

**National Conference
On Prison Industries:
Discussions and Recommendations**

National Center for
Innovation in Corrections



The George Washington University
Division of Continuing Education

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**NATIONAL CONFERENCE ON
PRISON INDUSTRIES:
DISCUSSIONS AND RECOMMENDATIONS**

**Edited by
Dr. Gail S. Funke**

for

**The National Center for
Innovation in Corrections
The George Washington University**

June 1986

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ACKNOWLEDGEMENTS

The *Proceedings* which follow are the culmination of a process which began in January 1984 when The Johnson Foundation and The Brookings Institution sponsored a meeting on prison industries. The response to that initial gathering set in motion plans for a second, more thorough discussion of the issues involved in prison industries.

During this two year period many individuals and organizations have made significant contributions. The financial and staff assistance of the National Institute of Corrections and the National Institute of Justice made the February 1985 conference possible.

Mr. Richard Kinch and his staff at The Johnson Foundation Wingspread Center in Racine, Wisconsin provided a hospitable and professional environment in which the conference accomplished its purpose. The recorders and chairpersons of the eleven committees at the conference were indispensable in implementing the process which generated the discussions and recommendations in this report.

After the conference, members of each committee provided additional responses and input as did the National Task Force which met at the Supreme Court in November 1985 and a number of women and men currently incarcerated. Throughout, the members of the advisory board have generously given their time and advice as the report took shape. Dr. Lloyd H. Elliott, president of The George Washington University, and Dr. G. Edgar Jones, acting dean of the Division of Continuing Education, have been especially helpful.

The actual publication of the *Proceedings* is due to the technical and financial contributions of UNICOR and the National Institute of Corrections, while the text has been prepared by Dr. Gail S. Funke. Ms. Tamlyn N. Rayle, the administrative assistant, and Mr. Stephen J. Britt, consultant for the National Center for Innovation in Corrections, have helped make the final copy ready for publication.

All of these people have played important roles in the creation of this report and deserve both public and personal acknowledgement. But in a special way none of this would have been possible without the inspiration, perseverance, and continual support of Chief Justice Warren E. Burger. It is hoped that these *Proceedings* are a fitting acknowledgement of his leadership in helping to improve current conditions in our prison system.

Dr. Judith Schloegel, SFCC
Executive Director

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FOREWORD

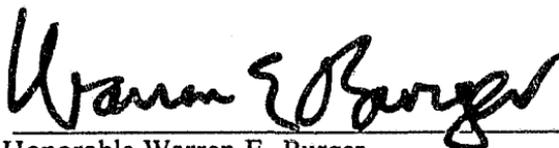
The National Task Force on Prison Industries presents its recommendations for prison industries in the United States. We read these recommendations as designed to do two things: first, to provide new interest among business leaders, union leaders and in the private sector generally; second, to provide states with guidelines in the modernization and expansion of prison industries. The Task Force has included five statements of principle to leave no ambiguity about its position on business-like practices and private sector involvement. A new, enlightened, public-private partnership is the key to restoring prison industries to the wide level of employment it enjoyed a century ago—without the exploitation and inefficiencies. With the enormous growth of prison population this is a challenging task, but with the brains, innovations and dynamism of America's private sector this is not beyond reach. More important, the need is vastly greater than it was a century ago.

We urge policymakers nationwide to "get involved" with implementing recommendations that will change the face of our correctional systems. Private business must forge an alliance with labor unions and with "public business" to harness the combined energies of all to accomplish these important objectives. The potential for good in this kind of partnership is indeed boundless.

Some of the recommendations may seem large steps, and indeed they are. Prevailing wages to inmates for performance and production meeting private sector standards may seem a large step, but that will take a large load off of over-taxed taxpayers and provide the inmates' dependents some support, further relieving taxpayers. The idea of union membership of inmates deserves careful study. We do not see it as union interference with prison management any more than the participation of business people means that they want to run prisons.

We encourage you to read the recommendations, but—even more important—we ask that you set about the task of implementing them. Let's try to leave the twentieth century with a legacy of commitment, employment and accomplishment on behalf of our nation's corrections systems.

This provocative report is long overdue.



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Honorary Chairman



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Chapter One

INTRODUCTION

Public attention to prisons, the kinds of people in them, and the activities that take place "behind the walls" is at an unprecedented high level in our nation. Perhaps at no other time in our history has such interest been manifested simultaneously by citizens and public and private leaders at federal, state and local levels.

Of highest interest is the work inmates perform in prison, or prison industries. At the beginning of the 1980s only as many inmates were employed as one hundred years ago—when the total prison population was about one-twelfth of the present level.

Prison industries entered the twentieth century in a posture of self-support, full employment, and private sector involvement. But the systems that made this possible were considered exploitative, so the sale of prison-made goods to public agencies only (state-use) became the dominant model, causing a dramatic reduction in the number of inmates employed.

This decline is now being reversed, as is the isolated role of prison industries during most of this century. This trend began only recently, largely as a result of renewed interest in our nation's prisons. Additionally, the pioneering involvement of a few private corporations and of one public figure is making a great deal of the difference. Warren E. Burger, Chief Justice of the United States, has long been an advocate of industries and has been a driving force behind prison industry development in the United States. He has stimulated a national interest that has given prison industries new momentum and led to the recommendations contained in this report.

