

Comparing Public and Private Prisons on Quality

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The most important body of evidence on the relative quality of privatized correctional facilities comes from a wealth of studies performed by government agencies, universities, auditors, and research organizations. In 2002 Reason Foundation conducted a literature review of all available studies comparing public and private facilities.¹ We identified 17 studies that use various approaches to measure the relative quality of care at correctional facilities managed by government vs. private firms—15 of which conclude that quality at private facilities is as good or better than at government-run facilities.

The major charge against privatization is that by reducing costs, quality and security are sacrificed. Yet, there is clear and significant evidence that private facilities provide at least the level of service that government-run facilities do. Private correctional facilities have fared well against government-run facilities in almost all measures of quality, including a wide range of quality comparison studies, as shown in Tables A and B. Quality comparison studies can be broken down into two distinct groups—rigorous, peer-reviewed, serious academic studies where methodological approaches to comparison are sound and are often refereed (Table A) and the second group consists of studies that are widely regarded as less credible, as research methodology does not follow common standards and is less clear (Table B). The following are brief descriptions of the studies and their findings.

Comparative Studies of Private Facility Quality	
Table A	
Study	Findings
Urban Institute: Kentucky and Massachusetts, 1989	Quality advantage to private facilities; staff and inmate ratings are higher; fewer escapes and disturbances.
National Institute of Justice—Well Kept, 1991	Private facility outperformed state facility in seven of eight dimensions.
Louisiana State University, 1996	Outperformed government prison in 5 categories, government outperformed private in 5 categories.
Arizona DOC, 1997	Superior performance in public safety issues, protecting staff and inmates, and compliance with professional standards.
Juvenile Facilities in United States, 1998	Private facilities outperform in 23 of 30 indicators.
Florida Recidivism, 1998	Private facilities outperform in four of five measures.
OPPAGA, 2000	Satisfactory management with three noteworthy examples of performance.
Arizona DOC, 2000	Private facilities outperform seven of 10 measures in 1998; five of 10 measures in 1999.
Dallas County Judicial Treatment Center, 1997, 1999	Private program treatment recidivism rate is almost 50% lower than non-participants.

Table B	
Study	Findings
National Institute of Corrections—Okeechobee, 1985	No fundamental differences; noted improvement in private operation.
Silverdale Study, 1988	Private facility ranked high on most issues; other areas had equal positive and negative responses.
Sellers, 1989	Enhanced level of programming and better conditions in two of three private facilities.
Tennessee Fiscal Review, 1995	Private facility had higher overall performance rating.
United Kingdom, 1996, 1997	Private facility outperforms government prisons overall.
Minnesota Inmate Interviews, 1999	Services at government facilities rate higher.

Group “A” Studies

1. Urban Institute: Massachusetts (1989)²

The study compared two pairs of government and private juvenile facilities in Massachusetts on quality-of-confinement issues. A wide range of performance indicators was appraised using survey information, physical observation, interviews, and agency records. For most of the indicators, the private facilities had a slight advantage. Overall, both staff and inmates gave better ratings to the services and programs provided at private facilities. Escape rates were lower, there were fewer inmate disturbances, and comfort levels for staff and inmates were higher at the private facilities.

Quality findings: Better quality at private facilities.

2. National Institute of Justice: Well Kept (1991)³

Charles Logan of the University of Connecticut conducted a detailed analysis of three multicustody facilities for women. A private prison and a state-run prison in New Mexico and a federal prison in West Virginia were selected for comparison. 333 quality variables were used in eight dimensions (security, safety, order, care, activity, justice, conditions, and management).

Quality findings: Private facility outperforms state facility in seven of eight dimensions (all except care).

3. Louisiana State University (1996)⁴

This study found that the private facility performed better than the government facility in terms of safety to inmates, safety of correctional officers, number of incidents, use of discipline, and education programs. However, the government facility had fewer escapes, less substance abuse, and more rehabilitation, social, and recreational services.

Quality findings: private facility outperforms in 5 areas, government facility outperforms in 5 areas.

4. Arizona Department of Corrections (1997, 2000)⁵

The 1997 report compared performance of the state’s one private prison to other state prisons. Many aspects of prison management were examined including, frequency of escapes, major disturbances, homicides, assault, and inmate grievances.

Quality findings: The performance of the private prison was superior in public safety issues, protecting staff and inmates, and compliance with professional standards.

