

H A R L A N R I C H A R D S

January 9, 2014

Mirror, Mirror, On the Wall,
Who's Done the Most Time of All?

I read an article in Prison Legal News a few months ago (August 2013, prisonlegalnews.org) about a prisoner who had served 60 years in Texas prisons in several separate incarcerations. The article went on to tell of an Illinois prisoner (now deceased) who served 65 years without release and further mentioned a New York prisoner who had been incarcerated since 1963 and a Florida prisoner who has been in since 1967. Wisconsin has similar examples of long-serving prisoners.

In my opinion, there is a profound difference between serving a long sentence in one long stretch and serving multiple short sentences over the same time period. The latter situation is what prisoners refer to a "doing life on the installment plan." The guys who keep bopping in and out of prison do not suffer the same psychological damage as long timers who do not get a break in their sentences. Short-timers are able to re-normalize themselves upon release. They seem to recharge their emotional batteries and are able to come back for another round of misery.

Even the break I had being at a work release center had a positive impact on my ability to cope with the bizarreness of prison life after I returned to medium security. That's why I am going to discuss only those Wisconsin prisoners who have never been released.

Wisconsin has many lifers who have served decades beyond all reason without ever being released. The longest serving prisoner I know of, Garold Rheinschmidt, was admitted to prison on January 13, 1960 and is now 72 years old. He will have served 54 years on January 13th. Next in line is Michael Herrington (July 8, 1967) who will be 71 years-old in March. Then comes John Mikulovsky (June 15, 1968), age 66, followed by Harry Hebard (October 4, 1968), age 67; P. Mikulovsky (February 18, 1969), age 63; and Clifton Wells (June 17, 1969), age 73.

The following chart shows how many lifers are still in prison who were incarcerated in 1984 or earlier.

(Harlan Richards/page two/January 9, 2014)

Year of Admission	# Prisoners	Year of Admission	# Prisoners
1960	1	1977	6
1967	1	1978	6
1968	2	1979	9
1969	2	1980	11
1971	2	1981	17
1973	3	1982	20
1974	4	1983	14
1975	1	1984	20
1976	6	Total	125

There are 122 lifers still in prison who have served more than the 29 years I have served. There are currently over 1,000 lifers in the Wisconsin prisons. The data presented do not include prisoners who were released and reincarcerated, many of whom have served equivalent amounts of time over multiple terms of incarceration.

I don't have comprehensive data on releases prior to 1980. I do know that it was customary in the 1970s for the governor to commute life sentences to 30-50 years which allowed those prisoners to be released on parole prior to their 11 year, 3 month parole eligibility. I no longer have the data on clemency but I do remember that one person had his life sentence commuted to time served after serving 5 years in prison. Clemency and early release for lifers was commonplace until Tommy Thompson became governor in 1984. He barred prisoners from applying for clemency which ended early release for lifers. His infamous letter of April 28, 1994 tells it all: "The policy of this administration is to keep violent offenders in prison as long as possible under the law" (see letter attached to this blog).

In 1980, there were only 2 lifers in prison who had served over 20 years (and none over 30 years). In 2009, there were 255 lifers in prison with 20 or more years served (see graphs submitted with the May 9, 2011 blog). Each year, dozens more lifers reach the 20-year milestone, many of whom will have many more years to serve before a realistic chance at release on parole.

It boggles my mind how callous and unfeeling state bureaucrats can be - condemning prisoners to decades in prison regardless of their suitability for release.

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I wonder, does the governor seek out the most cold-hearted, vindictive people he can find to fill these positions? Or do they sell their integrity for the chance of a fat pay check as a member of the parole commission? I remember a book called the Sociopath Next Door, or something like that. It spoke of

people who appeared to be normal people but who were actually sociopaths who sought out positions of power and authority so they could inflict sadistic and cruel torment on others. They pretended to be making rational decisions while all the time they were feeding their sick desire to harm others.

I could not do to prisoners what the parole commission is doing. They routinely deny parole to men and women who have spent decades in prison using nonsensical, arbitrary rationales and justifications. These prisoners have turned their lives around, remade themselves into model citizens who want nothing more than a chance to prove themselves. But they can't make it to reduced security, let alone get a parole, because a transfer requires an endorsement from the parole commission.

As sick and disgusting as the parole commission's behavior is, what is even more reprehensible is the refusal of judges to rein in their horrendous abuse of their authority. Prisoners are powerless victims of a system which exists solely to self-perpetuate. Their only hope is for the courts to protect them and when judges abdicate their duty to do so, they are left to suffer the consequences.

In decades to come, our descendants will look back on this era in shock and horror the same way we now look back on the slavery which existed in the U.S. until the 19th century. Prisoners are the only class of people still treated as chattels and kept imprisoned to benefit the prison industrial complex.