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Saving Prison Waste:

Labor and Incarceration in California after World War II

A dissertation submitted in partial satisfaction of the requirements
for the degree Doctor of Philosophy in History

by

Michael Zimmer Dean

2024

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ABSTRACT OF THE DISSERTATION

Saving Prison Waste:
Labor and Incarceration in California after World War II

by

Michael Zimmer Dean

Doctor of Philosophy in History

University of California, Los Angeles, 2024

Professor Kathleen A. Lytle Hernández, Chair

This dissertation is about how the relationship between labor and incarceration impacted the trajectory of California's carceral state in the decades following World War II. It focuses on the period that began in the 1940s, when California embraced the rehabilitative ideal as the centerpiece of its correctional policy and dramatically expanded its state youth and adult prison systems as well as its county jails and juvenile halls in the name of addressing the root causes of crime largely through prison work programs and vocational training. It explores an often-overlooked moment of contingency that emerged in the mid-1960s, when a broad swath of actors from across the political spectrum began to doubt the legitimacy of the rehabilitative ideal, producing a larger crisis in correctional policy. In particular, the dissertation analyzes a 1965 policy known as the probation subsidy program through which California provided financial incentives to its counties to avoid committing people who were being processed through the

juvenile and superior courts to state custody. This policy, which remained in place until 1977, was a part of a broader search for alternatives to incarceration that has received too little attention from historians.

Specifically, the dissertation argues that by analyzing three dimensions of the relationship between labor and incarceration, it is possible to more fully understand both the origins of the crisis in correctional policy that emerged during the 1960s, as well as underappreciated aspects of the ways in which that moment was contested. The first dimension of the relationship between labor and incarceration involves the many prison work programs that corrections officials established in their effort to legitimize the rehabilitative ideal, whose failure sowed doubt in the minds of political leaders, corrections officials, and incarcerated people themselves. The second dimension includes the various roles played by carceral workers themselves (prison guards, parole agents, and probation officers) in legitimizing the rehabilitative ideal and shaping the search for alternatives. Finally, the third dimension of the relationship between labor and incarceration refers to the broader political economy in which the carceral state was situated, and especially to the persistence of structural unemployment in the labor market. Not only did structural unemployment help illustrate the limitations of the rehabilitative ideal during the 1960s, it also informed efforts to address those limitations by promoting full employment as a means of mitigating crime and reducing recidivism. Although such ideas were eventually foreclosed by the embrace of more punitive correctional policy amid a larger process of deindustrialization and economic restructuring, by placing work at the center of its analysis, this dissertation highlights the contingency of the trajectory of the carceral state at the dawn of the age of mass incarceration.

The dissertation of Michael Zimmer Dean is approved.

Sharon Dolovich

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2024

For my family

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INTRODUCTION

The Relationship between Labor and Incarceration in Three Dimensions

There can be no rational theory about prisons which does not conceive of them as places of re-education, treatment, and readjustment. To believe that the mere purposeless service of time in a listless, degrading environment will produce such an objective is infantile.

—Richard A. McGee, California Director of Corrections¹

But to get at the causes, you know, one would be forced to deal with questions at the very center of American political and economic life, at the core of the American historical experience.

—George Jackson²

I guess I kind of have first-hand experience with unemployment and crime.

—Jim Lewis, Parole Aide³

* * *

In December of 1977, six years after his release from San Quentin state prison, Jim Lewis entered the ceremonial courtroom on the nineteenth floor of the federal building in San Francisco to testify in support of the Humphrey-Hawkins Full Employment Act. The hearing had been convened by Congressman John Conyers, one of eight such hearings that the Michigan representative held between September of 1977 and April of 1978 under the title “Unemployment and Crime.” Unemployment and crime had both been on the rise in California and the nation, and by gathering testimony that linked them, Conyers hoped to build support for the Humphrey-Hawkins Act, which at that time still included the provision, later removed in the

¹ Richard A. McGee, “Saving Prison Waste,” *The Annals of the American Academy of Political and Social Science* 293 (May, 1954), 59.

² George Jackson, *Soledad Brother: The Prison Letters of George Jackson* (Chicago: Lawrence Hill Books, 1994), 18.

³ Testimony of Willie Jackson and Jim Lewis, *Unemployment and Crime: Hearings Before the Subcommittee on Crime of the Committee of the Judiciary, House of Representatives*, 95th Cong. 414–432 (1977), pp. 416.

final bill that President Jimmy Carter would sign into law, for a federal job guarantee.⁴ From Lewis' perspective, that provision was vital. "I would like to put forth some of the things that I think would be of some help in terms of the overall problem of crime and unemployment," he told Conyers, "because there is no doubt in my mind that if a person can work and buy a ham, he doesn't have to take one." Conyers pressed him. Plenty of unemployed people, he pointed out, had not taken to theft in order to make ends meet. "You are right," Lewis conceded. Then he reiterated his main point. "My thinking is they are less apt to in terms of one person being hungry and another having food that a person can get... I think that the crime rate can be driven down by providing employment. On as massive a level as can happen."⁵

Along with a handful of other formerly incarcerated people, at the time of his testimony, Lewis worked for the parole division of the California Department of Corrections (CDC), the very same part of the state government that had once imprisoned him. Sometime in the early 1970s, not long after his own parole, and amid a broader shift in correctional policy in California, Lewis had been hired to work as a kind of career counselor for others in his same position who were trying to make the transition out of prison and who needed work in order to do so. Up until that time, since the end of World War II, California had significantly expanded its state prison system as well as its local county jails and juvenile halls. That expansion was made possible in no small part by the advent of a progressive attitude toward corrections—generally referred to as the rehabilitative ideal—which held that the purpose of prison was not to punish criminals, but rather to address the root causes of their criminality. Although things like

⁴ On the history of the Humphrey-Hawkins Full Employment Act, see Judith Stein, *Pivotal Decade: How the United States Traded Factories for Finance in the Seventies* (New Haven: Yale University Press, 2010), 190–92.

⁵ Jackson and Lewis testimony, *Unemployment and Crime Hearings*, 416.

drug treatment and psychotherapy were important to the rehabilitative ideal, its central component was the idea that, by providing remedial education, vocational training, and opportunities for productive work, prisons might enable incarcerated people to secure employment on the outside, thereby diminishing the likelihood that they would violate the law again in the future and return to prison. Nowhere in the United States was the rehabilitative ideal implemented more fully than in California, but over time it failed to produce results. California's prisons remained woefully overcrowded into the mid-1960s, and by the time of Lewis' release, recidivism rates hovered around fifty percent, which was more or less where they had been twenty-five years earlier, when the state first embraced rehabilitation. The failure of the rehabilitative ideal helped prompt California to shift its correctional policy dramatically. Instead of building more prisons, it began to pursue alternatives to incarceration. A new consensus emerged that many of the people who had been found guilty of one crime or another would be better off if they were simply left in their communities, and under a new policy that incentivized the use of probation in lieu of incarceration, tens of thousands of people were diverted from prison entirely. The program that Lewis worked for was an artifact of this broader change.⁶

By the early 1970s, corrections officials in California had given up the requirement that incarcerated people secure a job before their release or that formerly incarcerated people “seek and maintain” employment as a condition of their parole, but a paycheck was still a crucial part of a stable life for most people coming home from prison, and Lewis' job was to help them find

⁶ Funded in part through the Law Enforcement Assistance Administration and in part through Volunteers in Service to America, the program through which Lewis was hired into is a prime example of the blending of social programs into the carceral state that Elizabeth Hinton describes in *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, MA: Harvard University Press, 2016).

one.⁷ In 1972, when the *San Francisco Examiner* profiled Lewis and his coworkers, there were five other formerly incarcerated people working in the same position through the same program, including at least one permanent state employee who had full civil service benefits. Six more were waiting to be hired. Tom Clark, one of Lewis' colleagues who had done two stretches in California's prison system, described for the reporter the work that he, Lewis, and the others did. "I ran into Joey one day in the Tenderloin," he said, referring to a man who had arrived in San Francisco after absconding from his parole in Los Angeles. Clark said that Joey had been "using junk and capering to get bread for his habit." "I knew him the minute I saw him," Clark said, "we could rap, he and I, and we did." Talking with Joey, Clark found that he had not "put anything down that would get him busted for heavy stuff," that he "wasn't too loused up," and could be "gotten back on the track." "I went back to him," Clark explained. "It took a few sessions but I finally sold him on coming in. We got him a place to stay. We eased him into the methadone program. We even got him a job, some clothes, and a little climbing-out-of-the-hole money. That was a year ago. They're making it."⁸

Jim Lewis and his coworkers exemplify three interconnected dimensions of the relationship between labor and incarceration that, as this dissertation will argue, helped to shape the trajectory of California's carceral state during the contingent moment in the late-1960s and 1970s, after the legitimacy of the rehabilitative ideal had collapsed but before the advent of the punitive correctional policies that would lead to mass incarceration in the 1980s. The first dimension involves the various prison work programs that corrections officials established in

⁷ Volker Janssen, "Convict Labor, Civic Welfare: Rehabilitation in California's Prisons, 1941-1971" (Ph.D. Dissertation, University of California, San Diego: 2005), 249; Jonathan Simon, *Poor Discipline: Parole and the Social Control of the Underclass, 1890-1990* (Chicago: University of Chicago Press, 1993), 96.

⁸ Robert Patterson, "VISTA Parole Aides Help Their Men," *San Francisco Chronicle*, January 23, 1972.

hopes of providing prisoners with marketable job skills. These programs, which will be described in chapter two, included agricultural and industrial work programs that provided prisoners themselves with food and other consumables, such as furniture and clothing; vocational training programs that were often similarly geared toward the social reproduction of the prison system itself; and, perhaps most famously, a vast network of rural prison work camps that provided the state with thousands of young, able-bodied, and unfree men to fulfill the need for conservation work, especially fire suppression and flood control.⁹ Having been incarcerated in California's overcrowded prisons during the 1950s and 1960s, Lewis, Clark, and the others had almost certainly participated in one or more of these programs.

As the first dimension of the relationship between labor and incarceration that this dissertation analyzes, prison work programs are significant because they played a key role in legitimizing the expansion of California's carceral state after the 1940s, and because they were a key point of failure for the rehabilitative ideal. Work programs did not necessarily help formerly incarcerated people to secure gainful employment in the free world. As Lewis and his coworkers undoubtedly knew, California's stubborn recidivism rate was partly due to the fact that, despite the state's efforts to train prisoners, people on parole suffered disproportionately high rates of unemployment compared to the rest of the population. The simple fact of a criminal record certainly did not help, but neither did the lack of work experience, lower levels of formal education and literacy, or, as Clark described in the example that he gave to the reporter, higher rates of substance use disorder that typified the incarcerated population during this period.

⁹ Volker Janssen has written effective overviews of the various prison work programs that corrections officials implemented in California after World War II. On the conservation camp program, see "When the 'Jungle' Met the Forest: Public Work, Civil Defense, and Prison Camps in Postwar California," *The Journal of American History* 96 no. 3 (December, 2009): 702–26. For correctional industries and vocational training programs, see "Convict Labor, Civic Welfare."

Importantly, race and class intersected all of these factors. California's prisoners had long been disproportionately drawn from the ranks of the poor and working classes.¹⁰ But during and after World War II, an important change occurred as the state's overall demographics shifted to include more Black and Mexican American people. Owing to a variety of racially discriminatory policies and practices related to housing, education, employment, policing, and criminal sentencing, over time, incarceration rates for people of color grew increasingly disproportionate as well.¹¹ Lewis and Clark were both Black, and several of their co-workers were of Mexican or Mexican-American descent. Just as they knew that access to work was key for parole success, they also knew that, when it came to the labor market, the deck was stacked against people like them, not only because of their prison records, but also because racial discrimination permeated California's job market.¹²

Beyond their status as formerly incarcerated people who had ostensibly benefitted from the prison work programs that proliferated under the guise of rehabilitation, Lewis, Clark, and their coworkers also exemplify a second important dimension of the relationship between labor

¹⁰ For a useful discussion of the racial and class composition of California's prisons during an earlier period, see Ethan Blue *Doing Time in the Depression: Everyday Life in Texas and California Prisons* (New York: New York University Press, 2012), especially the first chapter "Of Bodies and Borders: The Demography of Incarceration," 20–52, which covers the 1920s and 1930s.

¹¹ The demographics of California's incarcerated population will be covered in chapter one. For more on the history of race and racism in postwar California, see Donna Murch, *Living For the City: Migration, Education, and the Rise of the Black Panther Party in Oakland, California* (Chapel Hill: University of North Carolina Press, 2010); Robert O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003); Josh Sides *LA City Limits: African American Los Angeles from the Great Depression to the Present* (Berkeley: University of California Press, 2003); Daniel Widener, *Black Arts West: Culture and Struggle in Postwar Los Angeles* (Durham: Duke University Press, 2010). For work that focuses specifically on the policing of racialized communities after World War II, see Christopher Lowen Agee, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950–1972* (Chicago: University of Chicago Press, 2018) and Max Felker-Kantor, *Policing Los Angeles: Race, Resistance, and the Rise of the LAPD* (Chapel Hill: University of North Carolina Press, 2018).

¹² On racial discrimination in employment in postwar California, see Fred B. Glass, *From Mission to Microchip: A History of the California Labor Movement* (Berkeley: University of California Press, 2016), 319–31.

and incarceration—the fact that the carceral state depended upon and created work for free staff. Like thousands of other Californians during this period, Lewis and his co-workers became employees of the prison system themselves. As chapter three explores, as with prison work programs, after World War II, the people who worked as prison guards, parole agents, and probation officers also helped legitimize California’s embrace of the rehabilitative ideal. Their titles, their training, their pay, and the ways in which they spent their working days all factored into the efforts of corrections officials to turn the rehabilitative ideal into a reality. For this same reason, the expansion of California’s carceral state under the flag of rehabilitation also helped create thousands of jobs. And crucially, as faith in the rehabilitative ideal began to fade, carceral work and carceral workers helped to shape the contest over what might replace it.

One important feature of the second dimension of the relationship between labor and incarceration, covered in chapter four, involves the opening of carceral work to people of color. To be sure, while most parole agents were not ex-cons like Lewis and Clark, during the 1950s and 1960s, an increasing number of California’s prison and probation staff came from the same working-class Black and Mexican American communities that were being disproportionately targeted for incarceration. In part, this development had to do with the same forms of racism that made it difficult for formerly incarcerated people of color to find work, as well as the fact that, in the face of employment discrimination, jobs in the public sector more generally became an important economic foothold for Black and Mexican American communities.¹³ Importantly, although they may have been attracted by higher wages and comparative job security, some of

¹³ On the importance of public sector employment as an economic foothold for Black workers, see Sides, *LA City Limits*, 88–93. See also, Jane Berger, *A New Working Class: The Legacies of Public Sector Employment in the Civil Rights Movement* (Philadelphia: University of Pennsylvania Press, 2021) and William P. Jones, “The Other Operation Dixie: Public Employees and the Resilience of Urban Liberalism,” in *Capitalism Contested: The New Deal and its Legacies*, eds. Romain Huret, Nelson Lichtenstein, and Jean Christian Vinel (Philadelphia: University of Pennsylvania Press, 2020), 224–39.

the Black and Mexican American people who ended up taking these jobs also saw in their work an opportunity to help people from their communities who had been caught up in the carceral state; they understood and sought to limit the harms that incarceration could cause. By the late-1960s, when policy makers began to turn away from the rehabilitative ideal and search for alternatives to incarceration, these workers found themselves well positioned to advocate for less repressive systems that might actually address the root causes of crime. In fact, Jim Lewis had been recruited to testify in support of the Humphrey-Hawkins Act by a career probation officer named Willie Jackson, who was also Black. By the late-1970s, Jackson had successfully organized a coalition that represented as many as one thousand Black carceral workers. According to him, they were interested in “bringing up the level, or bringing into play humane treatment” for prisoners, parolees, and probationers. Jackson also believed that “full employment for young people” needed to be “a national priority” in order to address the conditions that drove youth of all races to crime in the first place, especially Black youth in places like Richmond, Oakland, and San Francisco, where Jackson worked.¹⁴

This points back to Jim Lewis’ testimony in favor of full employment as a means of mitigating crime, which exemplifies the third and final dimension of the relationship between labor and incarceration that this dissertation focuses on—the relationship between prisons and the larger political economy, and the role that incarceration played as a mechanism for absorbing surplus labor.¹⁵ Developing an analysis of this relationship requires identifying, as Lewis and many others did, the structural limitations of the rehabilitative ideal and, as a result, implicating

¹⁴ Jackson and Lewis testimony, *Unemployment and Crime Hearings*, 414, 421.

¹⁵ Here, the dissertation offers an extension of Ruth Wilson Gilmore’s analysis of the relationship between the prison industrial complex as it developed in the 1980s and 1990s and what she terms the “relative surplus population.” See *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007), 88, 111–113.

larger questions about the basic orientation of California's political economy in debates about the future of the carceral state in the late-1960s and early-1970s. Or, to borrow from George Jackson, it requires confronting questions that are "at the very center of... political and economic life" and the "historical experience" in the US. California embraced the rehabilitative ideal at a moment in the 1940s when efforts to curtail working-class power eclipsed efforts to achieve full employment, paving the way for structural unemployment to become a permanent feature of the state's political economy during the postwar period. As a result, no matter how effectively prison work programs might prepare incarcerated people for gainful employment, they could never alter the rate of joblessness in the economy as a whole, nor could they mitigate the forms of employment discrimination that many formerly incarcerated people faced, whether on the basis of race, criminal history, or both. These realities were well known to corrections officials. As the legitimacy of the rehabilitative ideal eroded, structural unemployment factored into officials' reevaluation of the extent to which rehabilitation through incarceration was possible. It may seem difficult to grasp from today's vantage point, but in the late-1960s and early-1970s, it was unclear what future prisons would have in the US, or whether they would have a future at all. As chapter five shows through an analysis of the impact that federal employment policy had on California's recommitment to incarceration during the 1980s and 1990s, the third dimension of the relationship between labor and incarceration played a vital role in determining the course of the future.

Especially in his response to Representative Conyers' chiding comment about stealing to survive, Lewis articulated an understanding of this third dimension of relationship between labor and incarceration that, although still present in the 1970s, would be largely marginalized with the advent of mass incarceration in the following decade. For Lewis, it was not so much that full

employment would forever put a stop to theft. Rather, he believed that the goal of public policy should be to create conditions within which, in his words, people would be “less apt” to engage in criminal behavior in order to support themselves or their families. Although calls for full employment had been largely absent from public debates between the end of World War II and the advent of the Civil Rights Movement—and although such calls are *almost* absent from present-day debates—it came back into view in the latter half of the 1960s and into the 1970s, just as the future of correctional policy was being called into question.¹⁶ To many of its proponents—including, most notably, Coretta Scott King, who helped make full employment a core pillar of the Black Freedom Movement during the 1970s—a federal job guarantee like that proposed by senators Hubert Humphrey and Augustus Hawkins offered a tool to combat racial and economic inequality.¹⁷ It offered more than that to Lewis and others who shared his experience. Whether a person was themselves coming out of prison and looking for the next step, or whether they were a career parole agent or probation officer tasked with finding job placements for the people on their caseload, a job guarantee arguably represented a possible and perhaps even a necessary solution to the vexing problem of recidivism. As Lewis explained that day in 1977, he supported full employment precisely because he knew first-hand that access to work had “channeled a whole lot of ex-offenders into the community successfully.”¹⁸

¹⁶ Steven Attewell, *People Must Live by Work: Direct Job Creation in America, from FDR to Reagan* (Philadelphia, PA: University of Pennsylvania Press, 2018), especially the chapter titled “Jobs and Freedom: The Missing Front in the War on Poverty,” 172–209. In 2021, Representative Ayanna Pressley reintroduced a resolution in Congress recognizing the duty of the federal government to create a federal job guarantee. See Ayanna Pressley and David Stein, “A Federal Job Guarantee: The Unfinished Business of the Civil Rights Movement,” *Nation*, September 2, 2021, <https://www.thenation.com/article/politics/federal-job-guarantee/>.

¹⁷ David Stein, “‘This Nation Has Never Honestly Dealt with the Question of a Peacetime Economy’: Coretta Scott King and the Struggle for a Nonviolent Economy in the 1970s,” *Souls: A Critical Journal of Black Politics, Culture, and Society* 18, no. 1 (January–March, 2016): 80–105.

¹⁸ Jackson and Lewis testimony, *Unemployment and Crime Hearings*, 416.

Ultimately, this dissertation argues that paying attention to these three dimensions of the relationship between labor and incarceration—prison work programs and their failure, the expansion of employment opportunities and the room for contestation that they opened up, and the broader political economy in which the carceral state was and is situated—can lead to a better understanding of how debates over the future of correctional policy during the 1960s and 1970s were determined, and thus to a better understanding of the origins of the far more punitive regime of mass incarceration that replaced the rehabilitative ideal. What follows in the remainder of this introduction is an explanation of the central problem that the dissertation seeks to address, followed by a chapter overview and a discussion of sources and methodology.

Work and the failure of the rehabilitative ideal

“Saving Prison Waste” borrows its title from a 1953 article published by California’s first Director of Corrections, Richard A. McGee, in which he argues that work was the essential ingredient of the rehabilitative ideal—its *sine qua non*—the thing without which it could not exist. “There are many ways of making constructive use of a prisoner’s time besides engaging him in productive work,” McGee wrote. “They include, to mention some in passing, education, vocational instruction, psychiatric treatment, wholesome recreation, reading, religious instruction, and guided group activities.” While other scholars have focused on different aspects of rehabilitative prison programming, this dissertation is centrally concerned with work because work was the most important.¹⁹ In McGee’s words, “even the richest program for adult prisoners

¹⁹ Again, Volker Janssen is the historian who has focused the most on the rehabilitative ideal in California’s prison system. On aspects of rehabilitation besides work programs, see “From the Inside Out: Therapeutic Penology and Political Liberalism in Postwar California,” in *Osiris* 22, no. 1 (2007): 116–34.

should be built around a normal forty hours a week in productive work of such a character as to develop acceptable work habits, marketable skills, and some economic return to the state.”²⁰

Focusing on work as the center of the rehabilitative ideal helps to clarify the trajectory of California’s carceral state in the years between the initial embrace of the rehabilitation ideal, in the mid-1940s, and the rehabilitative ideal’s eventual decline in the late-1960s and early-1970s. Almost a decade before he published those words, in 1944, McGee had been hired specifically to shape California’s prison system around rehabilitation at a time when it was poised to expand dramatically. A confluence of factors made that expansion and the commitment to rehabilitation that it entailed possible. Prison reform efforts dating back to at least the 1920s had resulted in significant changes, including the establishment of a women’s prison as well as a minimum-security prison for younger male prisoners, but graft and violence continued within both the youth and the adult prisons, which were operated by each warden almost entirely independently, without meaningful oversight, and certainly without rehabilitative programming. In 1941, thanks in part to two high-profile suicides that shed light on physical abuse and neglect within the youth prisons, the California legislature passed the Youth Correction Authority Act, which created the centralized agency known as the California Youth Authority (YA). According to the language of the statute, the goal was “to protect society more effectively by substituting for retributive

²⁰ McGee, “Saving Prison Waste.” McGee himself had a long history in corrections before he arrived in California. He was raised on a family farm in Minnesota and had become a fully trained carpenter by the time he was seventeen. He then became a teacher before he became the first director of education at the new federal prison at Leavenworth, Kansas, in 1931. In the 1935 he became the first warden of Riker’s Island in New York City, and in 1941 he became the Director of the Division of Public Institutions for the state of Washington, which was the entity that operated the state prison system there. It was from that position that he came to California, where he remained until his retirement from public service in 1967. He was the Director of the California Department of Corrections until 1961, when he became the first administrator of the California Youth and Adult Correctional Agency, a supra-bureaucratic entity that was meant to improve the combined administration of the Youth Authority and the CDC. For more on McGee’s background and career, see Daniel Glaser, *Preparing Convicts for Law-Abiding Lives: The Pioneering Penology of Richard A. McGee* (Albany: State University of New York Press, 1995), 13–28. See also, Janssen, “Convict Labor, Civic Welfare,” 240–41.

punishment methods of training and treatment directed toward the correction and rehabilitation of young persons found guilty of public offenses.”²¹ Two years later, a separate scandal involving a series of escapes from a prison work camp operated out of Folsom created the impetus for similar legislation aimed at the adult side. In January of 1944, Governor Earl Warren signed the Prison Reorganization Act (PRA) into law. As with the 1941 law that established the YA, the PRA sought to address corruption and abuse in part by centralizing the administration of the state’s adult prisons and parole offices under a single entity—the California Department of Corrections (CDC)—while also establishing the position of the Director of Corrections, which would be filled by McGee, as well as a more effective oversight body in the Board of Corrections. The law also brought virtually every other job within the prison system under civil service. In addition to the political will that was necessary to implement these reforms, California also stood at the precipice of a population and economic boom that brought both the need and the fiscal capacity to expand the state prison system and to implement robust programs designed to bring about rehabilitation.²²

Using a clever double-entendre in his title, McGee argued that productive work needed to play a central role in prison administration during the postwar period if prisons in the US were going to successfully rehabilitate incarcerated people. On the one hand, in making an affirmative case for the acceptance of prison work programs, he asked his reader to “consider one of the most obvious types of prison waste, namely, the waste of the time and energy of thousands of

²¹ Statutes of California, Chapter 1029, 1965 Regular Session, State Aid for Probation Services.

²² For background on the history of California’s state prison systems before 1944, in addition to Janssen, see Shelley Bookspan *A Germ of Goodness: The California State Prison System, 1851–1944* (Lincoln: University of Nebraska Press, 1991); Ethan Blue, *Doing Time*; Miroslava Chávez-García, *States of Delinquency: Race and Science in the Making of California’s Juvenile Justice System* (Berkeley: University of California Press, 2012); Ward M. McAfee, “A History of Convict Labor in California,” in *Southern California Quarterly* 72, no. 1 (Spring, 1990): 19–40; Clare V. McKanna, Jr., “The Origins of San Quentin,” in *California History* 66, no. 1 (March, 1987): 49–54.

human beings who could produce and, by producing, reduce the public fiscal burden and at the same time improve themselves.” Here he meant to underscore what, by the 1950s, had become a particularly frustrating aspect of prison administration—namely, the legislative restrictions that limited the ability of corrections officials like him to put prisoners to work.²³ On the other hand, however, McGee also warned that to continue to prohibit incarcerated people from working in some capacity would “cost society untold treasure not only in dollars but in the sum total of human resources which is the basis of all our wealth.”²⁴ In other words, in addition to money, without work programs, prisons also wasted the very lives of incarcerated people themselves. For these reasons, McGee and countless other corrections officials believed that work was the most important component of the rehabilitative ideal. And as the epigraph above illustrates, he also believed that the consequence of rejecting this premise would be to produce more crime.

For many years after his initial appointment, corrections officials, political leaders, prisoners, and the public more or less accepted McGee’s definition of rehabilitative ideal as the centerpiece of correctional policy in California. This acceptance enabled an unprecedented expansion of California’s carceral state in the decades after World War II—the postwar prison boom that will be covered in chapter one—as officials built modern new prisons and expanded old ones in order to make room for incarcerated people who were supposed benefit from the range of programs that were available to them, none more so than work programs. From seven state youth and adult prisons in 1944, the YA and CDC opened nineteen new institutions by 1968. With the help of state corrections officials, county leaders followed suit, building dozens

²³ On the history of the legal restrictions that limited the exploitation of prison labor in the United States, see Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776–1941* (Cambridge: Cambridge University Press, 2008).

²⁴ McGee, “Saving Prison Waste,” 59.

of new jails and juvenile halls of their own. Within these institutions, officials established a range of work programs. Prisoners grew food, produced furniture and clothing, and performed various services. And perhaps most tellingly, both the state prison systems and the counties also established dozens of smaller work camps, where incarcerated youth and adults were put to work in California's rural areas performing a range of tasks, but primarily fire suppression and control. These programs helped corrections officials to alleviate overcrowding and to keep costs down, but they also allowed officials to make a plausible claim that they were rehabilitating prisoners by preparing them to secure waged labor on the outside.

Over time, however, the various groups of people whose lives revolved around prisons and jails began to lose their faith in the rehabilitative ideal. This was perhaps most true of incarcerated people themselves. According to John Irwin, who was incarcerated in California as a young man in the 1950s, and who later became a sociologist, prisoners eventually "soured on rehabilitation and its artifacts." This had primarily to do with the fact that rehabilitative programs, however well intended, had failed. As Irwin puts it, prisoners became "convinced" that rehabilitation did not work "by the appearance of persons who had participated fully... streaming back to the prison with new crimes or violations of parole."²⁵ Indeed, on a larger scale, it is possible to see how the belief that the rehabilitative ideal was failing helped spur the wave of prison rebellions that swept the United States during the 1960s and 1970s. In some instances, such as at Folsom or Attica, prisoners petitioned corrections officials and political leaders for better rehabilitation programs, while at the same time, members of the radical prison movement critiqued and rejected the rehabilitative ideal entirely.²⁶

²⁵ John Irwin, *Prisons in Turmoil* (Boston: Little, Brown, and Company, 1980), 63.

²⁶ On radical critiques of the rehabilitative ideal, see Dan Berger, *Captive Nation: Black Prison Organizing in the Civil Rights Era* (Chapel Hill: University of North Carolina Press, 2014) and Eric Cummins, *The Rise and Fall of*

Importantly, it was not only prisoners who “soured” on rehabilitation—political leaders of both parties, segments of the public, and of the people who worked within prisons, and, perhaps most surprisingly, many corrections officials themselves—all came to criticize the prison regime that the rehabilitative ideal had authorized. As early as 1966, for example, the acclaimed psychologist Karl Menninger received praise from both liberals and conservatives for his book, *The Crime of Punishment*, which detailed the failures of the nation’s criminal justice system.²⁷ In 1968, California’s conservative-dominated Assembly Office of Research published a report that claimed on its very first page that there was “no evidence that prisons rehabilitate most offenders.” On that basis, it recommended that the parole board impose no more than the minimum sentence on all prisoners except those convicted of the most serious crimes of personal violence.²⁸ Federal policy makers also expressed ambivalence toward rehabilitative incarceration. In 1967, for example, the Johnson Administration’s report, *The Challenge of Crime in a Free Society*, articulated a clear preference for de-institutionalizing criminal offenders as much as possible.²⁹ Later on, in 1973, a national task force appointed by the Nixon

California’s Radical Prison Movement (Stanford: Stanford University Press, 1991). For contemporary sources, see Angela Y. Davis ed., *If They Come in the Morning: Voices of Resistance* (New York: The Third Press, 1971); Jessica Mitford, “Kind and Usual Punishment,” *Atlantic Monthly* (March, 1971); George Jackson, *Soledad Brother*. On prisoners’ demands for better programming, see Heather Ann Thompson, *Blood in the Water: The Attica Prison Uprising of 1971 and its Legacy* (New York: Pantheon Books, 2016). In the negotiations to end the Attica uprising peacefully, the prisoners proposed and corrections officials agreed the “institute realistic, effective rehabilitation programs for all inmates according to their offense and personal needs.” As chapter two discusses, who struck at Folsom in 1970 issued similar demands oriented around developing more effective work programs, specifically, and raising the wages that prisoners received for participating in them.

²⁷ Karl Menninger, *The Crime of Punishment* (New York: The Viking Press, 1966).

²⁸ See the summary on the unnumbered first page of *Crime and Penalties in California* by the Assembly Office of Research (Sacramento, 1968).

²⁹ As the second set of recommendations of the Katzenbach Commission put it, “The Commission’s second objective—the development of a far broader range of alternatives for dealing with offenders—is based on the belief that, while there are some who must be completely segregated from society, there are many instances in which segregation does more harm than good.” See *The Challenge of Crime in a Free Society: A Report by the President’s*

administration described a “pervasive overemphasis on custody” that “creates more problems than it solves.” The task force called for a “moratorium... on the construction of any large correctional institution.”³⁰ The author of these recommendations cited as evidence his own experience administering “one of the most progressive correctional institutions in the country,” as well as a comprehensive survey of correctional research that found that rehabilitative programming had “no appreciable effect—positive or negative—on the rates of recidivism.”³¹

This crisis of faith in correctional policy is part of what helped bring an end to California’s postwar prison boom, and this dissertation centers largely around an understudied turning point that came in 1965, when Governor Edmund “Pat” Brown signed a bill titled “State Aid to Probation Services” that essentially amounted to an official policy of decarceration. Colloquially known as the probation subsidy program, this piece of legislation represented an about-face in correctional policy in California. The probation responded to stubbornly high recidivism rates and the never-ending problem of prison overcrowding. Politicians and the public were tired of the capital outlay expenditure that new prisons and jails required, and with ballooning correctional budgets. As a result, the legislature decided to provide a strong financial incentive to the counties to avoid sentencing people who were being processed through the

Commission on Law Enforcement and the Administration of Justice (Washington DC, 1967), vii. See pp. 297–98 for the list of recommendations related to corrections.

³⁰ See US Department of Justice, Law Enforcement Assistance Administration, *National Advisory Commission on Criminal Justice Standards and Goals: Corrections* (Washington, DC: 1973), 12. The point here is not to argue against the reality of the Nixon administration’s chosen policy of federal prison expansion, which Elizabeth Hinton has demonstrated in her analysis of the administration’s master plan for prison construction. Rather, the point is to underscore the fact that there was considerable disagreement among even corrections and law enforcement officials, and a considerable chorus of voices calling for alternatives to incarceration. Far from inevitable, the carceral expansion that began nationally (and in places like New York) during the 1970s, and in California in the 1980s, marked one possible outcome of a moment that was full of contingency. On the Nixon administration’s prison policy, see Hinton, *From the War on Poverty*, 163–77.

³¹ William G. Nagel, “A Moratorium on Correctional Construction,” in *The Prison Journal* 52, no. 2 (1972), 69.

juvenile and superior courts to state custody. While the details of the subsidy program and its impacts will be discussed throughout the chapters that follow, for now, it is important to note that the probation subsidy program is one of only two mechanisms to emerge in the past century (before the realignment policies of the 2010s) to substantially reduce California's rate of incarceration, the other being World War II. From a postwar peak of 145.4 adults incarcerated per 100,000 residents in the state in 1963, three years before it went into effect, the probation subsidy helped lower the incarceration rate down to 89.9 adults per 100,000 residents in 1977, the year the legislature scrapped the program.³² The adult incarceration rate has never been as low since. Although it receives almost no attention in the scholarly literature on California's carceral state, the probation subsidy program was arguably one of the most significant products of what Irwin called "the great disillusionment with and eventual dismantling of the rehabilitative ideal."³³

³² California Youth and Adult Correctional Agency, *California Prisoners and Civil Narcotics Addicts 1983, 1984, and 1985: Summary Statistics on Felon Prisoners and Parolees and Civil Narcotic Addict Inpatients and Outpatients* (Sacramento, 1986), 2.

³³ Irwin, *Prisons in Turmoil*, 65. Volker Janssen mentions the probation subsidy program only briefly in the conclusion to his dissertation, writing this about it: "It [conservative opposition to prisoners and rehabilitative corrections] also led to efforts to transfer responsibility for minor offenses to counties through a probation subsidy program during the late-sixties. This had less to do with faith in the rehabilitative value of community life or with support of the rights of prisoners, than with fiscal restraint. Indeed, the Reagan administration's drive towards deinstitutionalization had the interest of taxpayers in mind, not that of institutional subjects. Nonetheless, the combined effect of this initiative in the early seventies was the emergence of a smaller but more tightly controlled prison population, prompting serious considerations of closing San Quentin and Folsom as the oldest, most troublesome and costly institutions in the state. In January 1972, Reagan aides in an executive meeting ordered Adult Authority Board members to get tough, effectively lengthening the sentences of virtually all male felons. In late 1971 more than seventy percent of inmates received release dates in their parole hearings. In early 1972 this release rate nose-dived, reaching twenty percent in 1975." See "Convict Labor, Civic Welfare," 530-31. Without disagreeing with Janssen's account, this dissertation argues for a more complex understanding of the probation subsidy program, which, as chapters three and four document, did more than simply usher in more punitive policies. That happened, to be sure, but by paying attention to how the subsidy program altered the nature of the work process of probation officers, in particular, it is clear that the subsidy program also contained more emancipatory possibilities. It opened up new terrains of struggle during a vital moment of contingency.

The probation subsidy program and the larger crisis in correctional policy of which it was a part is the hinge upon which the argument of this dissertation turns and the place where it makes its most original contributions. Explaining how the era of the rehabilitative ideal gave way to the age of mass incarceration is an important problem for the burgeoning literature on the carceral state, especially for scholars who are concerned with California. As Dan Berger argues, although members of both the political right and the political left came to agree that the rehabilitative ideal had failed by the early-1970s, the lack of suitable alternatives to incarceration paved the way for a more repressive system. “Without a clear alternative,” Berger writes, “the call to dismantle prisons was no match for the call to get tough on crime and abandon penal rehabilitation in favor of pure punishment.”³⁴ The Uniform Determinate Sentencing Act, which the California legislature passed in 1976, is often considered a key turning point in this process, and rightly so. Not only did the law abolish a central feature of the rehabilitative ideal in the indeterminate sentence, the language of the statute explicitly declared that “the purpose of imprisonment for crime is punishment.” Additional funding for prison expansion followed in short order, as did a range of harsher sentencing laws. Like Berger, in her research into the political process that produced the Uniform Determinate Sentencing Act, Julilly Kohler-Hausmann similarly emphasizes the fact that conservatives alone were able to articulate “a vision for government that was fresh, resolute, and unsullied by the increasingly fortified links between social disorder and liberalism.” This, Kohler-Hausmann argues, was “integral to successfully

³⁴ Berger, *Captive Nation*, 191.

positioning law enforcement and punitive policy as the commonsense solution to the era's perceived crisis in law and order."³⁵

By placing work at the center of its analysis of the moment of contingency that began with the probation subsidy and ended with the demise of the indeterminate sentence, this dissertation sheds light both on the origins of the crisis in correctional policy that emerged in the 1960s, when the structural limitations of the rehabilitative ideal were obvious to so many people, as well as underappreciated aspects of the ways in which that moment was contested. Prison work programs and prison workers contributed to the making and unmaking of the rehabilitative ideal, and both the nature of carceral work and the effort to broaden access to economic security more broadly were central features of the search for viable alternatives to incarceration before the punitive turn in correctional policy was complete. Focusing on the three dimensions of the relationship between labor and incarceration that are identified above not only helps to fill to an important gap in the growing historical literature on the carceral state, which has tended to focus on the social and political dimensions of the topic, rather than on labor and political economy.³⁶

³⁵ Julilly Kohler-Hausmann, *Getting Tough: Welfare and Imprisonment in 1970s America* (Princeton: Princeton University Press, 2017), 283.

³⁶ On the call for a labor history of mass incarceration, which is still largely unheeded, see Alex Lichtenstein, "A 'Labor History' of Mass Incarceration," and Heather Ann Thompson, "Rethinking Working-Class Struggle Through the Lens of the Carceral State," both in *Labor: Studies in Working-Class History of the Americas* 8, no. 3 (Fall 2011): 5–14 and 15–45. The three dimensions of the relationship between labor and incarceration that are the focus of this dissertation correspond to the areas of study that Lichtenstein and Thompson identify as being in need of further analysis. Although there has been a proliferation of scholarship on the history of the carceral state since the publication of these two articles, there have not been many studies that deal singularly with labor and work. Some of the scholarship that this dissertation seeks to augment, which tends to emphasize either the political history of the carceral state, or its social history, or both, include Agee, *The Streets of San Francisco*; Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010); Simon Balto, *Occupied Territory: Policing Chicago From Red Summer to Black Power* (Chapel Hill: University of North Carolina Press, 2019); Blue, *Doing Time*; Jordan T. Camp, *Incarcerating the Crisis: Freedom Struggles and the Rise of the Neoliberal State* (Berkeley: University of California Press, 2016); Robert T. Chase, *We Are Not Slaves: State Violence, Coerced Labor, and Prisoner's Rights in Postwar America* (Chapel Hill: University of North Carolina Press, 2020); Chávez-García, *States of Delinquency*; Garrett Felber, *Those Who Know Don't Say: The Nation of Islam, the Black Freedom Movement, and the Carceral State* (Chapel Hill: University of North Carolina Press, 2020); Felker-Kantor, *Policing Los Angeles*; James Forman, Jr., *Locking Up Our Own: Crime and Punishment in Black America* (New York: Farrar, Straus, and Giroux, 2017); Gilmore, *Golden Gulag*; Hinton, *From the War on*

It also highlights the contingency of the trajectory of the carceral state at the dawn of the age of mass incarceration.

Chapter overview and methodology

The argument of this dissertation unfolds over five chapters, the first of which sets the stage for the ensuing chapters by describing the trajectory of California's carceral state between the 1940s and the late-1960s, between the embrace of the rehabilitative ideal at the beginning of the state's postwar prison boom and the advent crisis in correctional policy that emerged once the legitimacy of the rehabilitative ideal had fallen away. Chapter one describes the extraordinary expansion of California's state youth and adult prison systems during this period, as well as its county jails and juvenile halls. This process, which is something that historians of California have generally overlooked, was driven largely by corrections officials' struggle to cope with a persistent and severe overcrowding problem that threatened their rehabilitative mission. In addition, the chapter also describes some of the available demographic data on the incarcerated population during this period, which helps to link California's postwar prison boom both to the policing of the state's growing Black and Mexican American populations, as well as to the hardening of its political economy. Finally, the chapter concludes by exploring the multi-faceted process through which California began to abandon the rehabilitative ideal, opening up the

Poverty; Hausmann, *Getting Tough*; Janssen, "Convict Labor, Civic Welfare"; Timothy J. Lombardo, *Blue-Collar Conservatism: Frank Rizzo's Philadelphia and Populist Politics* (Philadelphia: University of Pennsylvania Press, 2021); McLennan, *The Crisis of Imprisonment*; Melanie Newport, *This is My Jail: Local Politics and the Rise of Mass Incarceration* (Philadelphia: University of Pennsylvania Press, 2022); Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014); Joshua Page, *The Toughest Beat: Politics, Punishment, and the Prison Officers Union in California* (New York: Oxford University Press, 2011); Carl Suddler, *Presumed Criminal: Black Youth and the Justice System in Postwar New York* (New York: New York University Press, 2016); Stuart Schrader, *Badges Without Borders: How Global Counterinsurgency Transformed American Policing* (Berkeley: University of California Press, 2019); Simon, *Poor Discipline and Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (New York: Oxford University Press, 2007); Thompson, *Blood in the Water*.

crucial moment of contingency when the postwar prison boom came to an end and a broad swath of actors came to agree in the need to pursue alternatives to incarceration. This consensus included fiscal conservatives like Ronald Reagan and the white homeowners electorate that propelled him to office, but also liberals like Governor Brown, all of whom opposed further carceral expansion in their own ways. Even Richard McGee himself eventually came to recognize the structural limitations of the rehabilitative ideal. The chapter introduces the probation subsidy program, which was an important part of California's pursuit of alternatives to incarceration, and will feature in three of the remaining four chapters as well.

Having established the trajectory of California's carceral state during the postwar decades chapters two and three cover much the same timeline, beginning with a closer look at the first dimension of the relationship between labor and incarceration described above—the significance of the extensive prison work programs that corrections officials established during this period. In his dissertation, Volker Janssen has already written a definitive social and institutional history of these programs, including correctional industries, vocational training, and the conservation camps, which are the precursors to the fire camps that exist today. Nevertheless, chapter two adds a fresh perspective by focusing specifically on how these programs ultimately failed. Prison work programs were central to the legitimating narratives that surrounded the rehabilitative ideal, and the chapter argues that those narratives illustrate the extent to which corrections officials misunderstood the root causes of recidivism and overcrowding during the postwar period. While officials tended to focus on the individual qualities of incarcerated people, they lost sight of the broader structural forces that shaped prisoners' lives. What mattered was not so much that incarcerated people needed training or work experience (though many certainly did), but rather that they were being systematically excluded from California's

labor market. Thus, instead of leading to rehabilitation on a large scale, work programs largely served a custodial function by keeping prisoners busy, while also reducing costs for the state. The conservation camps provided cheap labor for valuable conservation work as well as a comparatively cost-effective release valve, enabling officials to reduce population pressures in the larger prisons. Having described the failure of California's prison work programs, the chapter then breaks new ground by looking at how efforts to resolve that failure by connecting prisoners to gainful employment in the free world factored in to the broader effort to identify viable alternatives to incarceration. Specifically, the chapter looks at the state's work furlough program and at a demonstration project that was funded through the federal labor department that sought to hire formerly incarcerated youth to essentially serve as parole agents who would focus on job retention efforts among YA parolees. Both of these examples illustrate how officials came to understand that broadening access to economic security through employment could provide an effective way of reducing recidivism, and the chapter also describes how this understanding fell away as officials embraced punitive correctional policies in the late-1970s.

Chapter three shifts the focus to the second dimension of the relationship between labor and incarceration—the significance of carceral work and carceral workers—by focusing on some of the ways in which free staff contributed to the legitimating narratives surrounding the rehabilitative ideal, as well as how the work process of probation officers changed under the probation subsidy program. Carceral work is an understudied aspect of the history of the carceral state. As California's corrections officials rightly noted, many of the abuses that characterized the prison system prior to the passage of the PRA in 1944 had to do with prison staff. Accordingly, officials made it a priority to professionalize carceral work during the postwar period. They brought almost all staff in the youth and adult prison systems under civil service

status, which helped raise wages, provide job security, and gave staff a career ladder to climb. Officials also worked to change the ways in which prison staff were educated, recruited, and trained, implementing in-service training programs, for example, and setting up programs in colleges and universities across the state with the aim of developing a new cohort of workers who were not only more well-educated than those who had traditionally taken such jobs, but also more committed to the rehabilitative ideal. As chapter three argues, however, as with prison work programs, the efforts of corrections officials were more style than substance. Like overcrowding, understaffing remained a significant problem throughout the postwar period, so much so that officials began to employ lay staff, and especially guards, directly in the work of rehabilitation as counselors. What these efforts revealed, however, was the extent to which line staff lacked faith in rehabilitation. In addition, chapter three also shows how carceral work took on new meanings under the probation subsidy program, as probation officers in some areas worked more intently on keeping people out of prison.

Focusing more specifically on how the crisis in correctional policy was contested, carceral work and carceral workers remain at the center of chapter four, which is about how Black workers, in particular, entered the ranks of California's carceral workforce and sought to impact the trajectory of the carceral state in the 1960s and 1970s. While most scholars tend to treat carceral workers as a monolithic group—white, male, conservative, and supportive of more punitive correctional policies—this chapter offers evidence for a different story.³⁷ At the center of the narrative is a Black woman named Ruth Rushen who became a probation officer in LA County in the mid-1950s and went on to lead one of the most successful diversion programs

³⁷ See Rebecca Hill, "'The Common Enemy is the Boss and the Inmate': Police and Prison Guard Unions in New York in the 1970s–1980s," in *Labor: Studies in Working-Class History of the Americas* 8, no. 3 (Fall 2011): 65–96; Janssen, "Convict Labor, Civic Welfare"; Page, *Toughest Beat*.

funded through the probation subsidy. Importantly, the success of Rushen’s program depended in part on the fact that she sought to hire ordinary people from LA’s Black and Mexican American communities, some of whom had experienced incarceration themselves, to work with young men and boys who would otherwise have been sent to one of the county’s probation camps or to the state youth prison system, and in this way, her story helps provide a deeper history for present-day efforts to employ credible messengers in the criminal justice system.³⁸ To contextualize Rushen’s efforts, the chapter documents the social histories of a cohort of Black people who also took jobs as carceral workers in Los Angeles. The chapter also explores a wider current of oppositional politics that Black workers developed during the late-1960s and 1970s, including the organization that Willie Jackson and Jim Lewis were a part of—the California Black Correctional Coalition. Contrary to existing histories, this chapter shows how some workers and officials tried to help California’s experiment with decarceration to succeed.

