

Van H. Wanggaard

Wisconsin State Senator

TESTIMONY ON SENATE BILL 564

Thank you committee members for attending today's hearing on Senate Bill 564, which relates to prison vendors.

Inmates have different restrictions on their personal goods than you and I. A person cannot simply go into a Target or Walmart pick something up and send it to an inmate. It's not as simple as saying, "I'll buy this radio for my brother, I think he'd like it," and then choosing among the dozens of models. When buying something for someone in prison, you must buy from an approved list of products from an approved vendor that The Corrections contracts with to provide personal, hobby, or religious goods for their inmates.

To ensure competition, fairness, and maintain costs at a somewhat reasonable level, the Department of Corrections has an Administrative Rule, DOC Rule 309.52, which requires the Department of Corrections to contract with a "sufficient number of enterprises to ensure a reasonable selection and a competitive price."

Until 2 weeks ago, this was not a problem, as Corrections had contracted with three vendors to provide personal, hobby, and religious goods to inmates. But as of October 1, the Department made a determination that it would only contract with one vendor. Aside from apparently violating its own rule, granting a monopoly drives out the already limited choices inmates and their families have. It prohibits competition among vendors which almost always leads to lower prices and better service.

This bill corrects that problem, by requiring that the Department of Corrections contract with three vendors for personal, hobby, and religious items. In essence, it requires Corrections to continue doing what it did for at least the last thirty years, and follow its own rule.

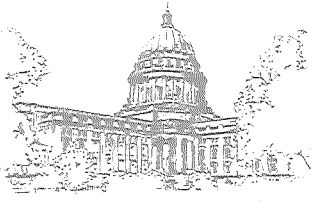
The bill also requires that the Department contract with at least one vendor with a storefront in the city of Milwaukee. There are two reasons for this: First, as our largest city and population area, Milwaukee-area residents represent a large portion of inmates in Wisconsin prisons. Logically, this makes sense. Second, having a storefront with a cash purchase option for goods along with someone to help navigate the catalog of products helps friends and families that come from areas with a lack of computer access, reading literacy, and access to credit or debit cards.

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Fundamentally, this bill does three things I think we can all get behind. One, it forces Department of Corrections to follow its own rule. Two, it forces competition to help provide the best costs and services to those buying goods for inmates. Finally, it ensures that friends and families that do not have online or phone access can still support their inmates.

I know that Corrections has some logistical concerns with the bill, and we're working with them to solve those issues. But at the end of the day, this bill is about those three principles and it deserves your support.



STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

Senate Committee on Judiciary and Public Safety
Testimony on Senate Bill 564
October 14, 2021

Good morning members of the committee,

Thank you for the opportunity to testify on behalf of this proposal—Senate Bill 564 (SB 564)—which requires the Department of Corrections (DOC) to contract with no fewer than three vendors to provide hobby, religious, and other personal property items for sale to inmates in state correctional institutions. It also provides that one contracted vendor must maintain a storefront in the city of Milwaukee where a third party may place an order for items to be delivered to an inmate.

The necessity for this bill is that, last year, the Department of Corrections awarded an exclusive contract to Union Supply, a California-based company, for the provision of personal property items for sale to inmates in state correctional institutions. This upended over 30 years of Departmental contracting practices, codified in Admin. Rule DOC 309.52 Canteen, which had always maintained multiple vendors for personal items to state inmates.

This sudden grant of a monopoly to one company also removes the only in-person retail option for families that are unbanked or lack easy access to the internet for online purchases. Jack L. Marcus, Inc., has maintained a retail location on Milwaukee's Northwest side for over 60 years, and prior to this move, had contracted with DOC to provide personal property items to inmates and their loved ones for over 30 years. DOC's move not only changes decades of past practices, it will subject vulnerable persons in our care and their families to potential price increases without any market competition and deny them the ability to shop for items in-person in our state's largest metropolitan area.

Needless to say, this move has caused a lot of concern for families that have relied on Jack L. Marcus, Inc., for decades. My office has been contacted by numerous local residents opposed to DOC's decision, in addition to current and former inmates who have had negatives experiences with Union Supply, and do not want to see them given the sole right to sell personal property items in our correctional system.

