



Program Brief



Prison Industry Enhancement Certification Program

The Prison Industry Enhancement Certification Program (PIECP) exempts certified state and local departments of corrections from normal restrictions on the sale of inmate-made goods in interstate commerce. In addition, the program lifts restrictions on these certified corrections departments, permitting them to sell inmate-made goods to the federal government in amounts exceeding the \$10,000 maximum normally imposed on such transactions.

PIECP was created by Congress in 1979 to encourage states and units of local government to establish employment opportunities for inmates that approximate private-sector work opportunities. The program is designed to place inmates in a realistic work environment, pay them the prevailing local wage for similar work, and enable them to acquire marketable skills to increase their potential for successful rehabilitation and meaningful employment upon release.

A total of 50 jurisdictions may be certified under PIECP. To become certified, each program must demonstrate to the Director of the Bureau of Justice Assistance (BJA), U.S. Department of Justice, that

Domingo S. Herraiz, Director

www.ojp.usdoj.gov/BJA

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About BJA

The Bureau of Justice Assistance was established in 1984 as a component of the Office of Justice Programs, U.S. Department of Justice. BJA provides leadership and resources to state, local, and tribal governments and communities to reduce crime, violence, and drug abuse and to strengthen the nation's criminal justice system. BJA provides this assistance through formula and discretionary grants, training and technical assistance, publications, and the BJA web site.

For Further Information

For additional information about the Prison Industry Enhancement Certification Program, contact:

National Correctional Industries Association

PIE Technical Assistance
1202 North Charles Street
Baltimore, MD 21201-5508
410-230-3972
Fax: 410-230-3981
E-mail: Info@nationalcia.org
Web site: www.nationalcia.org

Bureau of Justice Assistance

810 Seventh Street NW.
Washington, DC 20531
202-616-6500
Fax: 202-305-1367
Web site: www.ojp.usdoj.gov/BJA

For publications and information on other BJA-funded programs, contact:

Bureau of Justice Assistance Clearinghouse

P.O. Box 6000
Rockville, MD 20849-6000
1-800-851-3420
Web site: www.ncjrs.org

Clearinghouse staff are available Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. Ask to be placed on the BJA mailing list.

it meets statutory and guideline requirements as listed under Mandatory Criteria for Program Participation.

The National Correctional Industries Association (NCIA), the professional organization for prison industry employees, provides technical assistance for this program. Under a grant from BJA, the NCIA staff of volunteer correctional industry professionals assess programs for compliance with program requirements and provide onsite and telephone technical assistance to programs that are not in compliance. NCIA provides additional technical assistance by:

- ◆ Responding to specific requests for help from participating jurisdictions.
 - ◆ Providing program information to government agencies, private-sector companies, journalists, professional businesses, labor organizations, and others interested in the program.
 - ◆ Offering periodic training to program participants.
 - ◆ Helping to shape program policy through development of program guidelines, quarterly program data summaries, and other documents in response to program needs.
- PIECP has two primary objectives:
- ◆ Generate products and services that enable inmates to make a contribution to society, help offset the cost of their incarceration, compensate crime victims, and support their families.
 - ◆ Reduce prison idleness, increase inmate job skills, and improve the prospects for successful inmate transition to the community upon release.



Authority

PIECP was first authorized under the Justice System Improvement Act of 1979 (Public Law 96-157, Sec. 827) and later expanded under the Justice Assistance Act of 1984 (Public Law 98-473, Sec. 819). The Crime Control Act of 1990 (Public Law 101-647) authorizes continuation of the program indefinitely.

Program Benefits

PIECP allows private industry to establish joint ventures with state and local correctional agencies to produce goods using inmate labor. The program benefits:

- ◆ **The corrections administrator.** The program is a cost-effective way to occupy a portion of the ever-growing prison population.
- ◆ **The crime victim.** The program provides a means of partial repayment for harm sustained.
- ◆ **The inmate.** The program offers a chance to work, meet financial obligations, increase job skills, and increase the likelihood of meaningful employment upon release from incarceration.
- ◆ **The private sector.** The program provides a stable and readily available workforce. In addition, many correctional agencies provide manufacturing space to private-sector companies involved in the program.
- ◆ **The public.** Because of inmate worker contributions to room and board, family support, victim compensation, and taxes, the program provides a way to reduce the escalating cost of crime.

Mandatory Criteria for Program Participation

Corrections departments that apply to participate in PIECP must meet all nine of the following criteria:

- 1. Eligibility.** Authority to involve the private sector in the production and sale of inmate-made goods on the open market.
- 2. Wages.** Authority to pay wages at a rate not less than that paid for work of a similar nature in the locality in which the work is performed.
- 3. Non-inmate worker displacement.** Written assurances that PIECP will not result in the displacement of employed workers; be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality; or significantly impair existing contracts.
- 4. Benefits.** Authority to provide inmate workers with benefits comparable to those made available by the federal or state government to similarly situated private-sector employees, including workers' compensation and, in some circumstances, Social Security.
- 5. Deductions.** Corrections departments may opt to take deductions from inmate worker wages. Permissible deductions are limited to taxes, room and board, family support, and victims' compensation. If victims' compensation deductions are taken, written assurances that the deductions will be not less than 5 percent and not more than 20 percent of gross wages and that all deductions will not total more than 80 percent of gross wages.
- 6. Voluntary participation.** Written assurances that inmate participation is voluntary.
- 7. Consultation with organized labor.** Written proof of consultation with organized labor prior to program startup.
- 8. Consultation with local private industry.** Written proof of consultation with local private industry prior to program startup.
- 9. National Environmental Policy Act (NEPA).** Written proof of compliance with NEPA requirements prior to program startup.





Wage Deductions

During the period December 1979 through June 30, 2003, jurisdictions participating in the program have paid the following wages and collected the following amounts:

Gross Wages	\$264,181,598
Victims Programs	24,467,668
Room and Board	70,644,085
Family Support	15,650,525
Total Taxes	35,627,470
Total Deductions	\$146,389,748

Program Certification Process

Interested corrections departments may request a PIECP application from BJA or the National Correctional Industries Association. Applicants must provide written proof that they meet all mandatory program criteria (including copies of legislation and/or

administrative rulings, as appropriate). After reviewing and approving an application, BJA will formally notify the jurisdiction that it has been certified to participate in the program. Certified jurisdictions must agree to enforce program requirements. Certification may be terminated if a jurisdiction is found to be out of compliance with any of the mandatory program criteria or if the certification is unused for 6 months or longer.

Eligible Jurisdictions

All states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and all units of local government authorized by law to administer prison industry programs are eligible to apply for program certification.

As of March 2004, 38 jurisdictions were certified. A complete list is available at the NCIA web site at www.nationalcia.org.

Photos courtesy of the National Correctional Industries Association.