Finally, chapter five picks up the third dimension of the relationship between labor and incarceration—the significance of the broader political economy to correctional policy—by showing how federal employment policy impacted the trajectory of California’s carceral state during the 1970s and 1980s as a new consensus surrounding the need for more (and more punitive) prisons coalesced. To do so, the chapter explores the history of a small aircraft subassembly plant that Lockheed-California opened in 1971 in the South LA neighborhood of Lynwood and became emblematic of the relationship between California’s political economy and the rise of mass incarceration. The plant was funded in part through an aptly-named federal

³⁸ On the concept of credible messengers, see Danny Muñoz, “Misunderstood: The Credible Messenger’s Contribution to the Secondary School System” *Berkeley Public Policy Journal*, April 12, 2024, <https://bppj.studentorg.berkeley.edu/2024/04/12/misunderstood-the-credible-messengers-contribution-to-the-secondary-school-system/>.

manpower program called Job Opportunities in the Business Sector (JOBS) that was meant to resolve what had become known as “hard-core unemployment.” That term had become synonymous with the predominantly undereducated and underemployed Black and Mexican American youth who lived in California’s urban centers, many of whom had spent time in the state’s failing prisons. Although the Johnson administration was under pressure to take bold action to resolve the matrix of social problems that hard-core unemployment represented—including by creating hundreds of thousands of public sector jobs—in the end, the President put his faith in the JOBS program, which, as chapter five shows, relied entirely on private capital investment as a solution for structural unemployment and effectively abdicated the government’s role in employment policy. The chapter argues that this decision helped determine how the crisis of faith in correctional policy would be resolved. The JOBS program was exactly the opposite of what Jim Lewis and other supporters of a federal job guarantee felt could meaningfully address the root causes of crime and recidivism. The program eventually failed as deindustrialization and economic restructuring devastated the nation’s manufacturing sector, which only exacerbated social problems in urban communities of color. By the time Lockheed’s Lynwood plant finally closed down in 1988, LA County was reeling from another crisis of overcrowding in its now aging jails. Several years later, on an adjacent plot of land, the county opened a brand new 1,200-bed jail that provided far more jobs to the community than the Lockheed plant ever had.

Using oral history interviews collected from people who worked in the carceral state during the age of mass incarceration, the conclusion explores the continued significance of the relationship between labor and incarceration to today’s precarious criminal justice reform efforts, which, in some ways, mirror those of the 1960s and 1970s. For some time, political leaders and the public have supported policies aimed at decarceration, and prison populations in California

and elsewhere are again on the decline. Whether this trend continues remains to be seen. Punitive solutions remain within reach for a range of social problems that exist today, including homelessness, addiction, immigration, and of course property crimes and crimes of interpersonal violence, many of which are rooted in the structural conditions of poverty that persist down to the present.³⁹ By exploring the experiences of men and women who worked in the carceral state during the age of mass incarceration, the conclusion argues that the concept of a just transition platform—borrowed from the environmental and labor movements—might help society continue on its current path away from the punitive policies of the age of mass incarceration. Doing so requires paying attention to the relationship between labor and incarceration.

This dissertation uses a range of sources and relies on the methods of social and labor history to interpret them. The primary aim is to recover the thoughts, actions, and experiences of ordinary people, especially those of workers and incarcerated and formerly incarcerated people, and to place them in a wider context. The official CDC records in Sacramento and the reports that were written by corrections officials help to reconstruct the institutional context within which ordinary people acted, and they also contain valuable statistical information that helps show who prisoners and workers were and, to some extent, what they did. Chapters one and two, in particular, lean heavily on these sources. For more granular evidence, the dissertation relies on other sources as well. The research reports that scholars and corrections officials produced during this period, which are numerous, are valuable because they sometimes shine their light closer to the ground. Some of the records that survive in the Ronald Reagan and

³⁹ The Supreme Court’s upcoming decision in *City of Grants Pass, Oregon v. Johnson* may enable municipalities across the nation to cite and even arrest people simply for sleeping outside. As LA County Supervisor Lindsey Horvath and many others have argued, such a decision would mark a major policy development toward the homelessness crisis in the western US that enables cities “to push people from community to community, without a commitment to housing or services.” Kevin Rector, “California Leaders Asked for a Supreme Court Homelessness Decision. Will it Backfire?” *Los Angeles Times*, April 25, 2024.

Edwin Meese papers, in particular, also provide a bottom-up perspective, as do contemporary newspapers, public testimony, genealogical sources, and oral histories. Much of the research for this dissertation was conducted at the height of the pandemic, and thus the analysis relies largely on published sources. Some of the most intriguing stories emerged from such materials, and as the social distancing restrictions began to ease, these were supplemented with additional archival research as much as possible. Lastly, it should be said that this dissertation does not focus to a large degree on some of the more well-known events of California prison history. It does not discuss the history of the prisoners union, for example, nor the history of prison organizing. Other scholars have already covered those events in detail, and here they are mentioned only when they overlap with arguments related to other topics. Instead, this dissertation is focused on uncovering new stories that can help produce a more well-rounded understanding of the people, events, and processes that shaped California's carceral state.

* * *

Ultimately, it is the second of Richard McGee's two possible meanings—the notion that prisons are places where human potential is squandered—that best encapsulates the argument of this dissertation. As the criminologist Tony Platt writes about present-day prisons, these institutions “produce and organize a prodigious waste of human ability and potential.”⁴⁰ Although the temporal focus of this dissertation largely ends before the advent of the age of mass incarceration, its chapters seek to help explain how this statement came to ring true for so many people. Indeed, during the 1980s and 1990s, criminal justice policy in the US was arguably

⁴⁰ Tony Platt, *Beyond These Walls: Rethinking Crime and Punishment in the United States* (New York: St. Martin's Press, 2018), 175. As a graduate student in 1967, Platt won the inaugural Richard McGee award from the UC Berkeley School of Criminology for his work on the history of the juvenile justice system in the United States.

defined by an explicit rejection of the premise of McGee’s second meaning in “Saving Prison Waste.” According to historian Lily Geismer, laws like the 1994 crime bill imagined criminals, and especially the Black and Latino men and women who had become even more disproportionately targeted for incarceration by that time, as “unable to become entrepreneurs, savers, or valuable contributors to the new economy.”⁴¹ This was exactly the opposite of McGee’s premise. Instead of seeking to bring people who are convicted of serious crimes back into the fold of political and economic citizenship, the policies of mass incarceration knowingly placed them beyond the pale, virtually abandoning millions of people to cycles of crime and violence. The argument that follows does not intend to rescue what may have been admirable in the rehabilitative ideal so much as it intends to explain one of its fundamental limitations and, in so doing, to recover possible alternatives that were never fully implemented before politicians of both parties embraced punishment. If this dissertation seeks to rescue anything, it is the perspectives of people like Jim Lewis and Willie Jackson and many others who still struggled to act on their belief that the waste of California’s prisons could should be saved.

⁴¹ Lily Geismer, *Left Behind: The Democrats’ Failed Attempt to Solve Inequality* (New York: Public Affairs, 2022), 21.

CHAPTER ONE

“A Time for Choosing”: Carceral Expansion in Postwar California

We contend it is indisputable that most crimes are the direct result of unemployment with its attendant want, privation, and degradation, and when there is an abundance of employment and the mass of the people can readily find work, then crimes greatly diminish and prison populations greatly decrease.

—General President, Building Trades Council of California, 1944¹

Intolerable conditions are still to be found in many jails and so long as this remains true, the question inevitably arises as to how long a responsible state government can continue to permit such conditions to persist, particularly when means for their improvement have been provided in many cases.

—California State Senate Committee on Correctional Facilities²

There is a central theme and purpose in this plan, which is to solve correctional problems at the community level wherever possible. This requires bringing resources to the client group rather than moving the client bodily and traumatically to the resources.

—Richard A. McGee, Director, California Department of Corrections³

* * *

Ronald Reagan did not support California’s postwar prison boom. In October of 1964, in a famous stump speech delivered on behalf of Barry Goldwater’s presidential campaign, the future Governor wandered through a series of vignettes meant to illustrate the threat that government largesse posed to American freedom. He criticized high taxes and the ballooning national debt, and he warned that so-called government “experts” were wasting away the nation’s

¹ F. C. MacDonald, “General President MacDonald Reports on Special Session of Legislature,” *Organized Labor*, 12 February, 1944.

² California State Senate, *Report of the Senate Committee on Correctional Facilities* (Sacramento: 1961), 107.

³ Richard A. McGee and M. Robert Montilla, “The Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency,” April 21, 1967, pp. 15, Edwin Meese Papers, Box 395, Folder 4, Hoover Institution Library & Archives.

resources and infringing on the rights of its citizens through inefficient welfare programs, misguided urban renewal projects, and half-baked agricultural planning schemes. At one point, however, about midway through his remarks, Reagan landed on the problem of juvenile delinquency, and he began to complain about how California had chosen to address that particular problem. “We are now going to solve the dropout problem,” he chided, “juvenile delinquency, by reinstating something like the old CCC camps, and we are going to put our young people in these camps.” “But again,” he continued, launching into another critique of government spending, “we do some arithmetic, and we find that we are going to spend each year just on room and board for each young person that we help \$4,700 a year.” Reagan received warm applause for pointing out that a year’s tuition at Harvard cost about half as much. Then the former actor delivered his punch line with trademark charisma: “Don’t get me wrong, I’m not suggesting that Harvard is the answer to juvenile delinquency!” The audience laughed.⁴

In context, Reagan’s opposition to the kind of carceral expansion that had taken place in California since the 1940s would have made sense to his conservative audience. As this chapter shows, by the mid-1960s, state and local governments had spent large sums of money building new prisons, jails, and juvenile halls, as well as the kinds of prison camps that Reagan derided, which did in fact trace their roots back to the Civilian Conservation Corps (although that story will have to wait until chapter two).⁵ These new facilities were expensive in large part because

⁴ Ronald Reagan, “Address on Behalf of Senator Barry Goldwater: ‘A Time for Choosing,’” October 27, 1964, available online via the UC Santa Barbara American Presidency Project, accessed October 12, 2023, <https://www.presidency.ucsb.edu/documents/address-behalf-senator-barry-goldwater-time-for-choosing>. For a film recording to hear the speech and the reactions of the audience, see “‘A Time for Choosing’ by Ronald Reagan,” available on YouTube via the Reagan Foundation, <https://www.youtube.com/watch?v=qXBswFfh6AY>.

⁵ For more on the historical relationship between the Civilian Conservation Corps and the conservation camps operated by the California state prison system and by county probation departments in California, see Lloyd Thorpe, *Men to Match the Mountains* (Seattle: Craftsmen and Met Press, 1972). This relationship will be described in more detail in chapter two of the dissertation.

corrections officials tried to ensure that they were at least nominally capable of carrying out the rehabilitative ideal. They had to be large and well-staffed, with infrastructure capable of delivering adequate nutrition, health care, and sanitation for hundreds, if not thousands of incarcerated people, as well as space for recreational, educational, and work programs. Despite these efforts, however, state and local carceral institutions suffered from persistent and severe overcrowding in the twenty-odd years following World War II, when this building program was active. Overcrowding, in turn, undermined the efforts of administrators, staff, and incarcerated people to turn the rehabilitative ideal into a reality. Recidivism rates from this period are difficult to pinpoint, but by the mid-1960s, the likelihood that an incarcerated person would return to prison after their release remained more or less a coin toss—50 percent, give or take. Furthermore, the vast majority of people who were sent to prison had spent time behind bars before, which naturally called into question the entire premise of whether these institutions did what they were supposed to.⁶

Indeed, at the local level, while many counties built expensive jails and juvenile halls, LA County had been particularly ambitious. In 1963, the year before Reagan’s speech, the county opened two state-of-the-art jails—the Sybil Brand Institute for Women and Men’s Central Jail—at a combined cost of nearly \$22.5 million.⁷ The county probation department was also building an expensive new juvenile hall, and it had only recently completed a \$5 million expansion of its

⁶ Corrections officials during these years struggled to track recidivism rates consistently or accurately. The claim that the recidivism rate remained about fifty percent rests on the fact that no fewer than fifty-seven percent of the men paroled in 1964 had their parole cancelled or suspended within two years of release. Many of these individuals, though certainly not all of them, would have been reincarcerated. See California Department of Corrections, *California Prisoners 1964, 1965, and 1966: Summary Statistics of Felon Prisoners and Parolees* (Sacramento, 1967), 106.

⁷ “Central Jail Holds First ‘Open House,’” *Los Angeles Times*, October 13, 1963; “New Women’s Jail Has First Inmates,” *Los Angeles Times*, November 10, 1963.

detention camp program, opening eight new camps, mainly in the San Gabriel Mountains, in just three years.⁸ Running the camps cost the department about \$3,400 per youth per year, which was less than the figure that Reagan cited, but large enough to wonder why he felt the need to inflate it. Its annual operating budget exceeded \$28 million.⁹ Importantly, the demographics of the people who were being incarcerated in such places also changed between the 1940s and the 1960s. Specifically, the proportion of Black people who were incarcerated rose significantly. This had to do with private and public practices of discrimination that confronted Black people in pursuit of housing, education, or employment, and also with racist policing and criminal sentencing.¹⁰ By 1964, conservative politics was increasingly defined by opposition to the struggle against such forms of discrimination. That November, California's electorate voted overwhelmingly in favor of a ballot initiative that enshrined the right of homeowners to discriminate on the basis of race.¹¹ In the same election, Los Angeles voters also rejected an \$8.5 million bond initiative that would have added 450 beds to the county's massively overcrowded juvenile halls, where hundreds of youth, many of them from redlined poor and working-class

⁸ "County Will Rush Camps for Juveniles," *Los Angeles Times*, April 5, 1957.

⁹ For details on the expansion of the LA County Probation Department in the postwar years, including population counts and department expenditures, see *Los Angeles County Probation Department: Management Survey*, a study conducted in 1965 by the management consulting firm Cresap, McCormick, and Paget, pp. II-1 through II-9.

¹⁰ Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton: Princeton University Press, 2001); Becky Nicolaides, *My Blue Heaven: Life and Politics in the Working-Class Suburbs of Los Angeles, 1920–1965* (Chicago: University of Chicago Press, 2002).

¹¹ Daniel Martinez HoSang, *Racial Propositions: Ballot Initiatives and the Making of Postwar California* (Berkeley: The University of California Press, 2010), especially the chapter "'Get Back Your Rights!': Fair Housing and the Right to Discriminate, 1960–1972," pp. 53–90.

Black and brown communities, found themselves incarcerated, with scant rehabilitative services to speak of, often sleeping on the floor.¹²

Liberals also questioned the legitimacy of California's postwar carceral expansion, and by the time of Reagan's speech, the state was about to reverse course and begin experimenting with an explicit policy of decarceration. In 1965, with broad support from the legislature, Democratic Governor Edmund "Pat" Brown broke with more than two decades of correctional policy when he signed into law a new program that aimed to reduce prison overcrowding and to make good on the promise of rehabilitation not by building more prison bed space, but rather by developing more robust alternatives to incarceration. Known as the probation subsidy program, this policy allowed California's fifty-eight counties to claim up to \$4,000 from the state for every individual their courts sentenced to probation instead of state prison. The law did not take effect until 1966, the same year that Reagan replaced Brown in the governor's mansion. Contrary to his reputation as a champion of law-and-order politics, Reagan expanded the program dramatically. The probation subsidy diverted nearly fifty thousand people from state prison by the time it was finally phased out in 1977, and it helped lower California's incarceration rate to its lowest point in twenty-five years.¹³ The fact that Reagan, of all people, would have presided over most this period should surprise readers who are familiar with the scholarship on the history of mass incarceration. As president during the 1980s, Reagan set a much more punitive tone for criminal justice policy at the federal level, helping to fuel, among other things, a return to

¹² "300 Sleep on Juvenile Hall Floors," *Los Angeles Times*, February 10, 1961; "Prop. A Fate Hangs on Absentees; Prop. B Loses," *Los Angeles Times*, November 6, 1964.

¹³ Edwin M. Lemert and Forrest Dill, *Offenders in the Community: The Probation Subsidy in California* (Lexington, MA: Lexington Books, 1978), xii.

aggressive prison expansion in California and elsewhere.¹⁴ But, as this dissertation argues, when California implemented the probation subsidy program amid its broader search for alternatives to incarceration, that future was not yet determined.

This first chapter describes the context out of which the probation subsidy program emerged. It begins by tracing the growth of California's carceral state in the years following the end of World War II and concludes by explaining the reversal that took place during the 1960s. Using departmental reports and newspaper research, the chapter shows how overcrowding, which was prevalent as early as 1944 and remained a chronic problem until the probation subsidy program took effect in the late-1960s, drove corrections officials to continually expand the prison system in order to create enough space to implement rehabilitative programming. The chapter also draws on statistical data generated by corrections officials to argue that prison overcrowding was not necessarily driven by the corresponding growth of California's overall population, which is generally what officials held, but rather by broader changes in the state's social and economic landscape, including demographic changes, as the Black and Mexican American populations grew, as well as the related rise of structural unemployment. Finally, the chapter concludes by outlining how, at the tail end of this process, the consensus surrounding the rehabilitative ideal and the continual construction of prisons and jails that it required began to fall apart during the 1960s, resulting in the passage of the probation subsidy. By that time, many corrections officials and other commentators understood that the success the rehabilitative ideal depended less on the amount of available bed-space than on broader structural problems, such as the prevalence of racial and economic inequality. Chapters two and three will look more closely at the role of prison work programs and carceral workers in first legitimizing and then

¹⁴ Alexander, *The New Jim Crow*, 59–96; Hinton, *From the War on Poverty*, 307–332.

delegitimizing the rehabilitative ideal over the course of this same trajectory, and chapters three and four examine some of the contingencies that surrounded the shift in correctional policy that the probation subsidy represented. But to begin, chapter one introduces the broader context.

Overcrowding and carceral expansion

In 1944, when Richard McGee assumed control of the newly created California Department of Corrections (CDC), the state had only seven prisons—four for adults and three for youth. The first and oldest was San Quentin, which was built in the 1850s at the north end of the San Francisco Bay. In 1880, in an early effort at implementing the progressive penology that would come to fruition as the rehabilitative ideal in the 1940s, Folsom State Prison was established as an Auburn-style factory prison for first-offenders along the American River east of Sacramento.¹⁵ From there, California built three youth prisons in succession, beginning with the Whittier School for Boys in 1891 and the Preston School of Industry in 1894, followed by the Ventura School for Girls in 1913.¹⁶ In the early 1930s, in response to public pressure to segregate women prisoners from the men, the state built the California Institution for Women at Tehachapi, in the Antelope Valley north of Los Angeles.¹⁷ Similar reformist pressures also motivated the state to establish a minimum security prison for men in the southland. The legislature committed to doing so in 1935, though it would take six years for the California Institution for Men at Chino, the famed prison without walls, to open in 1941 near the city of

¹⁵ On the early history of California's prison system, see Bookspan, *A Germ of Goodness*.

¹⁶ Bookspan, *A Germ of Goodness*, 43; Chávez-García, *States of Delinquency*, 10.

¹⁷ Bookspan, *A Germ of Goodness*, 84–92.

Riverside.¹⁸ When McGee arrived three years later, the combined capacity of the adult prisons probably reached 5,000. The actual adult prison population was 5,700.¹⁹ By the end of the decade—before any new permanent prisons came online—that number would nearly double.

Much later on, when McGee retired from public service in 1967, he and the cohort of corrections officials who surrounded him had presided over a massive prison construction program that brought the total number of youth and adult prisons up to twenty-five, with the twenty-sixth new prison, and the last to be built before the 1980s, slated to open the following year. Officials built nineteen brand new prisons that had not existed before 1944—ten for adults and nine for youth—and they also essentially rebuilt each of seven prisons that had existed before the end of the war. The Ventura School for Girls, for example, was reopened at a new location in 1962, and the combined capital outlay expenditures for San Quentin and Folsom equaled the cost of an entirely new prison. In addition, together, the CDC and the Youth Authority (YA) had opened no fewer than forty-two prison work camps ranging in size from sixty to one-hundred prisoners each. These dotted rural California, from the north coast to the Mexican border, on both sides of the Sierra Nevada. At the local level, over roughly the same period, from the early-1940s until the early-1970s, California's cities and counties constructed more than fifty new jails or juvenile halls of their own. Most of these were comparatively small and cheap, but some rivaled the new state prisons in size, cost, and modern design.

McGee himself eventually came to believe that incarceration was not the solution to the range of social problems that produced crime in California, but before explaining how the

¹⁸ Ibid., 100–102.

¹⁹ See the first official report of the California Department of Corrections, *Progress Report of the Department of Corrections, State of California, for the period May 1, 1944—the date on which the Department was established—to December 1, 1944* (Sacramento, 1944), pp. 17, 34. Hereafter cited as CDC, *1944 Progress Report*.

postwar prison boom came to an, it is important to trace its extent and to place it in historical context. This is something that few scholars have done. Indeed, this part of the state's history is almost entirely absent from the historiography on California, and even scholars of the carceral state tend not to comment on the unprecedented wave of carceral expansion that took place between in California 1944 and 1968, which this section traces.²⁰

During World War II, prison populations had declined significantly, but that was bound to change. In 1944, in his first public report to Governor Warren, McGee pointed to past trends in the prison population to predict what might happen after the war. Since 1914, the number of people incarcerated in California's state prisons had ebbed and flowed over three decades, with a major spike in the prison population coinciding with the Great Depression sandwiched between two troughs that correlated to the economic stimulus provided first by World War I and then by World War II.²¹ From a low of 2,900 prisoners in 1920, the state prison population rose to a peak of 9,300 in 1935. It remained above 8,000 until the end of 1940, when it again dove to a second wartime low of 5,400 in 1944. Hoping to forecast how quickly the prison population could be expected to rise during the postwar period, McGee and his statisticians mapped historic trends in the prison population onto California's overall population to show, for the first time, how the state's rate of incarceration had changed over time. On average, they found that, for every 100,000 California residents, roughly 114 adults were incarcerated in the state prison system at any given time. But that number fluctuated, of course. It had been as high as 148 prisoners per

²⁰ Where the broader California historiography is concerned, see, for example, either of Kevin Starr's two volumes on this period, neither of which mention the expansion of the carceral state. Kevin Starr, *Embattled Dreams: California in War and Peace, 1940–1950* (New York: Oxford University Press, 2003) or *Golden Dreams: California in an Age of Abundance, 1950–1963* (New York: Oxford University Press, 2011).

²¹ On the impact of wartime production on California's political economy, see Roger W. Lotchin, *Fortress California, 1910–1961: From Warfare to Welfare* (Champaign: University of Illinois Press, 2002).

100,000 residents in 1934. In 1944, with the rate of incarceration at a deflated 65 prisoners per 100,000 residents, McGee fully expected a return to that average. As he put it, “within one year after the cessation of hostilities in both major theaters of war, there will be a rapid increase in the rate of commitments to penal institutions in the state” that he said would “continue more or less evenly for an eight or ten-year period...” McGee expected the prison population to rise to 8,500 prisoners by 1950, and to 12,000 by 1955. With some foreboding, however, he also warned that those projections did not account for “any unusually abnormal social or economic conditions contributing to crime.”²²

McGee’s warning points to a piece of the broader context in which he acted that is very important for the argument of this chapter and for the argument of the dissertation as a whole—namely, the relationship between California’s prisons and its broader political economy, which was an important factor in determining the prison boom that followed World War II. Other scholars who have written about the origins of the CDC emphasize that Governor Warren faced little political opposition in expanding and modernizing the state prison system. This may have been true, but there is at least one significant source that calls this claim into question. In February of 1944, the president of the California building trades council, F. C. MacDonald, published a report about the special legislative session that resulted in the passage of the PRA. As had labor leaders since the mid-nineteenth century, when prisons first became major centers of industrial production, MacDonald warned against “astute reformers and politicians” who might “develop programs that will greatly increase the present competition” between

²² CDC, *1944 Progress Report*, 17–20. The newly appointed Board of Corrections agreed with their director. In their statement of general policy, they wrote that the state “barely has adequate modern facilities for the present population of adult prisoners. They warned Governor Warren that it was “of paramount importance that a certain amount of construction of new facilities be initiated at the earliest possible moment.” That document is available in the same December 1944 progress report, pp. 92–103.

incarcerated and free workers. At the same time, MacDonald also opposed the legislation because he believed that prisons threatened California's working class in a broader sense. With the end of World War II looming and an uncertain economic future on the horizon, MacDonald argued that the decision to build more prisons would not be the inevitable result of wartime reconversion leading to higher unemployment and higher unemployment leading to higher levels of crime, which is how political leaders and law enforcement officials often framed the issue.²³ Rather, MacDonald argued that any spike in crime would be the contingent result of a choice to abandon the full employment economy made possible by the war. "We are convinced," MacDonald wrote, "that public officials and representatives of industry now believe that... there will be tremendous unemployment at the termination of the war that will cause a huge crime wave, which in turn, will necessitate more prisons." "This is an appalling situation," he declared. "We frankly state these facts because we believe that the working men and women of America should demand that... programs must be inaugurated which will provide employment and save American workers and returned soldiers from being forced by hunger and privation to resort to crime."²⁴

In the mid-1940s, the notion that the postwar economy could be based on full employment had real purchase. Over the previous five years, wartime industries had transformed the state's economy from one that seemingly defined the deprivation of the Great

²³ See, for example, "Increase in Delinquency Predicted," *San Francisco Chronicle*, August 23, 1945, which cites the Director of the California Youth Authority, Karl Holton, predicting an increase in delinquency as a result of young people displaced from the labor market. Officials from the Department of Corrections also linked rising unemployment to rising crime rates, and so did FBI Director J. Edgar Hoover. See, "FBI Chief Admits Crime Wave Fears," *Los Angeles Times*, August 12, 1945 and "Prison Officials Say Postwar Crime Wave Here," *Metropolitan Pasadena Star-News*, July 19, 1945.

²⁴ F. C. MacDonald, "General President MacDonald Reports on Special Session of Legislature," *Organized Labor*, 12 February, 1944.

Depression, to one in which nearly everyone who wanted to work could find a job.²⁵ Between 1940 and 1943, California’s unemployment rate plummeted from more than fourteen percent to less than one percent.²⁶ Keenly aware that the end of the war threatened to destabilize their newfound economic security, workers across the United States acted to defend the gains they had made. Nationally, the strike wave of 1945–46 was the largest that the country had seen up until that point, and full employment was a central goal.²⁷ Broadly speaking, people had come to realize that the widespread unemployment of the 1930s was not inevitable, and that it was possible to create an economy in which economic security was broadly accessible. In staking his opposition to prison expansion, MacDonald in part repeated what President Roosevelt himself had called for only a few weeks earlier. In his final state of the union address, Roosevelt advocated for a second “economic” bill of rights, the first tenet of which was the right to “a useful and remunerative job,” followed by the right “to earn enough to provide adequate food and clothing and recreation.”²⁸ At a time when support for such policies came even from the highest level of government, MacDonald’s demand for full employment would have made sense to many Americans at the time, although fewer people took the additional step of arguing that full employment would reduce crime and eliminate the need for more prisons.²⁹

²⁵ Starr, *Embattled Dreams*, 123–158.

²⁶ California Department of Industrial Relations, *Handbook of California Labor Statistics*, (San Francisco, 1957).

²⁷ Glass, *From Mission to Microchip*, 280–81.

²⁸ Franklin D. Roosevelt, “State of the Union Message to Congress,” January 11, 1944, UC Santa Barbara American Presidency Project, accessed September 21, 2023: <https://www.presidency.ucsb.edu/documents/state-the-union-message-congress>.

²⁹ Whether he knew it or not, MacDonald’s position echoed the analysis of George Rusche and Otto Kirchheimer, two Marxist social scientists affiliated with the Frankfurt School who, in their 1939 book *Punishment and Social Structure*, also established the link between unemployment and crime. As Rusche and Kirchheimer wrote, “The crime rate can really be influenced only if society is in a position to offer its members a certain measure of security to guarantee a reasonable standard of living.” Indeed, according to sociologist David Garland, Rusche and Kirchheimer built their analysis on the theoretical proposition that punishment “must be viewed not as a social

Despite significant contestation, eventually, the labor movement largely lost the battle over the future of the US political economy. In the 1946 Employment Bill, for instance, business interests succeeded in replacing the word “full” with the word “maximum” as the target for federal employment policy, and the following year, the Taft-Hartley Act severely curtailed union power.³⁰ For its part, organized labor responded by settling into a pattern of labor relations that protected the gains of a relatively small group of predominantly white and predominantly male workers in primary industries at the expense of working people as a whole. Instead of full employment, the cost-of-living adjustment became the central demand of the most powerful unions in the nation.³¹ In California, the unemployment rate spiked, nearly reaching ten percent in 1946 and finally exceeding that mark in 1949.³² It settled down from there, but unemployment became a permanent feature of California’s postwar economy, as it did for the rest of the country. Of course, different groups of workers were affected differently. As unions conceded control over the process of production, employers began relocating factories to the suburbs, beyond the reach of Black and Mexican American workers who were confined to segregated neighborhoods. Eventually, employers moved their factories to other places entirely in search of cheap labor, either across the country, across the border, and eventually across

response to the criminality of individuals, but, above all, as a mechanism which is deeply implicated within the class struggle between rich and poor, bourgeoisie and proletariat.” MacDonald’s assessment of California’s 1944 prison reforms lends credence to that position. See George Rusche and Otto Kirchheimer, *Punishment and Social Structure* (New York: Russell & Russell, 1939), 207 and David Garland, *Punishment and Modern Society: A Study in Social Theory* (Chicago: University of Chicago Press, 1990), 96–110.

³⁰ Attewell, *The People Must Live By Work*, 157–65; Glass, *From Mission to Microchip*, 312; George Lipsitz, *A Rainbow at Midnight: Labor and Culture in the 1940s* (Urbana: University of Illinois Press, 1994), 171–79.

³¹ Nelson Lichtenstein, “From Corporatism to Collective Bargaining: Organized Labor and the Eclipse of Social Democracy in the Postwar Era” in *The Rise and Fall of the New Deal Order*, ed. Steve Fraser and Gary Gerstle (Princeton; Princeton University Press, 1991), 122–52.

³² *Handbook of California Labor Statistics*.

oceans. In addition, companies began to automate production as another cost-saving measure, and this, too, had a negative impact on workers of color, who often lacked access to the educational or training opportunities needed to obtain more skilled positions that could not be so easily replaced. Black and brown workers who faced discrimination in multiple areas of their lives already had a tenuous foothold in the labor market in the mid-1940s. By the mid-1960s, more and more people were slipping.³³ Black and brown youth, in particular, suffered rates of unemployment far greater than state or local averages, and by then they also suffered disproportionate rates of incarceration. Corrections officials would come to recognize a close relationship between these two realities.

The defeat of the movement for a full employment economy is typically not where historians of the postwar carceral state begin their narratives, but McGee's own language about the potential threat of "unusually abnormal social or economic conditions contributing to crime" suggests that it may be as good a starting point as any.³⁴ Indeed, as time would tell, the prison population projections that corrections officials made in 1944 would prove overly optimistic. By the beginning of 1950, there were already nearly 11,000 adult prisoners in CDC custody—2,500 more than McGee had predicted—and by the start of 1955, that number was up to 15,000. Rather than plateauing after ten years, the population only continued to rise. From its wartime low, the number of men and women incarcerated in California's state prisons essentially quintupled by 1968, reaching nearly 28,500.³⁵ Similarly, the number of parolees under CDC

³³ See Josh Sides, *LA City Limits*.

³⁴ Two exceptions that this dissertation hopes to build off of are Janssen, "Convict Labor, Civic Welfare," and Heather Ann Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *The Journal of American History* 97 no. 3 (December, 2010): 703–34.

³⁵ California Department of Corrections, *California Prisoners, 1969: Summary Statistics of Felon Prisoners and Parolees* (Sacramento, 1969), 5.

supervision also grew enormously, from around 4,700 people in 1952 (the first year for which such data is available) to nearly 19,000 in 1970.³⁶ A similar trend unfolded in the state youth prison system, where the number of children and young adults incarcerated rose sevenfold from 1,033 in 1941 to 6,018 in 1965. By 1968, there were nearly 15,000 young people on parole, as compared to fewer than 3,300 in 1947, putting the overall YA population nearly 20,000.³⁷

Figures showing the number of people sentenced to serve time in jail or on probation during this period are not readily available, but given the fact that the vast majority of people convicted of criminal or delinquent offenses would never have been committed to state custody, those numbers undoubtably rose in tandem with prison and parole populations. This crisis became untenable from an early date. As early as 1949, San Quentin, which at the time had a design capacity of 2,579 prisoners, was in fact holding 4,709 men, and Folsom held 2,361 men in facilities designed for 1,745. The California Institution for Women was the most overcrowded, with 311 women crammed into permanent and temporary facilities designed to hold only 150. “This situation is dangerous to the maintenance of safe custody and proper discipline,” McGee wrote in his 1948 report to Governor Warren. “It is also a severe handicap in our effort to develop an effective program of retraining and individual treatments for prisoners who ultimately must be released.”³⁸

³⁶ California Department of Corrections, *California Prisoners and Civil Narcotic Addicts 1983, 1984, and 1985: Summary Statistics of Felon Prisoners and Parolees and Civil Narcotic Addict Inpatients and Outpatients* (Sacramento, 1986), 95. The 1986 report is used here because it includes the civil narcotic population in the overall parolee count. There were roughly 4,000 such people on parole by 1970.

³⁷ For the earlier prison and parole populations, see California Youth Authority, *Program and Progress* (Sacramento, 1948), 104, 130. For data from the mid-1960s, see California Youth Authority, *A Comparison of Characteristics of Youth Authority Wards, June 30 Each Year, 1959–1968* (Sacramento, 1968), 3.

³⁸ California Department of Corrections, *Biennial Report of the California Department of Corrections, 1947–1948* (Sacramento, 1948), 15. Hereafter cited as CDC, *1948 Biennial*.

McGee’s language indicates the fact that corrections officials believed that overcrowding would threaten the success of the rehabilitative ideal, and California’s postwar prison boom should be understood primarily as an effort to get ahead of that problem. The effort began as early as 1943, when YA officials who faced a similar crisis moved to establish two new permanent institutions—the Los Guilucos School for Girls, near Santa Rosa, and the Fricot Ranch School for Boys, near Angels Camp, in the Sierra foothills east of Stockton—though neither would see significant capital investment for several years. At the time, the three existing YA prisons were so full that officials refused to accept new admissions. As a result, many children were simply being held in county jails, which was considered inimical to rehabilitation.³⁹ The challenge of creating sufficient space to adequately classify and segregate prisoners on the basis of age, gender, commitment offense, record of incarceration, medical or psychiatric condition, and other factors was what drove the postwar prison boom, and, at the beginning of the process, separating the young from the old was foremost on the minds of corrections officials because young people were generally viewed to be better candidates for rehabilitation, and, conversely, to be more vulnerable to corruption by “hardened” criminals. On this logic, in his earliest public reports, McGee urged the state to authorize the construction a new prison for young people specifically.⁴⁰ This would allow the YA to segregate its oldest wards from those in early- or mid-adolescence who were still considered salvageable. McGee received authorization for this project when the legislature approved funding for three new prisons in 1945, but the construction process would take years.

³⁹ CYA, *Program and Progress*, 10. California Department of Corrections, *Biennial Report of the Department of Corrections, 1945–1946* (Sacramento, CA: 1946), 103. Hereafter cited as CDC, *1946 Biennial*.

⁴⁰ CDC, *1944 Progress*, 23.

Because the overcrowding crisis was immediate, while waiting for the first permanent institutions to come online, officials made use of an abandoned Army airfield near the Antelope Valley city of Lancaster, some 60 miles north of Los Angeles, to construct a temporary facility for the older YA prisoners. In January of 1946, a small crew of San Quentin prisoners “skilled in construction trades” arrived at the site, where they went to work assembling surplus housing structures as well as a series of guard towers, a concrete cell block for use as a segregation unit, and a 4,000 square foot perimeter fence. The first boys arrived in March, and by the end of 1946, some 500 young people lived at the newly opened California Vocational Institution.⁴¹ It took until 1953 for the permanent facility in Tracy, a town about 20 miles southwest of Stockton, in the San Joaquin Valley, to come online.⁴² It was called the Deuel Vocational Institution, after State Senator Charles D. Deuel who sponsored the legislation that funded its construction. Its rated capacity was just over 1,200 originally, although a 300-bed reception-guidance center opened at the same cite in 1960.⁴³ McGee continued to lobby for the second “intermediate” institution for some time, but he was never successful and eventually he stopped.⁴⁴ The population of the Deuel Vocational Institution peaked in 1961 at over 1,700 prisoners, a substantial portion of them still officially YA wards.⁴⁵ Perhaps because officials felt the need to prioritize the provision of effective rehabilitative services to this population, this represented a

⁴¹ CDC, *1946 Biennial*, 103–106.

⁴² California Department of Corrections, *Biennial Report for the period ending December 1, 1954* (Sacramento, 1954), 41. Hereafter cited as CDC, *1954 Biennial*.

⁴³ California Department of Corrections, *Biennial Report, 1959–60* (Sacramento, 1960), 10; *CDC Biennial Report, 1953–54*, 41. Hereafter cited as CDC, *1960 Biennial*.

⁴⁴ McGee’s first three reports, published in 1944, 1946, and 1948, each request an additional “intermediate” prison for young prisoners, but he did not reiterate that request in 1950.

⁴⁵ California Department of Corrections, *California Prisoners 1961, 1962, and 1963: Summary Statistics of Felon Prisoners and Parolees* (Sacramento, 1965), 8.

comparatively low level of overcrowding. The overall cost of construction, for both the temporary and the permanent facility, exceeded \$16 million.

Two months after ground was broken in Lancaster, a second San Quentin work crew arrived on a 936-acre plot of agricultural land in the Salinas Valley four miles north of the town of Soledad, which lent its name to the California State Prison at Soledad when it officially opened on September 1, 1947. In May of 1946, six prisoners from San Quentin, two correctional officers, and the new warden arrived to begin the work of construction, though contracts for much of the work were soon let out to the private sector.⁴⁶ By December, the number of prisoners had grown to 35, and by the time the prison became a distinct entity under the CDC in September of 1947, it was home to 122 minimum-security prisoners. During the early months, work crews erected temporary structures with the capacity to house 400 prisoners, as well as space for administrative operations and staff housing. Prisoners also began the work of converting the surrounding acreage into feed-grain production; Soledad was supposed provide enough food both for its own needs and for those of San Quentin.⁴⁷ Soledad's first permanent cell blocks did not open until 1951.⁴⁸ By 1958, a second set of cell blocks were added, bringing the overall capacity of the prison to nearly 3,000. That figure that included the original temporary structures erected in 1947, which were not put out of use until the late-1960s.⁴⁹

⁴⁶ CDC, *1948 Biennial*, 97.

⁴⁷ See CDC, *1946 Biennial*, 107–110 and CDC, *1948 Biennial*, 97–104.

⁴⁸ California Department of Corrections, *Biennial Report for the period ending December 1, 1952* (Sacramento, 1952), 23. Hereafter cited as CDC, *1952 Biennial*.

⁴⁹ California Department of Corrections, *California State Department of Corrections Biennial Report, 1957-58* (Sacramento, 1958), 60–61. Hereafter cited as CDC, *1958 Biennial*.

Soledad's population peaked in 1962 at over 3,700 prisoners, and construction costs amounted to at least \$21 million.⁵⁰

In July of 1950, the California Medical Facility (CMF) became the third new prison to open. As with Deuel, before a new plant could be constructed, the extent of overcrowding led officials to open CMF at a temporary location: a former federal prison, Japanese internment site, and Naval disciplinary barracks next to the port of Los Angeles called Terminal Island.⁵¹ As its name implies, CMF served as a kind of prison hospital, which was a special role to play under the rehabilitative ideal. CMF was used to segregate prisoners with chronic illnesses such as tuberculosis or epilepsy, as well as “psychotic” prisoners and “those afflicted with minor mental and nervous disorders, including sexual deviates.” The latter category likely included people convicted of crimes that were sexual in nature, but, by 1956, it also included 150 prisoners identified as only homosexual. The prison stayed at Terminal Island for five years until a brand-new permanent facility opened in 1955 in Vacaville, a town located midway between Sacramento and Berkeley along Highway 80.⁵² McGee boasted that it was the first institution of its kind in the world. It had a rated capacity of 1,400 and its population peaked at 2,218 in 1961.⁵³ It cost more than \$18 million to build.

While laying plans for these three new men's prisons, the CDC also prepared to replace its single prison for women. For years, the officials who ran the California Institution for

⁵⁰ CDC, *California Prisoners 1961, 1962, and 1963*, pp. 8.

⁵¹ California Department of Corrections, *Biennial Report for the Period Ending December 1, 1950* (Sacramento, 1950), 34. Hereafter cited as CDC, *1950 Biennial*.

⁵² California Department of Corrections, *Biennial Report for the Period Ending June 30, 1956* (Sacramento, 1956), 38–39. Hereafter cited as CDC, *1956 Biennial*.

⁵³ CDC, *California Prisoners 1961, 1962, and 1963*, pp. 8.

Women complained that it was too remote and too small to operate properly. They had a point. By 1948, CIW held more than twice the number of prisoners (318) that it was designed to hold (150), making it the most severely overcrowded prison in the system. No new buildings had been added since the prison opened fifteen years before. It was also difficult to convince staff, particularly the kind of professional staff, such as teachers and doctors, who could provide services to incarcerated women, to work at a prison fifty miles by car along treacherous mountain roads from the nearest sizeable cities, Bakersfield and Los Angeles.⁵⁴ Because of these two factors, in 1948 the state purchased a plot of land in Corona, only a few miles southeast of the Chino men's prison, to build an entirely new facility for women. Hastened by a 1952 earthquake that rendered many of the buildings at Tehachapi unsafe, the new CIW opened before construction had completed. It boasted modern medical facilities and additional square-footage for industrial and vocational training. Its location near the nexus of Riverside, San Bernardino, Orange, and Los Angeles counties meant that it was easily accessible to potential employees who lived in any of the burgeoning settlements in the greater southland. The new prison had a design-capacity of 480 prisoners but was capable of holding 600 as a maximum.⁵⁵ Its population passed that mark in 1956 and continued climbing from there, peaking at 921 in 1966.⁵⁶ At just over \$10 million, the new women's prison was comparatively cheap.

⁵⁴ McGee emphasized the need for a new women's prison in the cover letter to his 1948 report. Alma Holzschuh, the superintendent of CIW, was herself a renowned correctional administrator, and she also routinely complained of the deficiencies of the Tehachapi site. See her 1944 and 1946 reports, and see McGee's 1948 report; in 1948 the legislature finally approved the plan to relocate the prison to Chino, after rejecting the Bill in 1945; see also "Clubs Urge Tehachapi Plant Shift" *Los Angeles Times*, December 8, 1944, A6.

⁵⁵ CDC, *1952 Biennial*, 23.

⁵⁶ CDC, *California Prisoners 1964, 1965, and 1966*, pp. 151.

In 1954, at the site of a former military hospital near San Luis Obispo the CDC opened the California Mens Colony, which was specifically designated for elderly prisoners. The department acquired the land at minimal cost, and it included a set of buildings that could be converted into secure housing relatively cheaply. The buildings were even equipped with ramps and covered walkways, which meant that someone who used a wheelchair, a walking cane, or crutches could get around in any weather. Half of the men who would be incarcerated there were “infirm due to advanced age, chronic ailments, or other disabilities.” The other half were similarly advanced in age, but were “sound physically and mentally,” and thus could do “the work necessary in an institutional operation of this kind.” The average age of the population was fifty-two.⁵⁷ By the end of 1954, some 443 prisoners had been moved there, and the population doubled by the end of 1955 before plateauing at around 1,300 in 1958.⁵⁸ Shortly after the Mens Colony opened, corrections officials started planning for a new set of permanent structures that could house younger prisoners, and in 1962 the California Mens Colony East opened with a capacity of 2,400. The new prison was divided into four units of 600 prisoners, which were separate for purposes of administration, custody, and rehabilitative programming, but which shared other facilities, such as laundry and sewage. The temporary structures of the original Mens Colony (now called the California Mens Colony West) remained in use for their original purpose, and the combined population of both facilities peaked at 3,843 in 1964.⁵⁹ Together, both the east and the west facility cost nearly \$17 million.

⁵⁷ CDC, *1956 Biennial*, 40–41.

⁵⁸ California Department of Corrections, *California Prisoners 1960: Summary of Statistics of Prisoners and Parolees* (Sacramento, 1961), 7.

⁵⁹ CDC, *California Prisoners 1964, 1965, and 1966*, pp. 149; CDC, *1958 Biennial Report*, 62–63; California Department of Corrections, *Correctional Progress in California* (Sacramento, 1962), 59–60. Hereafter cited as CDC, *1962 Biennial*.

In 1955, as overcrowding continued to worsen, and as California's fiscal climate grew inhospitable to the large capital outlay costs required to build prisons like Soledad or Deuel, the CDC decided to reactivate the abandoned and earthquake-damaged women's prison at Tehachapi, this time to house men. By that time, San Quentin, Folsom, and the California Institution for Men at Chino were all severely overcrowded, and the situation was becoming increasingly urgent.⁶⁰ Even before a \$600,000 "reconditioning" of the existing structures at Tehachapi was complete, 500 prisoners were relocated there.⁶¹ The problem of staffing remained, however. Without enough guards, officials soon grew nervous about the security of the institution. Some wanted to build and man gun towers, but instead the decision was made to impose mandatory group counseling as a way of easing tensions. A mainstay of the department's rehabilitative programming during these years, most such groups were run by staff members with minimal training and no professional background in psychology. The rehabilitative value of group counseling was questionable, and in this instance, it clearly served both a custodial and a budgetary function, reportedly saving the department around \$100,000 annually in staffing and capital outlay costs. Officials named the new prison the California Correctional Institution (CCI). By 1958, they proposed to build an entirely new prison at the Tehachapi site.⁶² Federal funding for a new highway was slated to put the prison within a 45-minute drive of Bakersfield. The highway opened in 1964, and in 1967, a new unit of CCI opened, adding 600 additional

⁶⁰ In 1954, the population at San Quentin was 4,851 prisoners, the population at Folsom was 2,716 prisoners, and the population at CIM was 2,213. California Department of Corrections, *California Prisoners, 1955: Summary Statistics of Prisoners and Parolees* (Sacramento, 1956), 19.

⁶¹ CDC, *1956 Biennial*, 46.

⁶² CDC, *1958 Biennial*, 14.

beds. It was half the size that officials had initially hoped.⁶³ In 1968, the population of CCI peaked at over 1,200.⁶⁴ Capital outlay costs for the new unit were not reported.

During the 1950s, drug convictions rose steadily in California, and as part of its system of classification and segregation, eventually the CDC proposed to build a prison specifically for people committed on narcotics charges. Opiate addiction was a particularly acute problem, and as the department found itself dealing with larger numbers of prisoners who suffered from addiction, in 1959 it established two special narcotics units, one at San Quentin and one at the new Tehachapi men's prison. Prisoners assigned to those units received specialized treatment, and on parole they had to subject themselves to chemical injections that supposedly detected the use of heroin.⁶⁵ In 1961, the state legislature established a civil commitment program for people convicted of drug crimes, whereby such persons could have their criminal proceedings suspended if they agreed to undergo a period of incarceration at one of these specialized facilities, followed by seven years of parole supervision and testing. This only added pressure for the CDC to expand its capacity even further. The same year, the CDC acquired a former naval hospital at no cost in the town of Norco, not far from the Chino men's prison and the women's prison at Corona. The department spent \$1.4 million converting the site—a fraction of the cost of an entirely new prison. The California Rehabilitation Center opened in 1963, and it held more than 1,600 prisoners by the end of 1964. Its population would peak at around 2,000

⁶³ CDC, *1954 Biennial*, 50; Institutional population figures show that the population at Deuel held steady at about 1,200—its rated capacity—until the end of 1959, when it rose to about 1,600.

⁶⁴ California Department of Corrections, *California Prisoners, 1968: Summary Statistics of Felon Prisoners and Parolees* (Sacramento, 1969), 144.

