

☞ **05hr_AC-CC_ab0233_pt01**



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Corrections and the Courts...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Assembly

Record of Committee Proceedings

Committee on Corrections and the Courts

Assembly Bill 233

Relating to: classifying certain librarians, teachers, and social workers employed by the state as protective occupation participants under the Wisconsin Retirement System.

By Representatives Musser, Bies, Black and Hines; cosponsored by Senators Risser and Coggs.

March 16, 2005 Referred to Committee on Corrections and the Courts.

May 18, 2005 **PUBLIC HEARING HELD**

Present: (9) Representatives Bies, Gundrum, Underheim, Owens,
Suder, LeMahieu, Pope-Roberts, Wasserman and
Parisi.

Absent: (1) Representative Seidel.

Appearances For

- Terry Musser — Rep., 92nd Assembly District
- Nevin Webster — Council 1/WEAC
- Karla Krammer — LHS/DJC
- Mary Joas — SPEIC Council 1
- Georgette Gehring — WSEU - AFSCME Council 24

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Susan McMurray — AFSCME
- Ray Decker — Council 1/WEAC
- Michael Moore — Council 1/WEAC
- Chris Brogart — Waupaca County Sheriff's Office
- Jacqueline Olson — Waupaca County Sheriff's Office
- Bob Burke — WEAC

- Robert McLinn — WSEU Local 18
- J. Wenzel — Waupon Correctional Institution
- Brian Cunningham
- Gerry O'Rourke — AFSCME Local 509
- Troy Bauch
- Paul Oosterhouse — AFSCME Council 24 Local 178
- Daniel Meehan — AFSCME Local 18
- Justin Givens — Local 122

Registrations Against

- None.

May 4, 2006

Failed to pass pursuant to Senate Joint Resolution 1.

Andrew Nowlan
Committee Clerk

Assembly Committee on Corrections and the Courts

DATE _____

Moved by Suder Seconded by Parisi

AB 233 SB _____ Clearinghouse Rule _____

AJR _____ SJR _____

A _____ SR _____ Other _____

A/S Amdt 1

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |

	Committee Member	Aye	No	Absent	Not voting
1.	Rep. Garey Bies, chair				
2.	Rep. Mark Gundrum, vice-chair				
3.	Rep. Greg Underheim				
4.	Rep. Carol Owens				
5.	Rep. Scott Suder				
6.	Rep. Daniel LeMahieu				
7.	Rep. SONDY POPE-ROBERTS				
8.	Rep. Sheldon Wasserman				
9.	Rep. Donna Seidel				
10.	Rep. Joe Parisi				
Totals					

MOTION CARRIED

MOTION FAILED

Assembly Committee on Corrections and the Courts

DATE _____

Moved by _____ Seconded by _____

AB **233** SB _____ Clearinghouse Rule _____

AJR _____ SJR _____

A _____ SR _____ Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

Passage

Introduction

Adoption

Rejection

Indefinite Postponement

Tabling

Concurrence

Nonconcurrence

	Committee Member	Aye	No	Absent	Not voting
1.	Rep. Garey Bies, chair				
2.	Rep. Mark Gundrum, vice-chair				
3.	Rep. Greg Underheim				
4.	Rep. Carol Owens				
5.	Rep. Scott Suder				
6.	Rep. Daniel LeMahieu				
7.	Rep. SONDY POPE-ROBERTS				
8.	Rep. Sheldon Wasserman				
9.	Rep. Donna Seidel				
10.	Rep. Joe Parisi				
Totals					

MOTION CARRIED

MOTION FAILED



Nowlan, Andrew

From: Fritz, Christine M. DOC
Sent: Tuesday, May 17, 2005 12:12 PM
To: Rep.Musser
Subject: Protective Status for DOC Social Worker

I would like to express my support for AB233.

I have personally been physically attacked by an inmate . This occurred in the early 1990s while working as a Social Worker at Oakhill Correctional Institution near Madison.

At the conclusion of an interview in my office the inmate stood, grabbed me around the waist and placed a hand over my mouth. I was unable to breathe. Luckily the offices are small and I was able to kick over a chair. The noise resulted in him releasing me.

This individual has a history of sexual assaults. As a consequence of his actions he was charged with , and found guilty of, False Imprisonment. He received an additional 4 year prison sentence. He is currently confined under Chapter 980. I continue to work for the DOC as a Social Worker.

Social Workers as well as all staff within a prison setting are at risk.

Thank you for your attention to this matter.

Chris tine M. Fritz
(715)585-6394.



Nowlan, Andrew

From: Musser, Terry
Sent: Tuesday, May 17, 2005 12:35 PM
To: Rep.Bies; Nowlan, Andrew
Subject: FW: AB233

-----Original Message-----

From: Huibregtse, Mary J. DOC
Sent: Tuesday, May 17, 2005 12:21 PM
To: Rep.Musser
Subject: AB233

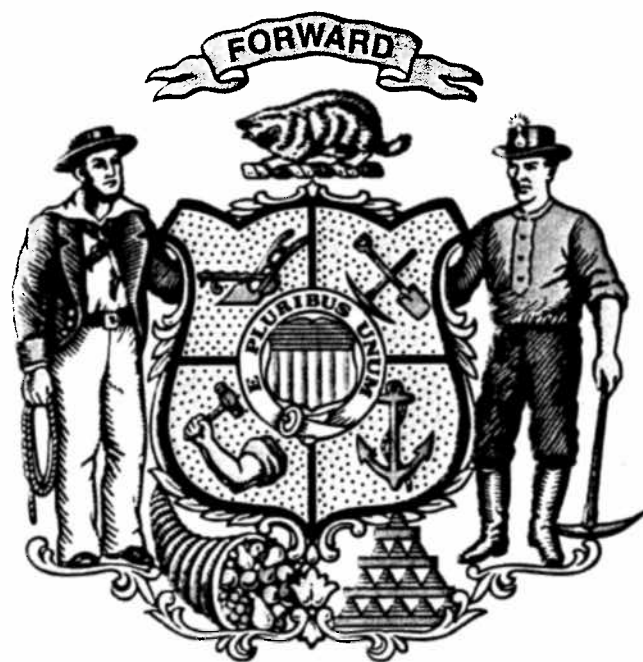
Dear Representative Musser:

I understand that a hearing is scheduled to be held on 05/18/05 on AB233 that proposes to include certain classes of employees of the Dept. of Corrections in protected status. As a member of the Parole Commission, represented by Professional Social Services, I noticed once again that we are being left "out of the mix" and have again become the forgotten employees who work in a prison setting on a daily basis having one on one contact with inmates -- yet we are not nor have been afforded "protected status". Needless to say, the nature of our position does not lend itself to our winning any popularity contests. Clearly, our inmate contact is every bit as risky , if not more so, as that of a teacher or a librarian inside of a correctional facility.

I urge you to strongly consider including myself and my 6 fellow Commissioners to be included in this protected status. Given that I am very nearing close to retirement age, as are a number of my co-workers, the fiscal impact would be negligible at best. We are a small but forgotten few.

Thank you for your consideration.

M. Jeanne Huibregtse Menting



FACSIMILE



Columbia Correctional Institution
2925 Columbia Drive; P.O. Box 950
Portage, WI 53901
Telephone: 608-742-9100
Fax: 608-742-9126

COVER MESSAGE

State of Wisconsin
Department of Corrections

TO:

DATE: 5/17/05

NAME GARY BROS		FACSIMILE TELEPHONE NUMBER 608-282-3601	
LOCATION	ROOM NUMBER	TELEPHONE NUMBER	

FROM:

NAME

MARK KOHN

LOCATION

Columbia Correctional Institution

MESSAGE:

NUMBER PAGES

(Include Cover Sheet)

20

(in 2 parts)

FACSIMILE TELEPHONE NUMBER

608 742-9126

TELEPHONE NUMBER

608-742-9100

X9320

OPERATOR

Destroy Originals

Return Originals to Sender

Confidentiality Statement: The information in this facsimile is intended for the named recipient only. It may contain information which is privileged and confidential. If the information is confidential, the recipient is prohibited from re-disclosing the information to other parties under Wisconsin Statutes 146.81 - 146.83 and 51.30.

