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## **Prison Privatization & Unanswered Questions**

On March 15<sup>th</sup>, Governor John Kasich unveiled his first Executive Budget, which included a proposal to privatize five of Ohio's 31 correctional institutions. The Ohio Department of Rehabilitation and Correction (DRC) currently oversees an inmate population of 50,500 adult felony offenders, tasked with protecting citizens by maintaining supervision in "environments that are safe, humane, and appropriately secure."<sup>1</sup> Thus far, very little information regarding the plan to privatize prison facilities has been released by the governor or DRC beyond the expectation of generating \$200 million in one-time money from the sale of the five facilities. In anticipation of a presentation by DRC before the House Finance and Appropriations committee, Innovation Ohio offers five critically important questions that need answers before a prison privatization plan can be effectively evaluated.

### **How Does Prison Privatization Fit Into Governor Kasich's Jobs Budget? Where Are the Jobs?**

Two of the prisons proposed for sale are currently operated by a private management company and one, Marion Juvenile Correctional Facility is currently vacant. However, two of the facilities currently provide employment for hundreds of members in their respective communities – 362 employees at Grafton Correctional Institution and 434 at North Central Correctional Institution. Privatization of these facilities could result in immediate job loss in Grafton and Marion.

The average annual starting salary for corrections officers in public facilities was \$23,002 compared to \$17,628 for corrections officers in private facilities, according to *The Corrections Yearbook*. Lower wages may contribute to higher turnover rates in private prisons, which was 52.2 percent compared to 16 percent in government operated correctional facilities.<sup>11</sup>

What efforts will be utilized by the administration to minimize job loss in these communities, and furthermore, ensure that good paying jobs held by trained professionals are not replaced by lower paid positions that require less training?

### **What Guarantees Are There That Security Will Come Before Profit To Ensure the Safety of Ohioans?**

In 1998, poor management led to the escape of six inmates at a federal prison in Youngstown. According to the Dayton Daily News, "a federal prison in Youngstown run by Corrections Corp. of America saw six inmates escape, including five killers. Prior to that two other inmates in the CCA facility were murdered and as many as 20 others were stabbed. Problems at the

Youngstown private prison led to a \$1.5 million legal settlement between CCA and the inmates housed there.”<sup>iii</sup>

According to a report from the Cleveland Plain Dealer, Correction Corp. had hired inexperienced and poorly trained guards to cut costs and maximize profits. According to the report, “About 60 percent to 70 percent of the guards had never worked in corrections, former guards said. When it came to training, former CCA guards said it was minimal. About three to four weeks were spent in classroom and on-the-job training, they said, including two days of self-defense training, first aid and a review of company firearms, although the Mahoning County sheriff said some of the untrained guards from the private prison nevertheless carried guns.”<sup>iv</sup>

The Youngstown Corrections Corp. prison experienced some of the most extreme prison violence in Ohio history. According to the Sentencing Project, “the Northeast Ohio Correction Center in Youngstown, Ohio experienced 13 stabbings, 2 murders and 6 escaped inmates” over a 14 month period. In reference to the Youngstown facility, Peter Davis, director of the Ohio Correctional Institution Inspection Committee said, “There is nothing in Ohio’s history like the violence at that prison.”<sup>v</sup>

What training requirements and regulatory oversight will be associated with this major expansion of privatization within the Ohio correctional services system to keep Ohio communities safe?

### **Will There Be New Rules and Regulations Associated with the Expansion to Protect Safe Working Conditions For Private Corrections Officers?**

According to the Plain Dealer, “private prisons save money in two ways: By hiring fewer people and paying them less. Staffing costs typically make up 60 percent to 70 percent of a prison’s operating costs. CCA controls these costs by hiring fewer guards, prohibiting overtime, and by paying less.”<sup>vi</sup> Will Governor Kasich’s proposal include staffing requirements or allow for collective bargaining so that private prison employees have the ability to negotiate for conditions necessary to ensure a successful mission and safe work environment?