⁶⁵ Simon, *Poor Discipline*, 87–88.

prisoners in 1968, right around the time that Tehachapi opened its new housing unit, which was initially used to expand the civil commitment program.⁶⁶

The overcrowding crisis showed no signs of slowing as the 1950s came to a close, and one final effort to achieve a solution involved the expansion of the state's conservation camp program. As the next chapter will discuss in greater detail, these camps originated in the early-1930s, when the LA County Probation Department established a work camp for youth who had been arrested on vagrancy or delinquency charges. Typically, the camps are considered important because they provided the state with cheap labor with which to suppress wildfires. In the context of the postwar construction boom, however, what makes the camps significant is the fact that they also provided a comparatively affordable way of alleviating overcrowding elsewhere in the prison system. Governor Pat Brown, in particular, championed the conservation camps. Taking office in 1958, amid two years of record growth in the prison population (it grew by 1,386 in 1957 and 2,284 in 1958) and at a time when Sacramento's appetite large capital outlay expenditure was drying up, Brown lifted up the camp program as an alternative. As chapter two will explain, this had a lot to do with the kind of work that incarcerated people performed in the camps, which lent itself to the broader legitimating narrative surrounding the rehabilitative ideal. But it also helped that both construction and staffing costs were cheaper when it came to the camp program. As a result, Governor Brown moved to expand the number of adult camps from eleven to thirty-two. Most of these only held 80-prisoners each, but in addition, Brown also doubled the capacity of the camp program by authorizing the construction

⁶⁶ CDC, *1960 Biennial*; CDC, *1962 Biennial*. The Biennial Reports stopped reporting capital outlay expenditures, so it is difficult to know exactly how much money was spent to convert the naval hospital into a prison rehabilitation center. It housed prisoners as early as 1963, however, so it seems reasonable to conclude that the \$1.4 million spent in 1962 was most or all of the total capital outlay spent on CRC. That is compared to nearly \$10 million each for the Deuel Vocational Institution and the California Training Facility at Soledad.

of three much larger “conservation centers,” which each held hundreds of prisoners and served as staging grounds where they could be trained until space opened up in one of the smaller camps. These larger institutions were cheaper because they relied on dormitories instead of cell blocks, because the buildings themselves created an enclosed area, eliminating the need for a perimeter fence, and because corrections officials charged custodial staff with taking on new responsibilities that were more directly related to rehabilitation, thereby reducing the payroll significantly compared to traditional prisons.⁶⁷ The CDC originally asked for four conservation centers, but only three were built. The California Conservation Center (design capacity 1,200) opened in 1963 at a town called Susanville in Lassen County; the Southern Conservation Center (design capacity 600) opened in 1964 next to the Chino men’s prison; and the Sierra Conservation Center (design capacity 1,200) opened near Jamestown in Tuolumne County, along the western slope of the Sierra Nevada in 1965. A fourth facility slated for coastal northern California never materialized. Thanks to the innovation of the conservation centers, the CDC added an additional 3,000 beds at a considerable discount, and Governor Brown brought the overall camp population up from 1,100 in 1958 to 5,000 in 1965.⁶⁸ Accurate capital outlay costs were not reported for much of this construction, but up until 1962, the expansion of the conservation camp program cost nearly \$15 million. It was still considerably cheaper on a per-bed basis.

Alongside the expansion of the adult prison system, the YA also dramatically expanded its capacity by building nine new prisons for young people. After the two institutions were

⁶⁷ On the architectural design of the conservation centers, see CDC, *1960 Biennial*, 15. On the staffing innovation, see CDC, *1962 Biennial*, 13.

⁶⁸ CDC, *California Prisoners 1964, 1965, and 1966*, pp. 148–50.

opened in 1944, in 1947, the YA opened the Paso Robles School for Boys in inland San Luis Obispo County. When the Deuel Vocational Institution came online in 1953, it held a significant number of older YA wards. The following year, the YA opened the Southern California Reception Center in Norwalk and the Northern California Reception Center in Stockton. These two facilities played a key role in the rehabilitation process, as they became the destination of newly committed youth, who would be observed by prison staff for a period of weeks before ultimately being paroled or sent to one of the other institutions to complete a program of education and vocational training. As on the adult side, the overcrowding crisis in YA prisons only grew worse over the 1950s. In 1960, the Youth Training School opened in Ontario, not far from CIM and CIW. Finally, the YA opened three prisons in succession on the same site in Stockton. The O. H. Close School for Boys opened in 1966; the Karl Holton School for Boys opened in 1967; and the DeWitt Nelson Training Center opened in 1968. The last of these was intended as a corollary to the CDC conservation centers. Over the years, the YA had established its own smaller network of seven conservation camps, and DeWitt was supposed to provide a training ground for boys who were deemed suitable for camp placement. By the time it opened, however, California had already shifted its criminal justice policy to prioritize diversion, and the new prison stood empty for at least twenty months. The probation subsidy program was three years old in 1968, and the state found itself in what the *Sacramento Bee* described as the “financially embarrassing” position of trying—unsuccessfully—to lease the new \$6 million facility to San Joaquin County in order to begin recuperating the cost of its construction.⁶⁹

⁶⁹ Steve Ferris, “San Joaquin Board refuses to take ‘ride’ on state-owned \$6 million ‘White Elephant,’” *Sacramento Bee*, December 28, 1969.

The state-run youth and adult youth and adult prison systems were only one piece of the pie, however, and the pursuit of the rehabilitative ideal also required county and city governments to expand and modernize their carceral capacity as well. Accounts of jail conditions from the 1940s paint a dire picture of jail conditions. In 1947, when corrections officials toured each of the fifty-six county jails that existed at the time, they gave more than half a “poor” sanitation rating.⁷⁰ They also recorded severe overcrowding. On peak days, many jails filled to twice (and some to three or four times) their rated capacities. In LA County, which was the state’s largest jailer by a factor of four, some 2,755 people were packed into facilities rated to hold 1,813. In Fresno the ratio was 746 to 300, and in Stockton it was 251 to 75. Sacramento (349:166); Bakersfield (269:195); Santa Clara (204:152); Monterey (200:103); San Diego (192:178); and San Bernardino (184:153) counties all had considerable overcrowding as well.⁷¹

In January and February of 1953, a *San Francisco Chronicle* reporter named Pierre Salinger got himself arrested on vagrancy charges so he could experience the conditions at the San Joaquin and Kern county jails first-hand.⁷² In the thirteen front-page articles that followed, Salinger emphasized the ways in which more and better jails were needed in order to make the rehabilitative ideal a reality.⁷³ In one article, Salinger recounted the story of a young man named

⁷⁰ This category evaluated things like ventilation, plumbing, the design and location of kitchens, baths, laundries, and drunk tanks, as well as the “indiscriminate use of disinfectants” and the presence of “a definitely noticeable jail odor.” In many jails the location of open toilets near eating areas was significant problem. See *A Study of the County Jails of California* (Sacramento, 1949), California State Archives, F3640:920, Earl Warren Papers, Administrative Files, Corrections, 11–12.

⁷¹ *Ibid.*, 8–10.

⁷² Pierre Salinger, “County Jails Exposed” *San Francisco Chronicle*, 26 January 1953.

⁷³ See “County Jails Exposed,” 26 January 1953; “Sordid Life of County Jails Exposed,” January 27, 1953; “In S. F. Cell at 18, Al Learned Paths of Crime,” January 29, 1953; “Sex Perverts, Extortionists Run the Cells,” January 30, 1953; “Honor Rancho Has its Faults,” February 1, 1953; “Alcoholic as ‘Tank Judge,’” February 2, 1953; “A Brutal Beating in the Kern Jail,” February 3, 1953; “Alameda Jail—Best in Nation,” February 4, 1953; “Degradation in Stinking Cells,” February 5, 1953; “Men in S. F. Jails Get Helping Hand,” February 7, 1953; “County Jail Reform Urged,” February 8, 1953; “Poor Jails Cause Crowding in Prisons,” February 9, 1953; and “Modesto Aroused by its

Al who came to the San Francisco “broke and friendless” from his home in the San Joaquin Valley in 1941 when he was eighteen years old. Al was arrested for stealing a bicycle, and while he awaited trial, he spent four months at the county jail “in a cell block with ex-convicts, thieves, pimps, homosexuals, murderers.” By the time he was sentenced to the YA, “he had already started down the crime road.” Salinger was able to relay this information because he met Al, nearly thirty years old by that time, in jail on a charge of auto theft. “If somebody had just cared a little when I was a kid,” Al cried, “maybe I wouldn’t be in here. You know, since that first deal, I’ve spent 11 of the last 12 years in jails and prisons. I guess I’ll go on spending my life in these stinking places.”⁷⁴ Whether Al was a real person or a composite, the reality of this anecdote was undeniable. Only 40 percent of county jails in California verifiably segregated youth from adults in custody.⁷⁵ As Salinger pointed out, citing CDC data, “the largest single block of men entering state penal institutions,” nearly 33 percent, “were found to have served sentences previously in county jails or juvenile institutions.” They were “products” of the jails and juvenile halls, and this tragic fact, officials hoped, would motivate the public to support new jail and juvenile hall construction projects.⁷⁶ As Attorney General Brown put it when he gave the *Chronicle* an interview for the series, “county jails are the breeding grounds for crime. They set the feet of petty first offenders on the road to serious offenses against society.”⁷⁷

Rotten Jail,” February 10, 1953, all by Pierre Salinger and all published on the front page of the *San Francisco Chronicle* on their respective dates.

⁷⁴ Salinger, “In S. F. Cell at 18, Al Learned Paths of Crime,” *San Francisco Chronicle*, January 29, 1953.

⁷⁵ *A Study of the County Jails of California*, California State Archives, F3640:920, 16.

⁷⁶ Salinger, “In S. F. Cell at 18, Al Learned Paths of Crime,” *San Francisco Chronicle*, January 29, 1953.

⁷⁷ “Brown Lauds *Chronicle* Jail Series,” *San Francisco Chronicle*, 3 February, 1953. Salinger, “In S. F. Cell at 18, Al Learned Paths of Crime,” *San Francisco Chronicle*, 29 January 1953, and “Sordid Life in County Jail Exposed: A Reporter’s Inside Story,” *San Francisco Chronicle*, 27 January 1953. On segregation practices, see *A Study of the County Jails in California*, California State Archives, F3640:920, 15–18.

Salinger's reporting, which highlighted the lack of rehabilitative programming and medical care, in particular, spurred political leaders to action. According to the *Chronicle*, Governor Warren apparently read the series with interest, calling it "most timely" and going out of his way to blame the public at large for opposing the construction of new jails, rather than the law enforcement officials who operated the jails, whom he described as "humane people" trying their best to operate jails that "are firetraps, almost of the dungeon type... run by prisoner-trustees instead of public employees."⁷⁸ McGee also spoke out, calling the state's jails "more a social danger than a social good." Speaking at San Quentin before the Bay Counties Peace Officers' Association, McGee echoed the Governor in placing blame on "the people who won't build jails, provide personnel, or do the necessary things to help," rather those in the audience.⁷⁹ Austin McCormick, a leading penologist and faculty member at UC Berkeley's School of Criminology with whom corrections officials frequently consulted, went even further. He compared the Santa Clara County Jail, one of the oldest in the state, to "concentration camps in Germany." He also told Salinger in an interview that the institution of the jail, as currently constituted, "not only fails to correct but inflicts positive injury... our jails stand still or go backwards while our prisons are improving."⁸⁰ The comparison to the state prison system was apt not only because the solutions—new facilities to allow for segregation, better management and staffing, improved work, educational, and treatment programs—were the same, but also because conditions in the jails were said to harm the success of rehabilitation efforts in prisons. Attorney General Brown described the state's jails as "the weakest link in the entire field of

⁷⁸ "Warren Praises *Chronicle* Exposé of Jails," *San Francisco Chronicle*, 28 January 1953.

⁷⁹ "'Our Jails Stink,' McGee Tells Officers," *San Francisco Chronicle*, 30 January 1953.

⁸⁰ "County Jails Exposed," 26 January 1953.

penology.” He praised Salinger’s reporting as “the finest thing that has been done to bring about... improvement in the last ten years” and urged that the same “intelligent programs of work and rehabilitation” that officials were implementing in the state prisons be applied to county jails as well. “What we must do,” Brown told the *Chronicle*, “is educate Boards of Supervisors and the public that this is bad business to keep county jail systems on their present level... This is the time we should start doing something about it.”⁸¹

What Attorney General Brown meant by “something” was, first and foremost, the construction of new jails, and local governments largely heeded his call. As tables one and two display, in roughly thirty years, from the early-1940s until the early-1970s, more than fifty county and city jails or juvenile halls were built.⁸² The largest counties made the largest

⁸¹ “Brown Lauds *Chronicle* Jail Series,” *San Francisco Chronicle*, 3 February 1953.

⁸² The data in these tables represents a minimum number of only those jails and juvenile halls whose construction and costs could be verified in newspaper reports. The costs figures in these tables are based either on the value of the contracts that were let out or on the actual capital outlay expenditure, as reported in the local press. The articles cited here are listed in chronological order, which may not match the order in which the jails and juvenile halls are listed in the tables. The tables are ordered chronologically by the date that each institution opened. “New County Jail Nears Completion,” *Auburn Journal*, August 7, 1941; “New County Jail is Last Word in Efficiency,” *Fresno Bee*, October 15, 1942; Elisabeth Sutton, “Here is the Routine at New Contra Costa Jail,” *Contra Costa Gazette*, July 3, 1945; “New Probation Hall Set,” *Lodi News Sentinel*, May 10, 1947; “New Juvenile Hall to be Open Sunday,” *The San Mateo Times*, November 28, 1947; “S. F. Youth Center,” *San Francisco Chronicle*, January 9, 1950; “Here is the Way the New Improved County Jail Looks—From Outside,” *Calexico Chronicle*, July 20, 1950; John Sheehan, “County’s New Juvenile Hall Regarded as Innovation: No Bars, but Windows Shatterproof; in use Next Month,” *Contra Costa Gazette*, August 24, 1950; “New Juvenile Home May Be Put to Use Next Week,” *Bakersfield Californian*, July 14, 1951; “Supervisors Told Courthouse Job Near Conclusion,” *Oroville Mercury Register*, October 2, 1951; “Old Juvenile Home Vacated,” *Petaluma Argus-Courier*, December 26, 1952; Earl Soto, “New Juvenile for Alameda County,” *San Francisco Examiner*, February 8, 1953; Jack Smith, “Drunk Farm Driest Spot in L. A. Oasis,” February 14, 1955; “County Juvenile Hall Dedication Tomorrow,” *Tulare Advance-Register*, October 24, 1953; “County Takes Possession of New Juvenile Hall,” *Escondido Weekly Times-Advocate*, May 14, 1954; “Juvenile Hall Addition Dedication Set Tomorrow,” *Ventura County Star-Free Press*, December 3, 1954; “Juvenile Hall to be Ready Soon,” *Palm Springs Desert Sun*, January 17, 1955; “\$3,100,000 Contract for Monticello Road Okayed by County,” *Napa Valley Register*, April 27, 1955; “New County Jail Plans Accepted,” *Oakdale Leader*, April 15, 1953; “County Occupies New Juvenile Hall,” *Roseville Press-Tribune*, April 26, 1956; Charles Irish, “New County Jail is one of Most Modern in Country,” *Sacramento Bee*, October 20, 1956; “New Juvenile Hall Dedication Ceremony Will Be Held Today,” *Fresno Bee*, February 10, 1957; “New Youth Facility Dedicated,” *Los Angeles Times*, June 13, 1957; Paul James, “Planned Jail Inadequate, Sheriff Says,” *San Diego Union*, October 2, 1957; Stanley Waldorf, “New Juvenile Center for S. C. County Dedicated,” *San Francisco Examiner*, December 21, 1958; James M. Saulsbury, “Juvenile Hall: Youth Get a Break,” *San Bernardino County Sun*, January 30, 1958; Day Churchman, “A Penthouse Jail in Redwood City,” *San Francisco Examiner*, September 28, 1958; “New Juvenile Hall to Open in 3 Weeks,” *Los Angeles Times*, September 17, 1959; “County Builds New Jail—Old One For Sale,” *Los Angeles Time*, September 27, 1959; “New Jail to Cost Over a Million,” *Tulare Advance Register*,

investments. In 1950, San Francisco opened a new \$4.3 million juvenile hall that was lauded by corrections officials for its embrace of rehabilitative practices. Having opened a new county jail in the early 1930s, San Francisco waited until 1962 to construct a new jail as part of a \$15.6 million Hall of Justice project. Elsewhere in the Bay Area, San Mateo, Santa Clara, Contra Costa, and Alameda counties also spent substantial sums on both jails and juvenile halls of their own in the 1950s, and in the southland, Orange, San Bernardino, and San Diego counties did the same. Always in a league of its own, Los Angeles County built six new jails in the decades following World War II, beginning in 1953 with a \$2 million “drunk farm” in Saugus, and followed by the \$1.9 million Los Padrinos juvenile hall in Downey in 1957; a \$2.3 million “tubercular segregation hospital and recalcitrant unit” near Lancaster in 1961; the \$16.3 million Men’s Central Jail downtown and the \$6.1 million Sybil Brand Institution for Women in Monterey Park, both opened in 1963; and another \$5 million juvenile hall in Sylmar in 1965. Most of the state’s rural counties also built jails, albeit far smaller and cheaper than those in the major metropolitan areas, and the table below includes detailed dates and costs. Importantly, state corrections officials were closely involved in the county expansion process. Under revisions to the penal code, for instance, any city or county that wanted to construct a new facility or renovate an existing one had to submit their plans to officials within the CDC for

October 15, 1958 “County Prison Farm South of Fresno is Completed,” *Fresno Bee*, June 7, 1959; Ed Dolan, “County Dedicates New Franklin Branch Jail,” *Sacramento Bee*, July 16, 1960; “Juvenile Hall to be Dedicated Tomorrow,” *Salinas Californian*, October 1, 1960; “Dedication of New Juvenile Hall at Yreka,” *Dunsmuir News*, December 29, 1960; Judson W. Conger, “County Jail Annex Nears Completion,” *Fresno Bee*, January 2, 1961; “Mira Loma Medical Unit Near Completion,” *Los Angeles Times*, August 6, 1961; “White Collar Crew,” *The Sacramento Bee*, October 31, 1961; “Central Jail Holds First ‘Open House,’” *Los Angeles Times*, October 13, 1963; “New Women’s Jail Has First Inmates,” *Los Angeles Times*, November 10, 1963; “Our New Jail,” *Hanford Sentinel*, November 10, 1964; “Juvenile Hall to be Accepted Wednesday,” *Los Angeles Times*, September 19, 1965; “Juvenile Hall Jinx Hangs On,” *Red Bluff Daily News*, July 19, 1967; “Juvenile Hall,” *Santa Cruz Sentinel*, August 2, 1967; “Tours of New Jail Offered to County Employees,” *Los Angeles Times*, September 8, 1968; “Juvenile Hall Plans Okayed,” *Times Eureka Standard*, July 3, 1968; “New Jail Opening Seen Now in Early September,” *Lompoc Record*, July 1, 1970; “New Juvenile Hall Formally Dedicated,” *Ukiah Daily Journal*, June 28, 1971; “New County Jail Bid: \$1 Million,” *Times-Press-Recorder*, April 2, 1970; “It’s Moving Day for County Jail,” *San Bernardino County Sun*, January 16, 1972.

Table 1. New county jails in California, 1941–1972		
Year	City, County	Cost
	Total cost	\$ 88,505,000
1941	Auburn, Placer County	\$ 70,000
1943	Fresno, Fresno County	\$ 335,000
1945	Martinez, Contra Costa County	\$ 200,000
1950	Calexico, Imperial County	\$ 255,000
1953	Saugus, Los Angeles County	\$ 2,000,000
1955	Modesto, Stanislaus County	\$ 850,000
1956	Sacramento, Sacramento County	\$ 1,600,000
1958	San Jose, Santa Clara County	\$ 1,500,000
1958	Redwood City, San Mateo County	\$ 500,000
1959	Bakersfield, Kern County	\$ 1,900,000
1959	Fresno, Fresno County	\$ 470,000
1960	Sacramento, Sacramento County	\$ 1,025,000
1960	San Diego, San Diego County	\$ 12,000,000
1961	Fresno, Fresno County	\$ 725,000
1961	Mira Loma, Los Angeles County	\$ 2,300,000
1962	San Francisco, San Francisco County	\$ 15,600,000
1962	Visalia, Tulare County	\$ 1,275,000
1963	Los Angeles, Los Angeles County	\$ 16,300,000
1963	Los Angeles, Los Angeles County	\$ 6,100,000
1964	Hanford, Kings County	\$ 1,300,000
1965	Oroville, Butte County	\$ 1,400,000
1968	Santa Ana, Orange County	\$ 10,500,000
1971	Goleta, Santa Barbara County	\$ 3,200,000
1971	San Luis Obispo, San Luis Obispo County	\$ 1,000,000
1972	San Bernardino, San Bernardino County	\$ 6,100,000

Table 2. New juvenile halls in California, 1948–1971		
Year	City, County	Cost
	Total cost	\$ 28,445,000
1948	Redwood City, San Mateo County	\$ 265,000
1949	French Camp, San Joaquin County	\$ 280,000
1950	San Francisco, San Francisco County	\$ 4,300,000
1950	Martinez, Contra Costa County	\$ 860,000
1951	Bakersfield, Kern County	\$ 440,000
1951	Oroville, Butte County	\$ 80,000
1952	Santa Rosa, Sonoma County	\$ 280,000
1953	San Leandro, Alameda County	\$ 2,400,000
1953	Visalia, Tulare County	\$ 215,000
1954	San Diego, San Diego County	\$ 1,250,000
1954	Ventura, Ventura County	\$ 230,000
1955	Riverside, Riverside County	\$ 775,000
1955	Napa, Napa County	\$ 135,000
1956	Auburn, Placer County	\$ 125,000
1957	Fresno, Fresno County	\$ 440,000
1957	Downey, Los Angeles County	\$ 1,960,000
1958	San Bernardino, San Bernardino County	\$ 1,250,000
1958	San Jose, Santa Clara County	\$ 1,500,000
1959	Santa Ana, Orange County	\$ 1,385,000
1960	Salinas, Monterey County	\$ 640,000
1961	Yreka, Siskiyou County	\$ 65,000
1963	Sacramento, Sacramento County	\$ 2,500,000
1965	Sylmar, Los Angeles County	\$ 5,000,000
1967	Red Bluff, Tehama County	\$ 230,000
1968	Santa Cruz, Santa Cruz County	\$ 800,000
1970	Eureka, Humboldt County	\$ 500,000
1971	Ukiah, Mendocino County	\$ 540,000

review.⁸³ The YA also took an active role. During the 1940s, it conducted studies of “youth-serving” agencies in 32 counties, including studies of traditional law enforcement and corrections agencies as well as in other areas, such as public recreation departments, to help the counties plan their expansion programs.⁸⁴ The YA also subsidized half the cost of operating juvenile halls or camps, and beginning in 1958, as public opposition to capital outlay expenditure increased, the YA began subsidizing half the construction cost for new camps.⁸⁵

All told, in roughly three decades, total public expenditure for prison and jail construction in California exceeded \$200 million—more than \$2 billion, adjusted for inflation.⁸⁶ Granted, that sum pales in comparison to the amount of money spent on prison construction during the 1980s and 1990s. But compared to contemporary building programs, it was a significant amount. In Los Angeles County in 1962, for example, jail expansion projects consumed about half of the \$66 million in public works projects that were underway at the time, which included the expansion of county hospitals, the county museum of art, a new hall of records, and the first

⁸³ CDC, *1948 Biennial Report*, 36–37.

⁸⁴ California Youth Authority, *Report of Program and Progress, 1943–1948* (Sacramento, 1949), 14.

⁸⁵ California Youth Authority, *Probation Progress, 1959* (Sacramento, 1960), 7.

⁸⁶ Accurate capital outlay figures for all of the state youth and adult prisons are difficult to find. They were reported in the CDC and YA biennial reports during the 1950s, but officials stopped including them before the building program was complete. Nevertheless, accurate numbers are available for many prisons, including the Correctional Training Facility at Soledad (\$21 million); the California Institution for Women at Corona (\$10 million); Deuel Vocational Institutions (\$16 million); both the east and west facilities of the California Mens Colony (\$17 million); the California Medical Facility (\$18 million); and a portion of the conservation program (\$15 million). The CDC also spent \$6 million on construction at Folsom, \$9 million at San Quentin, and \$12 million at the California Institution for Men at Chino. Additionally, YA reports show just under \$20 million spent on new prisons through 1958, but that would not have included the bulk of the costs for all of the prisons opened after 1960, including the Youth Training School at Ontario, the new facilities for the Ventura School for Girls, the reconstruction of the Fred C. Nelles School for Boys at Whittier, nor the three prisons in Stockton—the O. H. Close School for Boys, the Karl Holton School for Boys, and the Dewitt Nelson Training Center. The total amount shown in official reports is just below \$140 million, and the true number is certainly significantly higher than that. Of course, this excludes county and city expenditures on jails and juvenile halls, which adds another \$120 million.

phase of the Los Angeles Music Center that replaced Bunker Hill.⁸⁷ At the state level, between 1948 and 1958, the state colleges and universities received by far the largest amount of capital outlay funds, totaling \$450 million over ten years, followed by the state mental hospitals, which received \$160 million. In third place, however, came the CDC and the YA, which together received \$100 million. As the legislative analysts' office put it in 1958, looking back over the previous decade, what made corrections unique among public building programs was "the fact that more complete new plants came into being during this time than the total number which the department had at the beginning of the period." The report went on to praise the quality of these new prisons, especially those operated by the YA, as "the most modern types of facilities, incorporating the latest concepts in rehabilitation treatment." The report also warned, however, that the uncertain future of California's political economy would determine whether or any additional carceral expansion would be needed. As this section has outlined, it certainly was. Noting a brief "downward trend in the rate of commitments... now appears to be reversed," officials wondered: "To what extent this is due to the current softening of the economic situation is difficult to tell, but we believe it is safe to assume that this has had some effect on it. If this change in trend continues upward more capacity facilities will be required in the near future, or overcrowding... will again increase."⁸⁸

⁸⁷ Ray Zeman, "\$66 Million in County Public Jobs Under Way," *Los Angeles Times*, 2 January 1962. This included the construction of both the new Men's Central Jail and the new Women's Central Jail, with a combined cost of \$22 million, but it also included expansions at the Mira Loma Detention Center and the Wayside Honor Farm, as well as funding for new probation camps as well as an expansion of Los Padrinos Juvenile Hall.

⁸⁸ For additional context that puts prison spending in perspective, Stanford researchers reported that, between 1947 and 1958 the value of all construction in California amounted to \$80 billion. Expenditures on highways alone during the same period amounted to \$4.6 billion. The national defense budget was about \$40 billion in 1958, and the large proportion of it that went to California helped employ some 400,000 people. See, Robert K. Arnold, et. al., *The California Economy, 1947-1980* (Menlo Park: Stanford Research Institute, 1960), 245-268, 456. For the data on capital outlay expenditures, see California Legislative Analyst, "Capital Outlay," in *Analysis of the Budget Bill of the State of California for the Fiscal Year July 1, 1959, to June 30, 1960* (Sacramento: 1959), 707-716.

Contextualizing the postwar prison boom

What explains the persistence of prison overcrowding in California during the postwar period? This is an important question because, along with the state's commitment to the rehabilitative ideal, overcrowding was a key driver of the postwar prison boom. This section attempts to explain what drove overcrowding by looking more closely at the demographic data that the CDC and the YA published about the incarcerated population during these years. Looking at official data and anecdotal evidence from archival sources, it is clear that broader changes that took place within California during this period also helped drive prison commitments. Although it is difficult to verify F. C. MacDonald's claim about the relationship between unemployment and incarceration, the emergence of structural unemployment as a permanent feature of the political economy and the demographic shift in the state's overall population were two related developments that helped drive prison overcrowding and thus prison expansion. These were, in other words, the "unusually abnormal social or economic conditions contributing to crime" that Richard McGee warned of, which made his initial population projections appear naïve in hindsight. Combined with racially discriminatory policies in areas like housing, education, employment, and policing, these two factors not only helped ensure a steady flow of people entered California's new prisons, they also elicited an important shift in the racial and ethnic makeup of the prisoner population, such that the combined number of Black and Mexican-American prisoners finally overtook white prisoners in 1971, in the wake of the probation subsidy program.

As the prison boom was unfolding, corrections officials generally blamed overcrowding on the parallel expansion of California's overall population, which, to be sure, did also skyrocket after World War II, thanks both to in-migration and to a rising birth rate. The number of people

living in California nearly tripled between 1940 and 1970, from 6.9 million to 19.9 million. Much of that growth came after 1950, when the population rose by an annual average of 500,000.⁸⁹ Given this trend, California's prisons were bound to exceed their capacity even if the rate of incarceration had simply returned to the average of 114 per 100,000 residents.

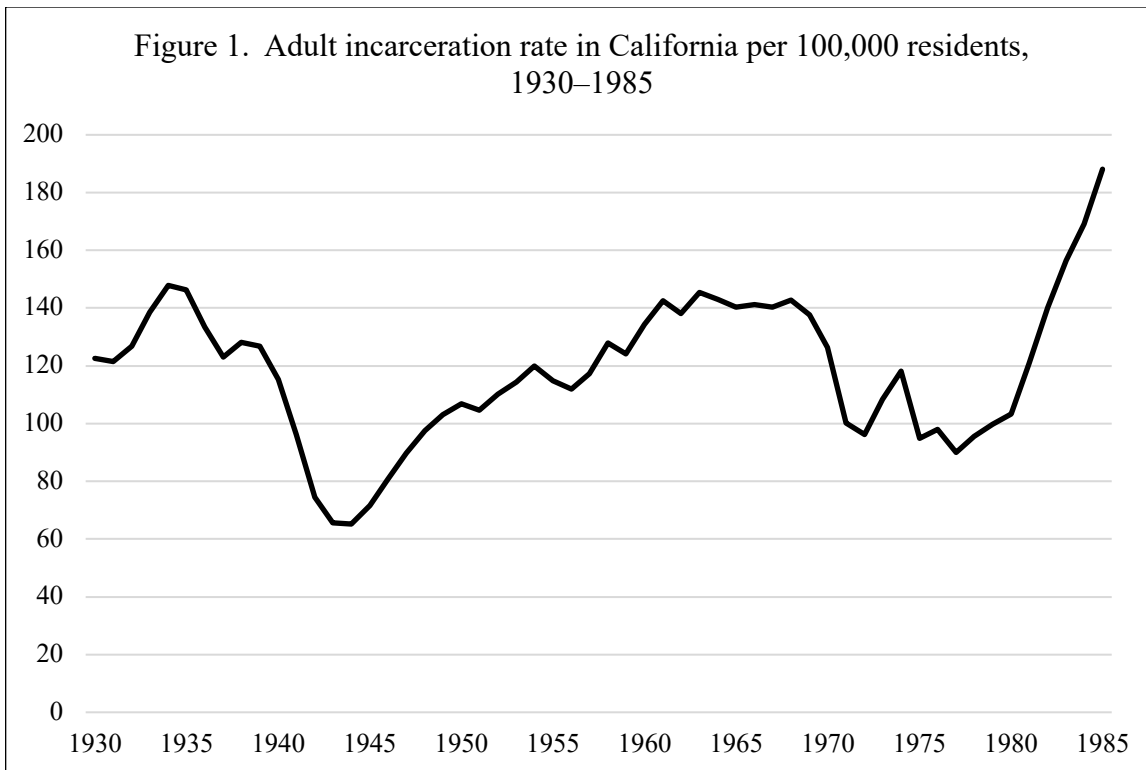
The reality was more complicated, however, and eventually the growth of California's prison population exceeded the growth of its overall population. Although officials ignored this reality, already by 1954, the adult incarceration rate had reached 120 prisoners per 100,000 residents. From there, it climbed to a postwar peak of 145.5 per 100,000 at the end of 1963. It remained above 140 until 1969, when it began to drop thanks to the probation subsidy. This data shows that California's incarceration rate grew at a faster pace than the overall population. As the graph below illustrates, from the mid-1950s onward, the adult incarceration rate more closely matched that of the Great Depression than any other period for which comparable data exists.⁹⁰

Neither could an increase in the rate of crime explain the overcrowding of California's prisons. In California, as in the United States as a whole, the postwar period was characterized by repeated moral panics surrounding supposed spikes in crime and juvenile delinquency, which played out in various arenas of popular and political culture.⁹¹ The statistics on which such claims rested, however, were shaky. Accurately tracking the incidence of crime in a society is a

⁸⁹ United States Census Bureau, *Characteristics of the Population—California*, Table 1—Population of the State, Urban and Rural: 1920 to 1940, pp. 515; *California: General Population Characteristics, 1970*, The State SMSA's Places of 10,000 or More, pp. 3.

⁹⁰ For a complete run of this data, see California Department of Corrections, *California Prisoners*, 6 for the years 1930–60 and for the remaining years, see California Department of Corrections, *California Prisoners and Civil Narcotic Addicts, 1983, 1985, and 1985*, pp. 2. Note that these figures include neither youth incarceration rates nor county incarceration rates.

⁹¹ For example, films like *Rebel Without a Cause*, *Wild One*, or *Blackboard Jungle* reflected real problems of juvenile delinquency while also fueling outsized public perceptions about the subject. For scholarly treatments of these moral panics, see James Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986) and Carl Suddler, *Presumed Criminal*.



notoriously difficult task, but in California, the expansion and modernization of the prison system also involved the creation of what was arguably the nation’s most reliable system for doing so.⁹² Beginning in the early-1950s, the state developed the capacity to collect relatively standardized records from its 450 local law enforcement agencies, and these were published on an annual basis. The surviving data paints a complicated picture that undermines sensationalism of Hollywood or the press. As the table below illustrates, in ten years, from 1954 until 1964, levels of reported crime in California skyrocketed.⁹³ Looking downstream at later phases of

⁹² Until the 1960s, California was the only state that had its own Bureau of Criminal Statistics for collecting and publishing standardized information on crime and delinquency. See Ronald H. Beattie and John P. Kenney, “Aggressive Crimes,” *The Annals of the American Academy of Political and Social Science* 364 (March, 1966): 79. For more on the debate over crime data, see John Clegg and Adaner Usmani, “The Economic Origins of Mass Incarceration,” *Social Science Research Network Electronic Journal* (January, 2017).

⁹³ Data compiled from *Crime in California* reports for 1954 and 1964, published by the California Bureau of Criminal Statistics. These years were selected because the Bureau’s mechanism for tracking felony complaints changed after 1964, making it difficult to make comparisons after that year.

criminal processing, however, it becomes clear that the number of reported crimes was significantly inflated compared to the number of arrests and felony complaints that were ultimately filed. Someone who only compared change over time in the rate of reported crime, for instance, would conclude that the crime rate had risen by nearly 80 percent between 1954 and 1964, while someone who compared the number of felony complaints filed would see a much more modest increase of less than 16 percent. By no means is this a perfect method of determining the true rate of major crime in California during this period. It assumes, for instance, that the number of felony complaints is itself neither inflated nor deflated as a result of either overzealous or ineffective policing and prosecution. Nevertheless, this discrepancy was stark enough to lead the statistician who oversaw the compilation and publication of California's crime data during this period to concede in 1966 that the apparent rise in crime was likely an artifact of law enforcement's increased ability to collect information, rather than a representation of a real social phenomenon.⁹⁴ Law enforcement officials had already come to a similar conclusion when, in 1958, a special committee convened to investigate the problem of "juvenile violence" found that the available data showed that youth involvement in violent crime had, in fact, declined since the end of World War II.⁹⁵

⁹⁴ Beattie and Kenney, "Aggressive Crimes." Beattie was the chief of California's Bureau of Criminal Statistics and Kenney was the deputy director of the California Department of Justice. In this article, he and his co-author concluded that "a good part of the rise in crime rates may be the result of the increased reporting of offenses," and that looking at arrest rates or the rate of felony complaints filed offered a potentially more accurate reflection of the real crime rate. Elsewhere, Beattie also made the important point that California's high rates of reported crime compared to other parts of the country were possibly a result of the fact that California had comparatively well-developed law enforcement agencies. Los Angeles, for example, consistently had the highest crime rate in the nation, but it also had "one of the most effective and efficient large metropolitan police agencies in the country" in the LAPD. See Ronald H. Beattie, "Criminal Statistics in the United States—1960," *The Journal of Criminal Law, Criminology, and Police Science* 51, no. 1 (May–June, 1960), 53, 55.

⁹⁵ California Citizen's Advisory Committee to the Attorney General on Crime Prevention, *Juvenile Violence in California: Report to General Edmund G. Brown* (Sacramento, 1958), 31–32, 69.

Table 3. Major crime in California, 1954 and 1964

Table 3. Major crime in California, 1954 and 1964					
		Total		Homicide	
		Number	Rate	Number	Rate
1954	Reported crimes	134,315	1,066	419	3
	Arrests	60,645	482	762	6
	Complaints filed	28,236	224	483	4
1964	Reported crimes	346,255	1,899	758	4
	Arrests	100,690	552	1,158	6
	Complaints filed	47,193	259	786	4
		Burglary		Theft (Except auto)	
		Number	Rate	Number	Rate
1954	Reported crimes	72,099	572	12,890	102
	Arrests	13,699	109	4,506	36
	Complaints filed	5,550	44	1,929	15
1964	Reported crimes	191,150	1,048	31,492	173
	Arrests	24,047	132	8,150	45
	Complaints filed	10,275	56	4,006	22
		Robbery		Assault	
		Number	Rate	Number	Rate
1954	Reported crimes	10,038	80	10,769	86
	Arrests	7,271	58	6,687	53
	Complaints filed	2,398	19	2,133	17
1964	Reported crimes	18,746	103	24,958	137
	Arrests	9,934	55	12,992	71
	Complaints filed	3,687	20	3,955	22
		Auto Theft		Rape	
		Number	Rate	Number	Rate
1954	Reported crimes	26,207	208	1,893	15
	Arrests	4,465	35	1,888	15
	Complaints filed	1,993	16	1,120	9
1964	Reported crimes	75,793	416	3,359	18
	Arrests	9,695	53	2,896	16
	Complaints filed	3,840	21	1,133	6

More than simply the inevitable consequence of population growth or a rising crime rate, prison overcrowding was a response to California's changing social and economic landscape, including demographic changes resulting from patterns of in-migration that accompanied the Great Depression and World War II. Tellingly, in their first public report on the growing prison population, which covered the period between 1945 and 1949, corrections officials reflected (and seemingly confirmed) popular ideas among "native" Californians about the relationship between crime and migration by recording the nativity of newly received prisoners during those years. The data showed that only 18.4 percent of new prisoners since 1945 had been born in the state. The majority had migrated either from the northern central states (Iowa, Kansas, Missouri, Nebraska, the Dakotas, and Minnesota) or the south (Texas, Oklahoma, Arkansas, Louisiana, Mississippi, and Alabama). These migrants would have been a racially-mixed group of people who fled a combination of economic, environmental catastrophe, and, for Black migrants, racist catastrophe.⁹⁶ These migrants were not inherently prone to crime. Rather, they occupied a more tenuous position within the state's social and economic structure, which meant they became the targets of law enforcement. For example, according to a 1949 report carried out by state prison officials on behalf of the LA County Board of Supervisors, local arrest rates were concentrated in communities oriented around centers of wartime production, including areas like Santa Monica, Pomona, and the city of Los Angeles itself, where Black workers had settled, as well as areas like Avalon, San Fernando, and Bell, which had been settled by working-class whites. Meanwhile,

⁹⁶ See California Department of Corrections, *California Prisoners, 1945–1949* (Sacramento, CA: 1951), 51. On in-migration to California during the Great Depression, see James Gregory, *American Exodus: The Dust Bowl Migration and Okie Culture in California* (New York: Oxford University Press, 1989) and Kevin Starr, *Endangered Dreams: The Great Depression in California* (New York: Oxford University Press, 1996), especially chapter eight, "Give Me Shelter: Soup Kitchens, Migrant Camps, and Other Relief Efforts," 223–45. On the experiences of Black migrants, in particular, see Murch, *Living For the City*, especially the first chapter, "Canaan Bound," 15–40.

middle- and upper-class suburbs like San Marino, South Pasadena, Sierra Madre, and Covina were among the places with the lowest arrest rates in LA County at the time.⁹⁷

Although the whites would continue to make up a majority of the state prison population until 1971, as time passed and the overcrowding crisis grew worse, Black and Mexican American Californians suffered increasingly disproportionate rates of incarceration. This reflected both the continued in-migration of people from these racial groups, as well as discriminatory treatment at the hands of not only police, but also the courts, the parole board, and eventually the discretion introduced by the probation subsidy program itself.⁹⁸ As the tables below illustrate, in the men's prisons, the percentage of whites dropped from 65 percent in 1950 to 52 percent in 1970. In the women's prisons, it dropped from 67 percent to 53.5 percent. Over that same period, the proportion of the prison population comprised of Black men and women grew from about 20 and 26 percent, respectively, to 30 and 36 percent. This was during a period when the percentage of Black residents in California as a whole rose from 4.3 percent to 7 percent.⁹⁹ Because of how racial categories were constructed during these years, it is more difficult to be certain about how incarceration rates among Mexican and Mexican American prisoners changed over time.

⁹⁷ Virgil J. O'Malley, *Report of a Survey of the Los Angeles County Facilities for Dealing with Crime and Delinquency* (Sacramento, 1949), 8–9. Avalon, the neighborhood with the highest arrest rate in the county in 1947 (186 arrests per 1,000 residents) had only four Black residents in the 1950 census. San Fernando also had only four Black residents in 1950, and its arrest rate of 88 per 1,000 residents was the third highest. With 75 arrests per 1,000 residents, Hawthorne had the fifth highest arrest rate in the county, yet it had only five Black residents in 1950.

⁹⁸ John Irwin articulates this idea clearly: “In the decades following the great influx of Blacks into California during World War II, the state’s criminal justice system functioned to institutionalize the race and class inequalities in the California culture at large. More aggressive police arrests in Black neighborhoods, inequities for poor defendants in pretrial negotiations, higher imprisonment rates for Blacks than for whites convicted of comparable crimes, and the greater reluctance of the Adult Authority to grant parole to Black prisoners than to white put proportionately more California Blacks than other races behind bars and kept them there longer between 1950 and 1980.” See *Prisons in Turmoil*, 66.

⁹⁹ On the growth of the Black population in California, see California Department of Industrial Relations, *Black Californians: Population, Education, Income, Employment* (Sacramento, 1974), 15.

Nevertheless, corrections officials reported a rise in the percentage of men classified as Mexican from 13 to 16 percent between 1950 and 1970, as well as a rise in the percentage of Mexican women from 4 to 8 percent.¹⁰⁰

Disproportionate rates of incarceration among Black and brown communities reflected the fact that working-class communities of color experienced more intense forms of policing during the postwar period. This is something that other scholars have documented extensively, and it is also evident in the archival record left by corrections officials.¹⁰¹ In 1949, for instance, YA field staff conducted a study of policing in the city of Richmond. Richmond had been a prominent destination for Black migrants seeking employment in the wartime shipbuilding industry. After the war, as employment dried up, it became the site of a major moral panic surrounding juvenile delinquency. During one particularly intense period between January of 1948 and June of 1949, as many as one in fifteen Richmond residents faced arrest. Without mentioning race explicitly, the YA officials who were asked to study the problem attributed the city's "difficulties" to the "sudden influx of a population during the war years, coupled with the

¹⁰⁰ The US Census Bureau did not track people of Hispanic origin as a unified group until 1970. The racial composition of the adult prison population was compiled from the various *California Prisoners* reports that were published between 1950 and 1980. See the tables titled "Race—Male Prisoners Received from Court" and "Race—Female Prisoners Received from Court." At different points in time, the CDC also variously collected data on Native American, Chinese, Japanese, Filipino, Hawaiian, Korean, and Samoan people. All of these groups were lumped into the category of "other," which, in the men's prisons, dropped from 2.5 percent of the overall population to 1.5 percent, and, in the women's prisons, rose from 2.8 percent to 4.5 percent.

¹⁰¹ On racially discriminatory policing in California after World War II, see Agee, *Streets of San Francisco*; Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (New York: Verso, 2006), especially the fifth chapter, "Hammer and the Rock," 265–322; Edward J. Escobar, "The Dialectics of Repression: The Los Angeles Police Department and the Chicano Movement, 1968–1971," *The Journal of American History* 90, no. 4 (March, 1993): 1483–1514 and "Bloody Christmas and the Irony of Police Professionalism: The Los Angeles Police Department, Mexican Americans, and Police Reform in the 1950s," *Pacific Historical Review* 72, no. 2 (May, 2003): 171–199; Garrett Felber, *Those Who Know Don't Say: The Nation of Islam, the Black Freedom Movement, and the Carceral State* (Chapel Hill: University of North Carolina Press, 2020), especially the fourth chapter, "We're Brutalized Because We're Black," 120–150; Max Felker-Kantor, *Policing Los Angeles*; Gerald Horne, *Fire This Time: The Watts Uprising and the 1960s* (Charlottesville: Da Capo Press, 1997), especially the seventh chapter, "Iron Fist," 134–167; Murch, *Living for the City*, especially the second chapter, "Fortress California," 41–68.

Figure 2. Racial demographics of imprisoned men in CDC custody, 1950–1980

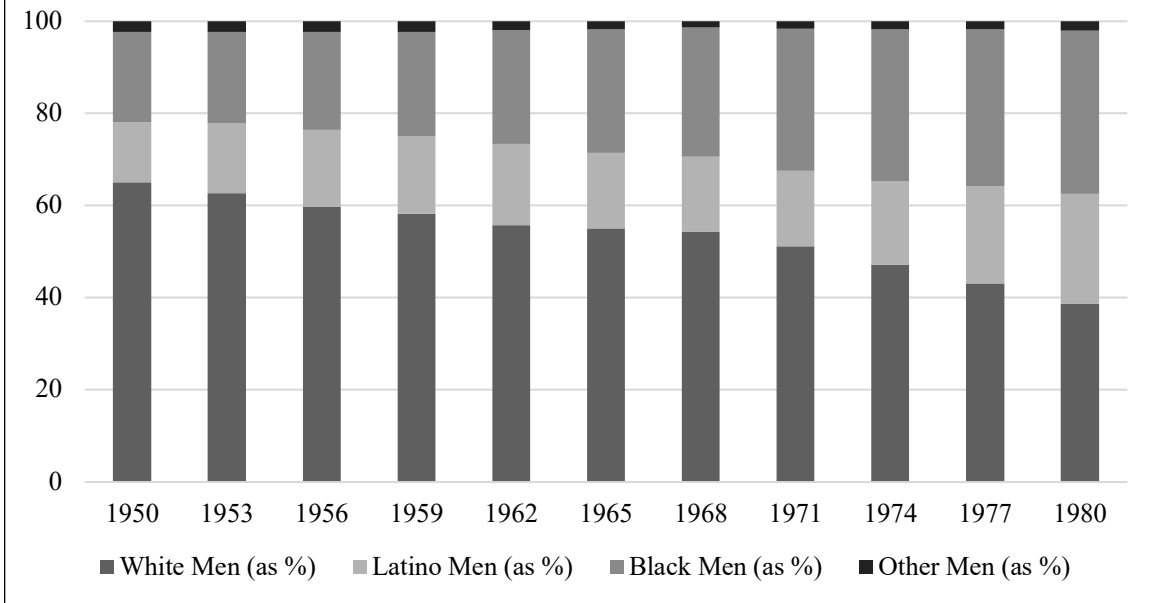
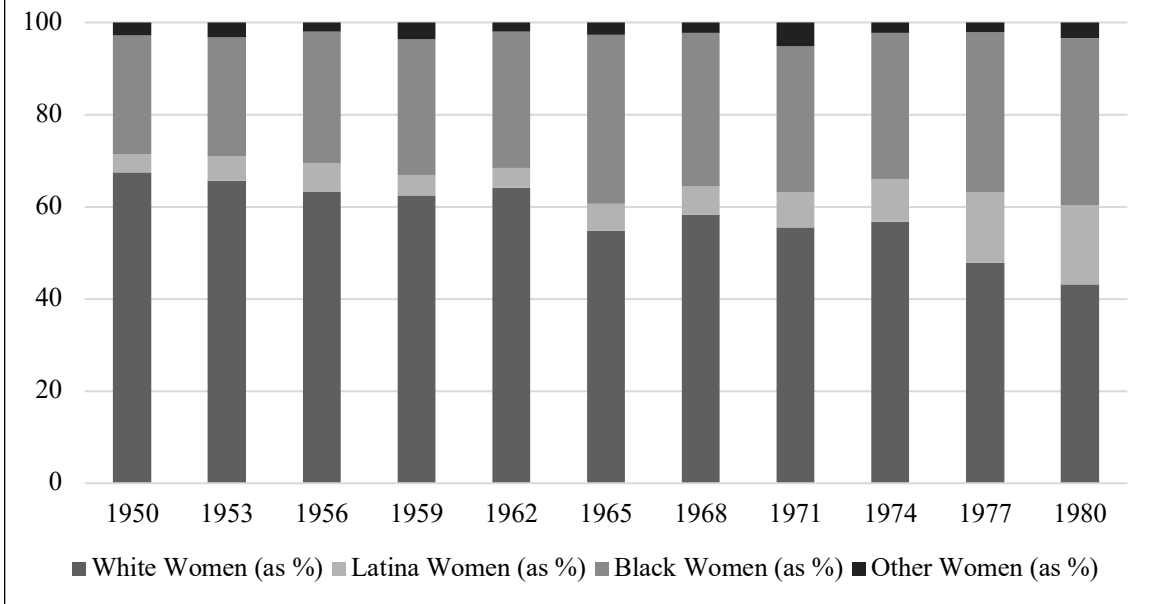


Figure 3. Racial demographics of imprisoned women in CDC custody, 1950–1980



fact that but few of the wartime workers have left.”¹⁰² Similarly, across the bay in San Francisco, police records on so-called “problem boys and girls” clearly demonstrate intense surveillance of the city’s Black communities. The number of Black youth whom the police actively tracked rose from nine in 1938 to 176 in 1953, a far greater rate of increase than the number of white youth whom the police tracked. Juvenile arrest data from the mid-1950s shows similarly disproportionate rates of arrest among Black youth in San Francisco, and among Black and Mexican American youth in Los Angeles.¹⁰³

In addition to racial disparities, the statistical record of prison commitments also shows that those who were crammed into the state’s growing prison system during these years shared certain other characteristics with one another—namely, they tended to represent the undereducated youth of the state’s largest urban centers, and they also tended to cycle in and out of carceral institutions. The vast majority of prisoners came from California’s cities, as opposed to its rural areas. Greater Los Angeles alone accounted for more than forty percent of all new prison commitments by the early 1960s, and nearly eighty percent of new commitments came from the southern and northern counties that included major population centers.¹⁰⁴ By 1971, Alameda County had the highest rate of new court commitments of any single county.¹⁰⁵ This is not surprising, given that the cities were where most of the population was concentrated, but it

¹⁰² See John P. Kenney, *Juvenile Control by the Richmond Police Department: A Study by the California Youth Authority* (Sacramento: 1950), 4–6. During this period, the police reported arresting more than 4,700 adults and 1,900 youth out of a population of around 100,000.

