


THE PRIVATIZATION OF STATE CORRECTIONAL SYSTEMS

by

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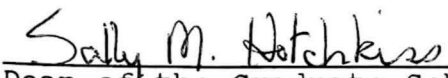
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CHAPTER I

Corrections in the nineteen eighties witnessed more attention and media coverage on prison overcrowding than in previous decades. One also saw the emergence of a not-so-new movement, privatization. Though privatization is not a new concept, the eighties brought forward the adoption of a "for-profit" image with corporate management. This was a complete turnaround from the non-profit approach used in the past. Private contracting is not a new concept in corrections according to prior surveys. Private contracts in the service delivery area have been widespread throughout U.S. history. A survey conducted by the National Institute of Corrections in 1983 reported a total of 3,125 private contracts in juvenile and adult correctional agencies (Camp and Camp, 1984:3-6). However, this figure does not indicate the total amount of money issued in contracts to "for-profit" corporations.

The term "privatization" has a variety of definitions in public government. Professionals in and out of the field of corrections generally define privatization as the provision of services to the government by private organizations. Within the field of corrections, Charles Thomas defines two forms of privatization, partial and full. Partial privatization involves the government's turning to the private sector for one or more

specific services but retaining responsibility for the overall management and supervision of correctional facilities (Thomas, 1989:4). Full privatization involves the delegation of nearly all correctional functions to a private corrections firm (Thomas, 1989:4). For the purposes of this paper, privatization will be defined as any contract awarded to a company, corporation, or group by a public agency to operate or provide a specific correctional service to an institution for the purpose of making a profit.

Service delivery contracts have been prevalent in corrections and much of the current debate is with the full-scale operation and management of correctional facilities by the private sector. Recently there has been a considerable amount of public debate about the privatization of corrections, and whether it is more ameliorable than the public correctional approach. Much of this debate rests on correctional privatization's basic premise which centers on the removal of government from an area formerly thought to be its exclusive responsibility, and contracting with the private sector to provide a specific service.

When society attempts to address an important social and economic issue, two conflicting sides usually emerge with each critically weighing and analyzing the other's arguments. The same holds true for private corrections. Since its inception, privatization proponents and opponents have debated extensively, and have nearly exhausted all areas relevant to private correctional contracting.

There are numerous privatization issues which can be discussed in detail; however, the intention of this section is to bring some of the major issues to the reader's attention. These issues are propriety, quality of service, liability, and overcrowding.

PROPRIETY

Critics of privatization often question whether it is proper for anyone but the government to deprive people of their freedom. They question the legitimacy and the wisdom of delegating governmental authority to private entities. Privatization opponents fear that the profit motive will interfere with professional correctional practices and bring into question whether any part of the administration of justice is an appropriate market for economic enterprise (Mullen, 1985:8).

Proponents of privatization argue that the federal system has provisions for the legality of private correctional contracts through United States Code 18, Section 4082(b) which provides for "the confinement of federal prisoners in any available, suitable, and appropriate institution or facility, whether maintained by the federal government or otherwise...." The delegation of power to the private sector is an issue which is frequently voiced to state legislatures, and a review of state cases indicates that courts have upheld most delegations. The delegation of state power, like that at the federal level, can occur if the private entity exercises neither rule-making nor adjudicative powers, but merely

manages a governmental program already in place and enforces state laws.

COST

Privatization opponents assert that private prisons will be more expensive to the taxpayer because of the added cost of administering contracts, monitoring performance, and the need to make a profit. Advocates, however, state that profit is not an added cost, but merely an incentive to reduce waste and increase productivity. They also state that contractor per diem rates are usually less costly to a government, making privatization cost effective.

Few cost-comparison studies between public and private ventures have been completed in the area of private corrections. Logan and McGriff (1989) conducted one of the first studies concerned with private corrections in Hamilton County, Tennessee. The purpose of the study was to determine if a private contractor could save a jurisdiction money relative to the cost of county services. Logan and McGriff estimated the total cost of county operation versus contractor operation for the fiscal years 1985 through 1987 for the Hamilton County Penal Farm. They concluded that the private contractor saved Hamilton County 3.8 percent in 1985-1986, 3.0 percent in 1986-1987, and 8.1 percent in 1987-1988 (NIJ Reports, September/October 1989:7).

QUALITY

Do private prison contractors reduce the quality of inmate life? Opponents believe this is true and state that private contractors, to enhance profits, would be drawn to cost-cutting measures, resulting in fewer services, less professionalism, and less training. Poorer services would also produce an increase of inmate suits.

Advocates, however, argue that the quality of prison life in a private prison would be maintained for two reasons: First, private correctional facilities are generally required to conform to the standards of the American Correctional Association (ACA) and to obtain accreditation. Therefore, before any private contractor began operation of a facility, the minimum standards set forth by the ACA would have to be met, placing the private contractor under the same rules as the state. Accreditation from government would be an added bonus to a private firm because most state and county facilities are not accredited. It would also give the private contractor a formal proclamation of quality, placing the private firm on a higher professional ground than the state. Second, private contractors usually set higher operating standards in their contract proposals to increase the level of quality and decrease the number of legal suits filed by inmates. Advocates contend that liability risks are correlated with the quality of services provided by a private contractor, which they feel are equal to, and

often better than, what government provides.

LIABILITY

Liability is perhaps the most controversial issue concerning private corrections. Critics of privatization maintain that private prisons will not absolve governments of liability, and that governments can escape liability only by avoiding contracting (Logan, 1988:8). Since the 1960's, inmate plaintiffs and their attorneys have been inclined to file suits under 42 U.S.C. Section 1983. For an inmate to win a lawsuit under section 1983, the inmate must show that the private contractor was acting under state law, and state action was present. If the state action requirement of the fourteenth amendment is met, then the private contractor could be held liable. Under these circumstances, the state government is usually named as a co-defendant in the inmate's lawsuit.

Advocates of privatization state that to alleviate government liability private contracts should carry an indemnification clause to insure that government is not held responsible for any liability incurred as a result of a private contractor's operation of a facility or specific service. Thus, the clause would obligate the private contractor to assume the responsibility for the public agency, and protect it from damages or losses to government-owned property and legal liability costs.

PRISON OVERCROWDING

Prison overcrowding is an issue that stirred up much controversy throughout the past decade. It is also an issue that concerns privatization. Advocates for privatization speculate that facilities housing offenders could be built faster and cheaper, and in turn, reduce overcrowding.

Opponents of privatization, however, state that privatization would stagnate innovative ideas and alternatives to incarceration. The incentive would be to build more prisons instead of trying to reduce the populations. They also contend that if more prisons are built, the courts will fill them.

Though there are many pros and cons about privatization, the fact remains that privatization is relatively new to the field of corrections; thus, the debate over its presence will continue until more public-private prison comparison studies are completed. To date, there have been few studies which compare public and private prison operations. Therefore, to obtain a better understanding of cost effectiveness, several studies are presented describing the costs involved with the provision of general services by public and private ventures. From a comparison of other public and private services, one can draw conclusions as to whether privatization would be beneficial to correctional agencies. The following studies worked with different areas of public service such as mass

transportation, solid-waste management, and electric power.

URBAN MASS TRANSPORTATION

Transportation services are historically private ventures that, before the 1960's, operated under exclusive franchises and were effectively insulated from competition (Weicher, 1988:3). Privatization is not new to the field of transportation. However, within the past 30 years, mass transportation was gradually monopolized or, "municipalized". Nevertheless, there are many private transportation systems in operation in the United States and a considerable number of comparative studies have been completed. The studies to follow on public and private transportation are concerned with urban mass transportation, i.e., bus systems.

A report by the New York State Department of Transportation showed that private buses in Westchester County operated at a cost of \$3.18 per mile, whereas a public bus authority in Nassau County, a similar suburban area, had a cost of \$4.09 per mile, or twenty-eight percent more (Savas, 1987:137). This study examined the average costs per vehicle mile of comparable public and private urban bus services. The results of these studies are strikingly similar to those of the study mentioned above. For instance, public bus lines in California provide service at a cost that is twenty-eight percent higher than comparable private services, and at the extreme, Phoenix, Arizona public bus lines provide service at a cost one hundred sixty-three percent higher than a comparable

private bus line (Savas,1987:138).

In 1984, New York City published a more detailed report comparing public and private bus services. The following table is a summary of the New York City report.

Table 1.1 -- New York City Bus Service Comparison Study

	<u>Private</u>	<u>Public</u>
Cost per vehicle mile	\$6.16	\$8.07
Cost per vehicle hr.	\$53.17	\$62.57
Vehicle mile/employee hr.	3.98	2.29
Vehicle hr./employee hr.	.46	.30
Operating revenues/cost	.67	.60
Cost per passenger	\$1.32	\$1.49

(Savas,1987:138)

This table shows that public buses in New York City are more expensive to operate than privately owned bus companies. There was a 32 percent difference in operating cost per vehicle mile, and a 12 percent difference in cost per passenger. Moreover, the private buses realized 74 percent more vehicle miles per employee hour (Savas,1987:138).

SOLID-WASTE MANAGEMENT

One of the public services studied most extensively and thoroughly by researchers concerning cost comparisons is residential solid-waste or refuse collection. Major studies have been completed not only in the United States, but also cross-culturally in Canada and Japan. A careful examination of these

studies leads to the conclusion that municipal collection is approximately 35 percent more costly than contract collection, although the range varies from 14 to 124 percent in all studies (Fitzgerald, 1988:129).

Savas and Stevens (1975) surveyed 439 cities in the United States with a population size ranging from 2,500 to 720,000. They found that the average cost of municipal collection was 29 to 37 percent higher than the price of contract collection in cities larger than 50,000 in population. Included in these figures were the cities' costs of contract preparation, bidding, and monitoring of the contractor's performance and the contractor's profits and taxes.

McDavid (1984) studied refuse collection in Canada using only cities with a population of 10,000 or more. McDavid's findings reveal that public collection tends to be 40 to 50 percent more costly than private collection in the 109 cities analyzed.

Hamada and Aoki (1981) analyzed 211 cities in Japan and reported staggering differences in the cost between public and private refuse collection. Their findings reveal that municipal collection is 124 percent more costly than contract collection in Japan.

In regard to the studies conducted in the United States and Canada, the reason these two governments are significantly less productive and more expensive can be attributed to the use of more men to do the same amount of work, more absences by workers, fewer households served per hour, and less productive vehicles

(Fitzgerald, 1988:131).

The reasons given can be considered immediate contributions to higher government costs. The major cause appears to be the absence of competition. When a government agency performs a particular task directly, the task becomes monopolized because there are no competitors; but when a government agency is forced to compete with a private contractor, it can become more productive and efficient, and possibly can match a contractor's performance.

ELECTRIC POWER

In the United States approximately eighty-seven percent of the population obtain electric power from one of about 200 private companies. The remaining 13 percent obtain power from municipal or state systems (Colman, 1989:338). Several studies have been conducted comparing the cost of public and private electric power; unfortunately, many of these studies are flawed. One study was flawed because its sample of public power plants included several hydroelectric plants which were compared to private plants that burned fuel, thus the results showed that public plants were significantly cheaper. Another study compared large private electrical plants to small municipal plants and found the same results: public plants were cheaper and more efficient. The problem with these studies involve their inability to find compatible or comparable public and private plants.

Using data compiled from 1973 to 1975, the comptroller general compared 95 federal power plants with 47 private plants of similar

size. It was found that private costs were \$2.72 per kilowatt hour compared to \$3.29 for public plants (Colman, 1989:342). In other words, public electrical plants were 21 percent more costly than private electrical plants. It was also noted in the report that public plants had an average of 48 percent more employees per plant (Colman, 1989:342).

DeAlessi summarizes numerous studies concerning comparisons between public and private utility ventures and found that compared to private utilities, municipal utilities charge lower prices and spend more on construction, have higher operating costs, and change prices less often (DeAlessi, 1974:41).

With electric power, the research presented leads to the conclusion that there is no major difference between public and private power plants. However, when conducting studies with comparable public and private power plants, the research indicates that private plants are less expensive.

The rising costs of incarceration make governments consider privatization as a possible solution to their correctional problems. The problems of incarceration appear insurmountable to government. Crime rates are up, inmate populations are at an all-time high, sentencing provisions have become stricter, and construction costs are excessive. In addition to these problems, jurisdictions must find the revenue to support present and future needs. For many jurisdictions with tight budgets, this can become a real dilemma. It appears that privatization would be a welcomed change for jurisdictions because of its potential for more

efficient and cost-effective institutions. However, many in the public realm continue to speak in a traditional manner, thinking there are some functions of government that must remain uniquely governmental.

Despite their opponents and public thoughts of symbolic significance, private corporations have made some progress into the field of corrections. They have slowly begun to unravel the monopoly which public agencies have maintained in the criminal justice system. An analysis of recent statistics clearly leads to the suggestion that the privatization of prisons and jails is an alternative that warrants close consideration from all levels of government. Despite the promises made by private firms for better and cheaper prisons, opponents of privatization often contend that contracting correctional management services to the private sector is unconstitutional.

The remaining chapters of this study will deal exclusively with the privatization of correctional systems, particularly at the state level. The next chapter involves the statutory dimensions of privatization including precedent cases that give an understanding as to whether the courts would uphold a delegation of government authority to a private contractor.

CHAPTER II

When discussing the privatization of state correctional institutions, there will be questions concerning its legality. The confusion rests with the fact that policies vary among state statutes which neither specifically authorize nor prohibit privatization. Some states, such as Texas and New Mexico, have passed legislation permitting private incarceration, while others, such as Virginia, have stated that;

a state cannot barter away, or in any manner abridge or weaken, any of those essential powers which are inherent in all governments, and the exercise of which in full vigor is important to the well-being of organized society, and that contracts to that end are void upon general principles...
(Secretary of Transportation and Public Safety, Commonwealth of Virginia, 1986:23).

The above statement, by the Virginia Supreme Court, appears to prohibit the contracting of state prisons for full-scale operation and management. It does, however, provide for contracting of specialized services if there has been no delegation of complete facility operations.

The state of Virginia is one example of the various policies set forth by courts and legislatures throughout the country concerning private prisons. When dealing with the legality of private correctional facility management, there currently are more

questions than answers. Therefore, the intent of this chapter is to provide an overview of the major policy issues and precedent-setting court cases surrounding the contracting of correctional institutions.

When looking into the statutory dimensions of privatization, one must first understand the dimensions of the delegation doctrine at the federal and state level. Opponents of privatization take the stance that the delegation doctrine prohibits public agencies from contracting with the private sector for management of correctional facilities. Basically, the delegation doctrine is aimed at placing constitutional constraints on the delegation of legislative powers to either governmental or non-governmental agencies. The practical purpose of the doctrine is to preserve the vitality of the separation of powers act and to thereby inhibit one branch of government from exercising powers vested in another branch (Lawrence, 1988:60). The ban on delegation is based on the fifth amendment's due process clause.