If you have received this communication in error, please notify the sender immediately by telephone at the number listed.

Division of Management Services
DOC-1043 (Rev. 04/96)

Mark Kohn Social Worker Columbia Correctional Inst
Portage, Wi 53901 608-742-9100

Protective Status: ~~SB-169~~ AB 233

Shows other staff get
The question shouldn't be, ~~are all staff~~ deserving of protective status, but rather, are all employees at risk when working in a correctional facility? The answer is yes, because a correctional facility can be dangerous to ALL staff, not just security staff. To list but a few.... *Remorse - IT is filled w/ OADR, SOMETHING ME FIMMS*

I have had an inmate kick a table into my chest, and he was even handcuffed behind his back at the time.

*WHO
COULD DO
REPT IN
CJMM*

I personally wrestled an inmate to the ground when he attacked the warden with a steel rod as the warden and I were walking together.

A psychologist co-worker was kicked in the chest by an inmate

An intern was hit in the face with a closed fist by an inmate.

And when a riot does occur, as it did in waupun corr inst back in 1983, inmates did not pick and choose only trained security officers to take as hostages..they took whatever staff were available.

In our CCI staff handbook, given to all new staff, it even states that "inmates will not be locked in their cell 24 hrs a day. Trt and rehabilitation requires that inmates move about the facility and participate in various activities. These requirements have inherent in them an element of risk..."

Only rarely do I deal with inmates thru a steel door. Most interactions are done face to face, even in a large common area filled with 30 -45 inmates. My inmates happen to be mentally ill and unpredictable. I do not have an officer standing beside me as I do my job during the day. I am on my own. I am as much in harms way as an officer. And officers have it better than me, they are better trained in physical altercations and they get protective status. I am on my own

Probation agents recently received protective status and they deal with inmates one on one. I do not have that luxury. I deal with large groups of inmates. I am in the midst of maximum custody inmates in numbers as large as 45 - 50 at one time.

Finally, protective status should be a benefit for people who work in a dangerous environment, not based on how trained a staff is or how many physical altercations one has over a career. If we work in harms way, we deserve it

OR
WHAT
KIND OF

DEPARTMENT OF CORRECTIONS
Division of Adult Institutions
DOC-9 (Rev. 05/93)

WISCONSIN
Administrative Code
Chapter DOC 303

ADULT CONDUCT REPORT

WCE- 11-1380

PLEASE PRINT INMATE'S NAME		CONDUCT REPORT NUMBER	
INMATE NAME - Last <i>Medina, William</i>	INMATE NUMBER <i>125928</i>	INMATE CODE <i>CCI 08</i>	566525

INMATE LIVING QUARTERS LOCATION OF INCIDENT <i>HU-5 Cell #8 REC Field-Tennis Court</i>	DATE OF INCIDENT (MM/DD/YY) <i>9-8-93</i>	TIME OF INCIDENT <i>9:45</i>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
---	--	---------------------------------	---

IF PERSON INJURED-SPECIFY STATUS (Staff, Inmate, Visitor) <i>Mr. Endicott - Staff</i>	CONTRABAND INVOLVED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF WEAPON INVOLVED - WHAT <i>Metal Rod</i>
--	--	---

Rule Number	Rule	FINDING OF GUILTY
		Guilty Not Guilty
1 303	<i>Battery</i>	<input checked="" type="checkbox"/> <input type="checkbox"/>
2 303	<i>POSSESSION, MANUFACTURE AND ALTERATION</i>	<input checked="" type="checkbox"/> <input type="checkbox"/>
3 303	<i>OF WEAPONS W/</i>	<input checked="" type="checkbox"/> <input type="checkbox"/>
4 303		<input checked="" type="checkbox"/> <input type="checkbox"/>

DESCRIPTION OF INCIDENT (Include Detailed Facts upon which Charges are based, sources of information, evidence, statement of other staff members and, if appropriate, cell or shop assignment number.)

On the above date and time I WAS assigned REC Escort. I was standing by the basketball courts when I heard Mr. Endicott ask if anyone had keys to let him and Mark Kahn outside the REC GATE. I was approximately 10 yards behind Mr. Endicott when Inmate Medina, William #125928 walked off the tennis court and approached the WARDEN from behind. Mr. Endicott turned quickly around and faced Medina. Medina jumped at the WARDEN and started hitting Mr. Endicott in the face. I saw a metal object in Medina's right hand striking Mr. Endicott in the face (303.2) Mark Kahn grabbed Medina and all three fell to the ground. I grabbed Medina's right arm and held the arm down. Medina was trying hard to get away from my hold and MARK Kahn's hold.

ACTIVITY AT TIME OF INCIDENT	TYPE OF HANDLING	SIGNATURE OF STAFF MEMBER COMPLETING REPORT	DATE COMPLETED
		<i>[Signature]</i>	<i>9-8-93</i>

SECURITY DIRECTOR'S REVIEW (Complete only if no summary disposition was made)

DECISION ON CONDUCT REPORT	IS INMATE IN TLU	TYPE OF HEARING PROCEDURE
<input checked="" type="checkbox"/> Proceed <input type="checkbox"/> Dismiss <input type="checkbox"/> Return for Investigation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Minor Offense 303.75 <input checked="" type="checkbox"/> Major Offense 303.76

IF A MAJOR HEARING, INDICATE WHY:

- The alleged violation is designated as a Major Offense by DOC 303.68(3) OR
- The inmate has previously been found guilty of the same or a similar offense (consideration given to how often and how recently)
- The inmate has recently been warned about the same or similar conduct
- The alleged violation created a risk of serious disruption at the institution or in the community
- The alleged violation created a risk of serious injury to another person
- The value of the property involved (if alleged violation was actual or attempted damage and/or misuse of property, possession of money, gambling, unauthorized transfer of property, soliciting staff or theft)

SIGNATURE OF SECURITY DIRECTOR	DATE SIGNED
<i>[Signature]</i>	<i>9-9-93</i>

DATE COPY GIVEN TO INMATE	TIME COPY GIVEN TO INMATE	SIGNATURE OF STAFF MEMBER DELIVERING COPY TO INMATE
<i>09-09-93</i>	<i>1:35 PM</i>	<i>[Signature]</i>

RECORD OF SUMMARY DISPOSITION

SUMMARY DISPOSITION

SHIFT SUPERVISOR'S SIGNATURE OF APPROVAL	INMATE'S SIGNATURE OF AGREEMENT

RECORD OF CONDUCT REPORT DISPOSITION

DATE OF DISPOSITION (MM/DD/YY)	DISPOSITION(S)
<i>9-21-93</i>	<i>8 days Prob 360 days Prop - NO STOP -</i>
REFERRED TO PROGRAM REVIEW	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Known	

CASE FILE

DEPARTMENT OF HEALTH & SOCIAL SERVICES
Division of Corrections
DOC-9A (7/85)

STATE OF WISCONSIN
Administrative Rule
Chapter H55 303

ADULT CONDUCT REPORT
Continued

NAME: Last	First	MI	INSTITUTION:	CONDUCT REPORT NUMBER:
#125928 Medina	William		CCT	566525

DESCRIPTION OF INCIDENT - Continued:

Medina yelled words to the effect of "you didn't let me see my brother."
Staff assistance arrived and Medina was escorted off the Rec Field to DS-1.
Pictures of the weapon were taken and weapon secured.

