

State of Wisconsin Circuit Court Columbia County

Nate A. Lindell,
Petitioner

v.

John Does
Defendants

Case No. 19-JD-

006
FILED
JUN 5 2019
CIRCUIT COURT COLUMBIA COUNTY WI

To: Clerk, Columbia Co. Cir. Ct. 400 DeWitt St.
Portage, WI 53901

Pursuant to §968.26, stat., petitioner asks this court to initiate a John-Doe Proceeding, directing the D.A. to investigate this matter to determine what crime(s) have been committed & prosecute them; and, if, upon conclusion of said investigation, the D.A. declines any prosecutions, that the D.A. provide this court & petitioner with the investigation's file and explain why prosecution was declined. This court then ought to direct appropriate prosecutions.

Petitioner believes that these crimes have been committed, as Party to a crime, §939.05(2), stat.

§943.392 Fraudulent data altering

§943.39 Fraudulent writings, sub. (1)

§946.12 Misconduct in public office, subs. (2) & (4)

§943.20 Theft, sub (b)

The facts that support Lindell's beliefs are as follows:

- 1) [REDACTED] C.C.I.'s Corrections Services Manager has a memo posted on the institution's news/notices channel. This memo is dated 22 Feb. 2019, as I recall. In this memo it states that prisoners released from Disciplinary Separation ("seg") status must be on "Volun-

tary Unassigned" status for 90 days after release from seg. In Voluntary unassigned status, prisoners are denied prison pay and are denied vocational classes, etc. In her memo, [REDACTED] claims that DAI Policy & Procedure 309.55.01 (as I recall, I lack my T.V. right now, but this memo is still posted) authorizes her to do/say this. However, after reviewing DAI P+P 309.55.01, I saw that it in no way authorizes forcing any prisoners — either those just let out of seg. or others — to be on Voluntary unassigned status.

Wis. Admin. Code § DOC 309.55 makes clear, at sub. (4), that only those actually in seg. or who "Refuse [] any work..." may be denied pay. At sub. (7) it makes clear that those on "1. Involuntarily unassigned" — those willing to work but whom staff decline to employ — must be paid. (The rate of pay isn't relevant, but it's 9\$/month)

After 20+ years in W.I. prisons, this is the first time I've seen the Administration try to force prisoners let out of seg. into a voluntary status & thereby deny pay & schooling.

So, I wrote the DOC Secretary objecting to this, doing so on 18 April 2019. I received a response to that letter on 30 April, drafted by a [REDACTED] as I recall — I can only recall this because I attached both my letter & the response letter to an Inmate Complaint (I.C.) that I filed on May 5th & that complaint was never acknowledged nor the letters returned. (I.C. Examiner [REDACTED] & [REDACTED] told me on 31 May '19 that they never received the I.C.) I believe the I.C. & letters were lost on purpose, to conceal an ongoing crime(s).

This petition is pending, has not been dismissed.
But it hasn't been investigated!

Not surprisingly, staff here are continuing to deny i/ms their pay for 90 days (totalling 24\$ per i/m), even ignoring their complaints (I.C.s) about it. Most guys lack the motivation and the knowledge to assert their rights; at least they now have the knowledge, so please share this w/ prisoner-activists in WI.

I've learned that this refusal to pay i/ms what they're due under WI Admin. § DOC 309.55 (7) is happening in many other prisons.

Nickles & dimes is how embezzlement works. Thousands of nickles and dimes (the W.D.O.C. has 24,000-plus i/ms, 3,000-plus seg. cells — thousands of guys are let out of seg. each month) add up to a lot of money.

Who's getting this money?!

As Deepthroat, I think, said: Follow the money!

"Getch yo hand out my pocket!" ☺