According to a case study of a Department of Justice investigation, the Northeast Ohio Correction Center used inexperienced staff to save costs at the expense of security. “The report cited ‘fundamental breakdowns attributable to the institution and corporate management in meeting their most basic security missions.’ ... Among the particular issues of concern noted in the report was the absence of experienced midlevel managers and uniformed supervisors. Many persons placed in supervisory and senior positions lacked the experience and training required. For example, among the 30 sergeants, 16 had no prior correctional experience, and among the 9 lieutenants, 2 had no prior correctional experience.”<sup>vii</sup>

Will the proposal to privatize five Ohio prisons include regulations pertaining to training requirements to ensure the safety of employees and the security of the inmates?

### **How Will The Privatization Proposal Protect Other Communities From Over-Crowding and Higher Concentration of Violent Inmates?**

Many studies show that private prisons only perform well because they select healthy, nonviolent inmates and are not forced to exceed capacity. According to the Dayton Daily News, “Representatives of the Ohio Civil Service Employees Association, the union representing state prison workers, complain that the private prisons “cherry pick” the healthiest, best-behaved inmates, aren’t overcrowded like the state prisons, and their costs don’t include overhead such as building construction. ‘They believe in privatization. They want to say, look it works. But what they’re not telling you is that it works but only with X-type of inmates, said Tracy Cutright, an OCSEA board member and corrections officer at Belmont Correctional Institution in eastern Ohio. While state-run prisons are at 133 percent of capacity, the privately operated facilities are at 99 percent of capacity, according to prison officials. And DRC said it doesn’t send prisoners with severe medical or mental health needs or with histories of escape to the M&TC [Management & Training Corp.] facilities.”<sup>viii</sup>

How will the proposal protect communities from the potential overcrowding and concentration of the state’s most violent prisoners as a result of shielding privately owned facilities from the responsibility of securing this segment of the state’s prison population?

### **State Law Requires At Least Five Percent Savings From Prison Privatization – Who Will Independently Verify That Savings Are Real?**

Under current law, the state must contract for two private prisons if they demonstrate an annual savings of at least 5 percent compared with state operation. According to the Columbus Dispatch the state “already contracts for the operation of two private prisons: North Coast Correctional Treatment Facility, a 552-bed, minimum-security facility for alcohol and drug offenders in Grafton in Lorain County, and the Lake Erie Correctional Institution, a 1,380-bed, minimum- and medium-security prison in Conneaut in Ashtabula County. Both are operated by Management & Training Corp. of Centerville, Utah.”<sup>ix</sup>

Who will be responsible for independently verifying that these cost savings are real?

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<sup>i</sup> The Executive Budget Fiscal Years 2012 and 2013. (2011, March 15). *State of Ohio*, D-490. Abstract retrieved from <http://obm.ohio.gov/sectionpages/Budget/FY1213/ExecutiveBudget.aspx>

<sup>ii</sup> *The Corrections Yearbook*. (2000). Middletown, CT: Criminal Justice Institute.

<sup>iii</sup> Bischoff, L. (2011, January 30). State, unions differ on private prisons. *Dayton Daily News*

<sup>iv</sup> Tatge, M. (1998, August 30). Employees criticize privately run facilities. *Cleveland Plain Dealer*, p. 18A.

<sup>v</sup> Cheung, A. (2004, September). *Prison Privatization and the Use of Incarceration*. Retrieved from The Sentencing Project website: [http://www.sentencingproject.org/doc/publications/inc\\_prisonprivatization.pdf](http://www.sentencingproject.org/doc/publications/inc_prisonprivatization.pdf)

<sup>vi</sup> Tatge, M. (1998, August 30). Employees criticize privately run facilities. *Cleveland Plain Dealer*, p. 18A.

<sup>vii</sup> Banks, C., Dr. (2004). *Criminal Justice Ethics: Theory and Practice* (p. 253). Sage Publications, Inc.

<sup>viii</sup> Bischoff, L. (2011, January 30). State, unions differ on private prisons. *Dayton Daily News*

<sup>ix</sup> Johnson, A. (2010, December 12). Prison reform awaits Kasich. *Columbus Dispatch*.