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Memorandum: Joint Finance Committee

I am Bob Bossany, Executive Director for the Dunn County Economic Development Corporation. I appreciate the opportunity to present before the committee at this hearing.

I am here to encourage the Committee to give full and strong consideration for full funding of The Wisconsin Ethanol Producer Incentive Program, to the extent that ultimately the 6 planned ethanol plants in the state can receive a producer incentive up to \$3.0 million per plant per year, for a period of a minimum of five years. I consider the placement and operation of these plants in Wisconsin critically important to the long-term health of the Wisconsin farm and agri-business communities.

I have worked in economic development for a lot of years, and it is rare projects come along that will have a direct, positive, impact on the rural economy of the state. Ethanol production in Wisconsin is one of those projects, and I am hopeful the state will send a message through the approval of the Ethanol Producer Incentive Program that the farm community, which is still a major part of the Wisconsin economy, is not forgotten, and will be supported.

I understand that you will have many demands for scarce budget dollars, but this is one of those few programs that will return far more to the state than the cost of its investment. The six ethanol plants currently planned for Wisconsin will be investing over \$200 million in capital investment alone directly in the state and contribute substantially to the state's property tax base. Additionally, the plants will create over 200 high paying jobs in the rural communities that desperately need high paying jobs, and the plants will utilize a substantial amount of local services, including contractors, builders, electricians, trucking firms, etc., further contributing significantly to the local economics.

Additionally, the ethanol plants will purchase over 50 million bushels of corn per year from Wisconsin farmers who desperately need a market such as this for their product. In the Chippewa Valley region, where two of the plants are planned, fully 40% of the corn produced in this region is exported out of the region, much of it to Minnesota to support their 15 ethanol plants. Aside from the substantial freight cost to Wisconsin farmers for shipping this corn out of the area, a substantial amount of the economic benefit of that corn is also exported to places like Minnesota, rather than re-circulating that benefit in Wisconsin's local economies.

Additionally, a by-product of ethanol production is distiller's grain, a high protein feed supplement of high value to the dairy industry. Currently, with no ethanol production in the state, Wisconsin dairy and beef farmers must import distiller's grains from out of state to support their herds, at a substantial cost. The availability of distiller's grains in the state would save Wisconsin Dairy Farmers a substantial amount of money.



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Additionally, areas of Wisconsin are mandated by various federal laws to blend oxygenates, including ethanol and MTBE (a petroleum based oxygenate) in unleaded gasoline to reduce pollution. This is particularly true in the Milwaukee area of the state. Since no ethanol is currently produced in Wisconsin, all the ethanol must be imported from other areas of the country, at a substantial cost to Wisconsin motorists. Further, MTBE has been linked to ground water contamination and is being banned in states like California and New York, and the only replacement is clean burning ethanol. If Wisconsin produced ethanol, that need for ethanol could be supplied by Wisconsin Producers at a significant cost savings, keeping those dollars in the state and helping to insure that gas prices remain reasonable, in particular in the Milwaukee metro areas.

The construction of an ethanol plant is highly capital intensive, and requires a substantial equity investment. But there is a growing market demand for ethanol, with some projections that the demand in the United States will double in only three years. Minnesota, as well as other states such as Iowa and Nebraska, have substantial producer incentive programs in place that have resulted in thriving ethanol industries in those states that are calculated to return to the states from \$13.00 to \$20.00 for each dollar of investment. Without a Wisconsin Producer Incentive Program, there is a high probability that few, if any ethanol plants will locate in Wisconsin, and the increasing demand for ethanol will be met by plants locating to states where incentive programs exist. This will be a profound loss to the state of Wisconsin. It will mean Wisconsin farmers will continue to pay for the exporting of their corn and not realize the increased price they would realize if ethanol were produced in the state. It will mean those farmers will continue to pay for importing their distiller's grains. It will mean those good jobs that would have been created in Wisconsin will be created somewhere else. It will mean the property taxes that would have been paid by these ethanol plants will be paid to some other state. It will mean Wisconsin will continue to pay for importing its ethanol, and continue to be subject to gasoline price spikes, in particularly in the southeast part of the state. It will mean that the return on investment that would have been available to Wisconsin will be earned by some other state.

In closing, I ask you to give strong consideration for full funding of the Wisconsin Ethanol Producer Incentive Program. The state will not pay a dime until the ethanol is produced, and the program will return to the state an amount far greater than that invested. The industry would be good for the farmers, good for economy, good for the environment, good for the metro areas, and good for the state.

3/28/01
Date


Robert J. Bossany
Executive Director
Dunn County Economic Development Corp.

THE ECONOMIC CASE FOR FULL FUNDING OF THE WISCONSIN PRODUCER PAYMENT FOR ETHANOL

NATIONAL ETHANOL ISSUES

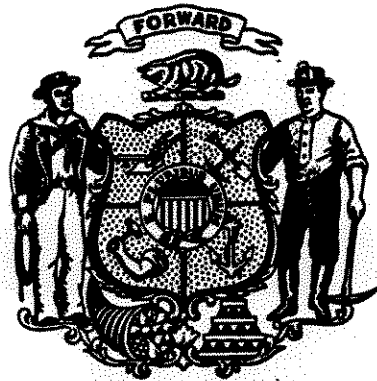
1. Our dependence on imported oil is at record levels; currently more than 58% of our usage, while our domestic oil production is at a 40 year low. The USDA reports that each gallon of domestically produced ethanol can replace 7 gallons of imported oil.
2. The production of ethanol combines surplus corn with renewable sunlight and domestic natural gas and/or coal to create a clean burning, high octane, replacement for imported crude oil, gasoline and MTBE.
3. The domestic ethanol industry adds jobs in rural America while it more than doubles the value of each bushel of corn processed into ethanol and DDG/s.
4. Ethanol production provides nearly a 2 for 1 energy gain while the production of gasoline is only 70% efficient and a net energy loss

WISCONSIN ETHANOL ISSUES

1. Wisconsin currently exports more than 200 million bushels of unprocessed corn each year and receives one of the lowest on-farm prices in the country. By converting the corn to ethanol, CO2 and Wet or Dried Distillers Grains with Solubles (WDG or DDG/S), the value of corn is more than doubled.
2. There is a consensus that National ethanol demand and production will double in the next five years. Wisconsin ethanol production can lower gasoline costs to Wisconsin consumers.
3. Wisconsin dairy farmers will greatly benefit from an increased and dependable supply of competitively priced WDG for their feeding operations.
4. **Minnesota has 14 operating ethanol plants with a combined production capacity of 250 million gallons, to which the state has provided \$155 million in Producer Payments as an incentive to build plants. Minnesota currently pays \$35 million per year from the General Fund and legislation has been introduced to encourage additional plant construction.**
5. **The 2000 Wisconsin Legislature passed enabling legislation to provide a 20-cent per gallon, Producer Payment incentive to develop a state ethanol industry. Eight separate investment groups have responded to this legislation with plans to develop ethanol plants. All that is now needed to make these projects a reality is full funding of existing legislation.**
6. The Minnesota Legislative Auditor analyzed the Minnesota ethanol program in 1997 and reported that an annual payment of \$27 million in state investment results in an "estimated \$341 to \$549 million in annual statewide economic benefits." **This is a range of \$12.6 to \$20 return for each dollar invested!** In addition, the Auditor's Report estimates "a one-time benefit of \$174 to \$261 million from plant construction.
7. Full Funding of the Producer Payment legislation will: enhance rural development, double the value of the corn processed **and create a new industry!** As in Minnesota, economic returns to the state should be several times the initial costs. **Remember that The State pays nothing until the plants are built, the jobs are created and the ethanol is produced!**

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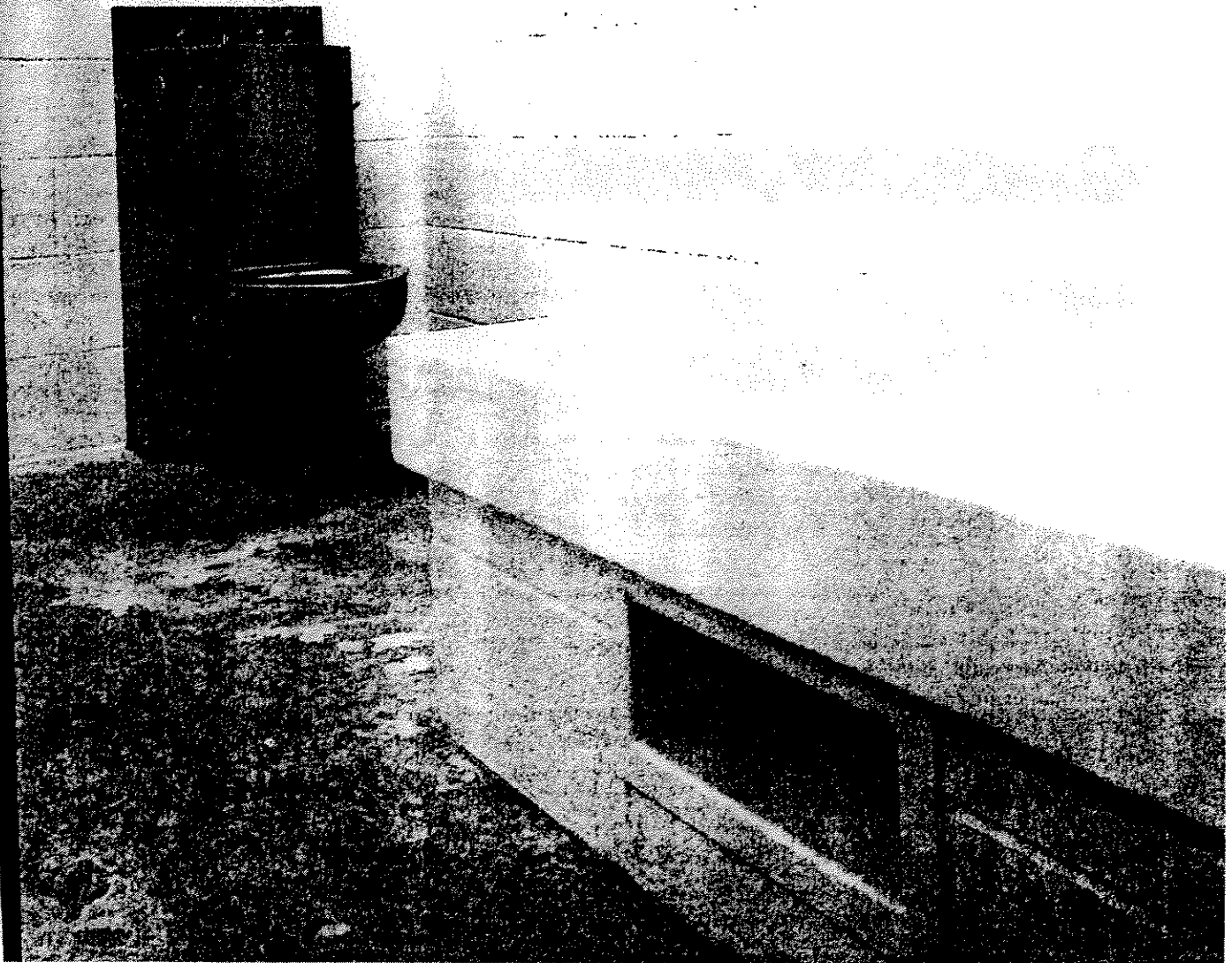


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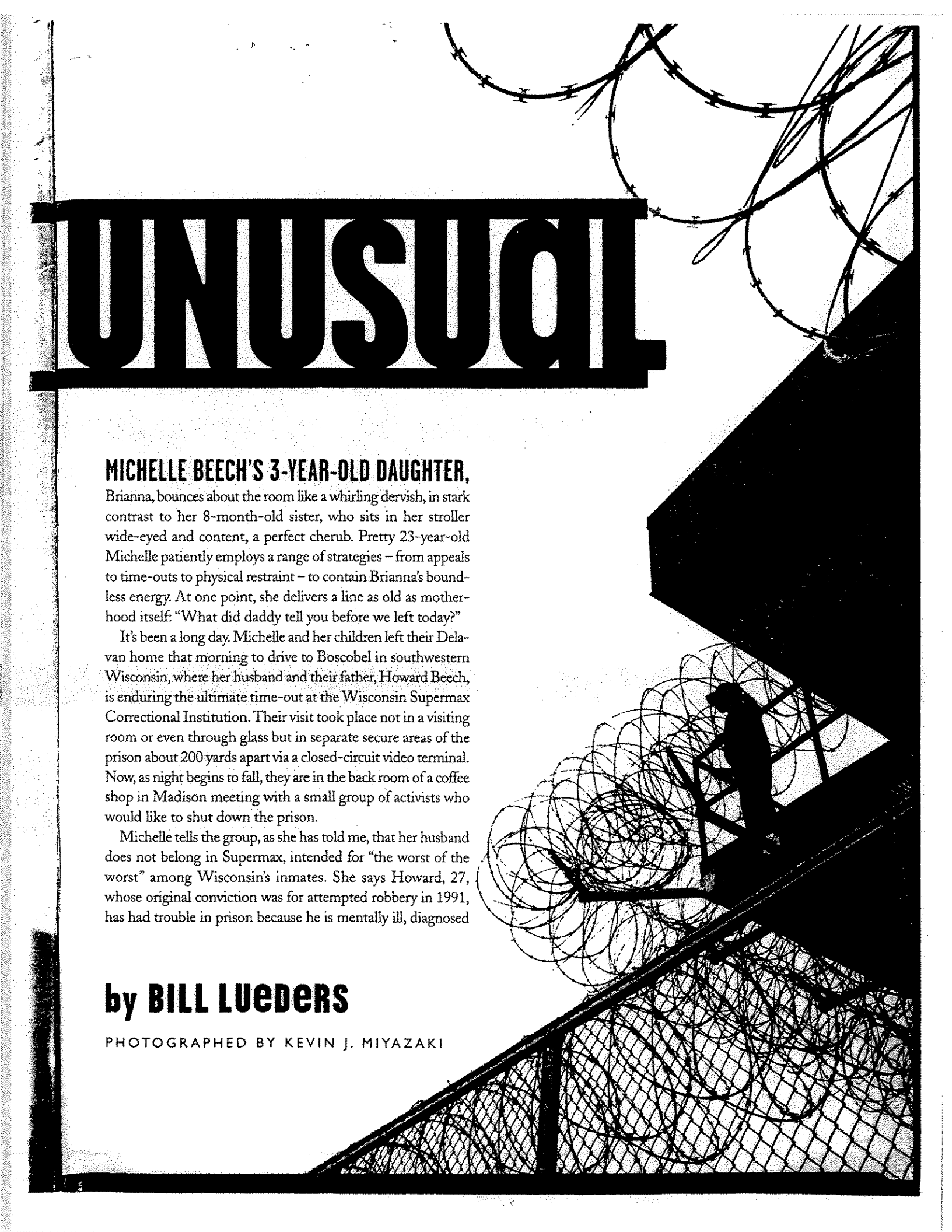
Milwaukee Magazine
Aug, 2000

CRUEL LAND

INSIDE SUPERMAX, WISCONSIN'S NEWEST, COSTLIEST AND HARSHTEST PRISON — A SALVO FOR POLITICIANS, A NIGHTMARE FOR INMATES.



UNUSUAL



MICHELLE BEECH'S 3-YEAR-OLD DAUGHTER,

Brianna, bounces about the room like a whirling dervish, in stark contrast to her 8-month-old sister, who sits in her stroller wide-eyed and content, a perfect cherub. Pretty 23-year-old Michelle patiently employs a range of strategies – from appeals to time-outs to physical restraint – to contain Brianna's boundless energy. At one point, she delivers a line as old as motherhood itself: "What did daddy tell you before we left today?"

It's been a long day. Michelle and her children left their Delavan home that morning to drive to Boscobel in southwestern Wisconsin, where her husband and their father, Howard Beech, is enduring the ultimate time-out at the Wisconsin Supermax Correctional Institution. Their visit took place not in a visiting room or even through glass but in separate secure areas of the prison about 200 yards apart via a closed-circuit video terminal. Now, as night begins to fall, they are in the back room of a coffee shop in Madison meeting with a small group of activists who would like to shut down the prison.