CCT John C. Kline
9-8-93

CASE FILE

ADULT CONDUCT REPORT

20-654
CONDUCT REPORT NUMBER

PLEASE PRINT OFFENDER'S NAME

OFFENDER NAME: *Orlik, Olo*

OFFENDER LIVING QUARTERS LOCATION OF INCIDENT
1-16 School

DOC NUMBER: *3647561008*

90889

DATE OF INCIDENT (MM/DD/YY): *5-4-00*

TIME OF INCIDENT: *3:30*

IF PERSON INJURED SPECIFY STATUS (Staff, Offender, Visitor): *NA*

CONTRABAND INVOLVED: Yes No

IF WEAPON INVOLVED - W: *NA*

RULE ALLEGEDLY VIOLATED

Rule Number	0	1	2	3	4	5	6	7	8	9
1 303										
2 303										
3 303										
4 303										

Rule
Disruptive Behavior
Disruptive Conduct
Under Work Perf
Public Use

FINDING OF GUILT	
Guilty	Not Guilty
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

DESCRIPTION OF INCIDENT

(Include Detailed Facts upon which Charges are based, sources of information, evidence, statement of staff members and, if appropriate, cell or shop assignment number.)

On 5/4/00 school clerk David Nellis #133302 was to me with computer problems. During the course of our discussion held in the back office at the school, Nellis expressed problems also with Orlik help & training of him. At this time Orlik became agitated & began trying to defend himself. Orlik claimed Nellis pushed his hand away from the computer earlier in the day. To demonstrate Orlik hit my hand away with some force. Con-

ACTIVITY AT TIME OF INCIDENT

TYPE OF HANDLING

SIGNATURE OF STAFF MEMBER COMPLETING REPORT
D. Mathison

DATE COMPLETED
5-4-00

SECURITY DIRECTOR'S REVIEW (Complete only if no summary disposition was made)

DECISION ON CONDUCT REPORT
 Proceed Dismiss Return for Investigation

IS OFFENDER IN TLU
 Yes No

TYPE OF HEARING PROCEDURE
 Minor Offense 303.75 Major Offense 303.7

IF A MAJOR HEARING, INDICATE WHY:

- The alleged violation is designated as a Major Offense by DOC 303.68(3) OR
- The offender has previously been found guilty of the same or a similar offense (consideration given to how often and how recently)
- The offender has recently been warned about the same or similar conduct
- The alleged violation created a risk of serious disruption at the institution or in the community
- The alleged violation created a risk of serious injury to another person
- The value of the property involved (if alleged violation was actual or attempted damage and/or misuse of property, possession of money, gambling, unauthorized transfer of property, soliciting staff or theft)

SIGNATURE OF SECURITY DIRECTOR

Capt. J. Schwandt

DATE SIGNED

5/5/00

DATE COPY GIVEN TO OFFENDER

5-5-00

TIME COPY GIVEN TO OFFENDER

2:35

SIGNATURE OF STAFF MEMBER DELIVERING COPY TO OFFENDER

SUMMARY DISPOSITION

RECORD OF SUMMARY DISPOSITION

SHIFT SUPERVISOR'S SIGNATURE OF APPROVAL

OFFENDER'S SIGNATURE OF AGREEMENT

RECORD OF CONDUCT REPORT DISPOSITION

DATE OF DISPOSITION (MM/DD/YY)

5/22/00

DISPOSITION(S)

5 Days Adjustment

REFERRED TO PROGRAM REVIEW

He caught my hand at the exact point I have tendonitis, inflicting a sharp shock pain.

~~Bellic~~ I told Bellic to settle down & told Bellic to leave for the day that we would talk tomorrow when everyone was calmer. Bellic started to comply when ~~that~~ ORLIK again appeared & shoved a desk chair into the desk. Bellic again to demonstrate what he claimed Bellic had done earlier. (34) (28)

Orlik continued talking in a loud agitated manner & disregarded my request to settle down, be quiet, & quit arguing.

Rather than argue or let this become a scene I called for our pass officer & what to remove Orlik from the school. This was done.

Orlik has been counseled on 3 separate occasions by myself & Sgt. Rogers - the first time he needs to train Bellic to make sure Bellic is able to do all the work required. Rather than show Bellic how to do any computer task, Orlik does it himself - the Bellic does not learn. (62)

At one point between the hand hitting of the chair showing Orlik approached Bellic again & would not back away until I got almost between them and pointed to his chair, telling him to knock it off & sit down. He backed up but did not sit down. (24) (28)

RESIDENT ASSAULTS ON STAFF

To: Bureau Director, Adult Institutions

Date: January 7, 1988

From: *Kyle K. Davidson*
 Kyle K. Davidson, Security Director

Institution: Columbia Correctional Institution

Month Of: December, 1987

Date & Time of Assault	Place of Assault	Resident & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
12/1/87 10:18 a.m.	Hearing Room D.S. I	Gray, Ervie #123818	Patricia Stedschiag	Class A -- Health Services Supervisor with a chair; no permanent injuries

Reports shall be submitted by the 10th of the following month.

RESIDENT ASSAULTS ON STAFF

To: Administrator, Adult Institutions

Date: October 8, 1993

From: *R. Schmitt*
Sam Schmeifer, Security Director

Institution: Columbia Correctional Institution

Month Of: September 1993

Date & Time of Assault	Place of Assault	Resident & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
09/08/93 10:00 a.m. (approx.)	Recreation Field	William MEDINA #125928	Warden Endicott	Class A: Warden received cut to face and neck area which required several stitches; treatment provided by CCI H

Reports shall be submitted by the 10th of the following month.

RESIDENT ASSAULTS ON STAFF

To: Administrator, Adult Institutions

Date: April 11, 1997

From: *S. Schnitzer*
 Sam Schnitzer, Institution Security Director

Institution: COLUMBIA CORRECTIONAL INSTITUTION

Month Of: MARCH 1997

Date & Time of Assault	Place of Assault	Resident & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
03/14/97 11:07 am	Unit 7 Dayroom	Patrick WELLS #169719	Bori Greer, Clin Intern Dr. VandenBrook, Psych. Officer Synnott	CLASS A: Ms. Greer struck in forehead w/fist. Dr. VandenBrook struck in face w/fist; fell to floor and kicked. Officer Synnott struck in face/nose. All treated at DSH Emergency Room

Reports shall be submitted by the 10th of the following month.

OFFENDER ASSAULTS ON STAFF

TO: Michael Ellestad (E-Mail)

DATE: 5/11/98

FROM: Sam Schneider, Institution Security Director

INSTITUTION: Columbia Correctional Institution

MONTH OF APRIL 1998

Date and Time of Assault	Place of Assault	Resident & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
04/02/98 3:55 pm	Gym	Lamont MOORE #246986	Jeff Braaksma, Rec Leader Sgt. L. Hinickle Officer Klatt	Class A: While separating 2 fighting inmates, Mr. Moore punched Mr. Braaksma on left side of face twice. Treated at DSH ER for sore jaw. Sgt. Hinickle was grabbed by jacket to pull off Mr. Moore, who was being restrained and jacked at staff's face, which was deflected. No treatment necessary. Ofcr Klatt injured left elbow while trying to restrain inmate. Treated at CCI HSU.
04/02/98 3:55 pm	Gym	Eric WASHINGTON #242170	Jeff Braaksma, Rec Leader Officer Klatt	Class A: After being hit in face by another inmate, Mr. Braaksma released his hold on Mr. Washington, who turned and immediately punched him in the head twice. Treated at DSH ER. Swung at Ofcr Klatt, grazing face from chin to above right eye. Treated at CCI HSU.



