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Reply I.D. - Blog4HR

A Letter I Sent to the Milwaukee Journal-Sentinel
by Nate A. Lindell, created 5 Dec. 2016

* Readers, one of you please send this post to: alan.madry@marquette.edu;
scott.idleman@marquette.edu; state sen. Lena Taylor @ legis.wisconsin.gov;
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After reading Tom Kertscher's (facebook.com/politifactswisconsin)
27 Nov. '16 Politifact article (journal-sentinel.com) about state
senator Lena Taylor's renewed effort to abolish all slavery in WI,
I sent the following letter to the editor so they might correct the
falsehoods in it:

Editor, Milw. Journal-Sentinel

Re: 27 Nov. Politifact of Sen. Taylor's Proposed Ban
on Slavery.

Dear Editor:

Kertscher's analysis must be rated "mostly false", because:

- Sen. Taylor was being P.C. when she said the W.D.O.C. isn't currently enslaving prisoners, as many White voters would shut down had she said the truth. "Paying" prisoners 5¢ an hour for work, or even \$2 an hour (which doesn't happen^①) is slave wages, which we must use to buy shower shoes, toothpaste, postage, supplement our meagre diet; etc., which the W.D.O.C. doesn't provide or provide enough; then half of any pay is taking [sic] to pay fees for our criminal cases^② - and the W.D.O.C. has recently obliged thousands of us to pay such fees, which we've already paid.^③

- the W.D.O.C. misled Kertscher - as it misled the media in saying it no longer uses long-term solitary confinement^④ - when it said we can make \$2 an hour. Policy^⑤ says we can make 43¢ an hour, tops, and code^⑥ only permits 5% of payroll to cover that wage; most prisoners are paid between 19 and 35 cents an hour for work.

- the W.D.O.C. further lied in saying we're not required

to work. Here at W.S.P.F. refusing to work, if one's in Admin. Confinement (solitary), you'll be kept on Admin. Conf.; and refusal to work violates the rules⁸ may result in punishment, solitary confinement, and will result in loss of hobby and library "privileges".

• the law professors cited [their e-mails are noted above] are wrong in multiple regards:

1) work need not be rationally related to any interest — that requirement only applies to First Amendment rights,⁹ & convicts have no right to not be enslaved; 2) the W.D.O.C. could force us to do any work,¹⁰ so long as it's not cruel & unusual punishment.¹¹

Sen. Taylor's proposal is desperately needed to pull WI out of the regressive Jim Crow mentality that led Angola Plantation being converted into Angola Penitentiary in response to the so-called end of slavery.

Sources:

1. See D.A.I. Policy & Procedure 309.55.01. 429 is the top wage.
2. " " 309.45.02, et seq.
3. Multiple prisoners, including myself, have filed John Doe Petitions in Dane Co. Cir. Court & elsewhere about this. In my case I'm being obliged to pay \$38 in restitution for Case No. 97-CF-140, when no restitution was ordered, etc. Violates multiple felony statutes.
4. D.A.I. P&P 303.00.04, at sub. IX, seems to say we can't get more than 90 days in seg, but sub. XI gives 23 reasons that can justify exceeding that, including "other factors."
5. D.A.I. P&P 309.55.01 ; 6. Wis. Admin. Code §DOC 303.55(5)(b).
7. To get out of A.C. status we must do the High-Risk Offender Program, which those refusing to work are kicked out of.
8. §DOC 303.62 Refusal to work or attend school.
9. See, e.g., Lindell v. Frank, 377 F.3d 655, 660 (7th Cir. 2004).
10. See, e.g., Ali v. Johnson, 259 F.3d 317, 318 (5th Cir. 2001) (A convict may be forced to do hard labor, even if state law didn't say so).
11. See, e.g., Farmer v. Brennan, 511 U.S. 825, 836 (1994)