The primary function of the 2000 study was a quality comparison. Government and private prisons were compared on ten individual dimensions including security, food service, facility safety and sanitation, and inmate health services.

Quality findings: In 1998, the private prisons outperformed government prisons in seven of 10 dimensions; in 1999, government and private prisons split the dimensions five to five.

5. Privatization of Juvenile Correctional Facilities in the United States (1998)⁶

Thirteen studies comparing quality between government and private correctional facilities concluded that:

Conditions of confinement may very well be improving for those prisoners confined in private rather than government facilities. This “secondary” effect of better conditions may in the long run reap greater rewards in reduced prison reform litigation and improved rehabilitative outcomes.

The author then himself conducted the first broad-scale comparison of quality of care in privately operated versus government-operated juvenile correctional facilities and found quality of care to be substantially better at private facilities.

Quality findings: Private juvenile facilities outperform government-run facilities in 23 of 30 indicators of conditions of confinement.

6. Florida Recidivism Study (1998)⁷

Researchers at the University of Florida conducted an analysis of recidivism rates between government and private facilities for the Florida Correctional Privatization Commission. The study matched 198 inmates each from private and government prisons, and compared them in five areas for the 12 months following release: rearrest, technical violations of the terms of release, resentencing on a new offense, reincarceration, and an overall comparison. The private prison outperformed the government prison in every category except technical violations.

Specifically, 10 percent of the private prison inmates were rearrested in the 12 months following release versus 19 percent of government prison inmates. Six percent of private releases were resentenced to a new offense versus 10 percent. Furthermore, 10 percent of private inmates were reincarcerated compared with 14 percent of government inmates. The overall indicator showed that 17 percent of private releases have an indication of recidivism versus 24 percent of government releases. Nine percent of private prison inmates had a technical violation of release terms compared to eight percent government prison inmates.

Quality findings: The private prison outperformed the government facility in 4 of 5 areas.

7. Florida Legislature, Office of Program Policy Analysis and Government Accountability (OPPAGA) (2000)⁸

OPPAGA reported that the private facility examined had been managed satisfactorily with three specific examples of noteworthy performance. South Bay programs became fully operational

within six months, compared to up to three years with a comparable state facility. Secondly, the facility received a more positive review by the Correctional Medical Authority than a similar state facility. Finally, the report noted innovative approaches to housing certain inmates.

Quality findings: Satisfactory management with three noteworthy examples of performance.

8. Dallas County Judicial Treatment Center (1997, 1999)

The Institute of Behavioral Research at Texas Christian University conducted longitudinal research on the Dallas County Judicial Treatment Center (DCJTC), a privately managed facility. DCJTC is a 300-bed residential treatment program for offenders with histories of substance abuse and addiction. Research findings revealed that only 11 percent of DCJTC graduates were re-arrested within a year of program completion. By contrast, 21 percent of program non-participants had rearrests during the same time period.

Quality findings: Program participants' recidivism rate is almost 50 percent lower.

Group "B" Studies

1. National Institute of Corrections: Okeechobee, FL (1985)⁹

Examining changes in conditions at a privatized juvenile facility, the study found no fundamental program differences, but did note a number of improvements in the delivery of services after privatization.

Quality findings: Private management of at least similar quality.

2. Silverdale Detention Center, Tennessee (1988)¹⁰

Inmates at the Silverdale Detention Center in Chattanooga, Tennessee were surveyed to assess the quality of confinement of the private operator. "The evidence is overwhelming that the private takeover of [the facility] has resulted in substantial improvements in the institution's physical conditions and upkeep, as well as several critical areas of inmate service and institutional procedure."

Quality findings: Private facility ranked highly on most issues; other areas had an equal balance of positive and negative responses.

3. The Sellers Study (1989)¹¹

Measuring quality and performance at three government-run and three private facilities, the report found that all three private facilities offered more programs than their public sector counterparts. Furthermore, overall prison conditions were notably better in two of the three private facilities.

Quality findings: Enhanced level of programming (three of three facilities) and better overall conditions at private facilities (two of three).

4. Tennessee Legislature Fiscal Review Committee (1995)¹²

The Committee compared one private and two government-run prisons and gave higher marks to the private facility. An operational audit was conducted at each facility—the various functional areas included administration, safety, physical plant, health services, treatment, and security. The overall performance scores were 98.49 for the private facility and 97.17 and 98.34, respectively, for the two public facilities.

Quality findings: Higher overall performance rating for private facility.

