

# MOSES



Madison Organizing in Strength, Equality, and Solidarity  
**for Criminal Justice Reform**

## In this issue:

Old Law Parole

Organizer's Corner

Upcoming Events

Quotes from People Eligible for Parole

Book Review

## Old Law Parole

### Who is Daniel Gabler and Why You Should Care

by Alison Mix, member, WISDOM Old Law Parole workgroup

On August 23rd, the Wisconsin Senate Committee on Judiciary and Public Safety held a public hearing at the Capitol concerning the nomination of Daniel Gabler as chair of the Parole Commission. The chair makes the ultimate decisions about which inmates will be released back into society.

Members of MOSES, WISDOM and EXPO attended the hearing – along with others from around the state – not just to protest Gabler's confirmation, but also to speak out against parole practices they consider unfair. In fact, so many activists showed up that the hearing had to be moved to a larger room.

While nobody doubted that Walker nominee Gabler would be confirmed, the aim of MOSES members and others was to ask legislators to impose a condition on his confirmation: that he commit to a thorough and public review of the parole process that many consider to be badly broken.

WISDOM Organizer David Liners found Gabler's performance at the hearing "unimpressive" and reported afterwards that,

though he has been on the job as an interim since early March, the nominee seemed to lack understanding of some very basic things. "For example," wrote Liners, "he twice said that all of the parole-eligible people are 'murderers and rapists'. This is simply not true; lots of parole-eligible people were convicted of crimes like being accomplices to an armed robbery, for example."

In the same vein, when asked why the rate of granting

parole was so low, Gabler claimed that the reason was because these people were "the worst of the worst". This betrays an inability to accept what judges under the "old law" recognized, namely that people can change in positive ways in prison. In those days, they deliberately set sentences with parole in mind.

Although Gabler later corrected himself, saying that he was referring to the crimes people committed and didn't mean to say they were intrinsically bad people, WISDOM's Liners was unconvinced: "His original statement sounded like what he really meant to say."



*continued on page 3*

## Executive Committee

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## Organizer's Corner

I have used this analogy many times: the criminal justice system is like a large boulder and each organization that works on criminal justice reform is like a droplet of water. If each of us works diligently on the section of rock before us, then over time, just as the Colorado River created the Grand Canyon, we will erode a section of rock. Thus, boosted by the efforts of other organizations, we will make indelible marks that will alter the boulder now and into the future. There are many organizations in Madison, in Wisconsin, and in the country that are working hard to make a difference in the lives of so many incarcerated people and their loved ones. Our work is necessary and important. The many people who are incarcerated count on us.

This newsletter is one way of keeping the community aware of what our "droplet" is doing to continue with the goal and mission of changing the criminal justice system. And we also want this to be a means for you to connect with us and let your concerns be heard as we work together to make our communities healthy.

In this issue, we focus on Old Law Parole which is central to the lives of approximately 3,000 people currently in prison under the old law and the family members and friends who support and care about them. MOSES and WISDOM seek justice for these folks, many of whom have served more than their time, yet are relegated to a limbo of inertia by the Department of Corrections. It is time for their stories to be

told, their accomplishments to be validated, and justice to be served.

A panel discussion on the book *Just Mercy* will take place on October 11th at 7:00 p.m. at St. Luke's Episcopal Church at 4011 Major Avenue. The panelists will be U.W.-Madison Professor Cecelia Klingele, J.D., and yours truly. Please come out and support us.

On October 14th MOSES will be engaging in our first Integrated Voter Engagement (IVE) campaign in Madison. Volunteers will be going to one or two neighborhoods to knock on doors, speak about our issues, and encourage people to register to vote. If you are interested in participating in this effort, please email or call me.

On December 9th MOSES will be having our year-end banquet and fundraiser, to be held at Christ Presbyterian Church. This is a time for celebrating our accomplishments and raising funds to enable us to continue our justice work. Please mark your calendars for this event and look for details in the coming weeks on our Facebook page, website and email notifications.