In the context of federal delegation, the U.S. Supreme Court has asserted that Congress may not delegate powers to other governmental branches nor to private entities. Thus, the Supreme Court has held several times that the delegation of power to the private sector is unconstitutional, yet a number of courts have upheld the delegation of some powers as constitutional. Perhaps one of the main problems with the doctrine at the federal level is its lack of attention and use. The Supreme Court has not invalidated private delegation since the New Deal era in Carter v.

Carter Coal Co., and many agree that the court has not given an acceptable theory on the principles involved with the delegation doctrine (Robbins, 1988:9-10). Others think the Supreme Court has failed to distinguish between statutes that delegate power and those that do not. Recently, federal courts have upheld the delegation of power to private parties as being constitutionally valid.

Since there are no recent Supreme Court cases that have turned on the delegation doctrine, current federal law most analogous to the private prison context is found in opinions upholding the Maloney Act, which authorizes self-regulation of the securities industry (Robbins, 1988:22). The U.S. Court of Appeals, in Todd and Co. v. SEC, upheld the Maloney Act, stating that the delegation of governmental power was not unconstitutional. Also in the private prison context, the ruling in Berman v. Parker suggests that courts would uphold the delegation of power because the private prison contractor would be employed to carry out laws in an administrative fashion. It would not be contracted to enact the laws, only to carry them out. Most of the cases mentioned deal with property interests rather than a person's liberties. Therefore, a court of law might apply a stricter review of delegation for a public agency wishing to contract correctional responsibilities with a private corporation.

The most widely cited federal statute by proponents of privatization to support the legality of private prisons is 18 U.S.C. Section 4082(b) which states that:

The Attorney General may designate as a place of confinement any available, suitable, and appropriate institution or facility, whether maintained by the Federal Government or otherwise, and whether within or without the judicial district in which the person was convicted, and may at any time transfer a person from one place of confinement to another.

This federal statute more or less appears to permit the Bureau of Prisons to contract out its correctional institutions to the private sector. Eighteen U.S.C. Section 4082(b) also becomes an important statute to state and county agencies because it requires the Federal Bureau of Prisons to "[p]rovide technical assistance to state and local governments in the improvement of their correctional systems..." Therefore, if the Bureau of Prisons finds private correctional companies to be more appropriate and cost-effective, state and county administrators will be more inclined to follow the Bureau's lead and experience should they decide to consider privatization as an option.

The "or otherwise" phrase in section 4082(b) is unclear in its meaning, leading many to interpret it in different ways. Clearly, those for privatization interpret the language of section 4082(b) to mean the authority of the Attorney General to contract with the private sector for the confinement of federal offenders in all situations. However, others maintain that section 4082(b) refers only to other public facilities such a state, county, or U.S. territory. Subsequent amendments to section 4082(b), however, has changed the meaning of the "or otherwise" phrase. As Robbins(1988) points out,

The meaning of the phrase 'or otherwise' has changed, but only to the rather limited extent of permitting the Attorney General to contract with private corporations for the confinement of federal prisoners in certain special facilities, such as residential community-treatment centers (Robbins, 1988, p.400).

The Comprehensive Crime Control Act of 1984 replaced section 4082(b) with 18 U.S.C. Section 3621(b), which sets forth certain additional factors that must be considered when the Bureau selects a facility. Section 3621(b) provides in pertinent part:

The Bureau of Prisons shall designate the place of the prisoner's imprisonment. The Bureau may designate any available penal or correctional facility that meets minimum standards of health and habitability established by the Bureau, whether maintained by the Federal Government or otherwise and and whether within or without the judicial district in which the person was convicted, that the Bureau determines to be appropriate and suitable, considering--

- (1) the resources of the facility contemplated;
- (2) the nature and circumstances of the offense;
- (3) the history and characteristics of the prisoner;
- (4) any statement by the court that imposed the sentence--
 - (A) concerning the purposes for which the sentence to imprisonment was determined to be warranted; or
 - (B) recommending a type of penal or correctional facility as appropriate; and
- (5) any pertinent policy statement issued by the Sentencing Commission pursuant to section 994(a)(2) of title 28.

Within section 3621(b), the phrase "or otherwise" remains intact, resulting in further confusion as to whether private contracting by the Bureau is authorized. The language in section 3621(b) indicates that Congress did not specify whether contracts by the Bureau of Prisons were intended to be exclusively a state, territory, political subdivision or private corporation. Thus, the

meaning of section 3621(b) remains unclear and therefore is subject to alternative interpretations. Simply stated, section 3621(b) leaves itself open to become an issue for either proponents or opponents of privatization, depending on a person's point of view.

The delegation of power to the private sector is an issue which is frequently made to state legislatures. A review of state cases indicates that courts have upheld most delegations. The delegation of state power, like that at the federal level, can usually occur if the private entity exercises neither rule-making nor adjudicative powers, but merely manages a governmental program already in place and enforces state laws. However, cases such as Industrial Commission v. C & D Pipeline and Hillman v. Northern Wasco County People's Utility District show that in the private prison context, courts would not permit a legislature to authorize a private prison contractor to make the rules governing the conduct of the inmates. The private contractor could propose rules to an administrative agency only if that particular agency had the authority to accept, reject, or modify them. State courts have indicated that they might uphold the right of a private prison firm to propose internal disciplinary rules. Again, however, these proposed rules could not form the basis for disciplining inmates unless they were adopted by the state legislature or an administrative agency with authority. What the judges in the state courts are saying is that they would probably uphold the delegation of power to private parties if there were provisions for judicial or legislative review. If there is no provision, then the court

would invalidate statutes and administrative regulations that delegate power to the private sector.

Recently, many states have enacted enabling legislation to authorize the state to contract with the private sector. The enabling legislation grants the state broad authority to contract with the private sector for construction, lease, acquisition, improvement, operation, and management of correctional facilities and services (Robbins, 1988:418). The following are examples of state statutes authorizing an agency to contract with the private sector in regard to correctional institutions:

- Alaska Stat. section 33.30.031 (1986), Authorizes corrections commissioner to contract with private entities for the provision of halfway houses, group homes, and facilities for misdemeanor offenders.

- Arizona Rev. Stat. Ann. section 41-1606.01 (1985 & Supp. 1987), Authorizes corrections department to contract with private entities for the confinement of adult and youth offenders and the provision of various related services enumerated in the statute.

-Arkansas Stat. Ann. section 12-50-100 to 12-50-110 (Supp. 1987), Authorizes state, regional, and local corrections agencies to contract with private entities for the financing, acquisition, construction, and operation of correctional facilities.

-Colorado Rev. Stat. section 17-27-101 to 17-27-115 (1986 & Supp. 1987), Authorizes local corrections boards to utilize community correctional facilities and programs operated by private organizations

-Florida Stat. Ann. section 944.105 & 944.1053 (West Cum. Supp. 1988), Authorizes state corrections department to contract with private entities for the provision, operation, and maintenance of correctional facilities and programs operated by private organizations.

-Hawaii Rev. Stat. section 352-3, 353-1.1 & 353-1.2 (1985), Authorizes director of social services to contract for private residential youth facilities, community correctional centers, and high-security correctional facilities.

-Indiana Code Ann. section 11-8-3-1 (Burns 1981), Authorizes corrections department to contract with private entities for the custody and care of committed persons and for related services.

-Kansas Stat. Ann. section 75-5210 (1984 & Cum. Supp. 1987), Authorizes secretary of corrections to contract with private entities for the provision of facilities and various rehabilitation programs.

-Kentucky Rev. Stat. & R. Serv. section 197.500 to 197.525 (1988), Authorizes state to contract with private entities to establish, operate, and manage adult correctional facilities.

-Louisiana Rev. Stat. Ann. section 39:1780 to 39:1795 (West Cum. Supp. 1988), Provides for private ownership and lease-purchase financing of correctional facilities.

-Minnesota Stat. Ann. section 241.32 (West 1972 & Cum. Supp. 1988), Authorizes commissioner of corrections to contract with private entities for separate custody or specialized care and treatment of inmates.

-Missouri Ann. Stat. section 217.138 (Vernon Cum. Supp. 1988), Authorizes state department of corrections, cities, and counties to contract with private entities for the construction of corrections facilities.

-Montana Code Ann. section 53-30-106 (1987), Authorizes state department of corrections to enter contract with private entities to house "selected inmates."

-Nevada Rev. Stat. Ann. section 209.141 (Michie 1987), Authorizes state department of prisons to contract with private entities to carry out corrections-related functions.

-New Mexico Laws section 33-1-17 (1988), Authorizes state department of corrections to contract for the operation of "any adult female facility" and the renovation or construction of such facilities.

-Oklahoma Stat. Ann. tit. 57 section 561, 563 & 563.1 (West Cum. Supp. 1988), Authorizes department of corrections to contract with private entities for operation of the department's correctional facilities and to use other non-departmental facilities for the incarceration and treatment of persons under the custody of the department.

-Pennsylvania Stat. Ann. tit. 61 section 1081 to 1085 (Purdon Cum. Supp. 1988), Instituting one-year moratorium on the private operation of correctional facilities in the state, through June 30, 1987.

-South Carolina Acts section 55.7 (1987), Authorizes department of corrections to contract for "any and all services."

-Tennessee Code Ann. section 41-24-101 to 41-24-115 (Cum. Supp. 1987), Authorizes commissioner of corrections to contract with private entities for the provision of correctional services.

-Texas Rev. Civ. Stat. Ann. art. 6166g-2 (Vernon Supp. 1988), Authorizes board of corrections to contract with private entities for the financing, construction, operation, maintenance, and management of secure correctional facilities.

-Utah Code Ann. section 64-13-26 (1986 & Supp. 1987), Authorizes department of corrections to contract with private entities for the care, treatment, and supervision of offenders in its custody.

-Virginia Code Ann. section 53.1-180 to 53.1-185 (1982 & Cum. Supp. 1987), Authorizes director of department of corrections and localities to contract with private nonprofit entities for residential and nonresidential community-diversion programs and services.

-Wyoming Stat. section 7-18-101 to 7-18-114 (1987), Authorizes contracts with private profit organizations for the establishment, maintenance, and operation of community correctional facilities and programs. (Robbins, 1988, p. 415-417)

The question of whether privatization is legal or not might very well be determined by the wording of the contract submitted to the public agency. However, as the above examples show, many states are now producing enabling legislation to permit private contracts for correctional facilities. This appears to be a wise decision since the language of federal statutes is unclear, as are precedent court rulings. With the implementation of enabling legislation, states are now moving to control their own destiny with regard to private corrections.

CHAPTER III

One of the most controversial issues related to the privatization of prisons is liability. Who will bear the legal costs in the event that an institution is sued: the contracting agency, contractor, or both? This dilemma has been a major barrier for both the public and private sector since the inception of privatization. Before any discussion and analysis about liability can begin, some lingering problems must be considered. First, Thomas(1988) states that the relationship between the private sector and governmental civil liability has yet to be established because privatization is too recent and too limited (Thomas,1988:85). Secondly, there is no case law presently existing to set precedent for future court rulings, and, therefore, professionals in the field are forced to rely on a combination of legal reasoning and analogous situations which have produced judicial opinions (Thomas,1988:85).

Because of these lingering problems, critics such as the American Bar Association believe that Departments of Corrections and state legislatures should wait until all legal matters are settled in courts of law. Others, however, maintain that policies on privatization, as with policies for any topic, should be

implemented before all legal matters are resolved. This, they believe, is what keeps society constantly changing.

Both sides of the privatization debate make strong points to support their conclusions. Because no liability issues have been resolved by the courts, their positions appear to be tenuous. Proponents of privatization state that private prisons would either have no effect or a positive one on liability risks to government, and further contend that these risks are correlated with the quality of services provided by the private sector. Notwithstanding this opinion, advocates also feel that liberal indemnification clauses within government contracts would help the public sector avoid increases in liability costs. Opponents of privatization, obviously, take an entirely different perspective, stating that a shift toward private prisons would elevate and significantly expand governmental liability risks. With regard to contractual provisions relieving a government of liability, critics maintain that indemnification clauses may not hold up if challenged in court. Their premise rests upon the fact that simply because a public agency is not operating a correctional institution, it does not mean that liability risks can be shifted to the private sector. This reasoning mainly stems from 42 U.S.C. section 1983, the federal Civil Rights Act, the basis for most litigation over prison conditions (National Criminal Justice Association, 1987:13).

Since the 1960's, inmate plaintiffs and their attorneys have been inclined to file suit under 42 U.S.C. section 1983. Inmates contend that during their confinement they were deprived of basic constitutional rights, and therefore seek relief under 1983. The Code provides in part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress (42 U.S.C section 1983:8).

An inmate plaintiff filing suit under 1983 can allege that the defendant deprived him/her of a constitutional right and was acting under state law; that state action was present. Under section 1983, the inmate can ask for the reinstatement of the constitutional rights that were denied, and cannot seek release from custody on the grounds that the incarceration was unlawful. To seek release from custody, an inmate must file suit under the federal habeas corpus statute, and exhaust all state remedies before the writ can be heard at the federal level. Cummings (1981) points out that,

A 1983 suit differs from a suit under habeas corpus in that the individual proceeding under 1983 does not have to first exhaust state remedies before moving to seek relief in the federal courts, and possible release from imprisonment is available only by a writ under habeas corpus (Cummings, 1981:212).

As noted above, an inmate filing suit under 1983 must be able to show that the defendant was acting under the color of state law, and that state action was present. If the state action requirement of the fourteenth amendment is met, the defendant may be liable. If the state action requirement is not met, the defendant is not liable under section 1983. The fourteenth amendment established a state action requirement as a constitutional limit on governmental agencies to protect an individual's rights. To determine whether the state action requirement is met, courts usually apply one of four traditional tests: public function, close-nexus, symbiosis, and state-compulsion (Robbins, 1988:82).

The public function test is used to determine whether a private company exercised powers that are traditionally and exclusively reserved to the state. Medina v. O'Neil is one case which dealt with the context of private prisons in which the court used the public function test to determine whether the Immigration and Naturalization Service was liable under state action after contracting with the private sector for the operation of a detention facility. In Medina, a guard accidentally killed a detained alien and the plaintiffs filed suit under section 1983, claiming they had been unconstitutionally deprived of due process and were subjected to cruel and unusual punishment. The court held for the detained aliens, stating that detention was a power reserved to government and is an exclusive power of the state (Robbins, 1988:92).

In a close-nexus test, there must be a connection between the state and the challenged action that is sufficiently close for the action to be treated as that of the state. An example of close-nexus would be the state funding and regulation of a private prison. However, because every state contract with the private sector would fall under the guidelines of close-nexus, courts have set higher standards for state action to be met by this test. Robbins(1988) states that "not only must the state fund and regulate an entity, but it must also have a policy governing the challenged decision or conduct; state action will not be established if the state merely has officials participating in the decision making process." Because the state and private prison contractor abide by ACA prison standards, it remains unclear as to whether the state would have a policy governing all possible conduct occurring within a correctional institution. It does, however, seem probable. Therefore, a court would probably conclude that the private prison was acting under the color of state law according to the close-nexus test.