OFFENDER ASSAULTS ON STAFF

TO: Mike Ellestand

DATE: 09/11/98

FROM: Captain Douma, Acting Security Director

INSTITUTION: CCI

MONTH OF: AUGUST 1998

Date and Time of Assault	Place of Assault	Offender & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
07/29/98 8:10 a.m.	Housing Unit 7 Interview Room	Juan Vasquez, #296005	Mark Kohn, Social Worker	Class B: kicked side of table with enough force to push table into staff member's chest No treatment received.

OFFENDER ASSAULTS ON STAFF

TO: Mike Ellestad

DATE: 07/12/99

FROM: Tim Douma, Security Director

INSTITUTION: Columbia Correctional Institution

MONTH OF: JUNE 1999

Date and Time of Assault	Place of Assault	Offender & Number	Staff Member Assaulted	Remarks (state type of class A or B for injuries, treatment, etc.)
06/01/99 8:30 am	Health Services Unit Dental Office	David MESSNER #171210	Dr. Brevard	Class B: spit in Dentist's left eye and on shirt.



ADULT CONDUCT REPORT

17-405

CONDUCT REPORT NUMBER

548231

INMATE'S NAME: Wells, Patricia MI: 97 INMATE NUMBER: 169719 INST CODE: KC1-02

WORKING QUARTERS LOCATION OF INCIDENT: HU7 Dayroom DATE OF INCIDENT (MM/DD/YY): 3-14-97 TIME OF INCIDENT: 1107 AM PM

PERSON INJURED-SPECIFY STATUS (Staff, Inmate, Visitor): 3 Staff 1 Inmate CONTRABAND INVOLVED: Yes No

RULE ALLEGEDLY VIOLATED: 303 IF WEAPON INVOLVED - WHAT: None

Rule Number	Rule	FINDING OF GUILT	
		Guilty	Not Guilty
1 303	Battery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 303		<input type="checkbox"/>	<input type="checkbox"/>
3 303		<input type="checkbox"/>	<input type="checkbox"/>
4 303		<input type="checkbox"/>	<input type="checkbox"/>

DESCRIPTION OF INCIDENT (Include Detailed Facts upon which Charges are based, sources of information, evidence, statement of other staff members and, if appropriate, cell or shop assignment number.)

On the above date and time I was in the control bubble of HU-7 observing yellow dayroom and lunch. In Vandenberg and in the four there were working with inmates. Green was working with inmate Prewatt. Inmate Wells approached inmate Green and inmate Green moved away. Inmate Wells went after inmate Green striking her with a closed fist on the forehead. 27.12 I hit the alarm button and yelled at other inmates to get up on the tiers. In Vandenberg came to Green's aid and was struck by a closed fist from inmate Wells. I then called HU-6 for help because of the weather and seem I would have trouble getting here. COTI Symons then

ACTIVITY AT TIME OF INCIDENT: TYPE OF HANDLING: SIGNATURE OF STAFF MEMBER COMPLETING REPORT: Wells DATE COMPLETED: 3-14-97

SECURITY DIRECTOR'S REVIEW (Complete only if no summary disposition was made)

DECISION ON CONDUCT REPORT: Proceed Dismiss Return for Investigation

IS INMATE IN TLU: Yes No

TYPE OF HEARING PROCEDURE: Minor Offense 303.75 Major Offense 303.76

- IF A MAJOR HEARING, INDICATE WHY:
- The alleged violation is designated as a Major Offense by DOC 303.68(3) OR
 - The inmate has previously been found guilty of the same or a similar offense (consideration given to how often and how recently)
 - The inmate has recently been warned about the same or similar conduct
 - The alleged violation created a risk of serious disruption at the institution or in the community
 - The alleged violation created a risk of serious injury to another person
 - The value of the property involved (if alleged violation was actual or attempted damage and/or misuse of property, possession of money, gambling, unauthorized transfer of property, soliciting staff or theft)

SIGNATURE OF SECURITY DIRECTOR: [Signature] DATE SIGNED: 03-17-97

DATE COPY GIVEN TO INMATE: 3-18-95 TIME COPY GIVEN TO INMATE: 5:12 PM SIGNATURE OF STAFF MEMBER DELIVERING COPY TO INMATE: [Signature]

SUMMARY DISPOSITION: 8 ADJ 360 PROB 40 DMS MR EXT
RECORD OF SUMMARY DISPOSITION: RESTITUTION FOR MEDICAL EXPENSES OF STAFF AND INMATE PREWATT

SHIFT SUPERVISOR'S SIGNATURE OF APPROVAL: _____ INMATE'S SIGNATURE OF AGREEMENT: _____

RECORD OF CONDUCT REPORT DISPOSITION

DATE OF DISPOSITION (MM/DD/YY): 04/04/97 DISPOSITION(S): 8 ADJ 360 PROB 40 DMS MR EXT

REFERRED TO PROGRAM REVIEW: Yes No Not Known

DISTRIBUTION: Original-Case File; Copy-Off/Int/Mgt/Operations; Copy-Inmate; Copy-Security Office; Copy-Advocate

DEPARTMENT OF CORRECTIONS
Division of Adult Institutions
DOC-9A (Rev. 06/88)

WISCONSIN
Administrative Code
Chapter DOC 800

ADULT CONDUCT REPORT Continued

INMATE NAME Last	First	MI	INSTITUTION	CONDUCT REPORT NUMBER
Wells	Patrick		EC1	546231

DESCRIPTION OF INCIDENT - Continued

came to help and Wells struck Officer Synnott with a closed fist in the nose and mouth. Inmate Prevatt then helped out. C.O. Gunderson arrived on the unit and Officer Gunderson and Synnott, and inmate Prevatt directed Wells to the floor behind the officers desk in the dayroom. Sgt Bras from H-6 was next to arrive and help out. Dr Vandenberg grabbed Wells' legs and was on the floor also. Team one arrived, Capt Trattler, St K. Radtke, and Capt Dave Lehman. Inmate Waller received medical assistance on the on the unit from Nurse Star and Beth. Wells was then removed to DS-1 and placed in OBS Interim Area. Dr Vandenberg, C.O. Synnott and inmate Prevatt were all treated and released from Division Services. The other 8 inmates all went to their cells without incident.

[Signature] (Lulling) 3-14-97

CASE FILE

INCIDENT REPORT

INCIDENT REPORT NUMBER

613002

INSTRUCTION: Attach additional sheets if necessary. If additional Sheets are used, note the Incident Report Number at the top of each sheet.

INSTITUTION <i>08</i>	LOCATION OF INCIDENT <i>UNIT 4 CELL #3</i>	DATE OF INCIDENT <i>9-25-00</i>	TIME OF INCIDENT <i>1:09 PM</i>
STAFF MEMBER COMPLETING REPORT (Print or Type) <i>CO # 8 TETZLAFF</i>		STAFF MEMBER TITLE <i>B</i>	

TYPE OF INCIDENT (CHECK ALL THAT APPLY)

- | | | |
|---|---|---|
| <input type="checkbox"/> ESCAPE | <input type="checkbox"/> OFFENDER PLACED IN RESTRAINTS | <input checked="" type="checkbox"/> INFORMATIONAL |
| <input type="checkbox"/> ASSAULT | <input type="checkbox"/> FIRE | <input type="checkbox"/> OTHER - SPECIFY: |
| <input type="checkbox"/> CELL ENTRY | <input type="checkbox"/> USE OF FORCE | |
| <input type="checkbox"/> DISCHARGE OF FIREARM | <input type="checkbox"/> DISTURBANCE | |
| <input type="checkbox"/> DEATH | <input type="checkbox"/> USE OF CHEMICAL AGENT-TYPE _____ | |

PRINCIPAL PERSON INVOLVED - Name <i>Pietkivitch William</i>	STATUS <input checked="" type="checkbox"/> OFFENDER <input type="checkbox"/> STAFF	<input type="checkbox"/> VISITOR <input type="checkbox"/> OTHER	DOC NUMBER <i>#138032</i>
--	--	--	------------------------------