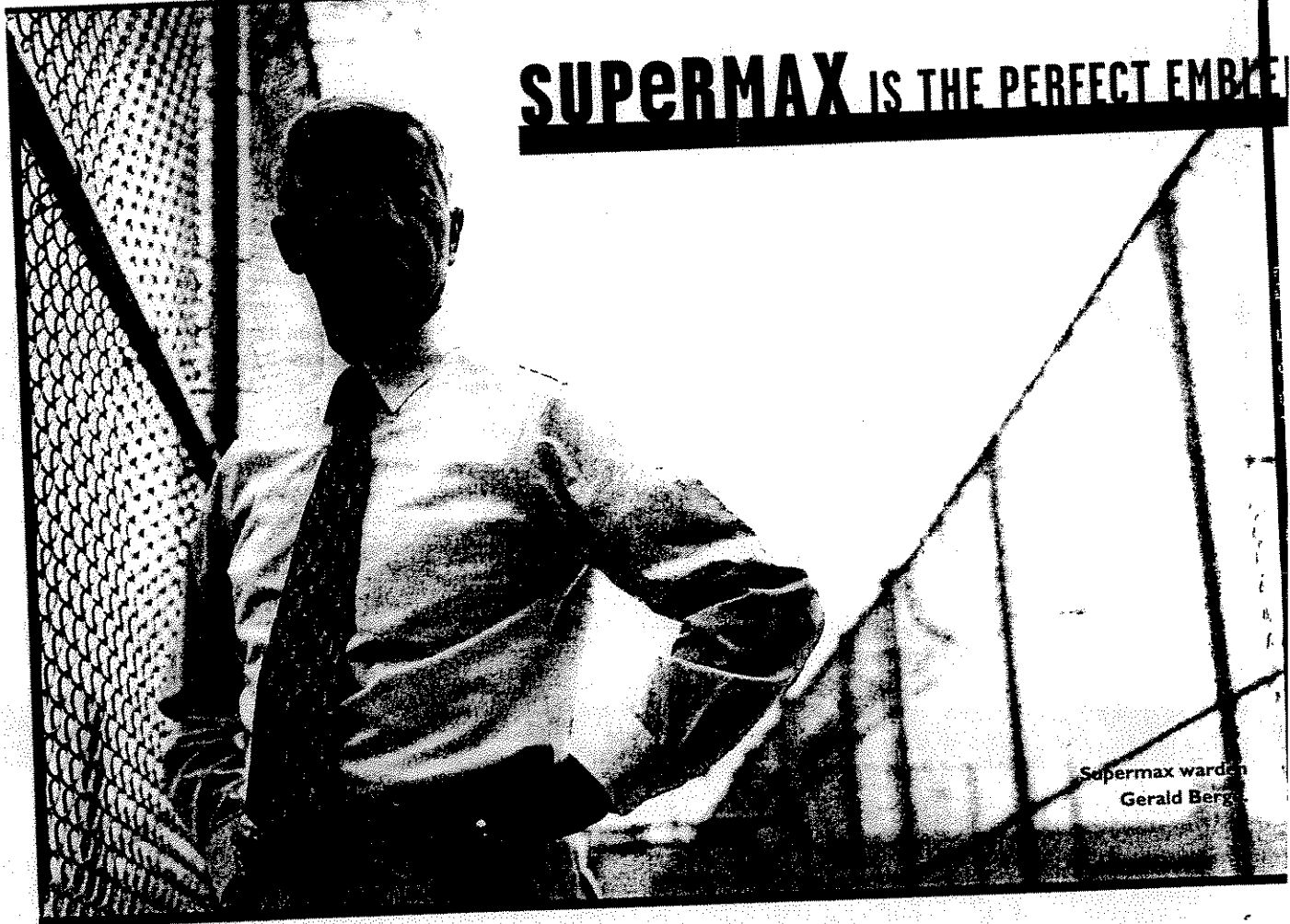
Michelle tells the group, as she has told me, that her husband does not belong in Supermax, intended for "the worst of the worst" among Wisconsin's inmates. She says Howard, 27, whose original conviction was for attempted robbery in 1991, has had trouble in prison because he is mentally ill, diagnosed

by BILL LUEDERS

PHOTOGRAPHED BY KEVIN J. MIYAZAKI

as bipolar (manic depressive). He has had two run-ins with guards since then that each drew additional four-year terms. The most recent was in February 1998, when he threw a temper tantrum, broke a table and threatened a guard with its leg. But court records show that the guard was never hit and, in a presentencing report,

half full, is being used as a disciplinary tool and to serve as a warning to other inmates. Some of those sent there are troublesome but not violent. One in 10 are mentally ill, making them especially vulnerable to the extreme isolation that Supermax entails. And the prison is, in the main, a repository for racial minorities.



SUPERMAX IS THE PERFECT EMBLEM

Supermax warden
Gerald Berge

“did not want to recommend” additional prison time.

But what really gets Michelle's goat is that Howard, she says, has maintained a good-conduct record since he returned to custody in August 1999. In fact, he got a satisfactory review at Portage on March 1, less than two weeks before being transferred to Supermax.

“The last time he had any incident was two years ago,” says Michelle, noting that her husband's mandatory release date is December 2001. “He should be being integrated back. He shouldn't be further from society.”

But it's no surprise, really, that Beech ended up at Supermax. Critics, including former Department of Corrections (DOC) chief Walter Dickey, have said all along that Wisconsin has nowhere near enough hyperdangerous inmates to justify building a \$47.5 million, 509-bed Supermax. They warned that the prison would soon fill up with inmates who are, on the evil meter, underachievers.

“The obvious question is who's going there and why,” says Dickey, now a University of Wisconsin-Madison law professor who specializes in prison issues. “I worry about sending people there as punishment. I worry about sending people there who are a pain in the ass — verbally or lawsuit-wise. I worry about the mentally ill most of all.”

Now Dickey may be facing “the realization of my worst fears.”

None of this is surprising. Supermaxes have managed to become the hottest trend in corrections — there are at least 57 of them run by three dozen states and the federal government — despite overwhelming evidence that they do more harm than good. Courts have repeatedly upheld allegations of systemic abuse both in who gets sent to these prisons and how they are treated. Human rights groups have consistently held that supermaxes constitute cruel and unusual punishment and meet the definition of torture under international law. Psychologists who study solitary confinement agree they cause severe and lasting psychological damage.

Supermax warden Gerald Berge, widely regarded as an excellent choice for the job, insists Wisconsin is fully aware of this legacy of failure and is determined not to repeat it. But most of what offers as proof falls short of demonstrating a true break from what has come before. And some features of Wisconsin's Supermax, including its pioneering use of video-only visits, suggest the prison is actually worse — more isolating, alienating and dehumanizing.

“I'm concerned about putting people in an environment where everybody admits you're likely to become insane,” says state Sen. Gwendolynne Moore (D-Milwaukee), calling Supermax confinement “a strategy designed to make people mentally ill.”

As for the multitudes that couldn't care less about how people in prison are treated, there's this: Many of those serving time in

armax will someday be back on the street, letting their bottled-up rage and resentment spill forth like blood from a slashed artery. "We're creating much more vicious, dangerous individuals who are all going to encounter again in our lives," says Moore, noting the state's fondness for returning inmates to Milwaukee. "It's not that I'm feeling for the prisoners so much as I fear for Wisconsin citizens as a result of this strategy."

R A PRISON SYSTEM HIJACKED BY POLITICIANS.

From the start, Wisconsin's Supermax was the product of politics, not any penological imperative. Its first public mention came in Gov. Tommy Thompson's 1996 State of the State speech: "And once this plain, stark and austere facility is built, that's where Wisconsin's most vicious criminals will go. The Supermax will be a criminal's worst nightmare."

Until then, says Dickey, "I never heard anybody from corrections suggesting it was something we should have." Indeed, he says then-DOC Secretary Michael Sullivan "told me he argued vociferously for allocating the money in different ways" — especially on community corrections and supervised placements. Sullivan has since retired, replaced by Jon Litscher, a Thompson crony with no background in corrections.

In some respects, Supermax is the perfect emblem for a prison system that's been hijacked by politicians. They're the ones who have rushed to hike sentences, abolish parole and turn buzzwords like "three strikes and you're out" and "truth in sentencing" into policy, often against the advice of people who work most closely with offenders.

As a result, Wisconsin's adult prison population now stands at 20,500, up from 5,736 when Thompson took office in January 1987. We lead the nation in exporting prisoners, with 5,300 doing time at contract facilities in other states. And still the state's 30 adult prisons, with a total capacity of 10,822 beds, are severely overcrowded.

Moore suggests this boom has little to do with crime rates, which in Wisconsin have fallen for eight consecutive years. In legislative discussions on prisons, she says, "We don't even talk about dangerous criminals. We don't even talk about victims. We talk about the number of jobs that are created. We talk about receipts."

Dickey believes the prison system does have a need for "close custody" of some offenders, those "who are so damaged that they act very aggressively toward others." Back when he headed the DOC, from 1983 to 1987, "we probably had a dozen guys that fit that description." The system is much larger now, and Dickey says a more contemporary indicator of need would be the number of inmates in administrative confinement — kept separate from the rest of the population for reasons of safety or security.

Last fall, when Supermax opened, the Wisconsin DOC had 50 inmates in administrative confinement and 41 others being considered for such placement. As of July 7, Supermax's inmate population stood at 263. The vast majority are in administrative confinement, either for past bad behavior or because they're considered escape risks. About two dozen others are at Supermax for discipline, having received 180- to 360-day sentences in solitary as a form of punishment.

At the current rate of growth, between five and 10 inmates per week, the prison would be filled by the end of this year. But warden Berge wants to maintain a reserve capacity of at least 50 cells in case there's a large-scale disturbance at another facility. Part of Supermax's mission, he says, is to discourage inmates elsewhere from acting up: "There is a clear message out there."

Supermax has already been used in this fashion. On November

30, 1999, a riot broke out at a private, for-profit prison that houses 1,500 Wisconsin inmates in Whiteville, Tennessee, during a visit by DOC Secretary Litscher. Afterward, 48 inmates implicated in the disturbance or other assaults were dispatched to Supermax.

Several of these inmates, nearly all of whom are African American, have stated in appeals, letters and legal filings that they had nothing to do with the uprising that occurred. They insist they have

witnesses who can attest to their innocence but were not allowed to call them at disciplinary proceedings in Whiteville. But when these inmates complained to the DOC, they were told its hands were tied: "[Supermax] and Wisconsin DOC have limited to no authority over... conduct reports, their investigations and dispositions for contract facilities," a DOC official apprised one inmate.

Berge says the DOC, in finding the 48 inmates deserving of Supermax, is relying on information from Whiteville: "That's all we have." The Whiteville prison has been dogged with accusations of abuse, including a 1998 incident in which guards sodomized a Wisconsin inmate with a shampoo bottle.

Inmates are sent to Supermax not because of the nature of their crimes but the way they behave in prison. The DOC says it's meant for inmates "known to be assaultive, violent or sexually aggressive." But that's just part of the first of four criteria. Also eligible are inmates "who have acted out in a violent way by destroying property," who "pose safety and security risks within the institutional setting," are considered "major escape or flight risks" or "otherwise threaten the orderly operation" of the prisons they're in.

Dickey says these guidelines lack the "clarity and specificity" needed to protect against overuse. Again, there's no surprise: "When I was involved in rule-making, there was always pressure to draft rules as vaguely as possible. Then you can do anything you want."

Jerry DeMaio, a UW-Madison law student and editor of *Wisconsin Law Review*, has written a thesis on Supermax entitled, "If You Build It, They Will Come." In it, he argues that Wisconsin's severe prison overcrowding, "coupled with admission and release standards that are vague and overbroad," add up to the likelihood that overclassification will occur. He urges stricter standards that would likely necessitate "leasing beds to other states" or leaving them empty.

"I do wonder about the subjective nature of placements there," says Moore, who is especially concerned that blacks will be sent to Supermax because of loosely defined gang affiliations.

African Americans account for 47 percent of Wisconsin's inmate population, a statistic that has prompted alarm since just 5.5 percent of the state's population is African American. At Supermax, this disparity is even greater. Of the prison's first 215 inmates, the majority — 128, or 60 percent — were African American, with Hispanics making up most of the rest. DOC spokesperson Bill Clausius suggests Supermax is an equal-opportunity prisoner: "It's not like, 'Oh, you're black, you can't come in here!'"

A similar policy of inclusiveness applies to the mentally ill, arguably the worst possible candidates for Supermax confinement. Ted Garlewski, the DOC's chief psychologist, says an effort is made to screen out mentally ill inmates from being sent to Supermax. But being mentally ill does not preclude placement there "if we think it's something they could handle." According to Berge, 25 of Supermax's first 242 inmates receive psychotropic medication, which

Garlewski says is the best indicator of mental illness.

Anti-Supermax activists also claim the prison will be used to punish political activity. Exhibit A in this category is Shaka Shakur, a self-described "revolutionary nationalist and socialist" who ended up finishing out his Wisconsin term at Supermax before being extradited to Indiana in March. The conduct that got Shakur in hot water in Wisconsin's prison system consisted of possessing letters and writings that included such statements as, "We must employ all means necessary to protect and support black people within prison walls."

Shakur, 34, also suspects he was singled out because, in Indiana, he participated in a hunger strike and lawsuit that led to one supermax having to convert three-fourths of its cells to less-restrictive uses. Indiana's Supermax facilities remain so severe that they were singled out for condemnation by the international group Human Rights Watch. But Shakur, who served years in Supermax confinement in Indiana, thinks Wisconsin's Supermax "takes the cake in terms of its sensory and perceptual deprivation and social isolation. ... I definitely feel for the guys who have to be there for years."

Supermax is far and away the state's most costly prison, due to the extremely high level of security and the fact that inmates do not prepare meals, do laundry or mop floors. Currently, the inmate-to-staff ratio is about 1-to-1. Even when fully staffed, Berge expects a ratio of about 1.2 inmates per staff member, which he says is consistent with supermaxes nationally.

Next year, when Supermax is in full swing, its projected \$12.7 million operating budget and 400- to 450-inmate population will add up to a per-inmate cost of about \$30,000, not including a debt service on the \$47.5 million facility. Maximum-security Waupun, in contrast, had a 1999 operating budget of \$16.5 million and about 1,200 inmates, a per-inmate cost of \$13,750.

Supermax consists of five units, each containing about 100 cells divided into four cell blocks. In the most restrictive unit, the cells measure 7-by-12 and the only respite from solid concrete and steel is a thin vertical slit of glass in the door. All communication takes place via intercom. About half of the cells have cameras so inmates can be observed.

In all other units, the cells are 8-by-12 and have shutters on the doors that, when open, provide an 11-by-27-inch window to the world with a bar through it. Inmates and staff can communicate through this space. Most of these cells have TVs, through which all programming, from education to chapel services, are delivered. A smaller percentage of them are equipped with cameras.

Each cell contains a concrete-slab bed on which a mattress can be placed, a combination sink/toilet/unbreakable mirror and an upright stand that hoists a caged shower spout. The toilet flushes at regular intervals; the shower turns on for seven minutes twice a week at prearranged times. No watches or clocks are permitted.

A light remains on 24 hours a day, expressly contrary to the warnings of psychologists who have studied the debilitating effects of isolation. Supermax inmates never see the sun or sky, although some natural light filters through a horizontal strip of glazing at the top of each cell. There is no air conditioning.

Inmates are confined to their cells an average of 23½ hours a day, with no outside time at all four days per week. The other three days, they have an opportunity for one hour and 20 minutes of out-of-cell time, in which they are led, alone, to either the law library or exercise areas that are only slightly larger than their cell and contain no equipment. Many decline.

Whenever an inmate is moved within the prison, he is handcuffed and shackled and has at least a two-guard escort. Strip searches are conducted whenever an inmate is placed into ob-

servation or transferred from one unit to another.

Except in the rare event that an attorney arrives with papers to sign, Supermax inmates never have face-to-face contact with each other or any outsider. All visits take place via the video terminals and all conversations are monitored by guards. Media access to inmates, even via video terminals, is strictly forbidden. On this point, says Berge, "the department is pretty insistent."

However, inmates have learned to communicate with their immediate neighbors through ventilation ducts. Berge says this avenue of human contact was completely unintended. Indeed, prison engineers tried to correct this problem, without success.

Even if only a handful of Supermax inmates start out mentally ill, things may not stay that way. Supermaxes nationally have been called "virtual incubators of psychoses." Stuart Grassian, a Harvard Medical School professor who has spent more than two decades studying the psychological effects of solitary confinement, reports that common symptoms include hallucinations, panic attacks, paranoia and problems with impulse control. "The harm caused by such confinement," he writes, "may result in prolonged or permanent psychiatric disability, including impairments which may seriously reduce the inmate's capacity to reintegrate into the broader community upon release from prison."

