

Prisons for Profit

Ohio Prisoners Turn Into Dollar Signs



The Youngstown federal penitentiary is operated by the private prison company Corrections Corporation of America (CCA). The Federal Bureau of Prisons (BOP) contracts out all operations of the prison to CCA. This for-profit prison company has one bottom line: money. More prisoners means more dollar signs.

Prisons for profit are a multi-billion-dollar industry that depends on, and profits from, our national addiction to incarceration. Handing control of prisons over to for-profit companies is a recipe for abuse, neglect, and misconduct. Private prisons create dangerous atmospheres with a severe lack of oversight, and do little to encourage rehabilitation.

CCA lobbies heavily to gain more prison contracts, while fighting to avoid public accountability. Private prison companies spent more than \$32 million on federal lobbying and campaign contributions since 2000.¹ From CCA's perspective, sentencing reform efforts are a "risk factor" for the company's business and the growth of the private prison industry only worsens our nation's addiction to incarceration.

The ACLU and ACLU of Texas published *Warehoused and Forgotten: Immigrants Trapped in Our Shadow Private-Prison System* (June 2014), which documents a multi-year investigation into five "Criminal Alien Requirement" (CAR) prisons run under contract with the federal Bureau of Prisons (BOP) in Texas. The investigation uncovered evidence that the immigrants held in these private prisons are subjected to shocking abuse and mistreatment and discriminated against by BOP policies that impede family contact and exclude them from rehabilitative programs.

Several private prisons around the country are Criminal Alien Requirement facilities. The Northeast Ohio Correctional Center in Youngstown is one of these CAR Prisons. CAR prisons are private prisons operated under contract with the BOP to hold low-security, non-U.S.-citizen prisoners. Unlike most federal prisons—which are run as publicly accountable federal institutions by BOP—these prisons are operated by for-profit companies. Rising criminal prosecutions of immigrants for crossing the border, offenses previously handled almost entirely by the civil immigration system, are dramatically changing who enters the federal prison system—and fueling the growth of CAR prisons.² People convicted of immigration offenses now represent one of the largest categories of people in CAR prisons and of non-citizens in BOP custody generally.

The extreme problems with CAR prisons,³ like the Northeast Ohio Correctional Center, include:

- Private prison contracts negotiated by BOP and pending solicitations for new private prisons provide incentives that keep facilities overcrowded and place excessive numbers of prisoners in isolation cells. These incentives include requirements that the prisons use 10% of their bed space as isolation cells—nearly double the rate of isolation in BOP-managed institutions.
- Immigrant prisoners in CAR prisons have far more limited access to programming, drug treatment, and work opportunities than U.S.-citizen prisoners in BOP-operated institutions, even though many have deep ties to the United States.

¹ *Warehoused and Forgotten: Immigrants Trapped In Our Shadow Private-Prison System*, ACLU, www.aclu.org/warehoused (June 2014).

² See generally LIGHT, MICHAEL T., MARK HUGO LOPEZ AND ANA GONZALEZ-BARRERA, THE RISE OF FEDERAL IMMIGRATION CRIMES, PEW RESEARCH CENTER'S HISPANIC TRENDS PROJECT (March 18, 2014), available at <http://www.pewhispanic.org/2014/03/18/the-rise-of-federal-immigration-crimes/>.

³ *Warehoused and Forgotten: Immigrants Trapped In Our Shadow Private-Prison System* www.acluohio.org

- Medical understaffing and extreme cost-cutting measures reportedly limit prisoners' access to both emergency and routine medical care.
- Prisoners reported severely overcrowded and squalid living conditions, including overflowing toilets, hallways repurposed as sleeping spaces, and semi-permanent tents filled with hundreds of bunks.
- By statute, most of the records of CAR prisons are exempt from the open records laws that apply to other federal prisons. Additionally, BOP fails to subject its private prison contractors to adequate oversight and accountability, and the agency consistently avoids public disclosure of basic information about these prisons.

CCA Problems in Youngstown

Like many other private prisons, the Youngstown federal prison has a checkered history. CCA took control of the Youngstown federal prison in 1997. Within a year, several prisoners were stabbed and two were murdered. Six escaped.⁴ The prison closed for a few years, then reopened, still under CCA management. Things are not much better now.

Taxpayer Dollars Wasted to Maintain Profits for Private Prison Companies

Contracts frequently include a guaranteed occupancy rate of 90% and automatic contract price increases.⁵ Taxpayers must foot the bill for the total occupancy rate even if there are fewer numbers of prisoners in a facility. Indeed, both the current Youngstown contract and the proposed new contract contain 90% occupancy guarantees.⁶ Ohio's formula to calculate cost savings results in flawed conclusions with proof of nonexistent savings.⁷

Problems with Lake Erie Correctional Institution – owned & operated by CCA

Lake Erie was the first state-owned prison in America sold entirely to a private, for-profit corporation. Notorious for unsanitary conditions and numerous security, health, and safety problems. Drugs and other contraband regularly flow into and out of the prison. Extremely high violence rates persist from prisoners and staff. Since CCA took over, calls to local police dramatically spiked for patrols around the surrounding area.

⁴ Prison Legal News,

<https://www.prisonlegalnews.org/%28S%28rpq35nvt5riqao552y2dljv0%29%29/displayArticle.aspx?articleid=24751&AspxAutoDetectCookieSupport=1> (September 19, 2012).

⁵ In the Public Interest, *The Cost of Private Prisons*, <http://www.inthepublicinterest.org/prisoncosts> (April 9, 2014).

⁶ Corrections Corp. of America, Press Release, Corrections Corporation of America Announces Contract Award with Federal Bureau of Prisons, Dec. 23, 2004, *available at* <http://www.businesswire.com/news/home/20041223005261/en/Corrections-Corporation-America-Announces-Contract-Award-Federal#.U3vl1yiiXOt>; Federal Bureau of Prisons, Solicitation No. RFP-PCC-0022 (CAR XV), Mar. 25, 2013, *available at* <https://www.fbo.gov/index?s=opportunity&mode=form&id=ea666297a5d655e7b3e011ddc1bb4e0b&tab=core>.

⁷ *The Cost of Private Prisons*

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