Frank Davis, Community Organizer  
32davisfrank@gmail.com  
(608) 445-9811

## Upcoming Events

### WISDOM conference calls (605) 468-8012

**New Number**

- Old Law: October 9 and November 14 at 8:30 am (code 423950)
- Solitary Confinement: October 12 and November 10 at 4:00 pm (code 423950)
- Prison Prevention: October 12 and November 10 at 5:00 pm (code 423950)
- Post-Release: October 19 at 7:30 pm and November 23 at 7:30 pm (code 423951)

### MOSES Task Force: Justice System Reform (MJSR)

- MJSR Monthly Meeting: October 12 and November 9  
6:30-8:30 at Madison Police Station South District, 825 Hughes Place

### Events

- Annual MOSES Banquet: Saturday, December 9, 5:30-8:30 pm at Christ Presbyterian Church

### Next MOSES monthly meeting: 9:30 Coffee & conversation, 10:00-noon meeting.

- November 4 at Midvale Community Church, 4329 Tokay Blvd.

Joining one or more of the WISDOM conference calls is easy and can be very informative.

At the appointed date and time:

- Call (605) 468-8012
- Enter the code after the bleep
- State your name and that you are from MOSES after the greeting
- Listen, learn, and contribute as you wish

Old Law Parole: code 423950

Solitary Confinement: code 423950

Prison Prevention: code 423950

Post-Release: code 423951

# Old Law Parole continued from page 1

## Background: What does “old law” mean?

In 2000, Wisconsin’s 1998 truth-in-sentencing law took effect. Authored by then state assemblyman Scott Walker, the law was considered one of the toughest in the nation, virtually eliminating parole as an institution. (The Legislature softened the law a bit the following decade, but then reinstated it in full in 2011.) Wisconsin’s action was in part in order to qualify for federal incentive grants to build or expand correctional facilities through the Violent Offender Incarceration and Truth-in-Sentencing Incentive Grants Program contained in the Clinton-era 1994 Crime Act.

Before January 1, 2000, when judges sentenced people to prison, they understood that they would be eligible for parole after 25 percent of that time. In those days, most people who applied for parole gained their release within the first few years they were eligible. In recent years, the percentage of eligible people released on parole has dropped to about 5 percent, meaning that the vast majority of what are called “old law” prisoners are serving much more time than the judges who originally sentenced them anticipated.

By contrast, while those convicted of a crime since 2000 are expected to serve the sentence they are given, those sentences are substantially shorter than for similar crimes under the “old law” when it was understood that people would be released on parole after serving only a fraction of their sentence.

## “Old Law” prisoners

The number of prisoners sentenced before 2000 and therefore affected by this unfair and inequitable treatment is substantial, amounting to nearly 3,000 people. Of these, nearly two-thirds, have reached their parole eligibility date. Moreover, more than 400 are so low-risk that they leave the prisons every day to work unsupervised in the community, even in some cases to care for the grounds of the Capitol.

By definition, all of these prisoners have already served at least 17 years. MOSES and other advocates argue that the judges who originally sentenced these offenders did so with the understanding that they would be eligible for parole, yet they are now being judged by truth-in-sentencing criteria.

Sen. Lena Taylor, D-Milwaukee, a member of the Committee on Judiciary and Public Safety, spoke at considerable

*“Aside from the education I received, I also participated in a few groups that helped me gain a whole new perspective into how my life and the choices I made impacted society and how I stood as a member of society.”*  
~ K.C.

length at the August 23 confirmation hearing – and passionately. “These 3,000 individuals are kind of stuck in a twilight zone,” she said, adding that attaining parole in Wisconsin is “like the camel trying to go through the eye of the needle.”

Advocates at the meeting noted that inmates are often told they’ve served “insufficient time” as a reason to deny parole or are told to complete programming that their prisons don’t have the capacity to offer them, which Sen. Taylor compared to “saying you can go through the door, but the door is locked”. Taylor asked Gabler what a “sufficient amount of time was,” and Gabler said that there was no formula to determine a sufficient amount of time, and that he considers many factors, including social connections, work skills and the attitude of the inmate.

The fact remains that the number of prisoners released each year on parole has plummeted. Whereas 1,146 inmates were released on parole in 2005, representing more than 20 percent of requests, only 132 were released in 2012, or just over 5 percent of parole requests.

Many parole-eligible people are elderly and/or seriously ill. Those people should be identified and moved through the release process as quickly as possible.

Old law prisoners cost taxpayers more than \$95 million per year. But even more important than the monetary cost is the cost in frustration and suffering

not only on the part of the prisoners themselves, but also of their families.

There has been a disturbing lack of transparency and accountability for the decisions of the Parole Commission. There is no appeal process, and no outside review. While very little data seems to have been kept, inmates who have completed required programming are still denied parole. There have been inexplicable reports that extol exemplary conduct and yet still deny parole. MOSES supports WISDOM’s call for the appointment of an Ombudsman select-

*“I have changed a lot since I committed my crime. I have a whole new thought process now. I am a man now, I no longer think like a child and I no longer let others think for me. I have an outstanding institutional adjustment.”*

*“Though I cannot change the past, I work diligently each moment to improve myself and never bring harm to another person ever again.”*  
~R.T.