Several years ago, the Chief Justice formulated the "factories with fences" concept and began promoting it with great energy. Trips abroad as well as within the United States fanned his interest. Then, in February 1984, the Chief Justice and the Brookings Institution convened a national conference on prison industries at The Johnson Foundation Wingspread Center in Racine, Wisconsin. Attendees included leaders in the corrections, business, labor, legal, media, and academic communities. The meeting was planned from the outset as a working conference, and participants spent many hours debating and defining the issues associated with creating a viable prison industry framework in the United States.

This first conference gave rise to a much larger meeting at The George Washington University, Washington, D.C., in June 1984. This assembly provided the opportunity for persons representing many views on prison industry to outline their perspectives before a national audience. The Chief Justice argued eloquently for a national panel to consider approaches to revolutionize and improve prison industries in the United States.

In autumn of 1984 a National Task Force on Prison Industries was formed. This Task Force and its committees convened under the guidance of the Chief Justice and the Brookings Institution at the Wingspread Center in February 1985. Members of the committees and other participants worked to produce recommendations in eleven areas related to prison industries. The high level of consensus and the scope of many of the recommendations augurs well for prison industry development.

A significant, related event was the formation of the National Center for Innovation in Corrections, operating within the Division of Continuing Education at The George Washington University. The Center has spearheaded the drive to develop new prison industry programs nationwide and also bears the responsibility for publication of the Task Force recommendations. Following release of these recommendations, the Center will continue to encourage and assist states and localities as they begin the process of implementation.

Thus, the efforts of the Chief Justice are coming to fruition in the establishment of a "home" for prison industry innovation and in this publication. What remains is the considerable work of implementing these recommendations.

Chapter Two

UNDERSTANDING THE RECOMMENDATIONS

The Task Force adopted a committee structure to explore the issues and develop recommendations in essential areas related to prison industries. (A full listing of committee members appears as Appendix A.) Committee members were selected for their expertise and comprised the best in their fields.

The twofold objective of the second prison industries conference at the Wingspread Center was to provide a forum for representatives of all groups interested in prison industries and to create a national movement. Eleven committees, representing a cross-section of the issues and concerns that exist about prison industries, were established:

- I: Laws, Executive Orders, and Regulations
- II: Procurement
- III: Marketing
- IV: Inmate Compensation
- V: Staff Training
- VI: Offender Input
- VII: Education, Inmate Training, and Job Placement
- VIII: Business and Labor Concerns
- IX: Institution/Industries Management
- X: Research and Evaluation
- XI: Media and Public Relations

The members of these committees were tireless in addressing the issues and developing the recommendations presented in this report. The task in producing this report was to blend the various issues and recommendations of each committee into a set of "master recommendations" that would be usable, yet still reflect

the essence of committee work. As presented here, the recommendations are designed to assist two groups key to prison industry innovation:

- 1) policymakers: legislators, executives, and others whose decisions affect corrections; and
- 2) practitioners: those responsible for implementing the decisions of policymakers, such as corrections and industries officials.

The recommendations combine a general understanding of the issues with acceptance of certain guiding principles and targeted areas of action. They are intended to provide concrete direction and inspiration to states and localities while recognizing that the most obvious and straightforward changes will require time for implementation.

Principles

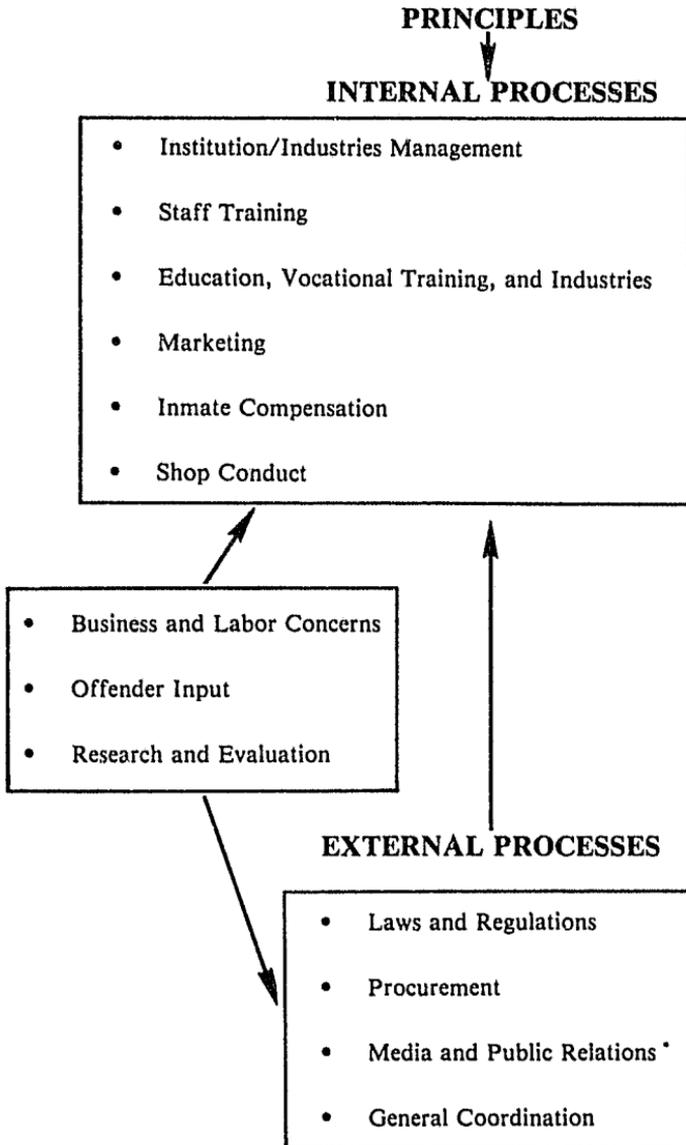
The structure that best reflects the work of all the committees and provides maximum guidance to policymakers and practitioners is illustrated in Figure 1 and discussed below. Basically, it first describes a set of assumptions, or *principles*, derived from the work of all the committees. (These principles are fully described in Chapter Three.) Acceptance and endorsement of these principles should be a necessary first step for those seeking to follow the Task Force recommendations since, without a guiding set of values, models can be only shallowly applied and innovation narrowly implemented.

