It was sweet vindication for the 6,400 corrections officers and other corrections workers in Puerto Rico who have been waiting to have a voice at work. Alianza Correccional Unida (ACU)/Servidores Públicos Unidos (SPU)/AFSCME Council 95 had won the election three years ago, by a 2-to-1 margin. But that election win was set aside by a very questionable decision of the Puerto Rico Public Employees Relations Board. A favorable court ruling finally paved the way for a new election last March.

This time, the victory was overwhelming. By a more than 3-to-1 margin, COs chose as their union ACU/SPU. With 2,447 votes, ACU defeated the Federación de Oficiales de Custodia (FOC), a rival union that had delayed the election. FOC garnered only 692.

Recruitment, assaults, mandatory overtime, stress, lack of training and support, and understaffing: these problems are common to privatized prisons — creating conditions for disaster. Predictably, for-profit jails — compared to public corrections facilities — have consistently higher rates of assault on staff and inmates.

In New Mexico, prisons operated by the GEO Group (formerly Wackenhut Corp.) have been the site of six murders, nine stabbings and several riots since 1998. Last year, four COs were beaten by an inmate. That attack occurred at Santa Rosa’s Guadalupe County Correctional Facility, where inmates rioted in August 1999, killing one CO.

“The best way to deal with this danger is to have properly trained corrections staff who are paid decent wages and benefits,” says Jason Ellis, president of Local 1888 (Council 18) in New Mexico. “But that’s not going to happen in privatized jails. And that’s why we’ve been picketing.”
COs Organize
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The ACU organizing committee prepared for the vote with aggressive workplace outreach, small group meetings between shifts and one-on-one house visits. In the last 12 months, SPU also stepped up its demands for a firm election date. “We never slowed down,” says the committee’s Héctor Gutiérrez Romero. “We were more determined than ever to win.”

FIGHT TOGETHER. To underscore the International Union’s support for the campaign, ACU Chairperson Glenard S. Middleton went to Puerto Rico last December. Middleton, who is also an International vice president and executive director of Maryland Council 67, told the COs “to count on us to be part of this battle with you. Our union believes in the rights of corrections officers to a safe and protected workplace, decent pay and health benefits, and job security. We will fight together for these rights.”

With this victory, “we can now finally begin to bargain for a contract,” says ACU Local 3500 Pres. María Mauras Montañez. “It’s about time our COs get the recognition and respect we deserve.”

Within the last year, hundreds of COs in the parole, bail bonds and juvenile units have joined SPU. The council now represents 20,000 workers throughout the island.

BISMARCK, NORTH DAKOTA FIRST-EVER. In North Dakota, where there is no right to collective bargaining, about 90 COs from the state’s maximum and minimum prisons in Bismarck joined Council 59 — becoming the union’s first statewide correctional unit: N.D. Corrections United/AFSCME Local 2857. And the numbers continue to grow with additional sign-ups. Organizing continues at two other prisons — a medium-security institution in Jamestown and a youth facility in Mandan.

Local president and CO Terry Moravec explained the workers’ reasons for joining AFSCME during a Feb. 7 press conference in Bismarck: “Our goal is an equal voice in decision-making on procedures and conditions of work. We want recognition for the value of our work; effective training to meet the special challenges of working in corrections; proper equipment for protection against inmate attacks; and facilities adequate to house the number of inmates assigned — with proper staffing levels.”

Dealing with Danger
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STOP THE MAYOR. Stephen Perkins, Local 3022 vice president, says the picket also sent a message to Albuquerque Mayor Martin Chavez. According to Perkins, Chavez is looking into privatizing jails “even though that leads to cutting staff and training, and ultimately to unsafe work conditions for COs. We will oppose this move every step of the way.”

Council 18 is currently leading a community-wide effort to block a proposal for a private 600-bed prison in Clayton. The facility would be operated by the GEO Group. “This anti-worker firm has already demonstrated its inability to provide good-paying jobs and ensure public safety,” Council 18 Exec. Dir. Anthony Marquez says. “Private companies simply don’t serve the interests of our members.”

CO Brad Holt, vice president of N.D. Corrections United/AFSCME Local 2857 (Council 59), announces the union’s formation at a Feb. 7 news conference.

Perkins has not forgotten what happened in Santa Rosa’s 1999 riot. “The danger of having improperly trained employees in a corrections setting came to light with the CO’s killing there. For-profit, private companies will always have lower staffing levels, lower salaries and inexperienced COs. We must keep the privateers away.”

Meanwhile, ACU is hailing a decision by another New Mexico county, Valencia, to take over management of its adult detention center from Cornell Companies Inc. Since the county’s announcement last year, the 150-plus COs in that facility have been actively organizing to form a union with Council 18.
More Blows to Privateers

After four months of intense public pressure by AFSCME Local 1733 in Tennessee, the Memphis mayor and Shelby County sheriff backed off from privatizing the county jail and corrections unit, saving some 1,500 jobs. The surprise move is a major blow to Corrections Corporation of America. The top privatizer of prisons, CCA had proposed managing these facilities for $200 million a year plus cash incentives worth at least $30 million per facility.

