and by the fact that his three colleagues were more concerned with controlling bystanders than with preventing a homicide. Today I wish to make an appeal to WISDOM members who are, like me, white.

Please, never, ever say, "I am not a racist." Racism has been deeply embedded in our land for 400 years. None of us has lived in a bubble. Racism is not a problem that belongs to people of color; it is OUR problem. We need to be part of the solution. We don't



have to be in charge of the solution (really, the world would be just fine without us being in charge of a lot of things), but we can't just sit it out, either.

We have a Governor who claims to care about racial equity, and who made grand promises in his election campaign about reducing Wisconsin's prison population. As of May 28, nearly half the men tested for COVID-19 at the Waupun prison

have tested positive. Still, Governor Evers has refused to use his constitutional powers to move the elderly, the sick, and those who are low-risk out of the prisons. He has refused to address the issue. W.B. Yeats wrote, in his poem "The Second Coming": "The best lack all conviction, while the worst are full of passionate intensity." Governor Evers would appear to "lack all conviction."

Our decision is whether we will be actively involved in anti-racist work, or whether we will be part of the problem. Racism is not one problem among many. It

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Organizer's Corner

by Mark Rice

Since starting my job as Community Organizer with MOSES on April 15, I've spent most of my time doing one-on-ones with leaders of MOSES task forces and committees, attending MOSES meetings, and developing my work plan for 2020. I have already learned a lot about the organization, and I am looking forward to learning more about MOSES's strengths, weaknesses, opportunities, and threats in the coming months as I continue to attend meetings and do one-on-ones with MOSES members and members of the community in Madison.



A major focus for me now is the contested primaries for state Senate and state Assembly seats in Madison. This is a huge opportunity to advance MOSES's Integrated Voter Engagement (IVE) work. I am working with several MOSES leaders to organize a candidate forum. The virtual forum is scheduled for Tuesday, July 28, from 6 pm to 8 pm, which is two weeks before the primary election. More details will be coming soon. This event will be a way for us to ensure that candidates become famil-

iar with and prioritize the statewide issues we are working on. We will use this forum to put pressure on candidates to take steps to hold Governor Evers accountable for the campaign promises that he made to decarcerate Wisconsin.

There will be opportunities for MOSES members to get involved before the candidate forum. Anthony Herring, who is coordinating WISDOM's IVE programs, will be doing a training on phone banking for MOSES members on Tuesday, June 23, from 6 pm to 8 pm. MOSES members who participate in this training will be able to participate in some phone bank sessions before the candidate forum. Jenna Ramaker, Jerome Dillard, and I will be sharing more information about the upcoming IVE activities at the MOSES general membership meeting in June.

My priorities in the coming months will be advancing MOSES in the areas of leadership development, fundraising, racial justice, IVE, and statewide and local issue work. ■

Which Side are You On?

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lurks at the heart of every oppression in our state and in our country.

Here are some things to stand up for, even in spaces where it would be more comfortable to be silent:

- There is no moral equivalence between an angry, frustrated teenager breaking a window and a police officer carrying out an extra-judicial execution. Vandalism and murder do not cancel each other out.
- What happened to George Floyd is not the result of a few bad actors who made a couple of bad decisions. This is the result of a 400-year-long systemic oppression of African American people. Sadly, the actors are interchangeable; the drama is always the same. The only thing new is that we are actually seeing things on video.

- The cure for oppression is not greater oppression. To suggest that the response to looting should be summary execution is morally reprehensible.

It cannot be enough for us to claim we are not adding to the problem. The devastation of black and brown bodies will continue until white people who claim to be anti-racist are willing to be courageous. Our brothers and sisters are under attack, in so many ways. We cannot claim to be in solidarity with them while insisting on being safe and untouched ourselves.

Watch for more details about the June 18 event in the coming days. ■

President's Message: Become a Sustaining Member

by Rachel Morgan

As MOSES moves forward despite stay-at-home restrictions, members continue to work to dramatically reduce the number of beds in the new jail, significantly reduce the jail population and the use of solitary confinement, release "Old Law" prisoners, put an end to crimeless revocations, and advocate for alternatives to incarceration. In addition, we have a new Organizer, Mark Rice, who brings with him solid skills and experience to support our work. That is why it is crucial for MOSES to have reliable sources of funding to meet our budget.