NAME OF PERSON WHO DISCHARGED FIREARM	NAME OF STAFF MEMBER WHO DISCHARGED CHEMICAL AGENT	NAME OF SUPERVISOR PRESENT WHEN CHEMICAL AGENT WAS DISCHARGED
---------------------------------------	--	---

NAMES OF ADDITIONAL INDIVIDUALS INVOLVED	STATUS (Offender, Staff, Visitor, Other)	DOC NUMBER (if Offender)
<i>CAPT. THOMURE</i>	<i>DR. VANDENBROOK</i>	<i>CO # GRAAK</i>
<i>LT. HIGBEE</i>	<i>DR. SINI</i>	<i>CO # Lammer</i>
<i>BGT. PEBBLES</i>	<i>CO # Dittburner</i>	<i>CO # AL Falvar</i>
<i>SGT. PAUL</i>	<i>CO # Hopkins</i>	<i>CO # Colano</i>
<i>SGT. WORNKEE</i>	<i>CO # Johnson</i>	
<i>DR. GREER</i>	<i>CO # White</i>	
	<i>CO # Severson</i>	

NAMES OF WITNESSES (Other than those above)	STATUS (Offender, Staff, Visitor, Other)	DOC NUMBER (if Offender)
---	--	--------------------------

IF PERSON(S) INJURED-SPECIFY STATUS (Check all that apply) <input type="checkbox"/> OFFENDER <input type="checkbox"/> STAFF <input type="checkbox"/> VISITOR <input type="checkbox"/> OTHER	WAS ANYONE HOSPITALIZED/ GIVEN MEDICAL TREATMENT <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES-SPECIFY WHO:	WAS THERE ANY PROPERTY DAMAGE <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES-SPECIFY:	WAS THERE ANY CONTRABAND INVOLVED <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - DISPOSITION:
---	--	---	---

DESCRIPTION OF INCIDENT (State all relevant facts including circumstances leading up to and/or causing incident, contributing factors and, if any, evidence. If anyone was injured include the name of the person and the extent of the injury. Including any verbal statements.)

on they above date + Time Dr. Greer and Dr. Vandebrook were talking to inmate Pietkivitch, William #138032, on A upper, cell #3. Inmate Pietkivitch agreed to be cuffed and go to H.S.U. At should be noticed that Pietkivitch was placed in modified yellow status by Dr. Sini at 11:10 AM. Officer White opened the trap and cuffed Pietkivitch. Officer White called out, "open cell #3. I opened the door and Pietkivitch lunged out his door at officer white. I pushed the visit button and pushed 19 on the handfree to control and explained the situation to St. Pittburner. At this time team one came through the door and went to A

(CONTINUE ON REVERSE SIDE)

INCIDENT REPORT

INCIDENT REPORT NUMBER
808539

INSTRUCTION: Attach additional sheets if necessary. If additional Sheets are used, note the Incident Report Number at the top of each sheet.

INSTITUTION CCI	LOCATION OF INCIDENT HU-6	DATE OF INCIDENT 9-25-00	TIME OF INCIDENT 1:20 P.M.
STAFF MEMBER COMPLETING REPORT (Print or Type) Mike Vanden Brook		STAFF MEMBER TITLE Psychologist	

TYPE OF INCIDENT (CHECK ALL THAT APPLY)

- | | | |
|---|---|---|
| <input type="checkbox"/> ESCAPE | <input type="checkbox"/> OFFENDER PLACED IN RESTRAINTS | <input checked="" type="checkbox"/> INFORMATIONAL |
| <input type="checkbox"/> ASSAULT | <input type="checkbox"/> FIRE | <input type="checkbox"/> OTHER - SPECIFY: |
| <input type="checkbox"/> CELL ENTRY | <input type="checkbox"/> USE OF FORCE | |
| <input type="checkbox"/> DISCHARGE OF FIREARM | <input type="checkbox"/> DISTURBANCE | |
| <input type="checkbox"/> DEATH | <input type="checkbox"/> USE OF CHEMICAL AGENT-TYPE _____ | |

PRINCIPAL PERSON INVOLVED - Name PIETKIVICH, WILLIAM	STATUS <input checked="" type="checkbox"/> OFFENDER <input type="checkbox"/> STAFF	DOC NUMBER
	<input type="checkbox"/> VISITOR <input type="checkbox"/> OTHER	

NAME OF PERSON WHO DISCHARGED FIREARM NA	NAME OF STAFF MEMBER WHO DISCHARGED CHEMICAL AGENT NA	NAME OF SUPERVISOR PRESENT WHEN CHEMICAL AGENT WAS DISCHARGED NA
--	---	--

NAMES OF ADDITIONAL INDIVIDUALS INVOLVED	STATUS (Offender, Staff, Visitor, Other)	DOC NUMBER (if Offender)
OFFICER WHITE	STAFF	_____
DR. GREER	STAFF	_____

NAMES OF WITNESSES (Other than those above)	STATUS (Offender, Staff, Visitor, Other)	DOC NUMBER (if Offender)
None	_____	_____

IF PERSON(S) INJURED-SPECIFY STATUS (Check all that apply) <input type="checkbox"/> OFFENDER <input type="checkbox"/> VISITOR	<input type="checkbox"/> STAFF <input type="checkbox"/> OTHER	WAS ANYONE HOSPITALIZED/ GIVEN MEDICAL TREATMENT <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES-SPECIFY WHO:	WAS THERE ANY PROPERTY DAMAGE <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES-SPECIFY:	WAS THERE ANY CONTRABAND INVOLVED <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - DISPOSITION:
---	--	--	---	---

DESCRIPTION OF INCIDENT (State all relevant facts including circumstances leading up to and/or causing incident, contributing factors and, if any, evidence. If anyone was injured include the name of the person and the extent of the injury. Including any verbal statements.)

ON THE ABOVE DATE AND TIME DR. GREER AND I TALKED TO MR. PIETKIVICH AT HIS CELL DOOR. HE AGREED TO COME OUT TO BE ESCORTED TO HSU FOR AN APPOINTMENT WITH THE PHYSICIAN. HE WAS CUFFED, BELTED, AND CELL DOOR WAS OPENED

(CONTINUE ON REVERSE SIDE)

NAME - LAST BERNAL	FIRST Perry	MI	CASE NUMBER 33162	INSTITUTION WCI	88523
INMATE LIVING QUARTERS SCH		LOCATION OF INCIDENT School		DATE OF INCIDENT 1-31-83	TIME OF INCIDENT 1:45 p.m. M.
IF PERSON INJURED—SPECIFY STATUS (STAFF, INMATE, VISITOR, ETC.)				CONTRABAND INVOLVED <input type="checkbox"/> YES <input type="checkbox"/> NO	

RULE ALLEGEDLY VIOLATED RULE NUMBER 1 303.18	RULE Inciting a riot	FINDING OF GUILTY GUILTY <input checked="" type="checkbox"/> NOT GUILTY <input type="checkbox"/>
2		
3		
4		

DESCRIPTION OF INCIDENT (INCLUDE DETAILED FACTS UPON WHICH CHARGES ARE BASED, SOURCES OF INFORMATION, EVIDENCE, STATEMENTS OF OTHER STAFF MEMBERS AND, IF APPROPRIATE, CELL OR SHOP ASSIGNMENT NUMBER)

On January 31, 1983 inmates of the Waupun Correctional Institution rioted and took control of the School and the Old Rec Hall/Dormitory building. In doing this, the inmates also took 15 staff member hostage. I was one of those hostages.

At approximately 8:45 a.m. at the start of the riot, Inmate Bernal was the first inmate to tell me that it was a takeover. Later in the day, he came in the room where I was being held and said to take it easy, that nobody was going to get hurt, that all of the hostages were okay.

