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AFSCME Corrections United

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AFSCME Helps Close Dangerous Private Prisons

Photo: Ad Ready Studio

The Dawson State Jail was one of two facilities in Texas whose funding was withdrawn as of Sept. 1 thanks to the efforts of AFSCME Local 3807.

A privately run corrections facility in Texas, whose name became synonymous with prisoner abuse, lack of safety, low-paid staff and administrative incompetence, was shut down in September thanks in part to AFSCME Texas Correctional Employees Local 3807.

The Dawson State Jail was one of two facilities in Texas whose funding was withdrawn as of Sept. 1. The other facility was the Mineral Wells Pre-Parole Transfer Facility – both are run by Corrections Corporation of America (CCA).

AFSCME Texas Correctional Employees was the first organization on record calling for the closure of both of these facilities.

"I'm glad to see the Texas prison closures have become a national model," said Local 3807 Pres. Lance Lowry. "U.S. Attorney General Eric Holder said he will seek similar closures of federal prisons through the same types of programs Texas used…. There is still more work that needs to be done in Texas, and we are currently trying to keep a private prison from opening in McAllen. We need to send a strong message to the City of McAllen that private prisons are a bad investment."

Photo: AFSCME Local 3807

Lance Lowry, President of AFSCME Texas Correctional Employees Local 3807

In fact, there are many reasons to shut down private prisons and jails. CCA, the largest for-profit corrections operator in the nation, runs more than 65 facilities in 19 states. CCA and the GEO Group, the second largest, have records of human rights abuses. In their drive to maximize profits, private operators have always shown a shameless disregard for the rights of inmates and for the public safety of corrections officers.

AN ABUSIVE AND NEGLECTFUL SYSTEM

It was the middle of the night, and Autumn Miller was feeling intense pressure and pain in her abdomen. An inmate of the Dawson State Jail in downtown Dallas, she requested a pregnancy test three weeks before but never received it, according to her mother.

Unable to walk, Miller was taken down to the medical unit on a stretcher. Because there was no medically trained staff at Dawson between 5 p.m. and 5 a.m., employees there could only guess as to what Miller's problem might be. When the pressure in her abdomen became too great, Miller went into a bathroom stall and delivered her daughter Gracie prematurely at just 26 weeks. Gracie later died.

Lowry had vocally advocated for the closure of the Dawson jail. "It's a recipe for disaster," he said, mentioning other preventable deaths at the facility. "There's no experienced correctional staff, the pay is low – just above minimum wage – and there is a lack of security staff. Security audits show the facility failed miserably. The fact is, CCA cut corners in all their facilities, and the end result is an abusive and neglectful system that does not create an environment for rehabilitation."

Dawson was hardly an exception. In the single year since Ohio Gov. John Kasich's administration sold the Lake Erie Correctional Institution to CCA,

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reports surfaced of inadequate staffing, delays in medical treatment, and "unacceptable living conditions" among inmates, including "evidence of urine in plastic containers inside the recreation area and inmates using plastic bags for defecation."

Also, a major rise in crime burdened the nearby town of Conneaut, Ohio, where police are busy responding to nearly four times as many calls related to the prison as in the previous five years combined.

Photo: Ohio Civil Service Employees Association

Chris Mabe, president of the Ohio Civil Services Employees Association (OCSEA)/AFSCME International vice president.

"That the Lake Erie Correctional Institution failed their safety audit should be a surprise to no one," said Chris Mabe, president of the Ohio Civil Services Employee Association (OCSEA)/AFSCME Local 11 and an AFSCME International vice president. "We know where the corners get cut when prisons are privatized. But the more we learn about the horror stories coming out of the first prison ever to be sold, the more we fear for the safety of not only the staff and inmates, but the whole community."

IT DOESN'T MAKE SENSE HOW OUR MONEY IS SPENT

There are other, equally compelling reasons for keeping corrections operations in public hands. In Harris County, Texas, for example, the jail's inmate population was on the decline since 2008, a fact that contributed to significant savings in the sheriff's budget.

According to a confidential memo that surfaced there earlier this year, local officials were wary of promised savings by CCA, since it wasn't at all clear to them how those savings would materialize. And perhaps most important, there were shared concerns about oversight, including fears that "outsourcing such a vital function to a third party" would create "uncertain effects" on the treatment of inmates, security at the facility and re-entry programs.