Unfortunately, this has become increasingly difficult during the COVID-19 pandemic. Our fundraising events have had to be canceled, and some potential grants were pulled due to circumstances beyond our control. Our Fundraising Team still meets to try to come up with creative ways to bring in money. As our national Gamaliel director says, "We don't panic, we organize."

A big step toward realizing this goal for MOSES would be to increase the number of sustaining members. These members support the work of MOSES with a monthly automatic checking account withdrawal, giving MOSES an ongoing and dependable funding source. If every MO-

SES member donated \$25 per month, those contributions would add up to significant income that we could count on annually.

A minimum donation of \$10 per month is required to become a sustaining member. If

you would like to be part of this effort, please download and fill out the linked [Sustaining Member Form](#) and return the form, with a voided check, to MOSES, P.O. Box 7031, Madison, WI 53707. If you are already one of our 25 sustaining members, we thank you and ask you to please consider increasing your monthly donation.

Thanks to all of you for giving what you can and helping us to continue the work we all do for MOSES. If you have any questions, please feel free to contact us at mosesmadisonstaff@gmail.com. ■



Rachel Morgan, MOSES President

MOSES Meetings

Next MOSES monthly meetings

- Sunday, June 7, 2:30 pm
- Sunday, July 12, 2:30 pm

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

Statewide Task Forces

WISDOM conference calls (605) 468-8012

- Old Law: June 13, July 11 at 8:30 am (code 423950)
- Conditions of Confinement: June 9, July 14 at 4:00 pm (code 423950)
- Prison Prevention: June 9, July 14 at 5:00 pm (code 423950)
- Post-Release: June 18, July 16 at 7:30 pm (code 423951)

Joining one or more of the WISDOM conference calls is easy and can be very informative.

At the appointed date and time:

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



Core Team in the Spotlight

Messiah Lutheran Church hosts Faces of Incarceration

by Tracy Frank

Messiah Lutheran has been an active member of MOSES since 2017. Its informal but reasonably active Racial Justice Team hosts book discussions, posts racially significant facts in the Sunday bulletin, and otherwise tries to build the congregation's awareness of current racial issues. One of our most memorable efforts was hosting the traveling art exhibit, "Faces of Incarceration."

This exhibit, curated by Madison artist and writer Pat Dillon, is comprised of portraits of people who have been incarcerated in Wisconsin, painted by local artists. These portraits and the brief bios of their subjects attest to the strength, endurance, and humanity of the individuals portrayed.

In 2018, Messiah hosted this exhibit for a few weekends in a row. Members of the Racial Justice Team were on hand after the services to talk with people as they viewed the exhibit. We shared MOSES information with people and invited them to join the Racial Justice Team email list.

On one of the weekends, "Faces of Incarceration" was the central part of worship, not a separate event that people had to choose to attend. Pastor John Mix preached at all three of our services, surrounded by the paintings. His sermon was heard by over 600, and about 15 new people



signed up for Messiah's Racial Justice Team.

We think that having guest pastors or speakers has made our congregation really aware that racial justice is very important to Messiah. At Messiah, racial justice concerns are not optional to think about and reflect on, because they are part of our worship services. Our pastor, Jeff Vanden-Heuvel, has joined the Madison Area Jail Ministry Board and is sending the

message that racial justice work is important. Of course, it is still optional to be involved, but once people hear about the realities from a personal perspective, they are often moved to learn more and be connected.

Contact and assistance

The paintings and profiles can be obtained from John Mix at jmix4peace@hotmail.com, who may also be able to take a service or speak about the project at a church forum. Tracy (jtracyfrank@me.com) will be happy to answer any questions you may have about Messiah's experience organizing their Faces of Incarceration event. The Messiah team Facebook group, which is open to all, is Messiah Racial Justice Team. ■



Getting Ready for the November Election

Part I: Expand the Compassionate Release Program

by Kate Mulligan

WISDOM and MOSES have worked energetically to get people out of prison before they become sickened by the COVID-19 virus and pass it on to bunkmates, companions, prison employees, and the people in the communities where the prisons are based. The disappointing results highlight the need for a more permanent reform of the criminal justice system.

In November, we will have an opportunity to elect legislators who are willing to address the deep-rooted problems with the prison system that have become glaringly obvious because of the COVID-19 virus. The virus is also creating economic troubles that will affect the state's budget and funding for many services and programs. We can remind voters of the cost of housing prisoners and of new construction. Many legislative initiatives highlight the basic conundrum of our criminal justice system: *It is too easy to get people into prison and too difficult to get them out.*

Below is the first in a series of discussions about initiatives that should appeal to voters because of our recent experience with the

COVID-19 virus and its likely long-term impact.