¹⁰³ For information on juvenile arrests in LA and San Francisco Counties, and for data on police surveillance of “problem boys and girls” in San Francisco, see the Appendix to *Juvenile Violence in California*, 63–78.

¹⁰⁴ *California Prisoners, 1961, 1962, and 1963*, pp. 26.

¹⁰⁵ California Department of Corrections, *California Prisoners, 1970 and 1971: Summary Statistics of Felon Prisoners and Parolees* (Sacramento, CA: 1972), 17.

also indicates that it was the industrial labor force that was being targeted for incarceration. In addition, prisoners were a relatively young group (throughout the whole of the period, the median age of newly committed prisoners held steady at around 30 years for women and slightly below 30 years for men) and an undereducated one (corrections officials did not see fit to record the education levels of newly committed women prisoners, but anywhere from 85 to 95 percent of newly committed men had not finished high school). Importantly, significant majorities of newly committed men and women had experienced incarceration repeatedly during their lives. For men, that figure rose from about 75 percent in the late-1940s to more than 85 percent in the mid-1960s, and for women it leveled off at around 60 percent.¹⁰⁶ Officials did not track the occupational or employment histories of newly committed prisoners—which is frustrating, because such data would provide a much more detailed view of the class composition of the incarcerated population—but it is safe to assume that the majority of the California’s prisoners existed on the margins of the state’s economy.

The fact that the vast majority of people sent to prison during this period were convicted of property crimes adds additional evidence that helps to address the question of class. More than half of the men who were sent to prison from 1945–49 had been convicted of out-and-out nonviolent crimes such as burglary, forgery, or theft, and roughly another twenty percent had committed robbery, which is a property crime that is technically classified as violent because it implies the use of force. Murder, assault, and sex crimes accounted for most of the remaining twenty percent of male commitments. Importantly, the proportion of men committed for such crimes actually declined by 1965. The one category of commitment offense that rose significantly was drug commitments, which grew to account for 12 percent of new prisoners by

¹⁰⁶ *California Prisoners, 1945–49*, pp. 51 and *California Prisoners, 1964, 1965, and 1966*, pp. 30.

the mid-1960s, from just three percent in the late-1940s. By 1965, convictions for narcotics, forgery, theft, burglary, and robbery accounted for 77 percent of all new male prison commitments. It was much the same for women. In the early-1940s, more than 33 percent of women had been sentenced on murder or manslaughter charges (which may suggest domestic violence as a causal factor), but by the mid-1960s, that number was down by more than half, while the proportion of women committed for narcotics, forgery, theft, burglary, and robbery exceeded 80 percent. In 1965, forgery alone accounted for almost 40 percent of the women newly committed to state prison.¹⁰⁷

As the statistical survey above suggests, prison overcrowding during the postwar decades stemmed from larger changes social and economic changes that were taking place in California during this period. Neither population growth nor an increase in crime explain why so many people were committed to prison. Rather, as corrections officials themselves eventually came to understand, the root cause lay in the broader conditions that determined the life chances of urban poor and working-class Californians, and especially poor and working-class Black and Mexican American Californians. This realization helped precipitate the broader crisis of faith in the rehabilitative ideal, leading to the passage of the probation subsidy program and the search for alternatives to incarceration. That process is the focus of the remainder of this chapter.

The end of the boom and the probation subsidy program

Even before Ronald Reagan delivered “The Speech” in 1964, the days of free-flowing capital for carceral expansion in California were numbered. Indeed, in some places,

¹⁰⁷ *California Prisoners, 1945–49*, pp. 48; *California Prisoners, 1964, 1965, and 1966*, pp. 19–21.

conservatives never fully embraced the effort. For example, as early as 1950, a representative from the Kern County Home, Farm, and Business Owner's Council attended a meeting of his board of supervisors to complain, among other things, about the rising cost of the new juvenile hall in Bakersfield. The supervisors agreed, and as part of a broader austerity budget, they cut the project's funding.¹⁰⁸ When the chief probation officer appeared before the board the following week, he protested the implications of that decision, given what he viewed to be the inadequacy of the county's existing facilities for youth incarceration. "We need time to rehabilitate them," he said, "under the present set-up we are making criminals out of juveniles."¹⁰⁹ Fiscal conservatism trumped the rehabilitative ideal in this instance and in others. In 1956, sheriffs in twelve California counties requested budget allocations to build new jail facilities or renovate existing ones. County supervisors approved only seven. The same year, voters in thirteen counties were asked to approve bond initiatives for the same purpose. They rejected all but five. In response to what a legislative fact-finding committee called "public and sometimes official apathy," in 1958, the state stepped up its subsidies for the construction of county youth correctional facilities. As the wave of construction accelerated, so did the level of opposition.¹¹⁰

An instructive lesson in the political pressures that helped erode the rehabilitative ideal unfolded in Los Angeles, when an early episode in the tax revolt led to the defeat of several ballot initiatives that would have expanded and improved the county's severely overcrowded

¹⁰⁸ "Tax Inequality Charged at Budget Hearings," *Bakersfield Californian*, April 20, 1950.

¹⁰⁹ "Board Lops Million off Budget Requests," *Bakersfield Californian*, April 28, 1950.

¹¹⁰ "Report of the Senate Committee on Correctional Facilities," 58–59 and 107–108. Although this report was not published until 1961, the legislative resolution that created it was passed in 1956, and the committee held its fact-finding hearings from 1957–59.

juvenile halls. The first and only time that LA County voters approved funding for a new juvenile hall was in 1954 when they passed a \$1.9 million bond initiative to help finance the Los Padrinos Juvenile Hall in Downey, which opened in 1957. Before then, hundreds of young people were being incarcerated at the old county jail. Apart from a group of residents who lived in the immediate vicinity of the proposed site, there was broad support for the initiative among labor, business, and civic organizations.¹¹¹ Even the *California Eagle* recommended a yes vote.¹¹² By the time the new facility was complete, however, it was already too small to meet the county's expanding needs. In 1962, voters were again asked to approve construction funding, this time by way of a much larger \$17 million bond initiative that would have funded a second new juvenile hall. Public support still dominated the press, but this time the supervisors failed to win the two-thirds majority that such initiatives required under state law. The supervisors tried again in 1964, this time asking for half as much money, but again at least one third of the LA County electorate voted no.¹¹³

A few weeks after the defeat of the 1964 initiative, hundreds of organized Alhambra homeowners, enraged by what they felt were excessive property tax assessments caused by irresponsible public spending, descended on a meeting of the LA County Board of Supervisors to shout down their elected officials. Although they represented at least a portion of the electoral base that opposed financing another juvenile hall, there is no record of anyone raising that specific issue during the protest. That changed in early 1965, however, when the county supervisors went ahead with their plan to renovate and expand MacLaren Juvenile Hall in El

¹¹¹ "Juvenile Hall Bonds Backed by 250 Groups," *Los Angeles Times*, June 7, 1954.

¹¹² Leon Steward, "One Man's Opinion," *California Eagle*, June 3, 1954.

¹¹³ "Prop. A Fate Hands on Absentees; Prop. B Loses," *Los Angeles Times*, November 6, 1964.

Monte, which, at that time, was used to incarcerate non-delinquent youth who had suffered abuse or abandonment. In response, a group of local homeowners inspired and publicly backed by the organizers of the original Alhambra group threatened to picket the construction site if the project went ahead.¹¹⁴ Things appeared to settle down until 1966, when the supervisors asked a third time for voter approval to sell \$3.25 million in bonds to further expand the halls. The brand-new Sylmar facility was overcrowded the very same day that it opened in 1965, and MacLaren Hall still needed an upgrade. The supervisors lost their plebiscite for a third time.¹¹⁵ As had been the case in each election, a majority of voters approved the measure, and many likely took a humane view of the problem. A Claremont resident, for example, wrote to the *Los Angeles Times* to condemn “the county’s churlish voters of both parties” who had rejected the latest ballot measure. “In their self-righteous outrage at juvenile crime suspects,” she wrote, “how many voters thought of visiting the facilities in question? Surely no parent, on viewing, for instance, the overcrowded fire-trap that is MacLaren Hall can avoid determination that no child, least of all his own, be subject to a single night under the facility’s existing conditions.”¹¹⁶ In response, a Whittier resident articulated the minority opinion that blocked the bond. Claiming that it cost the county \$4,000 annually to maintain a single child at MacLaren, he complained that he, his wife, and his two sons “are struggling along on approximately \$2,500 per person per year (including overtime) before taxes and my pro-rata share to support the juveniles and those (less?) fortunate than my kids.” Sounding quite like Reagan, who was elected governor on the same November 1966 ballot, he continued: “I realize that it costs a government agency more to do business than it

¹¹⁴ “MacLaren Hall Work Triggers Tax Protest,” *Los Angeles Times*, February 24, 1965.

¹¹⁵ Details on the defeat of Proposition E can be found in “Tom Goff, “Charter Change OK’d by Voters,” *Los Angeles Times*, November 10, 1966.

¹¹⁶ “Kathy Cruise Forrest, letter to the editor, *Los Angeles Times*, November 16, 1966.

would for private enterprise (and I'm not knocking the cause), but double or more than it costs me to provide what's probably a better level of services for my kids?"¹¹⁷

Conservative opposition to carceral expansion did not reflect a concern for the conditions of confinement for the young people who were held in LA County's overcrowded juvenile halls so much as it did a frustration with public expenditure on programs designed to help marginalized groups. It is important to underscore that, at this point in California's history, white homeowners were breaking decisively toward the political right. In addition to approving Proposition 14 in 1964, in the subsequent general election, in 1966, they sent a slew of conservative representatives besides Reagan to Sacramento. In the 1968 presidential election, a majority of Angelenos voted either for the staunch segregationist, George Wallace, or for Richard Nixon. Cloaked in fiscal conservatism, this strain of politics emerged out of the racist attitudes of white homeowners. California's postwar prosperity had been far kinder to whites and those able to gain access to the emerging suburbs of the southland and the bay area than it had to those who found themselves coming into contact with institutions like MacLaren Hall or the other jails and juvenile halls in LA or any other county, much less the state prison system. Although the advent of conservatism in California is not generally associated with an opposition to incarceration, given the amount of money that had been spent on carceral expansion in the preceding twenty years, as well as the fact that the reigning policy approach was one that sought to provide incarcerated people with a range of services, it makes sense that conservatives would include prisons, jails, and juvenile halls on their list of wasteful government programs.¹¹⁸ In

¹¹⁷ Paul N. Davey, letter to the editor, *Los Angeles Times*, November 22, 1966.

¹¹⁸ On the history of conservatism, see Lisa McGirr, *Suburban Warriors* and Rick Perlstein, *Before the Storm: Barry Goldwater and the Unmaking of the American Consensus* (New York: Nation Books, 2009) and *Nixonland: The Rise of a President and the Fracturing of America* (New York: Scribner, 2008).

1978, this strand of conservatism would culminate in the passage of Proposition 13, which helped restrict government expenditures on education and other social services in California precisely when a more punitive criminal justice policy became ascendent, and which still bogs down redistributive efforts in the state to this day.¹¹⁹

Before conservatives embraced mass incarceration during the 1980s, however, during the 1960s, their hostility to government spending helped to foreclose the possibility of further carceral expansion and pushed both the Brown and the Reagan gubernatorial administrations to pursue alternatives to incarceration, which they did through the probation subsidy program. Governor Brown's effort to alleviate overcrowding in the state prisons by expanding the conservation camp program did not work, and the state prisons remained woefully overcrowded. The same was true of many county facilities. As early as 1961, a legislative fact-finding committee called on the state to affirmatively promote alternatives to incarceration. The committee was charged with studying the problem of overcrowding in state prisons, jails, juvenile halls, and work camps and to raise public awareness about the humanitarian crisis that existed in such institutions, gathering testimony from a wide range of public officials to document just how dire prison and jail conditions were. The committee called on the state to help the counties to finance jail and juvenile hall construction, and such construction continued, even accelerated through the 1960s. At the same time, however, the committee also called on the state to prioritize alternatives to incarceration. Specifically, they envisioned a greater reliance on county probation. According to the committee, the average cost of supervising an adult on probation was between \$120 and \$140 annually, "a fraction of the cost of keeping him in jail."

¹¹⁹ Mike Davis, *City of Quartz*, 180–86. On the relationship between Prop. 13 and the anti-busing campaign, see HoSang, *Racial Propositions*, 115, 120.

What held counties back from sentencing more people to probation were the sky-high caseloads that most probation officers already had, and the lack of money to hire and train more officers to reduce them.¹²⁰

Formally proposed by the Board of Corrections in 1964, the probation subsidy operated by a simple logic—pay counties not to incarcerate people. Just as the state had earlier incentivized counties to build or improve jails and juvenile halls, the probation subsidy incentivized counties to sentence a greater share of their court-involved populations to probation instead of jail or prison. There were several benefits to this plan. For one thing, it would allow the state to stop building new prisons. For another, it would also maintain a far larger share of the criminal population in their communities, proximate to family and waged-labor, something that corrections experts increasingly believed improved an individual’s chances of avoiding future contact with the criminal legal system. Additionally, by further developing supposedly rational means of classification, the program could be sold as a way of separating criminals who posed a legitimate threat to public safety from those who did not. As the language of the statute put it, the probation subsidy intended “to increase the protection afforded to the citizens [of California], to permit a more even administration of justice, to rehabilitative offenders, and to reduce the necessity for commitment of persons to state correctional institutions by strengthening and improving the supervision of persons placed on probation by the juvenile and superior courts of the state.”¹²¹ Writing in 1971, the YA official who designed the program summed up its goals neatly in saying that it “clearly recognized probation as the most viable alternative to the massive program of State intervention carried out during the late 1950’s and early 1960’s.” “The act was

¹²⁰ “Report of the Senate Committee on Correctional Facilities,” especially pp. 107–111.

¹²¹ Statutes of California, Chapter 1029, 1965 Regular Session, State Aid for Probation Services.

generally viewed as a profitable alternative,” the official continued, “because of the many human and economic benefits derived from maintaining an offender as a functioning individual in society.”¹²² Importantly, the program also codified decarceration as its goal by barring counties from using subsidy funds to “support existing programs or develop or expand new programs in juvenile homes, ranches, or camps.”¹²³ The program became law in 1965.

Under the probation subsidy program, two variables controlled the amount of money a given county could “earn” by diverting people from prison or jail. The first was known as the “base commitment rate,” which measured the rate at which each county had committed people to prison in the years preceding 1965. This variable provided both a starting point to determine the specific funding schedule within which a given county would operate, as well as a target, since the subsidies only kicked in when a county brought its new prison commitments down to its base rate. The second and more important variable was the extent by which a county reduced new state prison commitments below its base commitment rate. By matching its base rate, a county earned a minimum per capita subsidy for every person its courts sentenced to probation, rather than prison or jail, and the more a county reduced its commitments below its base rate, the greater its subsidy. Depending on the starting point, a county might receive anywhere from \$80 to \$400 in additional per capita funding for every percent reduction in new prison commitments. On the low end, counties with base rates below 40 people per 100,000 residents—counties like Placer, Sierra, or Santa Clara—received a minimum of \$2,400 per capita simply by matching their base rate. For every additional percent reduction below that mark, these counties received

¹²² Robert Lee Smith, *A Quiet Revolution: Probation Subsidy* (Washington, DC: US Department of Health, Education, and Welfare, 1971), 5.

¹²³ Statutes of California, Chapter 1029, 1965 Regular Session, State Aid for Probation Services.

an additional \$400. These counties could earn the maximum subsidy of \$4,000 per capita if they reduced their commitments by five percent—a minimal threshold for counties that had historically leaned less heavily on the state. On the high end of the spectrum, counties with base commitment rates above 90 people per 100,000 residents—counties like Del Norte, Kern, San Joaquin, or Tehama—received a lesser minimum per capita subsidy of \$2,080 for meeting their base rate. For every percent reduction thereafter, these counties also received a smaller additional per capita subsidy of \$80. As a result, in order for these counties to earn the maximum \$4,000 per capita subsidy, they had to reduce new prison commitments by twenty-five percent—a much higher threshold for counties that had historically relied more greatly on the state. Between these two extremes, the program’s funding schedule doled out subsidies on a sliding scale. Alameda County, for example, started off with a base commitment rate of 64.5 persons per 100,000 residents; it earned \$2,135 for meeting that mark, and it earned an additional \$135 per capita for every additional percent reduction, before reaching the maximum subsidy at 15 percent. Neighboring Contra Costa County, with a base rate of 53 persons per 100,000 residents, was in the next tier down; it earned a minimum per capita subsidy of \$2,180 for matching its base rate, and it reached the maximum \$4,000 per capita subsidy after cutting commitments by only 12 percent.¹²⁴ Thus, the program provided a lucrative carrot to dissuade counties from committing people to state custody.

Without question, the probation subsidy program succeeded in reducing state youth and adult prison commitments. In its first year, 1966, the program diverted nearly 1,500 people from state prison. That number rose to 2,500 in the program’s second year, and to 3,500 in its third

¹²⁴ “Report on State Aid to Probation Services,” 1970, Box H23, Ronald Reagan Governor’s Papers, Ronald Reagan Library, pp. A-4 through B-6.

and fourth years.¹²⁵ By 1972, more than 20,000 people had been sentenced to probation in lieu of prison.¹²⁶ By 1977, the year the program ended, that number reached 48,000.¹²⁷ The program's impact can also be measured at the point of intake. Where California's superior courts sentenced nearly one quarter of all convicted defendants to state prison in 1965, while sentencing only about half of defendants to probation, by 1969, those same courts were sentencing fewer than ten percent of defendants to prison, while the proportion sentenced to probation rose to two-thirds.¹²⁸ In sheer numbers, the subsidy program reduced the state prison population by nearly one-third. In 1968, the prison population reached its postwar peak of 35,000. By 1977, it dropped to 23,600. Perhaps most impressively, the probation subsidy program managed to reverse California's rising rate of incarceration significantly, from 145.4 people per 100,000 residents in 1963—the first year the program was in effect—to 96.3 per 100,000 in 1972. By 1977, the final year of the program, it reached a low of 89.9 people per 100,000 residents. This was the lowest that California's rate of incarceration had been since 1946, and it has never been as low since.¹²⁹ Importantly, the probation subsidy was more successful at diverting young people from state prison. After six years, the rate at which the state's juvenile courts committed young people to the YA was down nearly fifty percent. By contrast, the rate at which the superior courts committed young people and adults to the CDC or the YA was up over eighteen

¹²⁵ Ibid., pp. C-1 through C-16.

¹²⁶ Richard T. Soderberg and Frank Torkelson, "A Management Review of the State's Probation Subsidy Program," California Department of Finance, 1972, Box 393, Folder 4, Edwin Meese Papers, Hoover Institute Library and Archives, 41.

¹²⁷ Edwin M. Lemert and Forrest Dill, *Offenders in the Community: The Probation Subsidy in California* (Lexington, MA: Lexington Books, 1978), xii.

¹²⁸ Smith, *A Quiet Revolution*, 48.

¹²⁹ *California Prisoners, 1960*, pp. 6; *California Prisoners and Civil Narcotic Addicts, 1983, 1985, and 1985*, pp. 2.

percent. Still, under the subsidy, the year-over-year growth in the rate at which superior courts committed people to state custody slowed considerably.¹³⁰

The significant population reductions realized by the probation subsidy program led, in turn, to significant cost savings. According to the most conservative estimate, as a result of cancelled construction, closed institutions, and new institutions left to idle, the state saved \$19 million by 1972.¹³¹ That would have been impressive enough on its own given the level of capital outlay expended in the preceding two decades, but less conservative estimates put this figure as high as \$186 million. Whatever the true number, by alleviating overcrowding, the subsidy program allowed state corrections officials to shrink the state's prison capacity for the first time since the mid-1940s. On the adult side, the CDC was able to finally close California Treatment Facility South, the portion of Soledad prison that was comprised of Quonset huts and temporary barracks procured via military surplus all the way back in 1946, which was still in use by the late-1960s. Adult corrections officials also closed a portion of the California Medical Facility at Vacaville, as well as five conservation camps. Perhaps more impressively, they were finally able to implement a policy of single-celling, housing only one person in each cell, instead of two or more. For its part, the YA closed the Fricot Ranch School for Boys, three conservation camps, and living units at five of their largest facilities. And, as mentioned above, the DeWitt Nelson Youth Training School remained empty for several years because there simply were not enough new wards to fill it.¹³² Both the CDC and the YA were able to abandon plans to construct numerous new prisons, including an adult psychiatric prison slated for San Diego County that

¹³⁰ Lemert and Dill, *Offenders in the Community*, 59–60.

¹³¹ Soderberg and Torkelson, "A Management Review of the State's Probation Subsidy Program."

¹³² Steve Ferris, "San Joaquin Board Refuses to Take 'Ride' On State-Owned \$6 Million 'White Elephant,'" *Sacramento Bee*, December 28, 1969.

was projected to cost \$43 million, as well as two medical-psychiatric facilities for youth, each slated to cost \$10.2 million.¹³³

Despite the fact that the probation subsidy succeeded in lowering prison populations and stemming the tide of carceral expansion, a significant negative consequence of the program's application is that it helped to reinforce the differential treatment that Black and Mexican American people experienced at the hands of the criminal legal system. The data on new prisoners received from court during this period show this clearly. For nearly twenty years, between 1951 and 1968, the proportion of white adult men committed to state prison remained consistent at about sixty percent. Then, in 1969, the proportion of white adult men committed to state prison dropped to 55 percent. By 1973, it had dropped to 49 percent, and by 1976 down below 45 percent. Comparatively, the proportion of Black and Mexican American men committed to state prison rose over this period. Black men comprised about a quarter of new prison commitments in 1965, yet by 1976 they comprised nearly one third. Similarly, Mexican American men comprised just over thirteen percent of new prison commitments in 1965, yet by 1976 they comprised nearly 22 percent. Similar shifts can be seen in the available demographic data for women committed to the CDC and for youth commitments to the YA. Like the adult prison population, the proportion of non-white youth committed to state prison rose significantly while the probation subsidy was in effect.¹³⁴ Indeed, the demographic data collected by researchers to evaluate the program itself indicates that white youth were far more likely to be sentenced to probation. More than seventy percent of all youth sentenced to probation by the

¹³³ For details on cost savings, see Smith, *A Quiet Revolution*, 68–71.

¹³⁴ White youth made up 53 percent of first commitments to the YA in 1966 but only 39 percent in 1977. Meanwhile, the proportion of Black commitments rose from 28 percent to 32 percent, while the proportion of Mexican American commitments rose from 18 percent to 26 percent. California Youth Authority, *Annual Report: Program Description and Statistical Report* (Sacramento, CA: 1978), 21.

juvenile courts in 1970 were white, and the same ratio prevailed for white youth and adults sentenced to probation by the superior courts, as well.¹³⁵ These racial disparities are clear. Of course, a whole host of factors determined differing individual and group experiences with the criminal legal system. Policing practices, which increasingly targeted communities of color during these years, are one such factor. Court proceedings are another. While the archival record of the probation subsidy program contains little information about the countless quotidian decisions made by police, prosecutors, and judges that bear on this question, there is ample scholarship that documents the pernicious interactions between ideas of race and ideas of criminality in the postwar United States.¹³⁶ The probation subsidy program claimed to leave the best prospects for rehabilitation in the community. Making such determinations was undoubtedly influenced by racist notions of who was deserving of such an opportunity and capable of change.

Critics of the probation subsidy used it as a scapegoat for rising rates of violent crime. In fact, the probation subsidy arguably provided a key touchstone for California's burgeoning "tough on crime" faction of politicians and law enforcement leaders, so much so that it is a wonder the program survived through the administration of Governor Ronald Reagan. While the program was signed into law by Pat Brown, it took effect the year that Reagan defeated the Democratic incumbent. But, instead of reverting back to the more punitive status quo, Reagan's administration left the program in place, and even expanded it significantly over time. The simplest explanation for this apparent contradiction lies in the cost savings that resulted from the program. Still, as the moral panic surrounding crime in California grew worse moving into the

¹³⁵ Smith, *A Quiet Revolution*, 62.

¹³⁶ See Felker-Kantor, *Policing Los Angeles* and Suddler, *Presumed Criminal*.

1970s, the program came under fire. On New Year's Eve in 1972, for example, the *LA Times* ran a series of front-page articles in its Sunday edition, all revolving around the problem of violence in the city and the nation. Two of these articles were little more than platforms for the police to decry what they saw as increasing leniency toward violent criminals who deserved to be locked away. "The courts are too lenient, especially with juveniles," one LAPD officer complained. Sheriff Peter Pitchess said that the courts sought "to find reasons for excusing antisocial, or criminal, acts, rather than punishing them."¹³⁷ These comments targeted the probation subsidy in implicit ways, but police chief Ed Davis was more explicit. In an article in which the reporter did not quote a single other source, Davis referred to the program as "blood money." "What's really happening, in my opinion," he said, "is that the state, through their monetary incentives to the counties to increase the use of probation, is putting people on the streets in a shift from institutional care for violent felons to community-based 'rehabilitation' for violent felons." Opinion was the right word for Davis' claim, since it had little basis in fact, but still, his criticism prefigured what would, by the late-1970s, become the dominant view toward criminal legal policy, in California and in the nation as a whole. "We have to isolate out of society the very violent and the very dangerous to protect society, and that's been lost sight of to a great extent in the functioning of the whole criminal justice system..." He continued: "That's why I call probation subsidy payments 'blood money,' because it has let the blood of a lot of people in this community... Society is paying a terrible price at \$4,000 a head—if someone's head gets smashed in or he gets killed, what good is the \$4,000 to hire a probation officer going to do

¹³⁷ Bill Hazlett and David Shaw, "Growing Violence—Fear, Frustration Ride With Police," *Los Angeles Times*, December 31, 1972.

him?”¹³⁸ Other conservatives piled on with more frightening rhetoric. The commanding officer of the juvenile division of the LAPD, for instance, said that the probation subsidy was the source of the “infection” of young criminals in the community.¹³⁹ Similarly, in July of 1973, Craig Biddle, a Republican state assemblyman from Riverside who had introduced the first of many bills to scrap the probation subsidy, was quoted wondering whether youth who repeatedly came into contact with the criminal legal system had “something wrong genetically.” H. L. Richardson, another Republican who represented part of the San Gabriel Valley in the state senate, and who would go on to become a key player in the rise of the new right, also criticized the program regularly.¹⁴⁰

In response to conservative criticism, the Reagan administration began to support efforts to repeal the probation subsidy, but the program survived. It remained in place for the duration of Reagan’s gubernatorial administration, and was only successfully repealed in 1977, when legislation introduced by a Democratic assemblymember was signed by a Democratic governor—Pat Brown’s son, Governor Jerry Brown. That year, researchers at UC Davis published a report claiming to quantify the probation subsidy’s impact on California’s crime rate. Despite conservative and liberal claims that it helped fuel higher rates of crime and violence, the researchers found that “probably less than 1 percent” of violent crime in the state could be traced back to it.¹⁴¹

¹³⁸ “Davis Says Probation Subsidies Fuel Crime,” *Los Angeles Times*, December 31, 1972.

¹³⁹ John Kendall, “Probation Subsidies—a State Prison Revolution,” *Los Angeles Times*, January 14, 1973, accessed in the Edwin Meese Papers, Box 391, Folder 4, Hoover Institution Library and Archives.

¹⁴⁰ John Kendall, “Prison Pendulum: From Lenience to Toughness,” *Los Angeles Times*, July 30, 1973.

¹⁴¹ “UCD Notes Probation Plan Saves But Crime Increases,” *Sacramento Bee*, April 6, 1977.

Recognizing the limits of the rehabilitative ideal

Importantly, although cost was an important factor, the decision to change course so dramatically from the carceral expansion of immediate postwar decades by embracing the probation subsidy program was also caused by the broader crisis of faith in the rehabilitative ideal itself. In addition to critiques from prisoners, this was also something that corrections officials came to understand and articulate in their own ways.¹⁴² As one CDC researcher put it: “It is difficult to escape the conclusion that the act of incarcerating a person at all will impair whatever potential he has for crime-free future adjustment and that, regardless of which ‘treatments’ are administered while he is in prison, the longer he is kept there the more will he deteriorate and the more likely is it that he will recidivate.”¹⁴³

Few sources illustrate the crisis of correctional policy quite like a report that Richard McGee sent to Ronald Reagan in May of 1967—just a few weeks after Reagan took office as governor and a few weeks before McGee would retire from state service—in which McGee tried to lay out a plan for a different path. “The Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency” was in many ways a typical example of the professional correctional literature of this period. It is long, it is difficult to read, and, at first glance, it does not appear to break radically from the status quo. However, it was and is a remarkable document. From his position as a top administrator, McGee knew better than most people just how little California had to show for all the money it had spent building prisons and jails over the previous two decades. He put the recidivism rate as high as 63 percent for adult

¹⁴² On radical prisoner critiques of the rehabilitative ideal, see Berger, *Captive Nation* and Cummins, *The Rise and Fall of California’s Radical Prison Movement*. Volker Janssen describes how corrections officials came to this realization. See “Convict Labor, Civic Welfare,” 535.

¹⁴³ James Robinson and Gerald Smith, “The Effectiveness of Correctional Programs,” *Crime and Delinquency* (January, 1971), 71–72.

prisoners and as high as 70 percent for youth, and he confessed to seeing little evidence that rehabilitative programming alone could reduce those numbers. California, he knew, could not and would not continue building and staffing more prisons in the coming years. Something needed to change. Importantly, he also believed that the perceived increase in the rate of violent crime owed more to changes in the ways that law enforcement classified crimes than to any real social phenomenon. And while he admitted that property crime had increased, he also doubted whether prison was the right solution for that particular problem. What McGee found most frustrating was unbalanced resource allocation. Although two-thirds of all convicted criminals never made it to state prison, state prisons ate up three quarters of all correctional funding. As he told Reagan, unless that discrepancy were fixed, California would have to make way for an additional 12,000 prisoners by 1977. That, he warned, would require building an additional ten new youth and adult prisons at a cost of \$300 million in capital outlay and \$120 million in additional annual operating costs. “On the other hand,” McGee wrote, “it is reasonable to conclude that a redesigned correctional system... can operate in 1975 at little more than the cost of the present system in 1966” with “fewer inmates in 1975 than in 1966.”¹⁴⁴ Here was the state’s first director of corrections and perhaps the most powerful advocate for the postwar prison boom arguing for a smaller prison system.

For McGee, shrinking the bloated prison system and implementing a more effective correctional policy in part required addressing a broader set of social problems related to poverty and racial inequality. Indeed, the first item of his proposal for a redesigned correctional system had nothing to do with correctional policy at all, but rather with what he called the “orderly

¹⁴⁴ Richard A. McGee and M. Robert Montilla, “The Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency,” April 21, 1967, Edwin Meese Papers, Box 395, Folder 4, Hoover Institution Library & Archives.

advance” of the War on Poverty.¹⁴⁵ As he put it, it had been “amply demonstrated that crime and delinquency are closely associated with family distress, poverty, lack of education, unemployment, and physical and mental illness.” He believed that things would improve when “correctional services” had been integrated with the “diagnostic, planning, and casework services now fractionated among numerous people-helping agencies—social welfare, rehabilitation, mental health and public health, anti-poverty services.” “New organizational forms or arrangements for local coordination,” he continued, “appear needed to avoid duplication of effort and to concentrate available resources more intelligently on the multi-problem families and neighborhoods.”¹⁴⁶

McGee’s farewell report to Reagan contains multiple meanings. On one hand, to borrow a formulation from the historian George Lipsitz, McGee’s language displays the tendency treat people with problems as problems, and his proposals are a classic example of the increasing connection between the War on Poverty and the carceral state.¹⁴⁷ On the other hand, however, McGee also clearly understood the structural limitations of the rehabilitative ideal in the context of a society defined by racial and economic inequality. Despite using racially coded language in his report, elsewhere, he was more direct. Speaking before the California Probation, Parole, and Correctional association, for example, McGee reportedly told his audience of carceral workers that one of the challenges for the future would be the “outpouring of young, untrained persons from economically deprived classes” as well as the “‘Negro revolution’ based ‘in the substandard

¹⁴⁵ Ibid., 35.

¹⁴⁶ Ibid., 3–5.

¹⁴⁷ George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple University Press, 2018), 187; Hinton, *From the War on Poverty*.

ghetto areas in the deteriorating cores of our industrial cities.”¹⁴⁸ Those were the words of a reporter paraphrasing McGee, but McGee himself warned Reagan to be mindful of the “rebellion and lawlessness in the militant minority riots,” which, by 1967, were on display each summer as Black communities across the nation expressed their frustration at the multiple forms of racism that shaped their lives.¹⁴⁹ McGee’s language indicates disdain for Black rebellion. At the same time, he articulated a clear understanding that prisons could not resolve the social problems that prompted such rebellion to being with. “The criminal justice system does not exist in isolation,” McGee told Reagan, “it is embedded in an environment from which comes the inputs into the system...” As he was wont to do, McGee cited statistics. There were 19 million Californians, he pointed out, 30 percent of whom lived “in conditions of poverty and degradation” in the state’s urban centers. “It is in these heavy concentrations of people that crime flourishes,” he wrote. Whatever else might change about California’s correctional policy, McGee argued that alleviating those conditions was the most important challenge.¹⁵⁰

* * *

This chapter has traced the growth of California’s carceral state from the 1940s through the mid-1960s, when a broad consensus appeared to agree with McGee that prisons had failed to carry out the rehabilitative ideal, and that addressing the root causes of crime would require a fundamental change in correctional policy. McGee’s farewell report is one marker of an often-

¹⁴⁸ “Males 14–29 Provide 80% Of State’s Crime,” *Sacramento Bee*, June 2, 1967.

¹⁴⁹ Here and throughout the dissertation, I use the term “rebellion” in the way that Elizabeth Kai Hinton uses it in her work on the “so-called urban riots” of the 1960s. See *America On Fire: The Untold History of Police Violence and Black Rebellion Since the 1960s* (New York: Liveright Publishing Corporation, 2021), 8.

¹⁵⁰ McGee “The Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency,” 33–34.

overlooked moment of contingency, when even some of those who had worked the hardest to legitimize the carceral expansion of the previous two decades came to believe that their efforts had been largely misdirected given the larger context in which carceral institutions were situated. This development helped motivate policy makers in California to search for alternatives to incarceration, leading to the probation subsidy program. It is within this context that the ensuing chapters examine the significance of the three relationships between labor and incarceration, beginning in the next chapter with an analysis of how prison work programs helped to first legitimize and then to delegitimize the rehabilitative ideal, and then continuing with carceral work and carceral workers, and the broader political economy in which prisons and jails were situated.

CHAPTER TWO

“Get Over the Fear of Work”: Prison Labor and the Rehabilitative Ideal

In California the prisoner is not the Forgotten Man. His situation becomes hopeless only when he ceases to hope... Services designed to assist in his rehabilitation are available but he must exercise the will to use them so as to make himself socially useful.

—California Correctional Industries Commission, 1953¹

The vast research effort in this area has failed to find any effective instruments for rehabilitating the 2.5 million people who are processed by the criminal justice system every year in the US. The correctional system does not correct, and no one knows how to modify the correctional process so that it will correct.

—Phillip Cook, UC Berkeley, 1971²

* * *

In 1952, Kenyon Scudder published a memoir of his experience as the first superintendent of what was arguably California’s first earnest experiment with the rehabilitative ideal—the California Institution for Men at Chino. Initially commissioned in 1936 as a minimum-security reformatory for younger, first-time prisoners who were thought to have a better chance at rehabilitation, ironically, Chino itself became a jobs program when the Works Progress Administration stepped in to fund its construction. In the late-1930s, political leaders abandoned the original progressive mission behind the new prison in favor of constructing a new prison in the model of San Quentin in the southland, and unemployed workers were put to work under federal contract building walls and guard towers. That is, until Scudder stepped in. Like Richard McGee, Scudder was a crucial figure in California prison history. Born in Alameda in

¹ California Correctional Industries Commission, *How Prisoners Can Become Community Assets*, (Sacramento, 1953), 3.

² Phillip Cook, *The Effect of Legitimate Opportunities on the Probability of Parolee Recidivism*, (Berkeley: University of California Institute of Industrial Relations, 1971), 1.

1890, after attending Oberlin College, Scudder took his first job in corrections as the assistant director of vocations at the Washington State Reformatory. He went back to school to study psychology at UC Berkeley, and then began working at the Preston School of Industry, first as vocational director, and then briefly as the superintendent until 1919. For most of the 1920s, Scudder worked for the Veteran's Bureau as a regional manager, trying to find jobs and housing for ex-servicemen in California and Nevada. He returned to state service briefly as the superintendent of the Whittier School for Boys before becoming LA County's first full-time probation officer in 1931. It was in that position that, in 1932, Scudder helped open the county's first probation camp, as a means of dealing with vagrant and potentially delinquent youth who had arrived in Los Angeles as a result of the Great Depression. Scudder continued working in probation through the 1930s, and in 1941 he was convinced to help get the Chino prison back on track. At least for a brief time, he helped Chino become the famed "prison without walls," where incarcerated men served their sentences in a relatively unrestricted environment with broad access to rehabilitative services.

For Scudder, work was central to rehabilitation. As he described in his memoir, the expansion of California's economy after World War II created ample opportunity for employment, especially in the building trades. Thus, in addition to dormitory-style living units, sparing use of administrative segregation, a wide-range of recreational programs, diverse religious services, and a uniquely liberal visitation policy, Chino also boasted trade-training programs that turned prisoners into "plasterers, brick-layers, hod carriers, tile-setters, plumbers, and carpenters," to say nothing of the agricultural programs that existed at the prison as well. In the 1955 film adaptation of Scudder's memoir, which won an Oscar for best original song and starred one of the most famous professional football players of the era, the audience gets a sense

of how Scudder envisioned such programs working.³ On the eve of his parole, Johnny, one of the supporting characters, walks into the dormitory at Chino to say goodbye to his friends. “I hear you got a good job all lined up, Johnny,” says the football star. “That’s right,” Johnny replies, “Scudder talked to the parole officer and they got me a job with a bricklaying outfit up in Fresno. You know they even got me to the union? I’m supposed to make about six hundred [dollars] a month!” Johnny goes on to emphasize the importance of accepting his criminal history and facing things “the way they are,” but his access to a steady, high-wage job is what puts him and his peers at ease. In his memoir, Scudder described another similar success story, that of a Black prisoner named Vic who became a plasterer and eventually earned \$25 per day. “This training is no phony,” Scudder claims Vic told a group of prisoners at Chino. “I’m really getting the dough.” “One of the most important phases of the prison industries program,” Scudder wrote, “in addition to on-the-job training, is to teach men to get over the fear of work and to take pride in doing a thing well. With such pride there is great hope for steady work habits and permanent employment later.”⁴

Scudder’s understanding of the relationship between work and rehabilitation—that prison work programs not only provided training, but also helped prisoners to overcome their “fear”

³ The film *Unchained*, directed by Hall Bartlett and distributed by Warner Bros. Pictures in 1955, is on YouTube, https://www.youtube.com/watch?v=CE_es014R4A. Bartlett had himself incarcerated at CIM for a brief time as he worked to adapt Scudder’s memoir into a screenplay. The film starred Elroy “Crazylegs” Hirsch who played as an end for the newly-minted Los Angeles Rams. Hirsch was one of the most prolific scorers of his generation, and his casting in a film about CIM and the rehabilitative ideal, which was shot on-site at the prison, is itself a testament to the lengths that corrections officials went to in order to legitimate the rehabilitative ideal. In 1956, the film earned an academy award nomination in the category of “best song first used in an eligible picture” for the song “Unchained Melody,” which was later made famous by the Righteous Brothers, Sam Cooke, Willie Nelson, and others. In the film, the song is performed by Hirsch’s co-star, Todd Duncan. Duncan was himself a famous stage actor well known for playing Porgy in the original production of *Porgy and Bess*. He largely avoided appearing on film, but made an exception because of the film’s “sensitive and timely” approach to its depiction of incarceration. “Warm Spirit Pervades Work on Film About Chino Prison,” *Los Angeles Times*, July 18, 1954; Philip K. Scheuer, “‘New York Confidential’ Billed With ‘Unchained,’” *Los Angeles Times*, March 3, 1955.

⁴ Kenyon J. Scudder, *Prisoners Are People* (Garden City, NY: Doubleday & Company, 1952), 156.

of work—underscores an important contradiction at the heart of the rehabilitative ideal as it took shape in California during the postwar period. To be sure, many prisoners lacked basic education and work experience, much less a marketable trade. They stood to benefit from job training. At the same time, however, as this chapter argues, prisoners’ struggle to find steady work likely had more to do with the broader labor market in which they had to compete as it did with any aversion to work that they may have had. As this chapter aims to show, recognizing this contradiction helps explain how, despite the robust system of prison work programs that corrections officials like Scudder established, by the 1960s, California’s prisons were failing to prepare prisoners for jobs on the outside.

Having described the trajectory of California’s postwar prison boom in the previous chapter, this chapter examines the first dimension of the relationship between labor and incarceration by describing the prison work programs that took shape within that context and their ultimate failure amid a political economy defined by structural unemployment. The chapter is divided into several parts. Although these sections cover a broad span of time and a variety of different topics, they present an analysis that is unified around the role that prison work programs played in first legitimizing and then delegitimizing the rehabilitative ideal as the center of correctional policy in California. To begin, the chapter describes the emergence of the conservation camp program, which did indeed grow out of the Civilian Conservation Corps (CCC) of the New Deal, as Ronald Reagan vaguely intuited. The camps also helped to alleviate prison overcrowding in the late-1950s and early-1960s, providing one final outlet before policy makers had to abandon carceral expansion entirely. The chapter then surveys the work programs that corrections officials established within the prisons, including vocational training programs and correctional industries, which helped to keep prisoners busy, reduce costs, and create the

appearance that rehabilitation was taking place. Other scholars who have studied these topics have looked at the challenges that prison work programs presented to administrators, the experiences of the incarcerated people who participated in them, and at the moments, particularly in the late-1960s and early-1970s, when incarcerated people organized to assert their rights.⁵ Recognizing the importance of these contributions, this chapter draws on sources that illuminate lesser-known aspects of prison work programs that point toward the complementary conclusion that California's prison work programs failed in their central goal of preparing prisoners to succeed on the labor market.

After describing California's prison work programs, the chapter continues by examining how efforts to find jobs for people coming out of prison emerged out of the search for alternatives to incarceration, as the rehabilitative ideal began to give way in the late-1960s. Here, the chapter breaks new ground by looking at the history of the state's work furlough program and at a demonstration project funded through the federal labor department that focused reducing recidivism through intensive job-placement efforts for formerly incarcerated youth. These programs matter to the history of California's carceral state because they help to illustrate the extent to which corrections officials shared an understanding of the structural limitations of the rehabilitative ideal that was similar to McGee's. Through these programs, officials came to recognize that the availability of work on the outside mattered just as much if not more than the work programs that existed inside the prison system. Ultimately, this chapter argues that California's prison work programs reduced rehabilitation to the level of the individual at the expense of a wider view that took structural conditions into account. By emphasizing prisoners'

⁵ Cummins, *The Rise and Fall of California's Radical Prison Movement*, 117–23; 199–202; Janssen, "Convict Labor, Civic Welfare," 425–54; Kohler-Hausmann, *Getting Tough*, 222–24.

supposed “fear” of work, the narratives that surrounded prison work programs often eclipsed the circumstances of structural unemployment that often led people into prison to begin with.

The conservation camp program

California’s conservation camps were meant to mitigate both idleness and overcrowding by putting prisons to work conducting vital fire suppression and flood control work for nearly no pay, while also shoring up the legitimacy of the prison system as a whole at a time when that legitimacy was beginning to wane. Thousands of incarcerated people still work in these camps today (though they are now colloquially known as fire camps), making them an especially salient topic. Prison labor camps had been around for decades by the 1940s, when they began to fill the void left by California’s dozens of vacant Civilian Conservation Corps (CCC) camps. As this section of the chapter argues, this link is important because it suggests that, like their New Deal predecessors, the CDC conservation camps performed a similar function—namely, providing jobs for unemployed workers through public works projects. The crucial difference was that, after the end of the CCC program in the 1940s, California continued this practice coercively, through its carceral state. The following analysis deals less with the social history of the camps themselves than it does with the narratives that emerged surrounding the camps, which reproduced the idea that what incarcerated people needed was an opportunity to overcome their fear of work.

Although the camp program originated in the 1940s, as discussed in the previous chapter, it was not until the late-1950s, when it became clear that prison overcrowding was not going away, that Governor Pat Brown acceded to the recommendations of corrections administrators and the state legislature and dramatically expanded the capacity of the camps. Legislative and

corrections officials favored these smaller geographically isolated camps because they offered a comparatively cheap way of expanding bed space, especially when the large conservation centers came online during the early-1960s. In addition, the camps also provided the state with thousands of young men who performed various kinds of labor, including fire suppression, flood control, the development of the state park system, and more. Unemployed youth had performed this labor under the CCC during the 1930s. As then, by the late-1950s and early-1960s, California decided to resolve a persistent unemployment crisis while also developing its natural resources.⁶ Moreover, officials embraced the camp program because, through work, it helped to reinforce the legitimating narrative of the rehabilitative ideal.

Before delving into the history of the postwar conservation camp program, however, it is useful to sketch the deeper history out of which they emerged. California opened its first prison work camps in 1915 in remote parts of the state, such as Big Sur or the North Coast, where incarcerated people were put to work building roads in places where free labor was scarce. Though the timing coincided with the emergence of the chain gang system in the American south, as historian Ethan Blue writes, California's version was "radically different." Instead of a racial hierarchy, California's "honor camps," as they were originally known, "aimed to reinforce a hierarchy based on class difference."⁷ In these honor camps, as many as one hundred racially integrated prisoners lived in relatively privileged and unrestricted environments under the supervision of two or three guards. During the day, prisoners performed unskilled labor

⁶ On the relationship between the conservation camp program and the CCC, see C. Raymond Clar, *California Government and Forestry—II, during the Young and Rolph Administrations* (Sacramento: California Department of Conservation, Division of Forestry, 1969). Clar worked as a forester for the California state government from the late-1920s until his retirement in 1969. See also, Lloyd Thorpe, *Men to Match the Mountains* (Seattle, WA: Craftsmen and Met Press, 1972).

