

# **The Prison Payoff**

## The Role of Politics and Private Prisons in the Incarceration Boom

By Brigette Sarabi & Edwin Bender

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R E S E A R C H   A D V I S O R Y   T E A M

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**Judy Greene**  
*Justice Strategies*

**Marc Mauer**  
**Jenni Gainsborough**  
*The Sentencing Project*

**Paul Wright**  
*Prison Legal News*

**Ryan Pintado-Vertner**  
*Data Center*

**Len Norwitz**  
**Tarso Luís Ramos**  
*Western States Center*

**Mary Cotter**  
*Center on Crime,  
Communities & Culture*

**Stephen Nathan**  
*Prison Privatization  
Report International*

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*To all of these people, we say thank you.*



# Table of Contents

Acknowledgements .....	ii
Methodology.....	iv
Preface.....	v
Introduction/Executive Summary .....	vii
<b>Section I: Private Prisons: Moving Backwards in Time .....</b>	<b>1</b>
Convict Leasing: A Reconstruction Legacy	
The Reagan Revolution	
Higher Profits Require More Prisoners	
<b>Section II: The Legislative Pipeline .....</b>	<b>3</b>
The American Legislative Exchange Council	
The Corporate Connection	
ALEC's Role in Criminal Justice	
Pennsylvania: An ALEC Success Story	
The Arizona Example	
The Campaign Connection	
<b>Section III: Courting Political Influence.....</b>	<b>7</b>
Bullish on Prisons	
Lobbying	
Campaign Contributions	
The Players	
Contribution Strategies	
Targeting by State	
Targeting by Political Office	
<b>Section IV: Westward Ho! Private Prison Corporations Stake Out New Territory.....</b>	<b>11</b>
California: Getting Fat Off the Scraps	
Corporations Team Up to Push Privatization in Alaska	
Private Prisons Move Into the Northwest	
Hot Potato in Idaho	
Moving Into Montana	
Utah: Activists Turn Back New Private Prison	
<b>Section V: Resisting Prison Privatization.....</b>	<b>21</b>
Overview	
A Case Study in Organizing Opposition to Prison Privatization	
<b>Conclusion .....</b>	<b>25</b>
Resources	
<b>Appendices</b>	
Appendix A: Contribution Strategies by Corporation .....	29
Appendix B: Top Recipients of Private Prison Industry Contributions, 1998.....	31
Appendix C: Private Prison Industry Campaign Contributions by Legislative Office, 1998.....	33
Appendix D: CCA Campaign Contributions to Idaho Elected Officials, 1998.....	35
Appendix E: Political Contribution Data Source .....	37
<b>Endnotes .....</b>	<b>39</b>

## Methodology

To conduct this study of the role of politics in the prison privatization push, the Western Prison Project and Western States Center contracted with the National Institute on Money in State Politics. Based in Helena, Montana, this nonprofit, non-partisan research service tracks campaign contribution data from the comprehensive databases they maintain. For this report, they surveyed forty-two states that had some or all 1998 campaign contribution data available as of May, 2000. A complete listing of the states surveyed and review of the data sources available is listed in the appendices. The Institute's campaign contribution databases are updated regularly, and can be viewed at [www.followthemoney.org](http://www.followthemoney.org). The Institute also surveyed press archives for articles relevant to the growth of the private prisons; public-policy web sites for evidence linking private prison corporations to specific legislation or a legislative agenda; and corporate filings with the Securities and Exchange Commission for background on the corporations, their executives and staff, and future plans.

After the Institute identified contribution patterns related to prison privatization, the data was presented to a national research advisory panel recruited by the Western Prison Project. The advisory panel's analysis, along with additional research, shaped the resulting report.

This study focuses on the relationship between campaign contributions and state legislative action. Federal elections and legislation, as well as corporate backing of criminal justice ballot initiatives, are arenas that merit further investigation.

## Preface

The incarceration boom in the U.S. and increasing trend towards prison privatization are matters that should be of grave public concern. Aside from the ethical issues involved, the massive transfer of public resources into corrections and away from other needs such as education, infrastructure and health care is bad public policy.

We are locking up more and more Americans — most of them people of color, poor, and increasingly young. We are cutting the very programs that have been proven, time and again, to deter crime. Even with the harsh sentencing legislation that passed in waves throughout the country during the 1990s, the vast majority of today's prisoners will be released. They will return to the community without the benefit of rehabilitative or transition services that could bolster their chances for success.

As a nation, we must ask ourselves what kind of a future we are creating for our communities. What kind of future are we creating for our youth? On the one hand, we increasingly subject children to long sentences in adult prisons; on the other hand, corrections officials in many states, desperate for prison guards, are targeting recruitment to high school students<sup>3</sup>. *Is this the future we want for our youth: to be either the jailer or the jailed?*

Who will determine the answers to these questions? Private prison corporations and the politicians they sponsor?

This report argues for an alternative. What's needed is increased awareness among tax payers and community members about the human, moral and economic cost of the incarceration boom, and a resulting demand that the profits be taken out of the prison industry.

Our primary objectives in producing this report are:

- to raise public awareness about the influence of private prison corporations on the incarceration boom;
- to document the links between corporate interests and political interests that have created a huge shift in public resources to prison construction and maintenance;
- and to provide activists with information and ideas that can further work underway throughout the country to turn the tide of increasing incarceration and create effective, community-based alternatives.



Brigitte Sarabi  
Director  
Western Prison Project



Dan Petegorsky  
Executive Director  
Western States Center

## Introduction/ Executive Summary

The U.S. is currently engaged in the largest prison build-up in recorded history. Since 1980 we have more than quadrupled our prison population. Nearly one in every 150 Americans is incarcerated today, at an annual cost of \$40 billion. During the same time period, crime rates have remained steady or decreased.

If crime is not on the rise, why are incarceration rates skyrocketing? It is well documented that the media sensationalize crime and the public's fear of crime (which is out of proportion with actual victimization rates<sup>4</sup>). This propensity feeds and is fed by political opportunism that exploits the public's fear for the sake of political gain. Ever since the infamous Willie Horton ads were aired to discredit Democratic Presidential candidate Michael Dukakis in 1988, politicians from both major parties have had a morbid fear of appearing soft on crime.

But beyond the fears fanned by the media and self-interested politicians, what else is driving the U.S. incarceration boom?

It is our conclusion that a major factor in the current incarceration boom is the influence of private prison corporations with vested financial interests in increasing rates of imprisonment. Between 1987 and 1996, the number of inmates in private prisons soared more than 2000 percent, jumping from 3,122 to 78,000. By December, 1999, private prison beds in the U.S. numbered over 130,000.

This report documents two of the primary methods used by private prison corporations to wield influence: political campaign contributions and ideologically-loaded model legislation shaped by the same private interests who stand to profit from it.

We make no claims of a conspiracy. The reactionary criminal justice policies proposed and passed throughout the country in the 1990s were decidedly non-partisan; both Republicans and Democrats positioned themselves as "tougher than the rest" on matters of crime and punishment. And much of the harsh legislation of the last two decades has been supported by groups, like powerful corrections labor unions, who otherwise oppose prison privatization.

Nonetheless, private prison companies have deeply insinuated themselves into the political process. This report illustrates the convergence of factors during the last two decades that have contributed to their rising influence:

- The ascendancy of conservative politics, which favors privatization of many public responsibilities, including criminal justice;
- The increasingly common practice of exploiting public fears about crime to gain or maintain political power;
- The concerted efforts of corporate-backed think tanks like the American Legislative Exchange Council to develop and disseminate pro-privatization legislative models;
- The dependency of elected officials on big-money contributors for their ongoing political careers; and
- The opportunity for profits to be made off of the criminal justice industry.

This report seeks to provide the information, analysis and resources to help reverse these trends.

## Section I: Private Prisons: Moving Backwards in Time

Maximizing profits off human misery is not a new concept in American criminal justice. The current round of late-twentieth century prison privatization has its roots in the nineteenth century when privatized corrections first flourished.

### Convict Leasing: a Reconstruction Legacy

The Reconstruction era after the Civil War saw widespread adoption of legislation criminalizing a broad range of non-violent behaviors to maintain social control over the African American population. Prisons throughout the south were flooded with recently freed slaves. Faced with rising prison costs, several states entered into convict leasing agreements with politically-connected private entrepreneurs who contracted for prison labor and in return provided incarceration services to the state.

These arrangements provided a steady supply of workers to the same plantations that had used slave labor. There was an important difference, however: while slave-owners had a self-interest in keeping their slaves alive, under the convict leasing system any such incentive was absent, leading to a privatized prison labor system that literally worked prisoners to death.

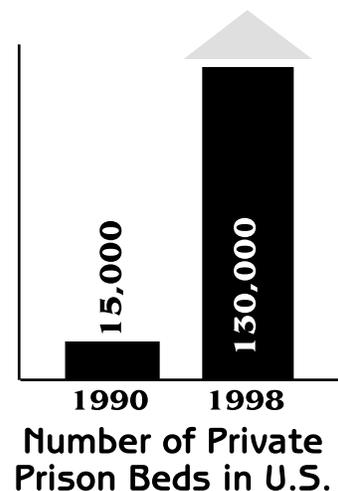
As private enterprise took over more prison systems, corruption became even more rampant.<sup>5</sup> According to an 1867 report for the New York Prison Association on penal methods throughout the U.S., not one institution in the country considered rehabilitation a priority. Both public and private prison conditions throughout the country were abominable (the report detailed abusive punishments, crowded cells, horrifying working conditions, and corrupt and poorly trained guards throughout U.S. prisons).<sup>6</sup>

By the early 1900s, the conditions in U.S. prisons had become so atrocious that a new movement for penal reform succeeded in gaining public support. Private prisons were outlawed.

### The Reagan Revolution

Private prisons did not reappear on the American stage until the 1980s, when President Reagan led a renewed push for greater privatization of government services. Since the mid-1980s, a new breed of private prison operators has surfaced. With the support of tough-on-crime legislators and conservative think tanks, private prison corporations have carved a multi-million dollar niche in the government services market, and codified their place in the public-policy arena.

A tidal wave of new sentencing legislation (discussed in greater detail in Section II) has created a ready market. Twenty-eight states have now authorized the use of private prisons, as of January 2000. Between 1990 and 1998, the number of private prison beds in the U.S. grew from 15,000 to over 130,000.<sup>7</sup> Only two states (Illinois and New York) have prohibited the use of private prisons.<sup>8</sup>



## Higher Profits Require More Prisoners

For private prison corporations, the financial bottom line depends on high incarceration rates. With millions of dollars invested in prison construction costs, private prison companies work assiduously to minimize any risks to profits. In their annual reports to stockholders, both Corrections Corporation of America and Cornell Corrections (which together account for more than 60 percent of the market share) recognize their reliance on state legislatures and the threat that a lower crime rate or reduced corrections budget poses for their profits.

CCA's S.E.C. filings (March 31, 1997) contained this list of Risk Factors: "Short-Term Nature of Government Contracts, Dependence on Government Appropriations, and Dependence on Government Agencies for Inmates."<sup>9</sup>

Private prison corporations need influence at the state level because state governments are their primary clients. Unlike many other corrections issues, where corrections professionals determine the approach, the key decision-makers on prison privatization issues are the elected legislators and governors who pass corrections department appropriations and sentencing legislation.

According to the 1998 Congressional study, *Private Prisons in the United States*, "[Most] contracting for imprisonment services was not taken at the initiative of the correctional agency, but was instead mandated by either the legislature or the chief executive of the jurisdiction, typically the governor."<sup>10</sup>

As a result, influencing elected officials at the state level has become a key business strategy for private prison corporations.



## Section II: The Legislative Pipeline

The past twenty years have marked a dramatic shift to downright vengeful criminal justice policies. State and federal legislation has criminalized more and more behaviors, incarcerated offenders for longer stretches of time, and dismantled most rehabilitative and transition services that could help prisoners successfully re-integrate into society.

On the federal level, the incarceration boom has been promoted by the Sentencing Reform Act of 1984, the Violent Crime Control & Law Enforcement Act of 1994, the Illegal Immigration and Immigrant Responsibility Act of 1996 and other key legislation. Most of the action, however, has been at the state level, where a range of harsh criminal justice legislation has resulted in massive increases in the prison population. Some of this state-level activity was encouraged by legislation at the federal level, such as the 1994 Crime Act, which provides money for prison construction to states which pass “Truth-in-Sentencing” legislation.

