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Prison Labor
Hunter College High School
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I've been a human right advocate on behalf of prisoners for the past 23 years. Prior to that I participated in the Civil Rights movement of the 60's and 70's. My own sense of activism began when I was your age as I would see children of African decent in the South the same age as I was being hosed by police and bitten by police dogs. I learned bravery from those young people and in a sense, those early days was what got me started in my current role as an advocate.

I think that in order to understand the concept of prison labor, we need to begin with the 13th Amendment which says, "Neither slavery nor involuntary servitude except as punishment for crime whereof the parties shall have been duly convicted shall exist within the United States or anyplace subject to their jurisdiction...Congress shall have power to enforce this article by appropriate legislation".

While most of us don't give this amendment a second thought, it really is at the core of what some prisoners call neo-slavery. The use of involuntary prison labor is happening throughout the country and is just a small part of what we have come to know as the "Prison Industrial Complex". While prison labor is something that has always been, it is currently being used in some new and startling ways.

With prison budget costs skyrocketing numerous states are attempting to harness the vast pool of idle prison labor in the hope that overcrowded prisons can soon pay for themselves. Private industry is also cashing in on the profits of prison labor. In California, for instance, under something called the "Joint Venture Program", companies have opened up their factories inside the prisons often paying no more than \$1.00 per year in rent. They not only receive cheap prisoner labor but tax breaks as well. In past years prisoner labor was confined to

producing goods for government consumption – which is how you all got your furniture. The latest innovation, though, has prisoner labor creating products for the open market.

The types of industries now operating inside the prisons run the gamut from hi tech to shoveling pig manure. In New Jersey prisoners at the women's prison made telephone reservations for airlines and hotels. In other states, prisoners make circuit boards, do telemarketing and operate message services. We also see prisoners making custom limousines, underwear and military uniforms.

In the 1994 Inmate Work Act, the State of Oregon enacted legislation, which forces prisoners to work. Similar legislation has passed in Florida and we are seeing like efforts throughout the country. This kind of legislation is considered good for the tax payer, and good for business as it keeps factories who might otherwise move out of the country in order to pay lower wages.

Part of the dynamics of what happens is that prisoners' lack of political rights makes them a highly profitable labor force. First of all, they are stripped of their rights, losing everything from TV to First Amendment rights. What other labor pool has no access to the media, labor organizers or other community groups? What other group of laborers can't strike? In fact, if they don't work, they receive charges and often time in the hole. The negative effects reach outside the walls as well in destabilizing higher paid labor in the open market. If a factory can pay its prisoner workers \$1.25 an hour, why would they hire free people at a higher rate?

If we look at who is in prison, why and the conditions of confinement, the analogies to slavery become even more disturbing. Today, the United States has almost 2 million people imprisoned, which means we incarcerate more people than any other country in the world. No other country in human history has ever imprisoned so many of its own citizens for the supposed purpose of crime control. If we look at exactly who is behind bars and for what, the picture continues to unfold with uncomfortable clarity. Throughout the country between 65 and 85% of those we imprison are people of color. In the juvenile facilities that number is between 85 and 95%. People of color rarely get tried before a "jury of their peers", and are often under-represented by public defenders with caseloads so large they often meet their clients the day of the trial. Couple this with sentences which are often a third longer than whites serve and the picture continues to unfold.

Every part of the criminal justice system falls most heavily on people of color. I work young people in Newark who tell me that the police feel like an occupation army as if inner cities were militarized zones. They feel that the courts are used as a feeder system to filter young blacks and Latinos into prisons where those bodies are suddenly worth a fortune. Certainly in the criminal justice system, the politics of the police, the politics of the courts and the politics of the prison system

are a manifestation of the racism and classism which seems to govern so much of the lives of the disadvantaged in the United States. I've heard people say that the criminal justice system doesn't work. I've come to believe exactly the opposite – that it works perfectly as a matter of both economic and political policy. We have replaced the social safety net with a dragnet – and that would never be proposed, much less tolerated, much less advocated if we were talking about white people.

The number of prisoners in this country has increased at an incredible rate at the same time that the crime rate is dropping. We are seeing more and more youth of color being sent away for very long sentences based on the racist crack/cocaine laws. This is a set of federal and state laws, which send people using crack to prisons for terms 100 times longer than those getting sentenced for cocaine. Young blacks use crack and young whites the more expensive cocaine. This is so clearly race-based legislation. The raw material for the Prison Industrial Complex is most often the poor, the homeless and the mentally ill. About 70 per cent of prisoners are illiterate, about 200,000 are mentally ill. 60 to 80 per cent have a history of substance abuse. Among those arrested for drug crimes, the proportion who are of African descent has tripled and one out of every fourteen black men in the US is now in prison or jail.

The conditions that they endure must also be looked at closely. The most toward keeping prisoners in extended isolation lasting for years, sometimes over a decade is increasing. Guard unions are pushing the building of supermax prisons in which all the cages are solitary confinement, as this makes for a safe working environment for them. This recent use of sensory deprivation has also led to advocates such as myself hearing more and more about the use of devices of torture in the isolation units. These units are generally out of the way where no one can see or hear what goes on in them. Reports of four point restraints, stun belts, stun guns, air tasers, stun shields, restraint chairs, and restraint tables come into my office daily. . The past two or three years in my work has been full of testimony from prisoners of an increasingly disturbing nature. So much so, that I am working with four international human rights monitoring organizations, including the World Organization Against Torture. We are comparing US prison practices with the United Nations Covenants the US has signed. For instance, the US has signed a Covenant on the Treatment of Prisoners, a Convention Against Torture, and a Convention on the Elimination of all Forms of Racial Discrimination. The United States is in violation of many of these international treaties through its current prison practices. I put out a call for personal testimony on the use of devices of torture in US prisons about two years ago, and that testimony is gut wrenching and it is still coming in. I'd like to share some of the voices I hear during my day:

From Arizona: “during the struggle, jailers shocked Norberg multiple times with stun guns. Inmates who witnessed his death estimated that he was shocked between 8 and 20 times. The medical examiner put it at 22 times...”

From Utah, “Yocham was directed to leave the strip cell and a urine soaked pillowcase was placed over his head like a hood. He was walked, shackled and hooded to a different cell where he was placed in a device called “the chair”, where he was kept over 30 hours resulting in extreme physical and emotional suffering”...

Or the mentally distressed man who had been kept in isolation for years in California. One night he spread feces over his body and the guards treated him to a bath so hot it boiled 30% of the skin off his body.

If we dig deeper in the practices I've described, the political function they serve is inescapable. Police, the courts, the prison system and the death penalty all serve as social control mechanisms. How they are used also in this country fits the United Nations definition of genocide. The economic function they serve is equally as chilling. The wall of silence that has been built around prisoners and prisons has got to be broken down. The struggle for human rights in this country is a protracted commitment that I think you have begun to make through your curiosity about these issues. The crippling of our poor young people of color in prisons is expanding and none of this is about the rate of crime. It is about capitalism and it is about racism. It is about fighting the poison that seems to drip from the American culture, which to me is a culture of greed and a culture which fears the joy of diversity. I hope that what you are hearing today will be reflected in your future activism which is so necessary for us to make changes for a humane, non-racist and equitable society.

I know I've thrown a lot at you in a very short period of time. These are not easy issues. I'd like to open up the floor for discussion.

Thank you.