⁷ Blue, *Doing Time*, 69.

alongside free men—clearing brush or timber, digging drainage ditches, drilling blast holes, hauling earth, and building retaining walls. After 1923, the legislature entitled them to earn modest but meaningful wages. The men who were assigned to these camps ate better food and escaped the more grueling and hazardous work of the jute mill or the rock quarry, not to mention other unsavory aspects of life in a place like Folsom or San Quentin. If he felt bold enough, a prisoner could even walk away for a few hours or overnight, in pursuit of drink, sex, or simply the feeling of freedom. At first there were three such road camps. By 1923 there were six, then eight by 1925, then back to six by 1933. By 1936, prisoners had built 500 miles of road that helped stimulate local lumber and tourism economies, and officials lauded the camps as “the most effective part of the prison system” from “the standpoint of rehabilitation.” Out of the \$2.50 daily wage that they earned, prisoners had to pay the costs of operating the camps. For the first eight months of their time in camp, the parole board considered prisoners indebted to the state and thus ineligible for release. In addition to evidence of a hard work ethic, the board also looked for signs of thrift and responsibility in deciding when a prisoner was ready for parole, and if any one prisoner was caught escaping, the whole group faced severe financial penalties. Rehabilitation in the honor camps meant assuming the role of a disciplined and responsible wage worker, and this notion adhered to the postwar camp program as well.⁸

California’s first prison work camps dedicated specifically to forestry and conservation emerged not in the state prison system, but in the Los Angeles County Probation Department during the Great Depression, where they provided a means of taking unemployed and potentially delinquent youth off the streets and putting them to work. Los Angeles sat at the terminus of several major rail lines, and so, by the early-1930s, it had become a common destination for

⁸ Blue, *Doing Time*, 68–76; McAfee, “A History of Convict Labor,” 26–28.

young men fleeing economic and ecological devastation elsewhere in the country. Law enforcement officials, politicians, and economic elites viewed these refugees as vagrants. Initially, they simply shipped the young men back to where they came from, only for the young men to arrive right back in the city later on. Kenyon Scudder was the county's chief probation officer at the time, and he was frustrated at the situation. To make a change, Scudder worked with a forward-thinking juvenile court judge and an official from the county forestry department to devise a new approach that involved putting the boys to work in the Angeles National Forest before deporting them. At the very least, this allowed the county to derive some benefit from the situation. Thus, in early 1932, the LA County Probation Department opened Forestry Camp No. 10 in San Dimas, in the middle of the San Gabriel Valley. The county sent thirty delinquent boys to cut a fire road twelve feet wide and fourteen miles long, climbing nearly five thousand feet from the base of the San Gabriel Mountains to Sunset Peak.⁹ The boys earned 50¢ a day, and the county held them until they had earned enough to cover the cost of their return ticket home, plus two dollars in cash for each day of travel. Some 150 boys passed through the camp in its first year, and in 1933 the county increased its capacity to sixty. In 1937, with the county juvenile hall and the juvenile tank at the county jail both woefully overcrowded, officials decided to open a second camp in the mountains north of Chatsworth, on the western edge of the San Fernando Valley. By that time, more than one thousand boys had passed through the San Dimas camp. Scudder claimed that more than ninety percent never got into trouble with the law again. "The interesting thing that happened," he said, "was that these kids would stop coming back. They would earn enough money so that they could buy their own ticket home and have enough to buy

⁹ John L. Von Blon, "Lesson in Service," *Los Angeles Times*, April 9, 1933. Today, the road can be identified on certain maps as the Sunset Ridge Truck Trail. Forestry Camp No. 10 is still open under the name Glen Rockey Camp School.

a decent suit of clothes and have enough money to pay for their own food on the train and have also some money left that they would jingle in their pockets when they got home.”¹⁰ Although Scudder reinforced the notion that most of the boys incarcerated in the San Dimas camp had come from other parts of the country, county officials reported that the majority had in fact been born in the Los Angeles area.¹¹

Publicly, the value of these first conservation camps lay in their ability to discipline young people to embrace a life of work. Published three years apart, two *LA Times* articles offer evidence for this in their recounting of the nearly identical stories of Tommy and Johnnie Jones. In their teenage years, these two boys both decided to leave unstable or abusive home environments. Tommy came from Massachusetts, while Johnnie grew up somewhere in the southland. Faced with the difficult task of supporting themselves during the depression, both boys wound up committing robbery, and both were arrested and sent before a judge of the juvenile court. Rather than send them to Preston or Whittier, however, the judges in both cases chose to send them to San Dimas, where, it was said, “hard work and discipline” could help put “a more level head” on their shoulders. Tommy and Johnnie were likely composite characters invented by journalists, but their stories reveal the function that people imagined the San Dimas camp served. Work played a crucial role. “Many of the city boys who arrive at the camp have never done a day’s work,” one journalist wrote, but they “soon learn to handle a pick and shovel expertly.” According to one county forester, the boys at San Dimas “clear more firebreak than the men who used to be hired at \$4 a day.” “I’d rather handle them than a crew of paid men,”

¹⁰ Kenyon Scudder, “Criminologist and Social Engineer,” UCLA Center for Oral History Research (1967), 235.

¹¹ “Forest Camp Saves Boys,” *Los Angeles Times*, April 21, 1937; John L. Von Blon, “Lesson in Service,” *Los Angeles Times*, April 9, 1933; Thorpe’s account of the county camps is pp. 42–50.

said another, for they “are more willing and less troublesome. Every lad easily does a man’s work and enjoys it. I spread them out, giving each a ten-foot station, and look how they make the dirt fly!” Officials kept merit scores based on each boy’s work record and the neatness of his equipment, as well as his table manners, personal cleanliness, and other behaviors. Additionally, boys with high merit scores could participate in mock civic institutions, perhaps serving as the elected leader of their work crew, or as camp mayor or chief of police. Sports also provided a competitive outlet for learning teamwork, and educational classes were offered in the evenings. But even with these other features, work was the most important part of the camp program, and, in addition to the narrative role that it played, it also produced value. Not only were the boys safeguarding profitable agricultural land from potentially devastating fires, they also forestalled the need to spend money expanding the jail or juvenile hall. By 1936, as the county planned its second camp, officials claimed that the boys who had passed through San Dimas had saved the county \$300,000. They had also carved eight miles of fire road, cut ninety miles of fire break, and cleared fuel from sixty miles of county highway. In the words of the juvenile court judge who helped initiate the program, the camps were a “bargain in manhood.” Instead of being “pauperized,” he said, through work, the boys might retain “self-respect” and “self-reliance.”¹² Whatever their true work history, according to the legitimating narrative, “after a few weeks their muscles toughen and their terror of work disappears.”¹³

People may have believed that the camps could cure a young person’s fear of work, but this narrative appears to have only masked the causal role played by the larger economic crisis of

¹² John Cornell, “Making Men and Saving Money,” *Los Angeles Times*, May 10, 1936. Cornell’s article describes Johnnie Jones. For the source that describes Tommie Jones, see John L. Von Blon, “Lesson in Service,” *Los Angeles Times*, April 9, 1933.

¹³ William Moon, “Youth Camps Prove Value,” *Los Angeles Times*, September 12, 1937.

the depression, which created the conditions that the camps erroneously claimed to solve. Here, Scudder's memory is instructive. Speaking more than thirty years after the fact, he described how the fathers of the boys who passed through his camp during the 1930s were chastened by their children's success. The boys "pleased the old gentlemen more than anything that could happen," Scudder said, imagining reunions that he likely never witnessed first-hand. He claimed that the fathers also felt "shamed" because their sons had "got out and rustled and got a job, and yet he [the father] was still on the dole."¹⁴ A touching scene, perhaps, but it could not have been real in the way that Scudder describes it, if for no other reason than that the boys did not "rustle up" anything. They had been arrested and sentenced to a term of forced labor. No matter how pleased a father may have been that his son returned with cash to relieve the struggling family, in the context of the depression, he could not achieve the same goal simply by applying himself. Eventually, by establishing the CCC, the federal government embraced a version of Scudder's camp program that preempted the need for young men to come into contact with the court system. Some even claim that LA County's probation camps inspired the CCC. Whatever the case, at its peak, some 22,000 men worked in roughly three-dozen state- or federally-run camps in California, and although it was not the main goal of the program, even President Roosevelt eventually admitted that controlling crime and delinquency was an important effect of the CCC. As he put it, "nobody who knows how demoralizing the effects of enforced idleness may be, will be inclined to doubt that crime prevention has been an important by-product of our effort to provide our needy unemployed citizens with the opportunity to earn by honest work at least the bare necessities of life."¹⁵

¹⁴ Scudder, "Criminologist and Social Engineer," 235.

¹⁵ Quoted in John A. Pandiani, "The Crime Control Corps: An Invisible New Deal Program," *The British Journal of Sociology* 33 no. 3 (September, 1982): 348–58. Pandiani is one of the only scholars to recognize this aspect of the

While the CCC helped control crime by mitigating the impact of the depression on thousands of unemployed young people, it also helped blaze the trail for the conservation camp program that would later be established through the California prison system during and after World War II. Through the CCC and the state relief camps, the United States Forest Service and the California Division of Forestry developed a substantial network of camps filled with young, able-bodied men performing useful labor.¹⁶ But as the men employed in those camps enlisted in the military or found better opportunities in wartime industries, forestry officials lost their labor force, and officials with the Board of Corrections had already begun exploring the possibility of using prisoners as a replacement as early as 1940. In 1941, an official with the US Forest Service (USFS) who had helped administer the CCC in California, DeWitt Nelson, approached Scudder about this idea. Scudder had just started as the superintendent of CIM, and Nelson asked him if he might lend a few prisoners to help with “simple chores” at one of the forest service camps. Scudder obliged, and the relationship grew from there. Between 1942–1944, the US Forest Service opened nearly twenty temporary camps throughout the state, from Palomar Mountain in San Diego County, up to Tionesta just below the Oregon border in Modoc County,

history of the CCC. “These camps,” he writes, “simply by virtue of their geographical placement, provided the functional equivalent of a prison. Without bars, guards, or coercion large numbers of potential criminals were effectively removed from the population at large and from the opportunity to engage in crime.” Pandiani also points out how judges and probation officers explicitly saw the CCC as an anti-crime measure, and sometimes used it as an alternative to processing someone through the court system. In California, the history of the state relief camps reinforces the desperation that the unemployed felt at the time. According to one history of the California Division of Forestry, for instance, as early as 1931, unemployed workers in California began *deliberately* setting forest fires so they could earn the 25¢ hourly wage the state paid volunteer firefighters, and the state legislature established its own relief camps the same year, with additional legislation doubling-down on this approach coming the year after. In the winter of 1933–34, the California Division of Forestry opened camps to “furnish employment for 5,000 single, homeless resident men.” The CCC itself was not established until 1933, the year after the San Dimas probation camp opened. See Clar, *California Government and Forestry-II*, 193. See also, Thorpe, *Men to Match the Mountains*, 47–48.

¹⁶ According to Thorpe: “In physical facilities, such as fire trails telephone lines, lookout towers, roads, guard stations, emergency water holes, CDF [the California Division of Forestry] advanced itself at least 20 years beyond the most optimistic expectations of the day.”

where incarcerated men worked on projects similar to those carried out by the CCC. Los Angeles, Riverside, San Bernardino, Plumas and Siskiyou counties all had camps of their own, as well.¹⁷ The Youth Authority also began establishing camps during this period. In the summer of 1943, Herman Stark sent forty incarcerated youth, including a number of decorated World War II combat veterans, to begin construction on an “honor camp” inside the Calaveras Big Trees State Park, in the foothills of the western Sierra Nevada, near the town of Arnold.¹⁸ In 1945, the Youth Authority opened three more camps—camps Whitmore, Coarsegold, and Pine Grove, located in Shasta, Fresno, and Jackson counties, respectively.¹⁹

In 1945, the Youth Authority opened the first permanent conservation camp of the postwar period, and the program expanded alongside the prison population. By 1947, the Department of Corrections had established its first two permanent conservation camps, both in San Diego County. Unlike the wartime camps, which were administered jointly with federal forestry officials, the permanent camps were administered in cooperation with the state Division of Forestry (CDF). The majority of the postwar conservation camps would be set up on this basis, and although the CDC continued to operate seasonal forestry camps with the USFS until the mid-1960s, the significance of those camps diminished in comparison to the state-run program.²⁰ Five more permanent camps followed on the adult side in 1949, followed by three

¹⁷ Many of these camps were established right on top of old CCC camps, or else were built out the portable structures of disused CCC camps. See Thorpe, *Men to Match the Mountains*.

¹⁸ Herbert L. Phillips, “Youth Authority Aids Delinquent Service Veterans,” *Sacramento Bee*, August 18, 1943.

¹⁹ CYA, *Program and Progress, 1943–1948* (Sacramento, CA: 1948), 94

²⁰ As of 1957, the seasonal USFS camps were as follows: Grizzly Camp in Modoc County with 50 prisoners; Harvey Valley Camp in Lassen County with 50 prisoners; Boulder Creek Camp in Plumas County with 50 prisoners; Sugar Pine Camp in Placer County with 25 prisoners; Middle Fork Camp in Tuolumne County with 25 prisoners; and Glen Meadows Camp in Fresno County with 25 prisoners. Officials claimed they had a use for up to 5,000,000 man-hours over ten years. See, Senate of the State of California, *Report of the Interim Committee on Natural Resources: Study on Prison Labor and Forestry Camps* (Sacramento, 1957), 29

more adult camps and three more youth camps through the mid-1950s. By 1958, there were thirteen permanent conservation camps, three road camps, and three seasonal forest service camps for adult prisoners. The number of prisoners incarcerated in these camps reached 1,100 at the peak of the year. On the youth side, there were three permanent camps, each with a capacity of sixty or more, and three smaller “spike camps” that each housed twenty youth. As the overcrowding problem showed no signs of slowing (and this despite the construction of eleven new prisons), corrections officials increasingly embraced the camp program as a solution to overcrowding. They planned four new camps for 1959, and they hoped to open another ten camps by 1966. Their ultimate goal was to bring the camp population up to 2,500.²¹

When Governor Brown came into office in 1959, he championed the conservation camp program as a way of alleviating overcrowding and idleness and achieving the mission of rehabilitation. In his inaugural address, Brown mentioned the camp program by name alongside vocational training as a core part of his plan to help control crime. Such programs, he said, ensured that “every man can offer society an effective skill and regular work habits.”²² During his first year in office, Brown signed legislation establishing the Division of Conservation as a separate administrative entity within the CDC and authorizing the construction of the first conservation center.²³ Speaking at the groundbreaking ceremony in Susanville, the Governor claimed the camp program “combines protection and development of our great natural resources with the rehabilitation of men—at a savings to the taxpayer.” “It is a fine, a noble, an essential

²¹ CDC, *1958 Biennial*, 16.

²² “Edmund G. ‘Pat’ Brown, First Inaugural Address, delivered January 5, 1959,” The Governor’s Gallery, California State Library, accessed April 24, 2024, <https://governors.library.ca.gov/addresses/32-Pbrown01.html>.

²³ Senate of the State of California, *Progress Report on Expanded Use of Prison Inmates in the Conservation Program* (Sacramento, 1961), 10. Hereafter cited as the *Arnold Commission Report*, which is how the commission is generally referred to in the archive, after its chairman, Senator Stanley Arnold.

thing to save our forests,” he said. “It is an even nobler thing to conserve the greatest of all resources—human beings. By this program we are doing both.”²⁴

The narrative that Brown constructed to legitimize his expansion of the camp program clearly echoed McGee’s notion of “saving prison waste,” but the program had as much to do with alleviating overcrowding as with anything else. By the end of 1960, the Department of Corrections had brought seven new permanent camps online—raising the total number of adult camps to twenty—while also increasing the capacity of the existing camps, making room for 1,800 prisoners in total. From there, the Department opened four new permanent camps every two years for the next six years, for a total of eleven new adult camps and one new youth camp through 1967. It also opened the Southern Conservation Center at CIM in 1962, the California Conservation Center at Susanville in 1963, and the Sierra Conservation Center at Jamestown in 1965. At the end of 1966, the program’s peak year, California operated thirty-one permanent adult conservation camps, three mobile conservation camps, and two road camps, while the Youth Authority operated seven conservation camps of its own. From fewer than one thousand prisoners at the end of 1957, by the beginning of 1967, there were almost 5,600 incarcerated men and boys assigned to the conservation camp program. That the majority—some 3,000 prisoners—were held in the conservation centers as opposed to the camps themselves is telling. In many ways, the conservation centers were simply cheaper versions of conventional prisons, merely warehousing thousands of young men at a lower cost to the state instead of living up to the goals of politicians like Governor Brown. Table four illustrates the expansion of the camp program through its peak.²⁵

²⁴ CDC, *1960 Biennial*, 14.

²⁵ See the California Department of Conservation reports concerning the conservation camp program, all titled *Division of Forestry in the Conservation Camp Program*, from 1962, 1963, 1967, and 1968.

Table 4. Conservation camps open by 1967

Year Opened	Camp name	Agency	Location (Nearest city, County)	Capacity
1945	Pine Grove	YA	Jackson, Amador County	70
1945	Coarsegold	YA	Coarsegold, Madera County	20
1946	Rainbow	CDC	Temecula, San Diego County	60
1947	Minewawa	CDC	Jamul, San Diego County	60
1947	Ben Lomond	YA	Santa Cruz, Santa Cruz County	70
1949	Slack Canyon	CDC	San Miguel, Monterey County	60
1949	Miramonte	CDC	Miramonte, Fresno County	60
1949	Parlin Fork	CDC	Fort Bragg, Mendocino County	55
1949	Iron Mine	CDC	Auburn, Placer County	60
1949	Magalia	CDC	Magalia, Butte County	60
1950	Blasingame	YA	Fresno, Fresno County	20
1950	Smartville	YA	Smartville, Yuba County	20
1954	High Rock	CDC	Weott, Humboldt County	60
1955	Clear Creek (Road Camp)	CDC	Happy Camp, Siskiyou County	60
1956	Mount Bullion	YA	Merced, Mariposa County	60
1956	Preston Ranch (Road Camp)	CDC	Blue Lake, Humboldt County	40
1958	Vallecito	CDC	Angels Camp, Calaveras County	80
1959	Crystal Creek	CDC	Redding, Shasta County	80
1959	Puerta La Cruz	CDC	Warner Springs, San Diego County	80
1959	Pilot Rock	CDC	Crestline, San Bernardino County	80
1959	Chamberlain Creek	CDC	Fort Bragg, Mendocino County	80
1959	Folsom Lake-Beaver Creek	CDC	Folsom, Sacramento County	60
1959	Murietta	CDC	Coalinga, Fresno County	80
1960	Plum Creek	CDC	Red Bluff, Tehama County	80
1960	Mobile Camp I	CDC	Lowe Lake, Lake County	40
1960	Mobile Camp II	CDC	Burney, Shasta County	40
1960	Mobile Camp III	CDC	Porterville, Tulare County	40
1954	Mountain Home	CDC	Springville, Tulare County	80
1954	Morena	CDC	Campo, San Diego County	60
1961	Don Lugo	CDC	Chino, San Bernardino County	80
1961	Washington Ridge	YA	Nevada City, Nevada County	80
1962	Intermountain	CDC	Nubieber, Lassen County	80
1962	Deadwood	CDC	Fort Jones, Siskiyou County	80
1962	Cuesta Conservation Camp	CDC	San Luis Obispo, San Luis Obispo County	80
1963	Inyo-Mono	CDC	Bishop, Inyo County	80
1963	Prado	CDC	Chino, San Bernardino County	80
1963	Antelope	CDC	Susanville, Lassen County	80
1963	Konocti	CDC	Lower Lake, Lake County	80
1964	Black Mountain	CDC	Cazadero, Sonoma County	80
1965	Baseline	CDC	Jamestown, Tuolumne County	80
1966	La Cima	CDC	Julian, San Diego County	80
1967	Eel River Camp	CDC	Garberville, Humboldt County	100
1967	Growlersburg	CDC	Georgetown, El Dorado County	80

In addition to the state-run conservation camp program, many California counties also opened conservation camps of their own, both for young people and for adults. By 1956, twenty-one county jail systems and three city jail systems operated some type of farm or camp, which they primarily used for alcoholics or sentenced prisoners who did not need maximum security custody. The LA County Sheriff's Department, for example, operated six road camps.²⁶ San Diego County operated three camps, and these were said to be a model for the rest of the state, where prisoners built roads, cut fire breaks, and cleared trails, among other projects.²⁷ In many cases, farms and camps were the only facilities in which counties provided enough space for each prisoner to meet minimum standards. Corrections officials praised the county camps as "one of the brightest aspects" of the county jail landscape, and they valued the work that county prisoners performed, including "agriculture, road work, maintenance of public parks and hospital grounds, maintenance of county equipment, flood control, mosquito abatement, motor vehicle repair, and miscellaneous other assignments." At least one county still leased prisoners out to private growers during harvests.²⁸

Although it is difficult to obtain an exact count, the number of county-run youth probation camps also expanded significantly during this period. In 1945 (the same year that YA officials persuaded the legislature to subsidize the expansion of the probation camps by reimbursing the counties for half the cost of their operation), there were eleven such camps across the state with a combined capacity of 700. By 1955, those numbers had risen to sixteen camps with a capacity of nearly one thousand. In 1957, state youth corrections officials lobbied

²⁶ Citizens' Advisory Committee to the Attorney General on Crime Prevention, *California Jails: Report to Attorney General Edmund G. Brown* (Sacramento, 1956), 42.

²⁷ *Ibid.*, 48.

²⁸ *Study on Prison Labor and Forestry Camps*, 53.

the legislature to expand its subsidies to include not just operational costs, but also half of camp construction costs as well, and this fueled even further growth.²⁹ By 1959, there were 28 county youth camps in the state with a combined capacity of 1,645. More than \$1 million in subsidies flowed from the state to the counties each year.³⁰ One report claimed that 42 camps would be brought online by 1960 raising the capacity to over 2,500.³¹ State corrections officials valued these camps for the same reasons they valued the state-run camps. “Construction of two institutions the size of Preston [the Preston School of Industry] is being saved the state,” one report claimed. Officials also claimed that recidivism rates were low for the youth who passed through the county camps—as low as 20 percent in LA County.³²

Whether at the county or the state level, the camp program succeeded in replacing the CCC and camp prisoners performed largely the same kind of labor as had the unemployed men who found work in conservation during the depression. Fire suppression was undoubtedly their main objective. As table five shows, during the 1959–60 fire season, for example, the men at the Magalia camp near Oroville spent virtually all their time engaged in activities that supported fire suppression, either directly or indirectly. This included a substantial amount of time manning active fire lines, but also far more time spent on ancillary tasks, such as reducing fuel and maintaining fire roads and other forest service infrastructure that was essential to California’s massive wildland fire suppression effort. The largest share of their time, in fact, was spent maintaining the camp itself—cooking, cleaning, and keeping records, as well as making repairs

²⁹ *Arnold Commission Report*, 34. See also, CYA, *Probation Progress*, 1957, pp. 8.

³⁰ *Study on Prison Labor and Forestry Camps*, 31.

³¹ CYA, *Probation Progress*, 1959, pp. 17–19.

³² *Study on Prison Labor and Forestry Camps*, 31.

and keeping vehicles, hoses, and other tools in working order.³³ Beyond fire suppression, camp prisoners also aided flood mitigation efforts and helped develop California's water infrastructure and its state parks. In 1960, for example, when the Eel River overflowed its banks, the men at the High Rock camp mobilized to rescue stranded residents of Weott and to aid in cleaning up after the fact.³⁴ Those same men also helped develop the nearby Humboldt Redwoods State Park, as did prisoners at the Morena camp in San Diego County, who helped develop the Cuyamaca Rancho State Park. The boys incarcerated at the Youth Authority's Calaveras camp worked on both the Calaveras Big Trees and Folsom Lake parks, and the boys at the Ben Lomond camp near Santa Cruz worked on the Big Basin Redwoods State Park.³⁵ In the late-1950s, the California Department of Fish and Game began using camp labor to clear waterways at Chico Creek near Oroville and at Fish Lake near Hoopa Valley. It also used prisoners to repair both the McClure Lake Dam in the central-eastern San Joaquin Valley and the Finnon Lake Dam near Placerville. At San Lorenzo River in Santa Cruz County and along the north coast at the Noyo River, the Big River, and the Lower Klamath River and its tributaries, prisoners cleared waterways jammed from decades of clearcut logging, enabling silver and steelhead salmon to once again run to their spawning grounds (which made the fish available to recreational fishermen and facilitated economic activity valued by state officials).³⁶ Officials within the

³³ *Arnold Commission Report*, 44.

³⁴ *Arnold Commission Report*, 31. See also, Janssen, "When the 'Jungle' Met the Forest," 712.

³⁵ *Arnold Commission Report*, 16–17; 32–34. The county probation camps served a similar purpose. In Los Angeles County's probation camps, for example, incarcerated youth performed the same kinds of fire suppression activities as their counterparts in the Department of Corrections and the Youth Authority, while also constructing water catch basins, preventing soil erosion, and maintaining the county's parks, beaches, and horseback-riding trails. On the county camps, see *Study on Prison Labor and Forestry Camps*, 31.

³⁶ *Arnold Commission Report*, 29–32.

Division of Beaches and Parks saw so much potential use for prison labor that they devised plans for nearly 18,000 man-months of work developing, improving, and maintaining the state park system, and the legislature concluded that there was “an unlimited field of work” for the prisoners, “which might reasonably take 100 years to complete.”³⁷ Importantly, officials claimed that this work “would never be done by other than prison labor.”³⁸

Table 5. Hours of work performed by the men at Camp Magalia, 1959–60		
	Hours	Percentage
Total	206,530	100.00
Camp crew	33,403	16.1
Hazard reduction	29,317	14.2
Fire suppression	28,708	13.9
In-camp project work	24,009	11.6
Maintenance of forestry fire roads	22,581	10.9
Maintenance of forestry telephone lines	20,206	9.8
Maintenance of forestry stations	14,964	7.2
Nursery	11,712	5.7
Maintenance of camp facilities	10,486	5.1
Fire training	2,632	1.3
Reforestation	1,968	1.0
Blister rust control	1,776	0.9
Recuperation	1,296	0.6
Inclement weather	1,192	0.6
Pole treating	1,168	0.6
Sick or injured	600	0.3
Blood bank	512	0.2

With an infinite supply of fire suppression and other work, camp prisoners created significant value for the state and the residents of rural areas. Although the day-to-day operational costs of the camps were slightly higher per capita than they would have been at a prison like Soledad or Deuel, the per-bed capital outlay was half as expensive. As boosters

³⁷ *Study on Prison Labor and Forestry Camps*, 12.

³⁸ *Ibid.*, 16–18.

pointed out, however, that difference also needed to account for “the savings that accrue through the protection of our natural resources.” Doing so resulted in a cost savings that they claimed “far offset by many millions of dollars any increased operational cost.”³⁹ From the standpoint of corrections officials, specifically, the fact that other state agencies paid out per diem reimbursements was another benefit. The contracts between the CDC and the Division of Forestry, for instance, required forestry to pay corrections anywhere between \$2.08 per prisoner, per day and \$2.37 per prisoner, per day. Even better, the divisions of public works and parks both paid a rate of \$3.50, the Fish and Game paid \$6.00, and the US Forest Service paid \$6.75 its 50-man camps and \$8.75 for the smaller 25- 30-man camps.⁴⁰ For their part, those whose property prisoners protected also valued the camps immensely. As the residents of Myers Flat wrote to the men of the High Rock camp after the 1960 Eel River flood, “We can never thank you men enough for your help in our time of need.” Such expressions of gratitude were not uncommon.⁴¹ The residents of Crestline, a community that sits just east of Lake Arrowhead in the San Bernardino National Forest, valued their conservation camp so greatly that they erected a

³⁹ *Arnold Commission Report*, 10, 26–27. As the 1957 legislative report put it, “A state park that has been destroyed by a disastrous fire is of no use to the State and is a tremendous loss to the State’s economy.” *Study on Prison Labor and Forestry Camps*, 27. The Arnold Commission Report echoed the same sentiment: “It is difficult to estimate how many millions of dollars were saved by their efforts but it is known to be far in excess of the cost of the program.” *Arnold Commission Report*, 13.

⁴⁰ *Arnold Commission Report*, 47, 52, 60, 57, 54.

⁴¹ For example, A resident who lived near the Miramonte camp east of Fresno wrote to corrections officials to express his appreciation for the “sure knowledge of fire protection, emergency flood control, search crews...and blood donations for the critically ill of the community.” See the CDC’s 1960 *Biennial Report*, pp. 14. In San Diego, a group of “businessmen and civic leaders” in created an organization to better coordinate fire suppression efforts and to educate the public to the value of the state-and county-run conservation camps there, where “the year-around ever-present danger of forest fire” threatened local economies. See, *Study on Prison Labor and Forestry Camps*, 32. During fire season, as many as two thousand camp prisoners might be fighting dozens of fires across the state. For residents with personal or commercial property interests in the fire- or flood-prone parts of the state (which is to say, all of California), such manpower represented a crucial safeguard to their economic security.

statue in their honor.⁴² Such examples reinforce the claim that these camps served a legitimating function. Even among the rural, conservative, and largely white residents who lived near these camps, the overall program had a high degree of legitimacy owing to the nature of the labor that incarcerated people performed.⁴³

Nevertheless, prisoners saw little of that value. A legislative committee wrote in 1961 that no one “can measure in dollars and cents, or human life, what might have happened had not these crews been on the line of fire.”⁴⁴ Surely, the prisoners who manned those crews would have liked to try. As a base wage, camp prisoners earned only \$15 per month for “project labor,” meaning anything other than active firefighting. Active firefighting enabled them to potentially earn an additional 30¢ per hour, although that only kicked in at the start of the ninth consecutive hour on the fire line. Some prisoners who performed skilled labor earned \$18 per month as a base wage, including clerks, maintenance men, kitchen helpers, and second cooks. The first cook, the highest paid prisoner in camp, earned \$20 per month, which factored out to less than 10¢ per hour based on the 48-hour work week the camps adhered to. By rule, if a prisoner had dependents who collected welfare benefits, two-thirds of their wages went directly to those dependents, and the amount of the welfare benefit the family collected was reduced proportionately. Otherwise, prisoners were allowed to spend \$12 per month on canteen items, with the remaining \$3 set aside in a retention account, which they would gain access to upon release. Even that represented a cost savings to the state, however, as whatever prisoners had in

⁴² California Department of Corrections, *Correctional Progress in California, 1963–1964* (Sacramento, 1964), 14. Hereafter cited as CDC, *1964 Biennial*.

⁴³ Janssen, “When the ‘Jungle’ Met the Forest.”

⁴⁴ *Arnold Commission Report*, 5; *Study on Prison Labor and Forestry Camps*, 25.

their retention accounts offset the gate money that the state ordinarily gave to parolees on their way out of prison.⁴⁵

Corrections officials insisted that the camp program was not “a one-way street,” and even if prisoners were not rewarding for their work with wages, the camps offered them rehabilitation. “The inmate crewmen benefit, too,” one official wrote, explaining that prisoners “gain improved work habits; they learn to work as parts of a team; they develop a sense of responsibility toward fellow crewmen; they mature and return to their home communities better prepared to lead constructive lives.”⁴⁶ Similar sentiments can be found all over the sources on the camp program.⁴⁷ In 1962, a deputy director in the CDC framed the issue in terms of the Cold War. “We are in as big a battle for the minds of the men as the one between capitalism and communism,” he said. “A camp in God’s outdoors, with no fences, locks, or barred doors and no guard towers is a better place to say, ‘Johnny, you aren’t thinking right.’ If we improve the teaching and change the environment, it should give us a worthwhile citizen.”⁴⁸ The narratives surrounding the camp program still revolved around the perceived need to convince incarcerated people to choose to become productive workers, ignoring the larger questions of whether or to what extent such a choice was open to them.

⁴⁵ *Arnold Commission Report*, 18.

⁴⁶ CDC, *1960 Biennial*, 20.

⁴⁷ The same notion is clearly evident in the 1957 legislative report on the camps, which describes how the YA camps led to “the physical improvement of the boy,” or to “his learning to do a day’s work and acquiring good work habits.” Or, consider these sentences about the benefit of “the experience of working and living in common enterprise with others,” or of “training and experience in work techniques,” or about how “the day-to-day experiences in close contact with skilled journeymen workers gives many an older boy an on-the-job type of training in a wide variety of trades.” See, *Study on Prison Labor and Forestry Camps*, 25.

⁴⁸ Daryl Lembke, “Convicts Fight Forest Fires as Volunteers,” *Los Angeles Times*, July 15, 1962.

Unfortunately, the archival record contains no clear indication of how successful the conservation camp program was at preparing prisoners to find work on the outside, but there is reason to doubt the rehabilitative value of the camps. From the standpoint of an incarcerated person, the conservation camps may have been viewed as a preferable place to serve one's sentence. Surely it was true for some that a term in camp provided a stepping stone toward a crime-free life. At the same time, the conservation camp program does not seem to have meaningfully reduced recidivism. Even after Governor Brown's expansion of the program, overcrowding remained severe and the government's next step was to abandon carceral expansion entirely, which it did via the probation subsidy program. Indeed, the probation subsidy helped to bring about a decline in the camp program, as the program diverted the kinds of people convicted of lower-level crimes from prison who would otherwise have filled the lower security classifications from which the bulk of the camp population was taken. According to historian Volker Janssen, whose work on the conservation camp program is among the only published scholarship about California's postwar prison work programs, the limitations of the camp program had an important geographic component. How could training in wildland firefighting in rural California have benefitted someone who would eventually be released to the industrial economy of Los Angeles, Riverside, or Oakland, where unemployment among young, undereducated people of color remained high? As Janssen puts it, "it was not floods or fires that strained their lives and family ties, but crowded, segregated ramshackle housing; poor access to education, healthcare, and employment; and a hostile police force."⁴⁹

Ultimately, the camp program existed more to reinforce the legitimacy of the rehabilitative ideal than it did to resolve the problem of structural unemployment, which was one

⁴⁹ Janssen, "When the 'Jungle' Met the Forest," 702–726.

of the causal factors behind prison overcrowding. In 1963, when he dedicated the California Conservation Center at Susanville, Governor Brown said that the program offered “an opportunity to give dramatic proof to the state and the nation that a modern correctional program can be of tremendous effectiveness.” He also emphasized that the program reduced overcrowding and “turned idle men into productive workers.”⁵⁰ That it did, but not in the way that it needed to in order to address the root of the problem. Writing in the same year, the forestry official who administered the camp program offered a more accurate assessment of the program’s limitations. In a detailed history of the program that preceded the camp-by-camp report, the official emphasized the program’s relationship to the CCC, including the fact that some of the very same sites and structures that had once helped resolve the unemployment crisis of the 1930s had been repurposed for the carceral conservation camps. He also mentioned that, when the program first got going in the late-1940s, the prison system had to reckon with “the various social conditions associated with the waning years of the war,” which “resulted in the incarceration of a great number of able-bodied men for whom no suitable employment then existed.”⁵¹ His language echoes McGee’s warning of “unusually abnormal social or economic conditions related to crime.” Even though such conditions still existed in the mid-1960s—and were indeed getting worse—this very point had been lost in narratives that surrounded the camps. Instead, camp boosters identified the solution to whatever circumstances had led an individual to prison in that individual’s personal aversion to or unfamiliarity with work, and they mistakenly credited the conservation camp program with preparing incarcerated people to

⁵⁰ “Governor Dedicates New Prison Center,” *Oakland Tribune*, July 14, 1963.

⁵¹ California Department of Conservation, *The Division of Forestry in The California Conservation Camp System—1963* (Sacramento, 1963), 2–3.

succeed in increasingly exclusionary labor markets. As the next section describes, something similar played out in the work programs that officials established within the prisons themselves.

California's other prison work programs

Although it was perhaps the most visible, the conservation camp program was not the only part of the prison labor regime that existed under the rehabilitative ideal. In addition to the camps, corrections officials also set up a wide variety of work programs that existed within the prisons themselves. Some of these fell under the category of correctional industries, which involved employing prisoners growing and processing food or manufacturing a range of durable goods, from clothing to furniture to license plates, that were bought and sold on the state-use market in accordance with the legislative restrictions that existed on the sale of prison made goods during this period.⁵² Other programs were classified as vocational training programs. These programs put prisoners to work in similar capacities, though they often involved jobs that were more service-oriented, such as food service or janitorial work, rather than jobs making specific items. This section explores the correctional industries and vocational training programs, showing how they also helped to reproduce the legitimacy of the rehabilitative ideal. As with the conservation camps, these programs primarily benefited the state itself, often at the expense of Black and Mexican American prisoners, in particular, and although prison work programs were meant to prepare prisoners to succeed on the labor market, they suffered from the same structural limitation.

⁵² In addition to the fact that California's constitution prohibited prison labor contracting, as Rebecca McLennan has shown, New Deal legislation from the 1930s also restricted the ability of corrections officials to put prisoners to work in productive ways that involved producing goods or services for sale. Such programs were almost exclusively restricted to the state-use market. See McLennan, *Crisis of Imprisonment*, 460–67.

Years before the legitimacy of the rehabilitative ideal began to erode, in 1953, an entity called the California Correctional Industries Commission published a pamphlet defending the effort to establish work programs within the state's rapidly expanding prison system. Titled "How Prisoners Can Become Community Assets," the document sought to promote the state's new for-profit prison work programs while also reassuring those who might attack them. Created in 1947, the mission of the Correctional Industries Commission (CIC) was to provide productive jobs for prisoners, jobs that imparted occupational skills and provided work experience to incarcerated people, while also generating a small profit for the state to recuperate a portion of the cost of operating prisons in the first place.⁵³ The CIC was comprised of seven members: two who represented organized labor, two who represented industry, one each representing agriculture and the general public, and the director of corrections, Richard McGee, who served as chairman. The pamphlet listed more than three dozen industries that it had established within the six prisons that existed at the time. These included furniture and tobacco production at San Quentin, as well as an industrial laundry; license plate and other metal fabrication at Folsom, as well as a cannery; textile production at Soledad; furniture refinishing at Chino; sewing at Corona; mattress production at the temporary prison at Lancaster. Every prison, moreover, included agricultural industries, ranging from dairy production to hog and poultry ranches to vegetable gardens.⁵⁴ Since state and federal law restricted the sale of prison-made goods to the state-use market, the CIC could only sell its goods and services to other

⁵³ As McGee put it in 1944 when he asked for legislation establishing the CIC, it was supposed to exist to provide "needed vocational opportunities for prisoners as well as enabling them to partially earn their keep." That type of language is ubiquitous in the sources pertaining to prison work programs from this period. See CDC, *1944 Progress Report*, 4.

⁵⁴ *How Prisoners Can Become Community Assets*, 12.

government agencies. Even still, the CIC turned a modest profit, and it employed about ten percent of the state's prisoners.

At the time, a wave of prison riots sweeping the United States lent additional credibility to the mission of the CIC. Major disturbances had taken place in such states as Michigan and New Jersey. There were many causes to the violence, but on the whole, corrections officials blamed punitive custodial policies and a lack of rehabilitative services. Establishing prison work programs was seen as an important part of the solution. "Look at the man in prison for a long term," directed one official from New York's Osborne Association. "He sits around for months in idleness. He spends 20 hours a day in his cell... When he is given work to do, it normally has little value. When we discharge this man, we give him a \$15 state-made suit and \$10 spending money and tell him to go get a job. But it is not that easy."⁵⁵ Similarly, an assistant director with the federal Bureau of Prisons emphasized to reporters that the "demoralizing effects of idleness must be eliminated" if the root cause of the riots were to be addressed. "When this is accomplished," he continued, "the prisons will be less of a burden to the taxpayer and men will be released who have acquired work habits and skills."⁵⁶ In this framing, prison work programs were as much about helping prisoners to obtain gainful employment on the outside as they were about controlling their behavior on the inside, and indeed, to some extent, work programs provided corrections officials with a valuable custodial tool.⁵⁷

⁵⁵ Leonard Ruppert, "Why do Convicts Riot?" *Sacramento Bee*, November 6, 1952.

⁵⁶ Frank Loveland, "Why the Prison Riots?" *San Francisco Chronicle*, December 16, 1952.

⁵⁷ John Irwin writes about how rehabilitative programming promoted social order in California's prisons: "Most prisoners were busy at work or school whether or not they believed in the rehabilitative ideal, and this promoted peace and stability." As prisoners began to understand the false promise of rehabilitation, however, they began to resist in ways that disrupted the social order of the prison. See Irwin, *Prisons in Turmoil*, 61.

California was not immune to the riots. In June of 1952, some of the first men confined to the newly completed cell blocks at Soledad gained control of their housing unit and proceeded to smash windows, toilets, and light fixtures. In addition to the “national craze for this sort of thing,” the warden suggested that prisoners may have been reacting to “new orders preventing the prisoners from physical contact with visitors” as well as a directive “providing that they march instead of saunter to their duties.”⁵⁸ It is worth wondering whether the rebellious prisoners felt that “their duties” would make a difference in their lives in the long run, and whether such feelings may have factored into their decision to reject the state’s investment in carceral expansion in such an immediate way.

To help win legitimacy for more robust work programs, the CIC sent drafts of its pamphlet to labor leaders across the country. In 1953, no less a figure than Walter Reuther wrote back in his capacity as the President of the Congress of Industrial Organizations to reaffirm the organization’s position that work programs were “an essential component of any sound program for their [prisoners’] rehabilitation.”⁵⁹ The members of the CIC could hardly have said it better, though it is not surprising that Reuther was able to find the right words, as he himself served as a member of the commission that promoted industrial work programs within the federal prison system. On industry’s side, the president of the California State Chamber of Commerce also publicly pledged his support for correctional industries that were “regulated by a commission properly representative of agriculture, industry, and labor to safeguard the best interests of affected industries as well as to give due consideration to prisoner rehabilitation.” The CIC was

⁵⁸ “Officials Look for Causes of Riot in Soledad Prison,” *Sacramento Bee*, July 1, 1952.

⁵⁹ See Walter P. Reuther to Nicholas Ricciardi, July 10, 1953; George Meany to Nicholas Ricciardi, May 12, 1953; and Richard A. McGee to William Green, February 17, 1950, all located at the California State Archives, F3717:469, Corrections, Correctional Industries Division, Central Files, A–B, 1953–62.

precisely such a commission. Together with the many smaller trade advisory councils that were set up to provide local engagement with union and business leaders, the members of the CIC tried to identify work programs that would not significantly infringe on industry or labor. Commissioners also heard public comment in regard to proposed programs, and they reviewed correctional industry finances to ensure that no program exceeded the statutory limits on profits (initially, this amount was set at \$175,000 per year, but it was later raised to \$350,000).⁶⁰ The Commission's job was to overcome the criticism of labor unions and private employers who opposed the use of prison labor, and to instill public confidence in the rehabilitative ideal as a whole by exploiting prison labor in responsible ways. To round out the legitimating narrative that it presented in its pamphlet, the CIC enumerated a list of "basic questions" that it asked in the course of its duties. Was there already a supplier for a needed commodity? Could materials be purchased cheaply? Will a substantial number of prisoners be employed? Will there be "minimum competition" with private industry and free labor? And most important, will prisoners "acquire work habits and occupational skills that will help them to secure gainful employment and adjust more readily to successful community living?"⁶¹

The CIC also made very lofty claims in order to legitimize prison work programs as the cornerstone of the rehabilitative ideal. "The essence of democracy," they declared, "is a common interest in general welfare and not the welfare of labor or industry or any single group... For generations, the punitive program of prisons had not been in accord with the fundamentally democratic concept of helping every human being to fit himself for gainful

⁶⁰ The 1948 CDC biennial report lists the statutory limit as \$175,000 and the 1956 biennial lists it at \$350,000. See CDC, *1948 Biennial*, 8 and *1956 Biennial*, 21.

⁶¹ *How Prisoners Can Become Community Assets*, 12.

employment as a competent worker, and for family and community life as a socially useful person.” The vast majority of incarcerated people, the Commission’s members rightly noted, would one day return to the free world, and according the logic of the rehabilitative ideal, the basic goal of prisons in a democratic society was to turn them into “socially useful” people. This meant wage laborers. If the public wanted prisoners to return to society rehabilitated, providing productive work inside the prisons was a necessity. Work, therefore, was arguably *the* necessity of any serious rehabilitative program. Work was at the heart of rehabilitation, and rehabilitation was at the heart of a democratic society. However, as with the boosters of the conservation camp program, the CIC also ignored structural forces. As the pamphlet’s epigraph read, “When a prisoner has come to realize that he and he alone is to blame for his miserable state, is he then given the guidance and treatment which will help to return him to free society? Until quite recently the answer was: ‘No.’”⁶² This was simply a different way of saying that correctional industries existed to rid the incarcerated of their “fear” of work.

Work had always been central to the practice of incarceration in California, and briefly exploring this history helps to put the postwar prison work programs that the CIC promoted into context. The Missions, for example, which historian Kelly Lytle Hernández aptly describes as the “first experiment” with incarceration in the land that would eventually become California, were oriented in large part around labor, and in 1850, one of the earliest acts of the nascent state government was to legalize the indenture of native people on the basis of vagrancy laws.⁶³ When

⁶² Ibid., 4.

⁶³ Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (Chapel Hill: University of North Carolina Press, 2017), 25. In his recent history of the California labor movement, historian Fred Glass also provides an account of the California mission system that emphasizes the fact that native people who had been “forcibly captured” were “not allowed to leave,” and where the Missions helped the Spanish to reorganize native people “from tribes whose lives included work, into a *workforce*” for producing surplus agricultural products as well as textiles, leather, wood, and metal goods for supplying the military Presidios, the Pueblos, and ships arriving for trade. See *From Mission to Microchip*, 9–22. Benjamin Madley documents the

California established its first prison, the individual who took responsibility for that project did so in exchange for the right to exploit convicts' labor in the construction of the first cell blocks at San Quentin. In the early years, San Quentin prisoners were forced to work in different capacities, including in the production of saddles, furniture, and leather boots. As early as 1858, the state legislature began taking steps to open a second prison that was to be built more deliberately in the mold of the so-called Auburn Plan, a system of incarceration that revolved closely around the efficient production of commodities for sale on the private market. Also known as the contract system, the Auburn Plan allowed private contractors to set up workshops inside prison walls and force the incarcerated to produce a variety of commodities under harsh conditions and at cut-rate prices. This system had been gaining popularity nationally, and California's first governor had himself served as the superintendent of a prison that operated on the contract system in Indiana during the 1840s. It was not until the 1870s that the California legislature authorized the purchase of a quarry some twenty miles east of Sacramento in the town of Folsom with the aim of establishing its own prison in this mode. Previously, the land had been owned by the Natoma Water and Mining Company, and instead of cash the company accepted as payment the lease to work prisoners in developing water infrastructure in the area.⁶⁴

Even when California became the first state in the nation to outlaw the exploitation of prison labor by private contract when it ratified its second state constitution in 1879, prison work programs continued. At the constitutional convention, representatives from the same workingmen's party that was stoking anti-Chinese racism also lobbied successfully to outlaw the

process of native enslavement through criminalization as it developed through the 1850 Act for the Government and Protection of the Indians. See "Unholy Traffic in Human Blood and Souls": Systems of California Indian Servitude under US Rule," *Pacific Historical Review* 83, no. 4 (November, 2014), 626–667.