## Old Law Parole continued from page 3

ed by the Wisconsin Supreme Court, with the authority to ensure that people eligible for parole are not lost, languishing and forgotten.

*“The AODA program (Alcohol and Other Drug Abuse) is supposed to be here at Oakhill but they are still looking for someone to run that program, which can be whenever. Now I’m sitting here with hopes of AODA starting soon and the Program Director honoring my endorsement. I’m unable to transition here because of the AODA program being unmet, the program I’m desperately trying to take. I’ve been denied parole over ten times basically for the same reason.” ~D.A.D*

### What you can do

At the time of this writing, Gabler has still not been confirmed. Until he is, you can still write to your state senator or representative (check the website [legis.wisconsin.gov](http://legis.wisconsin.gov) if you are not sure who they are) and ask them to insist, as a condition of being confirmed, that Gabler commit to conducting a thorough review of the 421 parole-eligible inmates in minimum or community custody who have met the DOC’s standard of safety. Sample letters are available from [alisonbmix@gmail.com](mailto:alisonbmix@gmail.com). Once he is confirmed, letters can be written to Gabler directly, keeping him in the spotlight and continuously aware that he will be held to account for his inaction. You can also join the WISDOM conference call on Old Law Parole and Compassionate Release which takes place from 8:30-9:30am on the second Saturday of every month. See page 2 for more details.

MOSES is supported by congregations, individuals and

## The Evjue Foundation

The charitable arm of *The Capital Times*  
as well as the Racine Dominican Mission Fund,  
the Sinsinawa Dominicans, and Summit Credit Union.

## You Are Needed

### Volunteers needed for the Annual Banquet:

To volunteer: please send a message to: [barbie.g.jackson@gmail.com](mailto:barbie.g.jackson@gmail.com).

- silent auction items needed: (valued over \$50)
- decorations and room set-up/clean-up
- food and beverage service
- welcome and engage guests during fellowship time

Get the word out:

- ask your congregation to sponsor a table or scholarship tickets (\$ to come)
- energize your congregation to become involved
- bring your friends

### MOSES Leadership Award nominations sought

Please consider nominating an individual or organization for the MOSES Leadership Award. Please include:

- Reasons you believe the person should receive the award. How has he/she promoted/supported/engaged in the issues of MOSES?
- What he/she has accomplished (a brief paragraph)
- Send nominations to Frank by October 13<sup>th</sup>

### Annual Banquet keynote speaker needed

- We are looking for a dynamic and energetic person able to speak in a way that will energize attendees.
- Internal and external speakers will be considered.
- Include a short paragraph outlining the reasons you think this person qualifies to be the keynote.
- Send nominations to Frank by October 13<sup>th</sup>.

### Become a welcoming presence!

Please consider assisting the current group in welcoming people to monthly MOSES meetings. This involves checking in members prior to meetings. We will consider your schedule but would expect you to be available at least quarterly. A brief training will be provided. If you are interested, please contact Karen Julesberg at [kejulesb@wisc.edu](mailto:kejulesb@wisc.edu) or 271-1701. Thank you.

### Yearbook ads sought

We are now accepting ads for the 2017 Yearbook. There are a variety of ad sizes and prices to meet every budget.

We ask you to appeal to your congregation, businesses you frequent, and organizations to which you belong to participate in this appeal. Yearbook ads provide great value because Yearbooks are distributed throughout the year and are a constant feature on our website.

To place an ad, visit the MOSES website at [www.MOSESMadison.org](http://www.MOSESMadison.org) and download an order form located under the Get Involved tab by selecting Yearbook and clicking on the link at the top of the page.

## Save the Date

# Saturday, December 9th MOSES Annual Banquet & Fundraiser



5:30-8:30 p.m.

Christ Presbyterian Church

Dress is celebration casual

Meal: buffet dinner

Watch your inbox for details

See page 4 for the many ways  
you can support this event

## Gratitude

Many thanks to the people who made our first Fundraising Breakfast a huge success. We appreciate the generosity of the attendees and the opportunity to inform them about the work of MOSES. Special thanks to Rachel and James Morgan, Sister Fran Hoffman, Sister Joan Durst, Chaplain Christa Fisher, Mary Anglim, Ann Lacy and Frank Davis for their persistence and belief in this event!