In New Hampshire, state officials recently called off the bidding process to privatize state prisons because they remained unconvinced vendors would meet all legal requirements in administering the facilities and providing adequate inmate services.

In his own efforts to shut down Dawson and Mineral Wells, Lowry emphasized the absence of financial sense in keeping them open. Despite the horror stories, his strategy focused on receding inmate populations that could be housed in state-run facilities, and wasteful spending.

In Texas, recent statistics show that the state's 111 prisons might have as many as 10,000 empty bunks and many more at juvenile facilities, even as more than $100 million is spent every year to lease beds from private corrections companies like CCA.

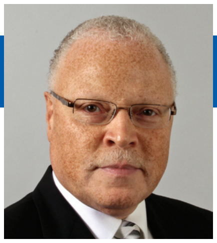
A recent study by In the Public Interest, a comprehensive resource center on outsourcing and responsible contracting, found that 65 percent of private prison contracts reviewed by them included occupancy guarantees in the form of quotas or required payments for empty prison cells. This means taxpayer money is wasted on empty prison beds and taxpayers are forced to guarantee profits for private prison corporations.

This doesn't make financial sense or any other kind of sense. The root of the problem is the for-profit prison model itself, which readily compromises public safety and the wellbeing of inmates and staff in its never-ending drive for profits. AFSCME will continue to fight to keep as vital a social function as public safety in public hands.

Photo: Associated Press

Lake Erie: Since the sale of the Lake Erie Correctional Institution to CCA, reports surfaced of inadequate staffing, delays in medical treatment, and unacceptable living conditions.

FROM THE OFFICERS



Lee Saunders
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A Line Was Crossed

It may be legal to profit from the incarceration of fellow human beings, but it's not right.

When Florida Atlantic University (FAU) this year struck a $6 million deal to rename its football stadium after the second-largest private prison operator in the nation, school administrators were thrilled. "We think it's a wonderful company, and we're very proud to partner with them," the university's president said of the GEO Group, Inc. offer.

The student body was less thrilled and cited the GEO Group's shady human rights record. Students rose in opposition, forming the Stop Owlcatraz Coalition (a play on their teams' mascot, the Owls.) They staged a sit-in at the president's office, organized a series of protests and petition drives, and called attention to GEO's inhumane practices over the years.

The students received support from the college faculty, who passed a resolution stating the prison operator's business practices "do not align with the missions of the university."

And the ensuing controversy was fueled by criticism from human rights and social justice groups, including AFSCME ally Grassroots Leadership. "This is a company whose record is marred by human rights abuses, by lawsuits, by unnecessary deaths of people in their custody and a whole series of incidents that really draw into question their ability to successfully manage a prison facility," said Grassroots Leadership Exec. Dir. Bob Libal.

In fact, the GEO Group is guilty of serious abuses:

- In 2001, Gregorio de la Rosa, Jr., an inmate at the Rio Grande Detention Center in Texas, was murdered by two other inmates while the wardens of the private facility watched for 20 minutes or more. Afterward, the GEO Group destroyed evidence of the videotape and at least one of the weapons used in the murder. It was found liable for more than $40 million in damages.
- In 2009, the GEO Group returned management of the George W. Hill Correctional Facility in Delaware County, Penn., to public hands as a result of financial underperformance, frequent litigation and too many workers' compensation claims. Over several years it faced court actions for wrongful deaths; employees who committed serious crimes; inmates infected with HIV who received virtually no medical treatment; and deaths that appeared preventable.
- In 2012, GEO settled a lawsuit alleging that guards at the Walnut Grove Youth Correctional Facility in Mississippi smuggled drugs into the prison, had sex with inmates, and allowed fights between inmates that resulted in stabbings and severe beatings. The youths were also denied proper health care and access to basic education; most of them were serving time for nonviolent offenses and were as young as 13. In Florida, less than two months after the GEO-FAU deal was announced, the private prison operator withdrew its $6 million contribution, stating that public outrage was "an ongoing distraction" to both organizations.

In recent years, universities and professional sports teams sold stadium naming rights to all kinds of companies, from airlines to banks, telecommunications giants and beer makers. This was different. A line was crossed when an institution of higher learning, charged with nurturing future generations of leaders, asserts that a for-profit prison operator is just another business partner.

