I’d like to begin my presentation today with what I find to be an illuminating anecdote. I recently traveled to Moundsville, West Virginia to take a tour of the former state penitentiary there. Our tour guide had retired last year from working as a prison guard. As he told us about the hellacious history of the institution, he also discussed what it was like to work there, how the work had changed him. He didn’t start out working as a guard—he was thirty when he took the job, having worked at two different local mills only to see them shut down. He didn’t want to work for another failed shop or mill, and figured that a prison would never close its doors, as there will always be prisoners that need guarding. So he took a job at Moundsville and worked there for nine years before it, too, was closed, in 1995. Like many of the institutions’ inmates and administration, he would be shuttled to other prisons across the state after the closing.

As I walked along the corridors of the prison and listened from this man whose most successful job was the warehousing, guarding, and administering of working class people very much like him, I kept thinking about the proposed topic of my talk today. As I see it, there are many difficulties in attempting to discuss organized labor’s complicity in the rise of the prison-industrial complex, and how all of this relates to working class life and working class studies. There is a difficult balancing act, I think, in tracing out the contours of prison guard unions and the incarceration boom that we are still right in the middle of. This, I think, is indicative of that balancing act: how does one simultaneously honor or acknowledge that guard work is hard, dangerous, and largely thankless, and thus demands union representation to successfully protect the interests of guards who assume that work, at the same time that we critique the unions themselves for backing all kinds of nefarious political ends that have worked against the interest of other working class people? How can we learn from the strength of these union organizations
but nevertheless deride their complicity with big business and conservative, law-and-order politicians who have legislated against other labor organizations, sought to slash or suppress wages, and the like? How do we approach the question of prison-as-a-growth industry, and contextualize prison union power at a time when unionized labor is at an all-time low?

My presentation today represents some very preliminary and new work on this set of issues. In it I want to begin addressing some of these questions by examining the role of one of the country’s most powerful guard unions, the California Correctional Peace Officers Association, and its impact on the rise of the prison-industrial complex. This is, I think, a crucial issue to consider, given that the incarceration of Americans is still a growth industry, despite recent statistical information indicating that we might be seeing a small decarceral trend. Since the late 1980s, police and prison guard unions have exercised a tremendous amount of political and economic power in helping to elect politicians who successfully lobbied for longer and tougher sentences and worked toward the prison construction boom. The CCPOA is, by far, one of the strongest political organizations in the state of California, and its influence must always be reckoned with come election time. Examining its recent activity demonstrates, I think, the complexity of issues surrounding prison guard unions, their impact on current incarceration trends, and, perhaps, their connections to organized labor and class relationships in general.

First, I think it must be said that there is a place for prison guard unions, although I also believe that this country incarcerates way too many people, at too great a cost in both social and economic terms. Guards’ work is exceptionally dangerous—they are tasked with guarding chronically overcrowded and often underfunded institutions. There is a high turnover rate among new guards. It is work fraught with fear: on the one hand they face the very real threat of riots and violence (to themselves, but also between convicts), and on the other hand they also
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constantly face running afoul of the administration, the law, and the state for violations of
codified rules AND unspoken traditions. It is also difficult work perceptually—guards suffer
from a similar stigma as inmates. Ted Conover, who worked as a New York guard for a year,
quotes a fellow long-term guard on the labor conditions that thousands of Americans have
elected to endure to make ends meet in our current economic and political climate. One fellow
coworker named Kingsley, “succumbing to economic inevitability” by giving up dairy farming
in lieu of a career in corrections, admitted that the stigma of working as a CO forced him, and
“probably 90 of the officers he knew,” to lie about their chosen profession to strangers (21).
Moreover, even though he could go home at night, the time spent working in prison exacted a
psychic toll on him as well: “mainly, he said, prison work was about waiting. The inmates waited
for their sentences to run out, and the officers waited for retirement. To Kingsley, it was ‘a life
sentence in eight-hour shifts’” (21).

And yet, at the same time, unions such as CCPOA have leveraged the conditions of their
work into viable political influence that basically protects and expands their “trade,” which, in
blunt terms, is the administration of warehoused human beings. Bread-and-butter contract
disputes for these unions ALWAYS dialectically involve expanding the business of the prison.
Since the late 1980s and early 1990s, the CCPOA and other prison guard unions have made
above-average, competitive wages in areas often marked by depressed wages and low job
opportunities overall—usually these state prisons are built in remote, often rural places with no
better job prospects than failing farms or Wal-Mart. As of 2011, “the average pay of California
prison officers is slightly more than $73,000, which is 58% more than the national average,” and
one commentator notes that it is “not uncommon for California correctional officers—who are
required only to be 21 years of age and have a GED or a high school diploma, to earn over
$100,000” (Page 76). But we must never forget that these wage increases are entirely contingent upon the state’s ability to, at worst maintain, or, at best, increase prison populations—guards need a static pool of people to maintain their job security. (As a brief aside, a recent article has been circulating on the current prison “crisis” in the Netherlands, which is that country’s underpopulation—only in our country would we report the economic ramifications of underpopulated prisons a crisis—but this is indicative of how necessary it is for prisons to maintain either a static or robust population for economic security.) The main question, I think, is at what cost? And how did they manage to leverage such political power in the first place?

