

If Otter won't investigate, Legislature must

Marty Trillhaase/Lewiston Tribune

If the Board of Correction - and by extension, Gov. C.L. (Butch) Otter's administration - refuses to examine whether farming out prison management to profit-oriented firms is a good deal for Idahoans, then somebody else should.

Why not the Legislature?

Next year, the contract binding Idaho to Corrections Corporation of America expires and the state is free to find someone else to manage the Idaho Correctional Center outside Boise.

CCA's business model - maximizing profits by scrimping on staffing levels - contributed to aggravated inmate on inmate violence. It led to a successful class-action lawsuit in which CCA agreed to change policy in order to address high levels of violence at the prison. Then another group of inmates filed suit alleging the understaffed prison maintained order by turning it over to gangs. Finally, CCA admitted it overbilled the state for staff hours never worked, an issue the Idaho State Police is probing.

The FBI also is also looking at the private prison manager, although the details of that investigation are murky.

So twice this year, J.R. Van Tassel has suggested allowing the state Department of Correction to file its own bid to run ICC. That way, the state could evaluate not only private businesses competing for the contract, but the entire private prison model as well.

But Chairwoman Robin Sandy offered some nonsensical explanation that turning management of a state prison over to a state department would somehow grow state government.

Which means you may never learn:

- What's better for inmates? ICC inmates are brutalized at four times the rate of prisoners held in state-managed facilities, according to the Idaho Department of Correction. Hence ICC's nickname - "gladiator school."
- What's better for public safety? If the latest lawsuit is accurate, the itch for profits lured CCA to economize by turning security over to prison gangs. Empowering gangs on the inside can empower them on the outside.
- What's better for taxpayers? Even if a private company can run a prison cheaper, how much of those savings evaporate if inadequate programs and training lead to higher inmate recidivism rates? What if the short-term gains are illusory? A study of Arizona prisons found private prisons take the inmates most easily managed while shifting the costliest to the state system.
- What's a responsible bid? How will Idaho know if the low bidder for ICC is one that cannot be achieved without undermining minimal staffing and inmate safety levels?

Without allowing the state prison department to submit a competing bid, it can't. That's like buying a car simply on the say-so of a salesman.

So which is it? Are Idaho's leaders enslaved to a faith-based philosophy that prevents them from asking such questions? Or are they beholden to a industry that has pumped a lot of money their way?

CCA contributed \$19,000 to Otter's campaigns for governor. CCA's competitor, the GEO Group, contributed another \$5,000 to Otter.

In all, CCA has spread more than \$119,000 among state lawmakers and the state GOP. The GEO Group donated more than \$14,400.

Enter the Joint Legislative Oversight Committee. That eight-member panel is evenly divided between Democrats and Republicans. Rep. Shirley Ringo, D-Moscow, is its co-chairwoman. Earlier this year, Ringo tried to compel a state prison department bid as part of the overall correction agency's budget, a ploy the budget panel rejected by a 14 to 4 vote.

Why not instruct the Office of Performance Evaluations to delve into these questions? OPE has an impeccable record for conducting unbiased inquiries.

The legislative panel meets in October, plenty of time to assign OPE to investigate before the Otter administration hands over another \$30 million contract to a private prison manager. - M.T.