

Prison labor on the rise in US

By Alan Whyte and Jamie Baker
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US trade union officials have repeatedly denounced China for its use of prison labor, as part of the AFL-CIO's campaign against the normalization of trade relations with China. At the same time, however, the union officials have virtually been silent about the huge growth of prison labor in the United States.

There are presently 80,000 inmates in the US employed in commercial activity, some earning as little as 21 cents an hour. The US government program Federal Prison Industries (FPI) currently employs 21,000 inmates, an increase of 14 percent in the last two years alone. FPI inmates make a wide variety of products—such as clothing, file cabinets, electronic equipment and military helmets—which are sold to federal agencies and private companies. FPI sales are \$600 million annually and rising, with over \$37 million in profits.

In addition, during the last 20 years more than 30 states have passed laws permitting the use of convict labor by commercial enterprises. These programs now exist in 36 states.

Prisoners now manufacture everything from blue jeans, to auto parts, to electronics and furniture. Honda has paid inmates \$2 an hour for doing the same work an auto worker would get paid \$20 to \$30 an hour to do. Konica has used prisoners to repair copiers for less than 50 cents an hour. Toys R Us used prisoners to restock shelves, and Microsoft to pack and ship software. Clothing made in California and Oregon prisons competes so successfully with apparel made in Latin America and Asia that it is exported to other countries.

Inmates are also employed in a wide variety of service jobs as well. TWA has used prisoners to handle reservations, while AT&T has used prison labor for telemarketing. In Oregon, prisoners do all the data entry and record keeping in the Secretary of State's corporation division. Other jobs include desktop publishing, digital mapping and computer-aided design work.

US employers have pointed to the tight labor market for their interest in employing prisoners. But the other advantages, though not stated publicly, are obvious. The prison system can provide an “ideal” workforce: employers do not have to pay health or unemployment insurance, vacation time, sick leave or overtime. They can hire, fire or reassign inmates as they so desire, and can pay the workers as little as 21 cents an hour. The inmates cannot respond with a strike, file a grievance, or threaten to leave and get a better job.

Prisoners who refuse to work under these conditions are labeled “uncooperative” and risk losing time off for “good behavior,” as well as privileges such as library access and recreation. In one case, two prisoners at California's Richard J. Donovan Correctional Facility were put in solitary confinement after a local

television station broadcast their complaints about working for C.M.T., a T-shirt manufacturer that required them to put in 60 days of unpaid “training.”

The growth of prison labor has directly led to the destruction of other workers' jobs. For example, Lockhart Technologies, Inc. closed its plant in Austin, Texas, dismissing its 150 workers so that it could open shop in a state prison in Lockhart. The prisoners assemble circuit boards for industrial giants such as IBM, Compaq and Dell. Lockhart is not required to pay for health or any other benefits. The company must pay the prison the federal minimum wage for each laborer, but the inmates get to keep only 20 percent of that.

Linen service workers have lost their jobs when their employer contracted with the prison laundry to do the work. Recycling plant workers have lost their jobs when prisoners were brought in to sort through hazardous waste, often without proper protective gear. Construction workers have lost their jobs when the contractors were assigned to build an expansion of their own prison—essentially making the chains that bind them.

In 1990, California voters approved a change in the state's constitution allowing the operation of private enterprise in the prisons if the governor will assure that no civilian jobs will be lost. According to the law, companies that are about to begin using prison labor are obligated to notify the state's AFL-CIO, but in reality they rarely do.

In 1994, Oregon residents voted overwhelmingly for a constitutional amendment mandating that all prisoners work 40 hours a week. As a result, thousands of public sector jobs have been lost to convict labor, and thousands of private sector jobs have been lost as a result of firms that now utilize prison labor.

The struggle over prison labor has a long history in the US. In the early 1800s, group workshops in prisons replaced solitary handicrafts, and the increased efficiency allowed prisons to be self-supporting. Entire prisons were leased out to private contractors, who literally worked hundreds of prisoners to death. Manufacturers who lost work to prison contractors opposed the leasing system, but only with the growth of the union movement came effective opposition to prison labor. One of the most famous clashes, the Coal Creek Rebellion of 1891, took place when the Tennessee Coal, Iron and Railroad locked out their workers and replaced them with convicts. The miners stormed the prison and freed 400 prisoners, and when the company filled up work with more prisoners, the miners burned the prison down.