Much of the legislation at the state level was crafted by a single organization, in partnership with private prison interests.

### The American Legislative Exchange Council

Hundreds of similar pieces of criminal justice legislation were introduced in states throughout the country in the mid-1990s. Their origin can be clearly traced to the influence and work of one conservative organization: the American Legislative Exchange Council (ALEC).

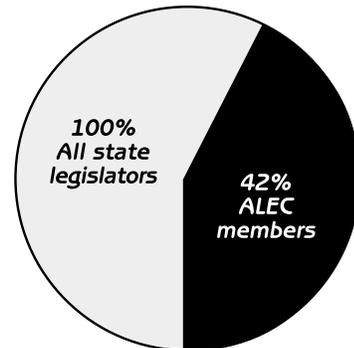
ALEC is a Washington, D.C.-based public policy organization that supports conservative legislators. Launched in 1973 by Paul Weyrich (a Heritage Foundation founder and major New Right figure), ALEC exemplifies the overlap between the corporate sector and public policy.

With over 40 percent of state legislators as members, ALEC represents a formidable force in state capitols across the country. Of the more than 6,000 state legislators in the United States, approximately 2,500 are members of ALEC, including scores who hold key leadership positions.

A chief function of the Council is the development of model legislative proposals that advance conservative principles like privatization. In 1995-96, ALEC’s model legislation resulted in 1,647 bills, including 365 that became law (a 22 percent success rate). By 1999, introduction of bills based on ALEC’s model had increased by 34 percent; of 2,208 ALEC bills, 322 were enacted into law.<sup>11</sup>

### The Corporate Connection

Business foots the bill for much of ALEC’s operating budget and directly shapes its political agenda through participation in policy task forces. In 1992, 70 percent of ALEC’s \$3.7 million budget came from corporations. By 1998, the organization’s budget had grown to more than \$6 million, with 68 percent coming from corporate donations.



**Membership in ALEC  
by state legislators**

Prominent among ALEC’s corporate funders are several major stakeholders in prison privatization, including Corrections Corporation of America (CCA), Wackenhut Corrections, and Sodexho Marriott Services, a major stockholder in CCA. CCA, the largest private prison corporation in the U.S., made the President’s List for contributions to ALEC’s 1999 States & Nation Policy Summit. (Sodexho Marriott and Wackenhut also sponsored the conference.)<sup>12</sup>

Representatives from the corporate sector co-chair the task forces that develop ALEC’s model legislation. ALEC’s current Criminal Justice Task Force is co-chaired by Brad Wiggins, CCA Director of Business Development, and Brian Nairin of the National Association of Bail Insurance Companies. Up until April 2000, the Task Force was co-chaired by John Rees, a vice president at CCA.<sup>13</sup>

### ALEC’s Role in Criminal Justice

Tough criminal justice legislation is a specialty of ALEC. In its 1995 Model Legislation Scorecard the organization claimed, “The busiest Task Force was Criminal Justice, which had 199 bills introduced.” The report of the Criminal Justice Task Force states:

The Criminal Justice Task Force is dedicated to developing model policies that reduce both violent and property crimes in our cities and neighborhoods in an efficient, fiscally conservative manner. ALEC’s Truth in Sentencing Act and Three Strikes You’re Out Act have been the most effective bills supported by the Task Force. At least one of these model bills has been enacted in half of the states in the country. The Task Force continues to explore cost-effective methods for states to manage their criminal justice systems.<sup>14</sup>

The following chart summarizes ALEC’s criminal justice successes.

LEGISLATION	# ENACTMENTS	STATES
Truth in Sentencing Act (inmates serve at least 85% of their sentence)	25	Arkansas, California, Connecticut, Florida, Georgia, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nevada, New Hampshire, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wyoming
Habitual Offender/Three Strikes (life imprisonment for a third violent felony)	11	Arkansas, Florida, Indiana, Montana, New Jersey, North Carolina, South Carolina, Tennessee, Vermont, Virginia, Wyoming (“Three Strikes” legislation was previously passed in Washington state in 1993, and California in 1994)
Private Correction Facilities	4	Arkansas, Connecticut, Mississippi, Virginia
Prison Industries (requires prisoners to work for private companies)	1	Mississippi

The Task Force reports that prison privatization is one of the “major issues” it is focusing on at this time.

## Pennsylvania: An ALEC Success Story

A review of criminal justice trends in Pennsylvania over the last decade provides a case study in ALEC's influence. In 1994, ALEC made prison privatization and tough-on-crime legislation a major policy initiative, illustrated by its *Report Card on Crime and Punishment*, issued in October.<sup>15</sup> Earlier that year, William Barr, former Attorney General in the Bush administration, unveiled the ALEC agenda at a January 28th media event.

Titled *Every Ten Minutes, A Pennsylvanian Falls Victim to a Violent Crime: Report Card on Crime Provides Ten Legislative Actions to Fighting Crime in Pennsylvania*,<sup>16</sup> the event featured Barr, Sen. Steward Greenleaf, minority chairman of the Pennsylvania Senate Judiciary Committee, and Rep. Jeff Piccola, Republican chairman of the Pennsylvania House Judiciary Committee.

The legislative proposals developed by ALEC for this test-run in Pennsylvania reflect the conservative criminal justice agenda, and were soon to be introduced in states around the country.

In February 1995, Pennsylvania Gov. Tom Ridge, an ALEC member, called a special session of the legislature to address crime in the state. Rep. Piccola introduced eight pieces of legislation in that session, all based on ALEC's 10-point agenda; Sen. Greenleaf introduced twelve. Overall, the nine-month session saw 30 crime bills approved, many based on ALEC's models, and Gov. Ridge released more than \$87 million in state funding for construction of new prisons.<sup>17</sup> In fifteen years, Pennsylvania's corrections budget grew from \$90 million to more than \$600 million in 1995, and was expected to top \$1 billion by 2000.<sup>18</sup> Gov. Ridge was a featured speaker at ALEC's 26th Annual Meeting in Nashville in August, 1999.

## The Arizona Example

The 1999 Arizona legislative session provides another example of local application of ALEC's national agenda, this time with a sharper focus on privatization. Senate President Brenda Burns, ALEC's 1999 national chairwoman, sponsored two bills aimed at privatizing the state's prisons system:

- House Bill 2017 required the Department of Corrections (DOC) to develop, by November 1, 1999, a plan to contract for up to 4,200 privately operated prison beds, and to begin phasing in use of those beds by June 2002.
- House Bill 2191 established a deadline for the Department of Juvenile Corrections (DJC) to establish a privatization plan, detailed the process DJC was to use to identify needs and options, and required "Joint Legislative input into the request for proposals process for privatization of specific beds."

### ALEC'S TEN LEGISLATIVE ACTIONS TO FIGHT CRIME

- Keep dangerous defendants off the streets by allowing judges to deny bail to dangerous offenders, and to end pre-trial release and require secured bail for violent and repeat offenders;
- Require minimum sentences for repeat felons and other serious offenders;
- Sentence for "actual conduct" in serious cases where plea bargains resulted in a person being convicted of a lesser crime;
- Require life in prison for those convicted a third time for a violent or serious offense (so-called "three-strikes" legislation);
- Require prisoners to serve at least 85 percent of their sentences ("truth in sentencing" legislation);
- Treat juveniles as adults for serious crimes;
- Allow juveniles' crime histories to be considered by the courts;
- Guarantee the rights of victims to seek and have full redress and restitution;
- Require government to inform the public about the criminal-justice system, its practices and performances;
- Use prison privatization, electronic home detention, boot camps and similar methods to see that the system works efficiently.

Both measures passed the House, but failed to make it through the Senate before adjournment.



Arizona, already one of the top three states contracting for private prisons, was friendly territory for privatization proponents. Sen. Burns' proposal for 4,200 new beds came despite existing DOC plans to contract for 1,000 new beds in private facilities (an 18 percent expansion) by the year 2002.<sup>19</sup> Her proposal reflects the appetite of the private prison corporations to expand their corporate reach, and their success in using organizations like ALEC to put forward legislative proposals that would benefit the corporate coffers.

## The Campaign Connection

In addition to working side by side with elected officials on ALEC's task forces, private prison corporations make direct financial contributions to many of these same legislators. Several prominent ALEC members who have received campaign contributions from private prison corporations have supported private prisons or "tough on crime" legislation.

### ALEC MEMBERS GET COZY WITH PRIVATE PRISON CORPORATIONS

- Wisconsin Gov. Tommy Thompson, who received ALEC's Thomas Jefferson Freedom Award in 1991, has said he is against more prisons. Yet in March 2000, he negotiated a \$17.5 million deal for the state to lease and operate a private facility from an Oklahoma firm through mid-2001.<sup>20</sup> Wisconsin, with nearly 4,500 prisoners in out-of-state private prison facilities (at a cost of \$100 million in 1999), is the largest exporter of inmates in the country.
- Utah Gov. Michael Leavitt, the 1997 recipient of ALEC's Thomas Jefferson Freedom Award, in March 1999 signed House Bill 131 authorizing the state Department of Corrections to contract with private corporations for prison services.
- Idaho Sen. Sheila Sorensen, the state's 1999 ALEC chairwoman, was one of three Idaho lawmakers who attended the grand opening of CCA's new Idaho facility in June 2000.
- California Sen. Ray Haynes, the first vice chairman of the 1999 ALEC Board of Directors and ALEC National Chair for 2000, in 1995 sponsored Senate Bill 118. SB 118 authorized the Department of Corrections to contract for 2,000 new beds in private community correctional facilities, and to contract for the design, construction and operation of a new private facility for an additional 2,000 medium- and minimum-security inmates.

## Section III: Courting Political Influence

A study of the overlap between the business of prisons and the public-policy process reveals a number of key corporate players using the time-tested tactics of lobbying and campaign contributions.

In this tangled web of influence, business leaders may get elected and public officials may go to work for the very businesses that have backed their political careers. Michael Quinlan, for example, former Director of the Federal Bureau of Prisons, became Executive Vice President and Chief Operating Officer of CCA/Prison Realty. Not coincidentally, the company now holds many of the most lucrative recent contracts with the federal government.

In many cases, however, these efforts do not yield immediate results but instead reveal a pattern of investment meant to curry favor and produce victory down the road.

Industry leader Corrections Corporation of America, which is headquartered in Nashville, attempted in 1996 to make Tennessee the first state in the country to have a prison system run entirely by a private company. CCA co-founder Tom Beasley is a former chairman of the Tennessee Republican Party. Although the effort did not succeed, the \$22,000 that CCA put into the campaigns of Tennessee lawmakers that cycle helped win them some long-term friends, including Governor Don Sundquist, an ardent proponent of prison privatization.

CCA made another long-haul investment in 1996. Their candidate, Stephen Goldsmith (the mayor of Indianapolis from 1992 -1999), who scored a \$31,000 CCA contribution, failed in his gubernatorial bid, but in 1999 became a top domestic policy advisor to Republican Presidential candidate George W. Bush.<sup>21</sup> Goldsmith is a strong proponent of privatization of all government services, including corrections.

### Bullish on Prisons

Private prison corporations are not the only players in the push for privatized corrections. The overlap between politics and business goes well beyond local and state-level contacts to the heart of Wall Street.

The New York investment house of Gilder, Gagnon, Howe and Co., for example, has a 6.4 percent stake in CCA.<sup>22</sup> Founding partner Richard Gilder is a major funder of conservative candidates; he donated more than \$360,000 during Newt Gingrich's Republican Revolution. (His crony J. Patrick Rooney of Golden Rule Financial is a major underwriter of ALEC and gave Gingrich \$231,110.)<sup>23</sup> Gilder also is a founder and director of The Club for Growth, which raises funds for conservative GOP candidates, and promotes a conservative policy agenda including privatization. Club for Growth board colleagues include Stephen Moore, a Heritage Foundation Fellow who was the research director for President Reagan's Commission on Privatization.<sup>24</sup>

### Lobbying

While their Wall Street backers endorse a broad privatization agenda, private prison corporations work directly to consolidate political support for their growth. Paying top dollar for top lobbyists is common practice.