⁶⁴ For the early history of prison labor in California, see Bookspan, *A Germ of Goodness*, 1–68. See also, McAfee, "A History of Convict Labor in California."

contract system on the belief that prison labor was harmful to free white working men, and in this they mirrored broader sentiment within the emerging labor movement. But while the new constitution outlawed the contracting of prison labor “to any person, co-partnership, company, or corporation,” it also required the legislature “by law” to “provide for the working of convicts for the benefit of the state.”⁶⁵ Thus, the new constitution merely changed the relationship between labor and incarceration without breaking it off entirely. While it would take time for the state to develop a robust set of prison work programs, prison officials began doing so in the late-nineteenth century and into the early twentieth-century. In 1880, Folsom officials began working prisoners in the rock quarry, and in the following decade, prisoners at San Quentin started producing jute bags, which were used for storing and shipping the produce of the state’s burgeoning agricultural economy.⁶⁶ Both of these activities dodged the opposition of organized labor. Finally, while the youth prisons that came online during this period lacked focused work programs like the jute mill or the rock quarry, vocational training was still viewed as an essential ingredient in reformation.⁶⁷

With the onset of World War II, the number of jobs available to incarcerated people grew substantially. Prisoners helped supplement the agricultural workforce during harvests, but they also performed a wide variety of tasks inside the prison walls. As the warden of San Quentin reported in 1944, the prison’s war production “includes the manufacture of cargo slings, loading skips, assault boats, towing and hoisting cables, rope fenders, naval submarine protection nets,

⁶⁵ Constitution of the State of California, Article X, ratified on May 7, 1879. See also, McAfee, “A History of Convict Labor in California,” 22.

⁶⁶ McAfee, “A History of Convict Labor in California” and Bookspan, *A Germ of Goodness*.

⁶⁷ On the establishment of the first “industrial schools” in California and the development of the institutions that would eventually make up the Youth Authority, see Chávez-García, *States of Delinquency*, especially the first chapter, “Building Juvenile Justice Institutions in California,” pp. 18–47.

naval torpedo protection nets, salvage of cable and wire from damaged ships returned from the Pacific, jute for rope manufacture, burlap for camouflage, sacks for sandbags, cable splicing, miscellaneous gear for Merchant Marine vessels, as well as numerous other items vital to the needs of our armed forces.”⁶⁸ Down in Tehachapi, women prisoners sewed tens of thousands of mosquito nets and pillow cases, and the superintendent called this work “a fine morale builder.”⁶⁹ Indeed, many incarcerated people were likely grateful to have something to do and eager to contribute to the war effort. At Chino, officials assigned some 150 men to an army quartermaster’s depot near Riverside, where they were said to have worked at twice the rate of civilians, loading and unloading some 6.5 billion pounds of freight, and putting the depot at the top of the national demurrage charts.⁷⁰ Incarcerated youth also worked at the Benicia Arsenal (opposite the city of Martinez along the Carquinez Strait) and at the Stockton Ordnance Depot. Overall, by 1944, California prisoners produced more than \$4.3 million in goods for the War Production Board, nearly \$1.4 million more than the next most productive state correctional system, which was Michigan.⁷¹

With the expiration of wartime contracts, prison officials struggled to find new ways to put prisoners to work as the institutions went through their own process of reconversion. Folsom’s rock quarry had been put out of use in 1943, but after the war, prisoners erected a B-29 hangar to make way for a manufacturing program that would include furniture refinishing, tool and die casting, and the stamping of millions of license plates. Folsom prisoners also stamped

⁶⁸ CDC, *1944 Progress Report*, 60.

⁶⁹ *Ibid.*, 84.

⁷⁰ CDC, *1946 Biennial*, 89–90.

⁷¹ CDC, *1944 Progress Report*, 11.

other metal products that were shipped to San Quentin for prisoners there to produce school and office furniture. San Quentin prisoners began processing chewing and smoking tobacco for distribution throughout the prison system, and the prison kept a clothing salvage contract with the Navy through the 1950s.⁷² Unlike the rock quarry, the jute mill survived the war, and it remained the single largest prison work program, employing 800 men, until a prisoner burned it down in 1951 in an act of sabotage.⁷³ Sewing remained the primary industry at the women's prison. By 1948, officials had added thirteen new "late model" sewing machines to increase "the effectiveness of the vocational training and the efficiency of the work program." The prison had 124 contracts with 42 separate public agencies, including 24 county governments as well as the Department of Mental Hygiene, the Youth Authority, and the Department of Corrections. The women made roughly 72,000 garments annually, including dresses, shirts, cord pants, melton jackets, coveralls, and pajamas. Apart from this, three women also worked at "a simple punch press operation," repetitively churning out millions of washers for the Division of Highways.⁷⁴ Because construction on the new men's prison at Chino had barely begun before the start of the war, CIM initially lacked industrial space. Its only work program involved an impressive array of agricultural production, though officials did find room to put a group of men to work fashioning 500,000 steel fence posts out of scrap steel for the state Division of Highways.⁷⁵ By 1950, Chino's construction program had progressed sufficiently to add a general fabrication

⁷² CDC, *1946 Biennial*, 29. The Navy contract lasted at least until the end of 1958. See CDC, *1958 Biennial*, 48.

⁷³ CDC, *1952 Biennial*, 22. For a wider discussion of the dangers of working in the jute mill and its role as the bottom of the prison labor hierarchy at San Quentin, including a discussion of the frequent acts of sabotage that disrupted production there, see Ethan Blue, *Doing Time*, 56–64; see also, Janssen, "Convict Labor, Civic Welfare," 313 fn. 521, 321, and 364 (including fn. 607).

⁷⁴ CDC, *1948 Biennial*, 79.

⁷⁵ CDC, *1950 Biennial*, 30.

industry as well as a furniture refinishing plant and a cannery.⁷⁶ At Soledad, prisoners worked strictly in agricultural production while the only industry at the temporary site of the vocational institution in Lancaster involved the production of 5,000 new or refurbished mattresses annually, and because incarcerated people were used in the prison construction process itself, both institutions were themselves work programs for a time.⁷⁷ By 1950, California's prisons sold nearly \$2 million in goods and services annually, though the cost of operating all of these programs did not lag far behind.⁷⁸ Table six lists the industries that had been established by 1950, sorted by prison and including the number of jobs in each industry.⁷⁹

Soon, California boasted the most expansive system of prison labor the US had seen up until that point, and it continued to develop over the course of the 1950s and 1960s. The opening of the new women's prison in 1952 allowed for the expansion of the sewing program there, and in 1954, Chino completed a new building that doubled the floor space for its furniture industries.⁸⁰ Soledad also opened a new industrial building that year, which enabled officials to establish the prison's first non-agricultural work programs producing clothing and a line of "juvenile specialty" items for use in public kindergartens and elementary schools.⁸¹ Before the end of the decade, Soledad's industrial program would also produce paper products (including mimeograph and toilet paper) as well as storage and shipping containers.⁸² Once the Deuel

⁷⁶ Ibid., 22.

⁷⁷ Ibid., 33, 38.

⁷⁸ Ibid., 20.

⁷⁹ Ibid., 22.

⁸⁰ CDC, *1952 Biennial*, 47 and CDC *1954 Biennial*, 57.

⁸¹ Ibid., 17.

⁸² CDC, *1958 Biennial*, 60.

Table 6. Jobs in California correctional industries, December 1950

Total number of jobs	2,750
San Quentin	1,356
Furniture factory	244
Clothing factory	132
Employees' cleaning plant	14
Jute mill	724
Foundry	15
Tobacco factory	86
Naval cleaning	86
Dairy	31
Hog Ranch	24
Folsom	732
Dairy	12
Poultry ranch	5
Hog ranch	4
Farm, general	33
License plate factory	335
Nail factory	8
Cannery	176
General manufacturing	8
Metal fabrication factory	56
Tool and die factory	18
CIRF Engineering and electrical department	7
Engineering division	29
CIRF clerical	41
Tehachapi	93
Sewing industry	61
Sewing industry maintenance	26
Poultry	2
Rabbitry	1
Ceramics	3
Chino	325
Slaughterhouse	10
General fabrication	104
Dairy	18
Hog ranch	18
Poultry	10
Rabbitry	2
Vegetable garden	50
Furniture refinishing	56
Irrigation	28
General farming	29
Lancaster	32
Mattress shop	32
Soledad	212
Farm, general	115
Vegetable garden	61
Irrigation and equipment maintenance	7
Dairy	18
Hog ranch	7
Poultry	4

Vocational Institution opened at its permanent site in 1953, prisoners there began working in a new furniture factory and a new agricultural program, though mattress production remained their specialization, and the men who were moved back to the Tehachapi site when it reopened in 1954 picked up where the women prisoners had left off, sewing flags and melton jackets, among other items.⁸³ In 1956, San Quentin opened a new cotton textile mill to replace the jute mill. Officials were able to reemploy 600 prisoners producing various kinds of cloth, which was then shipped to other prisons to be sewn into clothing, bedding, or other products. Officials lauded this project, in particular, not only because it employed far more men than any other project, but also because they believed it marked an especially “farsighted” investment. As they pointed out, despite being a national leader in cotton production, California did not have a single processing mill at that time. By opening a mill of their own, officials believed they were turning prisoners into “pioneers” of a “promising new industry.” The irony of this claim was apparently lost on them: if the only cotton mill in California was inside San Quentin, where were the thousands of men who would work there supposed to find jobs on the outside? Officials could always argue that any type of employment taught prisoners valuable “work habits,” but the fact that one of the most celebrated work programs of the period imparted no marketable job skills is telling. It underscores the claim that the function of prison work programs was as much about creating the impression that something was being done to rehabilitate prisoners—that is, about creating legitimacy—as it was about practically improving the employment prospects of incarcerated people. In addition to cotton cloth, the men imprisoned at San Quentin during these years also produced an increasingly specialized line of furniture for the state-use market, and in 1958 the prison opened a detergent plant after officials relocated the tobacco processing industry to the

⁸³ CDC, *1956 Biennial*, 21, 35, 45.

California Mens Colony at Los Padres. Los Padres also had a shoe repair factory and a knitting mill.⁸⁴

Apart from the formal correctional industries, vocational training courses were another important part of the postwar prison labor landscape. Although these programs did not involve the sale of specific prison-made goods and services, they were meant to serve the same function of providing the incarcerated with marketable jobs skills. They also served a similar narrative function, helping to legitimize rehabilitative ideal. The number of vocational training courses expanded dramatically after World War II. In 1946, the prison system offered 25 courses with a total enrollment of just over 400.⁸⁵ By the end of 1965, there were over 3,000 prisoners enrolled in nearly 50 different programs, while the number of individual courses on offer exceeded 250. These included “aircraft engine repair, auto body and fender repair, auto mechanics, baking, bookbinding, carpentry, cooking, drafting, dry cleaning, dental laboratory work, janitorial services, graphic arts, masonry, meat cutting, vocational nursing, office machine repair, painting, plastering, plumbing, printing, sewing machine repair, shoe repair, upholstery, and welding.”⁸⁶

As with correctional industries, however, there were not enough seats in these programs to accommodate the number of prisoners.⁸⁷ Occasionally, scarcity led to conflict among officials. In July of 1961, for example, the superintendent of the Deuel Vocational Institute, Allen Cook, who would eventually go on to head the YA, responded in anger to the claim that his staff were deliberately prioritizing adult prisoners in vocational training programs at the expense

⁸⁴ CDC, *1958 Biennial*, 21, 40, 48 and CDC, *1960 Biennial*, 24.

⁸⁵ CDC, *1950 Biennial*, 17.

⁸⁶ CDC, *1964 Biennial*, 33.

⁸⁷ Iwrin, *Prisons in Turmoil*, 46.

of the hundreds of YA wards who were incarcerated at the prison, which was operated by the CDC. The accusation had little merit. As Cook documented, only 69 percent of Deuel's adult population had been given a work assignment of one sort or another as compared to 91 percent of the youth, and this despite his being "forced to take or keep the lower 25 percent" of the youth who were committed to the adult system. Cook resented the accusation that he was "shelving" the youth, and he insisted that, given "the poor attitudes and abilities of the YA wards... it would be justifiable if we were to change our emphasis to the young adults. However, this is not the case."⁸⁸ Cook's language reveals the contempt with which some prison officials viewed the human beings in their custody, and perhaps also how little reason many incarcerated people saw in conforming to the performative expectations of vocational training. Given that the poor rate at which formerly incarcerated people were placed in the trades for which they had been trained—a subject that will be reviewed later on in the chapter—their doubts were not misplaced.

Vocational programs appear to have had more value to corrections officials than to prisoners themselves. In order to be able to say that they were doing their job of rehabilitation correctly, they needed to show that they were enrolling people in these programs, and in the context of a severely overcrowded prison system, a slot in such a program was indeed a scarce resource. At Soledad, for example, the charge that younger prisoners were being marginalized was well founded. There, only 30 percent of Youth Authority wards had been given a work assignment, and more than 500 young people were left without assignment.⁸⁹

⁸⁸ Allen Cook to Richard A. McGee, Class Enrollment YA Wards, July 5, 1961, Department of Corrections Records, F3717:655, California State Archives.

⁸⁹ Education Department Summary, April 30, 1961, Department of Corrections Records, F3717:655, California State Archives.

The archival record of the vocational training programs is also a place where the racism that pervaded many aspects of the prison system becomes apparent. In the early 1960s, the California Fair Employment Practice Commission (FEPC) inquired about possible racial discrimination within the vocational training programs at San Quentin, where Black prisoners, in particular, were underrepresented. Only 57 Black prisoners and 76 Mexican American prisoners had been assigned to vocational training programs, compared to over 200 white prisoners, and although prison-specific demographic data is not available, Black prisoners made up nearly a quarter of the prison population by this time, while they made up only 17 percent of San Quentin's vocational enrollment. Additionally, there were no Black prisoners assigned to several programs, including the dental lab, office machine repair, and only one each in drafting and the machine and print shops. In their response, CDC officials claimed that "no qualified inmate is denied access to any vocational training course at San Quentin." To determine enrollment, officials drew on a range of criteria. They made "logical assumptions" about prisoners based on their commitment offenses that prohibited, for example, assigning a forger or counterfeiter to the print shop. This practice also meant that people committed on drug charges, which included a disproportionate number of Black prisoners, were excluded from a range of training programs, including baking, machine repair, or anything that involved working around expensive equipment (officials cited the example of an addict who had been placed in a bakery on parole and stole from his employer to feed his habit). In defense of the racial disparities, officials blamed the "higher incidence of narcotics offenders among minority groups tends to limit the number of trades for which they can qualify," insisting that their decisions were made "on the basis of the offense and not due to ethnic considerations." Beyond commitment offense, officials also pointed to education and to spurious intelligence tests as another criteria that, in practice,

served as a proxy for race. “Relating to a 1962 Vocational Survey of 1,600 San Quentin inmates,” they wrote, “it was noted that mechanical aptitude and reasoning were considerably lower for the Negro and Mexican groups.” Officials noted the same trend in “intelligence quotients” and in reading and math standardized test scores.⁹⁰

Although corrections officials concluded that “ethnic consideration is not an important factor at the training or placement levels,” they did begin to enroll more Black prisoners in their vocational training programs after the FEPC got involved. Enrollment was up to about 22 percent in 1963 (when Black prisoners made up 26 percent of the overall adult prison population) and they also established something called a “trade exploratory program,” where prisoners who did not meet the educational qualifications were fast tracked to full enrollment. But officials also put the onus on the prisoners to address the disparities that persisted, recommending that “minority groups should make a determined effort to motivate members to early take full advantage of basic educational opportunities, in order to qualify them for trade training at higher skilled levels, whether in or out of institutions.”⁹¹

This episode is significant for several reasons. For one thing, it shows how racist aptitude tests such as those that had been applied during the 1920s persisted in the prison system into the postwar period.⁹² In addition, it also illustrates the link between prison education and vocational training, showing how educational programs also helped place labor at the center of the rehabilitative ideal. Finally, the racial disparities in prison work assignments show how the prison system compounded racial disparities that existed elsewhere in society. Officials probably

⁹⁰ L.E. Wormley, P.K. Glossa, and Robert W. Densmore to Walter Dunbar regarding a Fair Employment Practices Commission inquiry into ethnic distribution of vocational training classes at San Quentin, June 14, 1963, Department of Corrections Records, F3717:657, California State Archives.

⁹¹ Ibid.

⁹² See Chávez-García, *States of Delinquency*, 112–50.

were not lying about education records or test results, and the differences therein reflected the fact that, at this time, young people of color in California were subjected to underfunded and overcrowded schooling, often at the hands of negligent if not racist educators. Indeed, prison officials were well aware of broader racial disparities in California at the time, including employment discrimination, which arguably hampered their efforts more directly than any other. Perhaps in response to the FEPC complaints, by the summer of 1963, the CDC's supervisor of education began attending meetings of the Statewide Committee for Equal Opportunity in Apprenticeship and Training for Minority Groups, and in 1964 the director of corrections officially appointed him and another official, the chief of community correctional services, to sit on the committee.⁹³ A deputy director also directed a handful of parole agents to sit on local equal opportunity committees in Sacramento, San Francisco, San Diego, and Los Angeles—all urban labor markets where structural unemployment would have been especially acute.⁹⁴

Indeed, vocational training programs continued to reflect and reinforce racial discrimination in the broader labor market right up until the moment when the consensus surrounding the value of such programs collapsed. According to data collected from a 1968 cohort of parolees, job discrimination within the vocational training programs had a negative impact on future job placement, earnings, and recidivism, of Black prisoners, in particular. While whites made up just over half the cohort, they dominated enrollment in the vocational programs that promised higher pay on the outside, such as the machine shop (69.4 percent white enrollment; \$4,117 annual average wage for parolees), the printing program (68 percent; \$3,239

⁹³ Walter Dunbar to Governor Edmund G. Brown, November 13, 1964, Department of Corrections Records, F3717:657, California State Archives.

⁹⁴ L.M. Stutsman to Charles F. Hanna, July 31, 1964 Department of Corrections Records, F3717:657, California State Archives.

annual wage), the sheet metal program (72.7 percent; \$3,214 annual wage), and the electronics program (68 percent; \$3,077 annual wage). On the other hand, Black parolees, who made up 28 percent of the cohort, were underrepresented in just about every vocational program except for those that fed into lower-paying industries. Black prisoners were overrepresented in the baking program (32.6 percent Black enrollment; \$2,542 annual wage), the culinary program (49.1 percent; \$2,329 annual wage), the mill and cabinetry program (32.5 percent; \$2,318 annual wage), the masonry program (36.8 percent; \$1,924 annual wage), and dry cleaning (71.4 percent; \$1,894 annual wages). Racial discrimination on the outside undoubtedly impacted Black parolees' earning potential, but the differences represented in the vocational program enrollment numbers are stark. For their part, Mexican American prisoners tended to avoid the worst of the discrimination. They received assignments to several of the more desirable vocational programs, but they also would have faced barriers on the outside that their white counterparts did not.⁹⁵

Regardless of the racism that was inherent to whatever benefit prison work programs provided to the incarcerated, the state itself was the primary beneficiary of these programs. Many if not most incarcerated people worked jobs whose main purpose was to ensure the social reproduction of the prison system itself. This had long been the case in California's prisons, where incarcerated people had always performed a range of tasks that might best be described as reproductive labor. During the postwar period, this included things like food preparation and food service, laundry, cleaning and janitorial work, landscaping, and certain types of clerical and administrative work. At some prisons, such as CIW and CIM, prisoners even helped with medical and dental care. Officials preferred this arrangement because it kept staffing costs

⁹⁵ Gilbert James McKee, Jr., "A Cost Benefit Analysis of Vocational Training in the California Prison System" (PhD Dissertation, Claremont Graduate School, 1971), 131–33.

down, but it also allowed them to bolster narratives about the relationship between work and rehabilitation. At CIW, for instance, women prisoners were said to have access to job training programs “in the bakery, which prepares all breads and pastries for the institution; in the hospital, laboratory and clinic; in the kitchens, dining rooms and cottages; in the business and industry offices for clerical workers.”⁹⁶ Such arrangements existed at every prison. In 1952, 68 percent of the overall prison population was reportedly “employed in operational and industrial tasks consistent with their capabilities and the needs of the institutions,” including “institution plant operations, construction or building projects.”⁹⁷ Gauging exactly how many prisoners would have worked in prison maintenance, specifically, is difficult, but given that correctional industries would only have absorbed around fifteen percent of the overall population, and that the vocational training programs and conservation camps absorbed even lesser proportions, it would not be an exaggeration to say that most prisoners who worked likely performed reproductive labor, rather than producing a commodity for sale on the state-use market. Other pieces of anecdotal evidence bear this out. At the California Mens Colony, for example, although the prison had been designated for elderly and disabled prisoners, when it opened in 1954, half of its population was made up of young, able-bodied men who could ensure the efficient operation of the prison itself.⁹⁸ Ten years later, at Soledad’s northern facility, no fewer than 680 prisoners worked in institutional maintenance alone—more than twenty percent of the

⁹⁶ CDC, *1956 Biennial*, 43.

⁹⁷ CDC, *1952 Biennial*, 21.

⁹⁸ CDC, *1956 Biennial*, 40.

overall population of all three facilities—and accepting such a position was mandatory for assignment to the minimum-security classification.⁹⁹

By and large, even the vocational training programs and the nominally productive correctional industries that sold goods and services on the state-use market primarily served the prison system itself. Large quantities of the commodities that prisoners produced—namely clothing, furniture, and food—were sold to other prisons, and the most prominent service that prisoners provided was the laundering of prison clothing. Indeed, by the end of the 1969–70 fiscal year, the Correctional Industries Commission recorded \$4 million in sales to either the Department of Corrections itself or to the Youth Authority, up from \$3 million five years before. The next largest single customer was the Department of Mental Hygiene, which purchased \$2.5 million in goods and services to operate the quasi-carceral state hospital system, followed by the California State University system, which was required by statute to purchase prison-made furniture for its libraries. The remaining state and local government customers purchased a combined \$4 million.¹⁰⁰ Whatever else these work programs were, whatever claims that prison officials tried to make regarding the rehabilitative value of labor, this system clearly existed to limit the cost of operating the prison system itself. The same was true of the vocational programs. In the electronics program at Soledad, for example, prisoners worked on a range of military surplus equipment, but “normal institutional repair” also provided practical training, especially in television and radio work. Courses in furniture refinishing and repair, landscape gardening, painting, shoe repair, and upholstery all involved “on-the-job” training, meaning they

⁹⁹ CDC, *1964 Biennial*, 40.

¹⁰⁰ California Attorney General and Legislative Analyst, *A Review of the Economic Efficiency of California Correctional Industries*, (Sacramento, 1971), 8.

involved prisoners working in live situations.¹⁰¹ What else were courses in such skills as baking or cooking, sewing-machine repair, plumbing or janitorial service other than courses that met the needs of prisons themselves? As Allen Cook put it in his letter refuting the accusation that his staff excluded YA wards from vocational training programs, the 665 wards who were enrolled in vocational or academic courses accounted for “only the formal training that we give.” “On-the-job and other training includes large numbers,” he continued. “These include laundry, culinary, dairy, industries, adjustment center and others.”¹⁰²

The failure of prison work programs and the search for alternatives

Despite the efforts of corrections officials to put incarcerated people to work, the number of jobs available in correctional industries, vocational training programs, and conservation camps simply could not keep pace with the growth of the overall prison population, and idleness was still a widespread problem within the prisons by the mid-1960s. This contributed to the larger crisis in the rehabilitative ideal. If rehabilitation hinged largely on preparing prisoners to secure a job on the outside—whether that meant getting them over their “fear” of work or imparting a marketable skill—what legitimacy did the prison system have if most incarcerated people were idle by this definition? As prisoners filled their time in other ways—such as reading, writing, organizing, or taking care of one another—the lack of work opportunity and especially the lack of fair compensation factored into their own challenges to the legitimacy of the

¹⁰¹ Education Department Summary, April 30, 1961, Department of Corrections Records, F3717:655, California State Archives.

¹⁰² Allen Cook to Richard A. McGee, Class Enrollment YA Wards, July 5, 1961, Department of Corrections Records, F3717:655, California State Archives.

rehabilitative ideal.¹⁰³ This section explores how the failure of the prison work programs described in the previous sections factored into the broader crisis of faith in correctional policy that emerged in the late-1960s, including how access to economic security emerged as a viable alternative to incarceration.

No comprehensive records exist, but snapshots of data show that unemployment was a clear and persistent problem throughout the postwar period. In 1950, for example, the productive correctional industries employed 2,750 incarcerated people out of an overall population of nearly 11,500—roughly 24 percent. Subtracting the 800 prisoners who were assigned to the comparatively few conservation camps that existed at the time, roughly 7,500 prisoners would have been without a work assignment. Many would have been assigned to jobs in institutional maintenance, but a significant number would still likely have been without any work assignment whatsoever.¹⁰⁴ In their reports, officials projected hope that correctional industries would employ as many as 30 percent of the prison population by 1960s, but that never came to pass.¹⁰⁵ In 1958, Richard McGee complained that idleness had only grown “more acute.” “Counteracting steps to find new and increased sources of inmate employment are being attempted,” he explained, “but establishment of additional correctional industries, enlargement of the honor camp program, and expansion of educational classes have not been sufficiently rapid to

¹⁰³ See Berger, *Captive Nation*. On writ writing, see Felber, *Those Who Know*, especially the second chapter, “Shades of Mississippi,” pp. 50–84 and Chase, *We Are Not Slaves*, especially the fourth chapter, “From Pachuco to Writ Writer: The Carceral Rehabilitation of Fred Cruz,” pp. 159–183. When it comes to care work, Orisanmi Burton has written about the “reciprocal relations and care and community” that exist among incarcerated people today and existed during the 1960s and 1970s, which often existed outside of the formal rehabilitative avenues of the institutions. See Orisanmi Burton, “Captivity, Kinship, and Black Masculine Care Work under Domestic Warfare,” *American Anthropologist* 123, no. 3 (September, 2021), 621–32.

¹⁰⁴ CDC, *1950 Biennial*, 20–22.

¹⁰⁵ *How Prisoners Can Become Community Assets*, 10.

overcome the difficult situation.”¹⁰⁶ Two years later, officials complained of a “population explosion” that was causing “widespread overcrowding and idleness.” That year, there were 3,000 prisoners employed in correctional industries, only slightly more than had been employed a decade earlier. The overall prison population had doubled.¹⁰⁷ In 1964, the man who replaced McGee as director of corrections tried to take on a more positive tone, claiming that “the old and negative pattern of warehousing prisoners in idleness had been largely eliminated.” But McGee, who was still involved in a new role as head of the super-agency that oversaw youth and adult corrections, disagreed. As he saw it, despite the fact that the California had “planned, staffed, and opened a dozen major institutions and 33 camps since 1944,” the prison system still suffered from “the corrosive twins: overcrowding and idleness.”¹⁰⁸ He had a point. Adding up all the prisoners assigned to correctional industries, vocational training programs, and the conservation camps, there were still more than 13,000 men and women to account for.¹⁰⁹ The scale of the problem was large, and official faith in the possibility of providing meaningful work for each and every incarcerated person was waning. To what extent this specific problem motivated Governor Brown and the legislature to pursue the probation subsidy program in lieu of further carceral expansion is unclear, but it is unlikely to have been irrelevant.

During the Reagan years, especially, official faith in the viability of work programs eroded considerably. In 1969, the staff of the Assembly Ways and Means Subcommittee on Criminal Justice published a report on California’s correctional industries that, in Volker

¹⁰⁶ CDC, *1958 Biennial*, 2.

¹⁰⁷ CDC, *1960 Biennial*, 24.

¹⁰⁸ CDC, *1964 Biennial*, 5–6.

¹⁰⁹ *Ibid.* There were 3,200 prisoners assigned to correctional industries (see pp. 31), 3,000 prisoners assigned to job training programs (pp. 8), and 4,200 prisoners assigned to conservation camps in 1964 (pp. 14).

Janssen's words, represented an effort on the part of newly-elected conservative Republican lawmakers to "illustrate the economic, social, and moral corruption...of the liberal welfare state."¹¹⁰ Because correctional industries only employed around eleven percent of the overall prison population, and because it suffered from acute absenteeism, the subcommittee staff characterized the programs as both inefficient from an economic standpoint and ineffective from the standpoint of rehabilitation. Economic inefficiency stemmed in part from the fact that prison officials could not pursue the same automation technologies that allowed private firms to maintain their competitive edge. For example, San Quentin's cotton textile mill was able to employ as many prisoners as it did only because it used "old and obsolete machinery." This served a custodial function in keeping "as many men as busy as possible," but it also meant that the program was not as profitable as it should have been, and that the prisoners who worked in the mill learned to work on out-of-date machinery (the report did not say whether mill work had become a viable trade in California by that time). Such "planned unreality" (emphasis in original) was a problem for conservative politicians, who seemed to feel that they had found a smoking gun proving the irrationality of correctional policy, rather than one of the contradictions that defined it. What they missed was the fact that the prison system represented a counter example to the broader economy. On the inside, officials privileged the goal of full employment over that of economic efficiency. On the outside, however, economic efficiency embodied in automated production processes rendered thousands of jobs obsolete during the 1950s and 1960s. The resulting structural unemployment helped perpetuate the broader conditions that produced crime. Republicans complained that prison officials themselves "confessed to emphasizing 'training in basic skills' and making 'only limited use' of automated labor-saving

¹¹⁰ Janssen, "Convict Labor, Civic Welfare," 393.

devices,” and they wondered why California’s correctional industries could not compete with the more profitable federal prison industry programs. They also criticized the small size of correctional industries, which only employed 288 civilian workers, only purchased \$7.2 million in materials, and only produced one tenth of one percent of the total private wholesale market of state-use goods and services. At the same time, they insisted that the programs threatened the free market.¹¹¹

Vocational training programs fared little better. The CDC’s own research staff tracked a cohort of more than seven hundred formerly incarcerated people who had been released in 1967 and 1968 and had spent time in such programs on the inside. Only about one-third had been hired in the trade for which they had been trained. The researchers blamed this poor record on two main problems. The first had to do with “the absence of an adequate staff with primary responsibility for placement.” In other words, despite the significant effort that corrections officials had expended establishing the vocational programs themselves, they did not put much energy into actually finding jobs for parolees who had completed them. On average, the parole agents who participated in the study said they dedicated only about three percent of their working day to seeking job placements for the parolees on their caseloads—a shockingly low number, which raises questions about the nature of their jobs that will be addressed below, and in later chapters. Beyond placement, the second problem had to do with the amount of time that trainees spent in prison. While the researchers found that parolees who did succeed in finding a job in their trade of training had spent comparatively more time in their vocational programs,

¹¹¹ See California State Assembly Office of Research, *Report on the Economic Status and Rehabilitation Value of California Correctional Industries* (Sacramento, 1969). The federal prison system generated a sales revenue of more than \$10,000 for every prisoner assigned to work with a 14 percent profit margin, as compared to California’s per-prisoner revenue of \$3,800 and two percent profit margin.

they also found a positive correlation between the date when a person completed their program and the date they were released from prison. By contrast, those who spent months or years in prison after completing their training tended to fare worse on the job market.¹¹² In this analysis, vocational training appeared to be a potentially effective tool, one that succeeded despite incarceration and sometimes failed because of it.

On top of the specific problems that researchers identified, the hardening political economy of the 1960s undoubtedly undercut the efficacy of vocational training programs. It was increasingly difficult for anyone on the margins to find work, much less those with criminal records, and unemployment was high among parolees. According to a separate analysis, the overall unemployment rate among a larger cohort of 1,500 parolees who had completed vocational training was 10 percent in November of 1968, more than double California's overall unemployment rate of 4.5 percent. In some local labor markets, parolees had an easier time. In others, however, the disparity was even greater. Parolees in the San Diego area, for example, suffered an unemployment rate of 10.2 percent compared to 3.7 percent overall, and the San Francisco-Oakland (11.3 percent parolee unemployment vs 3.9 percent overall), San Jose (16 percent vs. 4 percent), and Sacramento (20 percent vs. 6.5 percent) labor markets were even more exclusionary toward formerly incarcerated people—even those who had benefited from vocational training. Importantly, these figures do not control for age or race. Like the earnings figures cited above, the unemployment rates among Black and Mexican-American parolees were almost certainly higher than among whites. Somewhat ironically, most employers reported that parolees who had completed vocational training were “about as well prepared” or even “better

¹¹² See Robert M. Dickover, Verner E. Maynard, and James A. Painter, *A Study of Vocational Training in the California Department of Corrections* (California Department of Corrections Research Division: Sacramento, 1971).

prepared than the average entering employee claiming prior training or experience.”¹¹³ Here again, vocational training itself is not the problem so much as the presence of structural unemployment in the economy and the stigma of a prison record.

A number of solutions emerged to improve the effectiveness of prison work programs and to reduce idleness. In “The Challenge of Crime in a Free Society,” for example, President Johnson’s Katzenbach Commission blamed the restrictive laws of the New Deal era and the continued prejudice of labor and industry toward prison work programs. The Commission recommended implementing “modern correctional industries programs aimed at rehabilitation of offenders through instilling good work habits and methods,” and repealing or modifying “laws restricting the sale of prison-made products.”¹¹⁴ In California, some wanted to hand control over prison work programs to the private sector, to revert back to something like the contract system that prevailed during the latter half of the nineteenth century.¹¹⁵ Despite its criticisms, the 1969 legislative report recommended doing just this, albeit with the added requirement that prisoners be paid the same wages and benefits as on the outside, and that companies prioritize hiring parolees upon release. The President of Pepsico even lent his words to the report, providing an epigraph about how it was “to the selfish interest of American business... to join in the training of the unfit.” And, as an appendix, the report included a lengthy proposal, allegedly drafted by an incarcerated man at Folsom, to allow private contractors back behind prison walls. The proposal offered a typical endorsement of the central role that work played in the process of

¹¹³ Gilbert James McKee, Jr., “A Cost Benefit Analysis of Vocational Training in the California Prison System” (PhD Dissertation, Claremont Graduate School, 1971).

¹¹⁴ *The Challenge of Crime in a Free Society*, 175.

¹¹⁵ On the contract system of prison labor, see McLennan, *The Crisis of Imprisonment*.

rehabilitation: “It is proposed to offer each man a key, with which he may unlock himself from past lives of utter frustration and despair; to give each man new hope, with direction...”¹¹⁶

Whether the bulk of the prison population agreed, incarcerated people clearly understood the limitations of correctional industries and vocational training programs, as well as the power that their position as workers lent them. Strikes occurred with some regularity during the postwar period, but they became more prominent over the course of the 1960s, especially as a form of protest that demonstrated solidarity between prisoners of different racial groups, and sometimes even between prisoners and guards. A series of “unity days” saw hundreds of San Quentin prisoners strike in 1967 and 1968. The most prominent example, however, took place at Folsom Prison in November of 1970, when prisoners staged a nineteen-day work stoppage that, at its peak, involved as many as 2,400 men.¹¹⁷

The Folsom Prisoners Manifesto offers a window onto how incarcerated people viewed prison work programs. The men who wrote the document claimed that many prisoners “believe their labor power is being exploited” through correctional industries that benefit of the state “yet do not develop working skills acceptable for employment in the outside society, and which do not pay the prisoner more than the maximum sixteen cents per hour.” Most prisoners, in fact, earned only six or eight cents per hour, and those who refused such assignment were denied other privileges. The prisoners made numerous demands related to work and working conditions. One demand did indeed call for private industries to set up shop inside the prison, because “the working conditions in prisons do not develop working incentives parallel to the money jobs in the outside society, and a paroled prisoner faces many contradictions on the job

¹¹⁶ *Report on the Economic Status and Rehabilitation Value of California Correctional Industries*, 56.

¹¹⁷ Janssen, “Convict Labor, Civic Welfare,” 436–44.

that adds to his difficulty to adjust.” Other demands included the right to form or join labor unions, the right to earn “scale wages” and “state and federal minimum wage laws,” an “update of industry working conditions,” a workers compensation fund for injuries, and a “unionized vocational training program” modeled after the Federal Prison Industries, providing for “union instructors, union pay scale, and union membership upon completion” of the course. Corrections officials refused to accede to these demands and generally met such instances with repression, but that should not overshadow the fact that such sentiments were broadly felt among incarcerated people. Less than a year after the Folsom strike ended, the manifesto provided the model for demands made by prisoners in New York State in the lead up to the Attica rebellion.¹¹⁸ The manifesto reveals the extent to which prisoners themselves interpreted the failure of the rehabilitative ideal through work. As the conclusion to the manifesto put it: “The program which we are committed to under the ridiculous title of rehabilitation is likened to the ancient stupidity of pouring water on the drowning man, in as much as our program administrators respond to our hostilities with their own.”¹¹⁹

Importantly, corrections officials themselves also understood the failure of prison work programs as a part of the larger structural limitations of the rehabilitative ideal, and tracing the history of two specific efforts to connect incarcerated people to outside employment help make this clear. The first is the work furlough program, whereby some prisoners were allowed to spend the final few months of their sentence working in the community by day and returning to a

¹¹⁸ Thompson, *Blood in the Water*, 32–33.

¹¹⁹ The full text of the manifesto can be found in *If They Come in the Morning: Voices of Resistance*, ed. Angela Y. Davis (New York: Joseph Okpaku Publishing Company, 1971), 57–63. Another example that supports the same claim is the efforts to form prisoners unions, not only in California but across the US. See Cummins, 187–21; Kohler Hausmann, *Getting Tough*, 251–53; and for the national scale, see Donald F. Tibbs, *From Black Power to Prison Power: The Making of Jones v. North Carolina Prisoners’ Union* (New York: Palgrave, 2012).

secure facility at night. Such programs emerged in California at the county-level in the mid-1950s, but they became a much more important piece of the state prison system by the mid-1960s, as officials strove to alleviate overcrowding. In addition to demonstrating how ideas of fiscal conservatism could translate into practices that exploited incarcerated people's earning potential, work furlough also highlighted the benefits of gainful employment for the incarcerated as well as the larger problem of structural unemployment. The second program considered here is a much smaller demonstration project that used funding from the federal manpower administration to test a novel approach to parole that emphasized job placement and retention. Known as Operation Pathfinder, this program involved nearly two hundred young men who had been incarcerated in California's youth prison system. It also involved a handful of formerly incarcerated youth who were hired to help their peers adjust to life on parole. Though smaller and short-lived, this program also shined a light on how access to economic security could provide a viable pathway for formerly incarcerated people to avoid recidivating.

The roots of work-furlough programs in the United States reach back to the progressive-era, but in California the first such program was implemented in 1957 at the county-level.¹²⁰ Named for State Senator James Cobey, a Democrat from the San Joaquin Valley city of Merced, California's new "Cobey Law" empowered county sheriffs and chief probation officers to allow certain prisoners to leave the county jail each day to work for a private employer on the condition that they returned to custody at night. The goal of the Cobey Law was to save money and promote rehabilitation at the same time. A person assigned to work furlough would see his wages garnished by the county to cover the cost of his custody, and many furlough prisoners also

¹²⁰ "Furlough From Jail to Work Measure Clears," *Sacramento Bee*, June 5, 1957. For a brief history of work furlough programs, see Stanley E. Grupp, "Work Release in the United States," *The Journal of Law, Criminology, and Political Science* 54 no. 3 (September 1963), 267–272.

remitted money to their families, either of their own volition or by court order. Political leaders and the press often touted these remittances, in particular, because they meant that furlough programs might shrink a county's welfare costs. Work furlough also fit neatly into popular narratives that shamed people who received state relief while promoting the ideal of self-reliance. After remittances and county deductions, a prisoner could use whatever remained of their wages to buy clothes, tools, or transportation, to cover the cost of fines, restitution, or personal debts, or to save for release. Law enforcement officials rightly believed that this made it easier for a parolee to get back on their feet. In some cases, it might even allow a person to maintain whatever employment they had before their arrest. In keeping with labor union opposition to prison work programs in general, the Cobey Law prohibited the employment of incarcerated people as strikebreakers, and it required employers to pay prevailing wages.¹²¹

Touting tax relief, Santa Clara County implemented the first work furlough program, and other counties quickly followed suit. According to the Santa Clara County sheriff, by October of 1957, seventy people had participated in the county's program, remitting more than \$5,000 to cover custodial costs and about \$6,000 to their families, "most of which," he said, "would have been welfare cases otherwise." Furlough prisoners also paid \$1,000 in fines that might have otherwise gone unpaid.¹²² Seeking similar results, by year's end, Stanislaus and Marin counties began setting up their own work furlough programs.¹²³ Sonoma County joined in 1960, followed by Del Norte and Orange Counties in 1961 and 1962, respectively. According to the Board of

¹²¹ See section 1208, "Work Furlough Rehabilitation Law," of the California Penal Code, published in 1957 by O. W. Smith in Los Angeles.

¹²² "SC Board OK's Extension of Work-Furlough Jail Plan," *Daily Palo Alto Times*, October 22, 1957.

¹²³ Louise Flint, "Work Furlough Plan For County Jail Inmates Studied," *West Side Index*, December 19, 1957; "Prisoners May Keep Regular Job," *San Francisco Examiner*, November 26, 1957.

Corrections, by 1964, the eight counties that had set up work furlough programs had saved more than \$1 million. “The program was not only self-supporting,” officials noted, it also “substantially reduced welfare costs and increased payments of fines and restitution.”¹²⁴ Speaking about the Orange County program, a member of the California Council on Crime and Delinquency bragged that, if not for the county’s work furlough program, more than half of the prisoners assigned to the program “would have had families on welfare.”¹²⁵ In 1965, Senator Cobey sponsored legislation providing further incentives for counties to participate, namely, by empowering law enforcement officials (rather than the courts) to unilaterally remove people from furlough programs, or to shut them down entirely.¹²⁶ By the following year, Colusa, Contra Costa, Los Angeles, Plumas, Riverside, San Diego, San Joaquin, and San Mateo counties, had all started work furlough programs of their own, bringing the total number of participating counties to thirteen.¹²⁷ Twenty-two California counties operated work furlough programs by 1968, and the federal prison system was slated to follow suit.¹²⁸

Although the CDC had been tinkering with work furlough programs since the early-1960s, official legislative authorization, which came 1966, led to the proliferation of such programs as the state sought to empty its prisons. Twelve state-run furlough programs existed by

¹²⁴ CDC, *1962 Biennial*, 41.

¹²⁵ This official was speaking to reporters about the Council’s endorsement of the probation subsidy program, further illustrating how both of these programs resonated with the increasing appetite among California political leaders to embrace a policy of decarceration during the mid-1960s. “Council on Crime Urges Probation Staff Subsidies,” *Los Angeles Times*, March 31, 1964.

¹²⁶ California Department of Corrections, *Correctional Progress in California, 1965–1966* (Sacramento, 1966), 26–27. Hereafter cited as CDC, *1966 Biennial*.

¹²⁷ Charles Johnson, “Convicts on ‘Furlough’ go from Jail to Jobs,” *Sacramento Bee*, April 3, 1966.

¹²⁸ “A Report to the Legislature on the Work Furlough Program, California Department of Corrections,” December 1968, Department of Corrections Records, F3717:1760, California State Archives.

1968. Six of these mirrored the probation subsidy program in that the state paid counties a per capita lump sum to administer the program on the state's behalf, and this arrangement proved especially apt in places where no state correctional facilities existed, such as San Mateo, San Joaquin, San Francisco, Stanislaus, and Riverside counties, all of which made small numbers of beds available in their jails or honor farms for the state to send prisoners assigned to work furlough. The other six programs were administered by the CDC directly. Two of these—the Crittenden Center in downtown Oakland and the Vineland Center for Women in Hollywood—were labeled “community correctional centers.” These operated essentially as halfway houses in urban areas, while the other four were located within existing prisons. The old prison ranch at San Quentin, for example, had been converted into a community correctional center via several mobile housing units, and a dormitory just outside of the California Institution for Women housed women assigned to a nurse training program. These women spent six months working at the Pacific State Hospital in Pomona, after which they not only became eligible for parole, but also for board certification as registered nurses. This was a rare quality in such a program, and one that suggests it may have provided a viable pathway toward stable careers. Additionally, the California Institution for Men also ran two programs. More than fifty men lived at what had been the Don Lugo conservation camp, and from there they commuted to and from a variety of jobs that they had either arranged for themselves or that had been arranged for them by a parole agent. According to one list, furlough prisoners worked as rug installers, meat cutters, aircraft workers, auto mechanics, carpenters, and electricians, among other jobs. They earned union wages in unionized positions, and parole agents sometimes received approval from local unions to hire prisoners into certain jobs. A smaller number of Chino prisoners worked through an unpaid training program run cooperatively by the UCLA Institute of Industrial Relations and

Teamsters Joint Council 42. In this program, furlough prisoners studied things like auto mechanics, brake repair, front-end alignment, and warehousing.¹²⁹

Instead of dislodging a prisoner's imagined "fear" of work, work furlough refocused public and official narratives on the benefits of providing financial security to parolees. Reporting to the legislature in 1968, for example, corrections officials described a number of success stories. One man in his early-twenties who had finished high school and completed the vocational welding program at the Sierra Conservation Center put his training to use in the San Joaquin County work furlough program thanks to a job his parole agent secured for him at the American Bridge Company. While in the program, he worked for three months earning union wages (nearly thirteen hundred dollars in total) as well as the commendations of his supervisors, and he chose to stay with the same company on parole. Another man who came through the same welding program was placed with an aircraft parts supplier in San Joaquin County. He also excelled on the job and even turned down a wage increase when he paroled so he could return to Burbank where he had family and another job offer waiting for him. With the intervention of a parole agent, the same aircraft parts supplier hired another man who had been fired from his first furlough job. Unlike his counterpart, however, this man decided to remain with the company on parole and was eventually promoted "with a substantial increase in pay." The report also described a young man assigned to furlough at the end of his second term at San Quentin (his first conviction was for burglary, his second was for selling marijuana) who had only ever worked as an unskilled laborer. This individual struggled to find furlough employment for himself when he was first assigned to the program. With "the intervention of the parole agent," however, he "became employed as a shipping clerk earning \$2.11 per hour, later raised to \$2.43

¹²⁹ Ibid.

per hour.” Paroled in 1968, he then “settled down... remaining with the same employer and later [marrying] a widow with three children.” He was said to have shown “exemplary parole adjustment.” With this kind of anecdotal evidence, corrections officials told the conservative legislature that work furlough was “the best program that the State has ever been involved in,” not only preparing prisoners to hold down a job, but also allowing them to obtain “a substantial savings account to cover the initial period after release,” which was “the most crucial period for the parolee.”¹³⁰ In his own words, a prisoner who succeeded on furlough told the *LA Times* a similar story that more directly characterized the typical prison experience as a hindrance to parole success. Married with four children and over a decade of drunk driving arrests, he was working as a salesman when he injured someone in a car accident and wound up incarcerated at Chino. “Under the old system,” he said, “you finish your sentence and then go out cold to try to find a job. But you have a record, so it’s harder... When the days go by and you can’t find anything, you begin to panic. You get desperate.” To avoid this fate, the man sought “a complete break with the past.” He enrolled in the dairy program, and from there, prison staff recruited him to apply for the furlough program at Don Lugo. Shunning sales jobs, he eventually found work at a dairy, although without a driver license, he relied on his wife to pick him up and drop him off each day. Work furlough, he said, gave prisoners “a chance to regain your confidence.” It allowed him to become “well established” in his job, with “money coming in, and the confidence that comes from knowing you’ve really be managing several months.” As he saw it, if incarcerated people were given “a chance to find a job and make a useful place for himself, there’s less chance of him repeating his mistake.” He believed that “as many cases as

¹³⁰ Ibid.

possible” should be given the same opportunity, and that “wherever possible, the tendency should be toward rehabilitation rather than punishment.”¹³¹

Although some people succeeded thanks to work furlough, others merely found yet another avenue for the state to exploit them for its own benefit. In the same report to the legislature, corrections officials also provided accounting figures for the 1967–68 fiscal year showing how much of their earnings furlough prisoners were allowed to keep. At the Crittenden Center in Oakland, for example, twenty-four men reportedly earned a total of \$12,745, of which the state collected \$1,933 for room and board. The men retained the rest, spending \$5,794 on personal expenses, placing \$4,242 into savings, and remitting \$777 to their families. While workers assigned to state-run furlough programs kept the lion’s share of their wages, those assigned to county programs forfeited more. In Stanislaus County, for example, where twenty-two men participated in the furlough program at the county honor camp near Modesto, the county collected \$4,053 of \$7,592 in total earnings and the state collected \$783. The men only kept \$2,692. Similarly, more than one hundred state prisoners participated in San Joaquin County’s program. They earned \$78,690 between June of 1967 and June of 1968, and the county and state respectively collected \$27,947 and \$7,383. The men kept \$16,522 for personal expenses, placed \$25,356 into savings, and remitted \$1,481 to their dependents. Although they held onto more of their earnings than the men in the Stanislaus County program, they still gave over a third to the state.¹³²

¹³¹ Leonard Greenwood, “Work Furlough Program for Prisoners May Be Expanded,” *Los Angeles Times*, January 30, 1967.

