

## H A R L A N   R I C H A R D S

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### The Great Bratwurst Caper

Wisconsin is renowned for its brats, especially when they are cooked on a grill at a tailgate party. But brats in prison, however, are an entirely different matter.

Stanley prison recently added brats to its regular menu rotation so once every 4 weeks we are served brats - not very good brats, but brats nonetheless. The last time brats were scheduled to be served, they were canceled at the last minute and hamburgers were substituted (the hamburgers aren't very good, either). A kitchen staff member noticed that the brats contained pork and this prison doesn't usually serve pork. The brats were most likely surplus products purchased at a discount by the DOC.

Pork is not served because there are many registered Muslims and Jews in prison who refuse to eat pork. The brats were re-scheduled and announcements were made to let the Muslims and Jews opt out of being served pork brats and receive a substitute entree which in this case was a hot dog. When it came time to serve the meal, the kitchen staff sent down only enough brats to serve the non-Muslim and non-Jewish prisoners. Instead of being allowed to opt out of eating pork, all Muslims and Jews were ordered to accept the non-pork meal.

I should point out that there really aren't any Jews in this prison (I know this because a few months ago a rabbi came to Stanley to conduct services for the dozens of prisoners who claimed to be Jewish and not one of them showed up for the service). The Religious Freedom Restoration Act (RFRA) mandates that prison officials have a duty to provide resources for prisoners to practice their sincerely held religious beliefs - including kosher and other dietary restrictions. The kosher diet the prison provides under the RFRA is substantially better than the regular prison diet and Jews are also entitled to special meals on holidays like Passover. Many prisoners have designated Judaism as their religion so they can eat a daily kosher diet and/or qualify for the special meals on holidays.

One guy who was registered as a Jew but was eating the regular meals and only ate the Jewish food on holidays refused to accept the substitute meal. At meal time, he took a regular tray and ate the pork brat after being told not to. The guard wrote him a conduct report and that evening he was placed in segregation. Prisoners are sometimes placed in seg when accused of violating rules if a supervisor feels he would pose a threat if left in the general population. In this case, I suspect it was the blatant refusal to obey the guard that outraged him and prompted him to write the conduct report.

Whenever a prisoner is placed in segregation on pending charges, the security director reviews the placement and conduct report the next day to see whether the line supervisor's actions were justified. In this case, the prisoner was released from seg but the conduct report was processed. He is now scheduled for a disciplinary hearing to determine whether he is guilty of a rule violation. He could still end up in seg as punishment or get a lesser penalty or be found not guilty.

The RFRA was a Godsend for prisoners when it was enacted. The U.S. Supreme Court had circumscribed a prisoner's right to practice his or her religion to such an extent, many prisoners could not worship freely. But the manner in which Wisconsin prison officials chose to capitulate on the kosher food issue under the pretext of complying with the RFRA harms all of us. Kosher meals are expensive to provide - substantially more expensive than the regular prison meals. The food budget is set at a predetermined level. For every kosher meal provided to a pseudo-Jew, there is less money to provide palatable food for the rest of us.

In a previous blog, I stated that although the food was not great, it was not that bad. I equated it with the average American diet. I now wish to retract that assertion. In the 2 years I've been here, food service staff have been constantly revising the menu and lowering the quality and quantity of food they serve us. In the 28 years I've been in prison, this is the worst food I've ever had. It was never like this at any other prison I've been in and from what I can see, the other prisons are not doing what is being done in Stanley.

But this blog is about the ridiculousness of the brat incident. Why would the prisoner defy the guard and eat the forbidden brat? Why would the guard take it so personal and write a conduct report and have the prisoner placed in seg? This sort of pettiness is endemic to prison life. For someone living in the free world, this may sound surreal. For those of us in prison, it is how we live our lives. Is it any wonder why a prisoner who spends decades in prison has a hard time adapting to free society?