A recurring phenomenon at supermaxes is self-mutilation, which experts say is done by inmates to "ensure themselves that they exist" and to prompt a reaction, even if it's a brutal one. Horror stories abound. At an Arizona Supermax, one inmate castrated himself with an eating utensil and another tried to gouge out his own eyeball with a pencil. At the Supermax in Tamms, Illinois, an inmate carved into his own flesh and ate scraps of the bloody tissue, then ripped out the sutures and rubbed feces into the reopened wounds.

Last year, during a visit by an *Atlantic Monthly* reporter, a Supermax inmate in Huntsville, Texas, "slash[ed] at veins in his hands until blood spurted over the walls, the floor... like a particularly vivid Jackson Pollock painting." Guards joked about the "mutilator" as an official explained that inmates who are mad are not allowed into the unit, hence their presence proves they are sane. "As he completed this logical circle," the reporter wrote, "the entire Level 3 unit behind us was rent by the howls and screams of close-to-naked inmates."

Warden Berge says that, in his prison, "at least to date, our clinical staff have not seen the type of mental health deterioration that allegedly is going to be a given." But experts say the most serious psychological effects of solitary prison confinement usually take six months or more to manifest. And letters from inmates confirm the pain that extreme isolation can bring.

Adam Procell, a former honor student convicted of murder in Milwaukee in 1996 at age 15, was among the first Supermax inmates to arrive. In letters to me, he has described an atmosphere of mind-numbing emptiness, to which he has responded with defiance. He got in trouble for covering the camera in his room when he used the toilet and has at times refused orders to leave his cell, prompting his forced removal. "So what if I get hurt?" he wrote, explaining that his 130-pound frame is no match for a cell-extraction team. "Bones heal and physical pain heals fast. The mental pain of being treated like you aren't anything doesn't. I have too much pride to get walked over."

Howard Beech, in a letter to state Sen. Judith Robson (D-Beloit), who has taken an interest in his case, says the prison's conditions - the constant light, dearth of outside-the-cell time, lack of human contact - produce "thoughts of suicide, intense feelings of rage." As for himself, Beech says, "All I want to do is go home and take care of my family." But he worries about his fellow inmates: "This place is cruel and will make these people want to be the same."

A historical marker proclaims Boscobel's distinction as the birthplace of Gideons International, the group that puts Bibles in hotels. A 10-foot turkey and other signs declare it the "Wild Turkey Capital of Wisconsin." But no signs call attention to Supermax.

The prison, off Highway 133 on the city's northern edge, is surrounded by pine trees and orange signs that say "No trespassing." The 200,000-square-foot facility is ringed with concentric fences topped with razor wire, one of which is capable of delivering a lethal dose of electricity. I pull into the parking lot and take a few pictures of the entrance sign. Within seconds, a patrol vehicle drives slowly past. My picture-taking, I later learn, has caused a security alert.

Inside the lobby, a guard demands a photo ID, then barks into a phone receiver, "It's him." Past a locked door, another guard takes my picture and scans my hand into the prison's high-tech identification system. I remove my keys and pens but still set off the metal detector. I continue removing items: ring, watch, belt and boots.

This is the same process all visitors must go through before they can "visit" with inmates via the closed-circuit video terminals. There are 13 terminals in all, none in use. A guard tells me the more than half-full prison averages six visits a week. (That means Michelle Beech and her kids, with their allotted three turns per month, single-handedly account for more than 10 percent of all Supermax visits.)

At the appointed time, a guard arrives to escort me to the warden's office. Along the way, we pass through six more sets of locked gates and doors, all controlled by guards in the tower above.

Warden Berge and a young female assistant greet me warmly. His office is in the same building as the inmates but is separated, I'm told, by three more layers of security. I ask Berge about a novelty statuette on his bookshelf. "That's my Yes Man," he says pleasantly, explaining that it comes in handy at staff meetings. The smiling figure says things like, "I couldn't agree with you more completely" and "I'm sure whatever you're thinking is correct." It's a prison administrator's dream.

It soon emerges, however, that Berge's ideal model is not a Yes Man but a Yes I Can Man. He says Wisconsin is determined to succeed where others have failed. "We have very intentionally designed this place, physically and programmatically," to counter the dangers of isolation. Its system of graduated privileges gives inmates motivation and means to improve their situation. And, he claims, "there is a great deal of interaction between inmates and staff.

For instance, says Berge, meals trays are dropped off and picked up three times daily, which he counts as "six interactions." But he confirms that in these and other contacts, staff are discouraged from having substantive conversations. Medical personnel stop by daily, through locked cell doors.

Berge acknowledges that abuse of inmates by guards has been a problem at supermaxes nationally. (In one notorious case, guards at California's Pelican Bay dropped an inmate who smeared himself with feces into a tub of boiling water.) But, he insists, "We don't intend to have those problems here." To this end, all planned uses of force — like delivering incapacitating electric shocks to inmates who stick their arms into their food traps and refuse to remove them — are conducted in the presence of a supervisory officer and videotaped.

As for who ends up in Supermax and how long they stay, Berge insists there is ample oversight, including two separate reviews at six-month intervals. (Such internal reviews, inmates argue, consist of two parts: rubber and a stamp.) While Berge doesn't have a say in who gets sent to Supermax, he could object if he felt an inmate's placement was inappropriate. Has he ever done so? "Not yet," he says.

Finally, Berge says his prison tops other segregation units in programming, including classes in adult basic education and those aimed at helping inmates get a high school equivalency diploma (classes are taken via TV). But he confirms that an inmate who al-

ready has a high school diploma or GED would not be allowed to take college correspondence courses through the mail.

"We don't want to make this prison a real attractive place to be," explains Berge, saying this would undermine one of its core objectives: deterring others from conduct that could land them there. "If you want to take college courses, get out of this institution."

THE PRIDE OF BOSCOBEL

Roddy Dull insists he's not a good person to talk to. "I keep my mouth shut now," he says, explaining that his involvement with a Boscobel citizen group that filed suit, unsuccessfully, to block the Supermax prison brought him no end of grief. Dull, the owner of American Sign and Designs, says the retaliation included being selectively prosecuted for having an ornamental fence in front of his shop, forcing him to spend \$3,500 on attorney fees. Besides, he says, "I was wrong."

Contrary to his fears, the prison has provided a significant number of jobs. He's even done some work for Supermax himself, including making the sign in front. Dull says the prison has been a good neighbor and calls Warden Berge "the nicest guy I've ever met."

Boscobel, a community of about 3,000 located north of Platteville and east of Prairie du Chien, has wanted this prison since before it was conceived. It began writing letters to the state suggesting itself as a prison site back in 1994. When Supermax was announced, Boscobel was just one of at least a dozen bidders; it won out by spending \$557,000 to buy 159 acres of land that were given to the state free of charge.

City administrator Arlie Harris says two of Boscobel's other major employees are foreign-owned firms that could shift operations to Mexico. "But with a prison, if that's built, it's not going anywhere."

At public meetings, says Harris, most people who spoke were in favor, but there arose two major concerns. One was that Boscobel, like Waupun, would come to be associated with the prison in its midst. So the state was lobbied not to include the word Boscobel in the prison's name.

The second problem was that Boscobel residents were "not real thrilled about maybe some of the visitors we would have." One possible solution would be to set up video conference stations at other locations, like Milwaukee. But this proved unnecessary since, in fact, the inmates at Boscobel almost never get visitors.

Boscobel Mayor Steve Wetter says Supermax has created jobs (a third of the 300 prison jobs will go to locals), pumped money into the local economy and added bodies that count in assessing various state and federal aid. "It's an industry," he says of the prison, located in the city's industrial park. "As far as problems and complaints, we really don't hear of any."

What about the severity of conditions at Supermax? The question sets Wetter off: "Let's say someone brutally raped and murdered someone's daughter. Go ask the parents what they think."

But isn't this the most extreme example? Aren't there some Supermax inmates who haven't raped or killed? "They got themselves there," says Wetter. "As far as all the reasons, I don't have the foggiest idea nor do I care. I'm for capital punishment. I believe in an eye for an eye."

I track down the names I've been given or culled from press accounts, in search of a local opponent. I find only one: an older woman who considers the prison a "terrible institution." She offers to show me letters she's gotten from inmates using a P.O. box and the pseudonym "Grandma," on condition that I not publish her name. But when, as arranged, I call from a Boscobel pay phone before stopping by, a man answers and, without explanation, hangs up. Twice.

The core dogma behind Supermax's behavior-modification catechism is that inmates have "earned their way into this facility" and must earn their way out. Each inmate must advance through five levels before being eligible for programmatic release. Any major conduct report will lead to a demotion in levels, and even repeated minor ones can result in an inmate not advancing or being bumped back.

At Level 1, where everyone starts, inmates have no TV, no reading material other than a Bible, strict limits on what items they can order from the prison canteen and just one six-minute phone call—in-cell, monitored and collect—per month. They must remain here for at least 30 days and demonstrate appropriate behavior before advancing to Level 2, where they get one additional six-minute call per month and a TV that delivers a narrow range of prison-approved programming (education and religious channels but no major networks). After at least 90 days, they can advance to Level 3, which allows two calls of up to 12 minutes and, for the first time, the ability to receive magazine and newspaper subscriptions.

And so it goes until Level 5, where inmates get four 20-minute calls a month, full access to canteen items and the library (via checklists, not visits) and can eat meals in small groups. After functioning on this level for at least three months (most likely longer), inmates may be deemed fit for transfer to a maximum-security institution.

Currently, Supermax's inmate population is divided roughly equally among Levels 1, 2 and 3. No inmate has yet advanced to levels 4 or 5 and the unit for these inmates has not yet opened.

Based on the required lengths of stay at each level, Berge anticipates that the typical inmate will spend two and a half years at Supermax. But this assumes that the inmate, after perhaps a setback or two, eventually does everything that's expected of him.

In fact, there's nothing to prevent Supermax from keeping inmates who never get with the program—due to obstinacy or mental illness or a lack of interest in the meager additional privileges they receive—for years or even decades. And while Berge says "our intention is not to release anybody from this institution to the streets" (as opposed to transitioning them to a less restrictive institution), he doesn't promise it will never happen.

How well is Supermax working as a means of getting inmates to behave?

Conduct reports affirm Berge's contention that there is "lots of disruptive conduct." He says "about 350" such reports were filed in just the first four months of this year. In response to an open-records request, Berge released copies of all 75 reports prepared in April 2000, with staff and inmate names redacted. A few of the offenses are minor, like an inmate who asks for six items from the canteen when the rule book says he's limited to five. But most are major and entail major consequences, for things like threats, disobeying orders, disrespect and damaging property.

In one not-atypical incident on April 15, an inmate who refused to return his food tray and uncover his "windows" was repeatedly sprayed with "incapacitating agents" until he complied. Then he was removed from the cell in "double-locked restraints," strip-searched and placed in more restrictive confinement. The report says he "refused medical attention when he was offered it."

There have been a few more serious incidents. In January, an inmate was beaten by other inmates when a computer malfunction caused 26 cell doors to suddenly spring open. Three assaults of staff by inmates have been referred for prosecution, including an incident last December in which a fully shackled inmate head-butted a guard. Several inmates have destroyed the TVs in their rooms; these will not be replaced until they make restitution, no matter how long they're in Supermax. In late May, as many as nine

inmates participated in a week-long hunger strike; officials say they have no idea why.

Berge confirms two alleged overdose attempts, both of which proved "invalid" (the inmates hadn't really taken hoarded medication, as they claimed), although in one case an inmate spent the night at University Hospital in Madison as a "conservative precautionary move."

In another case, an inmate cut his arms "very superficially" with a pilfered razor blade. He was placed in clinical observation, in four-point restraints, because the blade couldn't be found. The blade was eventually recovered, although Berge doesn't remember how. On a previous occasion, the same inmate swallowed part of a razor blade and was placed in restraints until he "secreted" it. Berge says his staff agrees this inmate is not a serious suicide threat: "This guy is attempting to manipulate his way out of here and this is the method he's attempting to use."

Berge takes a similar hard line in responding to complaints about inmates being woken up by guards every hour all night long. "We've got some inmates who try to sleep in a way other than the way they're required to sleep," he says, explaining that covering one's face with a blanket in the lighted cell is against the rules because guards have to verify breathing. "It goes with the program. If that's what you want to do, you probably won't have a peaceful night of sleep."

The most serious and troubling Supermax incident did not happen at Supermax. In April, an inmate at the Racine Correctional Institution hanged himself in his cell to prevent his planned transfer to Wisconsin's harshest prison. "I told you I wasn't going to go there," wrote the inmate, David Hatch, who was convicted of two counts of attempted murder stemming from a 1985 incident in which he shot his estranged girlfriend, a police officer and himself, each in the head.

Milwaukee Circuit Reserve Judge Fred Kessler, who presided over Hatch's trial in Beloit and considers him "a real bad guy," was shaken by news of the hanging. "I was reminded of Devil's Island and Papillon," he says of Supermax. "It starts to cross over into cruel and unusual punishment and it reflects badly on society." And although Kessler is mindful of the suffering Hatch caused, noting that the officer he shot remained in a coma, attended to by his devoted wife until he finally died two years ago, he says "that still does not justify inhumane treatment" of the sort he believes Supermax delivers. "It sort of affects my sense of humanity that we are treating people, no matter how bad, that way."

Such moral qualms also emanate from within the DOC. "This is really the cruelest thing that has ever been created," says one senior corrections official who spoke on condition of anonymity. "If it were done in a war, the people who would subject their enemies to treatment like this would be tried as war criminals."

The official says "many enlightened people in the department are very disappointed these resources are being diverted to this end" but is pessimistic anything will change because corrections is now the purview of politicians who believe "the harsher the better."

But the problem is not just with politicians, it's with the people to whom they seek to pander. Letters to the editor from Supermax critics are almost invariably met with responses from folks who want prisons to be places where inmates suffer. Supermax, advised one letter writer to the *Milwaukee Journal Sentinel*, "should be a standard means of confinement across the board."

Supermax's opening last fall was preceded by a six-day open house during which vendors sold soda, sausages and T-shirts. Tens of thousands of people, including some 3,000 bused-in school

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children, toured the facility. According to press accounts, some visitors were angered to see TVs in cells, thinking this too great a luxury.

Against this backdrop, Moore advances a notion revolutionary enough to get her solitary: "I think inmates have rights. I think they're human beings. I believe you can rehabilitate people." But, she says, "Once a person hits a place like Boscobel, you've thrown away the opportunity to rehabilitate them."

What's needed, says Moore, is "a major education of the public" to counteract existing notions about crime and punishment. People have come to accept that spending money on prisons "is going to make them safer," when in fact the opposite may be true if the prisons being built are "driving prisoners crazy, creating more violent ones."

Dickey, for his part, thinks Supermax should be subjected to maximum scrutiny and public exposure. "In the state of Wisconsin, the worst thing we do to citizens is lock them up," he says. "And the worst thing we do to inmates is lock them in Supermax." Such power, he suggests, ought to be exercised with as much openness as possible.

The issue of openness is a main theme of the Sunday night meeting in Madison attended by Michelle Beech and her two little girls. Members of the group (Wisconsin Coalition to Stop Control Unit Prisons, P.O. Box 55, Madison, WI 53701-0055) resolve to continue meeting and collecting information. Angie Hougas, a state coordinator for Amnesty International, proposes compiling "a documentation trail" of correspondence and records regarding human rights violations at Supermax.

Oh, and one other thing: Michelle and the women learn that, by far, the best strategy for controlling Brianna is to pay attention to her and hold her.

Howard Beech sends Michelle letters with messages on the envelope like "Smile, I love your smile" and "I miss you more every day." He's trying hard to withstand the toughest time he's ever done. "I'm breaking," he sometimes tells her. She hopes that when he finally does get released, he'll still be able to be the family man he longs to be.

One thing is sure: Three times a month, as often as the prison allows, she'll bring the kids to the usually empty visiting chamber to see him. "I have to keep him in a sane state of mind," she says. "I'm all he has." **M**

Bill Lueders is news editor of Isthmus, the weekly newspaper in Madison.



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**Testimony of Rev. Mary Rowland
to the
Wisconsin Joint Committee on Finance**

Good morning. I am Pastor Mary Rowland of Reformation Lutheran Church here in Milwaukee. I am a member of MICAH and WISDOM.

Studies show conclusively that drug treatment is seven times more cost-effective than law enforcement as a solution to the drug problem. No matter how many people we send to jail for selling drugs, others will take their place, as long as the demand for illegal drugs continues.

In the last budget, the state of Wisconsin set aside \$10 million for drug and alcohol treatment in Milwaukee County. This money has made it possible for about 1,000 low-income men, women and young people per year to receive treatment.

The highly successful TANF AODA Project in Milwaukee County has become a national model. It should be replicated throughout the state. Funding should be given to other counties with low-income populations so that they can receive the same services. But...