The symbiosis test is used to determine whether there is a symbiotic relationship or mutual dependence between the private sector and the state. Webster's dictionary defines symbiosis as "a cooperative relationship as between two persons or groups." Therefore, if the court finds that the state is an indispensable part of a private prison's operation, state action is met. This would certainly be the case if a state and private contractor were

physically and financially integrated in the operation and management of a correctional institution.

state-compulsion or significant encouragement is perhaps the most difficult test to apply to determine the presence of state action. The state-compulsion test is rarely used by itself, but rather is combined with the other tests to determine state action. Independently, state-compulsion would be difficult to prove if the encouragement or coercion by a state toward a private contractor was merely exercised through discussion and not through written law or contract.

Through an examination of these four tests, it becomes clear that state action would be present in the private prison context because the private contractor is usually dependent upon the state. All four of the state action tests require some form of dependency or relationship between the two parties, which presently occurs in many instances. One conclusion, therefore, might be that according to the state action requirement of the fourteenth amendment, private prisons would neither eliminate nor reduce government liability.

To support this conclusion, the U.S. Supreme Court in 1988 decided West v. Atkins, the closest case to date concerning the privatization of prisons. The Supreme Court in West considered

whether a physician who is under contract with the State to provide medical services to inmates at a state-prison hospital on a part-time basis acts 'under color of state law,' within the meaning of 42 U.S.C. section 1983, when he treats an inmate.
(Cited in Robbins, 1988:114)

The court concluded that the "respondent's delivery of medical treatment to West was state action fairly attributable to the state" (Cited in Robbins, 1988:114).

Because state action would be present in a private correctional facility, proponents of privatization indicate that by indemnifying the contracting agency, the costs of liability and litigation would mainly rest with the private contractor. Therefore, private contractors include indemnification clauses in their contracts to alleviate government's liability costs.

INDEMNIFICATION

Advocates of privatization also stress the need for liberal indemnification clauses within their contracts with public agencies. Not only does the private sector stress the importance of including indemnification clauses in their contracts, but the public sector usually makes it a requirement in their request for proposals and contracts. The purpose of the indemnification clause is to ensure that a government is compensated for any liability that it might incur as a result of a private contractor's operation and management of a correctional facility. The clause would obligate the private contractor to assume the responsibility for the contracting agency, and protect it from damages or losses and liability costs. For example, the indemnification clause in the

Management Services Agreement between the New Mexico Corrections Department and Corrections Corporation of America (CCA) (1988) states:

Contractor shall indemnify and save the State harmless from and against:

- (a) any and all claims arising from the provision of the Operation and Management Services, including, without limitation, any and all claims arising from (i) any breach or default on the part of Contractor in the performance of any covenant or agreement to be performed pursuant to the terms of this Agreement, (ii) any act of negligence of Contractor, or any of its agents, subcontractors, servants, employees, or licensees, and (iii) any accident, injury, or damage whatsoever caused to any person; and
- (b) all costs, reasonable attorneys' fees, expenses, and liabilities incurred on account of any such claim, action, or proceeding brought thereon.

In case any action or proceeding is brought against the State, the Contractor, upon notice from the State, shall defend against such action or proceeding by counsel satisfactory to the State, unless such action or proceeding is defended against by counsel for any carrier or liability insurance provided for herein. Contractor's obligation to indemnify the State shall not be affected by a claim that negligence of the State or its respective agents, contractors, employees, or licensees contributed in part to the loss or damage indemnified against. Contractor's obligation to indemnify the State, however, shall not be applicable to injury, death or damage to property arising out of the sole negligence or sole willful misconduct of the State. The terms of this Section 9.5 shall survive the termination of this Agreement.

Clearly, the main purpose of an indemnification clause is to absolve a governmental agency of liability, while holding the private contractor accountable for all actions or omissions to act. Robbins (1988) states in the American Bar Association's model contract that the indemnification clause should encompass liability arising out of tort, contract, or civil-rights actions. It should be noted that public sector contracts not only require indemnification clauses to limit their liability risks, but also

require a substantial amount of insurance coverage to indemnify the contracting agency from any possible litigation and liability.

CCA's insurance coverage with the state of New Mexico requires the private corporation to provide payment for compensatory damages, punitive damages-when awarded, plaintiffs' attorneys' fees-when awarded, and costs of defense (Management Services Agreement, 1988, #77-40, section 9.2).

The question over who will be liable, contracting agency or contractor, remains unclear because of no 'on point' cases being decided in the courts. All data seem to support the conclusion that state action will be easily discernible by a court of law. Unfortunately, it is too early to determine whether a private contractor's indemnification of government will hold up if challenged.

The doctrine of sovereign immunity protects federal and state governments from suits filed by citizens of the United States unless sovereign immunity is waived. The federal government may waive immunity if it consents to be sued under the Federal Tort-Claims Act, and a state may do the same through a State Tort-Claims Act. This brings to question whether a private contractor, presumably working under the color of state law, could assert a sovereign immunity defense in the event of litigation.

SOVEREIGN IMMUNITY

History shows that in the early parts of this century, before

the enactment of the Federal Tort-Claims Act, private companies confronted more tort liability exposure than government because of the latter's ability to resort to the doctrine of sovereign immunity. This doctrine stood as a barrier, protecting the public sector from any tort actions, while no barrier existed for the private sector (Thomas, 1988:88). However, the sovereign immunity doctrine, after the Federal Tort-Claims Act of 1946, began to resemble the non-immunity status which the private sector endured, although some inequalities between the two still remain. First, a waiver of sovereign immunity by a public agency does not expose it to some broad categories of activity such as policy-making, planning, or discretionary decision-making activities (Thomas, 1988:93). Secondly, waivers of sovereign immunity establish a limit on damage awards, a significant contrast to private litigation and awards. Courts can award damages up to the maximum amount permitted by the public sector's liability insurance policy.

Although a waiver of sovereign immunity by a government significantly reduces its liability differences from the private sector, Thomas (1988:95) believes that "the basic point to be made is that the trend toward less reliance on the sovereign immunity doctrine has not transformed the legal context in such a way as to place governmental agencies and private correctional firms in equivalent liability positions." Therefore, private correctional contractors should realize that they do not have the immunity opportunities which lessen government liability exposure.

Advocates for privatization may have the only viable solution to lessen a private contractors' liability exposure: the promise of better quality prisons. If the quality of a private prison is good, it is logical to assume that this in itself would reduce the risk and costliness of litigation brought by inmate plaintiffs.

CHAPTER IV

Before examining the extent of privatization occurring within state correctional systems, it is essential to consider the research methodology employed in this study. To update information concerning the use of private contractors by state correctional systems, a survey form comprised of six questions was produced and sent via mail to the directors of the fifty state correction departments. It was also the intent of this study to gather information on a sample of the private correctional contractors presently providing services to the public sector.

The format of this study was that of a mailed questionnaire which was designed to determine the amount of privatization occurring at the state level in American correctional systems. The questionnaire (see Appendix A) was short and concise and was accompanied by a cover letter stating the purpose of the study. The cover letter was personally addressed to each director and the names were taken from the 1989 edition of the National Directory of Law Enforcement Administrators, Correctional Institutions and Related Agencies.

A follow-up questionnaire was mailed to the state correctional departments not responding to the initial questionnaire and a third telephone follow-up was conducted of the few remaining non-respondents. This three-pronged approach proved to be beneficial. All fifty states responded to the questionnaire, thus achieving

the initial goal of the survey, a one hundred percent return rate.

To obtain information on private correctional contractors presently providing institutional services to agencies, information packets were requested from telephone conversations with the sample companies included in this study. The information obtained from the sample of private correctional contractors was to serve primarily as a means of verification of the results obtained from the state departments of correction. The purpose of this chapter will be to analyze the data received from the fifty states and show what services are being contracted out to the private sector by state correctional agencies. An analysis of the data will also show the number of states requiring indemnification against liability, specific legislation for privatization to become legally possible, and the number of suits filed against private correctional contractors since 1980. It should be noted that all data analyzed in this chapter comes directly from the information received on the returned questionnaires. Therefore, all results presented pertain to state correctional systems, and do not encompass federal or county privatization movements.

FACILITY OPERATION AND MANAGEMENT

Facility operation and management by a private contractor is an area of privatization which has sparked heated debate between professionals within the criminal justice system. It is commonly referred to as full-scale privatization, a contract between the

state and a private corrections firm for the operation and management of all facility services. Specific services such as food, medical, education, and counseling are administered to inmates by the contractor who, if applicable, may sub-contract a service to other private providers. Private correctional facilities, however, must adhere to ACA standards and continue to be regulated by the contracting agency; therefore, to implement major change within a facility, the private contractor must seek final approval from the state. These limitations, however, are similar to those of a state-run facility where adherence to state regulations and ACA standards is mandatory. Private correctional facilities do have their advantages. First, they have the ability to be more flexible with little bureaucracy involved, meaning that routine matters such as the hiring and training of employees could be implemented quickly. Secondly, they have the ability to build their facilities faster and usually cheaper than governmental agencies. Although there are many pros and cons associated with the contracting of private correctional facilities, the intent of this chapter is not to determine the validity of opposing arguments, but to classify and analyze the survey data received from the fifty states.

Through the first half of 1990, eight states (16%) reported having contracts with the private sector for facility operation and management on a for-profit basis. These facilities range from minimum and medium security correctional institutions to pre-release and community treatment centers. The states responding to

facility operation and management are Louisiana, Kentucky, New Mexico, Florida, Texas, Alaska, California, and Maryland.

The newest private facility opened in March, 1990 in Winn Parish, Louisiana, and is operated by Corrections Corporation of America (CCA). Winn Correctional Institution is the first privately operated medium security institution in the United States, and will initially house 610 adult male inmates and expects to expand its operation to 1,075 individuals.

Perhaps the most widely known private correctional facility in America opened in January, 1986 in St. Mary, Kentucky, and is operated by United States Corrections Corporation (USCC). Marion Adjustment Center was the first private institution to incarcerate adult felons sentenced by a state with a classification level not exceeding minimum security. Marion Adjustment Center originally housed 200 inmates and in 1988 expanded to 450 prisoners.

In 1988, the New Mexico Corrections Department and Corrections Corporation of America entered into a four-year management services agreement for the operation of the New Mexico Women's Correctional Facility. Completed in June 1989, the 200-bed facility houses female inmates ranging in classification from minimum to maximum security. It is also the first privately built and operated women's facility in the United States.

Of the eight states contracting for private facility operations, two, Florida and Texas, contract out pre-release centers. In 1985, the state of Florida contracted with National Corrections Management for the operation of the 177-bed Miami pre-

release center (Beckham Hall). Texas' four privately operated pre-release centers are contracted to two different corrections firms, Wackenhut, Inc. and Corrections Corporation of America. Wackenhut, Inc. operates two 500-inmate-capacity pre-release centers in Bridgeport and Kyle, both completed and opened in 1989. In the same year, Corrections Corporation of America also opened two 500-bed pre-release centers for the Texas Department of Corrections in Cleveland and Venus.

There are presently two states, Alaska and California, which contract with the private sector for the operation of Community Residential and Treatment Centers. Alaska has six community residential centers contracted to four different private operators. The centers at Cordova, Tundra, and Northstar are operated by Allvest, Inc., while the center at Maniilag is run by Maniilag Associates. The Glacier Manor Center is operated by Gastineau Human Services and the Glenwood Center by TJ Mohoney.

The state of California contracts with many for-profit private entities. Eclectic Communications, Inc., appears to be the major contractor in California, operating five community re-entry work furlough program facilities, and three return-to-custody facilities. These eight facilities are located in Goleta, San Francisco, Los Angeles, Inglewood (2), Live Oak, La Honda, and Baker. Eclectic facilities house approximately 565 male and female offenders. Two of the facilities, Inglewood and Live Oak, house only female offenders.

Behavioral Systems Southwest, Inc., operates three community re-entry work furlough program facilities in Hollywood, Van Nuys, and Rubidoux. The total bed capacity for these facilities is approximately 190 inmates.

Wackenhut, Inc. operates a return-to-custody facility in McFarland, California. McFarland RTC has a 200-bed capacity.

Gary White Associates, a for-profit organization, currently operates and manages the Mesa Verde return-to-custody facility in Bakersfield and has a 200-bed capacity.

The state of California also has a management services agreement with a corporation from Ogden, Utah: Management and Training Corporation(MTC), which operates Eagle Mountain, a 200-bed return-to-custody facility located in Desert Center, California.

The state of Maryland has two separate private contractors, Threshold and Dismas House, operating facilities located at the Department of Corrections' headquarters in Baltimore.

Although only eight states, sixteen percent of the total, utilize for-profit private contractors for facility operation and management, the results reveal that full-scale privatization is slowly becoming a viable option in some states. An analysis of the data indicates that only three states, Kentucky, Louisiana, and New Mexico, contract with private firms for the operation of state institutions. However, the trend seems to be in the area of community corrections where five states, Alaska, California,

Florida, Maryland, and Texas, have contracted for community facilities.

The sections to follow will be concerned with specific institutional services contracted to the private sector by state governments. These services include: Medical, Food, Education and Vocation, Counseling, Industry, and Other services.

MEDICAL SERVICES

Medical or health care services are the largest contracted area in American state correctional institutions. The contractor provides a full range of care to inmates and staff and must meet the standards set forth by the National Commission of Correctional Health Care. Presently, twenty-two (44%) of the country's correctional departments contract for their medical services. Of these twenty-two states, eleven contract with the same national provider, while the remaining eleven contract with local or state level private providers.

Correctional Medical Systems, Inc.(CMS) is the largest national medical provider in corrections. CMS contracts with eleven states in varying geographical locations. The following is an alphabetical listing of the states contracting with CMS: Delaware, Georgia, Illinois, Iowa, Kansas, Maryland, New Mexico, Pennsylvania, South Carolina, Tennessee, West Virginia.

Of the eleven states contracting with Correctional Medical Systems, Inc., four are systemwide contracts. Delaware (7

institutions), Kansas (17), Maryland (19), and New Mexico (8) contract with CMS to render medical services to all of their state institutions while the seven remaining states contract with CMS for specific institutions.

CMS operates the medical services in eight of Georgia's twenty-eight correctional institutions. These are Augusta, Middle Georgia, Valdosta, Georgia State Prison, Georgia Industrial Institution, Metro Correctional Institution, Rogers Correctional Institution, and Lowndes Correctional Institution.

In Illinois, eight of the state's twenty-one adult facilities contract with CMS: Centralia, Dixon, Graham, Illinois River, Hill, Joliet, Sheridan, and Vandalia Correctional Center

In South Carolina, CMS operates five institutions located at McCormick, Lieber, Allendale, MacDougall, and Evans.

Tennessee and CMS have medical contracts for two state institutions, Riverbed Maximum Security Institution and the Tennessee Prison for Women.

