

Battle breaks out in Ohio against prison privatization

by Marianna Wertz

A battle is under way in Ohio against the growing threat of prison privatization. Legislation that would privatize all new state prisons there, H.B. 590, is now pending in the legislature, and opponents fear that, should it pass, a move will then be launched to privatize the state's 29 existing prisons as well.

A demonstration against prison privatization in mid-March at the state capitol in Columbus drew an estimated 600 state employees and their supporters, whose jobs are threatened by the growth of the cheap-labor privatization companies, and who wanted to send a message that privatization is bad for everybody involved—guards, prisoners, and the state that is responsible for justice for its citizens.

What sparked the battle is the outrageous level of vio-

lence, including two recent murders and 19 assaults, at the Northeast Ohio Correctional Center (NOCC) in Youngstown, a private prison run by Corrections Corp. of America (CCA), the world's largest private prison company. Like all private prison companies, CCA pays its non-union guards so little, and trains them so inadequately, that they can't control the inmates, in this case Washington, D.C. residents, with whose lives they are entrusted.

The original contract between CCA and the Washington, D.C. prison authorities, specified that only medium-security inmates would be sent to the Youngstown prison, which is exclusively used to house D.C. inmates. That contract was never honored by CCA, and dangerous felons were mixed in with others, resulting in the explosion of violence.

A legal case was brought earlier this year on behalf of the inmates at NOCC, demanding that the original contract between CCA and Washington, D.C. prison authorities be honored, that all maximum security inmates be removed from the Youngstown facility, and that CCA reclassify its prisoners. Finally, after most of the violence was already done, a Federal judge issued an injunction to that effect in late March.

In the following interviews with *EIR*, leaders in this fight discuss why they think that it's so important to stop the spread of this evil, which is moving into every state legislature across the nation today.

Interview: Peter Wray

Mr. Wray, Communications Director, Ohio Civil Service Employees Association, Cleveland, was interviewed on March 27.

EIR: I read about your fight against prison privatization in the AFL-CIO's *Work in Progress* publication. What is the situation in Ohio in respect to private prisons, and what is the legislation you're fighting?

Wray: The situation is that Corrections Corporation of America has built and is operating a private prison in the Youngstown area, which in the main, has inmates from Washington, D.C. Also there have been moves to start privatizing the State of Ohio's prison system, which currently has 29 prisons, and there are at least nine more on the drawing boards. There's already legislation, passed in 1995, to set up an experimental state-owned, privately run prison. That will open next year in Conneaut, Ohio, which is up in the very northeast corner of the state.

There was a bill that we worked on last year, and was eventually passed this year, H.B. 293, that regulates the operations of the private prisons, and it was quite a fight to get that. At the last moment, the supporters of the private prison companies inserted an amendment, that we were not able to

defeat, which creates the second state-owned, privately run prison that's going to open in a community called Grafton, which is southeast of Cleveland.

There is another bill, H.B. 590, sponsored by Rep. Kevin Coughlin, who's out of the Akron area. His bill would require the state to privatize all the new prisons, plus any that are under construction at the time his bill is passed.

EIR: That's pending now?

Wray: That bill is pending now and there was another hearing on it on Tuesday [March 24]. Supporters of prison privatization have also said that if they get this bill through, they would like to go after the existing prisons.

EIR: The Youngstown private prison has had two murders in three weeks, and 19 stabbings in a short period of time. Was this what your demonstration was about?

Wray: It was about privatization in general.

EIR: Is the American Federation of State, County and Municipal Employees allowed to organize the private prisons?

Wray: Right now, we can't. We are basically barred by the National Labor Relations Act from representing those people. There is a quirk in the labor law that prevents guards in the private sector from belonging to anything other than a pure guard union.

EIR: Do you represent the guards in the non-privatized prisons?

Wray: Yes.

EIR: It would seem that part of the move to privatize all the prisons would be to eliminate union representation.