It is essential that funding for the rest of the state NOT be taken from Milwaukee County's TANF AODA project, as Governor McCallum's budget calls for.

We call on you to put back the \$10 million for drug and alcohol treatment in Milwaukee County. Then, set aside another \$10 million of TANF money so we can meet the needs of people around the state.

Drug and alcohol treatment saves lives. With treatment, people can get well, they can support their families, they can pay taxes. If no treatment is available, too many more people will end up in our prisons, or they will end up dead. Providing treatment is the compassionate thing to do; it is also the smart thing to do.

Now, I would very briefly like to ask _____ to say a few words.

**Testimony of Rev. Dr. Archie Ivy
to the
Wisconsin Joint Committee on Finance**

Good morning. I am Rev. Archie Ivy. I am the president of the MICA organization, and a member of the Executive Committee of WISDOM. My colleagues and I want to speak to you briefly this morning on behalf of the 90 churches and synagogues of WISDOM. We are from all over southeastern Wisconsin, and soon we will include congregations from all over the state.

Governor McCallum has given you a budget that is tough on everybody except the prison system, the Packers and some special interests. We are asking you to re-write the budget with an eye toward justice. Give priority to the programs that will keep people out of prison; don't let the governor spend all our money to build and operate more prisons.

The percentage of our population that is incarcerated keeps going up. The percentage of African-American people in prison is completely unacceptable. Re-write this budget. Make it your priority to do everything possible to keep people out of jail, to be productive members of our society.

The average inmate in Wisconsin prisons reads at a third grade level. That's not a coincidence. When people get a decent education, they tend to end up working and paying taxes. When they don't get educated, we all pay for it. Please, fix our school funding system. Do that first.

Too many people are in our prisons because of their drug and alcohol addictions. Spend the money on getting treatment for people **BEFORE** they go to jail, not after it is too late.

Our prisoners all started out as children. Maybe more healthy outlets, like community learning centers, could have gotten those children started in the right direction. Help us keep the community learning centers open.

Make sure that our W-2 program actually helps people get on their feet, and that it doesn't just make some corporations rich because they are good at pushing the poor folks out on the street.

In WISDOM, we are people of faith. We are also taxpaying citizens. I don't mind paying my taxes when I know it is going to make our community a better place. You know, people in Waukesha, Pewaukee and Delafield all passed school referendums this month. They don't mind paying taxes if it is going to help their kids.

I do mind paying taxes when it goes to pay bigger bonuses to people at Maximus and Employment Solutions who have mis-spent money meant to help poor people. I do mind paying taxes when it goes to lock up more of my brothers and sisters who really belong in a treatment program. It is a matter of priorities.

I think everyone agrees that Governor McCallum's budget need to be fixed – it seems that even the Governor agrees with that. When you fix it, please be sure your priorities are in order. Use our money to invest in our children and to help our people.

Statement to the Joint Finance Committee

by Attorney Micabil Diaz-Martinez
Legal Director, ACLU Of Wisconsin Foundation, Inc.

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify before you today on behalf of the American Civil Liberties Union of Wisconsin Foundation. The ACLU of Wisconsin Foundation is a membership-based nonprofit organization representing more than 4,000 members state wide dedicated to preserving civil rights and liberties protected under our Constitution. Since our founding, the ACLU of Wisconsin Foundation has defended the rights of all, particularly unpopular and disenfranchised groups against unconstitutional discrimination and restrictions on their liberties. It is in this spirit that I come here today as the Legal Director of the ACLU of Wisconsin Foundation decrying the Governor's proposed budget on the court interpreter program.

It is a well-known fact to all of us here present today that Wisconsin is becoming increasingly diverse and multi-cultural. The results from the 2000 census clearly indicate that Wisconsin's Hispanic and Asian populations each grew by more than 50%. In Brown County alone the Hispanic population grew an estimated 400% and in the city of Milwaukee the minority population became the de-facto majority. Individuals who do not speak, read, write or understand English are appearing more frequently in all of Wisconsin's courts. Our system of justice is currently under a great strain, not only financially, but also logistically, in ensuring that interpreters are available to these citizens.

The ACLU of Wisconsin Foundation has always supported the principle of due process and equal protection under the law. A crucial element to this principle is the availability of qualified and well-paid interpreters. The current proposal does not provide adequate funding for the current crisis in our justice system. Many times, defendants are faced with unqualified interpreters, and in some disturbing instances, family members are used as translators during criminal proceedings. Basic legal forms, such as return dates, are not translated in the language of the individual, creating a systemic problem of individuals not showing to court. Being fluent in a foreign language does not make someone a qualified interpreter. Legal concepts or terminologies are technical concepts, and as such, an interpreter must have the training in understanding them. I, myself, have witnessed cases where both the defendant and the interpreter could not communicate with each other even

though they both spoke Spanish. Regional colloquialisms and local slang are an important element in interpretation as is the actual knowledge of a language. Moreover, the lack of cultural awareness exhibited by our justice system exacerbates the communication barrier.

The ACLU of Wisconsin Foundation believes that the proposed budget restricts the government's duty in providing language interpreters, thus jeopardizing and violating civil rights and liberties by denying access to the courts and to justice. As stated by the Committee to Improve Interpreting & Translation in the Wisconsin Courts, "a person who cannot communicate with the judge faces a barrier as significant as a lock on the courthouse." This budget restricts the government's ability in communicating and delivering services to non-English and disabled citizens and violating their civil rights and liberties in three ways.

First, by restricting the use of interpreters in certain types of legal proceedings, we deny fair and equal access to government. Under Wisconsin law, the appointment of language interpreters in court is governed by Wis. Stats §885.37, which sets the criteria for court appointment of an interpreter at public expense. Although statutorily mandated, this requirement only applies for indigent parties and witnesses in criminal, juvenile, mental health and child protection services. In other civil matters, the court almost never appoints an interpreter. The end result of this is the creation of a dual system of justice that puts into jeopardy an individual's liberty interests in the areas of family law, domestic violence, evictions, debt collections, traffic citations and a slew of other common legal matters. In addition, the language of this statute does not provide an interpreter for many litigants who do not meet the indigence requirement but who cannot afford an interpreter. The statute also does not provide for interpreter services for crime victims other than in their capacity of witnesses, therefore violating, in my opinion, Wisconsin's Victims Rights Act (Wis. Stats. §950 et seq.).

In addition to the aforementioned, the use of interpreters in our system of justice must meet the American with Disabilities Act, 42 U.S.C. §12101 et seq. Title II of this Act state that governmental entities must make their services, programs, and activities readily accessible to individuals with disabilities. National estimates put people with hearing problems from 6% to 10%. Many of these individuals have lost their hearing as adults and are in

serious need of the use of interpreters, assistive listening devices, transcripts, handwritten note takers and other means to know what is occurring during court proceedings. Many deaf people use what is commonly known as ASL (American Sign Language) as the primary method of communication. Like language interpreters, ASL interpreters need a level of proficiency with regards to the complexity of the legal system. Wis. Stat. §885.37 is intended to apply also to individuals with disabilities. Unfortunately, the statute does not apply to all legal scenarios creating a constitutional conflict with the ADA. This constitutional conflict, in my opinion, seriously affects the civil rights of our disabled citizens.

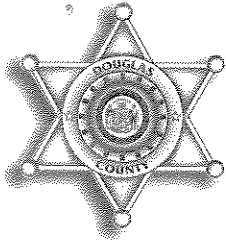
Second, by limiting funds in the forms and type of systems the government uses to communicate with its citizens in any other language other than English, impair the First Amendment rights of limited English proficient residents to receive vital information and to petition the government for redress of grievances. What few services and publications are provided in multiple languages, ladies and gentlemen, makes government more efficient and responsive to the needs of all its citizens. Financial limits effectively bar the government from choosing, in specific circumstances, how to communicate with its non-English speaking citizenry in languages comprehensible to these communities. As a result, we continue to inhibit a growing sector of our community from adequately understanding its rights and responsibilities within our judicial system. The Governor's proposed budget does not provide for alternate funding resources that would alleviate this crisis in our judicial system.

Third, the cost of court-ordered interpreter services in Wisconsin circuit courts is paid by individual counties. Thus, the counties limit the use of interpreters as part of their own individual budget. The result is a judicial system that, in order to be fiscally sound, sacrifices the rights of the people that need the most protection, language minorities and the disabled. An increase in the public fisc will liberate individual counties from this financial stranglehold and will ensure, not only that individuals are protected, but that the interpretation will be adequate and complete in all legal proceedings.

In closing, we must increase this budget to reflect the challenges that our state currently faces. The increase in population of individuals who do not speak the English language demands that we address this issue now. Our

state has a long history of doing what is right. The denial of interpreters either by statutory or financial constraints sends a message that there are two systems of justice. Our country was based on the principle that everyone has equal access to our courts and if accused, we have certain constitutional rights. A lack of funds or adequate interpreters is a threat to this principle and to our democracy. I urge you to support an increase in the court interpreter program. Our system of justice needs it, our system of government demands it.

Again I thank you.



Douglas County Sheriff's Department

1409 Hammond Avenue • City-County Complex • Superior, Wisconsin 54880-2793

I have come to ask the committee to consider three issues. These issues revolve around corrections and jail problems First; AB 197, full payment for Probation and Parole holds, Second; funding of medical health intervention and treatment within the jail system and Third; Protective Status for Jailers AB 48.

Under the current system, P&P clients are placed in county jails for various reasons, too numerous to catalog at this meeting. The DOC has its own method of tally as to which days they will pay the counties. The legislature provides limited funding for this activity. At year's end days held, are divided into the fund. Counties are reimbursed at this rate. In the last 2 years the rates were \$34.00 and \$37.00 respectively. Douglas County as an example often had to house prisoners in another jail at a rate of \$55.00/day plus transportation. (See attached)

On this issue, the legislature treats its budget as a limited pot of money. This is good fiscal management. However, that practice forces counties to have an open checkbook. Counties are forced to make up the difference between the reimbursement rate provided by DOC and the actual costs of housing state prisoners. Let's move on to the second issue.

Some 20 to 25 years ago laws changed in Wisconsin on mental health. As a result of those laws and certainly other factors, Jails have become the mental hospitals of the 21-century. The need for medical health intervention is large, growing and immediate. The burden falls disproportionately upon the counties, which can least, afford to provide these services. All sheriffs realize the need for care. Partial funding would provide incentive and help counties to obtain the services. Why are these services needed? As an example Douglas County is currently being sued over an incident in which an inmate managed to take apart a disposable razor and disembowel himself. He told his mother after the event that his intention was to pull his heart out. He lived and is being cared for. I can't say that psychiatric care would have prevented this incident but there is every possibility that had more treatment been available it might have been prevented. This is just one incident amongst many and only one incident within one county. There are stories for every county in Wisconsin. I ask that the legislature provide funding to offset the cost of providing adequate mental health care and treatment for jails.

My final point is AB48. Protective Status for Jailers in the State of Wisconsin is long overdue. The work conditions for jailers are well within the guidelines for protective status. The job has been evolving over the years. It is no longer a matter of simply locking up a drunk and letting that person out in the morning. Our jailers are responsible for dealing with the most dangerous people in our communities. Where do our murderers, robbers and rapists go to await trial. Our jails. I have already talked about the issues of

mental health that they are called upon to deal with. A large portion of the inmate population is drug dependent and an increasing number have communicable diseases.

This is a practical matter. Wisconsin is projected to have a shortfall of jailers and correctional officers in the near future. Correctional Officers have protective status. Jailers may or may not. Sheriff's that I have spoken with have remarked on the difficulty of finding the quantities and quality of jailers needed to do the job. Protective Status helps to make the position more attractive. Additionally this should not be left as a local option. It is just as important an issue as is protective status for firefighters and law enforcement officers.

Corrections issues compete with issues such as education. They compete with things that are more easily embraced. The issues will not go away and if left unfunded and unsupported, the problem will get worse. I ask that you support funding for mental health, AB48 and AB197.

A handwritten signature in cursive script, appearing to read "Richard Pukema". The signature is written in dark ink and is positioned above the printed name and title.

Richard Pukema
Sheriff

Probation & Parole Inmates 1999

	Actual # of P&P Inmates	Actual # of Days Incarcerated	Actual Total \$ Amount	# of Inmates P&P Reimbursed	# of Days P&P Reimbursed	Total \$ Amount P&P Reimbursed
January	31	208	8320	10	53	2120
February	20	164	6560	5	62	2480
March	14	132	5280	5	42	1680
April	19	179	7160	6	34	1360
May	31	351	14,040	11	114	4560
June	25	240	9600	9	85	3400
July	36	425	17,000	6	97	3880
August	35	517	20,680	9	130	5200
September	32	398	15,920	12	128	5120
October	28	334	13,360	No record	No record	No record
November	29	327	13,080	7	77	3080
December	32	515	20,600	8	156	6240
Totals	332	3790	151,600	88	978	39,120

\$112,480 is the difference between what Douglas County was reimbursed for and the actual amount incurred for Probation and Parole inmates.

We were not reimbursed for 244 inmates and 2812 days.

Probation & Parole Inmates 2000

	Actual # of P&P Inmates	Actual # of Days Incarcerated	Actual Total \$ Amount	# of Inmates P&P Reimbursed	# of Days P&P Reimbursed	Total \$ Amount P&P Reimbursed
January	34	550	22,000	11	158	6320
February	39	558	22,320	16	182	7280
March	41	665	26,600	14	266	10,640
April	32	489	19,560	7	113	4520
May	34	540	21,600	6	57	2280
June	30	418	16,720	4	42	1680
July	36	531	21,240	4	95	3800
August	33	550	22,000	6	104	4160
September	31	402	16,080	7	82	3280
October	37	480	19,200	10	114	4560
November	24	376	15,040	6	73	2920
December	34	587	23,480	4	68	2720
Totals	405	6146	\$245,480	95	1304	\$54,160

Difference of \$191,680 between amount Douglas County was reimbursed
and the actual amount incurred Probation and Parole.

This is an *increase of \$79,200* over the amount for 1999.

Statement of Attorney Richard M. Lawson


I have been familiar with the budget issues surrounding the State Public Defender for many years. I served that agency as a staff attorney for two and one-half years beginning in the summer of 1978. Thereafter I continuously accepted Public Defender appointments after I went into private practice. Since 1985 I have been a sole practitioner employing one full time secretary and one part-time secretary. At its peak Public Defender files represented approximately one-third of my overall case load. Now, even though my practice is entirely criminal and traffic defense, I regrettably am not able to take many Public Defender appointments because I am too busy and I cannot afford to do so.

I strongly feel that the private bar compensation rate paid by the State Public Defender should be increased to \$70 per hour. There are many reasons for supporting this increase:

1. Seventy dollars per hour is the rate mandated by Supreme Court Rule 81.02.
2. Seventy dollars per hour is the rate at which Marathon County (and presumably many if not most other counties) must pay attorneys appointed by courts to defend people who do not qualify for Public Defender representation and yet cannot afford to hire an attorney. Attorneys handling Public Defender appointments do the same work as attorneys handling court appointments, and they should be paid at the same rate.
3. The present rate of \$40 per hour for most services hasn't been raised for many years. In fact, there has been only a minimal increase over the entire 23 years I have been familiar with the program.
4. The present rate of \$40 per hour is probably one-third or less of what experienced defense counsel charge. Even the proposed rate of \$70 per hour is nowhere close to what most lawyers charge.
5. The current private bar rate of compensation is insufficient to cover the overhead of most law offices. For example, the maximum annual reimbursable hours of 2080 would generate a total income of \$83,200 if there were no travel time included. Since my business expenses on my Schedule C average more than \$69,000 per year, I would be left with a net income of approximately \$14,000 if my entire caseload were Public Defender files.
6. The most important reason for an increase is that fewer and fewer attorneys are willing to take Public Defender appointments. This reluctance is especially prevalent among the more experienced members of the defense bar. Twenty-three years ago many experienced defense attorneys took Public Defender appointments. Now few do, and the quality of representation being received by clients who are assigned private bar Public Defender counsel in my opinion is not as good as it was 23 years ago.

I also think that the State Public Defender's Office should be exempted from the proposed five percent efficiency cut. My understanding is that the Public Defender's Office continues to operate on a bare bones budget which cannot absorb a five percent cut. Such a cut separately would threaten the proposed rate increase and timely payments to private bar members. Most important is the fact that constitutionally-mandated rights and services cannot be subjected to across-the-board budget-cutting measures.

Thank you.