Recommendations

The second part of this structure comprises the actual recommendations of the Task Force committees. The specific recommendations are not attributed to any particular committee; rather, they follow the process depicted in Figure 1. This was necessary because some of the committees dealt with targeted, operational areas (e.g., Inmate Compensation, Marketing), while others transcended a single focus (e.g., Business and Labor Concerns, Offender Input). In addition, not every recommendation of

Figure 1

ORGANIZATION OF PRISON INDUSTRIES



every committee (primarily, the issues raised by Business and Labor Concerns, Offender Input, and Research and Evaluation) is listed separately. There are two reasons for this:

- a long list of recommendations gives no guidance regarding priorities; and
- the principles and recommendations *incorporate* all the work of every committee in a condensed form.

All considerations of all committees are reflected here in a more usable format than a simple list. Thus, a state seeking guidance on inmate compensation need not consult the deliberations of eleven separate committees and attempt to glean some commonality. The recommendations follow the structure of Figure 1 and are intended to provide straightforward, practical guidelines to those seeking to improve their prison industry operations.

Considerations

A caution to the reader is necessary. These recommendations are neither formulas nor panaceas. They are specific enough to lend structure and begin the change process, yet flexible enough to permit each state or locality to create its own, relevant variation. Thus, the payment of prevailing wages, or wages based on productivity, will be encouraged, but a specific dollar figure will not be recommended.

Finally, prison industries are not the cure-all for the correctional ills that plague this nation. Even with modernized, viable, full-employment prison industries, correctional institutions will still be crowded; offenders will continue to serve longer sentences; and costs will continue to rise if societal trends remain the same. We recognize, however, that the absence of meaningful efforts such as industries can only exacerbate these conditions. Therefore, while promising no cure, we believe that prison industries can significantly improve the quality of life in a correctional system, with benefits for staff, victims, taxpayers, and offenders.

In this spirit we invite those who enact public policy and those who implement it to consider seriously the recommendations and to create the enabling framework that will make "factories with fences" a reality.

Chapter Three

GUIDING PRINCIPLES FOR PRISON INDUSTRIES

Assumptions of the Task Force

“To put people behind walls and bars and do little or nothing to change them is to win a battle but lose a war. It is wrong. It is expensive. It is stupid.”

— Chief Justice Warren E. Burger

The recommendations contained here are guided by a set of principles that are reflected in the work of all of the committees. These values of the Task Force members are intended as a foundation for a national mission statement on prison industries. Coupled with the more general statements that follow each principle, they can help any state seeking to examine and improve its prison industries. They represent a combination of views about inmates, the conduct of industries, and industries' place in the correctional institution. They were either explicitly expressed in committee discussion or consistent with the deliberations. Each of these principles is totally compatible with and supportive of the others. Taken together, they begin to create a new and challenging image of prison industries.

Primary Principles

1 PRISON INDUSTRIES SHOULD PROVIDE MEANINGFUL AND RELEVANT WORK OPPORTUNITIES FOR INMATES.

Throughout the deliberations, this key concept emerged in varying ways. Meaningful work and the reclamation of “wasted humanity” is an idea central to both the thinking of the Chief Justice and the members of the Task Force committees. At the same time, the Task Force strongly affirmed the obligation of the inmate to participate seriously in industry activities to form or reclaim job skills.

2 PRISON INDUSTRIES SHOULD OPERATE IN A BUSINESS-LIKE MANNER.

A central theme in nearly every committee's deliberations, this principle has far-reaching implications for industries. It en-

compasses many business practices—including length of workday, wages, quality control—and directly supports the first principle of relevant work. It implies additionally that prison industries should not adversely affect the private sector by unfairly competing in product areas.

3 PRISON INDUSTRIES SHOULD REDUCE INMATE IDLENESS.

Prison industries should not be restricted to the elite few. It is incumbent on correctional authorities, properly enabled by legislative and administrative change, to employ as many inmates as possible and reduce the tensions compounded by crowding.

4 THE PRIVATE SECTOR SHOULD BE INVOLVED IN PRISON INDUSTRIES.

A strong theme in the discussions, this implies substantial legislative change, safeguards against exploitation of inmate workers, and changes in existing administrative arrangements to enable participation of directors of corrections and industries.