In early 1996, CCA established a lobbying contract with John Ray, then still a Washington, D.C. Council member. Shortly after hiring Ray, CCA bid on D.C.'s first corrections contract, and in December 1996 was awarded a contract to take over the Correctional Treatment Facility, a 900-bed facility.<sup>25</sup>

In 1997, CCA retained Ray's new employer, Manatt Phelps & Phillips, to lobby for proposed private contracts to house inmates from the District of Columbia (whose corrections program had just been federalized). Manatt, Phelps & Phillips reported receiving \$2,080,000 from clients CCA, EX-EM Inc. and The Money Store that year.

Former New Mexico state representative and House majority leader Michael Olguin was hired by Wackenhut Corrections Corp to lobby the 2000 New Mexico legislature, for a fee of \$10,000 for the 30-day session. Wackenhut has contracts worth \$25 million a year for 1,500 inmates in New Mexico, where prison riots made Wackenhut and privatization a hot political issue. Formerly an ardent critic of prison privatization (Olguin said after the July 31, 1999, riots: "It's time for the governor and his Republican colleagues to fess up: Privatization is a dismal failure. New Mexicans were deceived by Wackenhut, by Governor Johnson and by the Republican Party."<sup>26</sup>), he apparently changed his tune for the 2000 legislative session.

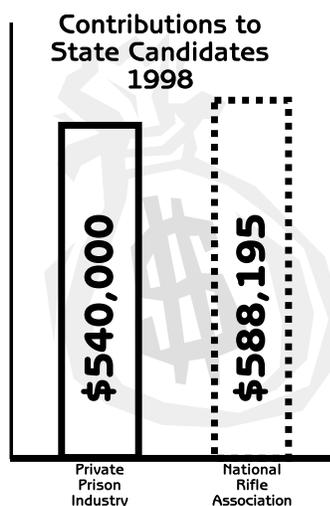
## Campaign Contributions

In the late 1990s, as the private prison industry was rocked by scandals, lawsuits, and ill-advised business strategies that resulted in a massive slide in stock value, private prison corporations rapidly increased their direct political contributions to key candidates in states throughout the U.S.

In 1998, 645 contributions to 361 candidates in 25 states (out of a total of 43 states surveyed) were made by private prison corporations or individuals closely associated with these corporations. The total? More than \$540,000. While this figure appears small relative to federal elections, the total represents a significant and growing effort by a handful of corporations to

ensure access to policymakers at the state level at crucial moments. In states where campaign budgets still average \$5,000 for state representatives and \$20,000 for state senators, contributions of \$250, \$500 and \$1,000 contributions are meaningful.

The industry's total state-level giving is comparable to that of groups like the National Rifle Association, which gave \$588,195 in 1998 to state candidates (but much less than larger national industries, such as oil and gas producers, which gave \$13.9 million, or gambling interests, which gave \$7.9 million).



## LOBBYISTS WORKING ON BEHALF OF CCA AND WACKENHUT

(partial list)

- Alabama: Hal W Bloom Jr. of The Bloom Group
- District of Columbia: John S Wagster; Wise & Associates; J. Mark Tipps, campaign manager for Lamar Alexander's presidential bid and deputy chief council for the Senate Governmental Affairs Committee's special investigation of campaign finance in 1997; Michelle Bernard of Patton Boggs, the second-largest firm in DC; Eckert Seamans Cherin & Mellott
- Florida: L. Garry Smith & Associates of Tampa Bay
- New Mexico: McBride-Mahr of Albuquerque; Michael Olguin, former House majority leader, state Democrat Party chairman and former critic of privatization; Senate President Manny Aragon
- Tennessee: Betty Anderson, wife of House Speaker Jimmy Naifeh; Lewis Donelson of Baker Donelson Bearman & Caldwell, finance commissioner under former Gov. Lamar Alexander
- Idaho: Roy Eiguren
- Texas: Jerry Donaldson and Patricia Shipton; Billy McMillian; Mike Toomey and Ellen Williams; Ronald Jackson; James W Jonas III of Arter & Hadden, whose fees are \$100,000-\$150,000<sup>27</sup>

Analysis of previous election cycles in the 1990s found a total of \$222,898 invested by private prison corporations through 542 contributions in 12 states. While comprehensive state campaign-contribution data doesn't exist for prior election cycles, what data is available clearly indicates that these corporations are significantly increasing their pattern of contributing.

And while this report focuses on direct contributions to candidates, the limited data available on contributions to political parties suggest that the amount spent on lobbying and political party donations dwarfs candidate contributions at this time. For example, in 1998 private-prison corporations contributed more than \$370,000 to political party committees in Florida alone.

## The Players

The majority of the investment in state-level elections was made by four private prison corporations representing almost 90% of the industry's market share.

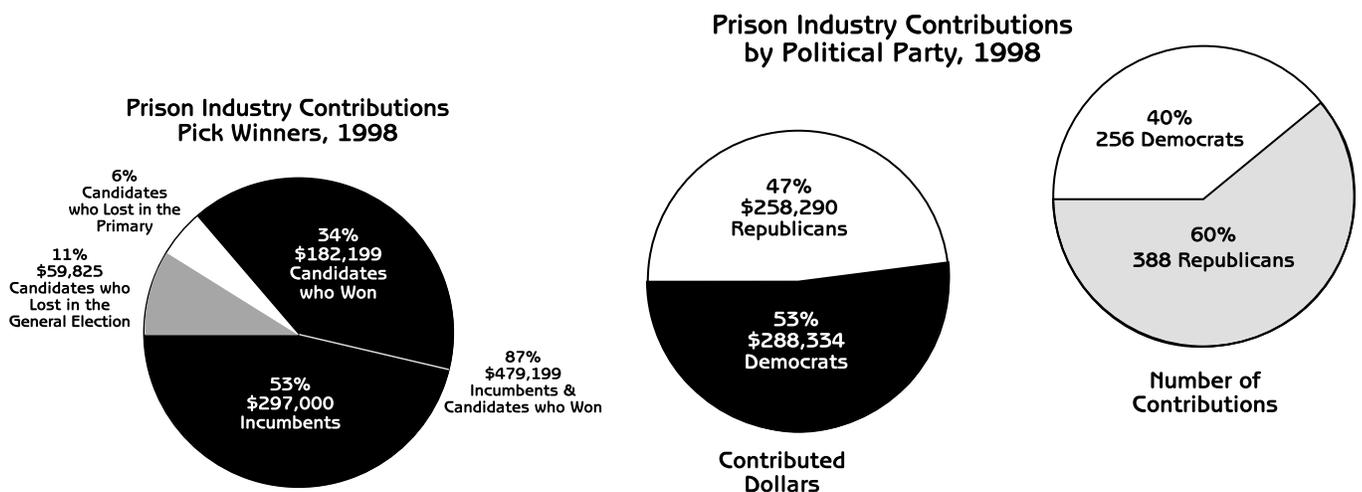
### Top-Contributing Private-Prison Companies in 1998\*

Corporation	Total Contributions	U.S. Market Share	# of Candidates	# of States	Priority States
Corrections Corporation of America	\$353,106	56%	195	16	California, Tennessee, Iowa, Idaho, Colorado, Texas
Cornell Corrections, Inc.	\$110,575	6%	84	4	California, Alaska, Florida, Iowa
Correctional Services Corporation	\$34,378	5%			
Wackenhut Corrections Corporation	\$33,325	22%			

\*Source: National Institute on Money in State Politics and the University of Florida's Private Corrections Project, based on available contribution data as of May 2000.

## Contribution Strategies

The industry made its political gifts strategically during the 1998 cycle, largely supporting incumbents and candidates who emerged victorious from both parties: those candidates who could help with industry-friendly legislation in upcoming legislative sessions.



Corporations like CCA made their contributions to candidates on both sides of the aisle in a pattern similar to that of professional lobbyists, whose main interest is access rather than political philosophy.

For a more detailed analysis of contribution strategies by corporation, see Appendix A. The top recipients of CCA and Cornell Corrections contributions are listed in Appendix B.

## Targeting by State

The data shows a particular push by private prison corporations into the western region, with over 70% of the total contributions going to candidates in western states (excluding Texas). California, the most populous state and a hotbed of tough-on-crime activity, received the highest level of investment. There were nineteen states in which no contributions from private prisons were found.

## Targeting by Political Office

**Gubernatorial candidates** received a larger percentage of contribution per candidate than did other types of candidates: 24 candidates received a total of \$111,985 during the 1998 cycle, for an average of \$4,666. Candidates who won received 68.7 percent of the total and general-election losers, 17.1 percent.

Ninety-six **state senate candidates** received 178 contributions for a total of \$185,000, with candidates who won receiving 55.8 percent and general-election losers, 11.5 percent. The total for elected officials who received contributions but didn't run in an election (primarily sitting incumbents) was 27.5 percent of the total. As a result, more than 83 percent of these contributions went to lawmakers who would be considering corrections policy in the next legislative session.

Two-hundred sixteen **House and Assembly candidates** received 337 contributions for a total of \$176,733, with 89.6 percent going to candidates who won and 6.4 percent going to general-election losers.

Top contribution recipients for each of these types of elected office are listed in Appendix C.

### Contribution Totals from Prisons Corporations to State Candidates, 1998

California	\$285,996
Alaska	\$ 50,275
Florida	\$42,710
Tennessee	\$41,300
Texas	\$18,600
New Mexico	\$14,000
Ohio	\$12,900
Iowa	\$12,850
Idaho	\$10,850
Georgia	\$8,000
North Carolina	\$8,000
Colorado	\$6,800
Hawaii	\$6,000
Indiana	\$6,000
Wyoming	\$4,315
Wisconsin	\$4,200
Kentucky	\$3,800
Arizona	\$3,705
Nevada	\$3,000
South Carolina	\$1,000
Illinois	\$800
Michigan	\$725
Kansas	\$500
Oklahoma	\$300
Missouri	\$198

## Section IV: Westward Ho!

### Private Prison Corporations Stake Out New Territory

In the current round of prison privatization, corporations focused their initial efforts largely in the South. With its 19th century history of convict leasing and long-standing antipathy to union organizing, it was fertile ground for the corporations. The top corporations in the industry are all based in southern states: Corrections Corporation of America in Nashville, Tennessee; Wackenhut Corrections in Palm Beach Gardens, Florida; Cornell Corrections in Houston, Texas; and Correctional Services Corporation in Sarasota, Florida.

In a little over a decade, private prison corporations established a strong foothold in the South. And while they aggressively seek out new opportunities throughout the country, it is clear that they have targeted the West for market expansion. California, Arizona and New Mexico have been the top targets, but in the past few years private prison operators have succeeded in moving into Idaho and Montana (where new private prisons opened in 2000), and made major forays into Utah and Alaska.

Along with this expansion has come an entry into the political realm, with over 70% of state political contributions in 1998 going to Western candidates.

### California: Getting Fat Off the Scraps

California's unprecedented prison build-up during the 1980s created a veritable gold rush for corporations and organizations who profit off incarceration. Since 1980 California has passed over 1,200 pieces of criminal justice legislation, many of which lengthened sentences and created new "crimes."

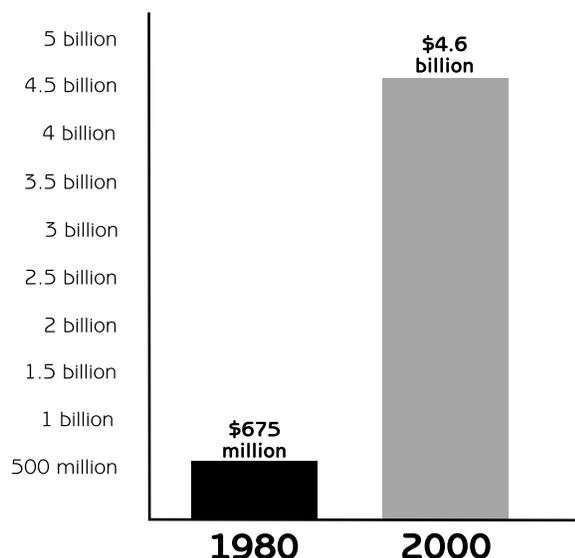
*California has increased its incarceration rate by over 350 percent.*<sup>28</sup> As of August, 2000, over 160,000 men, women and children were locked up in California correctional facilities. In 1980 the corrections budget was \$675 million<sup>29</sup> but by the 1999 - 2000 budget year, that amount had grown to \$4.6 billion<sup>30</sup>.