Two of Pennsylvania's state correctional institutions, Graterford and Cresson, are under contract with CMS.

The Iowa State Penitentiary is the only facility in that state contracting medical services with CMS. Similarly, West Virginia has only one institution contracted to CMS medical services: Huttonsville Correctional Center.

The remaining eleven states contract with local or state level providers for medical services to inmates. Of these twelve, only three contract their entire state system to medical companies.

Alabama's medical contract for all nineteen institutions is with Correctional Health Care(CHC). PHP Healthcare Corporation renders medical services for the state of Arkansas' eleven institutions, and the state of Massachusetts contracts all twenty-two of its institutions to Goldberg Medical Associates.

All of Indiana's medical services to its thirty-three correctional facilities are contracted to various local hospitals and private providers. There is no single major medical contractor in the state of Indiana.

The state of Missouri also has several private medical contractors who provide a variety of services to their sixteen correctional institutions. These services encompass a wide range of medical areas including emergency medical treatment (5 contractors), clinical services(10), laboratory services(1), ambulatory services(4), nursing(1), pathology(2), physical examinations(1), urinalysis(1), and x-ray services(6).

The state of Utah, with only one correctional institution in the system, is similar to Missouri with regard to the variety of medical contractors and services. A total of seven different contractors provide various medical services to Utah: American Fork Hospital Lab, Stanbrooke Radiologist, Union Square Eye Care, University of Utah Medicine and Hospital, Valley West Dental Lab, Dunn-Fillauer Medical Blood Testing Center, and MEDCAL Systems.

Although eight of Illinois' twenty-one adult facilities are contracted with CMS, three other private medical contractors are also used. Danville Correctional Center's medical services are

operated by Franciscan Sister Health Services, and the facilities at Dwight, Pontiac, Shawnee, Vienna, Western Illinois, and the youth center at Harrisburg are operated by Prison Health Services. Primary Health Care Association operates the medical services for the youth centers at Joliet, Kankakee, St. Charles, Valley View, and Warrenville.

Nebraska contracts medical services for seven of its nine correctional centers. The correctional centers at Lincoln and Hastings, Nebraska Center for Women, Community Corrections Center at Lincoln, Work Release Unit at Omaha, and two Youth Development Centers at Geneva and Kearney are all contracted with private local medical providers.

South Dakota contracts medical services for one of its five correctional facilities. The Springfield Correctional Facility is contracted with Foley and Saloum, a local private medical office. South Dakota State Penitentiary also contracts medical services, although this is with a non-profit public agency, Sioux Valley Hospital.

Montana contracts medical services for all three of its institutions. These contracts, however, are with local private practitioners because Montana's institutions have medical clinic type resources only. Psychiatric services are also contracted out to private practitioners.

Alaska's medical services are operated by various private practitioners and a few private medical firms. Family Med. provides services to Spring Creek and Wildwood Correctional

Centers, Intercorp to Fairbanks Correctional Center, DOC DOC'S to Anchorage Annex Correctional Center and Mat-Su Pre-Trial, and Bethel Family Health to Yukon-Koskokwim Correctional Center. As stated above, the remaining medical contracts are with local private practitioners.

Florida has only one facility contracted out for medical services. South Florida Reception Center is operated by the Emergency Medical Service Association.

Pennsylvania, which contracts medical services with CMS for two of its institutions, also has an agreement with Prison Health Services for the operation of medical services at Retreat, Smithfield, and Frackville.

The contracting of medical services by state correctional systems is currently the most widely used form of privatization in America. Forty-four percent of all states report having some form of medical privatization, and seven of the twenty-two states have contracted medical services systemwide. Another nine states utilize private medical providers within the state and usually use practitioners within close proximity to a specific correctional facility.

FOOD SERVICES

For years state food service employees have provided inmates with their three meals per day, and for most states, they continue to do so. However, some states have turned to the private sector with their food contracts, hoping for better quality at less price.

Currently, nine states (18%), Arizona, Connecticut, Florida, Illinois, Minnesota, Mississippi, New Mexico, Oregon, and West Virginia, report contracting for food services with the private sector. Unlike medical services, there are no local private providers. All food contracts are with state or national companies.

The state of Arizona contracts with two different food service companies for three of its nine prison complexes. Canteen Company has two contracts with the Arizona State Prison Complex at Douglas and Tuscon. Service America is contracted to provide food services to the Arizona State Prison Complex at Perryville.

Connecticut contracts with Canteen Company in seven of twenty-one correctional facilities. Canteen Company operates the food services for Hartell DWI, Jennings Road, N.E. Pre-Release Center, Connecticut Correctional Center at New Haven, Connecticut Correctional Institution at Niantic, Union Avenue, and J.B. Gates.

The state of Florida contracts food services in five institutions with Service America, which provides food services at Dade Correctional Institution and Work Camp, Polk Correctional Institution and Work Camp, Martin Correctional Institution and

Vocational Center, Broward Correctional Institution, and the South Florida Reception Center.

Illinois utilizes three separate private food contractors for three of their correctional centers. Midwest Food Open Kitchens, Inc. operates the food services at Metro Community Corrections Center, and Arena Distributors at Decatur Community Corrections Center. The third facility, Joliet Correctional Center, is contracted with Canteen Company.

Minnesota has four of its ten correctional facilities contracted for food services. Best Food, Inc. provides food services for the facilities at Faribault, Oak Park Heights, Shakopee, and Stillwater.

Mississippi is the only state in the country which contracts for food services systemwide. Valley Food, a Mississippi-based company, operates food services at all three adult facilities: Mississippi State Prison, Rankon County Correctional Facility, and Southern Mississippi Correctional Facility. Valley Food has also contracted to provide services to seventeen community work centers and three restitution centers.

New Mexico contracts its food services to Canteen Company in three of its correctional facilities. The food services at the Central New Mexico Correctional Facility, Western New Mexico Correctional Facility, and Southern New Mexico Correctional Facility are operated by Canteen Company.

Oregon has only one of its eight institutions contracted out for food services. Service America runs the food services at Powder River.

West Virginia also has only one of its correctional centers contracted for food services. Huttonsville Correctional Center's food services are provided by American Food Management, Inc.

The survey results show that most state correctional systems are, for the most part, relying on their own 'in house' resources to provide adequate food services to inmates within their institutions. Presently, only one state contracts food services systemwide, and aside from Mississippi, only twenty-seven correctional facilities in eight states contract for food services.

EDUCATIONAL AND VOCATIONAL SERVICES

All state correctional systems offer some form of educational and vocational service to incarcerated offenders, and these services usually vary state by state. Overall, licensed instructors, who are also correctional employees, provide inmates with the opportunity to learn different trades and to eventually obtain a high school equivalency diploma (GED). Beyond the institutional training and GED, however, states rely on local community, technical colleges, and state universities to provide educational services to inmates. States contract with local colleges, universities, and technical schools for educational services, which are provided on a non-profit basis.

Only one state, Alaska, reports contracting its basic educational and vocational services to for-profit private providers. Eight of thirteen correctional centers are contracted for Life Skills (LS) and ABE/GED classes. Alaska utilizes various private contractors at these facilities, many of whom are local private practitioners. Life Skills courses are offered by twelve individuals as well as Creative Communications, AWAIC, Dramey, Inc., Educare, IHS, Dance Center, and Ceramic Palace. These private providers are contracted at Anchorage Annex Correctional Center, Hiland Mountain Correctional Center, Anvil Mountain Correctional Center, Ketchikan Correctional Center, Lemon Creek Correctional Center, and Cook Inlet Pre-Trial Center. ABE/GED classes are offered by Kawerak, Inc. at Anvil Mountain Correctional Center and by an individual provider at Anchorage Annex Correctional Center.

Excluding Alaska, the privatization of educational and vocational services appears to be absent in state correctional systems. It should be noted, however, that many states report contracting with local community colleges and universities for education, and area vocational schools, but because of the non-profit status granted to educational institutions, this information was omitted. For example, ten states report contracts with either colleges or universities or area vocational schools. These states are Idaho, Illinois, Kansas, Minnesota, Missouri, Nebraska, Oregon, South Dakota, Texas, and Wisconsin.

Overall, states provide educational and vocational services through the use of regular employees who are supplemented by local

teachers who are provided individual contracts and/or payment for educational services.

COUNSELING SERVICES

The counseling of inmates in correctional institutions is an integral part of everyday prison life. It is an area reserved for treatment specialists who attempt to rehabilitate the incarcerated offender. The counseling services in state correctional facilities are similar to the educational services offered in that each relies more on state employed professionals and non-profit organizations than on private entities.

Counseling services are contracted to the private sector in six states, or twelve percent of the country. These states are: Maine, Maryland, Massachusetts, Montana, South Carolina, and Utah.

In the state of Maine, all four adult institutions, Charleston Correctional Facility, Downeast Correctional Facility, Maine Correctional Center, and Maine State Prison are contracted with local private providers who furnish professional counseling services to incarcerated inmates.

Maryland contracts counseling in only one of its institutions, Maryland Correctional Institution for Women. Alternative Directions, Inc. counsels all female inmates at this facility.

One-half of Massachusetts' twenty-two correctional centers are contracted for counseling services. However, only one private for-profit firm is contracted, Valle Associates. Valle Associates

provides counseling to Longwood OUI, North Central Correctional Center at Gardner, Massachusetts Correctional Institution-Old Colony Correctional Center, and the Massachusetts Addiction Center.

Montana's counseling or psychological services are contracted to local private practitioners at all three of the state's correctional facilities. These facilities are the Montana State Prison, Women's Correctional Center, and Swan River Forest Camp.

South Carolina's Women's Correctional Center is the only facility in the state which contracts for counseling services. The women's center in Columbia is contracted with Sister Care, Inc.

The Utah State Prison in Draper, the only state correctional institution, receives counseling services from Alma Carlisle Psychologists, a local private provider. The state also uses the non-profit sector for some of its counseling.

For counseling services, eighty-eight percent of the states continue to hire their own professional employees for inmate counseling, and there appears to be no major, national counseling service available to states desiring to privatize. The five states who do contract counseling services employ local private agencies.

INDUSTRY SERVICES

Although there is extensive research on private sector employment of inmates, there is a lack of information on the use of the private sector as the sole contractor of a singular facility

operation or of a state-wide system. For example, a National Institute of Justice study reported that in January 1987, thirty-eight private prison industry programs were employing inmates at twenty-six prisons in fourteen states (Auerbach, 1988:16). The NIJ study is a good indicator of the extent of private sector involvement with industry in state correctional systems, but it does not deal with states which contract their prison industries to the private sector on a for-profit basis. The following survey data results indicate which states have discontinued operating industry programs in some or all of their correctional facilities, and have contracted with the private sector for the operation of industrial services.

Only one state, Nebraska, reports contracting out prison industries to for-profit firms. Nebraska contracts five of their nine correctional centers with various private venture industries. The Nebraska State Penitentiary is contracted with LaPen, Irwin Wood Products, Van House, and Fibre Resin Manufacturing, Inc. The Omaha Correctional Center is contracted with Third Cost Design, Inc., PGS Marketing, and Tele-Promotions. Lincoln Correctional Center is contracted with PGS Marketing and Tele-Promotions. PGS Marketing also has contracts with the Nebraska Center for Women and Hastings Correctional Center.

It should be noted that the state of Florida contracts with PRIDE of Florida for industries in twenty-two correctional institutions; however, PRIDE is a non-profit venture.

As can be seen from the survey results on industry, ninety-eight percent of the states continue to provide their own industrial services at state institutions. One state contracts industry services, and this is on a limited basis only.

OTHER SERVICES

A total of eleven states report having some other form of for-profit operation occurring within their system which was not listed on the survey. The following is a listing of states reporting other services with a brief comment on the various services contracted to the private sector. Unfortunately, some of the states did not clarify which services are rendered by the private sector nor the name of the contractor.

Alaska reports having private contracts for mental health, sex offender treatment, and substance abuse. As with many of Alaska's private contracts, individual private practitioners are used for these other services, with only a few private firms being contracted. The private firms being used are Langdon Clinic and Y/K Health Corporation for mental health at nine correctional centers; Langdon Clinic, Fairbanks Treatment Association, and MEN, Inc. for sex-offender treatment at three centers; Allvest Labs and Kila, Inc. for substance abuse at two centers.

Kansas has agreements with private contractors for sex-offender treatment, substance abuse, and mental health. Weldy and Associates provides sex-offender treatment at three correctional

facilities; DCCCA, Mirrors, Inc., and Parallax are concerned with substance abuse at seven facilities; Correctional Medical Systems is also contracted by Kansas for system-wide mental health services.

Montana reports having two contractors provide pharmacy services to its 3 correctional facilities. HPI contracts with the Montana State Prison and Women's Correctional Center. Big Fork Pharmacy provides services to Swan River Forest Camp.

The state of Maryland uses the private sector for laundry, pest control, and public performance. Marriott Facilities Management controls the laundry services for five of Maryland's correctional institutions at the Maryland Penitentiary, Maryland House of Correction, Central Laundry Facility, Easton Correctional Institution, and Maryland Correctional Institution at Hagerstown. Various local contractors provide pest control at all nineteen state institutions. Films, Inc. has a contract with Maryland at three institutions which have a public performance license for videotape movies.

Missouri has an array of services contracted with various firms from the private sector. Although there are many different services and contractors used by Missouri, the following is a sample of the types of contract services: bakery and dairy products, water treatment, coal, data processing, janitorial services, Multiphasic Personality Inventory, pest control, and security systems maintenance.

Rhode Island reports contracting with the private sector for sex-offender treatment, home confinement, and drug-abuse treatment. Forensic Mental Health Services of Connecticut operates the sex-offender program; Corporation for Public Management runs the home confinement program and Marathon, Inc. manages the drug-abuse treatment program.

South Dakota has contracts with private providers for mental health, pharmacy, inmate legal services, dental and optometry, and dietary services. Most of these contracts are with private practitioners; however, some are operated by private firms. Sioux Valley Hospital is contracted for mental health and dietary services; Dakota Mental Health for psychological services; UNO-Med Pharmacy and Uken Drug for prescription drugs. These services are provided to the South Dakota State Penitentiary, Springfield Correctional Facility, The State Training School, and Youth Forestry Camp.

Utah reports having agreements with the private sector for veterinarian services, janitorial services, waste refuse removal, inmate legal services, and two barbers. All of these services apply to the Utah State Prison, the only adult correctional facility in the state. Amor Animal Hospital provides veterinarian services; Pat York Janitorial and Powell's Maintenance furnish janitorial services; Quintana and Esparza advise inmates in legal matters. Two individual private providers are contracted to be prison barbers.

Mississippi contracts with a private firm for security services provided to inmates who are admitted to public hospitals because of injury or illness.

Maine contracts with private providers for in-state inmate transportation.

Massachusetts reports contracting for other services with Valle Associates for alcohol-and substance-abuse treatment.

For other services, twenty-two percent of the states report having contracts with the private sector. These 'other' contracts encompass a wide variety of institutional and non-institutional services.