Joshua Page, a sociologist at the University of Minnesota, has a wonderful book on the rise of the CCPOA entitled *The Toughest Beat: Politics, Punishment, and the Prison Officers Union in California* (2011). In it he schematizes the political dynamics that gave rise to the union and charts out how, since the late 1970s, they have largely been able to harness the social and political desire for law and order to their own ends. The union has done so because it has always been led by clear-eyed pragmatists; it is what Page calls a “politically realistic union.” This realism entails not hewing to traditional left-wing/right-wing political party affiliations; networking with victims’ rights organizations and similarly situated unions; slowly building up memberships over the last thirty years; bankrolling the many statewide initiatives governing all kinds of tougher laws; and especially by courting—or destroying—politicians with extensive campaign contributions. As a result, the CCPOA has turned into a political organization that now has thirty thousand card-carrying workers “in a $7-billion-a-year industry” (Moskos 78). They also have, as Peter Moskos observes, “a war chest of about $22 million” (78). Moskos acerbically contends that the union’s ability to effectively manipulate policy for tougher and
longer sentencing has made contemporary prisons “a new Works Progress Administration without any of the constructive infrastructure, education, or culture” (78).

It is in the drafting of laws and the election of sympathetic (or fearful) politicians that the CCPOA has best been able to maintain an iron grip over its own trade and extend its sphere of influence. On the one hand, the union always sought to improve the lives and working conditions of its members. But in order to do this, it has also strived—and succeeded—in overturning the rehabilitative model of incarceration in favor of a punitive, custodial or segregative model of punishment. Not all of this was direct intervention on the part of the union. In many ways, it has served as an “anchor” (Page’s term) in the coalition of interests and actors who helped remold California corrections. As a union, for instance, it has no legislative say in how laws should be worded, or even which laws should be adopted. But it nevertheless made use of its powers by backing politicians (both Democrats and Republicans) who sought to be “tough on crime.” Historically it has publically and financially supported politicians who enacted tougher sentencing and longer sentence policies—it was a main player behind the nation’s first Three Strikes law, which incarcerates for life any individual convicted of three different felonies. They sponsored or supported truth-in-sentencing laws, which insist that those convicted of crimes must not be released before completing 85% of their sentences. They have been at the center of seeking to broaden the classes of crimes that would result in prison terms. They have helped unseat politicians thought to be soft on crime, or who publically criticized the union’s political power, or who have sought to institute alternative means to respond to crime, such as community policing, suspended sentences, or restorative justice efforts. But to complicate them just a bit, so that they don’t just appear like conservative lackeys: the CCPOA has publically broken rank with ostensibly law-and-order politicians who have sought to undermine collective bargaining rights,
supporting some pro-labor Democrats when the times called for it. And, more telling, perhaps: they and other guard unions in different states like New York have also been one of the greatest critics of prison privatization. Still, we have to wonder how much of this is actually goodwill, or political progressivism, and how much of it is simply a public fight to maintain their control over their “trade.”

In the first decade of the 21st century the union experienced a change of leadership, and certain public pronouncements from the CCPOA have indicated a potential shift in its priorities and politics. Its long-time leader Don Novey, who served as president for 20 years, stepped down and was replaced by Mike Jimenez. Jimenez has made many overtures to soften the image of the union as a political bully made up of arch-conservatives in favor of burying prisoners beneath the rock. He has distanced himself from Novey’s tough rhetoric that routinely dehumanizes criminals, and he has rhetorically expressed interest in pro-rehabilitative efforts, shorter sentences for nonviolent and first time offenders and the like. He even caused much controversy within his own organization when he hired a parolee to work in the union’s Sacramento office. And yet, despite the public rhetoric, the union’s most recent political activity indicates that they are maintaining the status quo. After California was mandated by the federal government to radically reduce the state’s severely overcrowded prison population, the state government proposed a number of initiatives during the November 2008 elections to radically revise sentencing laws and implement alternative forms of treatment for those arrested because of drug and alcohol-related offenses, to reduce the length of parole for certain offenders from three years to one, and to increase “good time” reduction opportunities in prison. Despite the union’s public proclamations, it was a leading financial contributor to defeat Proposition 5, contributing upwards of $1.8 million to the measure. Additionally, it also funded two other tough-on-crime
propositions, numbers 6 (the Safe Neighborhoods Act) and 9 (the Crime Victims’ Bill of Rights), both of which extended long sentences, expanded penalties for young offenders, and made the parole process more punitive. Finally, it waged a bitter war against a 2009 proposal to create a sentencing commission comprised of thirteen different people (academics, an ex-offender, police, judges, and the like) that sought to make long-terms adjustments for the reduction of California’s prison population. (The proposal was eventually dropped after the CCPOA strong-armed certain key Democrats seeking reelection by threatening to pull their political support.)

Thus, while they have paid lip-service to getting on board with decarceral efforts in a state that is both remarkably broke and whose corrections archipelago is criminally overcrowded, overextended, and over-violent, the union’s actual commitments instead demonstrate a hard-line unwillingness to tamper with the source of their wealth, to potentially endanger the bedrock of their lucrative bread-and-butter contracts.

It might seem odd to critique one of the nation’s most successful labor unions at a time when organized labor is suffering so much. But in many ways, the success of the CCPOA has consistently broken ranks with organized labor writ large in order to sustain their own success and to increase their power base. And it might be worth considering if their success in some ways is simply further proof of how out-of-favor labor unions are right now. Perhaps a different way to say this is: what happened to the “labor” part of their self-identification as a labor union? Could we rightly consider them a labor union? And if so, does that force us to rethink their politics in light of the history of trade unionism in this country? Where do they fit in to that history?
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Works Cited