	SIGNATURE OF STAFF MEMBER COMPLETING REPORT <i>John L. Ay-</i>	DATE COMPLETED 2-9-83
--	---	---------------------------------

RECORD OF SUMMARY DISPOSITION (IF APPLICABLE)

SUMMARY DISPOSITION	
SIGNATURE OF STAFF MEMBER MAKING DISPOSITION—DATE	INMATE'S SIGNATURE OF AGREEMENT DATE
SHIFT SUPERVISOR'S SIGNATURE OF AGREEMENT DATE	SECURITY DIRECTOR'S SIGNATURE OF AGREEMENT DATE

SECURITY DIRECTOR'S REVIEW (COMPLETE ONLY IF NO SUMMARY DISPOSITION WAS MADE)

DECISION ON CONDUCT REPORT <i>Justified - Pardon</i>	IS INMATE IN TLU <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TYPE OF HEARING PROCESS <input type="checkbox"/> MINOR <input checked="" type="checkbox"/> MAJOR
SIGNATURE OF SECURITY DIRECTOR <i>Harold Herington</i>	DATE 2-12-83	

NOTICE TO INMATE: IF THERE IS A DATE SHOWN IN "DATE OF MINOR HEARING", YOU ARE HEREBY ORDERED TO APPEAR AT THE HEARING ON THAT DATE UNLESS YOU SIGN THE TIME LIMIT WAIVER BELOW.

WAIVER OF MINOR HEARING TIME LIMITS KNOWING AND UNDERSTANDING THE TIME LIMITS WITHIN WHICH I AM ENTITLED TO A MINOR HEARING, I HEREBY WAIVE THOSE TIME LIMITS.	SIGNATURE OF INMATE <i>W. Bernal</i>
DATE COPY GIVEN TO INMATE 2-13-83	TIME COPY GIVEN TO INMATE 9:00 A.M.

RECORD OF CONDUCT REPORT DISPOSITION

TYPE OF HANDLING	DATE OF DISPOSITION	DISPOSITION(S)
------------------	---------------------	----------------

ADULT CONDUCT REPORT

18-1543 WISC
 Administrative Chapter C
 CONDUCT REPORT NUMBER

PLEASE PRINT OFFENDER'S NAME

OFFENDER NAME - Last: VASQUEZ First: JUAN MI: DOC NUMBER: 296005 INST. CODE: 08
 OFFENDER LIVING QUARTERS: HU7 Cell 357 LOCATION OF INCIDENT: HU7 INTERVIEW RM 07 DATE OF INCIDENT (MM/DD/YY): 7/29/98 TIME OF INCIDENT: 8:10
 IF PERSON INJURED, SPECIFY STATUS (Staff, Offender, Visitor): Staff CONTRABAND INVOLVED: Yes No No No No No IF WEAPON INVOLVED - WH: N/A

RULE ALLEGEDLY VIOLATED

Rule Number	Rule	FINDING OF GUILT Guilty Not Guilty
1 303	BATTERY	1 2
2 303	DISRUPTIVE CONDUCT	1 2
3 303		1 2
4 303		1 2

DESCRIPTION OF INCIDENT

(Include Detailed Facts upon which Charges are based, sources of information, evidence, statement of other staff members and, if appropriate, cell or shop assignment number.)

ON ABOVE DATE AND TIME I WAS ATTEMPTING TO SPEAK TO INMATE VASQUEZ ABOUT WHY HE WAS SMEARING FECES ON THE WALL. HE WAS HANDCUFFED AND SITTING ACROSS THE INTERVIEW RM TABLE FROM ME. HE LEANED BACK, BROUGHT HIS LEFT FOOT UP AND KICKED THE SIDE OF THE TABLE WITH GREAT FORCE PUSHING IT INTO MY CHEST CAUSING PAIN TO MY CHEST (DOC 303.12 BATTERY). I CALLED FOR OFFICER SYMONS TO ESCORT HIM BACK TO HIS CELL AS OFFICER SYMONS WAS ESCORTING HIM BACK TO HIS CELL HE STARTED TO YELL AND THERE WERE INMATES IN THE DORM AND ON THE RANGE WHO STOPPED THEIR

ACTIVITIES TO WATCH WHAT WAS HAPPENING (3:02 PM DISRUPTIVE CONDUCT) LEAD OF REPORT
 ACTIVITY AT TIME OF INCIDENT: 7 TYPE OF HANDLING: 2 SIGNATURE OF STAFF MEMBER COMPLETING REPORT: KOHN DATE COMPLETE: 7-29-98

SECURITY DIRECTOR'S REVIEW (Complete only if no summary disposition was made)

DECISION ON CONDUCT REPORT: Proceed Dismiss Return for Investigation IS OFFENDER IN TII: Yes No TYPE OF HEARING PROCEDURE: Minor Offense 303.75 Major Offense 303.68

- IF A MAJOR HEARING, INDICATE WHY:
- The alleged violation is designated as a Major Offense by DOC 303.68(3) OR
 - The offender has previously been found guilty of the same or a similar offense (consideration given to how often and how recently)
 - The offender has recently been warned about the same or similar conduct
 - The alleged violation created a risk of serious disruption at the institution or in the community
 - The alleged violation created a risk of serious injury to another person
 - The value of the property involved (if alleged violation was actual or attempted damage and/or misuse of property, possession of money, gambling, unauthorized transfer of property, soliciting staff or theft)

SIGNATURE OF SECURITY DIRECTOR: [Signature] DATE SIGNED: 07-30-98

DATE COPY GIVEN TO OFFENDER: 7-31-98 TIME COPY GIVEN TO OFFENDER: 4:15 P.M. SIGNATURE OF STAFF MEMBER DELIVERING COPY TO OFFENDER: [Signature]

SUMMARY DISPOSITION

SHIFT SUPERVISOR'S SIGNATURE OF APPROVAL: OFFENDER'S SIGNATURE OF AGREEMENT:

RECORD OF CONDUCT REPORT DISPOSITION

DATE OF DISPOSITION (MM/DD/YY): 8-17-98 DISPOSITION(S): 4 days and 260 days program 40 days Extension MR

do not escape, destroy property, or harm themselves or others, inmates will not be locked in their cells 24 hours a day. The objectives of humane treatment and rehabilitation require that inmates move about the facility and participate in various activities. These requirements have inherent in them an element of risk, but all such risks are balanced by a primary concern for the safety of all.

- B. To promote the health, safety, dignity, and the rights of offenders committed to this institution. The basic needs of inmates must be met, including good food, adequate health care, protection, privacy, access to family, and participation in positive and productive activities. Just as importantly, we must treat inmates humanely, with respect and dignity. To do otherwise is not only inconsistent with the basic mores of a civilized society, it defeats our objectives for public safety. Humane treatment promotes control while the inmate remains confined and facilitates reintegration upon release.
- C. To be sensitive and responsive to those who have been victimized by crime. Programming will be provided to increase inmates' awareness of the injury they caused victims and the community. They will be provided opportunities to repair the harm, consistent with the wishes and needs of victims. All efforts will be made to prevent victims being re-victimized.
- D. To promote institution adjustment for inmates through a system of management, rules, and consequences. The rules and expectations for inmates must be clearly stated. Inmates should be told what they must do, what they must not do, and what they may do. All rules must be reasonable and enforceable and contain provisions for significant and meaningful consequences for behavior, both positive and negative. Inmates must be treated fairly and consistently, with a recognition that the value of consistency does not negate the necessity for systematic and planned accommodation and variations as a result of individual differences.
- E. To allow inmates to address grievances by creating legitimate avenues for expressing and redressing complaints and concerns. In an effort to foster interpersonal communication and problem-solving, inmates are expected to resolve problems at the most appropriate level consistent with those staff who work directly with the inmate and are most aware of the issues and the problem. When this fails, other systems must be available so that inmates may feel their concerns have been adequately and fairly examined.