5 PRACTICES AND REGULATIONS THAT IMPEDE THE PROGRESS OF PRISON INDUSTRIES SHOULD BE RESCINDED, CHANGED, OR OTHERWISE STREAMLINED.

This principle encompasses changes ranging from legal restrictions against private sector involvement to reduction of unnecessary procedures. It sets prison industries apart from other programs and shifts the emphasis to *enabling* prison industries to function efficiently.

Secondary Principles

Several additional principles emerged in the deliberations. These principles were expressed less emphatically than the primary principles and do not make the same significant value statements, but there was general consensus and no conflict about them. These enhance the previous principles and add to the direction of the model in the next chapter. Included were:

- Inmates should not be exploited.
- Wage and benefit structures must be dramatically improved.

- Chargebacks are encouraged, particularly for institutional cost defrayment and victim compensation.
- Standards of professional conduct should be incorporated more thoroughly into industry practices.
- Industries should not operate in isolation from internal (prison) and external environments.

All the recommendations and the structure represented by Figure 1 stem from these principles.

The specific recommendations are presented in the following chapters. All recommendations of the committees are either explicitly included or reflected in the presentation. The major principles guide the recommendations throughout, and the reader should gain a clear sense of how prison industries can be improved, both now and in the future.

Chapter Four

MODELS FOR PRISON INDUSTRIES

Recommendations—Internal Processes

The recommendations merge to form a generalized model—or models—for prison industries. As Figure 1 indicates, there are two primary areas of emphasis: internal management processes and external helping mechanisms. As indicated in Chapter Two, a single, “how-to” formula will not emerge here, nor is one intended. What *is* intended and presented, however, are very specific guidelines that policymakers may adapt to their own situations. The reader is urged to recall the principles that provide the overall direction to these recommendations.

Each section consists of two parts: a *Rationale*, or the considerations used by the Task Force committees in defining the issues and problems; and *Recommendations*, the specific directions intended for policymakers and practitioners. These rationales and recommendations transcend the work of any single committee; that is, the narrative for any particular area incorporates the concerns of *all* committees that addressed it—the statements are non-conflicting composites.

As with the *Principles*, there was a high degree of consensus within and between committees. The dominant position of any recommendation, of course, reflects the relevant committee’s own work, but in general the recommendations reflect across-the-board sentiment.

These managerial and technical aspects of prison industries relate to day-to-day operations. The recommendations are quite specific with respect to administrative and operational arrangements.

Institution/Industries Management

This key area dictates how industries may be organized and managed.

Rationale

A primary concern in industries management is the lack of a clearly defined *mission* for industry that can be understood and in-

tegrated with general institutional practices. A related concern is the lack of communication and coordination between institutional management and industries.

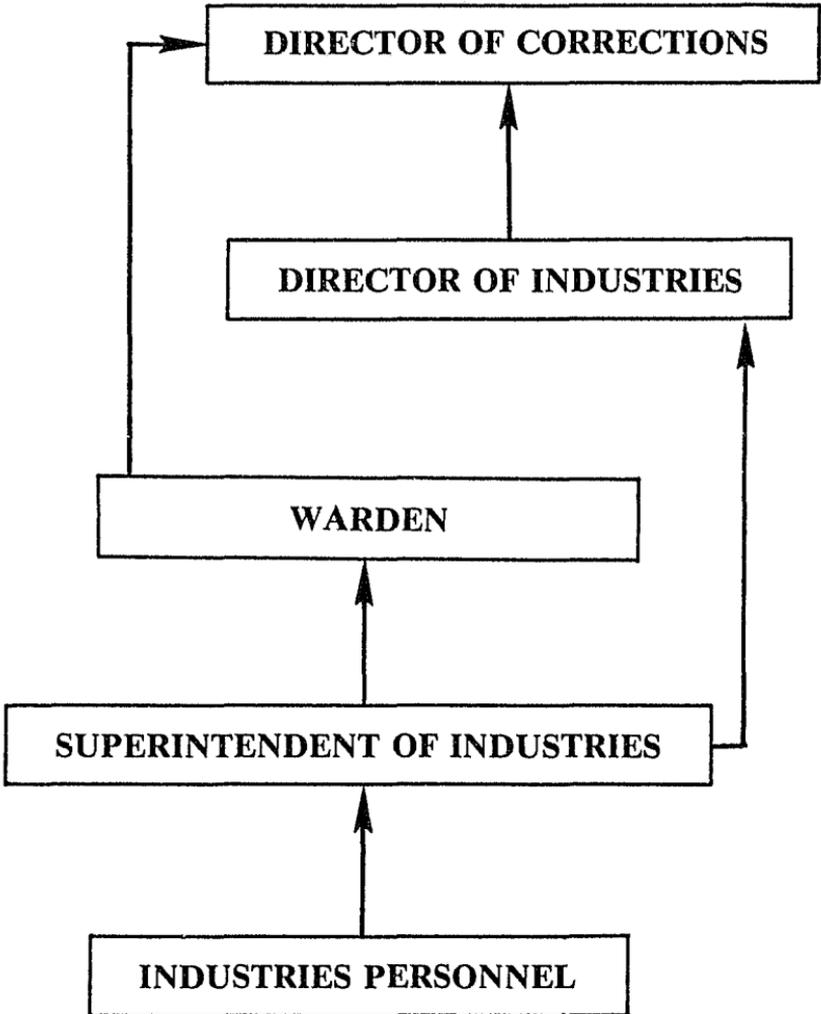
Recommendations

The roles and responsibilities of industries and the institution need to be clearly articulated and faithfully observed. (See Figure 2 for an illustration of an organizational structure.)