### Contraband

new jail proposals  
incarceration nation  
we are all in chains

Excerpted from  
*Snippets of Soul  
in Seventeen Syllables*  
by Roderick "Rudy" Bankston  
available at [iAmWeClassics.com](http://iAmWeClassics.com)

# Book Review: The Third Reconstruction

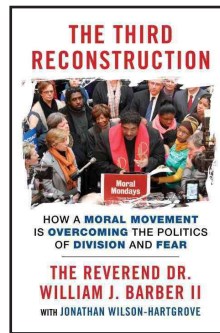
**How a Moral Movement is Overcoming the Politics of Division and Fear** by Pamela Gates

There's a lot packed into this little 126-page book: American history from an African American perspective, the current U.S. political scene, and a great deal of faith and hope that together we can move forward, "pledging our allegiance to the other America – the country that has not yet been but that one day shall be," as Jonathan Wilson-Hartgrove, the able facilitator of this book, says in his afterword. The book ends with an appendix for organizers, titled "14 Steps, Forward Together." It's all here: the facts of America past and present, the inspiration of a charismatic leader, and a blueprint for action; all that's missing is the hard, hard work of actually doing what must be done in our own state of Wisconsin.

In a series of interviews with Wilson-Hartgrove, Rev. Barber gives us a brief history of the first Reconstruction, after the Civil War, when coalitions of blacks and whites took power, more blacks were elected to public office than at any other time in American history, and some of our most progressive economic and labor laws were passed. He draws inspiration from that period and from the second Reconstruction, better known as the civil rights movement, facilitated by coalitions of blacks and whites who saw the fundamental necessity of expanding voting rights.

And now, in the 21st century, we've arrived at a Third Reconstruction, where "a moral movement is overcoming the politics of division and fear." It started in North Carolina, Barber's home state, with his involvement in several unionizing and community development efforts in poor communities. It culminated in the summer of 2013, when ultimately thousands of people demonstrated every Monday at the North Carolina Statehouse their extreme difficulty living under conditions being promoted there by such dark money organizations as ALEC (American Legislative Exchange Council). "Moral Mondays" have now spread to 14 states; Barber recently spoke in Milwaukee, to give Wisconsin an inspirational boost. The movement offers hope in a time of little hope and challenges us to keep on keeping on, no matter how bleak things look. We will find our hope, Barber says, in establishing fusion coalitions, in knowing that we are right ("a moral movement"), and in making friends of our enemies.

Barber calls the coalitions that are doing the work of the Third Reconstruction fusion coalitions: groups that have



come together to represent all of the people in any place against the interests of the powerful. Fusion coalitions are not just agreements to support each other's issues, he says; rather, we learn how our issues intersect in a complex moral agenda that demands everyone's transformation.

What does all this mean for MOSES and for WISDOM? How can this book be useful to us? In the "Appendix for Organizers," the authors outline 14 steps "for mobilizing in the streets, at the polls, and in the courtroom," beginning with a directive to "engage in indigenously led grassroots organizing across the state." One thing that means is that we need to maintain a strong relationship with EXPO (Ex-Prisoners Organizing) and work with them at all times. "Directly affected people are the best moral witnesses," Barber says. He constantly emphasizes that this is a moral movement: that it's morally necessary to take a stand when things are wrong, whether or not there's any assurance of political success. The other immediately obvious action we need to take is getting to know our legislators and finding the common ground between us, as David Liners has encouraged us to do.

Our job, says Wilson-Hartgrove in his afterword, is to undertake "the heavy lifting to create a multiethnic democracy." This work isn't behind us in our Civil War or in the civil rights movement, but very present in the Moral Movement of today ... fusion politics is about [taking] one step after another into a relationship with the people who are supposed to be our enemies."

I encourage everyone to read this book. It's short and well written and offers encouragement and a strong measure of hope, which we all need in times like these.

Rev. Barber gives us descriptions of Moral Monday stand-ins at the North Carolina state Legislature, of present-day fusion coalition successes in that state, and of the history that has brought us to the present day. Such history is useful in providing a base, to tell us how we got where we are and to help us figure out where we go next and how.

Barber does not give in to the fear created by dark money, the latest addition to the struggle; because he sees his as a moral movement, he is confident that it must win out in the end. A heavy backlash, he says, should encourage, not deter us, because resistance is confirmation that we are on the right track (p.65).