I believe that that passage of SB 564 will restore a status quo that was working well for the Wisconsin residents that we were elected to serve. While I have no doubt that DOC's quest for greater efficiency in its contracting was well intentioned, their decision to move forward with this exclusive contract goes

too far. Efficiency is only a worthwhile goal when you can do so without sacrificing the quality of the underlying service—DOC's decision to remove all price competition for personal property items leaves the door open to future exploitation, and cuts out families who cannot easily shop online. With this bill, we can do our job as legislators, and provide DOC with the necessary statutory guidance to balance the Department's desire for efficiency with the need to provide a fair and accessible service to our constituents.

Once again, thank you to committee members for your consideration of this important piece of legislation, and thank you to my co-authors Senators Wanggaard and Felzkowski, and Representatives Schraa, Callahan, and Moore Omokunde for their work on this bipartisan bill.



MICHAEL SCHRAA

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Testimony on Senate Bill 564

Thank you, Senator Wanggaard and fellow members of the Committee on Judiciary and Public Safety, for allowing me to provide testimony on Senate Bill 564, which requires the Department of Corrections to continue its longstanding practice of contracting with multiple vendors to provide approved items for persons in their care.

If you haven't visited a DOC facility, I invite you to do so. It's an eye-opening experience. As you would imagine, there is limited access to just about everything. Items can be purchased in a canteen if there are funds on account to do so, but items are limited and not inexpensive. The other option is to have family and friends purchase items for them. The administrative rule that governs this process is this:

DOC 309.52 Canteen. (1)(d) Institutions shall permit inmates to purchase approved personal property not carried in the canteen. The procedures to be followed shall be written and available to inmates. **The procedures shall permit purchases from a sufficient number of enterprises to ensure a reasonable selection and a competitive price.**

It is that last sentence that brings us here today. Before October 1st, there were three vendors, which certainly fulfilled the requirement. However, DOC decided that it would be to their advantage to work with only one vendor, which was chosen through a competitive bidding process. While that may seem reasonable on the surface, it does not ensure a reasonable selection, nor a competitive price.

Anyone who works with persons in the care of DOC knows that available items cost more than you or I pay at our local retailers. That's just a fact of life due to security considerations. Even so, the lack of all competition cannot help but make the prices even higher. That doesn't just affect the

people in our prisons; it also affects their families and friends who purchase items on their behalf.

Before October 1st, the DOC contracted with three vendors, making it possible for incarcerated persons, family, and friends to choose which vendor they wanted to purchase from. One vendor also provided a retail store where items can be ordered in person with cash. While I commend DOC for pursuing efficiencies, this particular decision is short-sighted and plagued with unintended consequences. It's only common sense that this change will cost more than it will save.

Frankly, there are a couple of concerns with this bill that I'd like to address up front. First, we are still awaiting the fiscal estimate. I know that this legislation is a large undertaking, but I firmly believe that the Department of Corrections will complete that process swiftly. Secondly, on the surface, the bill seems to favor one business over another. As a business owner, myself, I understand how unfair that would be. The point of the bill is to provide competition among vendors and to continue to provide service to a community that depends upon a brick and mortar location to make it possible to place orders with cash. If another vendor is willing to provide that service, that competition can only benefit the consumers.

I have met with DOC and believe they understand our intent with this bill. The DOC and other stakeholders have provided suggestions for amendments that we will give due consideration. I thank you again for your attention, and would be glad to answer any questions you might have.

ramiah whiteside

From: MARTIN DANIEL (152460)
Sent Date: Wednesday, August 25, 2021 12:33 AM
To: ramiahexpo@gmail.com
Subject: Just a blast.

Hey whats up?

I wanted to tell you that whenever we order from our books from Union they always seem to be out of stock when it comes to shoes. But..... If you order with a credit card not only do you get your stuff it comes in under two weeks as to the 30 to 40 days from our books. Plus the canteen has only had squeeze cheese thre times in six months. But the four ounce cups dropped to 3 oz and are the same price. It is always one thing or another. I don't know if I will be able to keep beading at the same level. I am certain that the quality and selections will be weak. Just wanted to add my two cents. So how are things? How is married life. Did you know that people with any kind of sexua assault can not go to work release. I get it if you are a predator, or a repeat offender. But I want to stack some paper for my release. And get this Did you know that people with sex cases have to pay a registration fee every year while they are in prison. I owe like 1500 already. How can a person get ahead. And why is there a need to pay this fee if you are in the care of the DOC. Thought you may be interested.