¹³² “A Report to the Legislature on the Work Furlough Program, California Department of Corrections,” December 1968, Department of Corrections Records, F3717:1760, California State Archives.

Race was an important factor in this exploitation. To begin with, eighty percent of prisoners assigned to work furlough throughout the state were white, which is an astounding discrepancy, given that whites made up only a little more than half the overall prison population at this time.¹³³ But even those few Black prisoners who had the opportunity to participate in a furlough program felt it could just as easily hurt their chances of success on parole as help them. Black prisoners at Soledad communicated this sentiment to State Senator Mervyn Dymally when he visited the prison to investigate allegations of racism connected to the events that led to the prosecution of John Clutchette, Fleeta Drumgo, and George Jackson for the murder of prison guard John Vincent Mills. In addition to segregation in the prison's work programs, Black prisoners complained that they were not given sufficient time on furlough to save for their release, and that the state claimed an unfair amount of their wages. According to the report that resulted from Dymally's visits, the low-wage jobs that furlough prisoners typically worked left them "with little or no money, or perhaps even in debt to friends" upon release. "Robbery or burglary," the report concluded, "must be attractive to a man with skills in thievery, and without funds, who is facing the known difficulties of ex-convicts seeking a job." Although the money that the state collected through work furlough programs was small, in the political climate of the Reagan gubernatorial administration, austerity-minded politicians sought to cut whatever they could from state budgets, especially for programs that primarily benefited marginalized groups. For Dymally and others who opposed such efforts, work furlough represented one potential area where greater investment might lead to better outcomes. As the report concluded: "If the state is to act on its commitment to rehabilitating men and easing their transition to non-prison life, it

¹³³ Ibid.

should be as willing to spend the few thousands necessary for room and board of work-furlough convicts as it is to spend millions to keep thousands of convicts locked up.”¹³⁴

The Reagan administration significantly expanded California’s work furlough programs, which underscores the program’s ability to blend in with the Governor’s austere and increasingly punitive approach to welfare programs. In 1969, for example, Reagan’s secretary of human services, Spencer Williams, read an article about work furlough in *Correctional News Brief*. Written by an incarcerated man to encourage others to apply, the article described several success stories. One man worked for three months as an electrician out of Don Lugo, earning \$1,500 to buy tools and clothing for work, to make a down payment on a car, to support his family, and to start a savings account. Another man worked almost four months out of the San Mateo County jail as a salesman, covering outstanding debts with a portion of his \$1,800 earnings. Yet another man worked for two months out of the Crittenden Community Correctional Center in Oakland as a building maintenance man for a realty firm, earning \$1,150 to help his family make ends meet and to make arrangements for parole. In the memo that Williams wrote to Reagan in praise of the program, he lifted these accounts almost word-for-word from the original article, but he added that each man had also “paid the state for his room and board,” and that some of the family remittances “made it possible to remove a family from the welfare rolls.”¹³⁵ The latter point resonated with Reagan’s goal of shrinking California’s welfare programs, which he did in

¹³⁴ See Mervyn M. Dymally and John J. Miller, *Black Caucus Report: Treatment of Prisoners at California Training Facility at Soledad Central* (Sacramento, 1970), 14–15. Dymally’s report disputed the claims of prison officials that an equitable distribution of desirable vocational and maintenance jobs prevailed at the prison. It described discrimination in the vocational programs in this way: “We found few Blacks in the more desirable trades training areas, namely the maintenance shop, print shop, hospital, and dentistry.” Prisoners alleged that Black trainees were only employed at the hospital in custodial positions, and that only one Black prisoner had been assigned to the dental program and none to the prison maintenance crews.”

¹³⁵ Spencer Williams to Ronald Reagan regarding Work Furlough Program, July 22, 1969, Department of Corrections Records, F3717:1760, California State Archives.

part by making such programs punitive in nature. For example, the Reagan administration introduced criminal penalties to fathers who did not pay child support, and it also empowered the state to force unemployed welfare recipients to work, either for private employers or for the state, in exchange for benefits. Although these requirements were technically illegal under federal law, Reagan challenged President Nixon over the issue, eventually winning an exemption from federal welfare policies while also elevating his national profile. Although Reagan's reforms failed in California, his determination to punish poor people remained the foundation of his conservative reputation as he sought the presidency a decade later, and work requirements remain an important if still unproven part of welfare policy to this day.¹³⁶

Most tellingly, in 1972, the Reagan administration even stood by the work furlough program when it came under intense pressure after a spate of high-profile crimes committed by furlough prisoners. That winter, a Los Angeles police officer pulled over a prisoner who was out on a temporary release to secure work as the prisoner drove a stolen car. The prisoner shot the officer dead. Around the same time, in a separate incident, police arrested a group of furlough prisoners on suspicion of perpetrating a string of Orange County robberies, one of which resulted in the homicide of a twenty-five-year-old school teacher. These incidents garnered a lot of press attention. Chief Ed Davis of the LAPD and State Senator H. L. Richardson took the opportunity to criticize what they viewed as a soft approach to crime and an overemphasis on rehabilitation. Richardson was especially aggressive in his attacks. A former John Birch Society staffer, at the time, Richardson was a second-term Republican representing the west San Gabriel Valley suburb of Arcadia. Once news about the robbery-ring broke, he

¹³⁶ Kohler-Hausmann, *Getting Tough*, 163–205. Along with a host of other punitive measures, President Bill Clinton made work requirements a part of federal welfare policy when he signed the Personal Responsibility and Work Opportunity Reconciliation Act in 1996. See Geismer, *Left Behind*, 161–71.

publicly demanded that Governor Reagan fire CDC Director Ray Procnier, whom Reagan had appointed when he first took office in 1967. Richardson charged Procnier with forgetting “about the punitive aspects of crime in California” and suggested the state needed tougher sentencing policies. In response, Reagan defended Procnier. “All of this has to be studied,” he said, “and it is of the greatest interest in the world to us. But I don’t think... you could just suddenly say someone’s at fault here and throw this man out and everything will be alright.” When asked directly whether Procnier’s approach, which largely mirrored that of Walter Dunbar and Richard McGee before him, reflected his own thinking, Reagan responded: “Yes... California has become a model in correctional systems for the whole nation. And we have had great success.”¹³⁷ Even the *LA Times* editorial board sided with Reagan and defended the work furlough program, noting that fewer than seven percent of some two thousand prisoners who passed through it in 1967 came into contact with law enforcement.¹³⁸ Whether their support for the work furlough program had to do with the broader appetite for alternatives to incarceration or with the program’s ability to appeal to fiscal hawks, the program demonstrated how work remained an important part of the policy narrative surrounding corrections. Even as correctional industries and vocational training failed, work still held promise through the furlough program.

Like work furlough, the example of Operation Pathfinder illustrates the close relationship between economic security and parole success that some corrections officials understood came to understand, and it also highlights the challenges that formerly incarcerated people faced pursuing employment amid a souring economy. Begun in 1969, Pathfinder was made possible by a grant from the federal manpower administration. It was intended as a demonstration project to assess

¹³⁷ William Endicott, “State Probes Possible Convict Robbery Ring,” *Los Angeles Times*, February 9, 1972.

¹³⁸ “Reagan is Right on Prison Reform,” *Los Angeles Times*, February 11, 1972.

whether young men coming out of California’s youth prisons might more easily hold down steady employment on parole if employers and parole agents focused specifically on job retention. A group of consultants from a Los Angeles-based consulting firm ran the project, and they sought to test an emerging idea in clinical psychology known as behavior modification theory. Essentially, behavior modification theory held that an individual’s behavior in a given context could be influenced using either positive or negative reinforcements. According to their interpretation of this theory, the consultants believed that employers often fired formerly incarcerated workers not only because of a lack of skill or work experience, but also because parolees struggled to adapt to the work environment. “Perhaps more pathetic,” they wrote, “are those [parolees] who give up their jobs because of fear, frustration, and bewilderment.”¹³⁹ Although their language echoes the old idea that incarcerated people somehow “feared” work, the consultants took a novel approach to the extent that they focused not on changing the behavior of people who had spent time in prison, but rather that of employers and corrections officials. To experiment with this approach, the consultants who ran Pathfinder recruited private employers to hire paroled youth and trained shop floor supervisors to encourage them as they got used to the job, commending those who worked diligently and gently correctly, rather than firing outright, those who did not. Importantly, they also hired nine formerly incarcerated youth as “counselor aides” to work directly with employers and the parolees involved in the project, to address any work- or life-related problems that might threaten job retention and parole success. These young men did similar work to Jim Lewis, Tom Clark, and the other parolees who worked for the CDC in the Bay Area, whose stories were discussed in the introduction. Involving almost

¹³⁹ Mentec Corporation, *Operation Pathfinder: Shaping Work Behavior of Ex-Offenders and Other Disadvantaged People Using Social Reinforcement Techniques* (Los Angeles, 1972), 1.

two hundred paroled youth in Los Angeles, the records surrounding Pathfinder offer a rare if limited window onto the experiences of formerly incarcerated people in California's hardening labor market.

Tellingly, when they were starting out, the consultants who ran Pathfinder struggled to find employers willing to hire Youth Authority parolees. In their words, the relatively mild recession of 1969–70 “unquestionably... represented one of the chief obstacles to job placement.” At that time, Black unemployment was approaching ten percent, and in their report to the manpower administration, the staff paraphrased the predictable excuses that they encountered from hiring managers. “Who wants to hire ex-offenders and hardcore people when thousands of skilled workers are standing in unemployment lines?” “Hire criminals? Hell, I’m laying off good men who’ve been with me for twenty years!” “Business is too slow now for us to take on any extra cost...”¹⁴⁰ At first, Pathfinder’s staff advertised the program in newspapers and on television, emphasizing the innovative nature of a project that sought to employ formerly incarcerated youth as counselors helping other formerly incarcerated youth. Spencer Williams, Governor Reagan’s cabinet secretary in charge of corrections who promoted the work furlough program, even praised Pathfinder publicly, saying that it held “tremendous potential for reducing delinquency and giving large numbers of parolees a second chance.” “Too often,” he declared, “parolees return to crime and delinquency because they can’t get and keep a job.”¹⁴¹ When no employers volunteered, however, Pathfinder’s consultants took a more direct approach, placing more than one thousand phone calls to individual job sites. This was exactly the kind of

¹⁴⁰ Ibid., 29.

¹⁴¹ “Firms to Aid in training parolees,” *Southwestern Sun*, November 20, 1969. Mentec had stories planted elsewhere in the press as well, including the *Los Angeles Times* and the *East Whittier Review*.

intensive job-placement work that parole agents were not doing, and it was an uphill battle. In the end, only fourteen employers agreed to sign on. They included a bakery, a furniture refinishing plant, a utility company, and mattress, pipe, and circuit board manufacturers. The businesses ranged in size from 25 employees to nearly 2,000, and they paid anywhere between \$1.67 and \$4.17 per hour. At \$2.50 per hour, the average pay that paroled youth would earn in these jobs only just exceeded the recently-installed minimum wage.¹⁴²

After overcoming the initial challenge of convincing hiring managers to participate, Pathfinder's consultants tracked 173 paroled youth over a two-year period and produced a data set strongly suggesting that intensive job placement and retention efforts reduced recidivism. The youth involved in the project were divided into four groups. Everyone got a job placement, but only three groups received positive reinforcement at work, either from their shop floor supervisor or a peer counselor, or both, and as a control, the fourth group received no positive reinforcement whatsoever.¹⁴³ Once the youth were on the job, the consultants tracked data on job turnover, absenteeism, and productivity, as well as data on whether the youth were arrested or reincarcerated. In all of these areas, the youth who benefitted from positive reinforcement and intensive job retention efforts outperformed those assigned to the control group. They remained longer in their jobs and spent more time working overall. More importantly, only five of the 136 youth assigned to the experimental groups ended up back in prison, as compared to nine of the 37 youth in the control group. A small sample size, to be sure, but a stark discrepancy. Compared to the statewide recidivism rate, even the youth in the control group fared better than the vast majority of formerly incarcerated young people who received no intensive job placement

¹⁴² *Operation Pathfinder*, 37–40.

¹⁴³ *Ibid.*, 35–36.

or retention efforts at all. As the project’s consultants put it, Operation Pathfinder “demonstrated the need for bridges between the correctional institutions and employers, between the community and jobs, and the need for a buffer between law enforcement agencies and the ex-offender.”¹⁴⁴

For the most part, the nine young men who worked as peer counselors provided the crucial “bridge” between employers and the prison as well as the “buffer” between law enforcement and the “ex-offender.” Having volunteered for their roles while still in prison, in addition to offering positive reinforcement to most of the parolees in the experimental groups, these youth were also charged with helping their peers “in whatever way possible to reduce or eliminate off-the-job problems that might interfere with or negatively influence on-the-job behavior.” Pathfinder’s staff deliberately selected a representative group that included Black, white, and Mexican American youth. They also chose youth who could relate to their peers and “overcome past anti-social behavior.” Each peer counselor received four months of training in behavior modification theory, and he also spent time working with the employers to train shop floor supervisors in the theory and to become familiar with the expectations of each job. Once the study began, the peer counselors regularly visited each work site to make sure supervisors adhered to the program, and “when necessary and possible, to resolve work problems.”¹⁴⁵

According to the report, the peer counselors all struggled with access to transportation, arrests on old warrants, and financial debt—problems that the broader group of parolees involved in the project also struggled with. To address these issues, the project’s consultants provided individualized financial planning, and they also intervened in court on behalf of the youth when

¹⁴⁴ Ibid., 5.

¹⁴⁵ Ibid., 17–24.

needed. Through weekly meetings with a professional attorney, the peer counselors learned to pass on this type of support to others, working “enthusiastically,” as the consultants put it, to address “the legal and monetary problems of the experimental subjects within their caseloads.”¹⁴⁶ A reporter who sat in on one such meeting offers a glimpse of how the counselors themselves made sense of things. The conversation that day revolved around police abuse. The attorney, who was himself a former FBI agent, challenged the counselors’ skepticism that law enforcement officials would act in good faith to investigate reports from the community of police misconduct. “They would be the first to do something about it,” the lawyer said, referring to Chief Davis and County Sheriff Peter Pitchess, or else “we’re headed for some sort of Gestapo.” “We’ve already got a Gestapo,” one of the young men shot back. The reporter described the counselors as “antipolice,” and his telling of the story presented the mature lawyer subtly guiding his naïve mentees toward a more sensible viewpoint. From the quotations he provided, however, it seems equally plausible that the counselors cared less about changing their own attitudes than they did about gaining information that could help their peers. Moving on from police abuse, the counselors peppered the lawyer with practical questions. If someone younger than twenty-one lost touch with their parents, how could they apply for a marriage license? If a person had been involved in a minor traffic accident, how could they dispute their liability? If someone was charged with assaulting a peace officer for trying to deescalate a confrontation, how could they mount a legal defense? All of these problems had to do with helping formerly incarcerated youth keep their jobs, and instead of allowing the authority-figure of the lawyer to undermine their

¹⁴⁶ Ibid., 24–25.

suspicion of the criminal legal system, the counselors asked the lawyer for practical advice that might help prevent someone's life from heading off the rails and back to prison.¹⁴⁷

In helping their peers to overcome whatever obstacles they might encounter on parole, the Pathfinder consultants suggested that formerly incarcerated peer counselors provided a model for the work that parole agents were supposed to be performing—and perhaps even a replacement. Unsurprisingly, the consultants described the existing parole system as “grossly inadequate,” and they concluded that the prison system in general contributed “little toward the achievement of successful rehabilitation.” By way of improvement, they recommended that corrections officials establish “vocational training within the institutions” in trades like “carpentry, automotive mechanics, machinists, tile and brick layers,” but of course these were exactly the kinds of programs that had been established inside California's prisons since the end of World War II. The consultants also recommended developing a “mechanism whereby employers and correctional institutions would work closely together in the placement of ‘graduates,’” which existed on paper, if not in practice, in the form of the trade advisory councils. When it came to parole, the project report claimed that the status quo was “built on a foundation of untenable assumptions, namely that one man can find jobs and places to live, loan money, counsel, mediate disputes between families, and keep track of more than one hundred mobile youngsters...” “Under present conditions,” the report continued, “it is doubtful that they [parole agents] ever have significant impacts on many parolees within their caseloads.” Smaller caseloads alone had been shown not to make much of a difference in parole success.¹⁴⁸ But Pathfinder went beyond the conventional approach to show how, through the use of peer

¹⁴⁷ Gene Blake, “Parolees Training as Counselors to Ex-Convicts,” *Los Angeles Times*, June 29, 1970.

¹⁴⁸ Simon, *Poor Discipline*, 80–84.

counselors, the orientation of individual parole agents mattered. If the person tasked with intervening in the lives of formerly incarcerated people was someone who could truly empathize with them, and more importantly, if the person in that role was strongly encouraged to intervene in a positive way, especially by keeping people in their jobs, better parole outcomes were possible. “The performance of our counselor aides was most gratifying,” the consultants wrote, “and we cannot emphasize too strongly the full-scale use of parolees in this regard.”¹⁴⁹

More than institutional programming of parole staffing, however, Pathfinder showed that the primary problem confronting the rehabilitative ideal was “the need for employers to offer more jobs.” The staff had experienced this problem first hand in their initial recruitment efforts, and it was also born out in other studies. According to Phillip Cook, a graduate student in economics at UC Berkeley who looked at Pathfinder as part of a broader analysis the relationship between employment and recidivism, the most promising policies involved direct job creation for formerly incarcerated people combined with the kind of support that Pathfinder provided. In his own primary research and in his review of the secondary literature, Cook found that parolees who had “satisfactory jobs” were significantly less likely to recidivate than those who found “no job attractive enough to hold them more than a few weeks.” Although he concluded that the “vast research effort” in corrections had “failed to find any effective instruments for rehabilitating the 2.5 million people who are processed by the criminal justice system every year in the US,” Cook pointed to Pathfinder as a bright spot. Because the project focused on the quality of a person’s experience at work, as well as their ability to find a job in the first place, he felt that it provided something qualitatively different than almost all other approaches to the problem of rehabilitation. Though he doubted whether the private sector “would be willing to

¹⁴⁹ *Operation Pathfinder*, 51–52.

create the necessary number of jobs,” Cook believed that Pathfinder’s success should be replicated at a much larger scale, and he took the project’s logic one step further by calling for a full-scale public employment program aimed at formerly incarcerated people.¹⁵⁰ On the immediate problem of finding work for people coming out of prison, as Pathfinder’s staff concluded, no matter what kinds of work programs prison officials tried to implement, no matter how badly parolees wanted to work, “rehabilitation and training will be relatively useless if jobs are unavailable.”¹⁵¹ This was a vital realization and one that finally cut through the contradiction that lay at the heart of prison work programs, at least since Scudder created LA County’s first probation camps in the 1930s. Unfortunately, it did not survive the decade.

Structural unemployment and the shift to punitive correctional policy

One year after California officially abandoned the rehabilitative ideal through the Uniform Determinate Sentencing Act, in yet another condemnation of prison vocational training programs, researchers in the department of finance illustrated an important shift in the way that work fit into debates over correctional policy. According to the most recent data, immediately after their release, only 30 percent of formerly incarcerated adults in California were able to find work in the trade for which they had been trained in prison. After six months on parole, that number dropped to just 22 percent. Worse still, on the youth side, six months after release, only

¹⁵⁰ Phillip J. Cook, *The Effect of Legitimate Opportunities on the Probability of Parolee Recidivism* (University of California Institute of Industrial Relations, 1971), 84–85.

¹⁵¹ *Operation Pathfinder*, 52.

a paltry 12 percent of young men and boys were working in jobs for which they received training while in prison.¹⁵² Things had deteriorated since the beginning of the decade.

Undoubtedly, a significant factor in the poor placement rates was California's rising unemployment. According to state data, the number of jobless people spiked considerably after 1970. This was true at the statewide level, where unemployment rose from 5.9 percent in 1970 to 9.9 percent in 1975, but it was especially true in many of the state's urban areas, from which a majority of California's prison population had been removed, and to which they returned on parole. In the Los Angeles-Long Beach labor market, for example, unemployment had jumped from 5.6 percent in 1970 to 9.9 percent in 1975. Other labor markets reflected similar increases that exceeded the statewide average included the San Francisco-Oakland (4.8 percent to 10 percent), San Bernardino-Riverside (5.7 percent to 11.6 percent), San Diego (5.5 percent to 10.4 percent), and Stockton (8.7 percent to 10.2 percent) labor markets, and the Anaheim-Santa Ana-Garden Grove, Bakersfield, Fresno, Sacramento, and San Jose labor markets all recorded unemployment rates above eight percent by 1975 as well.¹⁵³ And although similar data reflecting unemployment rates along lines of age, race, or criminal history are not readily available, a slackening labor market undoubtedly impacted social groups unevenly. Young people in general, young people of color, in particular, and young people of color who had spent time in jail or prison most of all would have experienced higher rates of unemployment than these published averages—and possibly much higher.

¹⁵² California Department of Finance, *California Youth Authority and California Department of Corrections Vocational Program Effectiveness* (Sacramento, 1977), ix.

¹⁵³ The data here were culled from the California Labor Market Bulletin Statistical Supplements from 1969–80, published by the California Department of Human Resources Development.

Table 7. Unemployment in major California labor markets, 1970–75				
	June, 1970		June, 1975	
	Total	Rate (%)	Total	Rate (%)
Statewide	543,000	5.9	1,021,200	9.9
Los Angeles-Long Beach	212,900	5.6	357,400	9.9
San Francisco-Oakland	79,900	4.8	161,500	10
Anaheim-Santa Ana-Garden Grove	32,700	5.7	77,200	8.9
Bakersfield	7,100	5.9	12,900	8.6
Fresno	13,000	6.5	19,600	9.1
Sacramento	19,300	5.7	35,000	8.6
San Bernardino-Riverside-Ontario	24,200	5.7	66,100	11.6
San Diego	28,800	5.5	72,800	10.4
San Jose	27,300	5.4	55,500	8.5
Stockton	10,900	8.7	13,800	10.2

The finance department’s researchers might have interpreted the failure of prison vocational programs in light the problem of structural unemployment; instead, and contrary to their own data, they blamed not only the programs, but also the “multiple handicaps” of formerly incarcerated people themselves. “Inmates have problems,” the researchers wrote, “economic, academic, social, attitudinal, and penal—which the best systems of vocational training have difficulty overcoming.”¹⁵⁴ True enough, but when it came to identifying the core of the problem, after an obliging nod toward the hostile political economy of the 1970s, the researchers emphasized the spurious claim that as many as one-third of California’s incarcerated population were “not serious about getting jobs.” Such “attitudinal problems,” however, contradicted what prisoners themselves had reported to the researchers in their survey responses. In fact, the vast majority of prisoners reported believing that vocational training would help them to find work on the outside, and nearly two-thirds expressly stated they wanted to find work in the trade for

¹⁵⁴ *Vocational Program Effectiveness*, ix.

which they were being trained (though far fewer felt they had a “very good” chance at doing so).¹⁵⁵ These men knew better than most people how difficult it was to find work in the 1970s. Instead of unseriousness, maybe their lack of confidence reflected a sober assessment of the slim chances for success for those already on the margins.

Indeed, rather than a condemnation of the attitudes of incarcerated people or even an indictment of prison work programs, the finance department’s data might just as easily be interpreted as evidence of the causal role played by the restructuring of California’s political economy. To be sure, the network of work programs that California corrections officials created after World War II produced mixed results, but there was also evidence that job training could be effective, especially, as Operation Pathfinder proved, if it were coupled with intensive parole support aimed at connecting people to good-paying jobs and at helping them to address the problems that arose at work or in life. The finance department’s data reflected those possibilities. Nearly all of the prisoners surveyed said they wanted to work when they got out, and a clear majority said they wanted to work in the field for which they had been trained. And yet, because prisoners also said that they planned to change jobs “when something better comes along,” the researchers concluded that vocational training had failed to persuade them to conform to the expectations of the waged-labor.¹⁵⁶ Unlike researchers and other professionals, however, working people, especially those at the bottom end of the labor market, could reasonably expect to move from job to job or to experience bouts of unemployment as their circumstance and the circumstances of the broader economy changed. The researchers could have taken this as evidence of the quality of work opportunities that were available to formerly incarcerated people,

¹⁵⁵ Ibid., 89–90.

¹⁵⁶ Ibid., 97.

and their survey data pointed toward this more nuanced analysis. As prisoners approached their parole dates, most reported feeling that they had received good training in prison and that they planned to pursue more training in the future. They also reported feeling fairly optimistic about their chances. More than three-quarters felt confident that their “better attitude toward life” would help them succeed. At the same time, however, their responses also point toward some of the hurdles that they would have to overcome, for which their training in prison had done nothing to prepare them. Access to transportation, for example, which was an important resource in a suburbanizing and ex-urbanizing economy, was a common need. Worse, most prisoners reported having fewer than \$200 to their name, and they expected to have to borrow money once they got out.¹⁵⁷

Although high recidivism rates called the value of vocational training into question, there was still evidence that access to work could make a difference. In their follow-up study, the researchers tracked 122 people paroled to the Bay Area counties of Alameda, Contra Costa, San Francisco, and Santa Clara. Matching what earlier studies had found, the recidivism rate for those who had spent the least amount of time in their prison vocational programs was high—around 50 percent. The recidivism rate for those who spent the most time in their programs, however, was a remarkably low twenty percent. Probably because the length of their sentences allowed them to, these men had spent an average of two years in vocational training, meaning they were allowed to complete their programs and gain substantial training similar to that which someone might receive in a union apprenticeship program. Rather than take this as a sign that thorough job training worked, however, the finance department attributed the success of these parolees to “the possibility that prisoners who are well-motivated prior to entering a class are

¹⁵⁷ Ibid., 98.

more likely to complete and would be less likely to recidivate regardless of their institutional program participation.”¹⁵⁸ Here again, they ignored the evidence of their own data, which clearly showed that almost every prisoner they surveyed felt strongly motivated.

The finance department’s interpretation of the problem reflected both continuity and change in the dominant narratives surrounding crime and punishment as California reoriented its correctional policy toward punishment instead of rehabilitation. Change because, as with other government programs, such as welfare, it became convenient to blame the innate and immutable characteristics of individual people for their problems rather than the broader structural forces that shaped the life chances of all Californians. But it represented continuity because officials were still insisting on a version the idea that prisoners failed on parole because they somehow feared work. As another wave of austerity approached, this report hardly pretended to offer an alternative solution. The researchers’ top-line recommendation was simply to shut down the majority of the vocational programs, allowing the state to save \$600,000 that would somehow “provide a base for successful future programming.”¹⁵⁹

* * *

This chapter has focused on the failure of prison work programs to reduce recidivism or long-term unemployment among formerly incarcerated people. It explored the role that prison work programs played in the making and unmaking of the rehabilitative ideal, especially in light of the contradiction inherent to the way in which corrections officials understood these programs, given the role that prisons played absorbing surplus labor. Contrary to what corrections officials

¹⁵⁸ Ibid., 103.

¹⁵⁹ Ibid., xv.

believed from the beginning, what determined the life chances of incarcerated or formerly incarcerated people was not so much their individual attitudes—their “fear” of work—but rather the broader political economy in which they found themselves, of which structural unemployment was a constitutive element. This is not to say that the conservation camps, correctional industries, or vocational training programs did not sometimes provide helpful interventions in the lives of people in prison, but rather that these programs suffered from structural limitations. Even if officials had succeeded in employing 30 percent of state prisoners in correctional industries, even if the vocational training programs had been able to provide state-of-the-art job-training, even if the conservation camps did help accustom young men to the habits of working life, the kinds of people who were sent to prison were still more likely to find themselves under- or unemployed due to the nature of California’s labor market. Operation Pathfinder and the work furlough program both made this contradiction clear to corrections officials, but any lessons that were learned from these two examples were largely forgotten by the end of the 1970s. The last chapter of the dissertation will return to this question by looking specifically at the relationship between federal employment policy and the trajectory of the carceral state during the 1970s and 1980s. But first, the next two chapters look respectively at the ways in which carceral work and carceral workers helped first to legitimate and then to delegitimize the rehabilitative ideal, and at how some carceral workers tried to use their jobs to contest an uncertain future.

CHAPTER THREE

Working on the Inside: Carceral Labor and Carceral Legitimacy

I work for the good of the men and the Institution. Anything I do is for the benefit of the inmates and the guard line and the Institution in general.

—Lieutenant W. E. Kamp¹

One of the major factors influencing the way an inmate feels about an institution and controlling his reaction to the opportunities which are offered him is the manner in which the custodial staff carry out their very important functions of controlling housing, movement within the institution, and their handling of disciplinary problems as they arise.” “Through a program of careful personnel selection and in-service training,” the administrator continued, “it has been possible to maintain and foster a healthy mutual feeling of respect and cooperation between the inmate body and the custodial staff at DVI.

—Corrections official at the Deuel Vocational Institute at Tracy²

The public and their legislators must understand that there can be no solution to the problem of recidivism as long as harsh laws, huge isolated prisons, token program resources, and discriminatory practices which deprive offenders of employment, education, and other opportunities are tolerated. They also must expect that as long as there is a predominance of low-paid, dead-end jobs in corrections, the field will continue to be burdened with a poor performance record.

—Joint Commission on Correctional Manpower and Training³

* * *

In 1969, as researchers and corrections officials were probing the value of California’s prison labor programs, the federal government published a long-awaited study that considered the crisis in correctional policy through the second dimension of the relationship between labor

¹ Testimony of Lt. W. E. Kamp, “Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. II.,” December 5, 1943, 285, Earl Warren Papers, F3640:956, California State Archives.

² CDC, *1956 Biennial*, 44.

³ *A Time to Act: Final Report of the Joint Commission on Correctional Manpower and Training* (Washington DC, 1969), 2.

and incarceration, focusing on the people who staffed prisons. A product of the same liberal spirit that guided the War on Poverty, *A Time to Act: Final Report of the Joint Commission on Correctional Manpower and Training* focused not on how best to put incarcerated people to work, but rather on the dire shortage of qualified and motivated workers willing to take jobs in corrections, without whom the rehabilitative ideal could never become reality. As the epigraph above illustrates, from the standpoint of the career administrators who shaped the report and the research upon which it was based, although the impending failure of the rehabilitative ideal was linked to a broader set of social and economic problems, its potential salvation was, at least in part, a question of work. And not just any work, but carceral work—the work of prison guards, parole agents, probation officers, and others. According to the authors of the report, too few people were receiving too little education, training, and pay to work with too many prisoners, parolees, and probationers for prisons to plausibly perform the functions they purported to in the decades after World War II. Despite efforts to establish college programs for people interested in carceral work, they complained that corrections remained a “stepchild” in the academic world. And although in-service training had been a central component of the rehabilitative ideal, they used the word “primitive” to describe the few internal staff development programs that did exist. Wages were low, especially for those who worked most closely with the incarcerated. More than one third of custodial staff who worked in adult prisons—and nearly two thirds of those who worked in youth prisons—earned less than six thousand dollars annually (roughly equal to \$45,000 today). Academic and vocational instructors, counselors, social workers, and psychologists tended to make more, but not a lot more. And, in any case, pay was only part of the problem. When the authors of the report surveyed prison staff, the most common grievance that staff across the country expressed was “too much work.” Staffing ratios were too high, a

product of overcrowding and difficulty recruiting workers, particularly for the more specialized jobs.

One crucial reality that *A Time to Act* revealed was the fact that the people who worked within youth and adult prisons on a daily basis knew how inadequate the services provided to the incarcerated were, and they felt demoralized about it. “Correctional personnel are most strongly motivated by the opportunity to work with and help young people,” the report found. And yet, prison staff across the country were said to harbor a “keen awareness that the system fails for far too many offenders.” Unsurprisingly, given this combination of factors, sixty percent of front-line staff claimed they knew at least one co-worker who wanted to quit their job. Roughly one-fifth were themselves thinking about quitting, and nearly half said they would hesitate to recommend corrections as a career for young people. The report’s “unavoidable conclusion” was that the field of corrections suffered from multiple problems, including “apathy, piecemeal programming, totally inadequate funding, and a lack of public support and training.” “The major problems facing corrections today,” the report concluded, “have been caused to a large extent by complacency and ignorance about the volatile nature of social problems left unattended for far too long... Results have been tragically short of the pressing needs.” As if to confirm that these “social problems” were really problems of urban communities of color, the first image that appeared in the report showed a Black youth, hands in his pockets, facing away from the camera, standing on a downtown street in what appears to be New York or Chicago, but could well have been San Francisco, Oakland, or Los Angeles. Many of the other images in the report also depicted race, especially by showing predominantly white staff working with predominantly Black and brown young men and boys.⁴

⁴ *A Time to Act*, 1–23. The report was funded via the Correctional Rehabilitation Study Act of 1965, which was passed during the same legislative session as the Law Enforcement Assistance Act and similarly received support

Staffing in prisons had become a major problem as the carceral state approached the turning point of the late-1960s—a fact that historians have yet to grapple with. In 1965, heeding the calls of dozens of leading correctional and social welfare agencies, Congress passed a bill called the Correctional Rehabilitation Study Act. Contrary to its title, the bill took for granted the highly questionable idea that prisons were capable of rehabilitating people, and instead allocated some \$2.1 million in grant funding over three years to study “the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.”⁵ Four years later, *A Time to Act* emerged as the product of this spending. Testifying in favor of the bill back in 1965, one corrections administrator cited some alarming figures to justify the project. By his count, there were only 52 full-time psychiatrists employed in prisons across the United States—one for every 4,420 incarcerated people. The ratios he cited for psychologists (1:1,473), social workers (1:346), teachers (1:404), physicians (1:1,393), nurses (1:836), and chaplains (1:982) were not as bad, but still shocking. Only non-supervisory custodial workers—correctional officers, group supervisors, and the like—could be found in relative abundance, with one for every nine incarcerated people. Given the numbers, this official said that it had become obvious “who it is who gives the bulk of the care and supervision to offenders in the United States.”⁶ Although California had better staffing ratios than most states (combined, the CDC and the YA had somewhere between five and six staff members for every person in prison or on

from both Republicans and Democrats. Ramsey Clark, still a deputy attorney general at the time, submitted a statement in favor of the bill, saying that the LEAA, the soon-to-be empaneled Commission on Law Enforcement and the Administration of Justice, and the Correctional Rehabilitation Study Act were all “mutually supporting and reinforcing” in the eyes of the Justice Department and President Johnson. Statement of Ramsey Clark, Deputy Attorney General in *Correctional Rehabilitation Study Act of 1965: Hearings Before the Subcommittee on Education of the Committee on Education and Labor, House of Representatives*, 89th Cong. 36 (1965).

⁵ *Hearings for the Correctional Rehabilitation Study Act of 1965*, 1.

⁶ Statement of Dr. Charles S. Prigmore, Executive Director, Joint Commission on Correctional Manpower and Training, *Hearings for the Correctional Rehabilitation Study Act of 1965*, 15.

parole), CDC Director Richard McGee, who later helped shape the report, still wrote to the congressional subcommittee considering the act to express his dismay at the “magnitude of the problem in his state.”⁷ The following year, the director who had replaced McGee, Walter Dunbar, wrote in his introduction to his official report that the “critical and long-term need for trained personnel, men and women committed to career service in correctional and parole work” was one of the major problems facing the department.⁸

Covering much the same time period as chapters one and two, chapter three similarly explores the relationship between carceral work and the legitimacy of California’s carceral state during the postwar decades. As in the previous chapter, the point is not so much that more or better workers could have prevented failure of the rehabilitative ideal, as *A Time To Act* argued, though the whole of the dissertation does seek to validate the report’s claim that the crux of the crisis in correctional policy was to be found in “social problems left unattended for far too long,” of which access to economic security was one. Rather, this chapter argues that, like prison work programs, carceral work and carceral workers factored into the effort to implement the rehabilitative ideal in significant ways, and that work and workers also helped create and contest the crisis of faith in correctional policy that emerged in the late-1960s.

The chapter unfolds in several disparate yet connected parts. To begin, it focuses on how questions related to carceral work and carceral workers shaped California’s initial embrace of the rehabilitative ideal during the 1940s. The chapter then describes how corrections officials tried to professionalize carceral work through education, recruitment, and training, all with an eye

⁷ Statement of Richard A. McGee, Administrator, Youth and Adult Corrections Agency, *Hearings for the Correctional Rehabilitation Study Act of 1965*, 53.

⁸ CDC, *1966 Biennial*, 16.

toward legitimizing the carceral expansion that was taking place at the time. From there, it evaluates how officials reacted to the persistent problems of overcrowding and understaffing by altering the work process of correctional officers by enlisting them to work in an explicitly rehabilitative capacity, as counselors, as well as the extent to which correctional officers bought into the overall mission of the prison system. Finally, the chapter concludes by looking at how the probation subsidy program impacted both probation officers and prison guards, altering the work process of the former and politicizing the latter against reform efforts. Each component of the chapter helps illustrate the significance of carceral work and carceral workers to the trajectory of California's carceral state during the postwar period, and especially to the crisis in correctional policy that emerged in the late-1960s.

Carceral workers and the embrace of the rehabilitative ideal

In December of 1943, after a series of high-profile escapes from a prison work camp near Davis, the state of California suddenly cared a great deal about the people who worked in its prisons—how they did their jobs and what they thought about them. Before calling the special legislative session that would result in the passage of the Prison Reform Act in the spring of 1944, Governor Warren convened a special committee to investigate conditions at the four adult and three youth prisons that existed at the time, plus the Bureau of Paroles. The committee included old and new corrections and law enforcement administrators, as well as a handful of other state officials. Julian Alco, who chaired the committee, was a long-time prison reformer and Governor Warren's sole appointee to the soon-to-be defunct Board of Prison Directors. Walter Gordon, a former Cal football star who had been recruited into August Vollmer's police department in the 1920s, also sat on the committee. He was also a member of the Board of

Prison Terms and Paroles, which would soon be replaced by the Adult Authority, and he was the only Black member of both bodies. Los Angeles County's former (and future) Chief Probation Officer, Karl Holton, joined the committee as the first Director of the newly created Youth Authority. Also on the committee were representatives of the state attorney general's office, the finance department, and one of Warren's legislative advisors. Senator Charles H. Deuel, after whom the Deuel Vocational Institution would be named, was also there.

The men on the Warren Committee spent nearly two months touring the state's prisons holding hearings about how best to improve them, and while they spent a good deal of time listening to wardens and other high-level administrators, most of the people who testified before them were workers. For instance, at Folsom prison, where conditions were particularly bad, and where the first five hearings were held, forty-four of the eighty-three witnesses were on the payroll, and thirty of those forty-four worked on the guard line. The same was true at most of the other institutions: at San Quentin, staff made up twenty-three of thirty-five witnesses; fourteen of twenty-six at the California Institution for Men; and nineteen of thirty-three at the women's prison in Tehachapi. Only fifty-five prisoners testified, compared to 121 workers.⁹

The workers who testified before the Warren Committee provide a useful index of the kinds of labor required to run a prison. Most of them—sixty-four in total—were custodial staff, that is, prison guards and parole officers, though their formal titles varied (at the California Institution for Women, for instance, the female custodial staff who supervised the housing units were referred to as “warders,” and the housing units themselves were called “cottages”). Most of them had worked in the prison system for at least five years. Many had been hired in the late-

⁹ All fourteen volumes of the transcripts of these hearings, including witness lists, are available in the Earl Warren Papers, F3640:956–69, California State Archives. They comprise over two thousand pages of testimony.

1920s and early-1930s, and a few had been doing prison work since the early 1900s. These people were responsible for every function of the prison. As Folsom's Lieutenant W. E. Kamp reported, "I am responsible for my guards—thirty-five guards—and the inmates, their security, and the regular prison routine that would exist from that time on, that is, from the time I take charge of the shift until the time I am relieved."¹⁰ Part of Kamp's job involved the movement of prisoners from their cells to school. He received a list of men who had applied to attend night school, and then turned it over to the captain of the guard, who in turn checked the list "to see if there are any men who are dangerous to be taken out of their cells at night, and he may scratch some of those names off the list." From there, the men were taken individually to and from the classroom, where there was always a guard "going around among the men." After two hours, "the men are counted out of there [the classroom], and put in their cells, and another complete count is made of the Institution."¹¹ In addition to supervising educational programming and deciding who got to participate, guards like Kamp were responsible for supervising the incarcerated while they ate, while they worked, while they passed time in their cells or in common areas, while they received medical care, and while they slept. They counted the prisoners, moved them from place to place, searched their cells for contraband, policed various forms of behavior, particularly sexuality and drug use, and administered various forms of punishment. Of course, they also kept the prisoners from escaping—or they tried to.

Apart from custodial staff, many of the staff who testified before the Warren Committee performed other kinds of labor. Those who ran the various prison industries, for instance,

¹⁰ Testimony of Lieutenant W. E. Kamp, Reporter's Transcript of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. II," December 5, 1943, pp. 272, Earl Warren Papers, F3640:957, California State Archives.

¹¹ *Ibid.*, 285–86.

including the laundries, the shoe and tailor shops, and the ranches, were not custodial officers. Neither were those who supervised the prison commissaries, the garages, or the mess halls. Although each prison used prisoners to perform certain tasks, each prison also had some amount of civilian medical and clerical staff. They also often employed civilian staff as mechanics or engineers, and the supervisors of education and religion, as well as the chaplains, were civilian staff as well. Fifty-seven of the witnesses who testified before the Committee worked such non-custodial jobs, the second-largest group behind guards and parole officers. All told, more than half of those who testified were employed by the prison system in some capacity, excluding those in high-level administrative positions, such as wardens, superintendents, and their deputies.¹²

The Warren Committee spent so much time listening to workers for two reasons: first, because workers could speak most directly to the myriad problems that existed within the prisons at that point, and second, because any effort to change the way that prisons were run inevitably depended on them. The questions that the committee asked and the answers that workers provided show how important the work process was to prison reform. The first hearing, which focused on the Davis labor camp that had become the focus of a great deal of scrutiny, is a good example. William Black was the night watchman who was on duty the nights that a prisoner, Lloyd Sampsell, made regular illicit trips to San Francisco to visit a lover. When Black sat before the committee, the committee lobbed a barrage of questions at him. What was his job on the farm? How long had he worked there? Was he paid by the state or by the owner of the farm? How much was he paid? Where had he worked before? Where did he sleep at night? At what

¹² Reporter's Transcripts of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, Vols. I-XIV, Earl Warren Papers, F3640:956-69, California State Archives.

times did he make his counts? What, in his mind, constituted a count? Did he have a key to the room where Sampsell slept? Why did Sampsell sleep alone? Did he physically see Sampsell in his bed? Did he tell his supervisors that he could not actually peer through the venetian blinds on the windows to account for Sampsell's physical presence? The farm from which Sampsell escaped existed for a variety of reasons that have already been discussed: too many prisoners at Folsom; not enough civilian workers to harvest crops; the growers' search for cheap labor; and Folsom's need to balance its budget. As discussed, each of these pressures persisted—intensified, even—into the 1950s and 1960s and drove the expansion of the prison system. That expansion, however, would have been impossible unless an adequate means of maintaining custody in prison labor camps and prisons alike could be reached. That, in turn, required more strict control over how people like William Black did their jobs.¹³

The Warren Committee scrutinized those who worked on the Davis prison farm during its first hearing, but the other thirteen hearings focused on the rest of the prison system, where the work process also mattered greatly to the project of prison reform. The Davis camp was not the only camp, of course, and many more camps would open up in the coming years, so part of what the committee wanted to know was how to maintain efficient custody in such environments. M. M. Chilcutt, a former Arizona police officer who had worked for ten years as a guard at Folsom and had been tapped to run a different harvest camp in Stockton, provided a much better example of how to run a camp. His men worked mainly for the California Farm Production Council, erecting and tearing down temporary structures for growers to store, process, and package their own crops (they also tore down the structures that had been used for the Japanese concentration

¹³ For Black's testimony, see "Reporter's Transcript of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. I.," December 4, 1943, pp. 69–86, Earl Warren Papers, F3640:956, California State Archives.

camp at the Stockton fairgrounds). Chilcutt was proud of the work that the prisoners at his camp did. He bragged to the Warren Committee that his men were more efficient than the civilian carpenters sometimes hired for similar jobs, and he emphasized the role that work played in their rehabilitation. He told the camp's neighbors that since the prisoners were going to be "turned out" at some point, they needed an opportunity to better themselves through work. He also tried to assuage the neighbors' fear by emphasizing that his men had been "hand-picked," underscoring the belief that properly classifying prisoners was an important step in running a safe camp. Unlike Black, who performed his counts at the same time each night, Chilcutt said that he varied the timing of his counts in order to make sure that his men did not notice a pattern. It also helped that, unlike the Davis camp, Chilcutt's camp was sited on an old State Relief Agency camp, and was thus surrounded by a barbed wire fence. Steele Houx was another Folsom guard who ran a different harvest camp in Wheatland, a city twenty miles north of Sacramento in Yuba County. Like Chilcutt, Houx collected pay twice, once from the prison and once from the growers for whom he worked. Since the warden at Folsom had not assigned enough guards to the camp, Houx also brought along his wife to live with him and help with the work. Such informal arrangements were not uncommon. All three camp guards—Black, Chilcutt, and Houx—told the Warren Committee that they had received no formal instruction as to how to operate their camps from their superiors. Rather, it was simply assumed that their own common sense would be enough. This was true of many of the men who worked inside the prisons as well. Up until this point, the captain of the guard at Folsom or San Quentin might have spoken once or twice to newly hired guards about their duties, but after that they were simply put on the night watch and expected to learn on the job. The Warren Committee honed in

on these kinds of informal practices. Once the prison system was reorganized, they were among the first things to change.¹⁴

Within the brick-and-mortar prisons themselves, staff brought a number of important issues to light during the Warren Committee's hearings. Take J. E. Cass, for instance. Cass had worked at Folsom since 1930, and he had been assigned to the prison hospital since 1939. As with Kamp, his job was to supervise the movement of prisoners as they came and went to receive medical care. "I think there are too many of the same men in that hospital line every morning," he complained. "Some of those men show up there seven days a week, and there is no punishment if they come in there and they are stalling. And there are a lot of men that we call 'phonies.'" Cass was worried that prisoners abused pill call in order to shirk their work assignments, but the Committee was more worried that they were abusing the narcotics that the hospital staff administered. As was the case in many other kinds of work, incarcerated people themselves were employed in the provision of medical care. At Folsom, a prisoner referred to only as "Blackie" had been hired by the part-time doctor to work as the night nurse. In that role, it was his job to administer drugs such as morphine, used for pain, or phenobarbital, which was used to treat seizures. Blackie apparently had a history of drug use, and when it became clear that some of Folsom's prisoners had access to these drugs for recreational use, he was the suspected source.¹⁵ This raised a series of questions about the work process in the hospital. Who assigned Blackie to this job? Was there a civilian nurse present at night time? Was there a guard

¹⁴ See the testimonies of M. M. Chilcutt and Steele Houx, "Reporter's Transcript of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. I.," December 4, 1943, pp. 56–64 and 134–147, Earl Warren Papers, F3640:956, California State Archives.

¹⁵ Testimony of J. E. Cass, Reporter's Transcript of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. II," December 5, 1943, pp. 311–18, Earl Warren Papers, F3640:957, California State Archives.

present? Did the guard control access to the narcotics in any way? Such questions pointed to larger problems having to do with the kinds of labor that incarcerated people performed—the “con bosses” who worked clerical positions, for instance, were said to wield immense power over prison life, including cell and work assignments, and even granting or denying parole.¹⁶ If prison administrators wanted to eradicate such corruption from prison life, which was viewed as an essential part of the modernization process and the creation of a truly rehabilitative system, doing so would require addressing issues like these, which were inextricably linked to the prison work process.

One significant issue that arose during the hearings had to do with the morale of guard line, which was particularly low at Folsom due to the unpopularity of Warden Clyde Plummer. Plummer was a prime example of someone who was appointed not on the basis of merit or qualification, but simply as a result of political patronage.¹⁷ He was not long for the world of California’s prisons. His mismanagement and abuses of power had already ensured that he would be removed from his position once the dust of the investigation settled, but the nature of the rifts that he caused are revealing. One controversial issue involved the policing of homosexual sex in the prison, or what contemporaries referred to as “degeneracy” or “sex perversion.” Everyone involved in the hearings viewed homosexuality negatively. Some believed it was necessary to eradicate the behavior entirely, while others took a more pragmatic view that accepted homosexuality as an inevitable part of prison life and viewed its control as a

¹⁶ Heather Jane McCarty, “From Con-Boss to Gang Lord: The Transformation of Social Relations in California Prisons,” Ph.D. Dissertation, University of California, Berkeley, 2004.