The decisions that lead to human rights abuses by private prison operators like the GEO Group and Corrections Corporation of America are not exceptions to the rule – they are the rule. They are part of their business model. Private prison operators earn a profit by cutting corners in places that end up endangering the lives of others. They represent a safety risk to our communities. We've seen it time and again, all over the country, in places like Texas and Idaho, Ohio and New Jersey.

Public safety and the rehabilitation of offenders are vital functions of society; as such, they should always remain in public hands.

Photo: Ryan Murphy

"It may be legal to profit from the incarceration of fellow human beings, but it's not right."

AFSCME Corrections Officers Win Millions in Unpaid Overtime, Back Pay

In a historic victory for corrections officers of Puerto Rico, the goverment of the commonwealth agreed to restore more than $35 million in unpaid overtime wages to nearly 4,500 workers.

The settlement affecting members of Alianza Correccional Unida (ACU), Servidores Públicos Unidos (SPU), AFSCME Council 95, is one of the largest in U.S. Labor Department history. It covers overtime compensation due from 2002 to Oct. 31, 2011, including interest.

The more than $35 million payment to Puerto Rico corrections officers will be made during a period of four years. ACU, SPUPR, and AFSCME national union teamed up for the victory.

"We are very happy with this agreement," said Juan González, president of ACU, SPU/AFSCME Local 3500. "We fought tooth and nail to make the Department of Corrections and Rehabilitation pay up the overtime hours. We couldn't have done it without AFSCME national, which helped us bring this issue to the U.S. Labor Department. We didn't let up and kept applying pressure, and today we can say we achieved our goal."

Annette González, president of SPUPR, congratulated ACU members on their victory, stressing the importance of the collaborative effort that led to it. "We congratulate our correctional officers for this great victory, for their perseverance and aggressiveness, which achieved great results," she said. "We're very grateful to AFSCME, and we'd like to highlight the work of the Department of Labor in helping to achieve these results. We hope this injustice will never be repeated."

In addition to the monetary settlement, the Department of Correction and Rehabilitation (DCR) committed to comply with the law in the future and to hire additional staff to reduce the need for overtime hours.

The issue of overtime pay in corrections in Puerto Rico dates back more than a decade, when the norm was for officers to work beyond their shifts without receiving any additional wages. Instead, they were offered compensatory time off, but many never had a chance to take it.

This was wrong, and yet an initial complaint filed in 2002 was dismissed by the DCR. The struggle continued in 2008, when ACU signed its first collective bargaining agreement with DCR, but was interrupted in 2009, when Gov. Luis Fortuño's administration took away collective bargaining rights. A key turning point came in 2011, when ACU leaders and a top AFSCME advisor met with Labor Department officials. In 2012, an added victory came when DCR agreed to pay overtime wages periodically.

"We didn't let up and kept applying pressure, and today we can say we achieved our goal," said Juan González, president of ACU, SPU/AFSCME Local 3500."

Photo: Servidores Públicos Unidos

After years of struggle, ACU members achieved a big victory when Puerto Rico agreed to restore to them more than $35 million in unpaid overtime wages.

Private Prisons Bad for Job Growth

Private prisons are bad for job growth. That's the conclusion of a forthcoming study in the journal *Social Science Research* that challenges the notion that prison outsourcing is somehow good for the local economy.

In fact, researchers at Washington State University found that local job growth is often impaired when communities host privately operated prisons. "In states moving quickly to turn over management of their prison systems to outside companies, the privatization of prisons often has a negative impact on employment prospects in host counties," said Gregory Hooks, who co-authored the study. "Privatization of prison systems places downward pressure on staffing, pay and benefits for all prisons in the state, including those that have yet to be privatized. As a consequence, prisons not only fail to help, but appear to harm employment levels in their host communities."

We already knew about the deterioration of safety and health-related standards inside private prisons and jails that cause preventable deaths (as in the Dawson State Jail in Dallas, Texas); inhumane living conditions (as in the Lake Erie Correctional Institution in Ohio); and safety risks for surrounding communities. This research offers additional proof of what we already suspected – that prison outsourcing promises illusory rewards that fail to materialize.

Many of the jobs promised by private corrections operators never materialize, according to the study. In states where prison privatization grows quickly, there was a "significant reduction" in prison staffing in both private and public facilities.

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In addition, private prisons are less likely to contribute to employment stability because of high turnover rates. In Texas, for example, staff turnover rates in private prisons are 90 percent, compared to 24 percent in state-run facilities.