Thus far, this chapter has examined the extent of private for-profit contracting by state correctional systems in the areas of facility operation and management, medical, food, education and vocation, counseling, industry, and other services. Sixty-six percent of all states contract with the private sector for some type of correctional service. Sixteen percent have contracts for facility operation and management, forty-four percent for medical services, eighteen percent for food, two percent for education and vocation, twelve percent for counseling, two percent for industry, and twenty-two percent for other services. These figures clearly show that the privatization of correctional institutions and services is growing, although at a slower rate than might be anticipated.

There are presently seventeen states that report having no contracts with for-profit private providers for any correctional

services within their system. These states are: Colorado, Hawaii, Idaho, Michigan, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

The remainder of this chapter will involve an analysis of the states requiring contract indemnification, specific legislation, and inmate suits filed against a private contractor.

INDEMNIFICATION

Indemnification is an issue which has sparked much debate between professionals for and against privatization, and it is also an issue that is of concern to a contracting agency because it inevitably determines the question of who will pay the costs of litigation brought on by inmates and, if successful, who will provide the compensation. Therefore, to diminish unforeseen costs, many states require the prospective private contractor to include a liberal indemnification clause within the contract terms. A total of twenty-seven states require private contractors to include an indemnification clause within their proposals. Ten states reported that there is no requirement for indemnification, and thirteen others found the indemnification question to be not-applicable because of no current for-profit private contracting.

The question of requiring indemnification appears to be correlated with the type of service being contracted out by a state correctional system. Many states reported that indemnification

would be required for facility operation and management, but not for limited institutional services. This situation arises from the speculation that the risks involved with facility operation and management are much greater than are the risks involved with the contracting of specific institutional services. The following table is a listing of the states requiring indemnification, those that do not, and those which found the question not-applicable.

Table 4.1 --- State response to question of required contractor indemnification.

REQUIRED	NOT REQUIRED	NOT-APPLICABLE
Alabama	Colorado	Hawaii
Alaska	Connecticut	Michigan
Arizona	Idaho	Nevada
Arkansas	Kansas	New Hampshire
California	Maine	New Jersey
Delaware	Massachusetts	New York
Florida	Minnesota	North Carolina
Georgia	Pennsylvania	North Dakota
Illinois	Rhode Island	Ohio
Indiana	Wisconsin	Vermont
Iowa		Virginia
Kentucky		Washington
Louisiana		Wyoming
Maryland		
Mississippi		
Missouri		
Montana		
Nebraska		
New Mexico		
Oklahoma		
Oregon		
South Carolina		
South Dakota		
Tennessee		
Texas		
Utah		
West Virginia		

LEGISLATION

The importance of enabling legislation is of concern to every state: Without it, no changes in state policy can occur. In other words, the legislative body of each state determines whether a certain act or policy will be permitted within the boundaries of that state. With regard to correctional privatization, however, this is not always the case. Currently, seventeen states require specific legislation before privatization can become legally possible, twenty-five states require no legislation, and the remaining eight found the question to be not-applicable. As in the case of indemnification, many states reported that legislation would be required in the event that an entire institution was contracted to the private sector. Table 4.2 is a list of states requiring specific legislation, those that do not, and states finding the question not-applicable.

For those states requiring legislation, a follow-up question on the legislation was asked: Does the legislation require the private contractor's costs to be a certain percentage below the state's costs? California, Florida, and New Mexico, all reported that state legislation requires the contractor's costs to be either the same or lower than the state's. The state of Texas, which does not require specific legislation for privatization, also reported that a private contractor's costs must be lower than the state's.

The California Penal Code, sections 2910, 3410, 6250, and 6260 et seq., states that a private contractor's costs to the state of

Table 4.2 -- State response to question of required legislation.

REQUIRED	NOT REQUIRED	NOT-APPLICABLE
Alaska	Alabama	Nevada
Arkansas	Arizona	New Hampshire
California	Colorado	New York
Florida	Connecticut	North Carolina
Kentucky	Delaware	Ohio
Louisiana	Georgia	Vermont
Massachusetts	Hawaii	Virginia
Missouri	Idaho	Wyoming
Montana	Illinois	
New Jersey	Indiana	
New Mexico	Iowa	
Oklahoma	Kansas	
South Carolina	Maine	
Tennessee	Maryland	
Utah	Michigan	
Washington	Minnesota	
West Virginia	Mississippi	
	Nebraska	
	North Dakota	
	Oregon	
	Pennsylvania	
	Rhode Island	
	South Dakota	
	Texas	
	Wisconsin	

California must not exceed the cost of institutional bed space. Therefore, a private contractor's costs in California are the same as a state-run institution. However, because of the competition for private correctional contracts, costs to the state are reduced by the private sector.

In Florida, the state legislature passed an Appropriations Act for the fiscal year 1989-90, requiring a private contractor's costs to be no less than ten percent below the state's costs.

New Mexico requires the private contractor's costs to be ten percent below the state's costs. This agreement guarantees the

contracting agency, New Mexico, savings which would not exist if the state were to continue correctional operations.

Texas also requires the private contractor's costs to be ten percent below the state's costs. Texas State Bill 251, Article 6166g-2 Contracts with Private Correctional Facilities states that the private contractor must

[O]ffer a level and quality of programs at least equal to those provided by state-operated facilities that house similar types of inmates and at a cost that provides the state with a savings of not less than ten percent of the cost of housing inmates in similar facilities ...as determined by the Legislative Budget Board.

INMATE SUITS

The topic of inmate suits filed against private contractors is affiliated with two other areas previously discussed, indemnification and liability. Because most state contracts with the private sector are recent, many states have reported no inmate suits against private contractors. Also, because these suits are filed against the private contractor and not the state, many states reported that the information was not available to them. Seven states report that inmates have filed suit against one or more of their private contractors. These states are Alabama, Arkansas, Kentucky, Massachusetts, Nebraska, New Mexico, and Utah.

Alabama reports that approximately three hundred cases have been filed against its lone private contractor, Correctional Health

Care(CHC). CHC provides medical services for all nineteen correctional institutions in Alabama.

Arkansas reports one hundred seventy-seven suits against PHP Healthcare Corporation since July, 1977. PHP, based in Virginia, provides the system-wide medical services to Arkansas.

Kentucky reports twenty-seven active cases filed against United States Corrections Corporation's Marion Adjustment Center. These suits were filed directly against USCC, Creative Food Management, subcontractor to USCC, and against various individuals employed by USCC.

Massachusetts reports that over one hundred twenty suits have been filed against Goldberg Medical Associates, which provides medical services to the state's twenty-two correctional centers.

Nebraska states that three cases have been filed against private venture industry employers, and several cases against individual private physicians.

New Mexico reports that, to its knowledge, one law suit has been filed against Correctional Medical Systems, in which the department is the co-defendant. CMS provides the medical services to all eight of New Mexico's correctional facilities.

Utah reports that several suits have been filed against the privately contracted inmate attorneys. They are uncertain of the total number filed.

It appears that most of the states reporting inmate suits against private contractors are in the area of medical services.

This chapter, through the analysis of a questionnaire, data, has attempted to show the extent of full and partial privatization occurring in the fifty state correctional systems in America. The next chapter concerns the future of privatization as reported by the states and according to the data presently available.

CHAPTER V

The future of privatization is important not only to the private correctional contractor, but also to federal, state, and county governments, as well as the incarcerated offender. For the private contractor and its employees, financial stability for the future depends upon the availability of requests for proposals by public agencies, and without these government contracts, the private corrections firm would cease to exist.

Government is concerned with privatization for two major reasons: it may obtain a reduction in institutional operations costs and secondly, it can eliminate prison overcrowding. By experimenting with the private sector through short-term contracts, a public agency is able to analyze and weigh the contractor's performance. Thus, if the services provided prove to be beneficial and satisfactory to the contracting agency, a contract extension for the future is probable. However, if operational costs and savings are not what were anticipated, the contract will most likely be terminated upon or prior to completion. If private contractors are providing better services to correctional facilities, inmates across the country will want more of them, making their lives and present situation more tolerable.

From the answers reported in the survey, twenty-nine states report that privatization will continue and/or expand within their state system, while twenty-one feel that privatization is not the solution to their systems' correctional problems. Below is a listing of the states responding yes and no to the question of future privatization.

Table 5.1 -- State response to future of privatization.

FUTURE-YES

Alaska
 Arizona
 California
 Colorado
 Connecticut
 Delaware
 Florida
 Georgia
 Idaho
 Illinois
 Kansas
 Kentucky
 Louisiana
 Maryland
 Massachusetts
 Michigan
 Montana
 Nebraska
 New Mexico
 Oklahoma
 Oregon
 Pennsylvania
 South Carolina
 South Dakota
 Utah
 Virginia
 Washington
 West Virginia
 Wyoming

FUTURE-NO

Alabama
 Arkansas
 Hawaii
 Indiana
 Iowa
 Maine
 Minnesota
 Mississippi
 Missouri
 Nevada
 New Hampshire
 New Jersey
 New York
 North Carolina
 North Dakota
 Ohio
 Rhode Island
 Tennessee
 Texas
 Vermont
 Wisconsin

Fifty-eight percent of the states report that they will use private correctional contractors in the future, while forty-two percent state that they will not. Of the twenty-nine states reporting future privatization, seven presently have no contracts with for-profit private correctional firms. These states are Colorado, Idaho, Michigan, Oklahoma, Virginia, Washington, and Wyoming. Of the twenty-one states reporting no future in privatization, eleven currently contract with for-profit correctional providers. These states are Alabama, Arkansas, Indiana, Iowa, Maine, Minnesota, Mississippi, Missouri, Rhode Island, Tennessee, and Texas.

The questionnaire asked each state for a brief comment on why they said yes or no to future privatization within their state correctional system. The following is a sample of the answers received from states reporting future privatization.

Alaska reports that their state procurement code requires the Division of Statewide Programs to obtain required services in as cost-effective manner as possible. However, whenever the services of state employees can be used, they will provide the services, and the private sector will not be solicited for services.

California states that they plan to expand their community-based bed space as a means of coping with institution overcrowding.

Colorado's governor has encouraged the exploration of privatized health services. Colorado will be offering requests for proposals for health services at two new facilities.

Connecticut, which currently contracts food services, reports that for their system, the only effective method to service correctional facilities is to use private correctional contractors.

Florida states that they will continue to utilize private correctional contractors if the privatization efforts continue to be effective both for cost and operation.

Georgia will continue private contracts as needs indicate, although they do not foresee a statewide application of contract services. Privatization will only occur in correctional facilities which call for an alternative approach to staffing in the health services area.

Idaho indicates that there is a proposal in their fiscal year 1991 budget request to contract counseling services at two facilities at a minor cost (\$70,000).

Kansas reports that they will continue their current contracts in the future.

Kentucky reports that they will use private contractors in the future because, as their inmate population continues to increase, there will be a need for more facilities.

Louisiana reports having current plans to privatize Allen Correctional Institution, due to come on line in October, 1990.

Maryland states that the private sector can provide services for the Maryland Division of Correction that state employees are not available to perform. Therefore, the Division will be contracting with the private sector in the future.

Massachusetts reports that some services, medical and counseling, will continue on a contractual basis; however, prison administration, at least for the foreseeable future, will continue to be run by state employees.

Michigan, which currently does not contract with for-profit providers, reports that their department plans on exploring the privatization of health care services on a trial basis at one of their new facilities scheduled to open in early 1992.

Nebraska indicates that they will continue to contract with the private sector, but only for specific services such as medical, inmate jobs, and education. Nebraska does not anticipate any contracts with the private sector for the general custodial management of inmates.

New Mexico states that educational services for their correctional facilities may be contracted to the private sector in the future.

Oklahoma reports that they will utilize private contractors in the future to reduce overcrowding.

Oregon indicates that where it is cost effective, contracting with private companies and other agencies will be considered in the future.

Pennsylvania reports that legislation is pending to establish (build) two institutions through a "turn-key" or lease-back method of construction and finance.

South Dakota reports that the use of consultants for services has come about to the extent the Department uses private sector

agencies because of the difficulty in obtaining expansion of Full Time Equivalents (FTE'S) and personnel services dollars. South Dakota also indicates that they are awaiting prison industry/private industry certification. No plans exist for institutional management by a private agency.

Utah indicates that, under the current administration, contracting with the private sector will continue and may increase in areas such as medical, vocational and educational services.

Virginia, which has no for-profit contracts, states that a legislative committee is studying ways to solve prison overcrowding and will be supported to try privatization in prison construction and operations.

Washington reports that legislation regarding the state and service system would need to be amended for privatization to occur. The state also indicates that it is not likely that the Department would contract in the future for facility operation and management, but would like to leave the option open.

West Virginia states that contracting with the private sector for construction and operation of a new forty-five million dollar, 926-bed medium/maximum security facility in the state is under consideration. No decision has been made at this time.

Wyoming reports that there are several private contractors interested in providing services, and it is a topic of interim studies by the legislature.

As previously indicated, twenty-one states reported that they do not foresee contracting with for-profit private contractors in

the future. The following is a sample of the answers received from states reporting no future privatization.

Arkansas states that at this time, nothing occurring within the Department indicates a private contract venture.

Indiana reports that employee organizations and the general public do not seem receptive to large scale private vendor correctional operations. They also report that legislation to this end has failed in three successive years including the 1990 session of the General Assembly.

Missouri indicates that they do not anticipate broadening the scope of contractual services, i.e., contracting out entire facilities.

New Jersey states that if they were to contract with the private sector, it would only be on a very limited basis for specialized inmate offender groups, geriatric, severe medical cases, and substance abusers.

North Dakota, with only two correctional institutions, reports that at this time, their system is very small and manageable under their present approach.

Rhode Island indicates that they do not foresee contracting out a total institution in the future.

Tennessee reports that they will not contract with the private sector in the future because current efforts have not produced spectacular results.

Texas states that pending review and evaluation of privately operated facilities by the Texas Sunset Commission, the agency has

no legal authority to contract beyond the 2,000 beds currently in operation.

Vermont indicates that they do not believe that operation of correctional facilities by private vendors is constitutional under the Vermont Constitution.

Wisconsin simply states that at this time, there are no future plans for contracting with the private sector within the System.

As can be seen from the above answers, many of the states responding to no anticipated future contracts with the private sector declined to comment any further than simply marking 'no' on the questionnaire. A summary of future privatization results indicates that of the thirty-three states currently contracting with for-profit private providers, twenty-two report that privatization will continue or expand in the future. The twenty-one states which indicated that they will not utilize private contractors in the future include eleven states that currently contract with for-profit providers. These results, if accurate, seem to support the conclusion that privatization will not be making a great insurgence into state correctional systems in the future. However, a current analysis of the statistics on state privatization in 1990 do indicate that private contractors are being used in thirty-three of fifty states, which is a significant percentage (66%) of the country. If future predictions remain the same, this figure will decrease to forty-four percent, which indicates that state correctional systems will revert to operating their own facilities and services.