Richard M. Lawson

DO NOT STOP FUNDING FOR
PUBLIC DEFENDERS. WE ARE
OBLIGATED TO PROVIDE COUNSEL
FOR ALLEGED OFFENDERS, WHICH
WOULD BE MUCH MORE COSTLY
IF WE MUST HIRE PRIVATE LAWYERS.

DO NOT CUT FUNDING FOR EDUCATION.
READING, WRITING, AND ARITHMETIC ARE
IMPORTANT, BUT SO ARE OTHER FIELDS,
WHICH CONTRIBUTE TO A WELL-ROUNDED
EDUCATION FOR OUR YOUNG PEOPLE.

James W. Barschdorf

JAMES W. BARSCHDORF

715-392-2147

P.S. I BELIEVE THAT OUR TEACHERS IN
SUPERIOR HAVE BEEN UNDERPAID FOREVER.
START PAYING OUR MOST IMPORTANT RESOURCE
FOR OUR YOUNG PEOPLE.

WI Coalition to Stop
Control Unit Prisons
P.O. Box 55
Madison, WI 53701-0055

October, 2000

Dear

In July and August of this year, we surveyed prisoners being held at the Supermax Correctional Institution ("SMCI") opened at Boscobel, Wisconsin in late Fall of 1999. We sent in a short questionnaire about general conditions and how the prisoners felt under nearly total isolation. We received 71 responses, representing about 1/3 the number of prisoners we know to be held there currently. What we found is very disturbing, though not unlike what has been found at other Supermax prisons in the United States.

We found that prisoners are afraid of prison staff, afraid of the other prisoners and afraid of losing their minds. Prisoners reported feeling very different than they did when they first arrived at the Supermax. We found consistent reports of sometimes extreme weight loss, reports of depression, intense anger and paranoia.

We also found reports of discrimination based on race, religion, language and disability, among other types of discrimination.

Nearly all the prisoners who responded reported mail delays and censorship.

We found that the limited "recreation" available to the prisoners humiliates and degrades them and that most choose not to leave the cells they stay in nearly every minute of every day, seven days a week. And we found that most prisoners discourage their family and friends from "visiting" them over video monitors, the only type of visitation available at SMCI.

Although the Supermax was designed to hold prisoners in administrative (as opposed to disciplinary) confinement, reportedly the most violent and/or threatening prisoners in the state system, we found many different reasons for assignment to the Supermax, not all of them seeming to reflect the most violent prison behavior. In fact, a few prisoners expressed that they really did not know why they were there. Others were sent there to complete disciplinary sentences which, before the existence of SMCI, were completed in disciplinary segregation units inside the state prisons. Still others are federal prisoners that may simply have been transferred to the Supermax because of their former placement as state prisoners in federal facilities, i.e. for reasons not at all related to their prison behavior.

The Supermax now contains a mix of prisoners, some of whom the Department of Corrections says are serving disciplinary sentences and some of whom the Department says are not at SMCI for "punitive" reasons and are therefore entitled to the same conditions - privileges and

access to programs – as prisoners held in general population. SMCI also contains a large number of mentally ill prisoners, following the pattern of other nearly total isolation prisons.

But as far as we know, all prisoners must work through the “level system” at SMCI, where each prisoner starts out in an essentially bare cell environment, with few or no books, no outside publications, no television, and one six minute phone call per month. The prisoners must then work up through the various “units” or “levels” to earn such rewards as more books, phone calls and television. There are five levels at SMCI. All prisoners begin their stay on Unit A, where they “receive the minimum privileges mandated by the Wisconsin Administrative Code.” (Unit A rule book distributed by SMCI/WI DOC) From this Unit A, prisoners must comply with SMCI “programming” and staff orders in order to progress through all the levels to the least restrictive one where they become eligible for transfer back to a regular maximum security institution. (Not all prisoners came from maximum security prisons, however. Some prisoners have come to SMCI from medium security prisons.) A prisoner can be sent back down to a lower level, including all the way back down to level A, from any higher level. There are no precise guidelines we have seen (and we have formally requested such from the Department of Corrections) about exactly what behavior might result in movement either up or down through the level system. There are separate rule books for each unit, and the prisoners may not see the rule books for levels they have not yet reached.

A few specifics bear mentioning to make some of the prisoners’ answers easier to understand.

Many of the prisoners in Supermax are Wisconsin prisoners who had been confined at the medium-security Whiteville [Tennessee] Correctional Facility, operated by the private, for-profit Corrections Corporation of America. Investigations by the Wisconsin Department of Corrections found that Whiteville staff brutalized prisoners with stun weapons and sodomized a prisoner with a shampoo bottle while interrogating them about an assault on a staff member. Whiteville officials actively covered up these incidents for four months before being discovered. The prisoners whom Whiteville officials charged with the staff assault were acquitted in a Tennessee criminal court. Despite this record of poor judgment, the Wisconsin DOC relies solely on the word of a Whiteville disciplinary committee in placing prisoners from Whiteville Correctional Facility in Supermax.

In the fall of last year, the automatic doors on the Supermax cells, controlled only remotely from a guard station, opened, and a fight ensued between some prisoners. Both prisoners and Department employees stated to us that the doors did not open accidentally. So, some prisoners are afraid of being “set up” in this manner to be beaten or even killed by other prisoners.

But the prisoners’ words speak best for themselves. Supermax Maximum Correctional Institution needs to be shut down.

Sincerely,

Melissa Froiland *Jackie Austin*
Melissa Froiland Jackie Austin
for the WI Coalition to Stop Control Unit Prisons

MEDIA RELEASE Wisconsin Coalition to Stop Control Unit Prisons
PO Box 55
Madison WI 53701-0055

SUPERMAX SURVEY REVEALS PRISONER FEARS
Seventy-one prisoners describe effects of near-total isolation

Prisoners living in 24-hour isolation at Supermax Correctional Institution in Boscobel live in fear of violence, are often unable to sleep, and are experiencing mental deterioration. Nearly one year since the opening of Supermax, the results of a survey of prisoners confined there shows many disturbing effects of long-term isolation.

The survey of 71 Supermax prisoners, conducted by the Wisconsin Coalition to Stop Control Unit Prisons, found reports of extreme weight loss, depression, intense anger and paranoia.

Contrary to the facility's stated purpose, Supermax does not confine the "worst of the worst".

Supermax contains a diverse mix of prisoners, with a variety of sentence structures, disciplinary records, and program needs. However, prisoners reported that the only treatment option is a one-size-fits-all program via television that is a requirement for transfer out of Supermax.

The mental trauma reported by prisoners in the Supermax points to the need for follow-up treatment programs for these men when they are released from Boscobel. Adequate programs for such post-traumatic stress do not exist.

According to Bonnie Block, a spokesperson for the Wisconsin Coalition to Stop Control Unit Prisons, "The survey answers should raise public concern about the purpose of the Supermax. Does all of this rehabilitate? Does it promote public safety?"

Melissa Froiland, who worked on the survey, says that "The Supermax raises serious concerns about human rights. Conditions there violate standards of international law and human decency about treatment of prisoners."

Contact: **Melissa Froiland, 414-264-1936 (evenings and weekends)**
 Bonnie Block, 608-256-5088 (days)

ANSWERS TO QUESTIONNAIRE OF PRISONERS AT SUPERMAX, BOSCOBEL, WISCONSIN

When did you get to SMCI? What unit are you in?

November 1999. Alpha Unit.	(2)	April 2000. Alpha Unit.	(1)
November 1999 Echo Unit.	(6)	April 2000. Delta Unit. (program segregation)	
November 1999. Foxtrot Unit.	(8)	April 2000. Echo Unit.	(7)
December 1999. Alpha Unit.	(4)	April 2000. ?	(1)
December 1999. Echo Unit.	(4)	April 2000. Foxtrot Unit.	(1)
December 1999. Foxtrot Unit.	(15)	May 2000. Delta Unit.	(3)
January 2000. Alpha Unit.	(4)	May 2000. Echo Unit.	(1)
January 2000. Echo Unit.	(3)	May 2000. Foxtrot Unit.	(2)
January 2000. Foxtrot Unit.	(1)	June 2000. Delta Unit.	(2)
February 2000. Echo Unit.	(1)	June 2000. Echo Unit.	(1)
March 2000. Alpha Unit.	(1)	July 2000. Alpha Unit.	(1)
March 14, 2000. Echo Unit.	(2)		

What institution did you come from?

Waupun Correctional Institution (16)
Green Bay Correctional Institution (12)
Columbia Correctional Institution (11)
Whiteville Correctional Facility (CCA, Tennessee) (medium) (19)
Administrative Maximum, Florence, Colorado (Federal BOP) (2)
U.S. Penitentiary, Leavenworth, Kansas (Federal BOP) (3)
U.S. Penitentiary, Beaumont, Texas (Federal BOP)
From a federal prison for four years.
Limon Correctional Facility, Limon, Colorado. (interstate compact)
A county jail
Kettle Moraine Correctional Institution (medium)
Racine Correctional Institution (medium) (2)
Jackson Correctional Institution (medium)
Fox Lake Correctional Institution (medium)

What was the reason for your assignment to SMCI?

Reasons related to CCA prison in Whiteville, TN:

Alleged involvement at Whiteville riot on 11/30/99. (16)

Alleged involvement in another Whiteville disturbance.

Refusing to tell on participants in the 11/30/99 Whiteville riot.

Retaliation for lawsuit against Corrections Corporation of America.

Segun por Whiteville oficiales por Assalto, Jefe de ganga. (According to Whiteville officials for an assault, leader of a gang.)

Retaliation for reporting abuse/assault, threats and attempt on my life by CCA- Whiteville officers and employees. I was also considered a threat because I attempted to escape that abuse twice in January and May of 1999, but have had no conduct or disciplinary problems since then.

"Status" reasons:

Includes assaultive history (7), history in disruptive groups/gangs (7), old disciplinary records (7), having been a Federal boarder (4), length of sentence (1), criminal conviction (1).

"They said... that my presence in the general population will encourage others to break the prison rules."

"No reason: I was not PRC'd to SMCI. I was PRC'd on 4/5/00 and recommended for continued out-of-state placement in Leavenworth, with future placement at DCI. I was in the general population at Waupun Correctional Institution before I was sent to the federal system. This was in 1988. The PRC commended my behavior in the population as 'quite good.' I have only received one minor conduct report in the past 13 years. In the federal system I completed [long list of programs]. I received letters of recommendation for parole from correctional officers who have never supported any inmate before. I am the first Hispanic inmate in the history of the Wisconsin correction system to obtain a BA and graduate with honors. I am two years away from my first parole date/hearing. I don't belong here!"

"To reintegrate back to maximum general population. But I was in general population while housed in a federal out-of-state prison."

"The Honorable Gov. Tommy G. Thompson ordered all state of Wisconsin prisoners, like myself, Federal Penitentiary boarders returned to be placed in Supermax in Administrative Confinement, according to Supermax's Capt. Blackburn, coordinator, administrative confinement review committee."

"Disciplinary transfer, ten years ago, to the Federal system. (I currently have five years clean conduct while in Florence. I was not in segregation nor administrative confinement at Florence before my return.)"

Disciplinary reasons:

In program segregation for 360 days. (7)

Battery to staff (not necessarily recent). (5)

Retaliation for community activism.

Writing to my mother after prison officials told me not to.

A conduct report. (2)

Involvement in a fight.

Two batteries.

Throwing an unknown substance to staff.

Damage to property.

Multiple major conduct reports.

Escape attempt.

Falsely accused of battery.

"Program Review Committee told me I was going to complete a 360 in seg, but paperwork accuses me of having an assaultive history and that prison staff felt threatened by me, etc."

Accused of having a relationship with a female employee.

Other:

Retaliation for legal actions. (4)

To fill bed space. (2) "The same as 99% of the inmates here, to fill this place to make it seem necessary. For myself it was a lot of small things I did that got on officers' nerves at GBCI."

Retaliation for contact with media. (2)

"I asked to come here with the hope of meeting my program needs and of course I'm *not*." (See answers to survey question on programs at SMCI.)

"In part by the security director's recommendation and psychologist approval, and my volunteering by deception of the psychologists who said the programs here is what I need."

Allegations that were never prosecuted inside or outside the institution.

Retaliation for petitioning the government for redress of grievance.

"When I was sent here I was not on program, adjustment, temporary lockup or any other discipline."

"I have no idea why I am here. I'm still trying to find out."

"The reason for my placement here is truly unknown to me. They say for my behavior."

"I got my paperwork for administrative seg, now the only thing they could actually say is he hasn't denounced his gang. But this is not based on evidence but what they believe."

How often can you use the phone and for how long?

Once a month for six minutes. (alpha)

Once a month for six minutes. (delta)

Three times a month for six minutes. (delta)

Twice a month for six minutes (echo)

Twice a month for twelve minutes. (echo)

"Four times per month, six minutes per call is supposed to be changed to 2x 12-minute calls August 1, but not for everybody." (foxtrot)

"I think they got ahold of your survey and changed the amount of time. It used to be four 6-minute calls, now it's two 12-minute calls."

Twice a week for six minutes. (foxtrot) -- survey completed August 4.

Twice a month and I'm only allowed six minutes, however my family is paying for 15 minutes.

"The phones are brought around when the staff feel like it. If we cannot get through at the time they are brought around, always on second shift, it's too bad."

"In all actuality, the phone call is always shortened; that is if you are not having a problem with the phone as I have been going through for going on six weeks now."

"They have played games so that I cannot use the telephone. My mother's and sisters' phone numbers don't work here.

They won't put the numbers through, so I have not had one phone call yet. So far I have not been able to solve this."

"I am not permitted to call anyone because I don't have anyone on my visiting list."

How many books do you have in the cell with you?

Alpha

None.

One.

Uno.

Two.

Three.

Alpha allows two personal paperbacks and one library book per week.

Bible, dictionary and novel.

"I have no personal book except the Holy Koran."

One library book and one personal book.

Qu'ran and dictionary.

Delta

Two. (2)

Echo

"None; they won't give me mine."

One.

One dictionary, one Holy Bible.

Allowed three.

Allowed up to 5 personal and 3 library.

Six.

Seven

7 personal, 3 library

About three or four at a time.

Foxtrot

None.

"None, but I am allowed 3 library and 2 personal."

One.

Six personal books.

"I am allowed 7 reading personal books and three library books."

7 personal, 2 from library per week.

"Five, which is the limit."

Three.

Three from institution library.

Three personal books, three institution library books.

Four, including dictionary and Qur'an.

"I have 4 legal books, because the law library doesn't have them."

"The prison administration intentionally and wantonly refuses to allow prisoners to have access and possession of their personal law books."

5 law books.

Do you have any other publications?

No. (alpha)

"We are not allowed any; they took my religious materials." (alpha)

No, not allowed. (alpha)

"I have old publications but they aren't allowed on this unit. Most new publications coming in are screened by Madison first for approval." (alpha)

"Solo legales y biblia." (alpha) (Only legal publications and a bible.)

Yes, but they are stored in property; not allowed. (delta)

Delta inmates are being denied access to receive and order personal publications from outside vendors.

"No, publications like Vibe, Source, even Ebony and Jet are not given to us. They claim them to be gang related." (echo)

Vibe, Ebony, details, Maxim, Stuff, Glamour. (echo) (enclosed documentation on denial of issues of Vibe)
Not allowed. (echo)

"I am not allowed any publications." (echo)

None! (echo)

Yes, but they won't give me mine. (echo)

No. (echo) 2

"No, and we can't get the Boscobel newspaper and that violates our first amendment rights." (echo)

"No, not permitted to receive magazines, newspapers or newsletters." (foxtrot)

"Since I've been here I've been denied access to magazines and newspapers." (foxtrot)

"I have subscriptions to a newspaper and Rolling Stone magazine." (foxtrot)

"Yes, I have publications. The Ebony. When ordering publications as a Black man, you must be careful or mindful of what you order. Most Black audience magazines are being prohibited because of its content. Nevertheless, the Rolling Stone, Skin Tattoo are being let in. So the Ebony is the only publication they can't find a reason to banish. But the Jet, Source, Vibe, Right, Rap Pages, we can't have." (foxtrot)

Book catalogs. (foxtrot)

Irish newspaper. (foxtrot)

Newspaper. (foxtrot)

Newspapers, magazines. (foxtrot)

No. (foxtrot) 3

Two dictionaries. (foxtrot)

"I have several books in my other personal property but I haven't seen these books for myself." (foxtrot)

"No, I sent them home and have filed complaints because I was denied to order publications, newspapers, mags, legal books, etc."

"I have a Prison Legal News subscription but they have refused to give them to me. I have tried to write but I believe my letters are suppressed."

