

**TESTIMONY OF  
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**JOINT HEARING BEFORE THE  
HOUSE LABOR AND JUDICIARY COMMITTEES**

**STATE AND COUNTY  
PRISON PRIVATIZATION  
IN PENNSYLVANIA**

**OCTOBER 25, 2007  
HARRISBURG, PA**

## Prison Privatization Testimony

Thank you. My name is David Fillman, and I'm the Executive Director of Council 13 AFSCME, the American Federation of State, County and Municipal Employees of Pennsylvania. I am honored to represent more than 65,000 public employees in this Commonwealth. Approximately 2500 of these employees work in state and county prisons.

The incarceration of our citizens is, and should remain, a function of government. Our society was built upon the premise that there is nothing more important than our personal freedom. Citizens of this country have laid down their lives -- and continue to do so -- in an effort to preserve that freedom.

And when we decide, through our government's justice system, that a citizen's actions warrant losing that freedom, it should be the responsibility of the government to enforce that loss -- NOT an opportunity for private corporations to obtain monetary gain. Individuals convicted of a crime should remain "prisoners of the state" -- not commodities to be contracted out to the lowest bidder.

The pursuit of profits jeopardizes public safety. Cost-cutting leads to dangerous conditions both within the walls of prisons and within the community. Prisons must be staffed by professional corrections personnel dedicated to preserving public safety knowing they will be appropriately compensated for their service.

When the average maximum salary for private prison guards is lower than the average starting salary for public correction officers, commitment is low and the turnover rate is high. On average, the turnover rate at private prisons is over 52%, compared to 16% in publicly-run prisons. This results in positions being left unfilled for long periods of time – or filled by poorly trained staff. This is not only a dangerous situation, but a costly one. One of the major hidden expenses as a result of for-profit prisons is the expense needed to capture escapees.

Private-run facilities don't have the authority to come into the community and search out escape prisoners. Valuable time is lost when calls to local and state police are the only resource to employees without the legal right to search the community. And low bids by for-profit prison companies leave governments to pick up the tab for unanticipated expenses and/or for costly mistakes.

Government-run prisons do a better job of rehabilitating prisoners, are more accountable, better trained, and protect public safety more effectively. Private prison operators have no incentive to reduce overcrowding, no incentive to consider alternatives to incarceration, and no incentive to deal with the broader questions of criminal justice.

When stockholders profit from over-crowded prisons, cost-cutting becomes the primary objective, often at the expense of public safety, the quality of life in the community, the humane treatment of inmates and the well-being of prison employees.

Citizens have a right to be confident in the promise that prisons built and operated in their communities will be run by competent, professional and dependable staff. Citizens should also be assured that the only priority of the prison operators is the secure, safe and humane operation of the facility; not how a decision on a security matter will affect the profit margin.

I'm a labor leader. Protecting workers is what I do. I need to look at the big picture. And the big picture is clear. Merchandising prisoners is a very slippery and dangerous slope. Since the implementation of this concept, we've seen abandoned motels renovated to prisons in Texas. We've seen prisons popping up in the rural flatlands of southern states like shopping malls.

And while for-profit advocates may argue that these facilities bring money and jobs to these areas, the big picture is quite the opposite. When a corporation is in control, employees simply aren't protected. People are fired and hired with no regard for seniority. Wages are cut. Benefits are few. And turnover is high.

A depressed community might see a new facility as a shot in the arm to their economy; but at what expense? When prisoners escape or when prisoners are released back into the community with no rehabilitation programs, who will protect the community? And when that facility eventually goes up for sale, who will protect the workers left at the mercy of a new administration?

In conclusion, just ask yourself one simple question. If they built a prison next door to you – in whose hands would you want the responsibility of that institution to be placed? The Pennsylvania Department of Corrections? Or Acme Prison, Incorporated?

Incarcerating criminals – taking away an individual's freedom – is one of government's most fundamental responsibilities. It is crucial that this responsibility stays in the hands of sworn officers.

We should never allow crime to pay for anyone.

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