The rejection also delivers a stunning setback to the 13-member county commission, which has been pushing for privatized management of the prison population. One commissioner — who spearheaded the county’s study of privatization — has been accused of failing to disclose receiving a $12,000 contribution from CCA during his 2002 campaign for office.

“We’re waging this battle in order to save 1,500 corrections positions,” says Dorothy Crook, director of Local 1733, which represents COs and deputy jailers. “We’re also concerned about the safety of our neighborhoods.” Adds Moses Haynes, a CO and chapter chair for the local’s corrections unit. “Once these private companies take over, they are going to start shipping in prisoners from other states. Bringing these inmates into privatized jails poses greater risks to public safety.”

With the help of the Grassroots Leadership coalition, the local picketed commission hearings and bombarded each commissioner with petitions signed by concerned citizens, ministers and students.

CCA recently suffered another setback in Tennessee: Dickson County had negotiated with CCA in 2004 for the company to build and operate a 300-inmate facility. But the commissioners opposed it. County management then tried to get around it by proposing a measure that would have allowed voters to decide if the county jail should be privatized. The commissioners blocked that, too.

CCA CRACK DOWN. In Colorado, state auditors declared last year that private prisons have been riddled with problems that allowed some sex offenders out early, contributed to a riot and may have led to two inmate deaths because prison doctors twice changed prescriptions without first examining the patients. CCA runs four of the state’s private prisons. As reported by the Rocky Mountain News, the auditors also alleged that operators of five private prisons broke state-contract provisions concerning deficient security, hiring, health care and even food. Moreover, the audit criticized staffing levels in private prisons as inferior to those in their public counterparts.

Lowell Ferrel, an ACU member and vice president of Council 76, welcomed the report and urged legislators to crack down on prison operators. In response, state officials pledged stricter oversight, starting with new financial penalties for private companies if they fail to satisfy contracts requirements. The state senate also killed a bill that would have increased the per diem rate for CCA in Colorado. Instead, the state’s per-inmate payment to private prisons dropped 4 percent from 2000 to 2004.

Another prison bill that would have benefited privateers recently failed in the Utah state legislature, where it earned the vigorous opposition of the Citizens Education Project and the Utah Department of Corrections. According to Patty Rich, of AFSCME Local 1004, CEP and the department publicly exposed the failures of privately run prisons.

‘WE CAN DO BETTER.’ There’s still more bad news for privateers. Last year, Connecticut gave up on a plan to have a private company run a drug treatment and vocational training facility for female inmates. “We are absolutely thrilled that it remains under our control, and that our skilled people are going to run that pre-release facility,” says Wayne Meyers, former president of Local 1565 (Council 4), which has 2,500 members. “It was the beginning of privatization, and I think we can do it better and cheaper on an even playing field.” Concerns were raised about CCAs lobbying efforts and its campaign contributions to former Gov. John Rowland (R), who championed privatization. (Rowland was forced to resign due to revelations that he had accepted gifts from companies and individuals that do business with the state. Council 4 and other unions mounted an effective campaign not only to end Rowland’s career but to get a state law passed banning privatization for up to four years.)
Understaffed, Unsafe, Unacceptable

The number of federal and state prisoners nationwide hit 1.5 million in 2004, a 51 percent increase from a decade ago. But the number of COs increased by only 8 percent during the same period.

In a recent news report, “Bulging Jails and Tight Budgets Make Job of Guard Even Tougher,” The Wall Street Journal cited these figures, confirming what ACU has been saying all along: The shortage of COs in America’s correctional facilities is very widespread. While the prison population in the United States is growing rapidly, the number of corrections officers is not.

This simply means that the job of a CO — which is dangerous even with full staffing — is growing ever more hazardous. It’s not unusual, for instance, for as few as 17 officers to be responsible for 1,000 inmates.

The Journal notes state and federal budgets have not kept pace with the increase in inmates. Because salaries are low, the rate of turnover is high — creating a perilous situation for the men and women who work in maximum- and even minimum-security facilities across the country. According to the American Corrections Association, understaffing was a major reason for the 7,795 inmate assaults on prison officers in 2005 — 13 percent more than in 2003.

Shortages in the number of COs had a lot to do with a Delaware incident, in July of last year, in which a correctional counselor was held hostage and then raped by an inmate. The state’s top corrections administrator acknowledged that an insufficient number of COs is a serious problem. And it’s getting worse, AFSCME Council 81 has pointed out, with the number of vacancies growing and good officers leaving for other employment. Following the incident, COs at the facility protested by refusing to voluntarily work overtime.

In Portage, Wisconsin’s Columbia Correctional Institution, prison overcrowding and low staffing have led state Sen. Scott Fitzgerald (R) to call the state’s prison system a “ticking time bomb.” AFSCME Local 3394 (Council 24) Pres. Jon Patzlsberger pointed out to Fitzgerald and other legislators that the 600-capacity prison now holds 835 inmates. “I think that’s pretty much the case statewide,” Patzlsberger said of prison overcrowding. “Everybody’s bulging at the seams. We’re pressing the governor for more funding.”

