

tion, and to reduce recidivism, but always with caution that prisoners should never be used in competition with free labor or to replace free labor.

Unfortunately, today, prison labor is increasingly being used in both the states and by the Federal government to perform work in both the private and public sectors ordinarily done by free workers. Twenty-one states have statutes that compel prisoners to work, and others enforce policies that penalize inmates who refuse to work. Prison laborers are generally denied coverage under minimum wage, unemployment compensation, workers' compensation, collective bargaining and other worker protection laws.

I should note that the use of inmate labor in this manner appears to violate Convention No. 105, adopted by the International Labor Organization in 1957 and ratified by the United States in 1991, which prohibits the use of forced prison labor for economic development. . . .

Prisoners are not just another market resource. Free market principles simply do not apply to a prison population that can be compelled to work for below-standard wages and without having to provide the working conditions or labor standards that private enterprise must. . . .

The proposed legislation calls for repeal of Section 4123 of Title 18, the provision of FPI's authorizing statute that calls for "maximum opportunities to acquire a knowledge and skill in trades and occupations which will provide them with a means of earning a livelihood upon release." Incredibly, this bill would also undercut the rehabilitative benefits of inmate work opportunities when more opportunities are needed.

Textile industry devastated

Larry Martin, *president of the American Apparel Manufacturers Association (AAMA), the central trade association for American companies that manufacture clothing, in direct competition with the FPI system, also opposed H.R. 4100 and endorsed H.R. 2758, in the testimony excerpted here:*

AAMA is the central trade association for American companies which manufacture clothing. . . . Our Government Contracts committee is comprised of about 50 companies, all of which have vital interests in your deliberations and in the future of Prison Industries.

As we have pointed out before, these government contracting companies have few options. They have little or no experience in the already overcrowded commercial marketplace. Half of that market already has been taken by imports, while the other half is contested by about 12,000 domestic firms. Moreover, the apparel industry in the United States is shrinking dramatically. In the last five years, we have lost 220,000 jobs.

Also, we cannot overemphasize the importance of maintaining a warm industrial base in the United States. If the companies which manufacture for the Department of Defense go out of business, who is going to expand production in the event of a sudden military buildup, such as we witnessed

during the Gulf War? We seriously doubt that FPI will ever have that capability. . . .

Moreover, if FPI is to compete in the commercial marketplace, it should do so on even terms. It should be subject to minimum wage laws and to a true accounting of its overhead costs.

Private prisons are U.S. 'growth industry'

by Marianna Wertz

In addition to privately run industries within state and Federal prisons, the newest and undoubtedly most dangerous innovation in the American prison system is the booming private prison business. More than 150 prisons and jails are being entirely run today by private companies—18 of them at last count—whose entire existence is devoted to making a profit by running a correctional facility.

Private prisons are one of the biggest "growth spots" on Wall Street. The *Public Investor* newsletter says that it is "so bullish" on this sector for one reason: "the possibilities of high growth year after year." Prudential Securities puts it another way: The only "drag on profits" for private prisons is "low occupancy."

In other words, as long as crime continues to rise, or as long as our nation continues to mete out long prison sentences, private prisons will be making a nice profit for their investors.

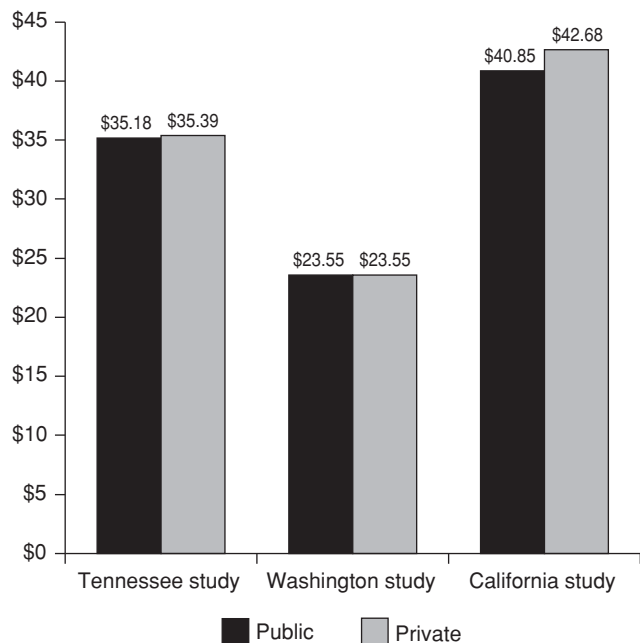
Therein lies the fundamental human rights question: Since the ultimate human right is freedom, which is guaranteed by our Constitution, should Americans be incarcerated in prisons under the operation of private companies whose major concern is to make a profit, in which they can only succeed if their wards are kept in prison? Should those who have a private interest in incarcerating people, be in charge of their incarceration?