5. Minnesota Inmate Interviews (1999)¹³

Inmates at one private and two government prisons in Minnesota were interviewed to determine the experience with privatization and to make quality comparisons between private and government facilities. A detailed, structured questionnaire was used for interviews to measure their perceptions about healthcare and casework services, prison programs, and security and safety.

Inmate accounts of access to health and dental care were almost identical between the facilities. Sessions with case workers appear to be provided on a more regular basis in the private facility—even though more inmates at government facilities report that more sessions were initiated at their own request.

Educational and vocational programming at government prisons rated higher, with more inmates reporting full-time participation in either type of programming. Inmates at the private facility complained about the programming but suggested that it was helping. Substance abuse or drug treatment programs also received higher scores at the government facilities. The only program area where the private facility achieved a higher score was in pre-release programming.

On a scale of one to five inmates at the government facilities gave them a rating of 3.70 for prison security and safety. By comparison, the private facility received a rating of 2.84.

Quality findings: Results were mixed—tilted toward better quality at government facilities—services, programs, and security rated higher at government facility.

Contractor Performance and Quality Case Study-Florida Corrections Commission

The Florida Corrections Commission's 1996 Annual Report¹⁴ made the following observations about the status of privatized facilities under their purview:

- All of the privatized facilities are fully air-conditioned, including an air-conditioned gymnasium at South Bay Correctional Facility.
- Technology appeared to be one of the main “tools” at the private facilities, as noted with monitoring cameras, correctional officer body alarms, camera monitored perimeter alarms, and computerized tracking systems for inmate movement.
- Commissioners were extremely impressed with the community at DAYTOP (a private drug treatment facility). Values are instilled in residents while they participate in required academic, vocational, and work assignments.
- Whether accomplished through the Department of Corrections or the Corrections Privatization Commission, privatization of state corrections in Florida has provided additional educational, vocational, substance abuse and other programs for inmates, whereas state-operated facilities have not kept pace with providing programs. This has resulted in the private facilities having an advantage in management tools for controlling inmate behavior and participation in self-betterment programs.

6. Quality Studies in the United Kingdom¹⁵

There have been at least seven examinations of the quality of private prison operations in the United Kingdom, including three inspections by the Chief Inspector of Prisons, three independent research projects, and one independent government inquiry. The studies find that inmates in private prisons enjoy more associative freedom, better staff-inmate relations, more and better work training, better meals, and more convenient visiting schedules. There are also fewer escapes and less violence in private prisons, assaults between inmates being the only measure where government facilities rank higher.

Quality findings: Overall, private prisons outperform government prisons.

Conclusion—What This Literature Tells Us

The quality comparison literature tells us one thing for certain. First, it is remarkable that such a wide variety of approaches spanning over a decade and half of research conducted in states across the nation repeatedly comes to the same conclusion—that privatization does not reduce quality. No one has offered a technical argument for how the admitted imperfections of this literature could lead to such one-sided conclusions. Rather, it takes a huge leap of skepticism to conclude anything but that privatization does not reduce quality.

Furthermore, there is clear and significant evidence that private prisons actually improve quality. Independent accreditation by the American Correctional Association (ACA) is designed to show a facility meets nationally accepted standards for quality of operation, management, and maintenance. Currently there are more than 5,000 government and privately managed detention facilities located around the United States, with only 532 accredited by the ACA--465 are public and 67 are private.¹⁶ Thus, no more than 10 percent of government correctional facilities have been accredited, whereas 44 percent of private facilities have been accredited. This dramatic difference suggests that private prisons are providing quality services—while remaining cost-efficient and providing significant cost savings.

About the Author:

Geoffrey F. Segal is the director of government reform at Reason Foundation, a nonprofit think tank advancing free minds and free markets. He is also editor of Reason's Annual Privatization Report.

Segal recently served as an advisor to Florida Gov. Jeb Bush's Center for Efficient Government. In addition, his counsel has recently been sought out by Gov. Mark Sanford and Indiana Gov. Mitch Daniels, where he is working with the Government Efficiency and Financial Planning group inside the Office of Management and Budget. Segal is also an advisor to the Cost Cutting Caucus in the Virginia House of Delegates.

Segal is a highly skilled policy analyst with a strong, diversified background in policy research and project analysis focusing on public-private partnerships, competition, government efficiency, government spending and waste, transparency, accountability, and government performance.