Respectively

Dan

ramiah whiteside

From: CANSLER JAMES (431257)
Sent Date: Wednesday, August 25, 2021 9:47 PM
To: ramiahexpo@gmail.com
Subject: BETTER BUSINESS BUREAU & UNION SUPPLY GROUP

Better Business Bureau
10019 W. Greenfield Ave.
Milwaukee, WI 53214

To whom it may concern,

I'm writing in regards to the constant frustration experienced by so many of us forced to rely on USG (Union Supply Group), for the purchase of canteen items within the Wisconsin Prison System. I can only imagine that this is a theme repeated throughout the country in various penalogical institutional settings.

Time and time again they are out of stock of items ranging from the most necessary (i.e. hygiene: soaps, shampoo, toothpaste etc.), to the most desirable (i.e. cheeses, meats, coffee etc.).

In addition to constant shortages (even before Covid was a factor, or even existed), we also have to contend with limited choices of already poor quality items being offered at exorbitant prices.

One prime example is a basic staple of humanity: Water. USG offers one 16.9oz plastic bottle of water at a price of .58¢. We are only allowed to purchase a total of 24 bottles every two weeks. That equals one whole case of water that costs about \$13.92. That is absolutely outrageous.

Just consider that a case of water usually ranges anywhere between \$2-\$3, when they are on sale and/or included in various other deals, to an average cost of \$4 or \$5 in other marketplaces depending upon brand preference. Do the math and see the 300%-400% mark-up that's being imposed.

There is a high volume of kidney issues here at Fox Lake Correctional Institution directly related to our water supply coming from antiquated pipes. I understand that is outside your purview. My point for mentioning it is to illustrate the urgency of our situation as consumers, along with the difficulties we experience pertaining to the exploitation and predatorial practices of USG regarding only one item of theirs: again, Water. \$14 a case for something that's a basic staple of humanity is unacceptable.

There are many, many other examples similar to this that USG is guilty of. It's not only their canteen items they take advantage of us with, but also their clothing, electronics, shoes and hobby items. All offered at extremely high prices, while manufactured with poor quality that doesn't last.

I'm imploring the Better Business Bureau to enact whatever measures they possess to reign in these predatory and exploitative practices engaged in by USG. Or, at the very minimum, launch an investigation into the USG to begin shedding light on the disparities and inequalities taken advantage of by USG upon those of us who constitute a certain segment of consumers with no voice to defend their consumer rights.

Also, consider prevailing upon USG to follow their own policy of allowing us incarcerated consumers due notice of unavailable items prior to finalizing our canteen orders that are submitted utilizing the phone system. A policy in which they've proven negligent in carrying out. Simply disallow the entry of the item number if it's unavailable or out of stock, so that we can allocate our funds in a different fashion and plan accordingly.

Thank you for time and considerations in these difficult and most frustrating matters.

Respectfully,

James Cansler August 2021

*** I've mailed this letter to several individuals and organizations, along with a very pertinent article from the May 2021 edition of PRISON LEGAL NEWS magazine entitled "The Punishment Economy: Winners and Losers in the Business of Mass Incarceration" by Daniel A. Rosen. It is extremely well researched

ramiah whiteside

and written. I strongly encourage all Criminal/Social Justice Reform Advocate-minded people to read and pass it along to others.

**** Also, I, James "Jimmy John" Cansler, give my full permission to use anything I've written in whatever capacity you deem appropriate and worthy. It was said that it would, "take a lot to change anything", and the response to that defeatist statement was, "Well, then why don't you become part of that 'lot'?" I thank all of you who are involved in the Great Work of shifting paradigms during these most consequential times we have the good fortune to live. Thank you for the sincere hard-work and dedication. STRUGGLE BREEDS STRENGTH, PATIENCE AND PERSEVERANCE.....

James "Jimmy

John" Cansler

ramiah whiteside

From: WALKER DARIUS (296657)
Sent Date: Saturday, August 21, 2021 12:11 AM
To: ramiahexpo@gmail.com
Subject: USG

Greetings,

Below is a copy of a letter I recently sent to the Better Business Bureau - Milwaukee, referring to just some of the issues with the service Union Supply Group(USG), provides to the PIOC's of the Wisconsin DOC. This concise list of some, but not all issues may also serve as more evidence of why USG SHOULD NOT be the sole provider of canteen (food, hygiene items and personal property), for the resident community of Wisconsin PIOC's. Use it as you will. I give my permission to you to publish it in written or electronic media. Peace.