For years, corporate fortune seekers have had their eyes on a piece of California's expansive corrections budget. But now, the rush is becoming more intense. Although the current governor, the legislature and state corrections officials have made it clear they will house future inmates in public facilities (Governor Gray Davis recently allocated \$355 million for construction of a new prison and has plans for another) the push for privatization continues.

#### Investing in a Privatized Future

Private prison companies contributed more to California candidates in 1998 than their combined total to candidates in all other states — more than a quarter-million dollars — with more than 82 percent of that coming from Corrections Corporation of America.

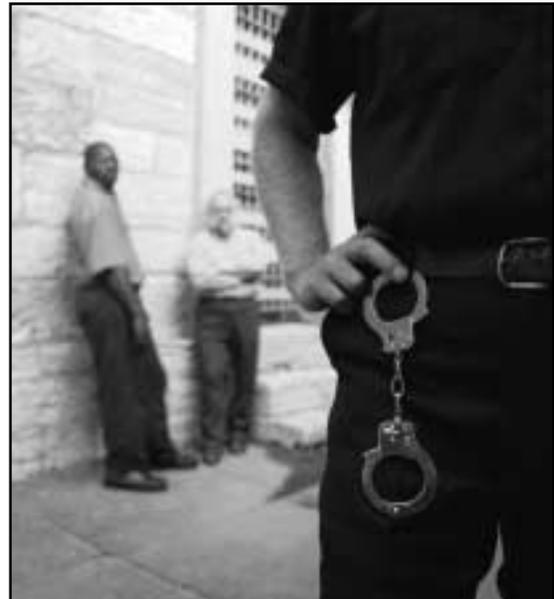
CCA has already invested \$100 million in a new 2,300-bed maximum-security prison in California City on the edge of the Mojave Desert. Originally, the company anticipated that California's



**California Corrections Budget**

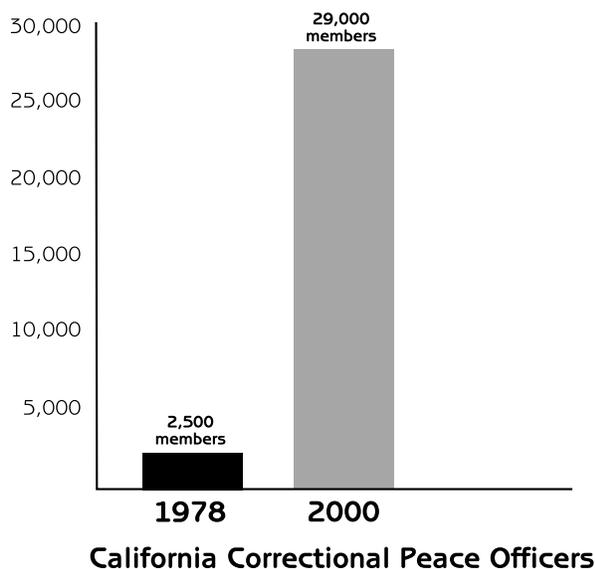
exploding incarceration rates would result in a contract with the state. But California, which built nineteen new prisons between 1984 and 1994, maintained its commitment to public operation of state prisons. In December 1999, the California City prison had only 16 prisoners. Thanks to a new contract with the Federal Bureau of Prisons to house federal inmates, however, the big prison in the middle of the desert is filling up.

The corporations have had reason to invest money and effort in California. Former Republican Governor Pete Wilson said in 1997 that the state would need an additional 2,000 beds for inmates, and that private prisons were the most cost-effective way to fill that need. But Wilson couldn't persuade Democrat and Republican legislators to close a deal on privatization.



Nevertheless, the state had scheduled a competitive-bidding process for future bed-space in private facilities. It was called off when inmate-population estimates came in lower than expected in 1999. The announcement was the culmination of a long and continuing battle that has pitted private prison corporations against one of the most powerful political players in the state – the California Correctional Peace Officers Association (CCPOA) – and cost both sides hundreds of thousands in campaign contributions and still more in lobbying fees during the legislative session.

## The Political Muscle of the California Correctional Peace Officers Association



The CCPOA, once a poor cousin to larger public employee unions, has become one of the richest, most influential forces in state politics over the past twenty years. As California transformed itself into an incarceration machine, the CCPOA grew in size from 2,500 members in 1978<sup>31</sup> to 29,000 members today.<sup>32</sup>

With an annual budget of \$19 million and enormous political clout, the CCPOA is one of the most powerful forces in California politics.<sup>33</sup>

In 1998, CCPOA contributed more than \$2 million to campaigns, including \$116,888 to Gov. Gray Davis. The figures are far higher if contributions to PACs and independent expenditures are added. According to the Los Angeles Times, in 1998 the CCPOA provided a grand total of \$4.1 million in campaign money, including \$2.3 million to help elect Gray Davis.<sup>34</sup>

## 1998 Campaign Contributions by CCPOA & Private Prison Corporations\*

Contributors	# donations	Total donated	% to incumbents & candidates who won	Democrats		Republicans	
				# donations	Total donated	# donations	Total donated
Private Prisons	67	\$285,996	91%	63	\$129,250	55	\$78,500
CCPOA	86	\$2,174,000	69%	98	\$1,295,085	89	\$622,921

\*direct campaign contributions only, does not include independent expenditures.

### Jockeying for a Legislative Edge

Both sides of the privatization debate pursued broad legislation during the 1999 legislative session. CCA reportedly paid \$250,000 to two lobbying firms for the session and contracted with the prominent public-relations firm of Burson-Marsteller.

Pressing the case for privatization in the 1999 legislative session was Sen. Richard Polanco, D-Los Angeles, who received \$17,000 in contributions from private prison corporations in 1998. Polanco backed Senate Bill 297 to require the state to develop a master plan for managing prisons in the most cost-effective way possible; it was approved by the Senate and Assembly, but vetoed by Gov. Davis.

A bill that would have prohibited the state from contracting with private-prison companies, SB 1313, and one that would have stopped local governments from contracting with private prisons, also were unsuccessful. CCPOA, however, won a legislative ban (AB 1222) on importing prisoners to California from other states.

But while the CCPOA has succeeded in preventing privatization of the state prison system, the business of prisons in the state is big enough that private corporations can do well on the crumbs (e.g. community corrections centers, INS detention facilities and federal prisons). And they can build political influence while biding their time waiting for a more significant entry into the motherlode of the California corrections budget.

### Corporations Team Up to Push Privatization in Alaska

In 1996, private prison representatives eager to convince lawmakers of the merits of privatization flooded the Alaska Legislature. The number one and number two corrections corporations in the country, CCA and Wackenhut, teamed up with local businesses and hired prominent lobbying firms to further their causes.<sup>35</sup>

New Corporate Teams Vying for Private Prison Contracts	
Corrections Corp. of America	Corrections Group North
+ Chugach Alaska Corp., an Alaska Native corporation	Wackenhut + Veco, a major oil-industry maintenance company + Allvest Inc., operator of pre-release halfway houses in Alaska

To prepare the turf, both groups had invested nearly \$200,000 into the campaigns of lawmakers during 1996 elections. (Allvest Inc. alone contributed nearly \$120,000 to candidates between 1990 and 1998, with more than 75 percent going to incumbents.)

The companies were all vying for a portion of the state's \$134 million corrections budget and a piece of a proposed 1,000-bed, \$100-million expansion project proposed by Anchorage Rep. Eldon Mulder. But their lobbying efforts failed in the face of Gov. Tony Knowles plan, which focused on reducing the number of inmates entering prisons, using half-way houses to ease prison crowding, and the long-term expansion of existing state facilities.

Despite this set-back, the potential for huge profits has kept private prison companies focused on Alaska. They've made two major attempts to site private facilities in Alaska cities and numerous pushes at privatization legislation. The citizens of Anchorage and Delta Junction were forced to go toe-to-toe with the national corporations and their hired specialists. Citizens' groups prevailed in both cases, but only after divisive battles.

### **The Attempt on Anchorage**

In Anchorage, Corrections Group North proposed using 40 acres in the city owned by Veco to build a 624-bed facility at a cost of \$60 - \$80 million. Allvest President Bill Weimar, who was on the board of the Downtown Community Council, and lobbyist William Bobrick, contributed more than \$11,000 to candidates running in 1996 for Anchorage Assembly, which had to approve zoning changes for the project before it could move ahead.<sup>36</sup>

Despite its insider and financial advantages, Corrections Group North dropped its plan for an Anchorage facility in the face of stiff public opposition, threats of lawsuits and the possibility of a public vote.

### **Down and Dirty in Delta Junction**

A restructuring at Allvest in 1997 set the stage for a second major push to site a new private prison, this time in rural Delta Junction, 100 miles southeast of Fairbanks. Weimar appointed Frank Prewitt, a former deputy commissioner of the Alaska Department of Corrections, as the new president and CEO. Prewitt, who as a corrections official opposed the move to private prisons, suddenly became privatization's strongest proponent.

Allvest's move into Delta Junction in early 1998 followed an earlier announcement that the Army was going to abandon Fort Greely in 2001 and give the facility and land to the city, providing Delta Junction could find a good use for it. Allvest proposed turning a portion of the Fort into an 800-bed medium-security facility. The plan called for a 20-year contract, with the state guaranteeing 800 inmates.<sup>37</sup>

In a hurried city vote, residents approved the Allvest plan 640 to 396.<sup>38</sup> Four days later, Allvest supporters and opponents testified before a legislative committee on the proposal. Although the committee took no action, Rep. Eldon Mulder said he'd draft legislation authorizing the state to contract for the 800 beds (HB 53, enacted April 25th, 1998). Rep. Mulder received \$2,500 in contributions from Allvest in the 1998 election cycle. In the 1996 election cycle, he received \$2,600 from Allvest.<sup>39</sup>

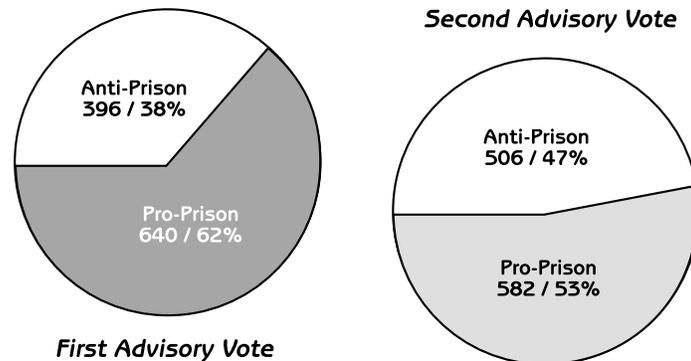
Two weeks after the public vote and less than one after the legislative hearings on the proposal, Allvest representatives began pressuring Delta Junction officials to sign a contract. Officials balked, primarily over a clause that would have required the city to turn over all Fort buildings, "down to televisions, desks and wrenches — along with more than 200 post homes," to the Anchorage-based company.<sup>40</sup>

In June, the legislature approved Allvest's plan for Fort Greely, and Cornell Corrections, the third-largest private corrections contractor in the country, agreed to purchase essentially all of Allvest's Alaskan assets (including the five pre-release centers) for \$21 million and help it complete the project.<sup>41</sup>

Over the next several months, a second advisory vote of city residents was held. Results showed that citizens still favored the prison, but by a much narrower margin. Lawsuits proliferated on all sides. The city of Delta Junction accepted a negotiated settlement with Allvest that ruled out competitive bidding but scheduled a public referendum (planned for September 14, 1999) on the contract's sole-source provisions. Allvest challenged the referendum in court. In response to the lawsuit, Delta Junction officials voted to cancel the contract and put the project out for competitive bids.<sup>42</sup>

While the private prison companies failed to establish themselves in Delta Junction, they left the community deeply divided over the issue. Several city officials faced recall elections.<sup>43</sup>

Allvest's merger with Cornell Corrections ensures that prison privatization will be an issue in Alaska's future. Cornell bought Allvest's five pre-release facilities with a capacity of 540 beds in Anchorage, Fairbanks and Bethel and the contracts that go with those facilities. It also purchased the Parkview Center and an additional building in Anchorage, "for future development."<sup>44</sup>



**Delta Junction Increasingly Divided Over Private Prison**

## Private Prisons Move Into the Northwest

The move by the private-prison industry into the Northwest is a recent development, but one that has proven, in several cases, to have had serious effects on the communities involved. Since 1999, Corrections Corporation of America has opened two new prisons in the region, in Idaho and Montana. Cornell Corrections was awarded a contract to build a private prison in Utah, but well-organized activists succeeded in stopping that effort (see page 19).