"Yes, I do, inside of my property. One Muslim Final Call newspaper, and two more Islamic publications."

"On August 8, SMCI issued a memo informing the prison population that we cannot possess newspaper/magazine articles unless it pertains to one's legal proceedings. And if it is legal, then it must have

an exhibit label or stamp affixed to it, or it will be considered contraband and will subject us to a disciplinary report which could result in 180 days in disciplinary status with loss of good time."

Do you have problems with outgoing mail? If so, what?

Delays, including with time-sensitive legal mail. (many mentioned)

Required to send out mail unsealed. (most mentioned) This is not done at other max seg units.

"*Si, la tenemos que dejar abierta.*" (Yes, we have to leave it open.)

Letters read and no reason given why not recorded in a log book as required by Wisconsin Administrative Code DOC 309.

Outgoing mail not reaching destination. (several mentioned)

Restricted to mailing out only ten letters a week. "I guess so they can read it all."

Extra delays of letters written in Spanish.

"Yes, legal mail was denied when I was on Alpha Unit."

Legal mail problems under previous unit manager.

Delays and fear of retaliation when writing letters about prison conditions.

Censorship. (several mentioned) "If I write something about this prison or its staff my mail comes back saying 'inappropriate' on a little yellow sticker with red writing from the unit manager." "I have sent out mail and the unit manager sent it back to me saying I couldn't sign a letter 'your lover', 'your man', 'a soul of endless sorrows', etc., with my name under it."

"Letters are returned to us if any contents (including criticism of SMCI) do not meet with staff approval."

Three letters to other prisoners were intercepted and confiscated because staff interpreted them to be security threats.

Lack of privacy strains personal relationships.

"I have my friends and family keep safe copies of letters I mail to lawyers, legislators, judges, and mail I consider important. But SMCI has newly implemented a rule that prisoners can't send [third-party] letters to their family and friends. Their excuse is that they don't want you to threaten no one by way of your friends or family member. But my reason for sending letters to family or friends is to maintain a legal file."

Charged 40 cents per stamped envelope. "They are not supposed to profit on non-taxed U.S. postage stamps." The letters inside of my envelopes have been put in other inmates' letters and sent to their families, and vice versa.

"A conduct report for including a letter to my children in with a letter to my parents."

Partial censoring, not mailing out personal letters, losing legal documentation.

"It's suppressed."

"I have a Muslim name and when I sign off on my letters with that name, the letter is then returned to me alleging false names and titles."

Pictures misinterpreted as "gang-related".

"It is read and scrutinized by the officers who may not understand our urban or ethnic rhetoric.... We are singled out for monikers that we use to show affection for loved ones."

A few people said no problems.

Do you have any problems with mail coming in to you?

Delays, including with time-sensitive legal mail. (many mentioned) "My mail may be held 30, 40, to 60 days before I get it. Family has had to put a tracer on mail many times."

Denied mail needed to litigate a civil rights action.

Incoming attorney mail opened "by accident".

Mail-related complaints ignored or denied.

Staff make photocopies of incoming mail.

"Some of my mail has not come in the original envelope it was sent out in."

Personal mail not received.

Extra delays receiving letters in Spanish.

Newspaper clippings removed from incoming mail without informing the recipient.

New rule against having photocopies of newspaper articles.

Mail denied because it was from the internet. (4)

Mail is delivered to the wrong cells. (3) "Someone got my mail, and started writing my girlfriend harassing her 3 times. I went to the unit manager, but he said he couldn't do anything. so I went over his head, and then he started to look into it."

Incoming mail censored. (several mentioned)

Mail delayed if it has information concerning the institution.

"They misinterpret our magazines for gang related or some type of violation because it's Vibe or the Source."

"A lot is not given to us due to allegations of being gang related."

Newspapers and magazines not delivered on time.

"Yes, my religious mail."

Mail not delivered on Saturdays or training days due to "lack of staff".

Letters and photos stolen or lost.

"Not informing me with a notice if mail had been denied from sender."

"I have family in California and sometimes they send me large amounts of money and the officers in the mail room here, Officer Bast, Sargent Loskot and CO2 Wetter will hold my mail for two or three weeks before I get it."

"Holding my mail, reading it and not giving it to you when on paper restriction, or they hold the mail for blackmail and so forth, straight up play games with you!"

Two letters from prisoners were not delivered because officers said an item was in code and an item contained contraband.

"If we receive mail coming from our kids and our kids' mom puts like letter from our kids and it's a letter in there from her too, we are not allowed to have it because it's two letters in one envelope."

"Me, no, but I do know others that have, because a wife or girlfriend had on a swim suit or night gown [in a photo] (showing *no nudity*)."

"The security director ordered the mailroom to cut off all of the return addresses of Boscobel residents' mail to inmates at SMCI, so they would be protected from us."

"*Si, la pasan alas 10 de la noche.*" (Yes, they pass it out at ten at night.)

Power games played with incoming mail: "Just a few minutes ago an officer came to my door with an envelope with a card in it. He opened the card and removed a sticker of a frog -- right in my face. Then he tells me it's contraband and I have to send the whole card and letter out. Now this officer, keep in mind, came with the card three hours after the mail was passed out and passed through mail room inspection. I said OK, give me the card and take the sticker. He said, 'No, you have to send out everything.' I said, 'I'm not sending it out, hold it, I'm filing a complaint.' He got angry and said, 'OK. I'll just give you a notice of non-delivery.' You know it's situations and things like this that make a person lose his temper. No alternative was offered although I suggested one. That card did not threaten the security of this institution and I was denied my mail. Now when I file an inmate complaint it will be my word against an officer's word that he even came to my door with the card."

A few people said no problems.

How often do you yourself go to rec?

Never. (40)

"Every blue moon."

"Hardly ever."

"Not that much."

"I have gone to the outdoors 'closet' once in the 8 months I've been here at SMCI."
"I came here and stopped going to rec and now they don't even ask no-one if they want to go so no-one goes."
Maybe once every few months.
Twice in eight months.
Once since arrival four months ago. (2)
Once since arrival; won't go back.
Went a few times since arrival but do not go anymore.
Once a month. (2)
Have gone about 10 times in four months.
Have gone 5 times in three months.
Went once, 8 months ago. (2)
Once in nine months.
"Out of nine months, six times total. It's very depressing. It's like being in a bigger cell."
"What rec?"
Three times a week. (2)
"I go to rec three times a week but I should be able to go five times a week."
"SMCI rules state four hours per week, but in fact we on Foxtrot Unit are only allowed three hours per week."
"*Cundo estos Guardias le dan la gana despues que tu ponga forma pidendo recreo.*" (When these guards feel like it after you formally request rec.)
(Several answered how often they're allowed to go, not how often they themselves actually go.)

Reasons for not going to rec (volunteered)

"I don't call that rec. I need air."
Lack of ventilation. (several mentioned)
"I will not go to rec in a glorified dog cage."
"It's like a tiger being placed in a brick cage. I'd rather stay in my cell all day."
Forced to choose between the law library and recreation. (4)
Fear of being assaulted by staff. (2)
"I have never been to the kennel. Another part of degrading us."
No exercise equipment. (several mentioned) ("They have just recently informed us that upon reaching level four, we would be provided with 'limited equipment'. I have asked the staff upon this unit what this consisted of, and was informed it was to be a ball.")
Searches, confiscation of property, including legal material, while out of cell. "I'm tired of having to clean up my cell following a search, each time you step out of your cell."
No different from cell, just another room with camera.
The rec cage has nothing inside -- no toilet, sink, no distress button to alert staff if a medical emergency should occur, you are not allowed to bring water container to drink from, the cage is not larger than my cell and the ventilation is very poor. In effect, this is no rec being offered because the conditions are worse than the cell, so rec is not an option.
No hat/gloves/thermal underwear in winter.
Can't see the outside.
"I'm not walking around in a garage."
"We have more recreation options in our cells."
"They could at least have a chin-up bar or something to get somebody motivated."
"I might as well just walk in circles in my cell. It's all I'd do there."
"Not worth it."
"I haven't fought in no one's war. So I see no reason to go to rec in a dog cage, or little room. I could exercise in my own room-cell and go wash up right after I do so."
"There is nothing but four walls there. I can't see or talk to anyone and can't do anything else at rec that I can also do in my cell."

"That isn't rec, you go out to a bare room with nothing in it, no toilet, no sink for water, no ball, you can't run because of the way the floor is leveled."

"I went to recreation one time and I refuse to go again since it is nothing but a room with a small hole in a wall. There's no sunshine, blue skies, green grass, birds, or recreation equipment. I was a very active person, I worked at recreation at two different prisons and participated in all of the sports. As far as I'm concerned SMCI has no rec."

"I became so depressed with the environ of the rec and concerned for my health there that I have not been there since 4 months. The environ in rec made me feel as if I had been thrown in an abandoned dry well. All cement, grey, with the only opening coming from a small vent at the top. The room smelled so vile from old urine and there were hundreds of gobs of spit all over the wall and floor because inmates have no other place to dispose of that waste. It is very unhealthy. There is no exercise equipment, no sunlight, etc. I lasted 10 minutes in there before I started to scream to be removed."

"I'm not allowed to go to rec since I can not get back in security chair." (uses wheelchair).

Have you had a visit? If so, what was it like?

No. (39)

I had one attorney visit. (4)

One visit. (5)

Two visits in eight months. (2)

Three times a month.

"I can't touch or hold my family."

"Was nice but too distant to feel endearing."

"Yes, once, and everyone on the range could hear everything me and visitor said."

"Yes. You sit in a very small room and look at a TV screen at your visitor. It is very disturbing to have to visit this way."

"Yes, I was cuffed and shackled and brought to the visitor's booth. The visit itself was on a closed circuit TV. The visit was very unfulfilling due to the fact that I could not touch or hold my visitor and that I had to inhibit the conversation because the visit could have -- and probably was -- recorded."

"I have had visits on the video. Sometimes you can't even see but half of the visitor's head. We are locked in a room and guards listen to every word."

"My mother came from Milwaukee one time. We were only allowed 15 minutes to visit because of the time schedule allowed. I was placed in the wrong visiting booth where I waited for about 5 minutes before the guards told me I was in the wrong booth. Then in the correct booth the audio system was a speaker on the wall which echoed and crackled and we had a very difficult time trying to understand what we said. I was in full restraints, the closet-sized room was very hot and I had to sit on a steel stool. It is the first time in 20 years of my incarceration that I was not able to hug and kiss my mother. It was very painful and stressful for the both of us. Especially my mother is very ill and the 4-hour drive causes her legs and face to swell painfully. I have asked her not to come any more because it is not worth it. She is very sad over this facility, but because she's my mother she will probably show up again some day."

No privacy from guards who watch monitor or prisoners whose cells are nearby.

Visiting behind a glass window and then a TV screen, you're locked in a little room with restraints and leg restraints. It's sad.

"We visit in a secure room by ourselves yet we remain in full restraints for our family to see ... very degrading!"
Poor video quality -- "you hear words then the lips move about 3 seconds later."

Poor audio quality -- intercom distorts voice, need to shout and repeat things.

"Por television, no se pueden ver bien o oir." (Through television, you cannot see or hear very well.)

"A lot of time I don't get to say goodbye to my family. The camera cuts off without warning."

"It was crazy. My mother drove down from Chicago, while no contact, no pictures, no privacy to talk about grievances, they cut the camera off in the middle of the visit without warning and without giving us a chance to

say goodbye. And all of the people I tried to put on my visiting list — because the prison tampers with the mail, many of them never received the visiting lists. My friend returned her visiting form and they have refused to add her telephone number, saying they can't reach her, so I can't call her."

"It was terrible. ... My visitors complained of the cold visiting area, poor seating, as well as the one-hour process to actually get to the visiting booth."

Asked family not to bring my children to SMCI, but children insisted. One child broke down and cried.

"I've gotten about the most visits since we arrived. My family lives 5 minutes away. They are fingerprinted before they're allowed to visit. The institution claims it's for security reasons. This reason fails because our visitors don't actually enter the prison. They visit me from booths outside the institution....I don't believe my family should get electronically fingerprinted to visit me.... I also think non-contact visits are detrimental to an inmate's rehabilitation. There is absolutely no social interaction here. Plus 75% of the time the video visiting equipment is broken."

Visitors' complaints about glare on video monitor were ignored.

"It just doesn't make any sense to me. Your family takes time to find this small town and gets to watch you on a TV that doesn't even show clear, but your attorney could visit you behind a glass."

"Although I have no tangible evidence, both my attorney and I believe we were overheard."

Reasons for not having visits (volunteered)

"I told my people not to come back here anymore." (2)

"No, because I refuse to have my people drive 3-1/2 hours from Racine just to see me on a TV screen and then drive back, and my people are sick."

"I've begged my family not to come. My mother couldn't deal with being in the same room with me and unable to touch me [on non-contact visits at another institution]. So I know driving miles for an hour visit, just to see me via camera, would be very painful. I haven't seen my family in over a year."

"I wouldn't ask anyone I know to come here."

"I have told family and friends not to visit because of pain it will cause family not being in physical proximity."

"I refuse to let my family and friends be subject to the harassment that a person goes through when visiting an inmate at SMCI."

"I refuse to subject my family to it."

Visitors fingerprinted, photographed each time they visit, treated like criminals.

"I refuse to let my family members see me in this condition. If my family, especially my mom, saw me this way, it would no doubt tear them apart on the inside."

"I don't want to see my family through a TV and me being shackled up, this wouldn't be good for my 6-year-old daughter or family."

"I do not wish to visit under such dehumanizing conditions. It would mentally grievously harm me and my visitors!"

"I refuse to go on visit here at SMCI for I don't want my family just to come to see me on a screen, that is inhuman."

"It's a long way from Milwaukee."

"I would be handcuffed and shackled. My family should not have to see me like this."

"No one in my family wants to visit me over some stupid camera."

"My family doesn't want to drive here to see me on a video monitor."

"I've asked my family not to ride the distance for a TV screen visit for one hour."

"Too far for my family. And I don't want to see them on a camera."

"Personally, I do not enjoy being tied up like a dog, if you will, to sit in front of a glass barricade with a camcorder and television."

"I have not allowed my family to see me like this."

Visitors live 300 miles away, not worth it for this kind of visiting. (2)

No contact.

"I get no visits."

Have you been discriminated against on the basis of race, religion, physical disability, medication status, sexual orientation, or any other reason? Please describe any incidents or situations in detail.

Religion:

Prisoners denied spiritual advisor and guidance.

Only Christian TV programming available. (several mentioned)

No Islamic programs.

No Native American programming available.

Conduct report for pagan publications.

Wiccan publications denied.

Quran denied "because it's a hard cover book."

Santeria publications not allowed in.

Discontinued Roman Catholic religious channel due to there not being "enough" Catholics. No rosary or communion.

"No me dejan tener rosario para orar." (They do not allow me to have a rosary to pray.)

Kitchen does not serve a proper no-meat tray.

Orthodox Jew denied Kosher diet.

"I was sent a Bible from a church on the street and it was refused. SMCI staff claim *that* religion isn't allowed by the DOC."

Odinist denied religious publications.

"Due to my Hebrew beliefs I've been told that I was a member of a gang."

"Not me personally, but I do know that they discriminate against Latinos and Blacks, as well as Muslims. They have taken religious material from them and refuse to provide television programming like they do the Christians."

Race:

Racial disparity between prisoners and line staff. (several mentioned) "There are no Black, Hispanic nor Native American guards nor staff at SMCI, yet 80 percent of the inmates here are Black, Hispanic and Native American."

Black magazines are deemed gang-related. (several mentioned) "I receive six different subscriptions of magazines. My Vibe magazines have all been deemed gang-related, they basically say I can't have my Black magazines, and my White magazines just come up missing. They say they get a list from Madison saying which magazines we can and cannot have, which is not true."

"The prison officials here are of no diversity and they enjoy tormenting Black inmates which they do systematically with publications, room searches, etc."

"I was kept on control segregation for 72 hours while the Caucasian who went on control after me was let out days before me. Myself, another Afrikan American and a Caucasian all restricted the view into the cell and only the Afrikan Americans were placed on restrictive management continuums which mandates that an offender be housed in a cell with only his clothing, linen and shower shoes -- or instant solitary confinement without due process of law."

Black music TV channel (Urban Beats) banned based on "language", but it airs only radio-played songs.

Black prisoners written up for using nicknames, slang not understood by staff.

As far as Black programs -- there are none!

"Blacks and Hispanics and Indians are more likely to be placed in administrative confinement and kept in that status for many years longer."

"I was called nigga by this officer named Bower and then they put handcuff and leg cuff and cuff me to a cell door and took me down to the floor and hurt my wrist real bad."

