

California Governor Gray Davis and the politics of law and order

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The right-wing character of the administration of Gray Davis, who faces an October 7 recall election, is underscored by the Democratic governor's close links to California's huge prison and law enforcement apparatus.

Despite California's \$38 billion budget deficit, the prison system escaped with only a tiny overall reduction in funding in the recently approved state budget. The corrections budget included \$160 million for a new department headquarters and \$220 million for a new death row unit at San Quentin prison.

Davis's 2003-04 budget also maintained funds for a new maximum security prison in Delano, now set to open in 2005. Cuts in the prison budget were almost all in the area of prisoner welfare and rehabilitation, including a reduction in funding for literacy and vocational programs and the elimination of 500 substance abuse treatment beds.

The same budget included a large pay increase for prison guards, while other state employees, such as college teachers and health care workers, took layoffs and pay freezes. Under the terms of the new compensation agreement, by 2006 the average pay of a prison guard will be three times that of a starting public school teacher.

The fact that Davis insists on expanding the state's prison system under conditions of a virtual financial meltdown says a great deal about the social base upon which his administration rests. It is also a telling exposure of the Democratic Party, which has systematically adapted itself to the program of the Republican right, abandoning its previous connection to policies of liberal reform and competing with its rival big business party for the mantle of law-and-order "toughness."

The 2003-2004 California budget allocates some \$5.2 billion for the prisons. By comparison, California community colleges will get \$4.4 billion and the University of California system just \$2.9 billion. A total of only \$14 billion is allocated for health care, under

conditions where more than 7 million Californians lack health insurance.

The growth of California's prison population has been astounding, even by US standards. In 1976 California had just 19,600 inmates and it spent six times more on higher education than prisons.

Since 1980 California has built 23 prisons and only one new university. California currently incarcerates more than 160,000 people. Its prison system is the third largest in the world behind China and the United States as a whole. More people are held in jail in California than in France, Germany, Japan, the Netherlands and Singapore combined. More young black and Latino men are in prison than are attending college.

The Davis administration has sought to give corporations access to California prisons as a source of cheap labor. The state allows companies to set up operations behind prison walls and offers them tax incentives and lower workers compensation charges. It also permits them to forego payment of sick leave and retirement, vacation and medical benefits.

A notice on the State of California web site extols the benefits of inmate labor, declaring: "The California Department of Corrections' Joint Venture Programs are located in over 30 California prisons and provide a unique opportunity for today's progressive business leaders. The Joint Venture Program offers an untapped labor market for you, the employer, and serves as a link between qualified businesses and highly motivated inmate employees. Businesses can set up operations inside California State Prisons and hire inmates at competitive wages."

The claim that this program of forced prison labor in some way helps prepare inmates for life on the outside is dispelled by an examination of figures on recidivism. A higher percentage of prison inmates, once released, returns to jail in California than in any other US state.

According to one study, 58 to 62 percent of the state's parolees return to prison within two years. The national average is a 10 to 15 percent return rate over three to five years.

One of the reasons for the high recidivism rate in California is the exceptionally brutal regime in the state's prisons, which is geared to humiliating and degrading prisoners, not at rehabilitating them. This is exemplified by conditions at Corcoran State Prison. In a six-year period between 1989 and 1995, guards at Corcoran shot more than forty prisoners, killing seven. In 1998 California investigated allegations that prison guards at Corcoran set up gladiator-style fights between prisoners, pitting rival gangs against each other as a form of entertainment.

Eight guards were eventually brought to trial. The refusal of fellow guards to testify against the defendants, which led to their acquittal, provoked Amnesty International to accuse authorities of abetting a cover-up. The human rights group wrote: "The shootings during the period of the gladiator fights raise serious questions about the failure to ensure a safe environment for inmates and staff and about the use of lethal force on prisoners." It noted that between 1988 and 1994 more prisoners were shot by guards in California than in the rest of the country.

In his campaigns for governor in 1998 and 2002 Davis received \$3.4 million in donations from the California Correctional Peace Officers Association (CCPOA), including a check last year for \$251,000—the largest single contribution he has ever received from an organization.

In his 2000 election campaign Davis boasted that he funded all grades of law enforcement at the highest levels ever. In addition to the prison guards, Davis won the endorsement of almost every major police organization, including the California Highway Patrol and the Los Angeles Police Protective League, whose members have been the subject of a series of high-profile corruption and police brutality prosecutions.

The law-and-order policies of the Davis administration orient it toward some of the most backward and reactionary social elements, which in turn form a crucial base of support. At the same time Davis and the Democratic Party as a whole have increasingly alienated the Democrats' traditional base among workers, the poor, minorities and immigrants.

Davis has essentially continued the reactionary law-and-order policies of his predecessor, Pete Wilson, a Republican who oversaw a vast expansion of the prisons.

The numbers held in California penitentiaries grew by some 60 percent during Wilson's two terms in office.

California resumed capital punishment in 1992 after a 25-year moratorium, and Davis has overseen several executions.

The "three strikes law and you're out" law—which mandates sentences of 25 years to life for all three-time felons, even those convicted of nonviolent and petty offenses—has led to a large influx of long-term prisoners. This, combined with the wholesale jailing of sellers and users of drugs, during the 1990s gave California the fastest growing prison population in the United States.

In California, reportedly 50 percent of third strikes are for minor offenses. In one well-publicized case, a man received a 25-year to life sentence for stealing a bottle of vitamins. The US Supreme Court refused to hear his appeal. In another case, a homeless man received a 25-year to life sentence for trying to steal food.

The two Republican replacement candidates in the special recall election—film actor Arnold Schwarzenegger and State Senator Tom McClintock—who are baying for further budget cuts, have not suggested any reductions in the prison budget. Nor has the major Democratic replacement candidate, Lieutenant Governor Cruz Bustamante.

Davis and Bustamante as well as McClintock and Schwarzenegger support the continuation of the three-strikes law, aptly described by advocates of prison reform as a job security program for prison guards.

Meanwhile, Davis has overruled the state parole board in more than 200 cases, denying release to prisoners deemed to be no longer a threat to society. His refusal to grant parole to women convicted of killing abusive spouses prompted an appeal by prisoner rights groups to the California Supreme Court.

The malignant growth of the prison system in California and the US as a whole is an expression of a social order in deep crisis, one that is capable of only the most reactionary and repressive responses to social problems such as poverty, deteriorating education, lack of affordable housing and lack of access to health care.



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