

*The Undue Influence of California's Prison Guards' Union:
California's Correctional-Industrial Complex*

by
Vincent Schiraldi

"In the councils of government, we must guard against the acquisition of unwarranted influence...by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

President Dwight David Eisenhower

"We've got to say to those who ask for campaign contributions that they have to justify those campaign contributions by performance."

Governor Pete Wilson

INTRODUCTION

Taxpayers in California this year have witnessed unprecedented legislative activity in the arena of criminal justice. Despite two successive reports of falling crime rates, California Governor Pete Wilson called for a special legislative session in January 1994 to address growing crime concerns. That session included the heralded signing of Assembly Bill 971, the so-called "three strikes and you're out" law.

But "three strikes" is not the only "tough on crime" bill to pass into law in 1994. "One strike and you're in" legislation, mandating life

sentences for certain first time sex offenders, and a reduction of "good time" allowances for specified offenders also became law. Together, these two acts will cost voters over \$500 million a year and add over 21,000 offenders to the state's already overcrowded prison system. This comes on top of the estimated \$5.7 billion a year for the "three strikes" legislation which will add 276,000 new prisoners to our state's prisons.

In total, these three pieces of legislation will add nearly 300,000 prisoners to California's prison system (which currently imprisons 126,000 inmates), at an annual cost of \$6.2 billion, and require the construction of nearly 90 prisons at a cost of \$23

billion, not including debt service on bonds. All three were strongly supported by the state's prison guards' union.

One would think from this type of activity that the California legislature had been relatively inactive in passing crime-fighting measures or increasing the size of the prison system prior to this time. But such has not been the case. Since 1977, when California had 19,000 inmates in its prison system, the California legislature has passed over 1,000 bills lengthening sentences or creating new crimes. The prison population has responded in kind with more than a six-fold increase to today's population of 126,000. Between 1852 and 1984, California built 12 prisons. Since just 1984, California has constructed an additional 16 prisons. The Legislature and voters have authorized \$5.2 billion in prison construction bonds.

Growth in Size and Influence of the Prison Guards' Union

Behind the scenes - sometimes quietly, sometimes not so quietly - in much of this legislative activity has been the state's prison guards' union - the California Correctional Peace Officers Association (CCPOA). This *In Brief* will outline some of the documented efforts engaged in by the CCPOA as well as some of the tangible benefits which have accrued to prison guards over the past decade.

Exerting Influence

- In 1992, the California Correctional Peace Officer's Association was the state's second largest giving Political Action Committee (PAC). The guard's union contributed \$1,017,972 to various candidates. Of these contributions, California Common Cause Policy Analyst Kim Alexander stated "Perhaps one of the reasons why corrections has become such a sacred cow in the state budget is because the prison guards' PAC contributes generously to legislators and the Governor."

- The CCPOA gave its largest contribution - over \$80,000 - that year to relatively unknown Republican Candidate Tim Jeffries in the 22nd Assembly District (San Jose). The CCPOA's contribution made up more than one third of Jeffries' political "war chest." Jeffries ran against Ways and Means Committee Chair, Assemblymember John Vasconcellos, who has been an outspoken critic of prison expansion. Vasconcellos signed the ballot argument against a \$450 million prison construction bond on the 1990 statewide ballot. The bond was defeated by 19 points.

- The CCPOA contributed nearly \$1 million to Pete Wilson's last campaign for Governor. Of that donation, CCPOA president Don Novey proudly boasts "We think we put Wilson over the top." Part of this \$921,000 contribution included the largest independent campaign on behalf of a candidate in California's history. The \$1.8 million in campaign contributions the guards' union made in 1990 was twice the amount given by the California Teachers' Association which has 10 times as many members.

- The prison guards' union has been extremely active in funding and promoting the victims' movement in California. Fully 95% of the money for the newly formed Crime Victims United PAC came from the CCPOA's coffers. CCPOA lobbyist Jeff Thompson doubles as a lobbyist for the Dorris Tate Crime Victims group. Don Novey, CCPOA's President, has openly offered to grant \$40,000 to any group of victims who are willing to formally establish themselves.

- Not surprisingly, the CCPOA is one of the largest contributors to the "three strikes and you're out" initiative, an initiative which could rightly be called the "prison guards' full employment act of 1994". The CCPOA's \$101,000 contribution as of the June 30, 1994 reporting deadline, ranks second only to Congressman Mike Huffington's \$300,000 contribution.