"I have been called dago, wop, spic."

Meal tray was not passed to me because I didn't have my light turned on and I wasn't standing at my cell door.

I am an Afro-American who at the time meal trays were being passed out, was conversing with a Caucasian, my former neighbor, who also didn't have his light turned on and was not standing at his cell door, yet he got his meal tray. I filed an inmate complaint. The warden addressed the situation with the unit manager, who sent me a correspondence memorandum stating that he investigated the situation. He informed me that the officer told him that my neighbor at that time was standing at his door. This was a lie to justify his wrong. My then-neighbor was so disturbed by the officer's actions against me that he received a conduct report and was demoted to the lowest level here at SMCI for holding his tray.

"There is no answer for this at all. Inmates (especially black) will always be treated biasedly. Not enough paper or time to explain."

"Luckily for me, I'm the same color as 99.9% of the screws (Caucasian). No, I have not been discriminated against, but I'm sure the African Americans and Latino people have felt this."

Race, language:

Spanish-speaking prisoners' request for TV channel denied. (several mentioned)

No Spanish books, magazines, or newspapers in the library. (several mentioned)

"They tell me I may speak no other language besides English."

"I have been told that I 'should not' write my letters in Spanish or the letter would be delayed."

"I write to friends and family that can't read or write English so I write to them in Spanish. Incoming and outgoing Spanish mail is delayed sometimes for over a week."

"Si, oficiales dicen que yo no puedo hablar espanol/me dicen cosas o palabras de racismo." (The officials say that I cannot speak Spanish/ they call me racist things or words.)

"An officer called Spanish-speaking inmates names, such as not being a man, and wetbacks, spics, etc."

Outgoing letters written in Italian returned to me.

Politics:

Prohibited from receiving MIM Notes "because they say the political philosophies and theories are about obtaining an objection through violence. Not true. But because what is expressed is of communistic value and not widely accepted, I've been discriminated against and am in the process of a lawsuit."

Because of my political affiliation with the Growth and Development organization I've been told I was a gang member.

Disability:

Prisoner with degenerative joint disease is not allowed to have wheelchair in cell.

Diabetic prisoner not receiving medically ordered diet.

"I am a disabled American, as adjudicated by both the VA and Social Security, but I receive no mental health treatment of any kind other than what has amounted to one 5-minute door-front visit by a psychologist per month."

I have dyslexia and they will not allow me to receive programming for this.

"I've been called names by officers and inmates because of my mental conditions and conversations with the shrink, because when the doctor comes to your door they talk to you in front of the officers, and inmates can hear everything I say."

Wrote to see a psychologist. Stated I was deeply depressed, had not eaten in several days, and felt in a hopeless position. Never received a response so wrote an inmate complaint. Got complaint back two weeks later and was allowed to see a psychologist for about 10 minutes. I explained how I was feeling, that I had not eaten in almost two weeks; I was basically blown off with no help. A week later I attempted suicide. I was found on my floor unconscious after trying to hang myself. I was placed on clinical observation for several weeks. I was stripped naked and thrown into a room and basically forgotten about. It was freezing cold, I was punished by being fed "seg loaf" instead of real food. All the while they were trying to force medication on me that I didn't want. I was told I could not get off "observation status" until I took their medication. I said I did not want to take it, that I preferred

to try talk or group therapy. This was denied and they continued to threaten me into taking medication. I refused for over a week and a half, but after that I could no longer endure, and was forced into taking a medication called "celexa" which I am now experiencing side effects which include extreme nausea, dry mouth, insomnia and other effects. I am afraid to stop taking it for fear they will throw me back in "observation" naked with nothing again. On arrival they denied my serious medical needs and gave me defective medication that nearly killed me.

Former gang membership - "Gang members get a special symbol (a "G") placed on their face cards. Inmates with a "G" on their face cards are treated literally harsher than others."

"Everything I do or say they try their hardest to make it gang related."

Out-of-state placement -- classification of SMCI is based on conduct records placed on file by Corrections Corporation of America. (several mentioned)

Jailhouse lawyer status (3) "they tear up our stuff all the time." "I have had legal material taken from me for 32 days per order of the unit manager and given the materials which contained my name solely as a plaintiff or defendant, hence effectively stopping me from working on any other offender's case, either criminal or especially civil (conditions of confinement). On June 28, 2000, I was assaulted with chemical incapacitating agents and placed on control segregation because I refused to give up my legal material based upon an unlawfully promulgated policy."

Medical status - below healthy body weight and complain about it all the time but no response.

Size - "Whenever I've made them suit up they laugh and make jokes because I'm so small."

Delta Unit status -- deprived of publications that seg unit and other SMCI unit prisoners are allowed.

Old disciplinary history.

No. (4)

"Other individuals serving time here probably feel that they have, but I haven't ... yet."

Several prisoners at SMCI have reported that they are afraid at SMCI. Are you afraid? If so, of what?

Being beaten by staff. (many mentioned)

"Si. Oficiales - Guardias." (Yes, Officials - Guards.)

Cell extractions. (forcible removal from one's cell by a SWAT-like team)

Being assaulted where there are no cameras.

Being physically harmed while in restraints.

"I haven't been injured here by staff yet but I am deathly afraid I will be. I believe I could be murdered in seg here. I've seen at AC [Waupun Correctional Institution] how alleged suicides were I believe covered up in two cases."

"An inmate got viciously beaten when the doors 'accidentally' got opened on Foxtrot unit a few months back. I guess other inmates did that, but on the other hand, it's not cool to get physically abused at *any* time, huh?"

Sexual harassment by staff, sexual assault by staff. (One person said he has been sexually assaulted and reported it to the Grant County DA.)

Dying. (3)

"I don't think the word 'afraid' is appropriate. I simply do not believe that I am going to leave SMCI alive. My great fear is being handcuffed and led to a cell to find a noose hanging there waiting for me then having these correctional officials cover up my death with a story of suicide."

Being starved to death. (2)

Fear for mental and psychological health. (many mentioned)

"Yes, of going crazy. Being in this institution and being in this room 24/7 you can lose track of time. The medical staff here are lost. Without \$2.50 [medical co-pay] you'll never get seen."

"I fear mental decomposition as a result of my incarceration at SMCI and perhaps damage to the brain's center that

would change me to act out in ways that I normally would not."

"Yes, I am afraid. I'm afraid that I'm going to lose my mind. This prison's staff employs tactics that are used to break men's minds. I don't know how long I can hold on to my sanity and that scares me."

"There's so much isolation and I need to stay in touch with the free world plus the world around me. SMCI has too much control. I am afraid of being punished for speaking out against SMCI. I have already been punished wrongly. It's having a strong effect on me mentally. I feel like I'm constantly having to ask myself if I'm changing, do I still have my faculties mentally, it's almost paranoid in a way."
Being brainwashed. "Our choices are to either stare at the wall all day or watch whatever propoganda they force upon us."
Of coming out worse than I came in.

Total arbitrary and capricious control. (many mentioned)

"They make us constantly aware we are away from anyone that can help us. They make it known they can do whatever they want whenever they want and no one can help us."

"They can come in your cell and do whatever and no one will know."

"Yes, because these officers are misusing their power and it's getting out of hand. They think they can get away with slamming inmates on their heads for personal feuds between inmates and guards."

"Yes, these people can do whatever they want to you and they have no one to report to. They can strap people down, gas them, beat them, etc."

"They (officers) can take you out of your cell at any time, you're shackled up, and no inmate witnesses if they do something."

"Yes, I am. The officers are very unprofessional, they come to work with attitudes. They lie and are supported by an uncandid bureaucracy. They've been running in cells jumping inmates unjustly -- some in the hall. Doors may come open at any time. They've done so on two to three different occasion. One inmate was hurt."

"There is no control of the officers. They do as they please, even get physical with inmates. I am presently being treated after being jumped by four officers (treatment for my back). It's not going to be long before someone turns up dead in this institution for the warden has no control, it appears."

"Officials have been built up that these are dangerous people so their whole approach is not based on professionalism but fear and bias, most don't have the experience to deal with inmates, so they are overly aggressive."

Being provoked to "go off". (several mentioned)

The doors opening. (several mentioned)

Food contamination. (several mentioned) "I came close to dying and now only eat two food trays a day. I do not accept food trays from second shift."

"They Mace prisoners every day. Run in rooms to force prisoners to conform to their degrading and state of thinking. Brainwashing. If you are not liked any reason is enough or they provoke such to jump you."

"Men have sustained broken bones, burns on their genitals due to prolonged exposure to chemical agents, and some men, while on Delta unit, have literally gone insane and attempting suicide."

"Yes, I am afraid because I witnessed the CCI staff kill an inmate in June of 96. I was taken to a more restricted part of seg and held there for a year or more and eventually transferred to the federal prison system. I believe their intent is to kill me or mess my mind up."

"Yes. I'm afraid the medical staff will give me the wrong medication and that the diagnosis provided is incorrect, causing long-term effects."

Fear for physical health. "It took over 60 days to see the dentist. I had an infection and blood clot in my tooth and was in extreme pain. Eventually I lost my tooth because the infection lasted too long. If an inmate suffers a stroke in the cell, it will take 45 minutes to an hour to get the inmate out. I witness this. We need something faster and

safer."

Not ever being able to get back to another regular institution.

"Only thing I'm afraid of is that they might try to keep me here because I'm complaining about these racial issues in this Nazi camp. Other than that I wish one of these racists would try to hurt me, they better kill me."

Being given more prison time.

Retaliation. (3) "I'm afraid that DOC will make attempts to try setting me up again with an outside case for losing the bogus cases they had brought against me as an act of retaliation."

Losing family ties.

"I have no idea how long I'll be here, or how long I will be isolated and subject to sensory deprivation at its highest form. None of us know what lies ahead and it's the fear of the unknown. And none of us trust those who hold us captive."

"I feel like something will happen to me. Yes, I am afraid."

"Afraid of the computers breaking down, which would leave us without running water and plumbing until they are repaired."

"I am not afraid at SMCI. Only if the doors flew open AGAIN would I be fearful. I'm 53 years old and would not last in a brawl."

"Staff tampering with my legal actions."

"I did not, as you see, answer your questions [about discrimination and about fears]. I am afraid to in the event Officer Sander were to reopen this envelope and read the contents."

"This is difficult to explain but I will try. When a person hears screams and cries for mercy it shakes me. When a person gets gassed and all the chemical flows into my room it shakes me. When an officer threatens to put me on seg loaf and I am losing weight at an alarming rate it shakes me. The truly sad part is that 'all' of us are at the point of acceptance. If we died in here there is no need to worry about it also. Huh? I am going to tell you this and I hope you keep this information. An inmate is going to be killed in Supermax at the hands of forceable untrained officers. I guarantee it! *Scared - no. Accept death in here - yes.*"

No. "Scared of what? These people do not want NO drama."

No. I am not afraid.

"I have been in Marion and Leavenworth and even the Greenhouse [Waupun segregation unit] in the days (60s and 70s) thus I don't see any place to fear."

No. 3

No!

"No, I'm not afraid. There is no reason for anyone to be afraid of anything. You're in a cell 24-7."

"I am not afraid. I have found that SMCI is a challenge to my mental and physical being and to my character as a human being."

Do you feel different now than when you first arrived at SMCI?

"It has been a mental challenge. I have gone through some ups and downs. I know I have changed, probably for the worse."

"Yes, I am very depressed. I see no reason to do anything."

"Depressed, like a slave."

"Yes, I'm constantly sick and/or I feel hopeless."

"Yes. I am full of hatred." (3)

"I feel very strange: blurry vision, headaches, anxious, uncertain, confused."

"Yes, concern, lack of air, sun."

"Yes, more mentally unstable."

"Yes, I feel hardened, cold."

"Yes!" (2)

"I really get to thinking. We are in our cells 24 hours a day. Now I'm at the Supermax. It really messes my head up! ... Being here, it really causes me to rethink who I am. Confuses me, but I try my best to think positive, and

remember who I am. The thought that this place was meant for the worst, is what confuses me."

"Yes, and not for the better."

"Yes, at first I didn't understand the profound meaning of this place and I know what's going on now."

"Yes, I feel punished all the time."

"All the way different, in ways I care not to mention."

Yes. (2)

Unable to vent frustrations without physical outlet of recreation.

"Yes, losing my mind, temperamental, hatred, rage."

Yes ... mad, frustrated, tired, weak, homicidal, irritable.

"Yes! I feel extreme anxiety, stress, depression, bitterness and anger at not knowing why I am really here. I have not felt any of those symptoms and emotions for over 17 years until I got to SMCI."

"I feel dead."

"Yes, I feel different. A person cannot be subjugated and forced to live in this type of environment and not have it affect him. After being caged and isolated in a small room like an animal and dealing with all the other issues within this institution, I believe another inmate's comment I overheard sums it up better than I could: 'If a guy wasn't a killer when he came in here, he will be by the time he gets out.' "

"Worse."

"No, *Peor*." (No, Worse.)

"Totally different!"

"Yes, I feel oppressed."

"I do feel different than when I first arrived here at SMCI. I am more angry and I have begun to notice the constant isolation has made me antisocial. I am forced to remain caged day and night under constant surveillance, and no appealing television channels and no recreational equipment to use as a way to vent anger."

"Yes, I feel different. I'm unable to think straight. Sustain long conversations. I've become forgetful and very intolerant, argumentative and antisocial. I sometimes have inhumane thoughts of murder, rape, etc. Anything to revenge the mental anguish I'm forcibly being put through. *I feel nothing but hatred. I was never like this.*"

"I'm more bitter because I shouldn't be here."

"More angry."

"*Yes. I feel more anger and more paranoia.*"

"Yes, I feel isolated and more angry than when I came. That's what this place has done to a lot of us."

"Yes, I am now suffering from depression."

"Yes, I have a much shorter temper. I also spend much time brooding and entertaining rather morbid thoughts concerning those who cause me stress in here. It is common for me to spend as much time brooding over stressful issues as it is for me to spend time thinking about my family."

"Mentally and physically I am worse."

"Yes, I feel very different now than when I first arrived at SMCI. *I am drained, obsessive in thought.*"

"Yes, I feel very different since coming to SMCI. I never had a violent thought in my mind until coming here. Because of the solitude and social isolation I often find myself thinking and telling myself violence is the only way things get done. I try not to dwell on that. But, even the Lord thought about it, 'Violence or vengeance is mine' saith the Lord. I believe someone should pay for sending me to this hell hole for no reason but to fill a bed."

"I feel a lot more stressed out and depressed."

"Yes, I feel trapped."

"I feel subject to political abuse, to dictatorial suppression. I have grown angry at the events transpiring here at SMCI and the staff's ability to thwart any attempt made by an inmate to bring justice to the situation."

"Yes and no. I feel the same, but I am also afraid to."

"I feel a bit more *isolated*."

"Somewhat."

"I feel the same. I'm here for something that I didn't do."

"No, I feel the same."

"No." (5)

"No, sir."

No different.

"No, I still feel caged like an animal."

Do you sleep more, less, the same?

Thirty-five said they sleep less.

"Less, I am suffering from insomnia."

"I am suffering from sleep deprivation and my sleeping is never a sound sleep."

"Less, because I'm always alert!"

"Less as you need to keep an open eye."

"I sleep no more than four hours nightly."

"I've been having a hard time sleeping since my CCA detainment and physical abuse suffered there."

"I sleep less due to noise, depression, and the continuous lighting."

"I sleep less due to the heat in these cages, because they won't let us have our fans in these rooms."

"Less; I can't sleep at night and it's hard to sleep in the day."

"I go to bed thinking of evil thoughts and sleep less."

"Less, our lights are on 24 hours a day."

"I sleep far less and with less normalcy. I don't dare contact the crisis worker for I am afraid they'll take it the wrong way and try and put me on some type of medication and then half of the battle would be lost."

"I sleep less. The light on 24/7 causes my eyes to hurt all day and constant headaches from it. The heat in the cell prevents sleep and constant noise from inmates who lose their control, scream, kick on doors, yell through vents, pound on walls, etc. Plus, school teachers teaching inmates outside their cells wakes me and prevents sleep. I spend most of my days and nights waiting and praying for the right moment to get some sleep. I sleep maybe 3 to 4 hours a day if that sometimes."

"Less and it's all off, my sleeping is messed up period."

Seventeen said they sleep more.

"I've been sleeping a lot more than usual."

"I sleep a lot more, sometimes fourteen to sixteen hours a day."

"I sleep twice as much because there is nothing else to do. Plus it's my only outlet."

"I sleep 16 hours a day."

"More. There is nothing more to do."

"More, it's so hot in here, I can't control my sleep."