MAY 18, 2005
CORRECTIONS & COURTS COMMITTEE

TESTIMONY BY REPRESENTATIVE TERRY MUSSER

GOOD MORNING Chair & Committee Members:

Thank you for holding a public hearing on Assembly Bill 233

AB 233 : This bill specifically classifies teachers and librarians as protective occupation participants for the purposes of the WRS. *(employed at state correctional institutions, secured correctional facilities, the mental health institutes at Mendota and Winnebago, the Wisconsin Resource Center, or any secure mental health unit or facility for sexually violent persons)*

The bill also classifies employees of the Department of Corrections who are social as protective occupation participants for purposes of the WRS. *(workers and others are employed at a state prison or a secured correctional facility)*

Librarians and teachers in our correctional institutions, mental health facilities and sexual predator treatment facilities all are in close contact individuals who are a danger to others or themselves.

Social workers at correctional Institutes are often the first line of contact available to inmates within our prison system. They are the first contact when decisions and family matters have affect on the prisoner.

These individuals are in these institutions for a reason. *They are not nice do not play well w/ others*
... ~~Many are~~ mentally unstable individuals and always will be. *Most are cruel & malicious words that come to mind*
~~They are~~ hostile, aggressive and unpredictable.

Violence by these individuals, adult or juvenile, can erupt in a split second.

Classifying these groups of employees as "protective status" is the right thing to do for the jobs they have.

The duties of these professionals can often bring as much or more contact than those already classified as "protective occupation" participants.

These state employees place themselves in dangerous conditions on a daily basis.

No amount of laws or regulations can assure safety when dealing with distressed inmates.

I urge the committee to recommend the bill for passage. Thank you



Public Hearing Testimony before the
Assembly Committee on Corrections and the Courts
Wednesday, May 18, 2005

by
Nevin Webster, Librarian,
Waupun Correctional Institution

Thank you for this opportunity to state my support for Assembly Bill 233. I believe that those who serve as teachers, librarians, and social workers in state correctional and mental health facilities are deserving of classification as protective occupation participants under the Wisconsin Retirement System for two reasons... past history and present reality.

PAST HISTORY

This past *history* is really *my story*, as well as the story of fourteen other men and women who have served as correctional employees, nine of whom were *education* staff members.

For the past twenty-three years I have served as the librarian at Waupun Correctional Institution. One particular day stands out among them all in my memory, one particular *horrific* day. On January 31, 1983, I had come into work early to prepare for a special day. It was to be the "grand reopening" of the library that had not been open for full operations for some time. Little did I know how special a day it would be... for far different reasons than I had imagined.

I was busily occupied at my desk, preparing passes for inmates who would be attending the library that day, when at approximately 9:00 a.m. I was startled by a loud bang at the school officer's desk located across the library. I looked up to see an inmate wearing dark sunglasses and a bandana around his face, yelling, "This is a political takeover. Any snitches in here get out or you'll be killed!" He then proceeded to rip the desk telephone out of its socket and proceeded down the school hallway. Another inmate dressed with a bandana over his face and a broomstick in hand was pacing back and forth in front of the school doorway guarding it. I saw the new school program assistant be escorted by an inmate out of her office and around the corner down the hallway. Suddenly the inmate guarding the door dashed into that office, leaped over a half rail between desks, and gave a flying kick to the upper body of another inmate who apparently had been trying to make a phone call. I sat there stunned with no safe way out. The inmates who had taken control of the school had not seen me... yet. There were no other staff members within view where normally there would be three. I saw another inmate come from down the hallway with a typewriter platen in hand smashing glass windows in offices as he passed by. I fearfully wondered what would happen next. When would they see me? When would they come get me?

It wasn't long before one of the inmates in the takeover group yelled to another to take me down the hallway. I was now a hostage. As I was escorted away and went around the corner, I saw all the other school staff members kneeling side by side, faces against the hallway wall, hands behind their backs, inmates standing over them holding their heads down. That was the last sight I was to see for the next five hours.

We were all blindfolded. Our hands were secured behind our backs with packaging tape. Our keys were removed. Soon after that we were moved into smaller groups in various classrooms. Our shirts were removed and we were ordered to put on khaki inmate shirts so that we could not be distinguished from inmates in the event of an assault by security staff. All our personal effects were removed from us... wedding rings, watches, wallets, etc. We were then further divided and moved to separate classrooms where we^{we} made to lie on the floor in a fetal position.

All this while there were ongoing yells of anger... against the administration, against each other, and against us hostages. At times the noise reached fever pitch, at times it quelled. This vocal rage was accompanied, especially in the first hour or two, with the crashing of broken glass from the hallway classroom windows and other property destruction. A helicopter flew overhead and the fever pitch resumed.

One time there were sudden yells that tear gas was going to be coming and orders to put the hostages up in front of the outside windows to block their way to shooting the gas into the building. Some of the hostages were placed up in front of the windows; some were not.

At one point, a hostage was tied to an acetylene tank and oxygen tank, both of which had been brought up from the welding shop through a hole that had been made in the library floor. He was told they were going to blow him up and "send him to the moon like Mighty Mouse." All he could think of was how horrific it would be for his daughter to have to come and try to identify him from the bits and pieces splattered all over the wall. It was very fortunate that their actual attempts to light the tanks failed. Another time they took the sharp edge of paper cutter blade that had been fashioned into a machete and ran it along his neck, threatening to kill him.

The chaotic terror swallowed me up. There had been talk at times of killing the hostages. It was when an inmate stepped into the room and told the inmate guarding us to kill us if the assault team outside made a move, that I became convinced that I was a dead man.

I prayed. I hoped. But in the battle between hope and terror that was being waged in my mind, hope was quickly losing. When would it happen? Oh, if only I could talk to my wife one last time to tell her I love her! Would I hear it coming? How would it happen? What would it feel like? Oh, if only I could talk to my wife one last time to tell her I love her!! How could I try to defend myself in that position? What could I do? Oh, if only I could talk to my wife one last time to tell her I love her!!! This cycle of terror raced through my mind over and over and over.

Through the great efforts of all the staff working to get us released, as the result of an impending assault coming in through the back end of the school, and by the grace of God, we were released at about 2:00 p.m. that day.

I could share so much more which time and space do not allow here. Suffice it to say, it was a perilous day that rose far above any threshold of danger intended by the statutory language defining "protective occupation participant."

PRESENT REALITY

The population of offenders with whom I work as a librarian on a daily basis *face to face* has only grown more violent and rebellious over the years. One hundred twenty inmates walk through my library doors every day. I do not get to choose to have just the best behaved inmates attend the library. Anyone in general population of the institution may come who requests to come. We have one security officer on the second floor of the school where all the academic students, library users, and school inmate clerks are located... 100+/- at any given time, six hours every day. She is located in the school hallway. In the afternoons we have a second officer.

It is up to each of us as teachers and librarian to enforce order and the following of rules within our classrooms/library. We give direct orders. We issue warnings for wrong behavior. We write incident reports. We ^{write} conduct reports for serious rules violations. We break up arguments, and at times even fights.

We receive training every year regarding the Emergency Preparedness Plan for the institution to deal with the potential of future disturbances. We are regularly encouraged to think through and have a plan of escape should the situation arise... to know what we would do to notify help when something "jumps off"... to identify where we would hide if we have the time to get there.

As non-security staff, we are highly encouraged to participate in POSC (Principles of Subject Control) training. I have done so three times so far. It is training that all the officers go through as well. It is for the purpose of being prepared to deal with verbally and physically assaultive inmates. It equips us with verbal and physical skills to help deescalate the situation and, if need be, to physically protect ourselves. We wear mouthpieces. We learn to strike in defense with kicks and jabs. To yell out commands to back off.