Greetings,

Please construe this correspondence as a complaint and a warning to perspective consumers about the services of Union Supply Group (USG).

I am a person in the care of the Wisconsin Department of Corrections. My current predicament ensures that I purchase all of my canteen from USG on Fox Lake Correctional Institution's biweekly canteen schedule, as they are the sole canteen vendor for Wisconsin's prison community. I have no choice. USG is "the only show in town."

Apparently, the fact that my community has but one outlet for buying commissary has resulted in USG being of the disparaging persuasion that the quality of the services they render to myself, along with my incarcerated peers is of trivial importance.

Recently USG has consistently allowed me to order items such as "Cheddar Squeeze Cheese", "Tapa Rosa Nacho Cheese with Jalapeno Cup" or "Pop Tarts" (either flavor), only to find that when I pick up my order it is incomplete. This tends to happen for consecutive orders. The subpar customer service is not exclusive to the aforementioned items either.

It is understandable that stock sometimes runs out, however this is a common occurrence pertaining to other "staple" items as well, i.e. Ramen Noodles, (all flavors offered, at different times), bagged candy and microwave popcorn.

Attached, you will find several receipts I received from USG documenting how often my orders have been only partially filled. This over just the past approximately two years.

The shoddy service provided by USG creates stressful situations for residents and staff alike on almost a daily basis. Afterall, the staff members are the ones who must deal with residents who are perturbed. Staff must also complete any added paperwork this vexation produces when people are charged for "missing" items.

USG has demonstrated a lack of integrity regarding their canteen services. Thus I write this letter born of bewilderment, frustration and anger.

Countless times have I found myself scratching my head, asking myself: "What respectable business treats its valued patrons with such contempt and is able to stay in business?" If I was not incarcerated the answer would be none. No reputable establishment would conduct business so negligently and stay afloat. By logical deduction I conclude that USG doesn't esteem my peers and I as valued customers, and that devaluation is seemingly based on the fact that we are incarcerated.

I was convicted of a crime for which I am serving the sentence imposed by a court of law. That is what the Constitution of the United States of America has required of me. I was not sentenced to willfully accept being pissed on while being told it's raining. I have temporarily been removed from the public but I remain a citizen of the USA.

The Better Business Bureau's stellar track record for helping protect consumers and keeping businesses honest

ramiah whiteside

by highlighting their integrity, or lack thereof, is my only recourse at present. You are my voice.

As opposed to demanding that USG improve the quality of its service, I am entreating USG, hoping to incite better service. Thanks.

Respectfully, Darius Walker Sr.

ramiah whiteside

From: MARTIN DANIEL (152460)
Sent Date: Monday, October 11, 2021 12:11 PM
To: ramiahexpo@gmail.com
Subject: Monopoly!

Hey Broski,

How are things going? Same here with the exception of the new property catalog. Beads are through the roof! Beads we paid \$3.99 for 9 grams. Are now \$3.99 for 5 grams. Hematite, holy fuck! Squares that were \$2.25, are now \$8 yeah almost a 400% mark up. All the new items they said that they put in are 4 pages of socks, and more choices of unisex clothing. But is it like we have any choice. The model hobby has all of 10 choices to choose from. It almost seems as though they are inviting a response that they can thwart somehow. Really do not know how to fight this, because I am absolutely dumb at law. There for sure is a way to fight this legally. I learned my lesson from the last fight we were both in, hahaha.

Also somebody asked me if I knew of an act, or law that was going to allow people with a certain amount of time left could go to the county jails and work Huber? What was this called and is it still applicable?

Well sorry to bother so much but that is the highlight of my days here. Still no handball, or any kind of gym other than lifting weights. I can play basketball with nine other players packed in the paint but can not play two to four players on the handball and pickleball court.

Well try this again enough with the tears.

Dan

ramiah whiteside

From: CARTER TOMMIE (389297)
Sent Date: Thursday, August 19, 2021 12:39 AM
To: ramiahexpo@gmail.com
Subject: RE:"FABRICATED INTENTIONS"

Greetings RAMIAH:

We have a lot of prisoners with fabricated intentions; and refuse to fight against the people that are oppressing them! These dudes make too many excuses as if to why they have not filed the complaints that I wrote up for them ,when I have along with other prisoners and non prisoners has explained the importance of exhausting administrative remedies,this shit fail on deaf ear's!!! .