Washington and Oregon are both states that have no private prisons, but have been exporting inmates to private facilities in other states to ease overcrowding. Washington is home to a privatized, INS detention facility operated by Correctional Services Corporation. In Oregon, a bill introduced in the 1999 session and passed out of the Judiciary Committee would have created a Correctional Privatization Commission charged with overseeing the move to prison privatization. That measure, Senate Bill 1247, was sponsored by Senator Eileen Qutub, a long-time member of the American Legislative Exchange Council (see Section II for more information on ALEC). The measure died when the Republican-dominated Legislature adjourned without further consideration.

## Hot Potato in Idaho

The private prison industry found a much more receptive market in Idaho. CCA became a major player in Idaho after the 1997 legislature passed Senate Bill 137, which allowed the state to contract with private corrections corporations. Subsequently CCA landed a three-year, \$50-million contract to build and run a facility slated to open in October 1999. State budget constraints and a dip in the prisoner population delayed opening of the 1,250 bed prison until July, 2000, at which point Idaho prisoners who had been housed in out-of-state facilities were brought back and housed in the new private prison.

CCA weighed into Idaho election politics publicly for the first time in 1998, supporting candidates with more than \$10,850 in campaign contributions and select legislative leaders with more than \$4,350 in political gifts. With the budget of the average House campaign in Idaho only \$8,000,<sup>45</sup> these contribution levels were substantial. Several of the candidates had no opposition. (Appendix D lists CCA contributions to Idaho candidates in 1998.)

The investments were a prudent measure. The 1998 Legislature would consider a request to increase the state prison budget by \$14.7 million, with more than half going to the private prison project, before the prison was even built. CCA may have been anticipating a challenging session, and hence the relatively large amount in contributions.

### **CCA Contract Scrutinized**

In fact, the decision to award the new private prison contract to CCA proved controversial. The legislature's Budget Committee met in January 1998 to review the contract process, and cited a number of concerns.

Chief concerns expressed by the Budget Committee and others:<sup>46</sup>

- CCA was not the lowest bidder; in fact they were the fourth-highest bidder of the eight submitted. This fact alone means CCA may cost the state upward of \$40 million more than the next lowest bidder over the life of the contract.
- The bidding process raised questions. Operating on a 900-point system, only 300 points were related to costs. Furthermore, while two teams scored the bidders, the results from only one team were used to make the selection. That team was made up of Idaho Corrections Director James Spalding and three of his staff. (Unlike corrections officials in many other states, Idaho Corrections appears to favor privatization.)
- A June report to lawmakers had promised them a chance to review the proposals. They did not get that chance. That statement was a misprint, according to Spalding.

Perhaps most troubling, the three-member prison board met secretly ten times between January 1997 and January 1998, in apparent violation of the Idaho Open Meetings Law. The board gave Director Spalding a 20 percent raise after one closed-door meeting in January.<sup>47</sup>

The legislature funded the \$51 million prison deal despite their misgivings. Gov. Phil Batt noted that he wasn't convinced the private prison would save the taxpayers any money (although he did think the company could build a prison facility more quickly than the state). Over the life of the bonds issued for construction, taxpayers will pay a total of \$105 million for the facility. Operating costs are estimated at \$16 million per year.<sup>48</sup>

### **Expansion Prospects Are Bright**

While the opening of the new CCA prison in South Boise may have been delayed, its prospects for reaching capacity and perhaps future expansion are bright. At a Joint Finance-Appropriations Committee meeting late in January 2000, the law enforcement director documented a dramatic increase in crime (primarily due to increased arrests for drug offenses) and the need for a budget increase for more officers.

Corrections Department Director Spalding followed with even more sobering news. "Unless something drastically changes, we will be coming to you with our master plan to expand our system in the next budget year," Spalding said. The top corrections official told lawmakers that the CCA facility would be full in less than a year, and that a multimillion dollar expansion would be needed to keep up with demand.<sup>49</sup>

## **Moving Into Montana**

Concurrent with the move of private prisons into Idaho was their move into Montana. As in Idaho, CCA beat out their competition and landed a contract with the state to build and operate a new prison in Shelby, Montana. As in other states, the entry of private prisons was enabled by state legislators who favored

privatization and used model legislation developed by the American Legislative Exchange Council (ALEC) to craft their pro-privatization bills.

### **Patience Pays Off**

The move for prison privatization in Montana began in 1995, when Rep. Ernest Bergsagel introduced House Bill 304, authorizing the Department of Corrections and Human Services and local governments to contract for the design, financing, construction and operation of regional correctional facilities. That same session, Bergsagel also introduced House Bill 585 to create a “prison-site policy development committee” to review “prison-population projections, needs, and future alternatives for developing and siting correctional facilities....” Neither bill became law.



During the ensuing years, Bergsagel held a series of ad hoc meetings with legislators, corrections officials and legislative staffers to discuss prison privatization. No minutes of the meetings were taken or records kept.

Just prior to the 1997 session, Bergsagel was named chairman of the newly formed House Select Committee on Corrections. When the 1997 session convened, Bergsagel introduced House Bill 83 allowing contracts with private corrections corporations, and House Bill 600, requiring corrections officials to prepare requests-for-proposals to privatize management of the Montana State Prison in Deer Lodge. House Bill 600 died. But House Bill 83 (Bergsagel credited ALEC for providing its model) easily passed the Legislature. On April 29, 1997, Gov. Marc Racicot signed it into law.

### **Prison Population Boom**

The swift action on privatization was spurred by overcrowding within the existing Montana prison system, which in 1996 held upward of 1,400 inmates in facilities designed for 850. Montana was also housing prisoners out of state in private facilities. Much of the overcrowding was blamed on tougher-sentencing legislation (such as making a fourth DUI a felony). Montana was one of the states praised in ALEC’s 1995 Model Legislation Scorecard for passing its “Habitual Offender/Three Strikes” bill, as well as its “Truth in Sentencing Act.”

With the influx of new prisoners into the Montana prison system, corrections officials’ projections for future prisoner population growth jumped, and so did their requests for huge budget increases. This pressure to expand the prison system increased dramatically in 1996, shortly after Montana first contracted with the Bobby Ross Group of Texas, a corporation providing private corrections services, to house 251 Montana inmates in its Texas facility for \$3.6 million a year.

The Bobby Ross Group proposed building a new private corrections facility near the existing Montana state prison, but specified that it wanted to import prisoners from out of state to fill empty beds. Soon, the word was out and Wackenhut, Cornell, CCA and some local groups – 16 in all – were jockeying to build or manage private corrections facilities. CCA even extended offers to fly officials to other sites on its tab.<sup>50</sup>

Corrections Director Rick Day asked the 1997 Legislature for \$103 million: \$53 million in new funds for overcrowding and \$50 million to build additional prison cells. Rep. Bergsagel, pushing the idea of privatization, said studies had shown that private facilities can charge \$10 less per inmate per day than the state prisons.

With the passage of House Bill 83, construction of a private prison, as well as additional state facilities, was assured. Corrections Director Day appointed a committee to oversee selection of the private prison contractor. The selection was to be done in secret. Speaker of the House John Mercer and Senate Majority Leader John Harp, both Republicans, objected.<sup>51</sup> The 21-member committee appointed by Day was comprised primarily of corrections staff: 15 corrections officials, two administration officials, one justice official, a captain from Yellowstone County sheriff's office and a prison consultant who was a former corrections department official.

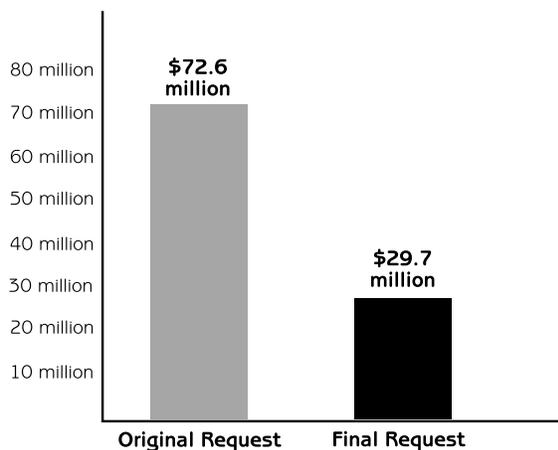
CCA won the bid for the \$25 million, 500-bed facility, with a four-year renewable contract, with extension options of up to 20 years.

### Prison Population Bust

The day after the governor signed the deal with CCA, Corrections Director Day reported that prison growth had slowed and incarceration projections for 2000 were down significantly, half what was expected.<sup>52</sup>

Corrections had estimated that it would need \$227 million from the 1999 Legislature, a 22 percent increase over the 1997-98 biennium's \$154.4 million (and a 50 percent increase over the 1995-97 biennium's \$105.9

million).<sup>53</sup> Prison population estimates, the basis for an increased budget request, were questioned by Budget Director Dave Lewis in light of the 1997 estimate changes, and the budget request lowered. Officials from Corrections eventually asked for an increase of only \$29.7 million.



**Budget Increase Requested by Montana Corrections, 1999**

By the end of 1999, new or expanded state-operated regional corrections facilities had been opened in Glendive, Great Falls and Missoula, along with the 500-bed private CCA facility in Shelby. Prison capacity in Montana increased by 952 new beds. In September, 1999, Senator B.F. "Chris" Christiaens declared that the state had overbuilt its prisons; there weren't enough prisoners to fill the new beds. He predicted that the CCA facility would cost taxpayers money, because the state was obligated to fill the beds

contracted for at Shelby before filling the new beds in the state system. (Because those facilities were bonded and approved by counties, Montana taxpayers are obligated to cover any losses caused by low prisoner populations.)<sup>54</sup>

The Department of Corrections, however, projected a rise in Montana's prison population. CCA spokesman Steve Owen argued that tougher laws (e.g. mandatory minimums) were putting offenders in prison for longer periods and that parole was more difficult to get (due to "Truth in Sentencing" legislation). Owen cited these as the reasons corrections has become such a booming business. Senator Christiaens retorted that the state's attitude was "You build them, you fill them."<sup>55</sup>

As of late August, 2000, the 500 bed CCA facility in Shelby housed 453 prisoners.<sup>56</sup>

## Utah: Activists Turn Back New Private Prison

Prison privatization has long had strong proponents among Utah's elected officials, including Governor Mike Leavitt (the recipient of ALEC's 1997 Thomas Jefferson Freedom Award). But the state is also home to a small group of organizers working against prison privatization. These private prison opponents garnered the support of a broad range of community groups including likely supporters such as the ACLU and the Utah chapter of CURE (Citizens United for the Rehabilitation of Errants), along with a few more surprising constituencies like the Utah Sheriffs Association and the Church of Latter Day Saints. In the end, this well organized, grassroots effort succeeded in stopping what many thought was a done deal, and kept Cornell Corrections from setting up shop in the state.

### Organizing Opposition

In 1998, Utah appropriated – without public input – \$2 million seed funding for site evaluation for a 500 - 1000 bed private prison. In the spring of 1998, a small group of veteran activists formed the Citizens Education Project (CEP) to fight prison privatization in the state. Working with coalition partners, CEP pressured legislative leadership and the Department of Corrections to hold hearings on the privatization plan. At the same time, they initiated an aggressive media campaign that resulted in scores of news stories over a two-year period that raised questions about prison privatization. (See Section V for further details on CEP organizing tactics.)

On March 19, 1999, Governor Leavitt signed House Bill 131 authorizing the state Department of Corrections to contract with private corporations for prison services. But the controversy stirred up by activists forced at least a partial reassessment of the private prison plan by the Utah legislature in the 1999 General Session. CEP led a successful effort to enact a bill which prohibits importation of out-of-state inmates to any Utah private prison (a strategy to diminish the prospects of future corporate profits).