- 1) The director of industries reports to the director of corrections.
- 2) The institutional industries superintendent reports to the warden on institutional management and security matters and reports otherwise to the director of industries. (Note: for this management structure to be supported, it is essential that the director of corrections understand the industries' mission.)
- 3) Subordinate industries personnel at institutions report to the superintendent of industries.
- 4) The warden and superintendent of industries should develop a plan that includes mutually agreed upon goals and a communications process. Goals and plans address:
 - a) responsibilities and expectations;
 - b) inmate selection policy and number employed;
 - c) working hours and call-out policy;
 - d) shop security;
 - e) inmate training;
 - f) fiscal guidelines and profitability; and
 - g) shop performance.

Figure 2

INSTITUTION/INDUSTRIES MANAGEMENT



Staff Training

Another key managerial issue is the provision of training for industries personnel. At present, training at the state level for industries management is minimal, or simply a slight variation of line staff training. The need for industries management training is so critical that it has been the focus of a series of seminars sponsored by the National Institute of Corrections, and industry managers nationwide have expressed their interest in improving general curricula and training opportunities.

Rationale

Industries staff require special training to meet their unique needs. Standard line officer training is inadequate and does not prepare managers for dealing with inmates in a production-oriented workplace. This is true for both experienced civilians new to the prison setting and for security staff recently promoted to industries' duties. The requirement of both technical and interpersonal skills underscores the need for separate, targeted training. Standard security-oriented training may comprise part of the industries curriculum but should *never* be a substitute for it.

Recommendations

- 5) Pre-service training should comprise eighty hours of general institution orientation and forty hours of industry orientation. Industries topics include:
 - a) mission and organization;
 - b) legislation, regulation, policies and procedures;
 - c) business management;
 - d) shop protocol; and
 - e) communications.
- 6) In-service training should comprise at least eighty hours annually and include apprenticeship training, job specialty training, and correctional training review.

- 7) Special topics for orientation and in-service training should include: *Human Resource Management* (interpersonal skills, human relations, stress management, leadership, decision making, and supervision) and *Production Management* (scheduling, inventory, quality assurance, accounting, and purchasing).
- 8) Industries personnel should be encouraged and supported in seeking advanced off-site training, including seminars and conferences.
- 9) Cross-over training, in which security staff are sensitized to industries issues, should be part of the curriculum.
- 10) States should "network" to provide regional training and visitation experiences.

Inmate Education and Training

Education and training needs were addressed by a specific committee, but the principles of integration and coordination appeared throughout all the committees' work and constitute a major theme of the total report.

Rationale

At present there is little integration between industry and education, vocational training, and classification. Inmates tend to drift among these entities in an uncoordinated way, and the development of the individual is neglected. Long-term inmates often are selected and trained at the expense of short-termers nearing release. There is virtually no reflection of the free world; special populations are neglected; equipment is antiquated; and post-release placement frequently is absent. Few assessment programs exist, and there is minimal integration among classroom skills, vocational training, and on-the-job duties. Actual labor market, training and educational realities prevailing in the outside world are seldom considered in institutional planning. Finally, standards of performance and professionalization are insufficient to guide prison industries either as a unique undertaking or in its coordination with other institutional programs.

Recommendations

- 11) Cooperation and coordination among the various prison system components are essential. Elements include:
 - a) integrated management structure with goal congruence and total information sharing;
 - b) coordinated programs among institutions to facilitate inmate transfers;
 - c) a specific commitment to structures that allow flexible scheduling for inmates, program access, information dissemination, and inmate post-release placement.

- 12) A philosophical foundation for education, training, and job placement as they relate to prison industries should be established in order to:
 - a) create a "free-world" industrial climate;
 - b) share industry revenues with other programs;
 - c) balance profit and inmate development;
 - d) provide incentives and equal access to industry work, training, and education programs;
 - e) design long-term development plans for inmates.

- 13) There should be standards of performance for integrated programs of education, training, job placement, and industry which would help:
 - a) develop a sequential series of educational courses and/or vocational experiences leading toward the steady increase in industry performance and outside employability;
 - b) set up licensing and apprenticeship programs;

- c) establish and maintain consistent standards of qualification for teachers, trainers and supervisors;
 - d) set up and administer program evaluation criteria against established goals;
 - e) establish criteria for inmate entry, promotion and exit from prison industry, education and training programs.
- 14) Education and training programs must systematically address offender needs as they relate to prison industries. These would:
- a) provide pre-employment training;
 - b) provide non-technical skills (interpersonal, affective);
 - c) address the needs of special (handicapped) inmates;
 - d) establish regular re-definition of relevant labor market;
 - e) address career orientation, pre-employment, and on-the-job skills; and
 - f) adapt programs to address high inmate turnover.

As the above recommendations indicate, a complete model of prison industries management is called for. Such a model would establish a chain of command and communication at the highest institutional level, provide new and relevant training for industries personnel, forge a definition and integration of education and training as they relate to industries. No legislative changes are called for, but substantial institutional reorganization will be required. Once the structure is in place, diligent monitoring will be necessary to prevent deterioration into old and inadequate patterns.