And corrections officers in privately run prisons earn 25 to 45 percent less than their publicly employed counterparts. The median annual wage for privately employed officers is $28,790, compared to $37,510 for those who work for local governments, $38,850 for those employed by state governments, and $50,830 for those who work for the federal government.

We're certain that reasons to choose against private prisons will continue to grow in number. That's why we partnered with In the Public Interest, a resource center on outsourcing and responsible contracting, to push for transparency and accountability in public contracts with private entities. And that's why AFSCME will continue to urge public officials to do the responsible thing and keep a function as vital as public safety in public hands.

Lancaster County Corrections Officers Celebrate Big Win

Nearly 200 corrections officers in Lancaster County, Penn., who are members of AFSCME Local 1738, Council 89, have cause to celebrate. A legal battle that began three years ago has just ended, with the county agreeing to restore to them back wages plus interest totaling $4 million.

The county's decision came in September when the state Supreme Court refused to hear its appeal of a 2009 arbitration ruling that awarded the officers raises totaling 21 percent over three years. In 2009, the county paid raises to its officers, but in 2010 and 2011 it refused to. This, despite an arbitration ruling in 2009 that made it the county's legal obligation to do so.

Brian Secor, a 14-year corrections officer who is vice president of Local 1738, said, "This has been a long and hard-fought battle for almost four years that has tested both the morale and resolve of the corrections officers at Lancaster County Prison."

Because corrections officers aren't allowed to strike, Secor said, "it is important that both sides abide by decisions by arbitrators whose rulings are legally binding."

Instead of complying with the terms of the arbitration ruling, the county ended up wasting hundreds of thousands of taxpayer dollars in a drawn-out legal process. As an added result, it will also have to pay interest on top of the raises.

The Lancaster County Prison was originally built in 1737 then remodeled in 1851.

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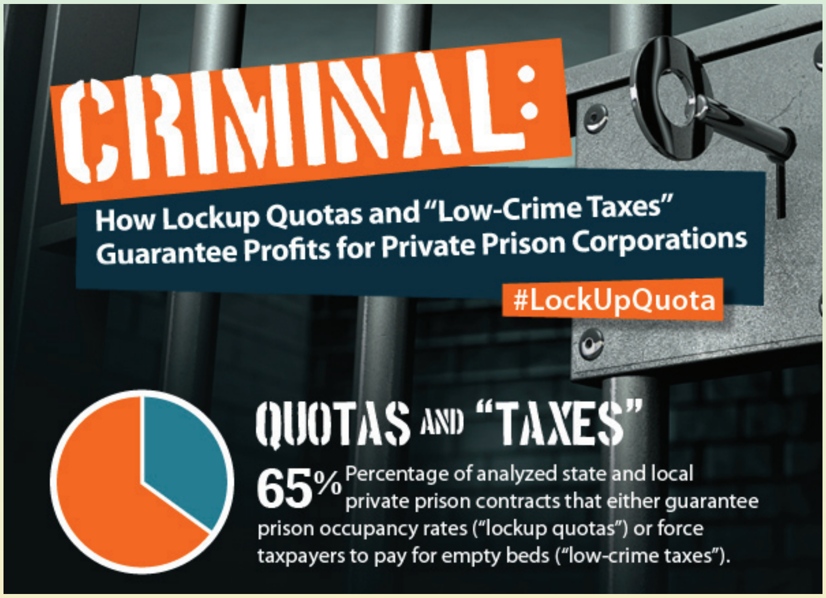
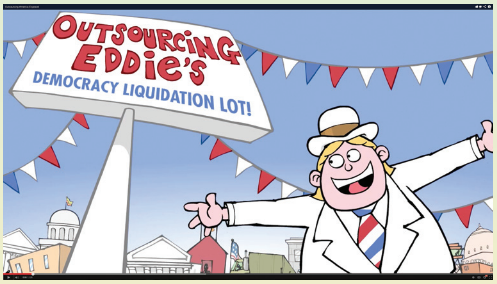


So-called "lockup quotas" are found in 65 percent of contracts that state governments signed with Corrections Corporation of America and other prison privateers. Four states – Arizona, Louisiana, Oklahoma and Virginia – have the highest occupancy guarantee requirements, ranging between 95 and 100 percent. When a business model relies on taxpayers paying to lock people up, it's time to find a new business model. Read the shocking report at itpi.tx/1f8UMJG.

Exposing How Privatizers, Profiteers Harm Our Democracy



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