### Taking it to the Grassroots

The decision to allow private prisons had far-reaching consequences in the communities that were considered by the four corporations submitting bids. Enticed by promises of jobs, tax revenue and future development potential, city officials worked hard to persuade their residents to support the corporations.

#### Communities Targeted by Private Prison Corporations

##### COMPANY

Cornell Corrections  
CCA  
Management Training Corp.  
Wackenhut

##### COMMUNITY

Grantsville, Tooele County  
Wendover, on the Utah-Nevada border  
Fillmore, Millard County  
Duchesne County

Prison companies were not the only ones traveling the state, however. CEP helped build resistance at the grassroots level by providing information and advice to local activists in towns being considered as sites for the new prison.

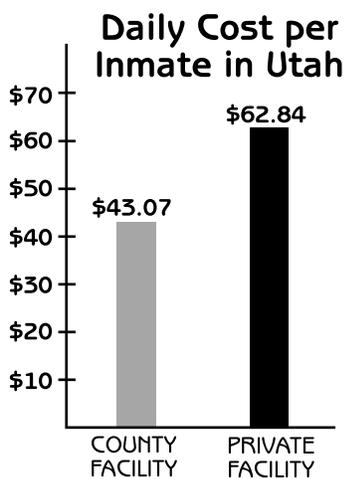
Residents of Duchesne and Fillmore rallied against the prison proposals at public meetings, and some even threatened lawsuits. Opposition in Wendover was less vehement, but its remote location and lack of hospital facilities posed problems. Grantsville residents offered the least opposition. CEP worked with local activists opposed to the private prison and coordinated legislative opposition and lobbying against the prison proposals.

By early 1999, residents in Fillmore had forced a referendum and voted down the prison, and activists in Duchesne County effectively blocked prison siting there.

## Cornell Kept Waiting

Although the initial \$2 million appropriation had been withdrawn (and no new funds were allocated to the prison), in June, 1999 the state awarded the bid to Cornell Corrections for a prison in Grantsville, where many viewed the private facility as a source of new jobs. In September, 1999, Governor Leavitt's Special Projects committee received \$7,000 in contributions from Cornell Corrections.<sup>57</sup>

In October 1999, as the legislative session neared, Utah Department of Corrections reported a marked decline in crime statistics. The state still hadn't delivered a contract to Cornell Corrections, and was saying it likely would delay the opening until April, 2002.



With inmate numbers lower than anticipated, the state had an incentive to send new prisoners to county-run facilities, which charged \$43.07 a day per prisoner versus the \$62.84 Cornell had proposed. The Utah Sheriff's Association reminded state corrections officials of prior commitments to the county corrections agencies, which receive upward of \$12 million a year from the state. State officials had prior contracts with Washington, Weber, Daggett, Beaver and Millard counties. Washington County Sheriff Kirk Smith told lawmakers, "This is critical to us. We've got empty beds the state promised to fill."<sup>58</sup>

Despite the reduced need and questionable economics, Gov. Leavitt's support for privatization has remained steadfast. Said a spokeswoman: "The governor's position on privatized prisons has not changed. Obviously, the need is not as great this year, but (Leavitt's) general philosophy of having privatized prisons has not changed."<sup>59</sup>

The 2000 Legislature adjourned without appropriating any funds for the new prison. And Senate President Lane Beattie (R-West Bountiful) asked the Office of the Legislative Auditor General to re-examine the contract numbers to determine why the state would want to pay more than necessary to house inmates in a private facility. Contract negotiations with Cornell, however, remained ongoing.

In July, 2000, a Utah Department of Corrections spokesperson said that they had not canceled the prison, and that there "may very well be a prison [in Grantsville] by 2005, perhaps even before that."<sup>60</sup> But by mid-August, plans for the private prison had been completely scrapped in favor of renting bed space from expanded jails in Beaver and Millard counties.

"The decision was made to abandon the privatized prison and the basic reason for this is, it's just not fiscally attractive at this time," said H.L. "Pete" Haun, Director of the Utah Department of Corrections.<sup>61</sup> Cornell Corrections received notice that the deal was being terminated via a fax from the Department of Corrections on August 15th.<sup>62</sup> The opposition to private prisons succeeded in Utah.



## Section V: Resisting Prison Privatization

### Overview

There is a growing movement to stop private prisons in the U.S. Many different constituencies are opposed to private prisons, for a variety of reasons. Key reasons for opposition include:

- The belief that incarceration is a unique responsibility of the state, and that privatized corrections essentially represent a “commerce in souls”;
- The conclusion that privatization does not save the state money;
- Loss of good jobs: staff at private prisons are largely non-union, and may be paid substantially less than state corrections officers;
- Concern for public safety: there have been numerous incidents of escape from private prisons reported in the press;
- Concern for prisoner welfare: there have been numerous instances of prisoner abuse, in both juvenile and adult private facilities reported in the press;
- Concern for prison staff: opponents of private prisons argue that the private facilities cut costs in staffing and training, leading to an unsafe work environment for corrections officers;
- The conviction that privatization of prison systems reinforces the incarceration boom by introducing the profit motive into incarceration;
- The belief that prison privatization results in a loss of government oversight and accountability for both prisoner welfare and public safety;
- Lack of public access: private prison corporations are not subject to the same open meetings and open records requirements as the public sector.

Unions representing correctional officers have been in the forefront of the fight against private prisons. Most of these unions support the harsh criminal justice legislation that has dramatically increased U.S. incarceration rates over the past twenty years, but are opposed to prison privatization out of a concern for jobs, worker safety, and public safety. Some unions are now beginning to question the public policy decisions that have led not only to prison privatization, but to the explosion of the prison population in both state and federal prisons.

Over the past two years, several unions have joined forces with community organizers and prison activists to form the Public Safety & Justice Campaign (PSJC), which is coordinated by Grassroots Leadership, a non-profit institution in the South which has a history of community organizing campaigns focused on privatization issues. PSJC has built a coalition of unions, progressive organizations, and student and prison activists to coordinate a campaign to end prison privatization in the U.S.

On the grassroots level, there is activity across the country in communities selected as sites for private prisons. For many communities, fighting the siting of a private prison can seem like an overwhelming task given the resources of the private prison corporations and the strong support of local business boosters. But committed citizens can effectively halt the introduction of private prisons in their communities. The case study that follows on the fight against Cornell Corrections in Utah offers a detailed look at how activists in that state halted the construction of a private prison. In addition, the resource listings at the end of this report provide contact information for key organizations and researchers working to stop prison privatization. All of these resources are available to provide information and advice to local communities and activists seeking to stop private prisons.



## A Case Study in Organizing Opposition to Prison Privatization

As the western state that's seen the most organized grassroots activism in opposition to private prisons, Utah provides a case study for organizers.

Steve Erickson, one of the co-founders of the Citizens Education Project spoke with the Western Prison Project in June about their organizing efforts in Utah. Following is an excerpt from that interview.

**WPP:** *What was your organizing strategy in fighting the proposed private prison in Utah?*

**SE:** The first thing we wanted to do was to focus attention on the fact that this decision had been made, that the state was proceeding down a path of prison privatization without sufficient public debate on the subject. The public was completely unaware of it. The legislature, in the '98 general session, put about \$2 million towards site evaluation for a private prison, and they appropriated the funding through the Department of Corrections to begin the process. Now that would have been enough money only to have the initial work done, short of construction, but that commitment was made by the legislature. It was made without anybody knowing that it was going on.

**WPP:** *Who was backing this process?*

**SE:** Well, as we were to later find out, the president of the Senate and the speaker of the House, who quickly became the former Speaker of the House for other reasons — those were the two main players in the legislature — and the third main player was the governor, who was very supportive. There is, as in many conservative states, a real philosophical allegiance and bent towards privatization of as many government services as possible. That's still the case in Utah.

**WPP:** *You succeeded in generating an enormous amount of press on these issues. How did you work that?*

**SE:** Well, I've been involved with press work going back to the MX fight in 1980-81 [the fight to keep MX missiles from being sited in Utah], so I have a lot of press contacts and background. We worked together to develop our script, our main points, how we were going to play it out, and what hot buttons to push with the press and the public. It was critical to get the press on our side and help us create the issue. It didn't produce a groundswell of public outrage about private prisons, but it did give the politicians the jitters, and that was crucial. It also brought out local folks, and so we were able to make connections with the grassroots. These were folks from rural Utah whose towns were being targeted as possible sites for this first 500-bed private prison. We worked quite a bit as advisors and sort of as lobbyists and press agents for local groups who are out in pretty isolated, small communities where they don't have access to power — which we have here in the city.

**WPP:** *How important was the local activism in fighting the prison siting?*

**SE:** It was absolutely essential.

**WPP:** *One of the challenges in prison siting fights in small communities is the issue of NIMBY — Not In My Back Yard. How did you work with that?*

**SE:** We allowed it to play its own course at the local level. If they didn't want it for reasons that could be classified as NIMBY, we could work with that. We would prefer that they would take a philosophical stand against the whole notion [of privatized prisons], and many of the individuals who were involved did. As they became more educated about private prisons elsewhere in the country, they became much more convinced that the whole concept is anathema to good government and to democracy and to responsible criminal justice.

**WPP:** *Do you think you played a major role in that education?*

**SE:** Yeah, we sent lots of materials, primarily by e-mail. We tried to give them as much back-up information as we possibly could, without killing them. I mean, these people have lives too. We tried to empower them with information and then we provided the technical expertise in the area of lobbying and media. There were some remarkable folks who just did a bang-up job. They were creative, they went out and built coalitions within their communities, got hundreds of people to sign on petitions, forced it onto the ballot in Fillmore, and won on the ballot by a substantial margin. They learned their own lessons in political activism as they were doing it. Many had never done anything like this before, so we give a lot of credit to them. We assisted, but we are not responsible for what they did...they get the credit for what they did at the local level, not us. We were just a helping hand, an important helping hand, but they did it.

**WPP:** *So the working relationship between CEP and the local activists was one of mutual aid?*

**SE:** Mainly us aiding them, but in the end, they aided the whole issue which made it much more possible for us to operate with more flexibility when it came to the political work that needed to be done. For instance, it was a small group of people headed by Tom Chandler and Peggy Overson in Delta, Utah, which is near Fillmore, who convinced their state representative, Mike Styler, that this was a bad idea. I know Mike really well, he's a farmer, and had sort of a pro-privatization mentality to start with, but he didn't like the idea of this prison deal, and he was convinced by his local constituents to become a player on the issue. He's the guy who carried the amendment outlawing the importation of out of state inmates to the private prison to the legislation that passed in the '99 session.

**WPP:** *Who drafted that legislation?*

**SE:** We worked with him on that draft. It passed as part of an amendment to a larger bill that was intended to restrict private prisons. That bill passed the House of Representatives unanimously. So the lobbyists for the private prisons — and there were a bunch of well heeled lobbyists, I'll tell you — they were just caught completely flat-footed and there was nothing they could do because that amendment was overwhelming.

**WPP:** *You even got the Mormon Church to take a stand against private prisons, didn't you?*

**SE:** The Church never really came out, but the Church newspaper did. *The Deseret News*, owned by the Church, doesn't take a stand on a major issue in the state without getting at least the nod from the Church hierarchy. Basically, they opposed private prisons as "commerce in souls." And that's their job.

**WPP:** *As the campaign went on, what were the main organizing handles on this issue?*

**SE:** Well, what we tried to do was to keep hammering the fallacy that this was a money saver, and that it was inappropriate for government to relinquish responsibility to private corporations. So we really hammered the immorality of the concept and the bogus cost-savings that politically drive these deals. We tried to make the case, though I don't know if we were ever quite as effective as we would liked to have been, that this is not going to be profound economic development in rural communities, that the impacts

are going to be such that they will outweigh the benefits. It was difficult to get that word out, so we focused mostly on the media and the legislative politics in the fight, as opposed to trying to get the people of Grantsville to reverse their support for the private prison.