Segal has worked closely with legislators in California, New York, Florida, Virginia, Pennsylvania, Oregon, Kentucky, Indiana, Ohio, Washington D.C., Colorado, Minnesota, Maryland, Maine, North and South Carolina,

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Segal has testified to the United States Senate and numerous state legislatures and agencies. He has written dozens of articles for leading publications including *Investor's Business Daily*, *Atlanta Journal-Constitution*, *Indianapolis Star*, *Orange County Register*, *Los Angeles Daily News*, and *New York Sun*. Segal is also a contributing editor to *Budget & Tax News*.

Segal earned a B.A. in Political Science at Arizona State University and a Master of Public Policy from Pepperdine University.

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¹ This paper is adapted from the full study, Geoffrey F. Segal and Adrian T. Moore, *Weighing the Watchmen: Evaluating the Costs and Benefits of Outsourcing Correctional Services, Part 2: Reviewing the Literature on Cost and Quality Comparisons*, Reason Foundation (Los Angeles: January 2002). Available at: <http://www.reason.org/ps290.pdf>.

² *Comparison of Privately and Publicly Operated Corrections Facilities in Kentucky and Massachusetts*, (Washington D.C.: Urban Institute, 1989).

³ Charles H. Logan, "Well Kept: Comparing Quality of Confinement in a Public and a Private Prison," *National Institute of Justice*, (Washington D.C.: 1991).

⁴ William G. Archambeault, Ph.D., and Donald R. Deis, Jr., Ph.D., *Cost Effectiveness Comparison of Private vs. Public Prisons in Louisiana: A Comprehensive Analysis of Allen, Avoyelles, and Winn Correctional Centers*, Dept. of Accounting, Louisiana State University (Baton Rouge: October 15, 1996).

⁵ "Comparing the Cost and Performance of Public and Private Prisons in Arizona," Charles W. Thomas, Arizona Joint Legislative Committee, August 1997; and "Public-Private Prison Comparison," *Arizona Department of Corrections* (Phoenix, AZ: October, 2000).

⁶ Richard Culp, "Privatization of Juvenile Correctional Facilities in the U.S.: A Comparison of Conditions of Confinement in Private and Government Operated Programs," *Security Journal*, vol. 11, no. 2-3 (December 1998), pp. 289-301.

⁷ Lonn Lanza-Kaduce and Karen Parker, A Comparative Recidivism Analysis of Releases from Private and Public Prisons in Florida, *Florida Correctional Privatization Commission* (Tallahassee, FL: 1998).

⁸ Private Prison Review: South Bay Correctional Facility Provides Savings and Success; Room for Improvement, Report No 99-39 (Tallahassee, Florida: March 2000).

⁹ U.S. Department of Justice, National Institute of Corrections, *Private Sector Operation of a Correctional Institution: A Study of the Jack and Ruth Eckerd Youth Development Center, Okeechobee, Florida*, (Washington, D.C.: 1985).

¹⁰ Samuel J. Brakel, "Prison Management, Private Enterprise Style: The Inmates' Evaluation." *New England Journal of Criminal and Civil Confinement*, (1988) 14: 175-244.

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¹² State of Tennessee Legislative Fiscal Review Committee, *Cost Comparison of Correctional Centers*, (Nashville, TN: 1995).

¹³ Judith Greene, “Comparing Private and Public Prison Services and Programs in Minnesota: Findings from Prisoner Interviews” *Current Issues in Criminal Justice*, vol. 11, no. 2 (November 1999), pp. 202 – 232.

¹⁴ Florida Corrections Commission, *1996 Annual Report*, Section 5.2.1.

¹⁵ National Audit Office, “PFI Contracts”; Adrian James, A. Keith Bottomley, Alison Liebling, and Emma Clare, *Privatizing Prison: Rhetoric and Reality* (London: Sage, 1997); HM Chief Inspector of Prisons, “HM Prison Doncaster: Report of a Full Inspection,” Home Office, London, October 1996; Prison Service Planning Group, “Review of Comparative Costs and Performance of Privately and Publicly Operated Prisons: 1995-96,” Prison Research Service Report No. 2, London, October 1996; Home Affairs Committee, “The Management of the Prison Service (Public and Private),” House of Commons, London, March 1997; Harding, *Private Prisons*, pp. 139-142.

¹⁶ American Correctional Association, Commission on Accreditation for Corrections, *Accredited Facilities and Programs* (Washington D.C: American Correctional Association, 2001).