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Tangible Benefits

- The most readily identifiable benefits from the CCPOA's aggressive lobbying and contributions have come from the meteoric rise in both their numbers and salaries. In 1980, the average annual prison guard salary was \$14,400. Today, prison guard's salaries average \$44,000. After training, California's prison guards are the highest paid in the nation, earning 58% more than the average guard does nationally, whereas University of California professors earn 13% less than comparable professors nationwide. The average prison guard with a high school equivalency diploma currently earns more than a tenured associate professor with a Ph.D. in California.

- On July 1, 1993, California's prison guards received a 5% raise in a contract negotiated with Governor Pete Wilson. The prison guards' union was the only union to support Pete Wilson's 1990 bid for governor. All other state employees had to wait for their raises until January 1994. CCPOA workers with over 20 years experience received an additional 5% increase, something other state employees have sought for decades. "We're bullies from the aspect of negotiations. We've gotten the best contracts for the last nine years," states CCPOA president Novey, "We put \$921,000 into the governor's race, independent of the candidate. While all the other organizations were fighting the 5% cut...we realized through decent negotiations and an open door with the governor's office a \$155 million contract. If you have an open door with an administration, you can do

creative things. A lot of the money that was spent by our group was to get that open door."

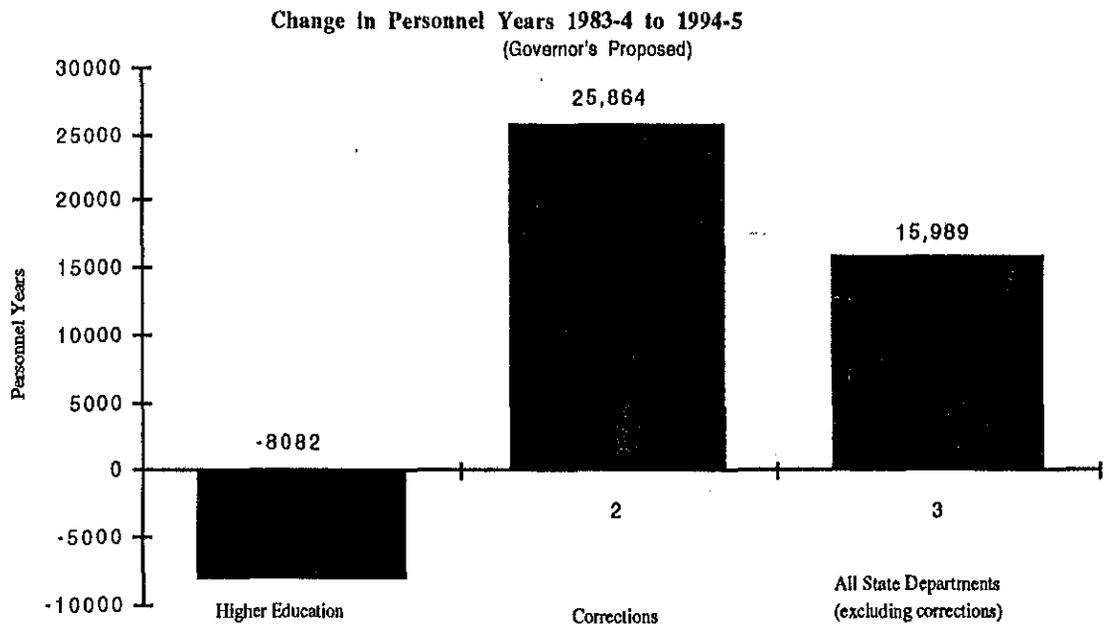
- Since 1984, California has added more correctional employees to the state's roles (26,000) than all other state employees combined (16,000). During that same time period, California's system of higher education experienced an 8,000 person workforce reduction. (See Graph) In 1993, the budget for corrections rose 9% while state spending fell by 11%.

Conclusion

The state of California is rapidly increasing its funding for corrections at the expense of other state budgets, particularly higher education. Where corrections in 1984 received only 3.9% of the budget and higher education 10.1%, corrections in 2002 will receive 18% of the budget while higher education will receive less than one percent, unless there is a massive state tax increase.

The temptation for politicians to ignore policy considerations in favor of politically popular, albeit unsound, policies is often nearly irresistible. When the lure of political expediency is backed by cold hard cash, the "iron triangle" is complete.

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Source: Assembly Ways & Means Committee

This *In Brief* recognizes that, at present, the CCPOA has a First Amendment right to donate money to whom ever it wishes. CJCJ has a First Amendment right, and we feel an obligation, to inform Californians of the dollars the guards' union is dispensing to "open doors".

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