



No More Deaths  
No Más Muertes

# FACT SHEET: PRISON INDUSTRIAL COMPLEX

March 2012

## What is the Prison Industrial Complex?

The term “prison industrial complex” (PIC) is used to describe the complex set of systems and institutions – including criminalization, surveillance, policing, the media, the courts and prisons – that act in concert to maintain state power, reinforce existing social hierarchies and concentrate wealth. Although popularly referred to as the “criminal justice system,” the term prison industrial complex is a more accurate description of these systems in part because it draws attention to the important connections between public corrections and private industry.

## Prison Privatization

Since 1980, the U.S. prison population has increased by 355 percent<sup>1</sup> and today the U.S. incarcerates more people than any nation in the world – nearly one-quarter of the world’s prison population.<sup>2</sup> Increasingly, the system of prisons and detention facilities responsible for holding incarcerated populations in the U.S. is being turned over to private for-profit corrections firms. Prison privatization takes many forms and includes facilities owned and managed entirely by private corporations, publicly-owned facilities operated by corporations and public facilities which outsource certain services (such as construction and food service). Over the past decade, the total prison population has increased less than 16 percent while the number of people held in private federal facilities exploded, growing by 120 percent. As of 2009, some 129,000 people were incarcerated in private facilities and private prison companies continue to expand their share of this lucrative “market.”<sup>4</sup>

### Prison Industry Heavyweights<sup>3</sup>

- ▶ Corrections Corporation of America (CCA)
  - Annual revenue: \$1.7 billion
  - 80,000 beds, 66 U.S. facilities in 19 states
  - ICE contracts: 14,556 beds in 14 facilities
  - Average daily immigrant population: 6,199
- ▶ The GEO Group (GEO)
  - Annual revenue: \$1.2 billion
  - 80,000 beds, 53 U.S. facilities in 17 states
  - ICE contracts: 7,183 beds in seven facilities
  - Average daily immigrant population: 4,948
- ▶ Management and Training Corporation (MTC)
  - No public financial data
  - 26,000 beds, 20 U.S. facilities in 7 states
  - ICE contracts: 4,172 beds in two facilities
  - Average daily immigrant population: 2, 244

## The Prison Industrial Complex and Immigration

The prison industry increasingly depends upon immigrant populations to fill its beds and turn a profit. Immigrants may be held in private jails when detained pre-trial or when sentenced for criminal offenses.

### *Immigration detention*

When non-citizens are apprehended by immigration agents, they may be held in detention while they await court proceedings or removal by Immigration and Customs Enforcement (ICE). Since the late 1990s, the number of people held in immigration detention has increased dramatically. The average daily population of detained non-citizens grew from approximately 5,000 in 1994 to over 33,000 by

<sup>1</sup> “Key Facts at a Glance: Correctional Populations.” Bureau of Justice Statistics. 2011. <http://bjs.ojp.usdoj.gov/content/glance/tables/corr2tab.cfm>. Accessed March 2, 2012.

<sup>2</sup> Liptak, Adam. “U.S. Prison Population Dwarfs That of Other Nations.” *New York Times*, April 23, 2008.

<http://www.nytimes.com/2008/04/23/world/americas/23iht-23prison.12253738.html?pagewanted=all> Accessed March 2, 2012.

<sup>3</sup> “The Influence of the Private Prison Industry in Immigration Detention.” Detention Watch Network. 2008. <http://www.detentionwatchnetwork.org/privateprisons> Accessed March 2, 2012.

<sup>4</sup> Justice Policy Institute. “Gaming the System: How the Political Strategies of Private Prison Companies Promote Ineffective Incarceration Policies.” Washington, D.C., 2011.

2010. ICE relies heavily upon private contractors to hold non-citizen detainees: of the 33,000 beds reserved for immigration detention in 2009, 49 percent were administered by private corporations.<sup>5</sup>

### *Incarceration for criminal offenses*

The criminal prosecution of undocumented migrants through programs like Operation Streamline has made non-citizens the fastest-growing segment of the prison population in the U.S. Private prisons have absorbed many of the new inmates – and associated profits – created by these policies. For instance, in Texas, the criminal prosecution of unauthorized border crossers has cost over \$1.2 billion – most of which has been funneled into private detention facilities and prisons.<sup>6</sup>

### **The Prison Industry and Public Policy**

As the U.S. has become increasingly reliant upon private contractors to jail immigrants, the prison industry has sought to exercise greater control over the public policies governing immigration enforcement. The prison industry has invested over \$6 million in campaign contributions to state candidates since 2000 and at least \$1 million annually in lobbying efforts since 2003.<sup>7</sup> In addition, CCA and GEO Group have been members of the American Legislative Exchange Council, a secretive strategic partnership of some 200 corporations and over 2000 state legislators that writes and promotes industry-friendly legislation throughout the country. In fact, ALEC wrote the model legislation that became Arizona's SB1070 and similarly vicious anti-immigrant laws in states like Indiana, Georgia and Alabama.<sup>8</sup> Much of the recent upswing in anti-immigrant policy can be directly attributed to efforts by the prison industry to fill its beds.

#### **Profiteering: In Their Own Words**

- ▶ *“Those people coming across the border and getting caught are going to have to be detained and...there's going to be enhanced opportunities for what we do.”*  
--GEO Group President Wayne Calabrese<sup>9</sup>
- ▶ *“The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts...any changes with respect to drugs and controlled substances or illegal immigration could affect the...demand for correctional facilities to house them.”*  
--CCA 2009 Annual Report<sup>10</sup>

### **What Should Be Done?**

The use of private contractors to detain and imprison non-citizens has created an industry dependent upon the criminalization of immigrants and heavily invested in crafting public policy which ensures a steady stream of immigrants to fill its prisons and detention centers. This profit motive has played a key role in the terrorization of communities, separation of families and systematic exploitation that characterize U.S. immigration enforcement. To help correct these injustices, the U.S. should **(1) end mandatory detention** for those awaiting immigration hearings; **(2) cancel all existing prison contracts** between federal custodial agencies and private prison companies; and **(3) repeal all anti-immigrant legislation** which criminalizes undocumented communities including 287g and Secure Communities.

<sup>5</sup> "The Influence of the Private Prison Industry." Detention Watch Network. 2008.

<sup>6</sup> Buentello, Tara, Sarah V. Carswell, Nicholas Hudson, and Bob Libal. "Operation Streamline: Drowning Justice and Draining Dollars Along the Rio Grande." Charlotte, NC: Grassroots Leadership, 2010.

<sup>7</sup> Justice Policy Institute. "Gaming the System," 2011.

<sup>8</sup> Sullivan Laura. "Prison Economics Help Drive Ariz. Immigration Law." *National Public Radio*, October 28, 2010.

<sup>9</sup> Ibid.

<sup>10</sup> Corrections Corporation of America, *2009 Annual Report* (Nashville, TN: Corrections Corporation of America, 2010), p. 23.

<http://ir.correctionscorp.com/phoenix.zhtml?c=117983&p=irol-reportsannual>. Accessed March 2, 2012.

### **For more information**

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