"I find myself sleeping a lot more. You can't be humiliated and bored in a state of sleep."

"I sleep 16 hours a day out of mere boredom. I do nothing to advance myself as I am locked in 24 hours a day."

"I sleep more but get less rest due to bright lights blazing 24/7. In other words, I cannot get restful sleep; always needing sleep!"

Eight said they sleep the same amount.

"My sleeping patterns are the same in length but times are different; I try to avoid 1st shift staff here so I sleep during that time."

"The same, which is in brief spurts -- any sound startles me."

One said he was unsure.

"I can't say. Some days I can sleep 18 or more hours, others I can't sleep for 40 or more hours. I have no sleeping schedule. I just sleep when it sets in and remain in bed until it passes. Days and nights blend together, the only distinctions are the 3 meals, showers and mail delivery."

Do you weigh the same as when you arrived at SMCI?

Thirty-six said they weigh less.

"Not at all, I've lost at least 10-15 pounds in less than two months. I haven't been this skinny since I got out of boot camp. This food is ridiculous, all pre-cooked and just reheated. Small portions as well."

"I've lost over 20 pounds and am rapidly losing weight. We're fed child portions of food. If I work out I burn that off, so to keep from starving I can't work out that much."

"No, I've lost eight pounds in six months from emotional and mental distress and from being scared of going to be set up and/or kept here for the next five years -- close to my mandatory release date!"

"I've lost weight. We only are allowed to order five food items (saltine crackers), no nutritious food at all. The portions served through food service are inadequate and it's a long time from the last meal, 5:30 p.m., to the next, 6:30 a.m. breakfast."

"*They don't feed you enough.* And we can't order real food off canteen because there is nothing really to order. Before I came here I was on the same status, administrative confinement, and at Columbia we were told that this status was non-punitive, and we were allowed to order \$32.50 worth of food if we wanted to, but here, we can only order up to five items, two bags of chips and 3 candy bars, or the other way around. And we should be allowed to order how much we want as long as it's not over \$32.50."

"No, I have lost much weight. The small amounts we are fed leaves me hungry all the time."

"No, I've lost a tremendous amount of body weight."

"No: the meals are clean and tasty here, but they feed very little. I weighed 230 lbs in Leavenworth. In the two weeks it took to get here, including six days stay on death row in Indiana, I lost weight. I don't know how much I weigh now but I know it is less, much less. If I exercised in this heat I wouldn't be able to maintain any weight past 200 lbs."

"I have lost about 22 lbs since I got to SMCI. I welcome the weight loss but it's muscle weight not fat weight."

"Since my arrival I've lost approximately 8-10 lbs. and that is with consuming everything offered on the daily meal trays."

Twelve said they weigh more.

"I have gained about 10 or 15 lbs., that I'm only now trying to get under control. I skip lunches in an attempt to lose weight."

"No, gained some."

No, I put on 50 lbs."

"I have not been weighed since my arrival, but I'm fairly certain that I've gained weight from lying around all day."

Four said they weigh the same.

Six said they are not sure.

"I've tried to get a physical but they won't give me one. I do not feel ill, I do eat. My hair is falling out due to lack of sun or fresh air. I'm in the same cell 24 hours per day."

"Probably not. I wouldn't know exactly, because due to being given another inmate's prescribed medication by a nurse, I refuse to be seen by HSU!"

"Don't know. Perhaps less because I don't eat meat, and in place of the meat I receive a tiny cup of peanut butter and some times I receive no substitute."

How do you spend your days? What do you do?

"I read all I can, try to work out, draw, work on my case as best as I could."

"Trying to convince myself that it's got to change. I do read, but it's hard to concentrate. I pray 5 times a day and try to fight off negative thoughts; trying to stay in shape, recovering from surgery."

"I usually spend my days reading and trying to stay focused upon keeping my sanity."

"Writing ten letters a week, reading one book a week, watching CNN News for two hours a day, trying to keep cool from the heat using a wash cloth, drinking lots of water, and fanning with a note pad. Trying to find the right time to sleep and trying to control my anger from not getting out of control and letting this psychological torture drive me insane."

"Reading my own books and magazines and just thinking about holding my kids and mother one day in the near future, and I can work out."

"I spend the majority of the day trying to escape into sleep, and the remainder I spend either watching another re-run program on TV, reading, or pacing back and forth in my cell."

"I spend most of my days mostly talking through the vents with other inmates, trying to figure out how to stop the madness."

"There isn't much to do. When I get my three books on Friday I begin to read them and by Saturday night I'm done with all three and have to wait until next Friday. Other than that I keep myself busy by writing my family and keep my wits."

"I litigate as much as I can. I try to free people from the talons of injustice. I spend time conversing in the 'vent' about religion, law and the general principles of life."

"Worrying, anticipating their next suppressive tactic, or new vague rule, or if I'm the victim for the day."

"I spend my day studying as much case law as possible; I read the Bible and write letters to my family, and I complain in writing about being discriminated for not being able to walk and not being able to reside in a handicap accessible cell. I have to crawl on the floor."

"Drawing and reading."

"Pray, work out, drink water in hopes of flushing any poisonous chemicals they may put in my food, look at CNN on TV."

"I spend my day making things to do. I read, write and talk to voices in the vent that belong to faces of other inmates I can't interact with."

"I try to exercise my mind by reading, writing letters and poetry, working out and keeping my focus."

"Mostly legal work and studying."

"Writing my family, reading and visit with the crisis worker but she never responds."

"In order to stimulate myself I read, exercise or write a letter. There's a television in my cell that has the Discovery Channel, History Channel, Sky Angel (religion) Channel, PBS and CNN programmed into it. So I watch the TV. It all gets boring and monotonous though. I would rather be active working or something than sitting in a cell doing the same things over and over."

"I spend my awake 8 hours walking and pacing and writing. There is nothing meaningful to be done. We are limited too much."

"Holding my 'dried' temper every day ... Waiting anxiously for a letter from the free world or even a letter from a fellow convict I've built a decent rapport with!"

"I work out in my cell at 12:00 and at 1:00 I look at CNN and then work on my reading."

"My days are boring, usually spent waiting for mail, telephones, or meals. I read and do legal work. I also write letters."

"I spend my days trying to do what's possible to better myself educationally, which right now I'm taking a course in math and writing skills."

"Walking in cell and doing legal work."

"Pace my cell, do calisthenics, read and do school work. Sometimes I plan out how I may kill as many officers at one time without getting caught to get back at the system for what they have done to me mentally, physically and spiritually."

"I spend my days either talking crazy to my fellow convicts or writing raps."

"Read case law, do legal work trying to get out of this hell."

"I eat, sleep, use the toilet, and every other human thing, under the ever-watching camera! I work out six times a week. I read *lots* of books. I am trying to get well versed in the law so I can sue the DOC all the time, but also to try and help illiterate and slow inmates with appealing their state-given sentences."

"Writing and reading and not much else."

"I draw, read, write poetry, letters, fiction, pace my cell, sit back and listen to what these people are saying, just lay in bed and think about everything in life about what's going on in here and out there."

"Reading, writing and exercising."

"I spend my days thinking, studying, writing and exercising. Due to the unfortunate circumstances this is all an individual can basically do besides eat and sleep. Basically I do what it takes to keep a positive attitude and to stay focused."

"Depressed, I make attempts to contact coalitions but no one seems concerned or cares. I've thought about suicide."

"I do legal work (civil suits), work out, read when I have books and watch the programmed TV channels."

"Studying my religion and trying to just do my time constructively, trying to educate self."

"Doing legal research, writing legal briefs and letters, and discussing legal issues. I also indulge in physical exercise daily, simply physical training I've maintained since I was in boot camp. Aside from that I sleep or occasionally write some letters to friends or family, or "coalitions" (smile). If you'd seen the contents of my cell you would see I have no other options available to me."

"I sleep a lot, and when I'm awake, I read or pace. Lately I've been daydreaming a lot. Most of the time I don't know the day, time or date."

"I spend my day depressed, and worrying about my safety."

"Trying to keep my mind occupied by doing legal work or writing. Other than that nothing but literally losing my mind."

Walking in cell. Try to read but it is very difficult to have the mind set for reading. Try to sleep. Try to watch TV (Discovery, PBS, CNN, History). Try to get my mind into writing letters to organizations about my situation in SMCI. Try to work out when my body no longer hurts. Time is difficult when one is suffering from sensory and sleep deprivation."

"Nothing at all. There is nothing to do, we have a TV but we only get CNN, History, Discovery, PBS and religious station."

"Thinking of getting out! Playing chess, thinking about shampoo, deodorant, toothbrush, razors and real rules as the 303 and so forth, not make your own to play with the inmate! And fighting to keep our legal materials and property."

"Reading, writing and watching CNN news station."

"I sleep for the most part and read as much as possible. Exercise is not safe here because we aren't fed enough. I think that is intentional."

"Think, study, pace the floor, work out, write letters, sleep."

"My days are spent in my cell. I either read or write. I do my legal work and I am working on obtaining my HSED. I do all that I can to stay busy. I love to write and do a lot of that. When I am not involved in that I usually lie in my bed and daydream of the family I can't hug or kiss anymore. In the days of constant and continuous boredom one finds too much time to second guess himself; it can prove detrimental to our rehabilitation process."

"Watch TV."

"Eat, daydream, shit, piss, fart, twiddle my thumbs, brush my teeth twice a day since we only get one finger toothbrush a month and do my best to make the toothpaste (small tube) last for at least two weeks or when ever they give us a new tube, and get into a useless conversation for about thirty minutes."

"Sleeping, watching TV, reading, writing."

"I sit in my room trying to remain sane. I don't do anything but sit in my cell and stare at the walls and try not to have a breakdown."

"Doing their so called programs."

"I work out, read my newspaper, mail and work on my vocabulary through my dictionary. I read a lot. That's my daily routine day in and out."

"Sleeping, writing, doing my legal work, and watching TV."

"There's really nothing to do, there's nowhere to go, the light that's in the cell stays on 24 hours a day, messing with the mind and drawing hear. I just write, read and think about the injustice I am experiencing and witnessing in this Wisconsin system."

"I sleep and daydream -- there is not much to do."

"There is nothing to do here but watch television and write letters. Eat, write, watch TV. SMCI refused to allow

me to take a college course through MATC, I pay for it and do my own work, no staff intervention, but they refuse."

"Work out, pace the floor, write or lay back. There's not much you can do."

"Reading when I can get a halfway decent book."

"Most days I do a lot of reading and writing to friends and family. I try to study the law and understand it the best I can. I also draw on days when I feel like expressing myself. Working out is hard to do in a confined space such as this, but I do my best to keep all my muscles functioning properly. That is about all we can do."

"Reading or sitting around. And the TV is no regular TV it's only PBS, Discovery, History, CNN and the church. Nothing to see but the same over and over."

"Walk around my room all day, at times read and work on my legal case."

"I read all day long and ponder about my release back in society in the next 2 years."

"Leyendo, escribiendo, haciendo ejercicio y aquartando todas las cosa ilegales y racistas que estos oficiales me hacen." ("Reading, writing, exercising and distressing about all the illegal & racist things that these officials do to me.")

Are you involved in any institution programs? Are these the programs you need for re-entry into outside society?

"I am not involved in any institution programs because there are none offered on Alpha Unit."

"No, uno tiene que ganerselo, y si tu no te los ganes no te puedes ir a otra prision com menos seguridad." ("No, you have to earn it, and if you don't earn it you cannot go to a lower security prison.")

No. There are no institutional programs available to Delta inmates at all. (5)

"In order to participate in programming, we must have a TV, but we can't have a TV unless we earn it, but we aren't in a punitive status."

"I am only 10 months from my mandatory release; this place refuses to provide any programs to aid with my upcoming release."

No. (2)

"There are no programs here which will aid me in my program needs; matter of fact, there is no program here I am aware of which will assist anyone with their legitmate program needs."

"I already have HSED. I can't further my education. What happened to rehabilitation?"

"No, and no they don't have any of my programs I was on the list to do at camp when they sent me out of state."

"From what I know there are not any programs here that satisfy my program needs for re-entry into outside society."

"I was not aware of any programs."

"No. The programming that is offered can be of no help for re-entry into outside society or transfer to an open prison."

"What programs? They have none! No, the programs here is mostly GED, and I don't need any of that."

"No! They don't have none but education which every time I start I'm sent back to Alpha. Anger management is a joke. They don't try to help you get better just worse. There's no rehabilitation here. Don't no-one listen but they know what's best for you. You ask for help you get none."

"No, I am not currently involved in any institution programs. Because I am not accustomed to be educated the way they're trying to educate people here at SMCI. From a cell and off a television screen just doesn't cut the mustard."

"I was told at the Program Review Committee at WCI I was being transferred here to meet my A&E institution program needs. SMCI hasn't offered me any programs. I have a diploma so I am not allowed even any education. Guys without diplomas get paid for educational study. I am not eligible for any pay."

"No, no, I got to be on a level and they won't let me get my level because of my past actions against staff and inmates in different prisons."

"I will be mainstreamed back into society June 4 next year. This place is offering no inmates with MRs of less than 6-12 months any type of pre-release program. The programs at this time are not in my interest as far as re-entry

into society after six years. This place should be offering some type of pre-release programming by law for the inmates who are short timers. But do not tell the Administration that."

"SMCI only offers one program as of right now, but you gotta have a TV to take it. I don't have a TV, but I hear the program is geared toward idiots, and is not in-depth. It's called "Turning Point". There is no other programs here, but even if there were, my A&E needs don't say I need these programs, so I won't be participating, thank you!"

"No. In fact, I just got a note back from the Social Worker today. There are no programs here other than HSED/GED schooling (I've got a college degree) and something called "Turning", which is nothing more than renamed "criminal thinking", a brainwashing program that tells you you're wrong no matter how you answer the questions given to you."

"I have been incarcerated for 27 years on this sentence. I've had one conduct report for a major or serious offense in the last 12 years. I do not have any program needs that I know of."

"I am enrolled in a program called Turning Point. Once a week a 5-minute video is shown and we answer in 5 minutes about 12 questions and send them in. This is some meaningless program that was never on my recommended program until I came here. It is only to make SMCI look good. There is no benefit whatsoever for me."

"Yes, the only program that exists here is Turning Point. Without it I wouldn't be allowed to advance through SMCI level system."

"I'm involved in the Turning Point which isn't my program need. They told me if I don't do the program, I don't make my level, and if I don't make my level I don't get out of this place."

"Yes, I'm in one program but it does not mean anything., it's just to get me back to another institution."

"I go to school in my cell and take a program course called Turning Point. No, this place does not prepare you for re-entry into society in any way; this place breeds hatred."

"I'm in the Turning Point program here at SMCI but to effectively participate I must watch videos but I don't have a TV on level 2. I hope they start up programs here. If the programs are done right I might be able to benefit from them but the mental isolation I'm going through will need additional help for once I leave SMCI."

"I'm taking HSED and Turning Point. The programs are by force, we can't get out of SMCI if we don't do them."

"Turning Point Program. [Programs for re-entry to society?] Due to the amount of time I have, no."

"Yes, I am currently doing a Turning Point program which I must complete in order to attempt to work my way out of this facility. This is not a program I need for re-entry into society. I have less than 5 years to my MR date and I must complete sex offender treatment, AODA level 5B, small business management and communications to complete my vocational need, and criminal thinking, all of which are not available here. I am projected to be here until mid-2001 before I can be considered for placement elsewhere. That is a minimum."

"Yes, I'm in a program called the 'turning point'. And no, it isn't the type of program for re-entry into an outside community. But they use for re-entry into another regular institution. In fact, it is now mandatory to participate in this program in order to advance to other level, including out of the Supermax."

"Yes: 'The Turning Point'. It is supposed to change misbehavior. It is contrary to the institution's goals to perpetuate misbehavior. Also, since I have been in the population and clear conduct for 13 years it has little value for me. However, if I don't participate in the program they will drop me in level, take away my shampoo, deodorant, comb, book and TV. (needed for re-entry?) No!"

"They have only one program at SMCI. It's called Turning Point. It's a program like Cognitive Group Intervention Program. No, it is not a program I need for re-entry to society. I've taken CGIP already and don't need Turning Point, but I have to take it to get out of this institution."

"I'm presently pursuing my HSED. I'm also involved in this bogus program called 'Turning Point.' Where it's a 'one size fits all' thing. They say we aren't forced to take the programs, but they let us know if we don't we won't be leaving or advancing in this level system they have here."

"Yes, a program that they make you take. If you don't take it they'll drop you back a level to make you stay here long which to me seems like what they are doing. Programs in these institutions are not about rehabilitation. They