If privatization is to gain a greater percentage of state services, the data supports the conclusion that it will be in the area of medical health care services. Presently, twenty-two states contract with private medical providers and others have indicated that they may contract medical services in the future.

Facility operation and management by a for-profit private company appears to have an uncertain future. Through the first six months of 1990, eight states report having facility contracts with the private sector, while others have left this option open. A few states indicate that facility operation and management by a private firm is currently being discussed by their state legislature for both correctional institutions and community based facilities. Other states, however, have reported that facility operation and management will not be considered in the future. Therefore, facility operation by a private contractor in the future appears to be limited to a small number of states.

It should be noted that facility operation and management is also privatized by the federal government, specifically Immigration and Naturalization Service detention facilities, as well as by several counties. It was not the intent of this study to look beyond state correctional systems. The privatization of county jails may prove to be the trend of the future since county correction budgets and inmate populations are smaller than in state correctional systems. Thus, counties appear to take a lower risk than state agencies by contracting for jail operation. Many for-profit correctional contractors currently operate and manage county

facilities throughout the nation. This is speculation because data on county privatization efforts was not collected.

The privatization of corrections is an area that continues to have many unanswered questions which will remain unclear until the primary issues are decided in courts of law. If, for example, state or federal courts find correctional privatization to be constitutional, then society may witness a rapid growth of private correctional contractors and, for the incarcerated offender, a new private keeper of their freedom.

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APPENDIX A
SURVEY QUESTIONNAIRE



YOUNGSTOWN STATE UNIVERSITY

YOUNGSTOWN, OHIO 44555

Criminal Justice Department
January 1990

The field of criminal justice needs an assessment of the extent to which departments of correction are using private contractors to provide services or operate facilities. We will provide you with a free current assessment of the field if you take a few minutes and supply us with the information.

If you have any questions or comments, please feel free to contact me at (216) 742-3279. Thank you for your time and cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence E. Cummings".

Lawrence E. Cummings, Ph.D.
Chairman

2. Total number of suits filed against private correctional contractors, since 1980, by inmates claiming a violation of constitutional rights? Please enclose case citations.

3. Do your contracts with private contractors carry an indemnification clause against liability?

Yes No

If yes, please enclose a copy of the agreement.

4. Does your system require specific legislation before privatization can become legally possible?

Yes No

If yes, does the legislation require the private contractor's costs to be a certain percentage below the state's costs?

Yes No

Please enclose a copy or reference of the enabling legislation.

6. Do you foresee your system contracting with the private sector in the future?

Yes No

Briefly explain your answer.

APPENDIX B

PRIVATE CONTRACTORS CATEGORIZED BY STATE

ALABAMA

Institutions in System: 19

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Food Services

None None

Medical Services

All Institutions Correctional Health Care

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

ALASKA

Institutions in System: 13

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Cordova Center
 Northstar Center
 Tundra Center
 Maniilaq Center
 Glacier Manor
 Glennwood Center

Allvest, Inc.
 Allvest, Inc.
 Allvest, Inc.
 Maniilaq Associates
 Castineau Human Services
 TJ Mahoney

Food Services

None

None

Medical Services

Spring Creek Correctional Center
 Wildwood Correctional Center
 Fairbanks Correctional Center
 Anchorage Annex Correctional Center
 Yukon-Koskokwim Correctional Center
 Anvil Mountain Correctional Center
 Ketchikan Correctional Center
 Lemon Creek Correctional Center

Family Med
 Family Med
 Intercorp
 Doc Doc's
 Bethel Family Health
 **
 **
 **

Industry Services

None

None

Educational and Vocational Services

Anchorage Annex Correctional Center
 Cook Inlet Pre-Trial Center
 Anchorage Annex Correctional Center
 Anvil Mountain Correctional Center
 Fairbanks Correctional Center
 Wildwood Correctional Center
 Wildwood Pre-Trial Center
 Meadow Creek Correctional Center
 Hiland Mountain Correctional Center
 Ketchikan Correctional Center
 Lemon Creek Correctional Center

Creative Communications / AWAIC
 Creative Communications / Dramey, Inc.
 Dramey, Inc.
 Kawerak, Inc.
 ALPA
 EDUCARE / IHS / Dance Center
 EDUCARE / IHS / Dance Center
 Ceramic Palace / **
 **
 **
 **

Counseling Services

None

None

Other Services

Meadow Creek Correctional Center	Langdon Clinic (Mental Health)
Yukon-Koskokwim Correctional Center	Y/K Health Corp. (Mental Health)
Anvil Mountain Correctional Center	** (Mental Health)
Wildwood Correctional Center	** (Mental Health)
Palmer Correctional Center	** (Mental Health)
Cook Inlet Pre-Trial Center	** (Mental Health)
Anchorage Annex Correctional Center	** (Mental Health)
Ketchikan Correctional Center	** (Mental Health)
Lemon Creek Correctional Center	** (Mental Health)
Hiland Mountain Correctional Center	Langdon Clinic (Sex Offender Treatment)
Fairbanks Correctional Center	Fairbanks Treatment Associates (Sex Offender Treatment)
Lemon Creek Correctional Center	Men, Inc. (Sex Offender Treatment)
Anchorage Annex Correctional Center	Allvest Labs (Substance Abuse)
Fairbanks Correctional Center	Kila, Inc. (Substance Abuse)
Fairbanks Correctional Center	** (Dental)
Lemon Creek Correctional Center	** (Dental)
Spring Creek Correctional Center	** (Dental)
Wildwood Correctional Center	** (Dental)

** indicates Private Practitioners

ARIZONA

Institutions in System: 9; 2 Pre-Release: 5 Juvenile

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None

None

Food Services

State Prison Complex Tuscon
 State Prison Complex Douglas
 State Prison Complex Perryville

Canteen Company
 Canteen Company
 Service America

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

ARKANSAS

Institutions in System: 11

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

All Institutions

PHP, Corporation

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

CALIFORNIA

Institutions in System: 21 plus Camps and Community-Based Programs

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

ECI Isla Vista	Eclectic Communications, Inc.
ECI Indiana Street	Eclectic Communications, Inc.
ECI Marvin Gardens	Eclectic Communications, Inc.
ECI Ingiewood	Eclectic Communications, Inc.
LEO Chesney Center	Eclectic Communications, Inc.
Hidden Valley Ranch	Eclectic Communications, Inc.
Baker RTC	Eclectic Communications, Inc.
Hollywood Reentry	Behavioral Systems Southwest, Inc.
Orion Street Work Furiough	Behavioral Systems Southwest, Inc.
Rubidoux Reentry	Behavioral Systems Southwest, Inc.
Mesa Verde RTC	Gary White Associates
McFarland RTC	Wackenhut Services, Inc.
Eagle Mountain	Management and Training, Corp.

Food Services

None None

Medical Services

None None

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

COLORADO

Institutions in System: 13

NOT APPLICABLE
no for-profit private contracting

CONNECTICUT

Institutions in System: 21

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None None

Food Services

Hartell DWI	Canteen Company
Jennings Road	Canteen Company
N.E. Pre-Release	Canteen Company
Connecticut Correctional Center New Haven	Canteen Company
Connecticut Correctional Institution Niantic	Canteen Company
Union Avenue	Canteen Company
J.B. Gates	Canteen Company

Medical Services

None None

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

DELAWARE

Institutions in System: 7

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Delaware Correctional Center
 Morris Correctional Institution
 Multi-Purpose Criminal Justice Facility at Ganderhill
 Plummer Work Release Center
 Pre-Trial Annex
 Sussex Correctional Institution
 Women's Correctional Institution

Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

FLORIDA

Institutions in System: 44; 62 Community Facilities

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Miami Pre-Release Center (Beckham)

National Corrections Mgt.

Food Services

Dade Correctional Institution
 Polk Correctional Institution
 Martin Correctional Institution
 Broward Correctional Institution
 South Florida Reception Center

Service America
 Service America
 Service America
 Service America
 Service America

Medical Services

South Florida Reception Center

Emergency Medical Service Assoc.

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

GEORGIA

Institutions in System: 28

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

Augusta	Correctional Medical System, Inc.
Middle Georgia	Correctional Medical System, Inc.
Valdosta	Correctional Medical System, Inc.
Georgia State Prison	Correctional Medical System, Inc.
Georgia Industrial Institution	Correctional Medical System, Inc.
Metro Correctional Institution	Correctional Medical System, Inc.
Rogers Correctional Institution	Correctional Medical System, Inc.
Lowndes Correctional Institution	Correctional Medical System, Inc.

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

HAWAII

Institutions in System: 10

NOT APPLICABLE
no for-profit private contracting

IDAHO

Institutions in System: 7

NOT APPLICABLE
no for-profit private contracting

Adams Co.
Albion Co.
Blaine Co.
Bonneville Co.
Butte Co.
Canyon Co.
Carroll Co.
Cassia Co.
Catawba Co.
Custer Co.
Elmore Co.
Franklin Co.
Gem Co.
Gooding Co.
Hwy. Co.
Latah Co.
Lincoln Co.
Madison Co.
Miner Co.
Morrow Co.
Nez Perce Co.
Owyhee Co.
Payson Co.
Shoshone Co.
Teton Co.
Valley Co.
Washington Co.
Weber Co.
Wilder Co.

ILLINOIS

Institutions in System: 21 Adult; 7 Juvenile; 11 Community Correctional Center

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

Decatur Community Correctional Center
 Metro Community Correctional Center
 Joliet Correctional Center

Arena Distributors
 Midwest Food Open Kitchen, Inc.
 Canteen Company

Medical Services

Centralia Correctional Center
 Dixon Correctional Center
 Graham Correctional Center
 Illinois River Correctional Center
 Hill Correctional Center
 Joliet Correctional Center
 Sheridan Correctional Center
 Vandalia Correctional Center
 Dwight Correctional Center
 Pontiac Correctional Center
 Shawnee Correctional Center
 Vienna Correctional Center
 Western Illinois Correctional Center
 IYC Hannsburg
 IYC Joliet
 IYC Kankakee
 IYC St. Charles
 IYC Valley View
 IYC Warrenville
 Danville Correctional Center

Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Prison Health Services
 Prison Health Services
 Prison Health Services
 Prison Health Services
 Prison Health Services
 Prison Health Services
 Primary Health Care Association
 Primary Health Care Association
 Primary Health Care Association
 Primary Health Care Association
 Primary Health Care Association
 Franciscan Sister Health Services

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

INDIANA

Institutions in System: 33

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

All Institutions

**

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

IOWA

Institutions in System: 8

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

Iowa State Penitentiary Correctional Medical Systems

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

KANSAS

Institutions in System: 17

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

All Institutions Correctional Medical Systems

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

Kansas State Penitentiary	Weldy and Associates (Sex Offender Treatment)
Landing Correctional Institution	Weldy and Associates (Sex Offender Treatment)
Ellsworth Correctional Facility	DCCCA/Mirrors, Inc./Parallax (Substance Abuse Treatment)
Norton Correctional Facility	DCCCA/Mirrors, Inc./Parallax (Substance Abuse Treatment)
Kansas State Reformatory	DCCCA/Mirrors, Inc./Parallax (Substance Abuse Treatment)
Hutchinson Correctional Facility	DCCCA/Mirrors, Inc./Parallax (Substance Abuse Treatment)
Winfield Correctional Facility	DCCCA/Mirrors, Inc./Parallax (Substance Abuse Treatment)

KENTUCKY

Institutions in System: 11

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Marion Adjustment Center

United States Corrections Corporation

Food Services

None None

Medical Services

None None

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

LOUISIANA

Institutions in System: 11 Adult; 3 Juvenile

INSTITUTIONSCONTRACTORS

Facility Operation and Management

Winn Correctional Institution

Corrections Corp. of America

Food Services

None

None

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

MAINE

Institutions in System: 4 Adult: 1 Juvenile

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

None None

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

Charleston Correctional Facility **

Downeast Correctional Facility **

Maine Correctional Center **

Maine State Prison **

Maine Youth Center **

Other Services

Charleston Correctional Facility ** (Inmate Transportation)

Downeast Correctional Facility ** (Inmate Transportation)

Maine Correctional Center ** (Inmate Transportation)

Maine State Prison ** (Inmate Transportation)

Maine Youth Center ** (Inmate Transportation)

MARYLAND

Institutions in System: 19

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Headquarters

Threshold/Dismas House

Food Services

None

None

Medical Services

All Institutions

Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

Maryland Correctional Institution for Women

Alternative Directions, Inc.

Other Services

All Institutions

** (Pest Control)

Maryland Penitentiary

Marriott Facilities Management(Laundry)

Maryland House of Correction

Marriott Facilities Management

Central Laundry Facility

Marriott Facilities Management

Easton Correctional Institution

Marriott Facilities Management

Maryland Corr. Inst. Hagerstown

Marriott Facilities Management

3 Correctional Institutions

Films, Inc.(Public Performance License)

**indicates Private Practitioners

MASSACHUSETTS

Institutions in System: 22

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

All Institutions

Goldberg Medical Associates

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

North Central Correctional Center Gardner

Valle Associates

Old Colony Correctional Center

Valle Associates

Longwood OUI

Valle Associates

Other Services

North Central Correctional Center Gardner

Valle Associates (Substance and Alcohol Abuse)

Bay State Correctional Center

Valle Associates (Substance and Alcohol Abuse)

Boston Pre-Release Center

Valle Associates (Substance and Alcohol Abuse)

Old Colony Correctional Center

Valle Associates (Substance and Alcohol Abuse)

MICHIGAN

Institutions in System: 33

NOT APPLICABLE
no for-profit private contracting

MINNESOTA

Institutions in System: 10

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None

None

Food Services

Faribault Correctional Institution
 Oak Park Heights Correctional Institution
 Shakopee Correctional Institution
 Stillwater Correctional Institution

Best Food, Inc.
 Best Food, Inc.
 Best Food, Inc.
 Best Food, Inc.