Marketing

This is the first of three topical areas that affect industries in an operational, day-to-day manner. Consistent with the principle of a business-like approach, the Marketing committee and others addressed the issue directly. At present, marketing in the classic, private-sector sense is rarely practiced by prison industries. Distinctions between marketing (the seeking of customers) and sales (the serving of customers) are largely absent. There are neither functional differences nor dedicated (assigned) staff. The rationale and recommendations to follow provide sufficient reason and a choice of approaches for states seeking to modernize their prison industries. They are clear with respect to both need and process.

Rationale

The overriding reason in support of a concerted approach to marketing derives from a major Task Force principle: the role of prison industries in reducing idleness. Effective marketing should produce a broader customer base, increased production (once marginal products are weeded out), and higher inmate employment. There are not generally dedicated or unique marketing resources within prison industries. But when there is appropriate marketing, industries' activity and employment can grow.

Recommendations

- 15) States should immediately designate marketing as a separate function within prison industries.
- 16) Authorities should appropriate the necessary funds and restructure staff to implement a model, such as one of those below, seeking outside help if necessary.
- 17) Internal Model: This model uses correctional industries staff and should be implemented if:
 - a) resources permit hiring additional staff;
 - b) expertise exists within industries to evaluate new professional marketing staff, or

- c) expertise exists in-house to organize and manage the marketing function.
- 18) Internal/External Model: This is a combination model, utilizing some in-house staff and some contracted services. This model should be used if:
- a) prison industries is in a state of planned change; and
 - b) there is willingness to relinquish some internal control.
- 19) External Model: This model utilizes totally contracted marketing services and should be implemented if:
- a) management is supportive;
 - b) marketing expertise and in-house operations are virtually non-existent; and
 - c) funds can be made available.

Inmate Pay

The Task Force came to a high level of consensus both within the Inmate Compensation committee and in the other committees, especially Offender Input, and Business and Labor Concerns. The recommendations are entirely consistent with the principle of a "free-world" approach.

Rationale

A "free-world" approach presupposes realism in pricing—an impossibility with the artificially low compensation now prevalent in prison industries. In addition, the principle of non-exploitation as articulated by various Task Force committee members requires that wages be increased and that industries not undercut competitors at the expense of inmates. However, paying a wage based on productivity at prevailing levels makes it incumbent on policymakers and practitioners to design and implement highly productive systems. Low wages have removed the impetus from production efficiency, but a pay raise alone is insufficient to create productive workers.

Higher wages will also permit deductions and chargebacks that allow inmates to reduce their debt to society during incarceration. This can be done through some combination of payment to employee, payment to inmate family, payment for institutional maintenance, and payment of victim compensation.

Recommendations

- 20) All inmates working in industries should receive a cash, or money, wage; benefits should be used as supplements.
- 21) While a national standard of payment of the prevailing wage for comparable work has been established by the Percy Amendment, each state is encouraged to:
 - a) identify the meaning of "prevailing wage" within the respective locale, and
 - b) develop an inmate employment pay scale consistent with state and local requirements as they relate to that prevailing wage definition.

Wages should be assigned to the categories of remuneration set by the Percy Amendment, such as some combination of payment to employee, payment to inmate family, payment for institutional maintenance, and payment of victim compensation.

- 22) The practice of underpricing prison industries products based on low inmate wages should be stopped, especially for goods in competition on the open market.
- 23) A goal should be the development of a chargeback system to deduct federal and state taxes. Additional wage assessments could also include F.I.C.A. and victim compensation. Payments to dependents may be made, but this practice is not mandatory because such payments are external to the offender's responsibility to state correctional authorities and tax liabilities. Feasibility of room and board deductions should be explored.

- 24) A private sector approach to wages may be utilized, whereby seniority, skill level, and fringe benefits may be represented in the compensation package.

Shop and Industry Conduct

This area of recommendations encompasses many considerations that appeared throughout the deliberations. They are consistent with the major principles and have important implications for shop management.

Rationale

The presumption of a "business-like" atmosphere, the involvement of the private sector, and an integrated system yielded many additional recommendations for industry operations at the shop level.

Recommendations

- 25) Practices that create "make-work" and featherbedding should cease; the emphasis should be on productivity.
- 26) As nearly as possible, the workday should approach eight hours; second shifts should be used as needed.
- 27) Apprenticeship and training programs for inmates sponsored by organized labor should be available at the shop level.
- 28) Appropriate costing and accounting systems should be employed by prison industries. These systems should take into account all material, labor and overhead costs incurred in production. Definitions of "self-sufficiency" and its appropriateness as a goal for industries should be explored.
- 29) Private industry work that (a) might be performed overseas or (b) is highly labor-intensive should be explored as a potential prison industry employment source.

- 30) Systems of quality control should hold both offenders and civilian personnel responsible.

A Note on Offenders, Business and Labor

One of the committees addressing internal matters was Offender Input; another was Business and Labor Concerns. The recommendations and concerns of these committees, as indicated above, transcend any one sphere of influence, and their input appears in virtually every section. For example, it is assumed that qualified ex-offenders would be considered for appropriate prison industry positions. The spirit of all committees was very similar; hence, the major principles of Chapter Three. The recommendations above find support from many committees, including these two—indeed, their input was critical because they represent the major groups most likely to be affected by prison industries reform. It is with this spirit in mind that the final two “internal” recommendations are made.

