

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

and just working on behalf of the men in this prison, I haven't followed that very closely. I honestly thought it was to privatize new jails. Now I read in the paper today that H.B. 590 is to privatize every new prison. I don't know that it would go backwards and privatize the 29 prisons we now have.

I don't know where that is coming from. Our one experience with this private prison has been horrible. Why this would encourage the legislature to expand—

EIR: Undoubtedly, it's coming from a financial standpoint.

Gerhardstein: I guess.

Interview: Jonathan Smith

Mr. Smith, Executive Director, Washington, D.C. Prisoners Legal Service Project, made a fact-finding visit to the Youngstown prison last July (see EIR, Oct. 17, 1997). He was interviewed on March 27.

EIR: What is the situation for the D.C. prisoners at Youngstown, who must be suffering terribly from being that far away from home?

Smith: It's a real hardship on the prisoners and their families to be transferred that far from home. There's a large number of prisoners who now get visits very, very irregularly or not at all, from family members, as a result of the transfer. Telephone calls are extremely expensive. So, it's hard to maintain that kind of contact, of family relationships, as a consequence. Plus, things like what happened out there, are allowed to happen because you're so far from your community. It's hard to keep in touch with people, let people know what's happening to you, what the conditions really are.

EIR: There's now a hold on sending any more D.C. prisoners to that prison, is that right?

Smith: Well, yes and no. They cannot send any prisoners for a short period of time, until they sort of get everything in terms of this classification system in place. Once that's done, and that will be very shortly, they'll be able to transfer new prisoners into the facility as they remove prisoners. So, if there's a maximum-custody prisoner that's identified and transferred out of the prison, D.C. can send a medium-custody prisoner to replace him.

EIR: Do you have any view on why CCA had allowed this kind of activity to continue, after the first murder?

Smith: I think it's a couple of things. You had a tremendously inexperienced staff in the prison. When I was out there in July, the warden told me that 70% of the corrections officers (he hasn't talked to me since because I made such a fuss) had never worked in a prison setting prior to the opening of the facility. Since then, about 50% of the staff has turned over, and they've brought in a bunch more new people who have

gotten the basic two-week training from CCA. So, you've got a lot of folks who don't know what they're doing, trying to manage a situation that is being badly handled at the administrative level. It's a recipe for disaster.

All of this really flows back directly to the fact that CCA is a profit-making company. Their interest and their obligation is to maximize profits for their stockholders. A lot of corners were cut in order to try to do this whole operation on the cheap, so that they could make the largest amount of profit that they possibly could. That's one of the real problems with privatization, is that it creates a whole long set of incentives for those folks who are operating prisons. Incentives aren't about public safety, they're not about what's good for the community, they're not about rehabilitating prisoners so that they can live in the community when they return, or dealing with the social problems that led to their being incarcerated, or keeping them safe in the institution. It's about how they can fulfill the terms of their contract at the lowest possible price. That's the real danger, that something like this will result.

EIR: Privatization is now spreading all over the country very quickly.

Smith: Yes. CCA has got a tremendous amount of money and is in virtually every statehouse across the country, applying pressure on state legislators to contract with them. They're very sophisticated in what they do. It's frightening, because almost every state has a prison overcrowding problem. Almost every state has troubled publicly run institutions. They're as seriously troubled as the CCA facilities are, but for different sets of reasons, and there's more hope you can actually reform them than you can a private outfit. But CCA is going in and putting on a very sophisticated public relations campaign with these state legislatures, saying, "We're the solution to all your problems. We can do it cheaper, we can do it better."

They're wrong. They can't do it cheaper and they can't do it better. The evidence that they can't do it better is what we've seen in Youngstown. There's been a number of studies that take a look at the pricing and say it really isn't less expensive than publicly run institutions, particularly when you begin to account for the fact that there's going to be tremendous pressure on the operators of the prisons to cut back on labor-intensive things, like educational and vocational programs, in order to maximize profits. It's become very expensive to communities, because you're going to lose the few opportunities that are available in publicly run institutions to help folks who end up in contact with the criminal justice system.

EIR: There's also a very large move to privatize Washington, D.C. now, I understand.

Smith: There's a legal mandate. Congress, at the urging of CCA, last year passed a law that says that the District's correction system will basically close, with the exception of the pre-trial detainees. The Federal Bureau of Prisons will assume responsibility for all sentenced District felons. That will hap-