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

MISSISSIPPI

Institutions in System: 3; 17 Work Centers; 3 Restitution Centers

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

Mississippi State Prison Parchman Valley Food

Medical Services

None None

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

Mississippi State Prison Parchman	** (Hospital Security)
Rankon County Correctional Facility	** (Hospital Security)
South Mississippi Correctional Facility	** (Hospital Security)

** indicates Private Practitioners

MISSOURI

Institutions in System: 16

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

Missouri Eastern Correctional Center	**
Farmington Correctional Center	**
Boonville Correctional Center	**
Missouri Training Center For Men	**
Various Institutions	**

Industry Services

None None

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

Fulton Regional and Diagnostic Center	Komko Industries, Inc. (Admission Kits)
Missouri Eastern Correctional Center	Ambott Ambulance
St. Mary's Honor Center	Gateway Medical Transport
Kansas City Honor Center	Metropolitan Ambulance Service Trust
Various Institutions	Professional Audiology Services
Various Institutions	Law Enforcement Equipment (Badges & Insignias)
Various Institutions	Northeast Emblem and Badge
Various Institutions	Tuxall Uniform & Equipment, Inc.
Farmington Correctional Center	Continental Baking Co.
Chillicothe Correctional Center	Continental Baking Co.
Boonville Correctional Center	Interstate Brands (Bakery Products)
Ozark Correctional Center	Interstate Brands (Bakery Products)
Various Institutions	Interstate Brands (Bakery Products)
Various Institutions	Ezard's Super Market, Inc. (Bakery & Dairy Products)
Renz Correctional Center	Wasson Enterprises (Barber & Beauty Supplies)
Chillicothe Correctional Center	Wasson Enterprises
Various Institutions	Evans Newton, Inc. (Basic Optical Cards)

INSTITUTIONS

Various Institutions
 Various Institutions
 Missouri State Penitentiary
 Central Missouri Correctional Center
 Ozark Correctional Center
 Chillicothe Correctional Center
 Various Institutions
 Various Institutions
 Algoa Correctional Center
 Missouri Training Center For Men
 Missouri Eastern Correctional Center
 Farmington Correctional Center
 Algoa Correctional Center
 Algoa Correctional Center
 Farmington Correctional Center
 Various Institutions
 Missouri Eastern Correctional Center
 Potosi Correctional Center
 Potosi Correctional Center
 Various Institutions
 Western Missouri Correctional Center
 Various Institutions
 Kansas City Honor Center
 Missouri Training Center For Men
 Chillicothe Correctional Center
 Ozark Correctional Center
 Fulton Regional and Diagnostic Center
 Farmington Correctional Center
 Potosi Correctional Center
 Missouri Eastern Correctional Center
 Missouri State Penitentiary
 Kansas City Honor Center
 Various Institutions
 Chillicothe Correctional Center
 Ozark Correctional Center
 Various Institutions
 Kansas City Honor Center
 Kansas City Honor Center
 Algoa Correctional Center
 Missouri State Penitentiary
 Missouri State Penitentiary
 Potosi Correctional Center
 Boonville Correctional Center
 Western Missouri Correctional Center
 Potosi Correctional Center

CONTRACTORS

Calico Industries, Inc.(Beard Protectors/Hairnets)
 Fountain Mortuary Services(Body Removal)
 Dearborn Chemical(Water Treatment)
 Power Chemicals,Inc.(Water Treatment)
 Power Chemicals, Inc.
 Western Water Management
 Modern Business Systems(Bond Copiers)
 Minolta Corp.(Bond Copiers)
 Garratt-Callahan Co.(Water Treatment)
 Mogul Corp.(Water Treatment)
 Nalco Chemical Co.(Water Treatment)
 Nalco Chemical Co.
 Murray & Company(Clothing)
 Fruit of the Loom(Clothing)
 Kiesel Company(Coal)
 HPI Healthcare Services,Inc.(Pharmacy)
 Motorola(Communication System)
 Check Office Equipment(Copier Supplies)
 Nashua Office Products(Copier Supplies)
 Modern Business Systems,Inc.(Copy Machines)
 Anderson-Erikson Dairies Co.(Dairy)
 Central Dairy
 Country Farm Dairy
 Deters All Star Dairy, Inc.
 Fairmont Country Club Dairy
 Hiland Dairy
 Land-0-Sun Dairies, Inc.
 Prairie Farms Dairy
 Prairie Farms Dairy
 Pevely Dairy Company
 Hilts, Inc.(Deck Mops)
 Wells Fargo Armored Service(Delivery Service)
 Global Enterprises(Dehydrated Foods)
 ** (Dental Services)
 ** (Dental Services)
 Healthco International(Dental Supplies)
 Health-Productivity Systems(Drug Screening)
 General Elevator & Hydraulics(Elevator Main.)
 Mid-States Elevator
 Westinghouse Elevator Company
 Auburn Label & Tag Co.(Emblems)
 Brauer Supply Co. (Filters)
 Fire & Safety Equip. Co.(Fire Extinguisher)
 Burnidge Oxygen Dist. Co.(Gases)
 Hill Equipment(Gases)

INSTITUTIONS

Various Institutions
 Missouri State Penitentiary
 Various Institutions
 Various Institutions
 Various Institutions
 Fulton Regional and Diagnostic Center
 Missouri State Penitentiary
 Missouri State Penitentiary
 Algoa Correctional Center
 Various Institutions
 Missouri State Penitentiary
 Missouri State Penitentiary
 Missouri State Penitentiary
 Fulton Regional and Diagnostic Center
 Ozark Correctional Center
 Various Institutions
 Chillicothe Correctional Center
 Missouri Easton Correctional Center
 Various Institutions
 St. Mary's Honor Center
 Chillicothe Correctional Center
 Ozark Correctional Center
 Missouri Eastern Correctional Center
 Western Missouri Correctional Center
 Chillicothe Correctional Center
 Kansas City Honor Center
 Various Institutions
 Missouri Eastern Correctional Center
 State Correctional Pre-Release Center
 Missouri Training Center For Men
 Potosi Correctional Center
 Farmington Correctional Center
 St. Mary's Honor Center
 Kansas City Honor Center
 Western Missouri Correctional Center
 Fulton Regional and Diagnostic Center
 Western Missouri Correctional Center
 Ozark Correctional Center
 St. Mary's Honor Center
 Missouri Eastern Correctional Center
 Farmington Correctional Center
 Potosi Correctional Center
 Fulton Regional and Diagnostic Center
 Missouri State Penitentiary
 Renz Correctional Center

CONTRACTORS

Kessler(Gases)
 Brady's Glass & Paint Co.(Glass & Putty)
 Stanford Sales, Inc.(Hairnets)
 Corrections Services,Inc.(House Arrest Monitoring)
 Index Chemical Co.(Insecticide)
 American Scientific Products(Lab)
 Baxter Scientific Products(Lab)
 Fisher Scientific,Inc.(Lab)
 Barker, Bob Co.(Laundry Bags)
 Baker & Taylor Co.(Library Service)
 Kasco Corp.(Meat Processing Equip.)
 Hill Equip. Co.(Medical Gases)
 Upsher Laboratories,Inc.(Medical Lab)
 Applied Innovations(MMPI)
 Doss Office Systems(Office Sys.Maint.)
 Evans Newton,Inc.(Optical Cards)
 ** (Optometry Services)
 County Eye Clinic(Optometry Services)
 Dialysis Clinic Inc.(Out-Patient Hemodialysis)
 American Dental Corp.(Oral Surgeon)
 ** (Oral Surgeon)
 ** (Oral Surgeon)
 Cybertel(Paging Service)
 Mobilfone(Paging Service)
 Diamond Vogel Paint
 All-City Parking Service,Inc.
 ** (Pathology Surgical)
 Advantage Pest Control
 Bias Pest Control
 Ecolab Pest Eliminators
 Kammermann's(Pest Control)
 Pest Eliminators
 Rose Exterminator
 Ragan Pest Control
 Yetter Pest Control
 Gerbes E. Pharmacy(Ped. Shampoo)
 Motorola(Portable Radios)
 Stocker Propane service(Liquid Propane)
 Fresh, Inc.(Refrigeration Storage)
 Gunther Salt Co.(Rock Salt)
 Gunther Salt Co.
 Gunther Salt Co.
 Morton Thiokol, Inc.(Rock Salt)
 Saf-T-Glove,Inc.(Rubber Gloves)
 Sonitrol of Jefferson County(Security Systems)

INSTITUTIONSCONTRACTORS

Central Missouri Correctional Center
 Boonville Correctional Center
 Missouri State Penitentiary
 St. Mary's Honor Center
 Potosi Correctional Center
 Missouri Eastern Correctional Center
 Boonville Correctional Center
 St. Mary's Honor Center
 Kansas City Honor Center
 Various Institutions
 Ozark Correctional Center
 Western Missouri Correctional Center
 Missouri Eastern Correctional Center
 Various Institutions
 Potosi Correctional Center
 Farmington Correctional Center
 Missouri Training Center For Men
 Kansas City Honor Center
 Various Institutions
 Missouri State Penitentiary
 Missouri State Penitentiary
 Kansas City Honor Center
 Renz Correctional Center
 Boonville Correctional Center
 Renz Correctional Center
 Boonville Correctional Center
 Farmington Correctional Center
 Missouri Eastern Correctional Center
 Various Institutions
 Potosi Correctional Center
 Western Missouri Correctional Center
 Fulton Regional and Diagnostic Center

Diversified Electronics(Sec.Sys.Main)
 Sentry Protective Services(Sec.Sys.Main)
 Cargill, Inc.(Solar Salt)
 Old Vienna Snacks(Snack Chips)
 AT&T(Telephone System/Main.)
 AT&T
 Business Telephone Systems
 Continental Telephone Co.
 Pas Communications
 United Telephone Company
 Browning-Ferris Industries(Trash Removal)
 Henderson Disposal
 Industrial Disposal
 Laidlaw Waste Systems, Inc.
 Meramec Hauling(Trash Removal)
 Meramec Hauling
 Teter Removal Services
 Waste Management of Kansas City
 Law Enforcement Equipment Co.(Uniform Hats)
 Griffey Uniform
 Law Enforcement Equipment Co.(Uniforms)
 Anderson-Stolz Corp.(Water Softener Salt)
 Culligan Water Conditioners
 Gunther Salt Co.(Water Softener Salt)
 Western Water Management(Water Trmt.Boilers)
 Western Water Management
 Mineweld, Inc.(Welding & Medical Gases)
 Clements Welding & Machinery
 Kansas City X-Ray
 General X-Ray
 Picker Medial Products(X-Ray)
 Kostelac Grease Service(Removal)

MONTANA

Institutions in System: 3

INSTITUTIONSCONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Montana State Prison
Women's Correctional Center
Swan River Forest CampPsychological Services
Psychological Services
Psychological Services

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

Montana State Prison
Women's Correctional Center
Swan River Forest CampHPI (Pharmacy)
HPI (Pharmacy)
Big Fork Pharmacy

NEBRASKA

Institutions in System: 9

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None None

Food Services

None None

Medical Services

Omaha Correctional Center	**
Hastings Correctional Center	**
Nebraska Center For Women	**
Community Corrections Center Lincoln	**
Omaha Correctional Center-Work Release Unit	**
Youth Development Center Geneva	**
Youth Development Center Kearney	**

Industry Services

Nebraska State Penitentiary	LaPen
Omaha Correctional Center	Third Cost Design, Inc.
Nebraska State Penitentiary	Irwin Wood Products
Nebraska State Penitentiary	Van House
Nebraska State Penitentiary	Fibre Resin Manufacturers, Inc.
Omaha Correctional Center	Tele-Promotions
Lincoln Correctional Center	Tele-Promotions
Nebraska Center For Women	PGS Marketing
Omaha Correctional Center	PGS Marketing
Lincoln Correctional Center	PGS Marketing
Hastings Correctional Center	PGS Marketing

Educational and Vocational Services

None None

Counseling Services

None None

Other Services

None None

**indicates Private Practitioner

NEVADA

Institutions in System: 8

NOT APPLICABLE
no for-profit private contracting

NEW HAMPSHIRE

Institutions in System: 3; 2 Community Residential Facilities

NOT APPLICABLE
no for-profit private contracting

NEW JERSEY

Institutions in System: 15

NOT APPLICABLE
no for-profit private contracting

NEW MEXICO

Institutions in System: 8

INSTITUTIONSCONTRACTORS**Facility Operation and Management**

New Mexico Women's Correctional Facility	Corrections Corp. of America
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Food Services

Central New Mexico Correctional Facility	Canteen Company
Western New Mexico Correctional Facility	Canteen Company
Southern New Mexico Correctional Facility	Canteen Company

Medical Services

Penitentiary of New Mexico	Correctional Medical Systems
Central New Mexico Correctional Facility	Correctional Medical Systems
Western New Mexico Correctional Facility	Correctional Medical Systems
Southern New Mexico Correctional Facility	Correctional Medical Systems
Los Lunas Correctional Center	Correctional Medical Systems
Roswell Correctional Center	Correctional Medical Systems
Camp Sierra Blanca	Correctional Medical Systems

Industry Services

None	None
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Educational and Vocational Services

None	None
------	------

Counseling Services

None	None
------	------

Other Services

None
None

NEW YORK

Institutions in System: 60

NOT APPLICABLE
no for-profit private contracting

NORTH CAROLINA

Institutions in System: 90

NOT APPLICABLE
no for-profit private contracting

NORTH DAKOTA

Institutions in System: 2

NOT APPLICABLE
no for-profit private contracting

OHIO

Institutions in System: 19 Adult; 8 Juvenile

NOT APPLICABLE
no for-profit private contracting

OKLAHOMA

Institutions in System: 15; 8 Community Treatment Centers

NOT APPLICABLE
no for-profit private contracting

OREGON

Institutions in System: 8

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

Powder River

Service America

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

PENNSYLVANIA

Institutions in System: 15 Adult; 15 Community Service Centers

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

State Correctional Institution Retreat
 State Correctional Institution Smithfield
 State Correctional Institution Frackville
 State Correctional Institution Graterford
 State Correctional Institution Cresson

Prison Health Services
 Prison Health Services
 Prison Health Services
 Correctional Medical Systems
 Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

RHODE ISLAND

Institutions in System: 8

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

- All Institutions
- Medium Security Facility
- Minimum Security Facility
- Home Confinement Supervision

- Marathon, Inc.(Drug Abuse Treatment)
- Forensic Mental Health Services(Sex Offender)
- Forensic Mental Health Services Corporation for Public Management

SOUTH CAROLINA

Institutions in System: 31

INSTITUTIONSCONTRACTORS**Facility Operation and Management**

None

None

Food Services

None

None

Medical Services

McCormick Correctional Institution
 Lieber Correctional Institution
 Allendale Correctional Institution
 MacDougall Youth Correctional Center
 Evans Correctional Institution

Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems
 Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

Women's Correctional Center

Sister Care, Inc.