- 31) States should consider instituting *Industry Councils* involving prison industries staff and inmates to make suggestions for improving operations. Inmate involvement may range from direct council participation to provision of input.
- 32) Industries and state/local representatives of business and labor should establish a *Business-Labor Council* with representation from industry, business, and labor. This council would keep channels of communication open, help evaluate new ventures, and resolve problems.

Chapter Five

MODELS FOR PRISON INDUSTRIES:

Recommendations—External Processes

A second set of recommendations deals with prison industries' relationship with the external environment. Relevant areas include laws and regulations (industries' enabling legal framework), media, research and evaluation, and general coordination. Although there were some topic-specific committees, the recommendations are across-the-board and benefit once again from the input of offenders, business, labor, and the research community.

The cultural focus is one that streamlines the various processes that influence prison industries (a major theme/principle of the Task Force). If industries are to modernize and fulfill the mandate of the Chief Justice, they cannot become enmeshed in unnecessary red tape and legal challenges. It is possible to utilize responsible procedures yet ensure the flexibility of industries.

Laws and Regulations

In many respects this is an enabling group; nevertheless the members of the committee on Laws, Executive Orders and Regulations have definite ideas about how to improve prison industries which transcend simple legal applications. Virtually every recommendation appearing in Chapter Four that requires legal change has the support of this group. In this section the most specific recommendations of the Task Force in the areas of staffing, wages, private sector involvement, and legislative activity are presented.

Rationale

An important concern of this Task Force committee is the need to promote business-like operations. Inmate exploitation is a major concern as is the fact that the enabling features of *existing* law should not be overlooked before new legislation is considered. The main thrust of the deliberations, however, is that the legal structure should *encourage* rather than discourage the growth and expansion of prison industries.

Recommendations

- 33) Civil service restrictions governing hiring, promotion, and incentives for staff should be modified as necessary to create an optimal business-like working situation. Such restrictions include those which apply to working conditions and kinds of staff (e.g. ex-offenders).
- 34) Legal restrictions on inmate wages should be eliminated.
- 35) Appropriate legislation should be enacted to permit and encourage private sector involvement on a wide and varied scale.
- 36) Legislative activity on the federal level on behalf of prison industries should be monitored and effected.

Procurement

The concerns of this specific committee were reflected in the deliberations of many other committees. The work of this committee is subsumed under the general principle of streamlining the process, and the recommendations clearly evidence this.

Rationale

General and usual government protocol may be inappropriate for prison industries; procedures that speed the procurement process are needed. In addition, industries managers will need training in the new approaches. But improved procedures do not justify a lack of professionalism or practices that put private competitors at a disadvantage.

Recommendations

- 37) State-of-the-art surveys of existing procurement laws should be conducted and the results merged to establish some model procurement codes. Surveys could cover:

- a) all states and a representative sampling of local government purchasing officials to determine their relationship to prison industries; and
 - b) each state's prison industries managers to determine their relationship with state purchasing operations.
- 38) Prison industries should be allowed the necessary flexibility in acquiring supplies and raw materials, including the possibility of forming a public corporation.
 - 39) States should draft enabling legislation to purchase jointly and from each other.
 - 40) Procurement codes need a prison industries focus; industries should examine their own procedures.
 - 41) A formal relationship between prison industries and state purchasing authorities should be developed.

Research and Evaluation

Rationale

As with some other committees, the Research and Evaluation recommendations apply broadly to both internal and external issues. But the importance of rigorous, policy-relevant study of prison industries should not be lost among the recommendations in the general text. Two specific recommendations follow.

Recommendations

- 42) Resources at the state, local and federal levels should be available to industry personnel and interested researchers to examine program impact, conduct evaluations, and suggest fertile new study areas.
- 43) Prison industries professionals should apprise the research community of pressing needs and fruitful topics for examination.

Media and Public Relations

This committee focused on helpful mechanisms and the professionalization and visibility of prison industries. Many audiences are considered relevant to and concerned with industries. These include business and industry, the general public, federal and state legislatures, labor and unions, and practitioners within the state, local, and federal prison systems.

Rationale

A strong value is that prison industries should replicate the free enterprise system as far as possible—pay, pricing, marketing, advertising—a view reflected in the *principles* and in other committees' deliberations. Further, the development and enhancement of prison industries require federal and state legal reform. Current legal systems restrict the development of prison industry markets. The general development process should be promoted through education and dialogue.

Recommendations

- 44) A media/public relations capability should be considered for prison industries, to develop materials, advertise prison industries, and gain market support.
- 45) A professional lobbying group should be recruited with access to key policymaker groups to effect whatever changes are necessary to develop prison industries fully.

General Coordination

This term encompasses many recommendations that transcend a single area, as well as concerns and issues that are not quite formal recommendations. For example, the committee on Research and Evaluation has developed several means to assist the evaluation process which, in turn, will illuminate how industries can function better. The Media and other committees have offered recommendations that fit best here.

Rationale

If prison industries are to succeed as envisioned, many areas need to be coordinated. It would be a mistake to ignore the specificity of the statements made by the several committees and merely urge "more coordination." The detail is articulated here as recommendations that should be regarded as the "glue" that will hold together much of the rest of this report.

