

The health care crisis in the US prison system

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The United States' prison population has exploded in the last three decades, quadrupling in the last 25 years alone, in large measure because of the growth in private, for-profit prison operators. The prison industry's lobbying arm has underwritten much state and federal legislation that eases the admission to prison.

The US prison system is a prime expression of capitalism's parasitism feeding upon the working class, the poor and the youth. Almost 2.3 million men and women are behind bars in America.

According to a new study from Vanderbilt University and published in the *American Journal of Public Health*, it is estimated that an adult male in the US has fully a 9 percent lifetime risk of being imprisoned. For every year spent behind bars, the study reports, a person's life expectancy decreases by two years.

From 1970 to 2005, the US prison population increased by about 700 percent, far outstripping both the crime rates and the growth of the general population in the same period.

Growth in incarceration is of a piece with the growth of the police state apparatus and draconian sentencing laws, as well as the deterioration of social conditions generally, lack of prospects for wide layers of young Americans, and destruction of mental health, homeless and drug treatment programs. The prison industry has reaped enormous profits from this misery.

Thirty years ago last month, a January 29 statement by the American Civil Liberties Union (ACLU) pointed out, two retired military officers and a former prison manager founded Corrections Corporation of America (CCA). Today, as America's largest for-profit jailer, CCA confines some 81,384 people in 65 prisons and jails while pocketing \$1.7 billion annually. The company achieved its start thanks to a contract in 1983 with the Immigration and Naturalization Service, according to Detention Watch Network.

James Hyman, the president of Cornell Companies, a jail company bought in 2010 by the second-largest for-profit prison corporation, GEO Group, told a prospective investor worried about a possible diminishment in American law enforcement activity and confinement: "We do not believe we will see a decline in the need for detention beds

particularly in an economy with rising unemployment among American workers."

Shortly after September 11, 2001, Cornell CEO Steven Logan conducted a conference call with investment and industry analysts in which he candidly said: "It's clear that since September 11 there's a heightened focus on detention...more people are gonna get caught. So I would say that's positive...with the focus on people that are illegal and also from Middle Eastern descent in the United States there are over 900,000 undocumented individuals from Middle Eastern descent...that is a population, for lots of reasons that is being targeted.... The Federal business is the best business for us and...September 11 is increasing that business."

The Bureau of Justice Statistics indicate that private prison companies house roughly 18 percent of federal prisoners and 6.7 percent of state prisoners. A recent federal survey reports that for-profit firms account for virtually all the new prisons constructed between 2000 and 2005. The dramatic increase in the building of private facilities also coincides with the explosion in immigration detention, thanks to a 1996 law mandating the holding of increased categories of persons in deportation hearings, again especially after 9/11.

Immigrants detained at any one time in 1991 averaged 6,423 persons. By 2011, the average had soared to 32,095, netting runaway revenues for CCA, the GEO group, and other smaller for-profit players. Detention Watch Network reports that almost half of all immigrants detained by the US government are held in for-profit facilities. Since 2003, nearly 2.5 million persons have passed through immigration detention.

Detention Watch Network also points out that private incarceration companies have been exempted from compliance to Freedom of Information Act requests. For-profit prison firms are likewise protected by a wall of "complex contractor immunity doctrines," meaning the human pens are largely protected from the public view and discovery as to what is going on inside.

In 2010, the Idaho Correctional Center in Boise, owned by CCA, had become so violent that it came to be referred as a "gladiator school," after the Associated Press posted a video of a prisoner beating another into a motionless heap on the

floor while guards looked on. The ACLU subsequently sued CCA for prisoner relief from the facility's conditions of barbarity.

It has been alleged that given CCA expenditure vigilance at Boise, the company employed the use of gang intimidation to police the behavior of other inmates, including the suppression of requests for medical care, thereby lessening guard and health attention employment costs.

Civil rights organizations sued the GEO Group in the fall of 2010 when Mississippi youths ages 13 to 22 claimed that Walnut Grove Youth Correctional Facility at Walnut Grove, Mississippi, had fostered "barbaric, unconstitutional conditions" where "corruption and violence [had become] rampant."

By 2009 and 2010, there had been two major uprisings out in Pecos, Texas, at the GEO's Reeves County Detention Center, for its inhumane conditions, including lack of proper medical care, resulting in multiple deaths. The ACLU followed with a wrongful death suit on behalf of the family of Jesus Manuel Galindo, who had been tossed into solitary confinement for complaining about the deterioration of his health and lack of attention for epilepsy, from which he died in maximum "security."

Recently, a federal judge described conditions in US prisons as "a picture of such horror as should be unrealized anywhere in the civilized world."

Official federal lobbying records currently available reveal that five detention corporations to which the government has awarded Immigration and Customs Enforcement (ICE) contracts lobbied the US House of Representatives and Senate between 1999 and 2009 at least in the amount of \$20,432,000. Companies also directly lobbied the Department of Homeland Security (which oversees ICE), the Department of Justice, the Bureau of Prisons, and the Office of Management and Budget. CCA and GEO lobbied ICE directly.

According to Bloomberg News, February 6, the Idaho Department of Corrections fined prison health care company Corizon more than \$200,000 for failing to meet agreed-upon care to inmates. A federal court-appointed expert, Dr. Marc Stern, reported that health at Idaho's Boise facility was "deplorable," noting that terminally ill and long-term prisoners were left in soiled clothes and beds, unfed, and that care mistakes resulted in deaths. The court found last year that the lack of care amounted to "cruel and unusual punishment." The Idaho Board of Corrections subsequently decided to *extend* Corizon's contract through mid-2014.

California Healthline disclosed last month that a federal official filed a report in US District Court saying that the state is "not ready to regain oversight of its prison health

care system," citing an article in the *New York Times*. Six years prior, a federal judge had determined that an average of one inmate a week died in a California prison "as a result of malpractice or neglect," and placed the health care of the state's prison system under the eye of a federal receiver.

Early last month, California's Democratic governor, Jerry Brown, requested the federal court allow the state to regain health care oversight of the prison system. Special Master Matthew Lopes visited two thirds of the state's prisons and compiled a report rejecting Brown's request, noting that "at least 32 inmates committed suicide in 2012, that prisons had lapses in care, and that patients with mental illnesses...were put in isolation units for long periods rather than given treatment."

Beginning in 2006, Utah-based Management and Training (prison) Corporation housed up to 2,000 immigrants in Willacy County, Texas, the county financing a tent city in a razor-wire compound. Detainees complained about illnesses from the heat, lack of proper air-conditioning and maggot-infested food—following which, the county approved another \$50 million to add more tents for another 1,000 persons.

The ACLU sued the ICE for confining children ages 1 to 17 in cells 11 to 12 hours a day at the Hutto Residential Center (owned by CCA) in Taylor, Texas, and for inadequate access to health care, for feeding them "unrecognizable substances," for providing no toys or play equipment, and for providing no toilet or bathroom privacy. CCA collects \$200 a day per person detained at Hutto.

More than 800,000 incarcerated persons in the US suffer from a chronic health problem needing regular attention, such as diabetes, hypertension, heart disease, HIV, and other blood-borne illnesses. According to an *American Journal of Public Health* 2009 study of federal, state, and "local" jails, access to care is poor. Mental health worsens with incarceration, with the *AJPH* noting "the prisons' new societal role as asylums following the mass closures of inpatient mental health facilities in the 1980s (the largest mental institutions in the United States are urban jails)."



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