**WPP:** *Were there key turning points in the campaign?*

**SE:** Yeah. One was that in '99, they were struggling with balancing the budget. Utah's had a real boom economy for several years, but tax receipts started to slow down substantially heading into the '99 session. Corrections already had all these other problems that they had to finance, including the big issue that their prison guards get paid substantially less than the guards who work at the county jails, and of course we worked this one with the private prison issue. So Corrections had to go to the legislature and ask for a greater degree of wage parity with the counties. At the same time, the counties were quite concerned, and the sheriffs especially, that they were not getting the numbers of prisoners from the state to house in their county jails that the state had promised.

**WPP:** *In their over-built county jails?*

**SE:** Yeah. What happened is that the county saw the state, and contracting with the state, as a way to build large new jails that the state would indirectly help finance. For instance Beaver County, which is a tiny county with only two significant towns in it — we're talking about maybe 2000 people in each town, maybe less — they built a 190-bed jail, when their average local jail population would cover between ten and twenty, mostly for little things. The counties get a certain per inmate per day reimbursement for housing state inmates at county jails. The counties have gone out and bonded at the local level for the money to construct jails, far larger than they need to accommodate their local prisoners, and they use the state reimbursements to pay off the bonds.

The points we were driving were two-fold. First, why are you building a private prison if you're not filling the jail space that's already out there with the counties, and you've got the counties upset with you because they're not getting the income they need to pay off their bonded indebtedness? The second issue that we hammered was, look, if you can't keep personnel at your state prisons because they can go to the county jail and get better pay, what's going to happen when a private corporation comes in and tries to find additional personnel to run that jail? They may be able to offer more in salary, but they are going to offer a whole lot less in benefits and working conditions and therefore you are going to have staff turn over. And of course we had all these examples from across the country where they had chronic problems with staffing in these private facilities...so we just hammered that issue.

**WPP:** *How did you finally make this a dead issue in the 2000 General Session of the legislature?*

**SE:** I think in the end, what happened was the allegiance with the counties and the sheriffs pushed it over the top. We kept raising so much fear, uncertainty and doubt about the stability of the industry, about the track record of the industry, about the cost issues that it created uncertainty within the legislature when they had a million other issues on their plate. So they just threw up their hands and said, "well, we don't know what to do with this mess." And this is where it ended. They still could come back. This is a hydra-headed monster — you cut off one head and the next head pops up. We can say with some degree of confidence that this is a dead issue for now. We don't know if two years from now it may come up again, but they would have to go through another whole bidding process and start over.

## Conclusion

Prisons are big business in the U.S. today, and private prison corporations have worked assiduously to build their market niche. While private prisons still represent a small percentage of the overall prison industry, they exert an increasing influence on criminal justice policy. This report documents two of the primary ways this influence is wielded. The involvement of private prison corporations in the development of model criminal justice legislation through the conservative legislative support organization, ALEC, cannot be ignored. It is a clear example of active corporate partnership in drafting legislation that, if passed, will directly benefit the participating corporations.

The campaign contribution research documented in this report demonstrates further that private prison corporations are seeking to increase their access to policy makers. There is a growing number of targeted campaign contributions by these corporations to elected officials in key states, at key moments in their efforts to secure contracts.

The private prison industry has recently suffered substantial losses in the stock market, and been subject to damaging press exposés that have questioned their ability to operate safe and effective corrections facilities. However, it would be a mistake to discount their growing political power. We must continue to question the role of private prison corporations in the U.S. incarceration boom. While there have been many reasons posited for the growth in the U.S. prison population, corporate interests have clearly been a significant factor in promoting legislation that has dramatically increased the market in prisoners.

While this report examines the influence wielded by private prison corporations on state-level candidates and legislation, additional research is needed on lobbying and soft-money campaign contributions by these corporations, as well as their influence at the federal level.

This report is intended as a tool for the many activists throughout the U.S. who are working on prison and criminal justice reform. Private prison corporations play a significant role in the promotion of criminal justice policies that result in increased incarceration, and because of this, it is important that activists and policy makers become fully informed about the involvement of these corporations in the legislative and policy arena.

## Resources

The following is a list of organizations and individuals who are key resources in the fight to end prison privatization. This is not a comprehensive list, but represents a good starting point for activists. Those listed are available, to varying extents, to provide background information, research, and legislative and organizing advice to communities and activists seeking to learn more about the negative impacts of private prisons, or to organize to stop a private prison. For a more extensive listing of organizations focusing on broader issues of criminal justice, contact the Western Prison Project.

Public Safety & Justice Campaign, c/o Grassroots Leadership, P.O. Box 36006, Charlotte, NC 28236, tel: (704) 376-9206, fax: (704) 332-0445, [www.stopprivateprisons.org](http://www.stopprivateprisons.org)

Joshua Miller, Corrections Privatization Analyst, AFSCME, 1625 L Street, N.W., Washington, D.C. 20036, tel: (202) 429-5037, fax: (202) 223-3255, email: [jmiller@afscme.org](mailto:jmiller@afscme.org)

Ken Kopczynski, Prison Privatization Researcher, Florida PBA/Communications Workers of America, 300 East Brevard St., Tallahassee, FL 32301, tel: (850) 222-3329, fax: (850) 561-0192, email: [ken@flpba.org](mailto:ken@flpba.org), <http://www.flpba.org/private/shamemap.html>

Judy Greene, Justice Strategies, 199 Washington Ave., Brooklyn, NY 11205, tel: (212) 357-3316, email: [greenelj@mindspring.com](mailto:greenelj@mindspring.com)

Stephen Nathan, Journalist & Researcher, Prison Privatization Report International, 12 The Ridgeway, London, N3 2PH, England, tel/fax: ++ 44 20 8346 0794, email: [stephennathan@compuserve.com](mailto:stephennathan@compuserve.com), <http://www.penlex.org.uk/pages/prtprep.html>

Tracy Huling, Justice Policy Analyst/Consultant, tel: (518) 634-2170, fax: (518) 634-2169, email: [galgirls@francomm.com](mailto:galgirls@francomm.com), *expert on rural prison siting issues*

Not With Our Money Campaign, Kevin Pranis, c/o Prison Moratorium Project, 180 Varick St., 12th Floor, New York, NY, email: [Kpranis@nomoreprisons.org](mailto:Kpranis@nomoreprisons.org), <http://www.nomoreprisons.org/nwom.htm>, *coordinates campus-based organizing against Sodexho-Marriott Services, a major investor in private prisons*

Alex Friedmann, Independent Researcher, P.O. Box 561, Antioch, TN 37011, tel: (615) 367-4537, email: [stein919@hotmail.com](mailto:stein919@hotmail.com)

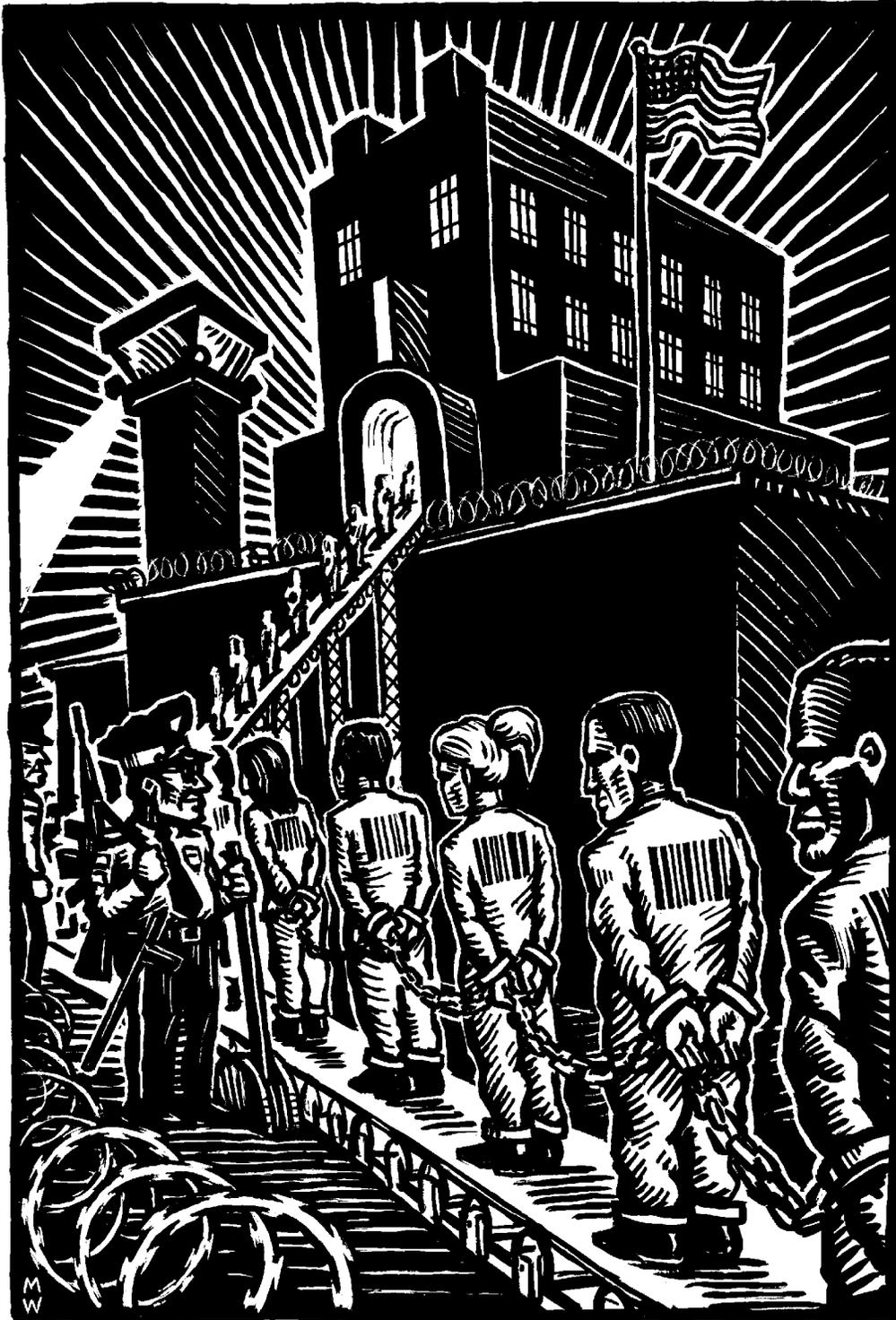
Prison Legal News, 2400 NW 80th St., PMB 148, Seattle, WA 98117, tel: (206) 781-6524, <http://www.prisonlegalnews.org>

Citizens Education Project, Salt Lake City, UT, emails: [slceric@concentric.net](mailto:slceric@concentric.net), [wweeks@aros.net](mailto:wweeks@aros.net)

Western Prison Project, P.O. Box 40085, Portland, OR 97240, tel: (503) 335-8449, fax: (503) 287-5561, email: [wpp@teleport.com](mailto:wpp@teleport.com)

Data Center, Ryan Pintado-Vertner, 1904 Franklin, Suite 900, Oakland, CA 94612-2912, tel: (510) 835-4692

# Appendices



Matt Wuerker

## Appendix A: Contribution Strategies by Corporation

### *Corrections Corporation of America*

Of the major corporations contributing, CCA spread its largesse among the most candidates in the largest number of states; candidates in California, however, received the lion's share (64.5 percent of the contributions, \$234,496).

CCA made its contributions to candidates on both sides of the aisle in a pattern similar to that of professional lobbyists, whose main interest is access not political philosophy. Democrats received a larger amount of CCA contributions than did Republicans, \$212,096 to \$140,810. But CCA favored Republicans with a larger number of contributions than it did Democrats, 156 to 110.

Winning candidates and incumbents from both parties were the primary recipients of CCA contributions, with a 89.2 percent or \$315,106 going to elected lawmakers who likely would face criminal-justice and prisons legislation in their next legislative session.

### *Cornell Corrections*

Cornell Corrections, the next largest-contributing prisons contractor at \$110,575, gave contributions to 84 candidates in four states, with the majority of the funds being split between California (\$51,500) and Alaska (\$50,275).

Cornell's contributing was somewhat more partisan than that of CCA, with Republicans receiving 97 contributions for a total of \$62,850 or 56.8 percent, and Democrats receiving 78 contributions for \$47,725 or 43.1 percent. Winning candidates and incumbents on both sides of the aisle received \$96,575 from Cornell, or 87.3 percent of its total.

