

# Exhibit 12

## FAQ's – WICS Obligation Statements (10/14/16)

Q: What is restitution surcharge & non-restitution surcharge?

A: These are fees collected by the DCC Cashiers Unit. The 5% surcharge is statute driven (see below).

Non-restitution surcharge is 5% of all NON- Restitution court ordered obligations. Such as VWA, VWB, DNA, Fines, Court Costs and Attorney Fees.

Restitution surcharge is 5% of restitution collected by the Cashiers Unit.

The surcharges are not an additional obligation. 5% of what is taken for the obligation is put towards the surcharge which is for administrative expenses.

*973.20(11)(a)(a) Except as otherwise provided in this paragraph, the restitution order shall require the defendant to deliver the amount of money or property due as restitution to the department for transfer to the victim or other person to be compensated by a restitution order under this section. If the defendant is not placed on probation or sentenced to prison, the court may order that restitution be paid to the clerk of court for transfer to the appropriate person. The court shall impose on the defendant a restitution surcharge under ch. 814 equal to 5% of the total amount of any restitution, costs, attorney fees, court fees, fines, and surcharges ordered under s. 973.05 (1) and imposed under ch. 814, which shall be paid to the department or the clerk of court for administrative expenses under this section.*

Q. I paid off my obligation, why does it show I still owe?

A. If you had several cases/obligations, the cashiers unit may have applied your payment to the oldest case even though we collected for another case. If the court ordered you to pay restitution or court costs at the time of sentencing, then it is still an obligation you owe. DCC & Institution staff are working together to reconcile the balances. It will take time to reconcile these accounts. Save the statements you receive from both systems and if you still feel your balances are incorrect after the WICS conversion, submit an interview request to the business office.

Q: Why are the balances so different between WITS & WICS?

A: As it states in the memo you received, the balances may not match. We collect the funds in WITS and then mail the check to the cashiers unit and/or courts on a monthly basis. The payments we collected may not be applied yet. Keep track, monitor the balances, and give us time to reconcile. Once we convert to WICS, if you still feel the balances are incorrect, submit an information request to the business office.

Q. Where are all these new obligations coming from?

A. The obligations in WICS are not new. They were ordered by the Courts, but it may not have been ordered to be collected during incarceration. The obligation is still set up in WICS for tracking and collected upon your release, pay attention to the column to the right of the obligation to see if it is

may have "not good enough. The may have been embezzled"

Really? Orwellian!

closed or suspended. If you still dispute the obligation, submit an interview request to the business office. They just ignore our requests.

Q: Why do I have several DNA surcharges?

A: The courts may impose a DNA surcharge for each felony conviction and each misdemeanor conviction. (Wis Stats 973.046) We set these up as ordered by the courts. Any disputes about DNA surcharges must go directly to the courts. If you feel your balance is incorrect on the statement, submit an interview request to the business office.

Q: Why do I owe for supervision fees? Can I use my release funds to pay for supervision fees?

A: Supervision fees are set up by DCC while you are on probation. If you didn't pay for these fees and you were revoked, then you still owe for these fees and they will be deducted from incoming funds AFTER restitution is paid in full. No, you cannot use release funds to pay for supervision fees. (See DAI Policy 309.45.02) If you think you paid for these fees, provide proof of payment to the DCC Cashier's Unit, P.O. Box 7925, Madison, WI 53707-7925.

Q: What does Open, Closed, Suspended mean under Status for the Debts/Obligations?

A: Open – obligation is due and collection has begun or will begin upon converting to WICS.

Closed – case has discharged but funds may remain payable while confined with DAI.

(Closed with zero balance – Paid in full)

(Closed with a balance – debt may still be owed; you can make a payment by submitting a disbursement payable to the court with an envelope).

Hold – case is being reviewed or information pending to be submitted.

Suspend – collection is temporarily stopped. In most cases, VWSA, VWSB, DNA are suspended in WICS until the cashiers unit updates these amounts with what has been collected in WITS. When the two systems merge, the WITS balance will replace the WICS balance.