Other Services

None

None

SOUTH DAKOTA

Institutions in System: 5

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Springfield Correctional Facility

**

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

State Penitentiary

** (Psychologist)

State Penitentiary

** (Dietician)

State Penitentiary

UNO-MED(Pharmacy)

State Penitentiary

** (Dental)

State Penitentiary

** (Optometry)

State Penitentiary

** (Inmate Legal Services)

Springfield Correctional Facility

** (Dental)

Springfield Correctional Facility

** (Optometry)

Springfield Correctional Facility

Uken Drug(Pharmacy)

Springfield Correctional Facility

** (Inmate Legal Services)

Youth Forestry Camp

** (Nursing)

**indicates Private Practioners

TENNESSEE

Institutions in System: 18

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Tennessee Prison for Women
Riverbend Maximum Security Institution

Correctional Medical Systems
Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

TENNESSEE

Institutions in System: 18

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Tennessee Prison for Women
Riverbend Maximum Security Institution

Correctional Medical Systems
Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

TEXAS

Institutions in System: 39

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

Bridgeport Pre-Release Center
 Kyle Pre-Release Center
 Cleveland Pre-Release Center
 Venus Pre-Release Center

Wackenhut, Inc.
 Wackenhut, Inc.
 Correction Corp. of America
 Correction Corp. of America

Food Services

None

None

Medical Services

None

None

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

UTAH

Institutions in System: 1

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

None

None

Medical Services

Utah State Prison
Utah State Prison
Utah State Prison

American Fork Hospital Lab
Stanbrooke Radiologist
Durr-Fillaver Medical Blood Test Center

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

Utah State Prison

Alma Carlisle Psychologists

Other Services

Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison
Utah State Prison

Amor Animal Hospital
** (Barber)
** (Inmate Attorneys)
Pat York Janitorial
Powell's Maintenance
Reliable Waste System Refuse Removal
Union Square Eye Care
Valley West Dental Lab
Action Office Equipment Repair
Columbia Pest Control
Medical Systems (Medical Software)

VERMONT

Institutions in System: 6

NOT APPLICABLE
no for-profit private contracting

VIRGINIA

Institutions in System: 49

NOT APPLICABLE
no for-profit private contracting

WASHINGTON

Institutions in System: 13 Adult; 12 Juvenile

NOT APPLICABLE
no for-profit private contracting

WEST VIRGINIA

Institutions in System: 4 Adult; 3 Work Release, 2 Juvenile

INSTITUTIONS

CONTRACTORS

Facility Operation and Management

None

None

Food Services

Huttonsville Correctional Center

American Food Management, Inc.

Medical Services

Huttonsville Correctional Center

Correctional Medical Systems

Industry Services

None

None

Educational and Vocational Services

None

None

Counseling Services

None

None

Other Services

None

None

WISCONSIN

Institutions in System: 28

NOT APPLICABLE
no for-profit private contracting

WYOMING

Institutions in System: 4

NOT APPLICABLE
no for-profit private contracting

APPENDIX C
SAMPLE OF PRIVATE CONTRACTORS

BEHAVIORAL SYSTEMS SOUTHWEST
2449 South El Camino Real
San Clemente, CA. 92672
(714) 492-3574

President: Theodore R. Nissen
Company Founded: 1977

Behavioral Systems Southwest operates a variety of facilities for the federal government and the Arizona and California Departments of Corrections. A unique aspect of Behavioral Systems Southwest is its self-pay concept of incarceration for offenders, meaning no cost to taxpayers or to the state. Sentenced inmates are initially counseled and are then released to seek employment on a limited basis. After securing jobs, they are permitted to work outside the facility. Each inmate is then required to pay Behavioral Systems Southwest a certain amount of money for each day of incarceration to defray program costs. Behavioral Systems Southwest's current contracts include:

U.S. Parole and Probation Department
U.S. Immigration and Naturalization Service
U.S. Courts Administrative Office
U.S. Marshal's Service
California Department of Corrections
Arizona Department of Corrections
Arizona Department of Economic Security
Los Angeles County

CORRECTIONS CORPORATION OF AMERICA

28 White Bridge Road, Suite 206

Nashville, TN. 37205

(615)292-3100

President: Doctor R. Crants
 Company Founded: 1983

Corrections Corporation of America is one of the leading firms in correctional privatization today. The company specializes in the development and management of prisons and other correctional and detention facilities on behalf of local, state, and federal governments. Its expertise includes facility planning, financing, design, construction, and management. The company's objective is to provide quality corrections, at less cost to the taxpayer, in partnership with the government. Corrections Corporation of America's current operations include:

Bay County Jail and Annex
 Panama City, FL.

Hernando County Jail
 Brooksville, FL.

Houston Processing Center
 Houston, TX.

Loredo Processing Center
 Loredo, TX.

Reeves County L.E. Center
 Pecos, TX.

Santa Fe Detention Facility
 Santa Fe, NM.

Shelby Training Center
 Memphis, TN.

Silverdale Facilities
 Chattanooga, TN.

Tall Trees Facility
 Memphis, TN.

E. Tennessee Juvenile Facility
 Dandridge, TN.

N.M. Women's Corr. Facility
 Grants, NM.

Texas Pre-Release Facility
 Cleveland, TX.

Texas Pre-Release Facility
 Venus, TX.

CORRECTIONAL HEALTH CARE, INC.
400 Riverhills Business Park, Suite 475
Birmingham, AL. 35242
(205)991-0677

president: Robert A. Berryman
Company Founded: 1987

Correctional Health Care, Inc.(CHC) is a subsidiary of Southern Medical Health Systems and Managed Health Care Consultants. Its primary objectives are to provide a quality comprehensive health care program to the contracting Department of Corrections, to provide a standard of care which meets, but is not limited to, standards established by the American Correctional Association and the American Medical Association, and to provide services in accordance with applicable statutes and regulations of the State, the United States of America and standards required by accreditation organizations. Correctional Health Care, Inc. has experience operating a state-wide multi-unit prison system in Alabama, and its management personnel are experienced in managing those problems that are unique to correctional health care. In addition, CHC provides a health services staff that is licensed and/or certified as required by the State's Licensing Laws. CHC also provides dental and mental health care to inmates.

Currently, Correctional Health Care, Inc. is contracted with the State of Alabama for the provision of health care services to all 19 correctional institutions.

CORRECTIONAL MEDICAL SYSTEMS

999 Executive Parkway
St. Louis, MO. 63141
(314)878-1810
1-800-325-4809

president: Walter J. Schriver
Company Founded: 1979

Correctional Medical Systems(CMS) is a division of ARA services, an internationally recognized leader in contract management services. CMS health care programs are effectively administered in jails, prisons, juvenile facilities, pre-release centers and referral hospitals, with populations ranging anywhere from 150 inmates to entire statewide systems. The basic elements of the CMS program include: On-site health care delivery, support services, licensure and certification of all health care personnel, malpractice insurance, accreditation in accordance with American Correctional Association and National Commission on Correctional Health Care standards, client satisfaction, and court compliance. CMS services also include pharmacy, mental health and psychiatric counseling, dental care, and detoxification.

Correctional Medical Systems presently provides services to the following states: Delaware, Georgia, Illinois, Iowa, Kansas, Maryland, New Mexico, Pennsylvania, South Carolina, Tennessee, West Virginia. Correctional Medical Systems also provides services at the county level in the following states: Colorado, Florida, Kentucky, New Jersey, Ohio, Virginia.

ECLECTIC COMMUNICATIONS, INC.
1823 Knoll Drive
Ventura, CA. 93003
(804)644-8700

president: Arthur McDonald
Company Founded: 1977

Eclectic Communications, Inc.(ECI) is a private, social service agency that contracts with the public sector to provide cost-effective services to disadvantaged populations. Its primary objective is to provide a place of confinement where the individual can prepare themselves for release mentally, physically, and educationally, and be better able to integrate into and contribute to society.

ECI was the first private for-profit contractor with the Federal Bureau of Prisons for halfway houses.

Eclectic Communications, Inc. currently has 16 projects in operation throughout California, providing direct services to approximately 5,000 offenders per year. ECI has contracts with the following agencies:

Federal Bureau of Prisons

U.S. Probation Office

U.S. Parole Commission

U.S. Pre-Trial Services

California Department of Corrections

Immigration and Naturalization Service

California Youth Authority

Dept. of Social Services, State of California Health and Welfare

GOLDBERG MEDICAL ASSOCIATES, INC.

530 Loring Avenue
Salem, MA. 01970
(617) 598-8866

president: Ronald I. Goldberg
Company Founded: 1968

Goldberg Medical Associates(GMA) is a multi-specialty firm of over 300 medical, mental health, and mid-level professionals who are contracted with various state agencies and public and private hospitals for the provision of health care services. The company's major contracts are centered on correctional health care, where in 1978, they became the Massachusetts' Department of Corrections primary medical provider. Currently, GMA provides medical and mental health services to all 22 correctional facilities in Massachusetts. GMA is an experienced firm in the field of correctional health care, and has previously performed correctional practice for counties and state Departments of Correction in Arizona, New Hampshire, New York, and Texas.

Goldberg Medical Associates staffs all medical and mental health positions for the Massachusetts Department of Correction, as well as for the Bridgewater State Hospital. GMA also is contracted with the Immigration and Naturalization Service for a detention facility in Boston, MA. The company provides a variety of programs to offenders sentenced in the state of Massachusetts, including alcohol and drug abuse treatment and crisis intervention.

PHP HEALTHCARE CORPORATION
4900 Seminary Road, 12th Floor
Alexandria, VA. 22311
(703)998-7808

president: Charles H. Robbins
Company Founded: 1976

PHP Healthcare Corporation is a diversified health services management company that specializes in building innovative, cost-efficient health delivery partnerships with government at the local, state, and federal levels. PHP operates health centers under the Primary Care for the Uniformed Services (PRIMUS) program; manages health programs for correctional institutions; operates community-based primary health centers; administers long-term care facilities for geriatric psychiatric patients with chronic medical problems; provides medical staffing services for military facilities, and designs and administers psychiatric service programs for special populations.

In regard to correctional privatization, PHP Healthcare Corporation contracts with the state of Arkansas for the provision of medical and mental health services systemwide. This accounts for 11 correctional institutions in Arkansas. PHP also provides for a full range of services to correctional facilities, including intake screening and assessment, primary and specialized onsite medical care, ancillary, dietary, rehabilitative, administrative, and other support functions, as well as the services of medical specialists. These services meet American Correctional Association and American Medical Association standards.

PRICOR
745 South Church Street
P.O. Box 8
Murfreesboro, TN. 37133-0008
(615)896-3100

president: Gil R. Walker
Company Founded: 1985

Pricor is committed to providing humane and practical alternative solutions to the problems of overcrowding in correctional institutions, and works in partnership with governmental authorities to tailor its programs and services to meet the specific needs of a community. All Pricor facilities and services are specifically designed to reduce government and taxpayer costs while providing secure and appropriate treatment for youth and adults. Services include: Juvenile and adult facility management, non-residential programs, management of facility design and construction, consulting services, and financing.

Pricor offers a cost-effective and professional solution to the operation and management of correctional facilities by providing full service facility operation including staffing and training of personnel, as well as medical and food services.

Current contracts include the following:

- 9 Advocate Schools (Riverside, Los Angeles, San Bernardino, CA.)
- Mid Valley Youth Center (Van Nuys, CA.)
- Cedar Grove (Murfreesboro, TN.)
- Coordinated Alternatives (Richmond, VA.; Rutherford County, TN.)
- Upper East Tennessee Regional Detention Center (Johnson City, TN.)
- Tuscaloosa Metropolitan Minimum Security Detention Facility
- Houston Reintegration Center (Houston, TX.)
- Sweetwater Reintegration Center (Sweetwater, TX.)
- Lebanon Community Corrections Center (Lebanon, VA.)

PRISON HEALTH SERVICES, INC.

101 Lukens Drive, Suite A
 P.O. Box 472
 New Castle, DE. 19720
 (302) 888-0200
 1-800-969-3142

president: Jeff Reasons
 Company Founded: 1978

Prison Health Services (PHS) was the first corporation in the United States specifically established to offer comprehensive health care programs designed to meet the unique needs of correctional institutions. PHS adheres to the Standards For Health Services In Prisons and Jails published by the American Medical Association and adopted by the National Commission for Correctional Health Care. The company has also achieved thirty-seven awards of accreditations for eighteen correctional systems consisting of twenty-six facilities. PHS employs doctors, psychiatrists, psychologists, dentists, nurses, lab technicians, and medical records technicians. The following is a sample listing of the thirty-five current Prison Health Services contracts:

Pompano Jail Complex
 Pompano Beach, FL.

Arlington County Detention Center
 Arlington, VA.

State Correctional Inst.-Frackville
 Frackville, PA.

Western Illinois Correctional Center
 Mt. Sterling, IL.

Tennessee Prison For Women
 Nashville, TN.

Delaware County Prison
 Thornton, DE.

Dutchess County Jail
 Poughkeepsie, NY.

North County Jail
 Oakland, CA.

Orange County Jail
 Goshen, NY.

Polk County Jail
 Bartow, FL.

SERVICE AMERICA CORPORATION

88 Gate House Road
Box 10203
Stamford, CT. 06904-2203
(203)964-5000

president: Steven R. Leipsner
Company Founded: 1985

Service America Corporation is known for its commitment to excellence in all aspects of quality food service and professional food service management, and has a diverse clientele including business and industrial facilities, hospitals and nursing homes, colleges and universities, primary schools, correctional facilities, stadiums and convention centers, and theatres.

Service America has extensive experience providing food service management for correctional facilities nationwide. An individualized system for each correctional location, with on-site management, is developed to control menus, purchasing, labor, safety, sanitation, and accounting. Detailed nutritional information is also provided to assure staff and inmate satisfaction and compliance with American Correctional Association standards.

Currently, Service America has contracts with two state correctional systems, Arizona and Florida, for the management of food services. These contracts are for one institution in Arizona, and five in Florida.

UNITED STATES CORRECTIONS CORPORATION
805 Kentucky Home Life Building
Louisville, KY. 40202
(502) 585-2212

president: J. Clifford Todd
Company Founded: 1983

United States Corrections Corporation (USCC) opened the nation's first state adult correctional facility that is both privately owned and operated in 1986. USCC provides a broad range of detention and correctional services to governmental agencies, including:

- Supplementing corrections systems with cost-effective construction of facilities and professional management of operations.
- Providing innovative alternatives to incarceration.
- Offering specialized consulting services on a contract basis.

USCC operates the Marion Adjustment Center, a minimum security prison, located in St. Mary, Kentucky. The center currently houses a total of 450 state residents and 50 additional jail inmates from Jefferson County, KY. Each resident must participate or be assigned to a work or academic program. In addition, they are eligible for 5 days per month good-time and most are approved for weekend furloughs.

USCC has recently contracted a new facility in Louisville, KY., River City Correctional Center, which is a 380 bed community release center.

WACKENHUT CORPORATION
1500 San Remo Avenue
Coral Gables, FL. 33146-3009
(305) 666-5656
1-800-922-6488

president: Richard R. Wackenhut
Company Founded: 1954

The Wackenhut Corporation offers an array of services and products, including domestic security operations, nuclear services, correctional operation and management, international security operations, stellar systems, advanced technologies, and travel services.

Wackenhut Corrections Corporation(WCC), a sub-division of The Wackenhut Corporation, offers design, construction, modernization and management of minimum and medium security detention and correction facilities. WCC also has a reputation as a provider of quality basic education programs, vocational training, substance abuse counseling, and job seeking skills. Their correctional facilities include food and medical care services, as well as building and grounds maintenance and inmate transportation.

Wackenhut Corrections Corporation facility management contracts include the following:

- Municipal pre-trial jail facility (Detroit, MI.)
- INS detention facility (Aurora, CO.)
- Job corps center (Guthrie, OK.)
- State correctional facility (McFarland, CA.)
- Jail facility (San Antonio, TX.)
- State correctional facility (Kyle, TX.)
- State correctional facility (Bridgeport, TX.)