
Interview: Paul W. Keve

'Proposal X' will fill prisons, not affect violent crime

Paul Keve is a leading authority on corrections administration and author of The History of Corrections in Virginia (Charlottesville: University of Virginia Press, 1986). He retired in 1993 from the Virginia Commonwealth University, where he taught corrections administration, and before that worked in every area of corrections administration, from probation and parole, to prisons and juvenile institutions. He was interviewed by Marianna Wertz on Oct. 5.

EIR: What do you believe the effect will be of the passage of Proposal X on Virginia's prisons and crime rate?

Keve: I think the effect is going to be to put a lot more people in prison without accomplishing the slightest reduction in crime, violent or otherwise. . . . Because the lengthening of sentences will simply, as a mathematical matter, put more people in prison. And the experience is that the fact of imprisonment never has any correlation with the crime rate. It simply doesn't affect it. That's been the long-time experience in this country.

EIR: Do you think the elimination of parole will do anything positive for the people in prison?

Keve: No.

EIR: What do you think its effect will be on the prison population and being able to handle them?

Keve: It makes prisons harder to manage, because you need to have rewards. Prisons are notorious really for their use of punishment as a way of shaping behavior, whereas in the general human experience, the hope of rewards is an equally useful and probably more useful way of shaping behavior. In a prison, the more rewards we can offer, the more control we have, the more hope people have. If you take away the amenities and rewards and hopes, you don't have as much control. You have a more tense, dangerous situation in every respect.

EIR: What do you think about the reintroduction of privatized prisons? We had them 100 years ago in this country.

Keve: We've had a lot of that sort of thing much more recently than 100 years ago. It's possible, to a limited degree, but one has to be very cautious about the way they're set up and what their contractual relationships are. One of the things, for instance, that you have to worry about is that, if

you get several hundred persons into a private prison, that you've contracted with, and then if you find that that prison is poorly run and you cannot encourage them to make improvements, you don't have any other place suddenly to put all those people. They're contracted out and you're caught.

EIR: So you have no way to stop abuses.

Keve: Yes. After the Civil War, there was a lot of privatization in Virginia. You can find details on it in my book on the history of corrections in Virginia [see box].

EIR: I've seen it, and your account of the abuses, particularly relative to the black prisoners.

Keve: Well, that was notorious. That does not have to be. A private prison could run just as sensibly and humanely as any other prison, but to ensure it, you have to have dependable, constant monitoring and ways of enforcing it. But what we've found in previous experience is that you farm people out to private operators as a desperation measure, and then if they're being abused, the only recourse you have is to pull the prisoners out. But with several hundred prisoners and [if] you don't have any other place to put them, you're stuck.

EIR: Are you familiar with the American Legislative Exchange Council, of which William Barr, co-chairman of Governor Allen's parole abolition commission, is a leading member? It's drafted legislation called the Private Correctional Facilities Act and Private Industries Act, to provide prison labor assignments in private manufacturing enterprises. The fact that Barr is a leading spokesman for this group led us to believe that Proposal X is only part of his master plan, which is ending parole nationwide, which he announced as Attorney General, and then introducing private prisons for profit throughout the country.

Keve: He should know, and anybody should know, that instead of ending parole, we ought to take measures to improve it. When a parolee comes out of prison, or when any person comes out of prison, on parole or not, he needs a lot of very close, intensive help to make the adjustment back to civilian living. That's where we fall down. We under-serve the parolee. We try to save money on the resources there and don't give help commensurate with the degree of need. So the parolee fails and the reaction then is, "Let's do away with

parole.” Instead of doing away with it, we should try to do it right.

The point I’ve tried to make is that in a prison, typically you have a very rich ratio of staff, generally one employee for about every two and a half or three prisoners. That’s a pretty rich ratio, and that’s why prisons are expensive—all those salaries. But in the Virginia parole and probation system, the ratio runs about one employee to every 40 probationers or parolees.

EIR: Is that typical in the country?

Keve: Yes, it’s pretty typical. Actually, we are better in that respect than in some states. California is much worse right now and has been for a long time. It makes you realize that if you would staff your probation and parole services more richly, like you’re willing to staff the prisons, you wouldn’t have to rely on prisons nearly as much. You’d save money.

EIR: As I understand it, Proposal X has a provision, written in by the Democrats, that would obviate prisons for non-violent offenders with less than a three-year sentence. But there is very little in the way of electronic monitoring bracelet

programs or similar alternatives to prison available in this state.

Keve: There are some. There are several programs which we call the intensive supervision programs. There quite a lot of new techniques that are now available for specialized handling of very small caseloads. It’s the way to go. But there’s constantly a temptation to cheat on that even. That is, if you start out with caseloads of 15 per worker, for instance, and it seems to be working all right, they feed more and more cases into it, and pretty soon you’re up to 20 and then 25 cases each, and the program is ruined by its own success.

EIR: Do you think that Proposal X is going to work?

Keve: No.

EIR: What do you think the people of Virginia ought to do about it?

Keve: I think they ought to go the route I’m talking about, of keeping parole and beefing up the parole supervision far more intensively than it has been. I also think it’s not going to happen. The political mood of the general population is very punitive and they’re not going to listen to me.

From ‘Corrections in Virginia’

With their vast experience in the use of laborers in bondage, the southern state governments easily applied slave status to the prisoner class, as clearly legitimized by the Constitution. And the new slavery was not limited to the South, although most extensively practiced there. Leasing the labor of prisoners was a temptation to prison administrators everywhere as they desperately faced postwar shortages of resources at the same time that their prisons were overcrowded or, in some cases, in Georgia, for instance, had been essentially destroyed by military action. The urgent quest for economic self-sufficiency led to two different procedures for exploiting prisoner labor. As explained by one investigator of the time, “The Contract System . . . leases the convicts’ labor within the prison walls. . . . Under the Convict Lease System . . . the prison, the prisoner and the prison management are all farmed out into private control.”

The lease system, which turned over to a private entrepreneur the whole prison operation, was tried at various times in some southern states but not in Virginia. Wherever the plan was used, the abuses were excessive. Virginia made use of combinations of the two plans, sometimes with resultant abuses, which, if not comparable to the

worst elsewhere, were still severe. The state never attempted to lease its own facilities to a private operator, but it did discover the financial advantage in getting the prisoners out of the institution and put to useful contracted work elsewhere. Instead of a true convict lease system, it might better be described as a plan of “contracting out.” The penitentiary accountants customarily referred to the contracted-out prisoners as “for-hires.”

The leasing or contracting out of convicts for work at various construction sites suddenly became a tempting solution to the twin problems of prison overcrowding and prison operating costs.

The construction of roads, railroads, and canals could absorb all the laborers the penitentiary could supply. Usually, the contracting party constructed the necessary camp or barracks; the prisoners were clothed at state expense and fed and guarded at the contractor’s expense; and the contractor paid the penitentiary a set daily fee for each prisoner. It was a plan which, properly controlled, could have been tolerable and even humane, for it could have been better than unrelieved idleness in the unsanitary confines of the crowded and obsolete prison. But there seems no reason to suppose that the Virginia experience with contracted-out labor was materially different from its general dismal condition in other states at the time. With private contractors greedy for profits and the government failing to provide or to enforce standards of prisoner management, treatment of contracted prisoners across the country ranged from shabby to brutal.