Reform and Expand the Compassionate Release Program

Wisconsin's most inclusive compassionate release program began in 2009, in response to a pending multi-billion-dollar deficit. (Legislators have always understood that the program could produce considerable savings.) People convicted of Class B felonies were eligible. Requests were heard by a commission specifically designed for that purpose, and petitioners had important rights in making those requests. It was one of the most liberal programs in the country. The provisions that made it a model, however, were abolished in 2011, after Gov. Walker's election.

Today, persons seeking compassionate release must be at least 65 years old and have served at least five years in prison, or 60-64 years old and have served ten years in prison, or they must have an "extraordinary" health condition. Additional rules apply to the "old law" prisoners. Persons with Class A or Class B felony convictions are not eligible.

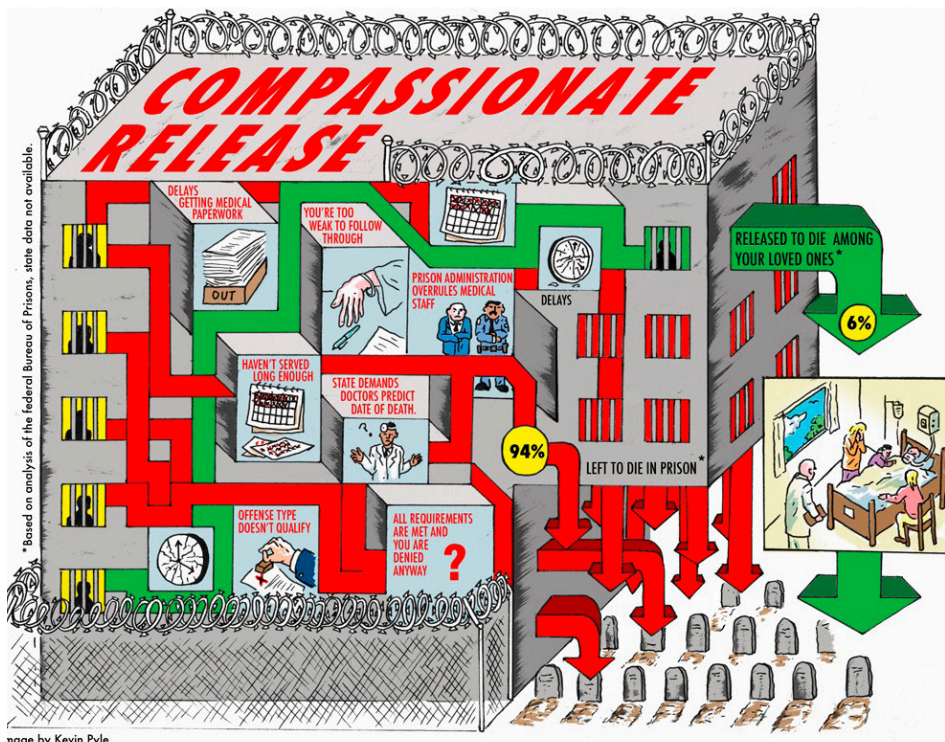
Few prisoners have been able to navigate the program's requirements. Only 15 prisoners were released during the four-year period beginning in 2014. In a 2017 article, WISDOM's David Liners called the process a "mystery" and added, "[Prison officials] don't seem to give the reasons."

Compassionate release programs are gaining attention because of the COVID-19 virus. Age and illness are risk factors for serious complications and death. The American Bar Association hosted a webinar on the topic in early April. Pressure for release of prisoners who are elderly and ill has built across the country. In a recent bill, Rep. Goyke (D) requested a report from the De-

partment of Corrections on alternatives for the elderly population.