The prison leasing system was disbanded in Tennessee shortly thereafter, but remained in many states until the rise of the CIO and industrial unionism in the 1930s. As a result of this mass

movement of workers, Congress passed the 1935 Ashurst-Sumners Act, making it illegal to transport prison-made goods across state lines. However, under the presidency of Democrat Jimmy Carter, Congress passed the Justice System Improvement Act of 1979, which granted exemptions from Ashurst-Sumners for seven "Prison Industry Enhancement" pilot projects. Congress has since granted exemptions to all 50 state prison systems.

Although prison labor is today in its infancy, it could become one of America's most important growth industries. Over the last decade, the prison population has increased by 840,000, many of these prisoners having been convicted of nonviolent crimes. With the use of tough-on-crime mandatory sentencing laws, the prison population continues to grow. Some experts believe that the number of people locked up in the US could double in the next 10 years. The expansion of the number of prisoners will not only increase the pool of slave labor available for commercial profit, but also will help pay for the costs of incarceration.

With 2 million inmates, the US already has the largest prison population in the world. China, which the AFL-CIO consistently condemns as anti-worker and totalitarian, has a half-million fewer prisoners. With only 5 percent of the world's population the United States has a quarter of the world's 8 million prisoners.

Proponents of prison labor have argued that the employment of labor for profit has a rehabilitative effect. Expenditures for education and training of prisoners, meanwhile, have been declining.

Nevertheless, the use of right-wing propaganda made possible a situation in Oregon where 70 percent of voters, including many union members, approved the use of prison labor. Today, many of these same voters say they were fooled by the original media campaign advocating prison labor, which maintained that its essential purpose was to teach inmates proper discipline and prepare them to be good citizens when they were released.

Today, the AFL-CIO in Oregon is split on the issue. The Teamsters and the building trades unions and the American Federation of State, County, and Municipal Employees (AFSCME) now officially stand for the repeal of the prison labor laws because their implementation has already resulted in the loss of dues-paying union members. However, corrections officers who are AFSCME members support prison labor because it makes their jobs a lot easier; they say that the commercial work keeps the prisoners both occupied and exhausted, and therefore easier to control.

In 1997, the Tennessee AFL-CIO supported proposals to privatize the state's prison system, having struck a deal with Corrections Corporation of America (CCA) to represent the workers. Private, for-profit prisons such as those run by CCA and Wackenhut have become the modern-day version of the nineteenth century leased prisons. Brutal treatment of prisoners is commonplace, as the for-profit entrepreneurs seek to reduce the expense of food and housing in order to add to the profits from running commercial industries.

Perhaps more significantly, the unions tend to portray inmates as the ones who should be blamed for the loss of union members' jobs. They depict prisoners as bad seeds wholly responsible for their own incarceration, rather than the victims of a system based

on the exploitation of workers' labor-power. Unions have expressed the idea that giving inmates hard work is good because it will help discipline and rehabilitate them. This ideological outlook turns the prisoner into the enemy of organized labor, as well as civilized society. This conception also makes it possible to deflect responsibility from the corporations that pushed for prison labor, and who are now profiting handsomely from its use.

One step towards organizing an effective response to the growth of prison labor is to clarify what is really behind the law-and-order mentality that is being pushed by both major parties in the US. This would involve examining the relationship of crime to the growth of poverty, social and economic inequality, the decline of real career and growth opportunities for millions of people, the crumbling of schools, the impact of racism and bigotry, and so on.

The labor bureaucracy is incapable of doing this as this would threaten the privileged position that it enjoys in a system based on the exploitation and oppression of the working class. It is for this reason that union officials share and promulgate to their membership the same ideological outlook of the corporations, which essentially blames the working class for the social problems that it confronts.

The role of the union bureaucracy can be clearly seen in the political maneuvers taking place in Washington DC concerning the issue of using inmates as laborers. Officials at the Federal Bureau of Prisons are pushing for legislation that would expand the use of prison labor. There are now two competing bills in Congress that would accomplish just that. Representative Pete Hoekstra, a Michigan Republican, is offering one of the bills that would compel prison labor in state prisons to compete with private enterprise. This is an absurd attempt to claim that somehow free labor can successfully compete with the slave-labor conditions in the prisons. Significantly, this bill has the support of both the United States Chamber of Commerce and the AFL-CIO.

The other bill proposed by Representative Bill McCollum, a Republican from Florida, would greatly expand the program but allow the inmates to earn a paltry \$1.15 an hour instead of the current 21 cents an hour. This bill also contains a provision that would prohibit existing jobs from being lost as a result of the expanded use of convict labor. However, the experience in California shows that such guarantees are not worth the paper they're printed on.

There has been discussion about merging the two bills. This demonstrates the real dangers posed to workers and prisoners alike as both the labor bureaucracy and the organized voice of big business in America work together to enlarge the scope of prison labor.

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