Wray: Oh, absolutely. Even more fundamentally, it's to cut the wages and benefits, and we're one of the impediments to cutting the wages and benefits. That's how they make their money.

EIR: What's the average wage differential between a union and a non-union guard?

Wray: In Youngstown, it's unique. Typically, what Corrections Corporation of America pays is about \$7 an hour and no benefits. They actually upped it to \$11 an hour in Youngstown, in order to be able to hire people and to try to retain them. The State of Ohio is hiring corrections officers at about \$12 an hour, with benefits. Needless to say, even paying \$11 an hour up there, they have very high turnover.

EIR: Because of the violence in the prison?

Wray: Yes, and it's not run well. It's a joke all the way around, and the benefits are just not worth it.

EIR: When do you expect Kevin Coughlin's bill to come up for a vote?

Wray: We don't know. We're trying to keep it from happening.

Interview: Alphonse Gerhardstein

Mr. Gerhardstein, an attorney at law in Cincinnati who represents the inmates at the Northeast Ohio Correctional Center, was interviewed March 27.

EIR: What is the status of your case?

Gerhardstein: We have an injunction now, that requires the prison to be reclassified, so that they remove the maximum security inmates. We will get a written order from the court any day.

We've been struggling to try and be sure that we can make the place safer, and that there be good medical care. Finally, the judge has sort of turned around and is granting some relief in that regard. But it's only after we've lost two clients. So that's pretty rough.

EIR: As I understand it, these people were shackled when they were killed, and they were in the guards' care. How can that happen?

Gerhardstein: That's a real good question. I think the only answer we've gotten so far is, "Oops." With Brison Chisley, it's even worse. He was in the long-term administrative segre-

gation unit. His assailant was a man whom he had been in a fight with in December. We had actually used him as an example of two men that should be separated. Before this ever occurred, we said, now here's two people that had a fight in December and they should be subject to a separation order. We had seen the file on his assailant, Alfonso White, and we had said in court that this file indicates that Mr. White is a maximum security inmate. He shouldn't be in the prison, should never have been in the prison. He should be out right away.

And yet, they were not separated after our court hearing. They were both out of their cells at the same time. They were both in shackles, but Mr. White, it turns out, had a handcuffs key, and he was able to get out of his shackles. Then, even though the prison claims to have been doing a lot of shake-downs, Mr. White had a shank [knife] and was able to kill Chisley in short order.

Worse than that, Mr. White was assisted in this murder by Richard Johnson. Richard Johnson is the man who killed the first inmate. What was he doing out at the same time? How was he even in their presence? Why was he able to get loose from any guards? It's that bad. Of course, when you go back to the first murder, Richard Johnson was another inmate that we had used during trial as an example. I just picked his file out of the record room and I said, "Oh, here's a maximum security inmate, what's he doing here?" We had our expert use him as an example of somebody who shouldn't be in the prison.

Somehow, even though we had used that evidence at trial, CCA had ignored it, had never reclassified him, and he was in the general population and able to kill again.

I feel real frustrated, because it's not only this type of mixing of violent inmates, but mixing that we had actually been talking about, and it's still going on. It's very, very discouraging.

EIR: Is this level of violence unique to CCA or is it throughout the Ohio prison system?

Gerhardstein: This has nothing to do with the Ohio prison system. The prison in Youngstown has no connection with Ohio, does not have Ohio prisoners, just D.C. prisoners, and it has no regulation by the state Department of Corrections. In the entire state of Ohio, 29 prisons, 48,000 prisoners, in 1997, there were two homicides. In this one prison in Youngstown, we had two homicides in three weeks, out of 1,700 men.

EIR: The 1,700 are still there from D.C., right?

Gerhardstein: That's correct. Now, some of them have been removed, since the second murder and since the court's order. Those are maximum security inmates, who shouldn't have been there in the first place.

EIR: I talked to the communications director from Afsome Local 11, who had a demonstration about this last week. He said that there is an effort to try to privatize all the prisons in Ohio.

Gerhardstein: I am so exhausted from fighting H.B. 293