Talking Points

The prison population in Wisconsin is aging. In 1995, only 165 inmates were over 60. By 2016, that number had grown to nearly 1,200. These men are subject to normal health issues related to aging and additional problems that result from the stress, poor diet, and lack of family connections associated with life in prison. A Supreme Court decision requires that they receive adequate health care, so they are expensive to house. In fact, studies have reported that the cost of housing prisoners over 50 is 3 to 9 times as high as that for the younger population. And, finally, prisoners over 60 are considerably less likely to return to prison after release than those in the younger group. ■



graphic courtesy of the Prison Policy Initiative

MOSES Members Learn About College Behind Bars, Discuss with Director and Alumnus

by Margaret Irwin

At a time when we are bombarded with bad news, the May 3 MOSES general meeting, held on Zoom, provided some very good news. We learned of the success of college behind bars programs, focusing on the Bard [College] Prison Initiative (BPI) in New York state. Alison Mix organized the program – a 30-minute film followed by a discussion with panelists Lynn Novick, the filmmaker, and Salih Israil, currently a software engineer, who earned his bachelor's degree with the BPI while incarcerated. The film we viewed was a condensation of a four-hour special shown on public television last year.

The BPI started as an experiment that asked the question: What happens if you assume inmates are just as capable as students on the outside and you offer them the same rigorous education they would receive at an elite school? The answer has been inspiring and hopeful.



Incarcerated students find an interest in learning they never had before. One said: "I didn't read a whole book until I came to prison." They discover they are capable of doing intensive academic work, and their self-confidence blossoms. One student admitted that his friend forced him to apply to the program. He said it was "the kindest, most loving thing anyone ever did for me." Professors note that the students show up for class well-prepared and ready to engage in discussion. In their senior year they spend most of their time preparing a senior project, comparable to a master's degree thesis, which they must defend before three faculty members. One triumph that made headlines across the U.S. was when the BPI debate team beat Harvard!

Students maintain that school serves as a buffer to keep prison from poisoning their minds and defeating

their spirits. One said: "I'm not studying just to earn a degree, but to change my life. Education is changing the way I think, the way I interact with people." Another stated: "Education helps us learn we are part of a community and the community is part of us." But several students added they felt cheated by an education system on the outside which overlooks the potential of poor students, especially students of color.



Each year, 630,000 men and women are released from prison. In trying to find work, they must face the hard reality of bias against ex-offenders. But those who have been educated in prison find that with persistence and help from supporters, they can find meaningful work. As a result, the recidivism rate among BPI graduates is 4%, compared to the general average of 50%. A Rand Corporation study found that every dollar spent on higher education in prison saves taxpayers five dollars.

Governmental support for higher education in prisons has had a checkered past. Currently, a Second Chance Pell Grant pilot program initiated by President Obama has been continued under the Trump administration. Clearly this effort must be expanded, and the education system for poor children must be strengthened to shut down the school-to-prison pipeline. ■



Why I am a Sustaining Member

by Hatheway Hasler

As a child and teenager growing up on Long Island, I did not have the opportunity to hear about race relations, the criminal justice system, or indeed current events broadly. Until the age of 12, my two sisters and I did not eat with our parents in the evening, but rather with the current nurse – usually Swiss, French, or Scandinavian – and my parents ate together later, after my father returned from New York City by train. As I recall, they would change into semi formal clothes for dinner.

We attended private schools, including three years at a boarding school in Connecticut. I was only vaguely aware of the Depression. I remember that there were beggars in the streets; if one came up to our car at a stop, my father would hand out cards which could be exchanged for a cup of coffee. Later, while attending secretarial school, I lived at home, taking the train to New York City each day – once again totally isolated socially and politically. By the time the Japanese bombed Pearl Harbor and I left school to join the war effort, I had met my first husband.

Bob Brooks was a Yale University student from Milwaukee on a full scholarship. Unlike me, he had vivid memories of the Depression, and it was only on meeting him that I began to have my eyes opened to poverty, racism, and progressive politics. (My Republican father was appalled by this man with “no money and no family.”) It was my husband who told me that all the beaches on Long Island, with the exception of Jones Beach, had been privatized in order to prevent Black families from using them.



Hatheway Hasler

After the war, Bob and I moved to Madison, built a house in Nakoma and started a family. It was an exciting time politically, and we were both active in the Dane County Democratic Party.

My husband – and increasingly I with him – felt passionate about civil rights and the need for racial equality. We became friends with an African American couple, Harry and Velma Hamilton, who were, like us, avid bridge players. Velma was the first Black teacher in the Madison public

schools. Her mother, Mrs. Bell, regularly babysat our six children.

I remember that the Hamiltons preferred to visit us in Nakoma, “after 7,” presumably so as not to alarm the neighbors in our red-lined neighborhood. Later, when we lived in Cross Plains and had a swimming pool, they brought visiting relatives from Chicago on a hot summer day to enjoy the pool, because there were no Madison beaches or pools they felt comfortable using.

