

REFORM NOW

A Call for Accountability in the Department of Corrections

Brief One: A Broken Parole System

The DOC is a large agency with multiple areas with one core mission: public safety. Our goal is the safe custody and supervision of offenders using the best, most effective correctional policies and procedures so citizens are protected, offenders succeed in the community, and new crime and the cost of corrections to taxpayers is reduced.

—Edward F. Wall,
Secretary, Wisconsin Department of Corrections

The Wisconsin Department of Corrections (DOC) has failed in its mission and goals.

- Prisoners are being subjected to torture as defined under international standards.
- Gravely ill and aging inmates are not being released.
- Lack of accountability has botched the parole system.
- Decades of overcrowding put staff at risk and leave taxpayers footing bills of more than \$1 billion per year.

On the heels of the successful and continuing 11X15 Campaign for Justice, WISDOM unveils REFORM NOW, a campaign to illuminate failures, share stories, offer solutions and call for accountability at the DOC.

The 11X15 campaign aims to reduce the state prison population from 22,000 to 11,000 by 2015. In fighting for this goal, WISDOM discovered a lack of accountability on issues such as parole, solitary confinement, revocation and compassionate release, among others. REFORM NOW will share data and information on these issues in briefs and at monthly press conferences from July through October, culminating in the release of a report on the Department of Corrections in November 2014.

We acknowledge the dedicated efforts of many at the DOC. But as people committed to justice, fiscal responsibility and public safety, we insist that Governor Walker use the authority granted by the people of Wisconsin to reform this cruel, unjust, inefficient and dangerous system NOW.

REFORM NOW

a campaign to illuminate failures, share stories, offer solutions and call for accountability at the DOC

BRIEF 1 A BROKEN PAROLE SYSTEM

The Problem

The Department of Corrections is denying a fair chance at freedom for more than 2,800 men and women in the Wisconsin state prison system who are legally eligible for parole. Incarcerating thousands of people unnecessarily costs taxpayers millions of dollars.

Wisconsin's Truth-in-Sentencing law, authored by Governor Walker when he was in the state Assembly, went into effect Jan. 1, 2000. People sentenced under this new law do not have a possibility of parole and must serve every day of court-imposed sentences. However, men and women convicted under the old law, prior to Dec. 31, 1999, can still be paroled. Currently in Wisconsin, inmates get no meaningful consideration for parole.

Judges under the old law recognized that people could change in positive ways in prison, and these judges deliberately set sentences with parole in mind. Men and women convicted of crimes under the old law understand that they have the right to earn parole by serving sufficient time, participating in programs and showing good behavior.

But parole in the state prison system has slowed to a near halt. According to the Legislative Fiscal Bureau, in 2011–12, only 150 paroles were granted, in contrast to 1,651 paroles in 2004.¹

The Parole Commission has authority to grant paroles independent of the DOC but in practice defers to DOC's Program Review Committee (PRC). PRC is charged with reviewing inmates' treatment and educational needs and securing program or treatment space. These two bodies totally lack effective communication. PRC does not abide by recommendations of Parole, neither one aids the population they are charged with serving, and both lack accountability. Men and women who have served their time and participated in all necessary programming are bounced between Parole and PRC in a cruel and unjust cycle that devastates them and their families.

"While very little data seems to have been kept, we know of inmates who have completed required programming yet are denied parole. We've seen inexplicable reports that extoll exemplary conduct and yet still deny parole. We've heard 'insufficient time served' far too often as a reason to deny parole, even for prisoners who are many years beyond their eligibility date," said Rev. Joseph Ell-