I realize there is the present reality of a very tough fiscal situation for state government currently. I only ask that you strongly consider both the past history and present reality which real live, flesh and blood teachers, librarians, and social workers face on a daily basis in our state institutions, dealing with these dangerous realities as we serve the state of Wisconsin.

Thank you.



11/16/05

Nowlan, Andrew

To: Lewis, Kimberly
Subject: AB 233

Kim,

Did you contact the office of Rep. Garey Bies regarding AB 233 pertaining to protective status for certain employees at the Winnebago Mental Health Institute, Mendota Mental Institution and Wisconsin Resource Center? No return contact information was provided so I hope I have the right person.

If I have the correct Kim, I just wanted to give you an update on the legislation. The bill remains in the Assembly Corrections Committee and no further action concerning the legislation is anticipated. Three problems were cited, one being the groups of employees not included, the second being that certain committee members felt the issue of protective status under WRS should be an issue for collective bargaining, and the third and ultimately decisive problem arose with the fiscal impact the legislation would have upon the state. The state simply cannot afford what the bill would require, as unfortunate as that may be.

It is possible that the author of the legislation (Rep. Musser) may bring the proposal forward again in a future session. I would recommend contacting him at that time regarding the inclusion of additional classes of employees.

Andrew Nowlan
Research Assistant
Office of Rep. Garey Bies

11-11-05

Dear Mr. Bies,

I am writing in reference to Assembly Bill 233 which allows for "protective status" of employees of Winnebago Mental Health Institution, Mendota Mental Institution and Wisconsin Resource Center. I am requesting the bill be amended to include social workers, psychologists/psychological associates and substance abuse counselors employed at the above named facilities.

The social workers, psychologists/psychological associates and substance abuse counselors employed within the state run facilities also work directly with patients/inmates on a daily basis. The above disciplines have already been assaulted by the population served due to the nature of their jobs and being in milieu of the clients served while performing such duties as facilitating groups and meeting one to one with patients/inmates. We place ourselves in potentially dangerous situations on a daily basis just as those employees already listed in Assembly Bill 233.

I strongly recommend that Assembly Bill 233 be amended in order to allow social workers, psychologists/psychological associates and substance abuse counselors the protection they deserve. Thank you for your time and consideration.

Sincerely,

Kim Lewis MSW, CASW
Social Worker
Winnebago Mental Health Institute

*we need to do a
letter reminding people
of what the protective
status is a best.*



no date

Good Morning, I am Karla Kammer and I am employed at Lincoln Hills, Department of Juvenile Corrections in Irma, WI. I worked as a Youth Counselor for 8 years, at which time I was covered under Protective ^{status} services. I have worked as a teacher for the past 10 years. Many of my job responsibilities are different in each position. However, many are the same. I have a responsibility to insure the safety and security of the youth in my care, of my co-workers, and the institution. I am required to enforce rules and to discipline ^{the inmates} students that do not follow these rules. I work with ^{inmates} students that suffer with mental illness, learning disabilities, and severe emotional problems. These ^{inmates} students are placed at LHS because they do not know how or choose not to follow the rules. They are impulsive and do not think of the consequences of their actions. I believe I am fair, but firm when I discipline my students. Obviously they are less than happy when they receive disciplines, and at times they react unpleasantly. I have been verbally abused, have had chairs thrown at me, and have been threatened ^{punched, kicked} at times. I have been injured breaking up fights. On one occasion I injured my shoulder as a result of trying to stop a fight. It was in the school hallway and a fight broke out between two rival gang members. There were approx. 40 students in the hallway at the

time. There were 2 teachers and 2 YC's there, ~~at the time~~. When the fight broke out, one YC was knocked to the ground, while another YC restrained one of the students, and I restrained the other student using a POSC technique that all staff at LHS is trained in. You could feel the tension in the hallway as there were many students from each of the gangs watching the fight; it was very uncomfortable waiting for more help to arrive, with the fear of other's trying to join in on the fight. Luckily help arrived quickly and the situation was taken care of safely.

As a Youth Counselor I always worked with a partner. We were able to bounce ideas off on each other. Work together with the youth ^{inmates} and it was always nice to have a second set of eyes when dealing ^{+ Back up.} with this cliental. As a teacher I am alone with my students ^{the inmates} for all of my classes. I am a vocational teacher, I teach building construction to the older youth of the institution. I enjoy my job; I enjoy watching these young men as they complete a module room and the pride that comes with completing something, which for some of them is a first. However, I am always aware that tools that I hand out to them could become weapons if they ~~became~~ angry. On one occasion, two

students were in an argument. One student had a hammer in his hand, I told him to set down the hammer and he needed to go to the school office. I walked to the phone to call for help as the student followed me, still carrying the hammer. As I dialed the emergency phone number, I continued to direct the student to put the hammer down. He finally did follow my directive, just as help arrived. As I said, I enjoy my job but I am constantly aware that there are many dangers that come with it. As an YC, I wore a body alarm. This was an alarm that I wore on a belt around my waist. I could push a button and call for help in an emergency. Also, if I was knocked down, the alarm would sound to the communication center and they would send the security patrol to my aid. As a teacher I have an emergency button on the wall I can push for help or I can use the phone to call for help. If I'm knocked down or knocked unconscious, I need to rely on one of the youth in my care to call for help. That is not a very safe feeling.

On another occasion, as I was checking the shadow board in my tool room ^a and student came and stood by me. He whispered "Ms. Kammer there is a plan to assault you". I replied "when". He said "in about 5 minutes" I went directly to my phone and called my

supervisor who immediately arrived with the security patrol. Upon an investigation it was discovered that two students had planned on stealing my car keys and wire cutters to cut the fence. They had a metal coffee can lid hidden outside my class room. They planned on locking me in my tool room but they would use the coffee can lid if I became a problem. Thank god for the student that informed me of the plan. Several weeks after this incident I talked to one of the students that was involved in the assault plan about the possible effects of his actions on me. He replied "we never gave that much thought."

For most of the time I go to work each day and teach my classes without incident. However, on occasion, a serious incident like this one is a reminder of where I work and what could happen while doing my job. I enjoyed my job as a Youth counselor and now as a teacher. Both are very rewarding and both have the potential of being very dangerous. One has protective service status, one does not. Please make right the injustice of this. Thank you.



AB 233- Musser
WRS Classification

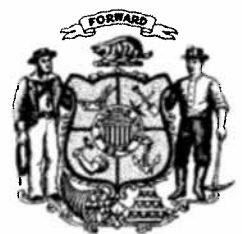
Classification for staff working within correctional facilities.

Protective service for those working in a dangerous place.

All individuals that would be affected by this legislation are state employees.



WISCONSIN STATE LEGISLATURE



WTR-

847 977-2010

AB 233

(920) 410-5354

AB 233

Dobyns, Raem

1004 Honey creek Rd

Oakloch

920 41

Jose Rodriguez

DOB 2145

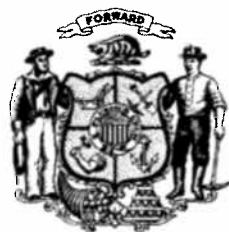
Oakloch 54903

Ann - Suder

Stephanie Henning



WISCONSIN STATE LEGISLATURE



Kim Johnson
Social Worker
(Racine Youthful Offender
Correctional Facility)

Called to register in
favour of AB-233.

Contact: 414-933-3317

Linda Craemer
Social Worker
Flambeau Correctional Center
Cont: - 715-585-6394 Ex 206

Marc Herstand
Ex Director
National Asso Social Workers
Wisconsin Chapter
257-6334

AB 233

See Owens objections - ^{Sunder} peace medal

AA1

Expands to social workers employed
by DHFS at social resource centers.

This is not a bargaining item.

Bill - teachers & librarians employed
by DOC.

↳

DOC social workers are under
protective status.