‘DANGEROUS TERRITORY.’ That describes Illinois prisons in an era of decreasing staffing levels. Two dozen corrections officers, members of Local 632 (Council 31) recently told the public about it with an informational picket at the Decatur Correctional Center, a medium-security facility for women. There have been other pickets since then: one at the Robinson Corrections Center (following a vicious assault on a corrections food supervisor) and another at a corrections facility in Jacksonville.

The council has been conducting a statewide campaign to promote safety in prisons and other state agencies. Illinois prisons are already overcrowded at 135 percent of inmate capacity and drastic reductions have seriously compounded these problems. In the past four years, more than 1,800 corrections employees have been terminated despite the fact that the prison population has remained stable at about 44,000.

Said longtime Decatur CO Ken Burton after the picket: “We want our community to know that underfunding our prisons poses serious dangers to public safety. And we want people in the community to tell our state legislators that this is a really bad situation.”

According to Burton, who is president of Local 632, the Decatur facility has about 163 officers to handle an inmate population of 550.
Early this year, more than 200 Council 31 members, from correctional facilities across the state, packed a hearing room and urged legislators to pass a bill that would add more frontline staff throughout Illinois. A Council 31 study, titled “Maximum Insecurity: Illinois Prisons in Crisis,” detailed both overcrowding and personnel cuts with COs required to work an excessive amount of overtime. (For more information, log on to www.afscme31.org/articleDetail.asp?objectID=984.) The study noted that the state ranks below the national midpoint in corrections staffing levels and last among Midwestern states in staff-to-inmate ratio. Fights among inmates are increasing, and more prison workers are injured when they intervene to break up such altercations.

FEWER COs, MORE ATTACKS.

Recalling the murder last March of an inmate at a southern Illinois prison, ACU members are incensed about CO shortages. A lone officer was responsible for about 30 inmates when the attack occurred. The CO was lucky to escape unharmed.

But CO Lt. Aubrey Fletcher wasn’t as fortunate. He suffered serious head injuries during an inmate’s attack in 2004. In a legislative hearing last year on unsafe conditions in Maryland prisons, one of the chronic causes — understaffing — again proved prominent. A witness testified that, at the state’s Eastern Correctional Institution, the number of lieutenants had dropped to 27 from 46 in 2003.

A department spokesman told The Baltimore Sun that staffing levels are “appropriate.” But Fletcher knows otherwise. “The people in headquarters don’t care,” he says, “because they don’t have to walk the tiers.” His union, Local 3478 (Council 92), has been trying to increase pressure on Gov. Robert Ehrlich (R), who has the exclusive authority to hike the corrections budget, to boost funding for safety improvements. “We’ve been battling the administration in hearings,” says Ronnie Bailey, the council’s executive director, “but the governor refused to meet with us.”

In the wake of the recent death of a Maryland CO, Council 92 declared a “Corrections State of Emergency” at a press conference on February 6. Bailey urged the governor “to act now to secure our prisons.”

The Maryland Division of Correction reported to News From ACU that the number of COs of all ranks dropped from 5,422 in 2002 to 5,006 this year. (About 4,000 of them are represented by Council 92.) Meanwhile, the state’s inmate population increased — from 23,302 in 2001 to an estimated 24,590 this year.

TRAGIC TALES. Logic suggests a strong correlation between the decline in corrections workers, the increase in the inmate population and the frequency of assaults, and the statistics tell their own tragic tale. ACU National Steering Committee Chair Glenard S. Middleton is leading an effort — in concert with Council 92 — to increase public pressure for improved safety at state and local facilities. “Our plan will lead up to November” when Ehrlich is up for re-election, says Middleton. He knows first-hand what trouble the CO shortage can cause: He worked for 17 years as a CO, attaining the rank of sergeant at the Baltimore City Jail.

Mandatory overtime has become the dangerous counterpart to understaffing, says George Gisin, staff rep for Maryland county correctional Local 3080 and 3496: “If you don’t get time off to relax, you burn out.”

ACU has been holding informational pickets at various corrections facilities to call public attention to these problems. COs have also participated in lobby days earlier this year, notably in Illinois, Virginia, and Wisconsin. During National Corrections Officers and Employees Week in May, dozens of COs visited congressional offices on Capitol Hill to enlist support for a bill that would provide collective bargaining rights for corrections officers in states where these rights don’t exist.
ACU recently honored Ray Stewart (Local 3921 of Texas Council 7) as Corrections Officer of the Year. For more than three weeks, Stewart led his Beaumont local in feeding more than 3,500 COs and their families in the aftermath of Hurricane Rita. “Ray is a shining example of talking the talk and walking the walk – the personification of what an AFSCME corrections officer should be,” said Brian E. Olsen, Council 7 executive director.