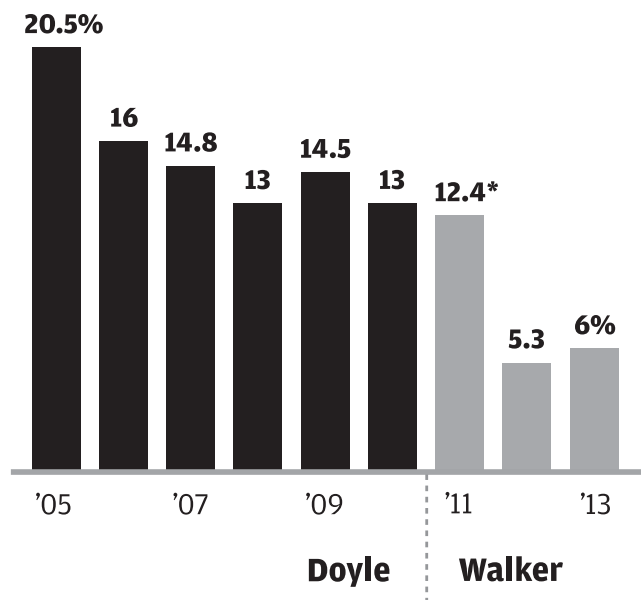
wanger, of WISDOM. "Something is wrong, and thousands of people suffer for it every day the state chooses not to act to correct it."

Governor Walker is ultimately responsible but unfortunately has shown no interest in this important fiscal issue affecting how justice is served in the state. Requests for meetings with the Governor have been routinely ignored.

The parole system has broken faith with judges who imposed old law sentences, with incarcerated men and women who were promised a second chance, with families waiting for loved ones to come home after serving their time, and with citizens of Wisconsin who expect state agencies to be fair and fiscally responsible.

Fewer inmates granted parole under Gov. Walker

Percent of parole requests granted in Wisconsin by year.



*Data for Aug.-Nov. 2011 not available

Wisconsin State Journal SOURCE: Wisconsin Parole Commission

This voice from inside the prison walls is likely one of hundreds of similar stories of old law prisoners who are lost in an unjust, broken parole system.

As a young man, Baron Walker was an accessory to an armed robbery where no one was injured. In 1996, a judge sentenced him to 60 years in prison with the possibility of parole after 15 years.

Now 40 years old, having served 18 years in the Wisconsin state prison system and completed all required programming and more, Baron wants justice for himself and his family. He is an old law prisoner, lost in an unfair system.

In an interview from the Fox Lake Correctional Institution, Baron takes several minutes to share a long list of rehabilitative programming he's taken advantage of during his incarceration, including getting his GED and HSED; getting an associate's degree in building services with certifications in welding, plumbing, carpentry and electric wiring; receiving a literacy certification and tutoring inmates; completing financial development and financial literacy courses; and participating in a Restorative Justice program.

"The PRC (Program Review Committee) told me that my institutional adjustment was exceptional," Baron



said, noting his good behavior. Yet each time he's been before the parole board, he is denied parole and simply told he has "insufficient time served."

Baron and his wife Beverly have been together since high school. They

have children and grandchildren. Beverly desperately wants her husband home. She went door-to-door in their neighborhood to collect about 200 signatures of people who support Baron's release.

"He is not a danger to his community. He's a different person than he was when he was party to a crime. He clips coupons and sends them home, reads to the kids on the phone, makes them charts for homework," Beverly said.

Baron coined an acronym in his fight for justice: H.O.P.E. — Honest Opportunity for Parole Eligibility. He adds, "I regret what I did as a young person, and I served my time. Now I just want to be able to support my family."

Wisconsin Taxpayers Need to Know

Wisconsin allocated more than \$2 billion on state Corrections for 2013–15, adding up to more than 25 percent of general fund appropriations for state operations. In 2013–15, more Wisconsin tax dollars were appropriated from the general fund for Corrections than the entire UW System.

The old law prisoners cost taxpayers more than \$95 million per year, in addition to the wasted money spent on programing and certifications that expire while inmates await release that never comes.² If 100 people legally eligible for parole were released, the state would save more than \$3 million per year. If 1,000 people legally eligible for parole were released, the state would save more than

\$30 million per year. If savings were reinvested in alternatives to prison, as they are successfully in Minnesota and other states, the state could save an additional \$60 million per year.³

¹ Data from the Legislative Fiscal Bureau was confirmed by the Parole Commissioner at a meeting on February 19, 2014.

