

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

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Wisconsin Prison Litigation Reform Act

I'd like to talk about the Wisconsin Prison Litigation Reform Act. It has been around for about 20 years so the law is pretty well settled. It's stated purpose was to eliminate all prisoner litigation at taxpayer expense. In reality, it works to eliminate all prisoner litigation. Let me tell you my latest experience.

I filed a mandamus action to get access to documents the prison had concerning me. They have a new COMPAS system which is supposed to rate prisoners based on their risk levels. In actuality, all it does is give the prison authorities an opportunity to create fictitious program needs to justify making us take programs. Anyway, they will not let anyone have copies of their COMPAS assessment so I filed the mandamus action to get access.

I must pay the filing and service fees. If I have money in my regular account I can use that or I can access funds in any restricted accounts with a court order. I sought an order from the court to pay the filing and service fees from my release account (they withhold 10% of all money I receive and place it in a release account) and work release account (an account where prisoners on work release have their funds placed until their release). The court issued a general order to allow me to do this.

The prison business office refused to let me use funds from my work release account so I had to write to the judge and he issued a specific order for me to do so. Then I tried to use my release account to pay the service fees and they once again refused to let me pay the fees. I wrote to the judge 3 separate times and each time he refused to issue an order to pay the service fees from my release account.

This is my money I'm talking about. I have adequate funds to pay the service fees but can't get at it. Once my action is filed (when the filing fee is paid) I have 90 days to serve the action or it is automatically dismissed. Guess what? I was never able to pay the service fee in time. The only thing that prevented me from getting my action dismissed was someone in the free world paying the fee for me.

What is wrong with these people? How can they be so mean spirited and vindictive? Judges in Wisconsin make \$120,000 per year in wages. I make \$30 per month. Yet the judge sat back with his \$120,000 per year making sure I could not get \$35 from my release account to pay the filing fee. How many work hours did he spend making sure I couldn't serve my action? How many hundreds or thousands of taxpayer dollars went toward paying him to keep me from accessing my release account?

The prison staff in the business office are no better. They all make \$30,000 and up taking care of prison accounts. How many tax dollars went to pay them to keep me from getting access to my release account? For all the money wasted on blocking me from access to my account, they could have paid the service fee for me and saved the state a pile of money.

To be honest, I have never encountered this situation before. I have filed numerous actions and gotten numerous court orders from judges allowing me to access my release and work release accounts to pay filing and service fees.

It makes me wonder, though. What kind of decision can I expect from a judge who will not even grant me access to my funds to pay the service fees?