This move that the DOC pulled by creating a monopoly and forcing "Union supply" on all prisoner's as the approved property vendor; the administrator ("SARAH E. COOPER") is fully aware of DOC 309.52(1)(d) which states in part:"INSTITUTIONS SHALL PERMIT INMATES TO PURCHASE APPROVED PERSONAL PROPERTY NOT CARRIED IN THE CANTEEN, THE PROCEDURES TO BE FOLLOWED SHALL BE WRITTEN AND AVAILABLE TO INMATES. THE PROCEDURE SHALL PERMIT PURCHASE'S FROM A SUFFICIENT NUMBER OF ENTERPRISES TO ENSURE A REASONABLE SELECTION AND COMPETITIVE PRICES."

In addition to this, doc 309.20(3)(b)(2)(4) explains that permissible methods by which personal property may be acquired by an inmate. We know this does not ensure a "reasonable selection" per the administrative code.

Finally, the annihilation of competition removed any incentive for Union to keep prices reasonable and competitive. This is a tragedy, because it hurts Wisconsin prisoners, their families, and friends and sabotage the Wisconsin economy, since the only Wisconsin vendor is being stolen from us!!!!!!

The only option is to create and circulate a public petition to the Wisconsinites about this monopolization by the doc and how it infringed on local jobs at J. L. MARCUS...

TOMMIE L. CARTER#389297
G.B.C.I.
P.O.BOX 19033
GREENBAY, WI 54307

ramiah whiteside

From: SCHROEDER RUSSELL (496607)
Sent Date: Tuesday, August 17, 2021 10:53 PM
To: ramiahexpo@gmail.com
Subject: Union Supply Canteen

Please email me an updated list of canteen items that were added, out of stock & deleted on the union supply canteen menu. I am at McNaughton Correctional Center and they do not have any updated menus or any add on's or any removed item's memo's. So please email me what you can. Please include item#'s and prices. Thank you.

Russell Schroeder #496607
McNaughton Correctional Center
8-17-21@12:14pm

ramiah whiteside

From: THORUD TODD (226723)
Sent Date: Monday, September 13, 2021 7:05 PM
To: ramiahexpo@gmail.com
Subject: Wrote Gov./Union Supply -- Disaster Countdown !!

Mon. Sept. 13th, '21 -- @ -- 8 a.m.

Good Morning My Fellow Wisconsinites,

I don't know about you, but my last week was semi -- eventful !! I was called up to HSU, and completed a " Multi

-- Page " Questionnaire for my: Upcoming Appt. with the: Psychiatrist (Spinal Specialist), in: Neenah, Wisconsin !!

It should be soon since they like the information, in the Questionnaire, to be as recent -- as possible !!
Hopefully,

the Specialist, will have some " Good News " for me !! Hopefully, they will confirm, what I've been saying, & need to

do Surgery to fix, my Spine !! Cause, right now its, quite painful, and restrictive to my -- Current : Mobility / Exercise

Levels !!

I wrote a long " Typed Letter " to: Governor--Tony Evers, about the whole: " UNION SUPPLY -- MONOPOLY, " situation

and the: " DISASTER, ITS BEEN FOR THE LAST: YEAR OR SO, " and the expectation for it to: " CONTINUE " to: WORSEN --

INTO THE FUTURE !! "

I asked the Governor, how Union Supply, was able to: " skirt " the Law's of this State, and even be eligible, to

bid on State Contracts !! I told him all that: Union Supply did was open, one -- Distribution Warehouse Menominee Falls !!

I suggested to the Governor, that in order for any Business / Company, etc... to be even eligible to submit a bid for any:

State Contract !! The Business, Company, etc... should have to have been Headquartered in Wisconsin, pay Wisconsin

ramiah whiteside

taxes Wisconsin, etc... for a minimum of: 5 years !!

I told the: Governor, that because of this the: " in--State " Vendor was denied the Contract !! That J.L. Marcus

was going to -- lose more than -- 30%, of their (D.O.C./State) Business, which would affect their ability to maintain

employment level's, and would have to cut costs, and most likely let people go, etc... !!

J.L. Marcus, Inc. employs many people in the: minority communities, and has contributed to it's own neighborhood !! It will be unable to make up for the loss, of: 22,000 plus inmates, their families, etc... !!

Marcus, has been in: Business more than 60 years, first as a: Department Store, and then as a seller to: Wisconsin Inmates !!