Recommendations

- 46) Any planning for prison industries should include post-release job placement.
- 47) The adjacent community should be involved in decisions and planning concerning prison industries. Community involvement, e.g., through advisory boards, is encouraged.
- 48) Prison industries need clear definitions and goal statements regarding victim compensation, the effect of industries on institutional life, the real savings in incarceration costs, changes in quality of life, and the promotion of social values. From these, establishment of measures of success and design of evaluative studies can proceed.
- 49) Prison industries should set high standards of growth and strive to attract the necessary customers and private sector interests.
- 50) The Task Force should continue its work promoting prison industries throughout the United States.

Chapter Six

CONCLUSION

A natural inquiry following the publication of a report such as this is "Where do we go from here?" There are fifty specific Task Force recommendations and implementation of these will require diligence and time on the part of state and local agencies. This report is not designed to offer a single approach to prison industries but to provide the best of current wisdom. There are fifty states with as many ways of doing business; to suggest a single "model" would be a disservice to the talents and skills in the field. In addition, states will be at different stages of development and anxious to preserve systems which accomplish their goals. Thus, the Task Force is suggestive and comprehensive in recommending what a well-balanced and well-managed prison industries effort in the United States will require.

For example, while the recommendations place considerable emphasis on private sector involvement in prison industries, it is expected that many states will not find this feasible at this time. The report never insists on only one approach, but rather presents several models of organizational and institutional structure. Some states will not immediately, or may never, be able to implement all the recommendations (e.g., pay the prevailing wage). This is recognized, as is the fact that careful review should precede any change in compensation packages. When substantial private sector linkages are planned, however, payment of such a wage will probably approach a necessity because of business and labor sentiment. Similarly, for those who are interested, there are models for developing literacy/education programs in conjunction with prison industries. However, as stated in the Foreword by Chief Justice Burger and Mr. Considine, the Task Force does believe that this report represents the *direction* in which states should be moving. Furthermore, the general principles articulated in Chapter Three can provide valuable guidance.

But everyone needs help in implementing the recommendations and quasi-models that now represent the most advanced and enlightened thinking on prison industry in the United States. Fortunately, there is a source of assistance for agencies wishing to move forward quickly and realize the promise of the recommendations. The National Center for Innovation in Corrections at The George Washington University in Washington, D.C. is dedicated to initiating and improving prison industry development in the United

States. Directed by Dr. Judith Schloegel and assisted by professional consultants and an advisory board of national leaders, the Center stands ready to disseminate the most recent wisdom on prison industry and to help states directly in expanding, enlarging and otherwise improving their industry operations. As these recommendations are promulgated, the Center is already working with nearly two dozen states.

In addition to direct involvement, the Center has at its disposal the expertise and resources of the Task Force and its eleven committees for states or localities requesting further guidance. Finally, federal assistance is also available to those seeking to improve or increase prison industries (see Appendix B for a list of programs now in effect).

What remains to be done in prison industries is a formidable task indeed—albeit one with high rewards. Merely to have these general principles accepted at the highest policy levels will be no small task in many states and localities. After that, a planning phase may develop in which agencies select recommendations for implementation over a given time period. Obviously, an agency's current position and needs will dictate the type and order of recommendations implemented.

Although the recommendations allow some latitude for individual state preferences, they do represent both a direction and something more than general exhortations. States may adopt a specific recommendation or a variation or a cluster, and many are taking such initiative. For example, several states have engaged in specific enterprises with the private sector; others have streamlined their procurement and operating procedures; still others have begun to integrate industry, education, and training.

A persistent theme of this report has been the call to action. Read the recommendations, then implement them. In the course of action, take advantage of the many resources now available to prison industries: the National Center for Innovation in Corrections, the states presently engaged in creative application of these recommendations, the Task Force and its committee members, and the professional capabilities now apparent in prison industry management. With dedicated application, prison industry in the United States can take its proper place as the flagship of inmate work programs and serve as the catalyst for uniting and improving *all* correctional programs and activities.

APPENDIX A
TASK FORCE COMMITTEE MEMBERS

February 1-2, 1985

National Task Force on Prison Industries

Mr. Frank W. Considine (Chairman)
Chairman, President and Chief Executive Officer
National Can Corporation

**Committee I: Laws, Executive Orders,
and Regulations**

The Honorable Aaron Jaffe (Co-Chairman)
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Ms. Barbara Auerbach (Recorder)
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Mr. J. Floyd Glisson
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Mr. C. Raymond Marvin
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Mr. LeVern S. Meades
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The George Washington University

Committee VIII: Business and Labor Concerns

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Executive Vice President
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Mr. Robert M. Garrett
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Mr. Michael Gilbert
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The George Washington University

Mr. James C. Johnson
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North Dakota Correctional Industries

APPENDIX B

FEDERAL ASSISTANCE FOR PRISON INDUSTRIES

National Institute of Corrections

- Training in Prison Industry Management
- Technical Assistance

Bureau of Justice Assistance

- Prison Industry Deregulation
- Technical Assistance
- Automated Database

National Institute of Justice

- Private Sector Initiatives

Federal Bureau of Prisons (UNICOR)

- Information Sharing
- Training

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