² The Department of Corrections has determined that there are 2,887 parole eligible inmates in Wisconsin correctional facilities. The Wisconsin Legislative Fiscal Bureau Information Paper 56, January 2013, found that the annual cost per capita of those inmates was \$33,400. The annual cost of continuing to imprison parole eligible inmates is \$96,425,800.

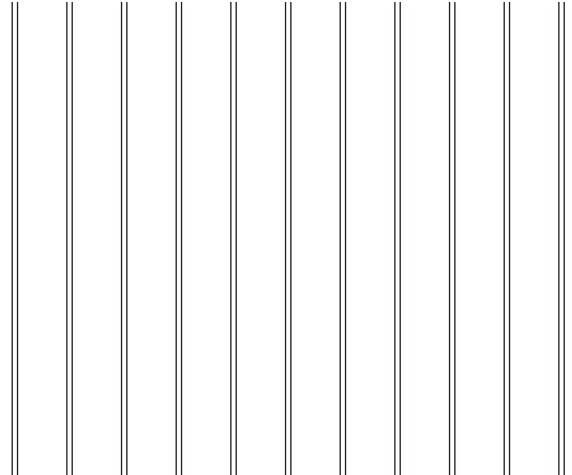
³ The Treatment Alternatives and Diversion 2007-2010 Evaluation Report by Department of Justice, Department of Corrections and Department of Health Services, December 2011, found that every dollar spent on treatment generated at least \$1.93 in savings.

ACTIONS REQUIRED TO REFORM NOW

Governor Walker must accept responsibility for this fiscal, moral and public safety crisis by keeping the promise to meet with WISDOM and other concerned groups. He must also direct the Parole Commission and the Department of Corrections to work together to:

- ➔ Immediately review the 421 parole-eligible inmates in minimum or community custody who have met the DOC's standard of safety. Many of these men and women are working in communities every day. At the same time, however, recognize that parole-eligible inmates may be housed in maximum or medium security, but this should not keep them from being fairly considered for release.
- ➔ Conduct a substantive review of every parole-eligible inmate at least once a year to determine if they can be safely released. If parole is not granted, the parole board must state in detail the specific requirements an applicant needs to meet to be released on parole. 'Insufficient time served' is not an adequate response.
- ➔ Immediately implement required treatment and training programs so incarcerated men and women can qualify for parole.

And finally, Governor Walker must immediately appoint an Ombudsman, selected by the Chief Justice of the Wisconsin Supreme Court, with authority to ensure that people eligible for parole are not lost, lingering and overlooked. Within six months of his or her appointment, the Ombudsman must report on the number of people legally eligible to go home and progress made in reducing that number.



Partners in Calling for Action

Wisconsin NAACP State Conference of Branches
Wisconsin Council of Churches
Wisconsin Faith Voices
160 WISDOM congregations representing
19 faith traditions

For More Information

David Liners, WISDOM, 414.736.2099,
david.liners1@gmail.com

Rev. Jerry Hancock, First Congregational UCC
Madison, 608-658-6630,
revjlhancock@gmail.com

Beverly Walker, wife of Baron Walker
at Fox Lake Correctional Institution,
mrsbeverlywalker@yahoo.com

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#ReformWiscDOCNow



WISDOM, the Wisconsin affiliate of the Gamaliel Foundation, is a statewide network, including 10 congregation-based community organizations that work to live out their values regarding social justice in the world: MICAH Milwaukee County, RIC Racine County, CUSH Kenosha County, SOPHIA Waukesha County, JOSHUA Green Bay area, ESTHER Fox Valley, JONAH Eau Claire and Chippewa Valley, AMOS La Crosse area, NAOMI Wausau and North Central Wisconsin, MOSES Madison and RUTH Manitowoc County. Visit WISDOM's website at <http://prayforjusticeinwi.org>.