### *Other Corporations*

All other private prison contractors gave a total of \$83,143 to candidates in 17 states, with candidates in Florida receiving the bulk, 86 contributions for \$36,910; 12 candidates in Texas received a total of \$11,850; and 5 in New Mexico received \$10,000. In Wyoming, where the average House race is won on about \$5,000, corrections contractors gave 57 contributions totaling \$4,315.

Contributing by this group of corporations — Correctional Services Corp. (\$34,378), Wackenhut Corrections (\$33,325), and US Corrections (\$4,300) — was decidedly partisan. Republican candidates received 135 contributions for a total of \$54,630 or 65.7 percent, while Democrats received 68 contributions for \$28,513 or 34.2 percent of their total.

# Appendix B:

## Top Recipients of Private Prison Industry Contributions, 1998

### Corrections Corporation of America

State/Year	Recipient	Party	Office	District	Status	No	Total
CA98	Bustamante, Cruz M	D	LTG	SW	W	4	\$31,996
CA98	Davis, Gray	D	G	SW	W	2	\$25,000
CA98	Figueroa, Liz	D	S	010	W	1	\$20,000
CA98	Polanco, Richard G	D	S	022	W	2	\$15,000
CA98	Karnette, Betty	D	S	027	DNR	8	\$14,500
CA98	Johnson, Ross	R	S	035	DNR	3	\$13,250
CA98	Hertzberg, Bob	D	A	040	W	2	\$12,000
TN98	Sundquist, Don	R	G	SW	W	5	\$10,500
CA98	Hurt, Rob	R	S	034	N	1	\$10,000
NC98	Basnight, Marc	D	S	01	W	2	\$8,000
CA98	Leonard, Bill	R	A	063	W	2	\$6,000
CA98	Villaraigosa, Antonio R	D	A	045	W	2	\$6,000
CA98	Baca, Joe	D	S	032	W	2	\$5,500
CA98	Brewer, Marilyn C	R	A	070	W	2	\$5,500
CA98	Ortiz, Deborah V	D	S	006	W	2	\$5,500
CA98	Burton, John	D	S	003	DNR	1	\$5,000
TN98	Lay, Blake	R	S	25	N	5	\$5,000
IA98	Lightfoot, James	R	G	SW	N	2	\$5,000
CA98	Lungren, Dan	R	G	SW	L	1	\$5,000
IN98	Obannon, Frank L	D	G	SW	DNR	1	\$5,000
CO98	Owens, Bill	R	G	SW	W	6	\$5,000
CA98	Stirling, Dave	R	AG	SW	N	1	\$5,000
OH98	Taft, Bob	R	G	SW	W	2	\$5,000
GA98	Taylor, Mark	D	LTG	SW	W	1	\$5,000
OH98	Ungaro, Patrick	D	S	033	PL	2	\$5,000

### KEY

**PARTY:**

**D** = Democrat  
**R** = Republican

**OFFICE:**

**LTG** = Lieutenant Governor  
**G** = Governor  
**S** = Senate  
**A** = Assembly/House

**DISTRICT:**

**SW** = statewide  
 All others are district numbers

**STATUS:**

**W** = general election winner  
**N** = general election loser  
**L** = primary loser  
**DNR** = did not run  
**No** = number of contributions  
**Total** = total of all contributions aggregated

### Cornell Corrections

State/Year	Recipient	Party	Office	District	Status	No	Total
AK98	Knowles, Tony	D	G	SW	W	15	\$6,375
CA98	Karnette, Betty	D	S	027	DNR	6	\$6,000
AK98	Ulmer, Fran	D	LTG	SW	W	11	\$5,500
AK98	Barnes, Ramona	R	H	22	W	9	\$5,000
CA98	Lungren, Dan	R	G	SW	N	1	\$5,000
AK98	Hodgins, Mark	R	H	9	N	7	\$3,200
CA98	Burton, John	D	S	003	DNR	2	\$3,000
AK98	Foster, Richard	D	H	38	W	6	\$3,000
CA98	Johnson, Ross	R	S	035	DNR	2	\$3,000
CA98	Leonard, Bill	R	A	063	W	2	\$3,000
A98	Lightfoot, James	R	G	SW	N	1	\$3,000
CA98	Villaraigosa, Antonio R	D	A	045	W	2	\$3,000
AK98	Cissna, Sharon	D	H	21	W	5	\$2,500
AK98	Mulder, Eldon	R	H	23	W	4	\$2,500
CA98	Ackerman, Dick	R	A	072	W	2	\$2,000
CA98	Baugh, Scott R	R	A	067	W	2	\$2,000
AK98	Donley, Dave	R	S	J	W	4	\$2,000
AK98	Harris, John	R	H	35	W	4	\$2,000
CA98	Hertzberg, Bob	D	A	040	W	2	\$2,000
CA98	Hurt, Rob	R	S	034	N	2	\$2,000
CA98	Polanco, Richard G	D	S	022	W	2	\$2,000
AK98	Rokeberg, Norman	R	H	11	W	4	\$2,000
CA98	Runner, George	R	A	036	W	2	\$2,000
AK98	Taylor, Robin	R	G	SW	L	4	\$2,000
CA98	Anestad, Sam	R	A	003	W	2	\$1,500

## Appendix C: Private Prison Industry Campaign Contributions by Legislative Office, 1998

### Gubernatorial Races

*The top recipients receiving political donations from private prisons corporations were:*

Democrat Gray Davis of California, \$25,000 total (all from Corrections Corp of America)  
Republican Gary E Johnson of New Mexico, \$13,000 (\$4,000 from CCA and \$9,000 from Wackenhut Corrections)  
Republican Don Sundquist of Tennessee, \$10,500 (all from CCA)  
Republican Dan Lungren of California, \$10,000 (\$5,000 from CCA and \$5,000 from Cornell Corrections)  
Republican James Lightfoot of Iowa, \$8,000 (\$5,000 from CCA and \$3,000 from Cornell)

### State Senate Races

*Top recipients were:*

Democrat Liz Figueroa, California SD 10, \$21,000 (\$20,000 from CCA and \$1,000 from Cornell)  
Democrat Betty Karnette, California SD 27, \$20,500 (\$14,500 from CCA and \$6,000 from Cornell)  
Democrat Richard Polanco, California SD 35, \$17,000 (\$15,000 from CCA and \$2,000 from Cornell)  
Republican Ross Johnson, California SD 35, \$16,250 (\$13,250 from CCA and \$3,000 from Cornell)  
Republican Rob Hurtt, California SD34, \$12,000 (\$10,000 from CCA and \$2,000 from Cornell)

### House and Assembly Races

*Top recipients were:*

Democrat Bob Hertzberg, California AD40, \$14,000 (\$12,000 from CCA and \$2,000 from Cornell)  
Republican Bill Leonard, California AD63, \$9,000 (\$6,000 from CCA and \$3,000 from Cornell)  
Democrat Antonio Villaraigosa, California AD45, \$9,000 (\$6,000 from CCA and \$3,000 from Cornell)  
Republican Marilyn Brewer, California AD70, \$5,500 (all from CCA)  
Democrat Tony Cardenas, California AD39, \$5,500 (\$4,500 from CCA and \$1,000 from Cornell)

## Appendix D: CCA Campaign Contributions to Idaho Elected Officials, 1998

CCA contributions to the 1998 campaigns of Idaho legislative leaders included: <sup>63</sup>

- \$750 to Sen. Sheila Sorensen, \$500 to Rep. Celia Gould and \$250 to Rep. Jerry Twiggs, all of whom ran unopposed
- \$750 to Senate Majority Leader James Risch
- \$750 to Senate Assistant Majority Leader John Sandy
- \$500 to Senate Judiciary Committee Chairman Denton Darrington
- \$250 to Rep. Hod Pomeroy, who sits on the House Appropriations Committee
- \$250 to Rep. Dan Mader of the House Appropriations Committee
- \$100 to Senate Minority Leader Marguerite McLaughlin
- \$250 to Sen. Cecil Ingram
- \$250 to Rep. Dolores Crow

CCA also contributed \$500 to the campaign of Attorney General Al Lance.

# Appendix E: Political Contribution Data Source

## States Surveyed in May 2000 by the Institute with Status Detail

STATE	YEAR	CONTRIBUTIONS	OFFICE	COMPLETENESS	STATUS
AK	98	\$ 50,275	SW & Leg	Researching	\$ In Report
AZ	98	\$3,705	SW & Leg	Complete	\$ In Report
CA	98	\$285,996	SW & Leg	Complete	\$ In Report
CO	98	\$6,800	SW & Leg	Researching	\$ In Report
FL	98	\$42,710	SW & Leg	Complete	\$ In Report
GA	98	\$8,000	Partial	Researching	\$ In Report
HI	98	\$6,000	SW & Leg	Researching	\$ In Report
IA	98	\$12,850	SW & Leg	Complete	\$ In Report
ID	98	\$10,850	SW & Leg	Complete	\$ In Report
IL	98	\$800	SW & Leg	Complete	\$ In Report
IN	98	\$6,000	SW & Leg	Complete	\$ In Report
KS	98	\$500	SW & Leg	Complete	\$ In Report
KY	98	\$3,800	Leg	Researching	\$ In Report
MI	98	\$725	SW & Leg	Complete	\$ In Report
MO	98	\$198	SW & Leg	Complete	\$ In Report
NC	98	\$8,000	Leg	Complete	\$ In Report
NM	98	\$14,000	SW & Leg	Complete	\$ In Report
NV	98	\$3,000	Leg	Complete	\$ In Report
OH	98	\$12,900	SW & Leg	Researching	\$ In Report
OK	98	\$300	Partial	Researching	\$ In Report
SC	98	\$1,000	SW & Leg	Researching	\$ In Report
TN	98	\$41,300	SW & Leg	Researching	\$ In Report
TX	98	\$18,600	SW & Leg	Complete	\$ In Report
WI	98	\$4,200	SW & Leg	Researching	\$ In Report
WY	98	\$4,315	SW & Leg	Complete	\$ In Report
AL	98		Partial	Researching	No \$ Found
CT	98		SW & Leg	Complete	No \$ Found
MA	98		SW & Leg	Complete	No \$ Found
ME	8		SW & Leg	Complete	No \$ Found
MN	98		SW & Leg	Complete	No \$ Found
MT	98		SW & Leg	Complete	No \$ Found
ND	98		Partial	Complete	No \$ Found
NH	98		Partial	Researching	No \$ Found
NJ	99		Leg	Complete	No \$ Found
NY	98		SW & Leg	Researching	No \$ Found
OR	98		SW & Leg	Complete	No \$ Found
PA	98		Partial	Researching	No \$ Found
RI	98		SW & Leg	Researching	No \$ Found
UT	98		Leg	Complete	No \$ Found
VT	98		SW & Leg	Complete	No \$ Found
WA	98		Leg	Researching	No \$ Found
WV	98		Leg	Complete	No \$ Found
AR	98		NA	NA	No Data Avail
DE	98		NA	NA	No Data Avail
LA	98		NA	NA	No Data Avail
MD	98		NA	NA	No Data Avail
MS	98		NA	NA	No Data Avail
NE	98		NA	NA	No Data Avail
SD	98		NA	NA	No Data Avail
VA	98		NA	NA	No Data Avail

### KEY

#### OFFICE

**SW & Leg:** Statewide Offices and Legislative

**Leg:** Legislative Only

**Partial:** a Partial Data Set

#### COMPLETENESS

**Researching:** The database was substantially complete, but being verified (additions and changes possibly made post prisons report)

**Complete:** The database had been researched and posted to the Institute's web site and any changes would be updates, which would add data, or major corrections.

#### STATUS

**\$ In Report:** States where prisons-industry contributions were found.

**No \$ Found:** States in which no industry contributions were found.

**No Data Available:** States where either data wasn't available or states with off-year elections in which no contributions were reported.

## Endnotes

- <sup>1</sup>*Business Week*, December 17, 1990.
- <sup>2</sup>Joseph Sweat, "Joe Sweat Gets the 'Sunny Side' from CCA", *Tennessee Politics*, Sept. 12, 2000, [www.tennpolitics.com](http://www.tennpolitics.com).
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- <sup>4</sup>*The Perpetual Prisoner Machine*, Joel Dyer, Westview Press, 2000.
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