As *EIR* has documented (see April 10, 1998; March 6, 1998; Oct. 17, 1997; Sept. 5, 1997), the levels of murder, rape, abuse, and escape are higher per capita in private prisons than in government-run facilities, and, under existing law in most states, it is the taxpayer who ends up paying for the damages wrought by the private prison company. In addition, the only real reason these companies exist is their claim to save money for states and municipalities. But, as **Figure 1** demonstrates, even this claim is not true.

Nevertheless, privately run prisons today manage approximately 5% of the nation's prisons and jails, with 105,000 beds. They are projected to grow to more than 320,000 beds by 2002.

FIGURE 1

Per diem cost of maintaining a prisoner in public vs. private prisons



Source: ASCME report, "Should Crime Pay?" May 1998.

Bentham's 'Panopticon'

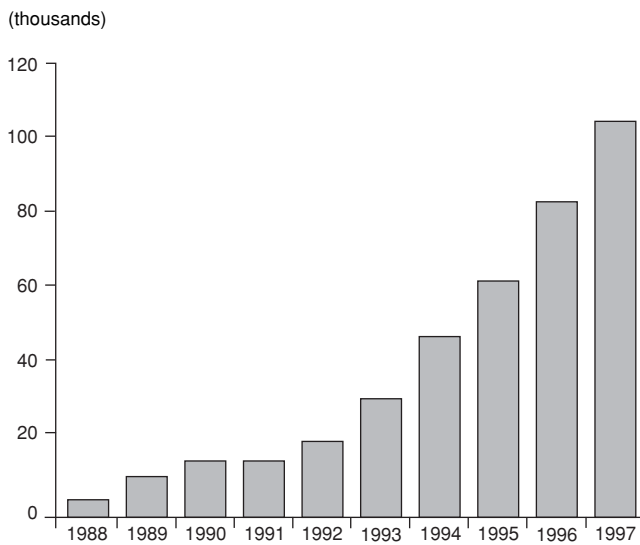
As **Figure 2** shows, privately run prisons first appeared on the modern American scene in 1988, during George Bush's Presidency. It was no accident that Bush's Bureau of Prisons director, J. Michael Quinlan, went directly from the BOP to head of "strategic investment" at the nation's largest private prison company, Corrections Corporation of America, when Bush lost the Presidency in 1992. Today, Quinlan heads up CCA's Prison Realty Trust.

The real conception behind private prisons, however, can be traced to British philosopher Jeremy Bentham, whose 1797 plan, "Panopticon Hill Villages," envisioned a joint stock company modelled on the British East India Company and financed by the Bank of England, which would employ the thousands of beggars locked up in Britain's debtor prisons. Bentham even drew up designs for his prisons, to enable the "corporation overseer" to get the most possible work out of each prisoner. Like his modern followers, Bentham believed that it was a crime to be poor, and that "criminals" should be "reformed" through work—at the lowest possible cost.

The LaRouche political movement has been working with legislators in several states, to stop the further spread of prison privatization. Last year, Missouri state Rep. Quincy Troupe (D-St. Louis) spearheaded a drive in the National Black Caucus of State Legislators (NBCSL) to stop prison privatization. Troupe learned about private prisons first-hand when Mis-

FIGURE 2

Ten-year growth in design capacity of secure private adult correctional facilities



Source: Private Corrections Project, Center for Studies in Criminology & Law, University of Florida.

souri prisoners became the victims of a privately run prison in Texas. A videotape released on Aug. 12, 1997 showed Missouri inmates at the Brazoria County Detention Center in Texas being beaten, prodded with stun guns, stepped on, kicked in the groin, and bitten by police dogs. Troupe acted on the situation, and not only were the prisoners moved back to Missouri, but Capital Correctional Resources Inc., the private prison company, packed up and left Texas altogether, in the wake of the scandal.

In a letter to NBCSL members, Troupe wrote, "It is our moral, as well as our political duty, to oppose the privatization of prisons in our states, and also federally. I believe this both because we represent African-American constituents who are the principal grist for this man-killing 'industry'; and because the philosophy which stands behind prison privatization is un-American and inhuman.

"Prison privatization is being sold as a cost-saving device, particularly in an era when Americans, and particularly African-Americans, are being incarcerated in record numbers, indeed numbers greater than in *any* other democratic nation. But there is no study today which demonstrates that, in the long run, these savings are real, and there is plenty of evidence . . . to indicate that the cost is far too high for what little might be saved. . . .

"Are our sons, daughters, families, and constituents being locked up for life to feed a 'prison industrial complex,' like a vampire who needs fresh blood to continue to grow and survive in darkness? The chilling reality of the information that is enclosed reveals an evolving contemporary form of slavery."