Q: I have multiple obligations for several cases? Will they all come out at the same time or in what order?

A: Payments are applied to the oldest case first or the first discharge date. Just because a case is discharged, doesn't mean you no longer owe for the obligations. DAI Policy 309.45.02 has a chart that shows you the order in which deductions are taken by obligation type. Some are first in first out, meaning we will only take one at a time and some are taken at the same time. Review this policy and write to the business office if you have questions relating to your case

FAQ's – WICS Obligation Statements (11/3/16)

Q: Why do I owe for supervision fees? Can I use my release funds to pay for supervision fees?

A: These will not be deducted at this time from incoming funds; however, you do still owe what shows on your statement and will be collected from incoming funds in accordance with DAI Policy 309.45.02 once the system is updated. Supervision fees are set up by DCC while you are on probation. If you didn't pay for these fees and you were revoked, then you still owe for these. You cannot use release funds to pay for supervision fees. (See DAI Policy 309.45.02) If you think you paid for these fees, provide proof of payment to the DCC Cashier's Unit, P.O. Box 8980, Madison, WI 53708-8980

Q: What is restitution surcharge & non-restitution surcharge?

A: These are fees collected by the DCC Cashiers Unit. The 5% surcharge is statute driven (973.20(11)(a)(a))

Non-restitution surcharge is 5% of all NON- Restitution court ordered obligations. Such as VWA, VWB, DNA, Fines, Court Costs and Attorney Fees. These surcharges will not be collected while you are incarcerated, however, they will remain on your account and are still due. DCC will collect from any funds you receive when you are on supervision. (So, we're enslaved upon release.)

Restitution surcharge is 5% of restitution collected by the Cashiers Unit – these will be collected while you are incarcerated.

The surcharges are not an additional obligation. 5% of what is taken for the obligation is put towards the surcharge which is for administrative expenses.

Q: I paid off my obligation, why does it show I still owe?

A: If you had several cases/obligations, the cashiers unit may have applied your payment to the oldest case even though we collected for another case. If the court ordered you to pay restitution or court costs at the time of sentencing, then it is still an obligation you owe. DCC & Institution staff are working together to reconcile the balances. It will take time to reconcile these accounts. Save the statements you receive from both systems and if you still feel your balances are incorrect after the WICS conversion, submit an interview request to the business office.

Q: Why are the balances for obligations so different between WITS & WICS?

A: As it states in the memo you received, the balances may not match. We collect the funds in WITS and then mail the check to the cashiers unit and/or courts on a monthly basis. The payments we collected may not be applied yet. Keep track, monitor the balances, and give us time to reconcile. Once we convert to WICS, if you still feel the balances are incorrect, submit an information request to the business office.

Q. Where are all these new obligations coming from?

A. The obligations in WICS are not new. They were ordered by the Courts, but it may not have been ordered to be collected during incarceration. The obligation is still set up in WICS for tracking and collected upon your release, pay attention to the column to the right of the obligation to see if it is closed or suspended. If you still dispute the obligation, submit an interview request to the business office.

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Scott Walker  
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Memorandum

**DATE:** October 28<sup>th</sup>, 2016  
**TO:** All Inmates  
**FROM:** *Carrie*  
Ms. Sutter, Financial Program Supervisor  
**SUBJECT:** WICS TRUST CONVERSION

As stated in a previous memo sent from DAI Administrator, Mr. Schwochert, we will be converting our financial system to WICS effective November 1<sup>st</sup>. Today, you will receive your final WITS monthly statement along with another copy of the WICS obligation report. Please compare these two statements and make note of the discrepancies. You might see differences until the conversion is complete. **Please hold all questions and disputes until the conversion is complete and you receive your statement from WICS on November 4<sup>th</sup>.** The business office will review all inquiries and respond; however, it will take time as we may have to follow up with the courts and/or cashier's unit. Refer to the FAQ's for commonly asked questions and answers.

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We apologize for the confusion the process

cc. Cathy Jess, DOC Deputy Secretary  
DOC Office of Legal Counsel  
DOC Corrections Complaint Examiners  
DAI Staff