We joined the Madison chapter of the NAACP in the 1950s, and I later served on the Mayor’s Committee for Fair Housing, as well as on the board of the YWCA. More recently, the 2012 release of the *Race to Equity Report* and Michelle Alexander’s book *The New Jim Crow* were additional factors propelling me to join MOSES. I’ve been so impressed with the work of the organization that I decided, not long after my 97th birthday, to help ensure that MOSES would have a reliable income stream by becoming a sustaining member. ■

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Book Review: Wisconsin Sentencing in the Tough-on-Crime Era

by Michael O'Hear

reviewed by Pam Gates

Marquette University Law Professor Michael O'Hear has done a thorough, scholarly study of Wisconsin sentencing policies in this book. The cover features a chain-link fence superimposed on an outline of Wisconsin, which could be viewed as sensational, but the written work certainly is not. "How judges retained power and why mass incarceration happened anyway" is the subtitle and the question O'Hear set out to answer.

He tells us every bit of the history that brought us to where we are now: every committee, every political move, starting with the early 1970s, when Wisconsin's prison population was 2,046 (1973), or 45 out of every 100,000 state residents, compared to today's 417 per 100,000. In 2004, when Wisconsin's annual imprisonment rate finally stopped increasing, our prison population was 22,966 – more than 10 times what it was in 1973. The number of people in prison has been more or less stable since 2004.

O'Hear's book is concerned with Wisconsin's sentencing laws, enacted by the Legislature, and with sentencing outcomes – what actually happens to people convicted of crimes. The latter has varied considerably over time, often due to politics. A constant concern of elected officials is re-election, and the possibility of even one "Willie Horton" situation developing as a result of a decision made either by themselves or by an appointee. Even a parole officer has that specter hanging over his or her head: a wrong decision could result in loss of the job. An additional factor was the significant increase in violent crime between 1962 and 1975.

O'Hear discusses four different approaches to dealing with crime and punishment, all of which have had some role in Wisconsin. These are managerialism, judicialism, populism, and egalitarianism:

- Populists see those who commit crimes as deserving of punishment only; populism has been a strong force in Wisconsin politics since 1973.
- Managerialists see more variation in the offender population and understand the possibility of managing crime through rehabilitation as well as imprisonment.
- Judicialism combines aspects of populism and managerialism, seeking to preserve and legitimize a judge's sentencing discretion.
- Egalitarianism views the offender and the rest of the community as equals in dealing with the situation the offender is in.

"Wisconsin sentencing policy since the 1970s has been a tug of war mainly between populism and managerialism, in which neither side has been able to score signifi-

cant durable victories over the other, other than truth in sentencing," O'Hear states. The description of egalitarianism is the first of several times WISDOM is mentioned in this book: it is cited again later for its promotion of TAD (Treatment and Diversion) for drug crimes, rather than imprisonment, and also acknowledged for the 11x15 Campaign (a project to cut Wisconsin's prison population in half, to 11,000, between 2012 and 2015). O'Hear also admires WISDOM's moral concern for the community devastation wrought by Wisconsin's incarceration policies, which he says is unusual and should be cited more often, along with the more common fiscal considerations.

For me, the best chapter of this book is the final one: "Lessons," a fine summary of what we need to do to move forward, based on where we've been and what we've learned. Our prison population is nine times our historic norm, and we, like the rest of the U.S., need to take stock. I like these "Lessons" well enough to list them verbatim, even though in WISDOM and MOSES we understand most of them.

This book is very worthwhile for its thorough approach to how we got to where we are now. The detail is too much for the everyday reader, but summaries in each chapter circumvent that problem. I recommend it as an excellent reference work. Find a used copy; new, it sells for \$44.95! ■

LESSONS WISCONSIN NEEDS TO LEARN AND ACT ON

1. Penal populism remains a potent force.
2. Reforms should be grounded in ethical, egalitarian arguments, not just economics.
3. Rehab has regained legitimacy as an important function of the criminal justice system.
4. Reformers cannot just focus on nonviolent offenders.
5. Increasing judicial discretion will not draw down prison populations.
6. Sentencing guidelines should be presumptive [allowing the judge reasonable discretion] and designed to curtail over-imprisonment.
7. Parole does not provide much protection against over-imprisonment.
8. Local officials should be given more ownership over corrections.
9. Do not forget the police; their role is significant.
10. Firm commitments to specific decarceration goals may be necessary.