¹⁷ Plummer had worked for many years as an LAPD officer. He was a captain in the San Pedro division when members of the International Workers of the World led a strike at the port of Los Angeles in 1923. “Former Los Angeles Officer Will Be Warden For Folsom,” *Madera Tribune*, November 5, 1937; “Plummer Named Folsom Warden,” *San Pedro News Pilot*, November 20, 1937.

matter of security, given that a large proportion of prison violence stemmed from disputes over sexual access. In any event, homosexual sex was one of many forms of prohibited behavior, and those caught engaging in homosexual sex acts were put in solitary confinement, which was a fairly severe punishment. At one point in the months preceding the investigation, Warden Plummer apparently came to believe that some of his guards were making unsubstantiated charges of homosexuality as a way of retaliating against prisoners for one reason or another. According to a rumor that many of the guards who testified before the Committee corroborated, in response, Plummer demanded that they carry tissue paper with them at all times so that, if and when they caught two prisoners having sex, the staff were able to use the tissue to obtain physical evidence from the prisoners' genitalia in order to prove their accusation. Many of those who worked on the guard line found this directive reprehensible. It lowered their morale considerably, and only served to harden divisions between men who were loyal to Plummer and men who were loyal to the captain of the guard, Captain Ryan, who was one of the longest-serving guards, having first started working at Folsom in the first decade of the twentieth century. Some guards refused to corroborate the story, signaling their allegiance to Plummer. Other guards confirmed it, and they went further in saying that Plummer provided special favors to some guards but not to others, or to some prisoners but not to others. While it is impossible to know whether Plummer's suspicion that guards levelled spurious accusations of homosexuality as a means of punishment was correct, the fact that so many guards reacted so strongly to his questioning of their word indicates how highly they valued the power to make such decisions

unilaterally. Such power over the incarcerated was also a fundamental element of their work process, as was policing prohibited behavior deemed disruptive to prison order.¹⁸

In part, the drop in morale on the guard line was connected to the spirit of reform that would soon remake the prison system entirely, and an obvious example of this is the fact that some guards wanted to defend the use of corporal punishment and physical violence as a means of maintaining control of the prison. Such practices had long been central to prison work. In 1917, when he was first hired as the psychologist at the Preston School of Industry, as part of his onboarding process, Kenyon Scudder was forced to watch as two young boys who had run away from the prison were whipped. Fifteen lashes across the buttocks with a leather strap was the proscribed punishment at the time. “No questions asked,” Scudder later recalled. “Nobody asked why they ran away. Maybe some kids in the dormitory had made it so unbearable for them they were afraid and had to run, or maybe they were homesick and just lost their heads and started off, but they had broken a rule and the rule always had to be upheld.” Scudder described the experience as “the most repulsive thing he had ever seen.”¹⁹ Two decades later, just five years before the convening of the Warren Committee, Governor Culbert Olson convened a committee of his own to investigate reports that the guard line at San Quentin brutally suppressed a hunger strike that took place there in 1939. In February of that year, thousands of incarcerated men refused to enter the mess halls for their evening meal in protest of the shoddy food they were expected to eat. Assembled in one of the main yards, and suddenly aware of the numerical advantage they held over the handful of guards whose job it was to control them, the

¹⁸ Testimony of James W. Robinson, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. II,” December 5, 1943, pp. 345–53, Earl Warren Papers, F3640:957, California State Archives; Kamp Testimony, Warren Committee Transcripts, 281.

¹⁹ Scudder, *Criminologist and Social Engineer*, 46–51.

men successfully pressured the warden to promise better food. At the same time, however, forty-two prisoners who were identified as the core organizers of the strike were separated from the main group and taken to the prison's solitary confinement area, euphemistically known as "Siberia." Historian Shelley Bookspan describes the punishment that followed as "a nightmare of violence."²⁰ Once in isolation, these men were stripped, their heads were shaven, and they were thrown two-apiece into solitary cells. The guards working that day then decided to make these men "stand on the spot," a cruel form of torture whereby a person was forced to stand for hours within a circle, twenty-two inches in diameter, that had been painted on the floor. If that person moved or shifted their weight, the attendant guards would beat them. In this work, San Quentin's guards used a collection of home-made weapons, including clubs and hoses laden with lead buckshot.²¹

Although the state had already tried to stamp out corporal punishment by 1943, it became clear during the Warren Committee hearings that some guards resented the change. At San Quentin, for instance, Warden Duffy admitted that there some guards who wanted "to see us go back to the whip and the lash and the things that we should not go back to," but he tried to minimize their presence, saying that they were only "a very few."²² Whether they were a very few or not, there were guards who believed they were entitled to use violence in their work, and not just at San Quentin. Lieutenant James Gorhanson, who had worked at Folsom for eighteen years, described using violence to punish an incarcerated man named Warwick who refused his

²⁰ Bookspan, *A Germ of Goodness*, 103.

²¹ For accounts of the prisoner strikes that took place at San Quentin in 1938 and 1939, see Ethan Blue, *Doing Time*, 118–24 and Bookspan, *A Germ of Goodness*, 102–06.

²² Testimony of Warden Clinton T. Duffy, Reporter's Transcript of Proceedings of Governor Earl Warren's Special Committee Investigating California Penal Institutions, San Quentin Prison, Vol. VI," December 18–19, 1943, pp. 1278, Earl Warren Papers, F3640:962, California State Archives.

work assignment. “Who in the hell is that son of a bitch to tell me to work,” Warwick said, according to Gorchanson. “The judge that sent me up here didn’t tell me to work.” To evade punishment, Warwick apparently tried to hide out within the prison itself. When Gorchanson finally found him, he administered his punishment unilaterally. “I booted him,” Gorchanson said, “I don’t make any secret about that.” Whatever it meant to “boot” a prisoner, it was serious enough to warrant an investigation by the Board of Prison Directors, who warned Gorchanson that he would be fired if he did something similar again in the future. To Gorchanson, Warwick was “a miserable sort of fellow... Just one of those unsocial spirits, one of those spirits that damns all authority.” Gorchanson believed that men like Warwick and others who did not comply after being placed in solitary confinement “should be physically handled.” “You can’t do anything with him unless you actually take him in hand,” he said. Julian Alco asked Gorchanson if he meant that such prisoners should be beat up. “Not necessarily beat him up,” he responded, “but give him a good scare, and make him think that you are going to hurt him.” When Alco asked Gorchanson whether he was satisfied with how Folsom was run, the Lieutenant made clear that he objected to policies that undermined his ability to utilize such violence in the course of his job. “The discipline is a little bit slack, of course,” he told Alco. “When you speak to a man,” Gorchanson continued, “they give you almost any kind of an answer and get away with it, or figure they get away with it.” Alco asked Gorchanson how what caused the discipline to slacken. “Well, it is kind of hard to explain,” the Lieutenant answered. “There is a wave going on all over the country, all over the United States, where they want to be easy with the prisoners.”²³

²³ Testimony of Lt. James Gorchanson, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Folsom Prison, Vol. II, December 5, 1943, pp. 437–443, Earl Warren Papers, F3640:957, California State Archives.

In addition to problems with the work process and morale on the guard line, perhaps the most significant problem that the Warren Committee identified was the same problem that the Joint Commission on Correctional Manpower and Training would identify nearly twenty-five years later—the problem of understaffing. Understaffing came up at every work site, and there were a variety of reasons for, consequences of, and opinions about the fact that the state simply could not or would not employ enough people to operate its prisons properly. At that time, in winter of 1943–44, World War II was in full swing and the tight labor market made staffing more difficult. Many of the men who had been or might be recruited to work in the prisons had entered the military, and others had found better jobs in wartime industries, or elsewhere. Elmer J. Oberhauser, the Chief Supervisor at the California Institution for Men, described writing to local draft boards as well as the United States Employment Service, asking them to send “likely looking prospects” discharged for “some slight disability.” Most of the men who had been initially hired to work at Chino in 1941 had been drafted into the military, so the need for qualified and motivated personnel was especially great there.²⁴

As mentioned previously, at the California Institution for Women (CIW), the state simply could not hire enough people given the remoteness of the institution, and this could have dire consequences. Nearly everyone on staff complained about how isolated the prison was. Many of those who did end up working there were not necessarily trained or qualified to do so, but simply desperate for work. “Frankly, I need my position,” reported one warder, “and that is why I am here, because I have a boy now in the Armed Forces, and I want to keep him in school. I am over 50, and a woman over 50 doesn’t easily adjust herself on the outside. That is why I am

²⁴ Testimony of Elmer J. Oberhauser, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, California Institution for Men at Chino, Vol. XII,” January 9–11, 1944, pp. 2207–08, Earl Warren Papers, F3640:967, California State Archives.

here six and a half years.”²⁵ The remote location of the prison made it difficult to fill a variety of positions, including custodial and maintenance positions, but also positions for doctors and nurses. Winifred Wagner, one of the warders at CIW, told the Warren Committee that the prison needed a doctor “who would have the girls’ good at heart a great deal more than we have... someone who has more sympathy with the girls.” The doctor who served the prison in the early 1940s split her time between that role and a private practice in the town of Tehachapi, but Wagner said that she spent most of her time in town. “She is supposed to come twice a week,” Wagner said. “It is very seldom she comes more than that, and she often doesn’t come that often.” This situation put the women incarcerated at CIW in real jeopardy. According to Wagner, in July of 1943, an incarcerated woman died for lack of care after undergoing an operation. “I am not sure whether it was appendicitis or tubes,” Wagner recalled, “I believe it was both.” Whatever the operation, when this woman suffered complications, she did not receive adequate medical care and died as a result. “Finally,” Wagner testified, “when the girl is practically dying, as this girl was in July, she [the doctor] comes out the day before and really gets busy. It was the 10th day after the operation that the girl died.”²⁶ Such stakes were not unique to CIW. As W. E. Kamp remembered, before Warden Plummer assigned more guards to the night watch, one incarcerated man at Folsom suffered a similar fate. “Warden Plummer has made the thing much more secure than it used to be,” Kamp, who was loyal to Plummer, told the Committee. “I can name a few things... They assigned four men to me a six o’clock in the

²⁵ Testimony of Mrs. Abigail Brinkhoff, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, California Institution for Women at Tehachapi, Vol. XI,” December 5, 1943, pp. 2092, Earl Warren Papers, F3640:966, California State Archives.

²⁶ Testimony of Mrs. Winifred Wagner, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, California Institution for Women at Tehachapi, Vol. XI,” December 5, 1943, pp. 2119–2121, Earl Warren Papers, F3640:966, California State Archives.

evening. We never had that before, because we didn't have enough men. When, and if an inmate was sick in his cell at night, there was no help for him—no way of getting help to him—even in the case of life or death. We had a man die in the cell one night.”²⁷

Beyond the provision of medical care, understaffing had deadly consequences in other ways, as well. At Folsom, L. K. Buchanan worked as the prison's “turnkey,” a term for the custodial officer who was responsible for conditions inside the cell blocks. It was his responsibility to move the prisoners in and out of their cells in the morning and at night, to provide bedding and to maintain a certain level of hygiene, and, importantly, to police contraband in the cells. This meant conducting searches for a variety of things, including currency, whether formal or informal, drugs or alcohol, items that could be used to escape, and weapons. Because of understaffing, however, he simply did not have enough men to perform this part of his job effectively. During the committee hearing, Julian Alco asked Buchanan the same question he asked every worker—what would he like to see changed at the prison? “Well,” Buchanan answered, “one of the practices—it is my job to try to keep the cells and beds cleared up of contraband. I have been handicapped to the extent that I could not do the job properly. The only time I have guards is when the guards are not doing anything else and they are sent in to me. Maybe I will have a guard for an hour, or a half hour, or maybe an hour and a half or two hours, and then he is called off to another job.” Apparently, at one point, Buchanan asked for and was given a group of guards who were detailed to cell searches, but that only lasted a short time and he said that it had been “catch-as-catch-can for that kind of work” ever since. Like every other aspect of prison life, policing contraband was a question of the work process, a question of time, and therefore a question of staffing. It was also something that mattered a great

²⁷ Testimony of Lt. W. E. Kamp, 272–73.

deal to the incarcerated. Not only did contraband promote exploitative relationships between prisoners—relationships that sometimes turned deadly—but for the majority of prisoners who did not keep weapons or experience deadly violence, a cell search could destroy their only personal space. As Buchanan told Alco, without enough guards to do the job, Buchanan had no choice but to arrange for all of the cells to be searched at once, in what he called a “hurry-up manner” (Senator Deuel likely described this process more accurately in calling it a “raid”). Deuel and Buchanan both agreed that hurry-up raids were an ineffective means of finding weapons or other contraband. In addition, they meant that prisoners’ belongings were handled with much less care. Deuel suggested that searching the cells more slowly and at random would allow for more diligence and prevent prisoners from avoiding the searches. “That is the way I worked it when I had the men to do it,” Buchanan replied.²⁸

Apart from safety, questions of staffing also shaped debates about whether or how to implement the rehabilitative ideal, something that became clear when the Committee visited the California Institution for Men at Chino and pressed its administrators about the number of men who had escaped from the prison and its camps. Chino was the flagship campus of the rehabilitative ideal—and campus may indeed have been the appropriate term, given the feel of the physical plant of the prison, with new, modern buildings, and without walls, locks, bars, or armed guards maintaining lines of sight on the perimeter. That perimeter, in fact, was nothing more than a barbed wire fence at the time, and Scudder himself showed the men incarcerated there how to climb over safely when he oriented them to their new home. As he emphasized in his account Chino’s early years, if its physical plant mirrored that of San Quentin or Folsom, Chino simply could not live up the rehabilitative mantra adopted by the Board of Prison

²⁸ Testimony of Lt. James Gorhanson, 492–95.

Directors around the time of its founding, that “there can be no regeneration except in freedom.” “Rehabilitation,” he wrote, “must come from within the individual and not through coercion,” and thus “the rehabilitative program of the prison system of California contemplates not only important education and vocational factors, but also, by and through classification and segregation, a gradual release from custodial restraint and a corresponding increase in personal responsibility and freedom of choice.”²⁹ According to this logic, incarcerating people behind high walls and under armed guard defeated the whole purpose.

Nearly one hundred men had escaped from Chino and its camps since the prison opened in 1941, and during the Warren Committee hearings, the administrators who ran the prison insisted that understaffing was the cause of the problem. Elmer Oberhauser said that the escapes from the camps were down to “new personnel, if anything, the fast turnover.” Oberhauser, who had worked as a social worker for the State Relief Administration before coming to Chino, and as a school teacher before that, wished that he had more time to train newly hired guards. As it was, the best he could do was throw them on the job immediately and do his best to help them problem solve in real time. Since camp positions, which required men to work twenty-four hours a day and to spend long stretches of time at remote locations, were among the least desirable jobs among the staff, this meant that new hires were often put out to camp first thing. Senator Deuel disagreed. “You can’t do it through supervisors,” he said, “good, bad, and indifferent ones. You have got to do it under the theory you have made a selection of men anxious for rehabilitation, capable of rehabilitation, and that must come through their own efforts under the honor system.” Deuel continued:

The whole theory of your institution is an honor camp, call it what you want to. You don’t lock the men in cells. They are free to come and go within certain bounds. They

²⁹ Scudder, *Prisoners Are People*, 28–29.

have greater visiting privileges than in any place I have ever been. They are given the utmost liberty commensurate with their checking in two or three times a day. Now your supervisor system is a fine idea, so far as counseling is concerned. You gentlemen stress counseling, social theories, family relations, and all those things, which are fine within themselves, but in my mind, it is a question of whether you can depend on all that to restrain men of their liberty who have been convicted of crime. I rather suspect that the increased number of escapes, or out of bounds, or whatever you may call it—that the minimum description of it is a gross violation of rules and possibly, first, by poor selection, and, second, perhaps, by an increased growth of this feeling that you can trust convicts to the extreme limit of the law, and they are going to respond.

When Oberhauser tried to defend himself, pointing to the stated policy of the Board of Prison Directors about the need to ease custodial restraints in order to prepare incarcerated people to return to the free world, Deuel revealed his ignorance of the basic idea behind the rehabilitative ideal. “If that is so,” he snorted, “you might as well go to the individual at San Quentin and say, ‘Go on out into the world; we won’t bother you any more... we are going to give you freedom.’”³⁰

The day after Deuel laid into Oberhauser over the escapes, Scudder went out of his way to make sure that the Committee understood that, from his perspective, preventing escapes in a minimum-security prison like Chino was first and foremost a problem of having enough staff to do so. That afternoon, Scudder took the Committee on a tour of the prison to demonstrate exactly how his staff maintained custody on the ranch and in the various shops, industries, and living quarters. Then he asked the committee to record more testimony on the matter. Julian Alco began the session. “We were talking last evening,” he started, “about the question of personnel and the effect that that had on the violations from Chino. That is what you want to talk about?” “I want to talk about the escapes,” Scudder corrected. The number of escapes was too high, he admitted, but that did not warrant Deuel’s attack on the basic philosophy of the prison.

³⁰ All quotations in this paragraph are taken from a portion of the testimony of Elmer J. Oberhauser, 2214–17.

“We have lost more men than we should have lost,” Scudder said. “But I refuse to be the butt of criticism for a situation of that sort, when over a period of five months I did my level best to get more personnel so that we could put two men at night in these camps, instead of one, and see that these fellows were not out of bounds...” Scudder then explained that he had taken steps to fix the problem despite the state’s unwillingness to fully staff the conservation camps; he had combined four of his camps into two, so that there would be three supervisors assigned to them, with two on duty at any given time. At the army depot at Mira Loma, the only way that Scudder was able to send over two hundred of Chino’s prisoners there was to have the army itself pay the bill for three supervisors to staff that camp. “I don’t care who the men are or how carefully you select them,” Scudder said in reference to the prisoners, “there has to be adequate supervision. These men don’t come down from San Quentin and come here out of Sunday school. They have got to be led, and they have got to be watched at the same time, and you can’t do it with an inadequate personnel.”³¹

Not everyone agreed with Scudder, however, and for those responsible for keeping the prison under budget, staffing was of course a matter of dollars and cents. Pierce H. Fazel represented the state finance department on the Warren Committee, and one of the few times that he said anything at all, he complained to Captain Ryan that Folsom had become “a very expensive operator.” Fazel asked Ryan why the number of guards employed at Folsom had increased by thirty-four from 1938 to 1943 despite the fact that the incarcerated population had dropped precipitously during those years. “We still have the same posts to fill that we used to,” Ryan responded, and he had to repeat himself before in order for Fazel to back off. Here, Fazel

³¹ Testimony of Kenyon J. Scudder, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, California Institution for Men at Chino, Vol. XII,” January 9–11, 1944, pp. 2309–11, Earl Warren Papers, F3640:967, California State Archives.

illustrated the important reality that, whatever else it was, prison staffing was a matter of expenditure, and that reducing expenditures could be a very compelling reason for making decisions about how many people to hire, at least to some. For his part, Ryan tried to remind Fazel of an equally important reality, that no matter how overcrowded or undercrowded an institution, from a purely custodial standpoint, occupying each post could be an equally compelling reason for making hiring decisions. Folsom may have been undercrowded in 1943, but unless whole sections of the prison were shut down and brought offline, he still had to maintain the same lines of sight from one guard tower to the next, or from one corner of the yard to another, in order to prevent escapes, violence, or strikes.³²

When it came to the aspects of the work process that dealt specifically with rehabilitation, which were often a matter of casework, skeleton-staffing could be detrimental. The parole agents who testified before the Warren Committee bear this out clearly. The main goal of a parole agent, of course, was to supervise the parolees on their caseload in the community and, ideally, to help them avoid recidivating. Their work process was custodial in the sense that it required them to verify the whereabouts and activities of parolees, but it also frequently became much more involved when an agent tried to meet the specific needs of the people on their caseload, whether those needs were real or perceived. The chief state parole officer put it this way: “Our Parole Officer is primarily a social worker. He only becomes a law enforcement officer when social work fails. We use the same techniques and procedures in the case work that they do in the better social work agencies”³³ The workloads that parole officers had to deal with,

³² Testimony of Captain William J. Ryan, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, San Quentin Prison, Vol. II, December 5, 1943, pp. 419–420, Earl Warren Papers, F3640:957, California State Archives.

³³ Testimony of Allen Moore, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Hearing Upon the Operations of the Bureau of Paroles and the Board of

however, prevented them from approaching their jobs in that way. Walter Gordon, a member of both the parole board and the Warren Committee, explained that, by nature, parole work “often necessitates an officer devoting from 48 to 60 hours per week to the performance of his duty, due to the demands made on the parole officer, as shown by the case load.” Gordon said that a caseload of 75 was considered “good practice” in parole work. The average caseload in California at that time was 126.³⁴ For the parole agents who worked inside the prisons, helping to orient prisoners to parole before their release, the workload was even greater. At San Quentin, there was only one officer for thousands of eligible prisoners.³⁵

When parole agent C. T. Sullivan testified before the Committee, he described the constraints that a high caseload placed on his work process in a way that illustrates how differential treatment on the basis of race and place might have impacted the provision of services, and thus recidivism. Sullivan worked out of the San Francisco office. In the city, he was responsible for the Mission and Sunset districts, but he also worked both Santa Cruz and Santa Clara counties. He preferred working in the outlying counties. “I find my caseloads outside are not like they are in the city,” he told the committee. “The men outside are steady. They are mostly family men, and I call on them mostly at their homes, and after you have known them a few years, it is like calling on the family.” In addition to being “family men,” the men in

Prison Terms and Paroles, Vol XIV, January 17–18, 1944, pp. 2389, Earl Warren Papers, F3640:969, California State Archives.

³⁴ Testimony of Walter H. Gordon, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Hearing Upon the Operations of the Bureau of Paroles and the Board of Prison Terms and Paroles, Vol XIV, January 17–18, 1944, pp. 2388, Earl Warren Papers, F3640:969, California State Archives.

³⁵ Testimony of Douglas C. Riggs, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Hearing Upon the Operations of the Bureau of Paroles and the Board of Prison Terms and Paroles, Vol XIV, January 17–18, 1944, pp. 2409, Earl Warren Papers, F3640:969, California State Archives.

the outlying counties were far more likely to be white, as compared those in the city.³⁶ Sullivan said he neglected his city caseload because of the larger police presence there. “I want to say that you can’t carry a case load as I have, and carry it right,” he said. He continued:

I have too many cases in San Francisco. The San Francisco cases right now are suffering from a lack of attention, but I don’t want to leave my county load to take care of the city cases. I feel this way about it: the obligation of a parole officer in a smaller community is, possibly, greater than it is in a metropolitan area. In San Francisco you have police inspections and you have everything in the way of law enforcement officers, whereas in the outlying districts you have a small town where there is, maybe, only a constable, and I feel that they are handicapped there more than they are in San Francisco. I feel that I am obligated to do more in the outlying districts than I am in San Francisco. I am well known down there. The officers down there in the outlying districts know me, and I have a certain respect down there, and if I have my cases down there in order, there is no trouble. If a case breaks, I always have the cooperation of the smaller town officers. That cooperation is a valuable thing to have.³⁷

In addition to whatever social difference led to Sullivan feeling more at home in the counties, Sullivan apparently could not count on the support of law enforcement within the city of San Francisco if he wanted to intervene in a case, either to have a man detained for a violation and possibly recommitted to state custody, or to prevent that from happening if the police arrested someone on his caseload on their own accord. Sullivan might be able to bend the rules if he had social capital with local law enforcement. Without it, in the city, the men on his caseload were at

³⁶ As of the 1950 census count (which is appropriate than the 1940 census, since the earlier count missed much of the wartime Black migration to the Bay Area), nearly twenty-thousand Black people lived in San Francisco, 2.8 percent of the city’s residents. Santa Clara County, on the other hand, had only 1,212 Black residents, or one-half of one percent of the population. Santa Cruz was even whiter, with 106 Black people living in the county, between one-and two-tenths of a percent of the overall population. Bureau of the Census; Washington, D.C.; *Seventeenth Census of the United States, 1950*, “General Population Characteristics of California,” Table 34, 5-102–03.

³⁷ Testimony of C. T. Sullivan, Reporter’s Transcript of Proceedings of Governor Earl Warren’s Special Committee Investigating California Penal Institutions, Hearing Upon the Operations of the Bureau of Paroles and the Board of Prison Terms and Paroles, Vol XIV, January 17–18, 1944, pp. 2422, Earl Warren Papers, F3640:969, California State Archives.

the mercy of the police department, which, like police departments elsewhere in California, was an increasingly hostile presence in the Black community, in particular.³⁸

In its final report, the Warren Committee recognized the main point of the testimony that it heard from Sullivan and other employees of the prison and parole systems—that work and workers played a central role in the operation of California’s carceral state, and thus had a central role to play in its improvement as well. In the report, the committee’s recommendations on personnel came before their recommendations on matters that might well have been considered more important, such as classification, education, work programs, parole, and prison administration. First, the Committee recommended that the state standardize hiring practices in an effort to eliminate the pressures of political patronage, nepotism, and factionalism, as well as the prevalence of physical abuse. It recommended the state personnel board carry out a study of the kinds of jobs that a prison system oriented around rehabilitation would require, and the committee wanted to see written job qualifications and job descriptions for each position. Except for the wardens, they recommended that every position within corrections to be brought under civil service, and that a rigorous program of in-service training be put into place. Importantly, the committee also recommended eliminating the “obvious inequalities” in pay that existed within and between the various prisons, as well as the informal forms of compensation that had existed, like the extra wages that guards at the harvest camps sometimes earned from local growers or the in-kind payments they sometimes received at the prisons themselves, such as free laundry or car repair, which depended on the labor of prisoners. The Committee’s goal was to make carceral work more desirable. They wanted “to encourage men to enter into prison service on a career basis,” and to elevate “competent men” through the ranks to ensure that, in

³⁸ For context on race and policing in San Francisco after World War II, see Agee, *The Streets of San Francisco*.

the future, those in administrative positions understood the nature of prison work and the new goals of a correctional built around the rehabilitative ideal. Morale was a key ingredient to this. At San Quentin and Folsom, especially, the Committee found “disloyalty and factional differences within the personnel,” and that, in some instances, “the personnel had become institutionalized,” harboring “envies and jealousies.” What caused this, according to the Committee, was a “laxity of supervision and discipline,” which lowered the morale of prisoners and staff alike.” The Committee wanted to change the situation by enforcing stricter discipline among the prisoners, but they also wanted to enforce stricter discipline among staff. “After all,” they concluded, “adequate discipline among inmates is impossible where inadequate discipline exists among the personnel.”³⁹

Professionalizing carceral work in the postwar period

The Warren Committee hearings and the recommendations that came out of them demonstrate how important carceral work and carceral workers were to California’s initial embrace of the rehabilitative ideal. As this section illustrates, in the ensuing decades, corrections officials dedicated a great deal of time and energy trying to carry out the recommendations of the committee by professionalizing carceral work. They also worked to implement uniform training standards and college-level curriculum to create a pipeline for students to enter the carceral workforce, as well as for continuing education of existing staff. All of these efforts were aimed at promoting the legitimacy of California’s expanding carceral state by promoting the legitimacy

³⁹ See “Final Report of Governor’s Investigation Committee on Penal Affairs,” January 21, 1944, Earl Warren Papers, F3640:975, California State Archives, 9–11.

of the rehabilitative ideal among the carceral workforce. The efficacy of these efforts, however, is questionable.

“Prisons are run by people,” Richard McGee told a room full of prison administrators assembled at the 1953 annual Congress of Corrections. “The kind of people, the number of people, and the morale of the people are the most important considerations in determining the quality of the program.” In the paper he delivered at the Congress, McGee touched on all of the issues identified by the Warren Committee. He pointed out that wages, which invariably made up the majority of any prison budget, mattered greatly. “If salaries are lower and hours are longer than is the prevailing practice in competing types of employment in the area, the result will be low standards of recruitment, heavy turnover rates, and frequent instances of dishonest conduct.” The wage floor for corrections, he said, should be set no lower than \$300 per month, which was right about national median income at the time.⁴⁰ Beyond wages, McGee also recommended prioritizing “security of tenure and the elimination of improper political influences.” He argued that staff should be appointed through “a sound merit system” and on “a basis of competitive examinations and realistic standards of qualification.” “Promotion through the ranks,” he said, “should be orderly, fair, and competitive; and personnel should be eligible for membership in a sound retirement system.” He did not acknowledge the abuses that had come to light in California during the late-1930s and early-1940s, but he did suggest that hiring practices “make provision for the separation from service as promptly as possible those persons found to be temperamentally or morally unfit for the work.”⁴¹

⁴⁰ Bureau of the Census; Washington, D.C.; “Current Population Reports, Consumer Income, Income of Persons in the United States,” May, 1955.

⁴¹ McGee, “Prisons at the Crossroads,” *Proceedings of the Annual Congress of Corrections*, Toronto, Canada, October 12, 1953, 16.

Questions about whom to hire for prison work and how to train them were front of mind for California's corrections officials under the rehabilitative ideal. If prisons were to perform a fundamentally different function than they had previously, old approaches to prison staffing needed to change. In 1941, when Kenyon Scudder hired the first supervisors to work at the California Institution for Men, he avoided hiring men with prison experience. "We did not need strong-armed guards and crack shots," he said, "because we were not going to rely upon force or weapons, and therefore former prison experience was not considered an asset for Chino."⁴² Years later, Scudder told an oral historian that he selected men "because of their ability to work with people rather than over people" (emphasis in original). "And this was key," he continued, "to the success, I think, of the Chino program. Without it, if we had taken the old-timer with all the traditions and fears and customs that go on and surround the average prison, we never could have done the job. It would have been impossible." Only one of the thirty-six officers he hired in 1941 had worked in a prison before. "The rest of them," Scudder remembered, "were young men out of college, trained in humanities and agriculture, but who saw here an opportunity to engage in a great challenge." Because of the number of applicants, the state personnel board got involved in prison hiring for the first time. The applicants sat for an exam, and then Scudder conducted interviews with the top scorers. On that basis, he selected thirty-six men to open the new prison. Only one man had worked in a prison before, and, as Scudder remembered, "he was my biggest headache."⁴³

Following Scudder's lead, when McGee came in as the first director of the CDC, he swiftly brought the vast majority of prison jobs under the civil service. This applied not only to

⁴² Scudder, *Prisoners Are People*, 33.

⁴³ Scudder, *Criminologist and Social Engineer*, 266–271.

custodial staff, but also to clerical workers, teachers, vocational instructors, and even to some chaplains. Within the first several years, the department worked with the personnel board to establish fifteen new employee classifications for specialized work within the department: five in administration; four in education; three in care and treatment; two in public management; and one in medical service. They also revised thirty existing job classifications “to reflect changes in function, assignments, and required qualifications in order to adequately define and staff the specialized services of the department.” The department also worked with the personnel board to design the civil service exam from which the list of eligible hires would be drawn. They did this with an eye toward creating a list of applicants “whose judgment, emotional stability and philosophy of treatment of inmates would qualify them for work in the department.”⁴⁴ Wardens welcomed these changes. At San Quentin, Clinton Duffy had never had a full staff during the war years, and he was hopeful that civil service status would make a job as a correctional officer more attractive than other forms of employment, such as the Bay Area’s booming shipyards.⁴⁵ Robert Heinze, who replaced Plummer at Folsom, reported improvements in the quality of personnel due to the shift to civil service, though turnover continued to be an issue until the end of the 1940s.⁴⁶ Moreover, in addition to hiring, civil service also controlled how workers climbed the career ladder over time, helping to ensure that a new generation of prison administrators were promoted from within the system. Indeed, twenty-two of the thirty-six men

⁴⁴ CDC, *1950 Biennial*, 26.

⁴⁵ CDC, *1944 Progress Report*, 61.

⁴⁶ CDC, *1946 Biennial*, 81.

whom Scudder hired to open Chino in 1941 went on to make distinguished careers for themselves in and beyond the California Department of Corrections.⁴⁷

Beyond the improvements that civil service brought, officials like McGee and Scudder also believed that staff training would be essential to putting the rehabilitative ideal into practice. Scudder had argued that in-service training was a prerequisite for any commitment to rehabilitation since at least 1941. “An institution” as he put it, “is but the lengthened shadow of its personnel.”⁴⁸ More than a decade later, an administrator who worked in the Bureau of Classification and Treatment (an administrative branch of the Department of Corrections) put the same idea differently: “The classification and treatment program is dependent, to be sure, on availability of facilities and personnel. An equally important requirement is the proper attitude of the departmental employees toward the rehabilitation of adult offenders.” This meant that prison staff needed an “understanding of what is being attempted as training or treatment” and, more importantly, a “willingness to cooperate with the program.” To that end, the CDC spent years working to develop in-service training courses that would inculcate such an understanding

⁴⁷ Scudder, *Criminologist and Social Engineer*, 373. The twenty-two individuals are as follows: Walter Dunbar became a training officer and then an associate warden before succeeding McGee as Director of CDC; L. M. Stutsman became an associate superintendent at CIM, and later a deputy director under Dunbar; Fred Dickson succeeded Scudder as superintendent at CIM, and Elmer Oberhauser succeeded Dickson, who became the warden of San Quentin and later the chairman of the adult authority; Rolland W. Wood also became superintendent of CIM before taking the same role at the California Rehabilitation Center at Norco; Allen Cook promoted to superintendent of the Deuel Vocational Institution at Tracy; Howard Comstock to superintendent the Jamestown Conservation Center; Arthur L. Oliver became the warden at Folsom; respectively, Harold Field, Bill Fordon, Bob Feign, Stan Faustman, Rodney Mehl, and Elis Savides all became associate superintendents at the Mens Colony at San Luis Obispo, the California Training Facility at Soledad, the California Institution for Men at Chino, the California State Prison at Folsom, the Sierra Conservation Center and the California Medical Facility at Vacaville; two unnamed men became business managers within the CDC; one became an educational director; Jack Cadman became a criminologist in Orange County; A. Lamont Smith became a criminologist at UC Berkeley; and last but not least, Ray Belknap became the director of corrections in Hawaii.

⁴⁸ Kenyon J. Scudder, "In-Service Training," *Proceedings of the Annual Congress of the American Prison Association 1941* (1941): 247-254.

and the willingness to go along.⁴⁹ As McGee put it, in “no field of public service” was there “more desperate need for a well-organized, well-developed program of in-service training.” McGee recognized that such a program would carry a significant cost, and although California was already grappling with the humungous price tag associated with the prison and jail construction, he insisted that “for the amount of money spent, no other phase of prison administration pays such handsome dividends.”⁵⁰ To him and others, this was not only a question of legitimating the rehabilitative ideal in the present, but also ensuring its stability over the long term. “Ours is a field desperately in need of aggressive, able, experienced leadership,” he said. “The only way that a service can obtain such leadership is to develop it from within. We must train young and able personalities who will advance through the service, with the best of them rising to the top as the years go by... able personnel will develop a program which will justify support.”⁵¹

By 1948, each of the prisons had implemented its own in-service training program, and by 1950 a centralized program was required for all staff of the corrections department, including custodial staff, non-custodial staff, and parole agents. Each prison had hired a full-time institutional training officer who reported directly to the warden or superintendent. This person was “a carefully selected correctional lieutenant... chosen on the basis of correctional experience, academic background, personality, administrative ability, and capability to instruct.” A full-time departmental training officer was also hired to work in the central Sacramento office,

⁴⁹ “In-Service Training,” CDC, *1952 Biennial*, 25.

⁵⁰ McGee, “Prisons at the Crossroads, 16.

⁵¹ *Ibid.*, 18.

and he supervised each of the institutional officers.⁵² Soledad even incorporated into its construction program a building specifically dedicated to staff training, with the goal of converting “the entire custodial force from men whose only contact with the inmates had been with the minimum [security] work crews at this institution, into officers capable of handling any type of inmate.” Soledad’s warden felt that the training was so important that he tallied the hours his staff had received: 3,538 hours of training given to 94 different correctional officers and staff members, including care and treatment staff.⁵³ In an early description of the training program, custodial staff spent three hours every other week in the classroom, with the first two hours devoted to “the study of various correctional programs, problems, procedures or organization and the third hour is applied to self-defense training, range practice or first aid demonstrations.”⁵⁴ The self-defense training consisted of exercises in Judo, a Japanese martial art that was first incorporated into training at CIM but later spread throughout the system.⁵⁵

Although administrators emphasized in-service training as a means of inculcating an understanding of and support for the rehabilitative ideal among prison staff, to some extent, rehabilitation appears to have remained an afterthought in the department’s curriculum. For example, under the four-year training program developed by Walter Dunbar, correctional officers spent the vast majority of their contact hours learning skills that can only be described as being a part of a work process that emphasizes custody, first and foremost. During their first year, newly hires spent two-thirds of their 104 hour of in-service training being oriented to their jobs and

⁵² CDC, *1950 Biennial*, 26.

⁵³ CDC, *1948 Biennial*, 103.

⁵⁴ *Ibid.*, 26–27.

⁵⁵ Scudder, *Prisoners Are People*, 36–37.

introduced to the corrections system, courses that may well have covered rehabilitation, though it is difficult to know for sure. New hires spent their remaining hours learning to operate firearms and gas equipment, self-defense methods, and physical fitness. The second year of training, which involved about half as many contact hours, consisted mainly of “custodial duties and skills,” along with firearms and gas trainings, self-defense, and physical fitness. Only in their third year of training did correctional officers finally sit through a course titled “care and treatment,” and even then, they still spent more time on firearms and gas trainings, self-defense, and physical fitness. Those categories again consumed most of the in-service training time during the fourth year, along with thirty hours of trainings in “supervision techniques.”⁵⁶

Beyond in-service training, corrections officials in California and elsewhere also sought to create potential carceral workers by developing curriculum for colleges and universities. In 1954, Dunbar helped produce a document that marked an important development in training for prison staff, and indeed for law enforcement as a whole. Five years in the making, *Suggested College Curricula as Preparation for Correctional Service* reflected the broader effort at professionalization within the carceral state. Dunbar had first cut his teeth under Scudder at Chino and served as the department’s training officer, but by 1954, he was working as an associate warden at San Quentin. He also chaired the committee of the American Prison Association that was responsible for producing a suggested college curricula. In his foreword, Dunbar praised the “cooperation and leadership” of educators and correctional administrators who came together to produce the document. “The development of the curricula,” he continued, “is most significant; it has been recognized that probation, institutional and parole correctional

⁵⁶ See Walter Dunbar, *Personnel Training Program* (Sacramento, 1950), 6.

programs need persons with sufficient training to qualify for these services.”⁵⁷ According to the report, while some states required correctional officers to have a high school diploma, others required only an eighth-grade education. This was viewed as insufficient for the new roles that correctional officers were supposed to fill. According to a job description included in the report: “He [the correctional officer] is responsible for maintaining and safeguarding the custody and well-being of prisoners, for supervising their work and conduct, and for maintaining discipline among them. He gives training and counseling as a part of the rehabilitative program for the inmates.” The first sentence would have been familiar to any guard working in California since 1850. It included mundane tasks like counting prisoners, moving them from place to place, or policing behaviors like theft or gambling. The second sentence of the description, however, was specific to the postwar period. Words like “training,” “counseling,” and “rehabilitative programing,” signposted the basic idea that prisons were now meant to produce something positive out of prisoners. More capacious tasks fell under this portion of the job description; things like “how to counsel inmates,” “how to promote socially acceptable conduct,” or “how to offer guidance to inmates [with] institutional and personal problems.” In the two-year curriculum that Dunbar and his committee approved, prospective correctional officers were supposed to spend their first-year learning about things like elementary psychology, the sociology of social problems, basic principles in American government, and safety education and first aid. In the second year, they advanced to more specialized courses in criminology and corrections, applied psychology in corrections, and fundamentals of interviewing and

⁵⁷ Committee on Personnel Standards and Training, *Suggested College Curricula as Preparation for Correctional Service* (New York: American Prison Association, 1954), 5.

counseling.⁵⁸ At that time, thirty-three colleges or universities in the United States offered programs in law enforcement or corrections. Twelve were in California.⁵⁹ If corrections had become a “stepchild” in the academic world by 1969, as the Joint Commission on Correctional Manpower and Training complained in *A Time to Act*, it was not for lack of effort.

One university program that clearly shows the relationship between personnel training and the promotion of rehabilitative ideal was the Delinquency Control Institute, which opened at the University of Southern California in 1946. The idea behind the Institute first took root in 1944, when law enforcement officers from more than sixty California cities who had gathered for a conference at USC approved a resolution to create a program to train police officers and sheriff’s deputies to work specifically with young people, and to encourage the spread of juvenile bureaus in local law enforcement jurisdictions. The Institute was initially funded by donations from the Columbia Foundation, the philanthropic endeavor of two heirs of the Levi-Strauss fortune, as well as the charitable arm of the Hollywood Turf Club (which later became the Hollywood Park Racetrack). Importantly, the leaders of California’s new correctional infrastructure also felt it served their goals to help get the Institute going. The YA provided the Institute with funding from its own budget, and a member of the new parole board, Ervis Lester, helped with initial planning (Lester was a former deputy in the Los Angeles Police Department, and he would have been well positioned to work with LAPD Chief Clemence B. Horrall and LA County Sheriff Eugene Biscailuz, who were also involved). The Institute accepted its first cohort

⁵⁸ Ibid., 14, 19.

⁵⁹ These included one- or two-year programs at Bakersfield College, East Los Angeles Junior College, Los Angeles City College, Los Angeles Harbor Junior College, City College of San Francisco, and the College of the Sequoias in Visalia. They also included four-year undergraduate and one-year graduate programs offered at UC Berkeley, UCLA, Fresno State College, San Jose State College, and the University of Southern California. *Suggested College Curricula*, 27–31.

in 1946. From then on, three times a year it offered a twelve-week curriculum that covered eleven subjects “designed to get across the basic concepts of what causes juvenile delinquency, what various methods of treatment are, what prevention techniques are available, and how police departments can organize and operate a good juvenile division.” The Institute attracted attendees from across the state, the nation, and eventually even from places like Puerto Rico, Guam, and India. For completing the program, the Institute’s graduates received twelve-units of course credit towards a bachelor’s degree, and if they participated at the pleasure of a sheriff or police chief, USC covered the cost of tuition.⁶⁰

Even though its primary goal was to train police officers, the Delinquency Control Institute also played a role in promoting the legitimacy of carceral institutions as they expanded during these years. A radio broadcast from May of 1949 helps illustrate this. That month, the American Broadcasting Company dedicated one of its public interest programs to the Institute. It featured Emery Olson, the dean of the USC School of Public Administration, as well as Dan Pursuit, the acting director of the Institute at the time. Two of the Institute’s graduates were also on the air. One was a radio performer named Bill Thompson who was also the president of the southern California chapter of Boys Clubs of America and an advisory member on the LA County Youth Committee. The other was Sergeant R. A. Houghton of the Juvenile Division of the Los Angeles Police Department. As the men spoke about their experiences in the program, a good deal of the conversation emphasized policing, but Pursuit repeatedly emphasized that the Institute was also open to other youth “practitioners,” including social workers, teachers, and

⁶⁰ “Delinquency Institute at SC Favored,” *Los Angeles Times*, November 11, 1944; “Funds Voted for Welfare by Turf Club,” *Los Angeles Times*, January 31, 1947; “Four Gifts Spur Work of Delinquency Institute,” *Los Angeles Times*, March 30, 1952; “15th Delinquency Control Institute to Open Here,” *Los Angeles Times*, September 14, 1952. The Delinquency Control Institute still exists today, though it has been rebranded as the “Safe Communities Institute.” See, “History of SCI,” USC Price Safe Communities Institute, accessed February 12, 2023, <https://sci.usc.edu/about-sci/history-of-sci/>.

probation officers and parole agents. When the anchor asked Thompson to tell the audience what benefit he took from the program, Thompson chose to focus on the growing number of carceral spaces within LA County that were designed for young people. “Well,” he began, “every Friday we took field trips to various juvenile divisions, institutions, and probation department forestry camps in the outlying sections of the county. These I found most interesting especially to see at first hand the fine work done by the Forestry Camp program in helping rehabilitate the boys, and the Vocational Training Program so ably carried on by the California Youth Authority.”⁶¹ The relationship between the Institute and California’s correctional agencies—or, more specifically, the value of the former to the latter—was demonstrated that same year, when Pursuit wrote to Dean Olson to request support for another conference promoting the Institute. To make his case, Pursuit told the Dean that he had met with Karl Holton and Herman Stark, the first and second directors of the YA, respectively, about the need for such a conference. The two men had a strong interest in making sure that law enforcement and corrections personnel approached their jobs in a certain way, Pursuit was able to assure Olson that they had pledged more than \$1,500 for the YA’s budget to make the conference happen.⁶²

Other college-level programs aimed specifically at training people for carceral work, especially for probation and parole, also began to appear during the postwar years. In 1946, for example, the “police school” at San Jose State College added a penology major that provided professional training for students interested in “rehabilitation, parole, and probation,” and in

⁶¹ “Report to the People,” May 31, 1949, Box 9, Folder 34, USC School of Public Administration Archives, Collection 295, University of Southern California Libraries Special Collections, Los Angeles.

⁶² “Dan G. Pursuit to Dean Olson,” March 15, 1949, Box 9, Folder 34, USC School of Public Administration Archives, Collection 295, University of Southern California Libraries Special Collections, Los Angeles.

1970 it added a specific concentration in corrections.⁶³ The UC Berkeley School of Criminology was also part of this expansion. Although courses for police officers had been offered at Berkeley at the behest of the city's progressive police chief, August Volmer (who also started the program at San Jose State), since at least 1916, there was no academic unit dedicated specifically to the field of criminology until 1950. According to a history of the program written by several of its graduates, during its first decade, the school "trained middle management personnel in the arts of police and correctional administration, stressing business management, Taylorism, and professionalism... a program of good old-fashioned law and order..." Indeed, Richard McGee eventually became chairman of the school's advisory committee. During the 1960s, McGee lobbied Berkeley's Division of Social Sciences to reorient the criminology curriculum around corrections. Ironically, McGee's efforts helped create the intellectual context for some of the most incisive research on corrections. By the late-1960s, the UC Berkeley School of Criminology had taken on a decisively radical bend.⁶⁴

Group counseling and the carceral work process

As part of their effort to legitimize the rehabilitative ideal, officials may have changed how they educated, hired, and training carceral workers—as well as how carceral workers were compensated and the benefits packages that they received—but to what extent did these efforts translate to support among staff for the rehabilitative ideal, or to successful rehabilitative

⁶³ For a history of police studies at San Jose State, see "Justice Studies Department, San Jose State University," (2005), PDF document available at: <https://www.sjsu.edu/justicestudies/about-us/history.php>.

⁶⁴ For more on the history of the UC Berkeley School of Criminology, see "Editorial: Berkeley's School of Criminology, 1950–1976," *Crime and Social Justice* No. 6 (Summer 1976); David Stein, "A Spectre is Haunting Law and Society: Revisiting Radical Criminology at UC Berkeley," *Social Justice* 40, nos. 1–2 (2013): 72–84; Johann Koehler, "Development and Fracture of a Discipline: Legacies of the School of Criminology at Berkeley," *Criminology* 53, no. 4 (November, 2015): 513–544.

programming? As the report of the Joint Commission on Correctional Manpower and Training found in 1969, the answer was mixed at best. *A Time to Act* revealed not only the extent to which the efforts of officials described above had failed, but also the consequences of that failure in promoting widespread apathy among carceral workers toward the prospect of rehabilitation. That reality did not develop overnight, however, and this section explores both how corrections officials sought to manipulate the carceral work process to cope with overcrowding and understaffing, as well as the questionable commitment among staff for the overall mission of rehabilitative incarceration.

While the archival record does not often include robust evidence of how carceral workers felt about their jobs, one exception that helps to evaluate the extent to which workers bought into the rehabilitative ideal is the oral history of a correctional officer named William Richard Wilkinson. Wilkinson began working at CIM in 1951, and as he remembered, his experience there inspired faith in the overall mission that people like Scudder, McGee, and Dunbar sought to legitimize. Born in Oklahoma, Wilkinson's family moved to California in his youth. He graduated from Pomona High School in 1943, and then entered the Navy, serving as a radioman until 1946. He then worked for a year surveying for oil deposits before taking a job as a lathe operator at a Pomona machine works. Wilkinson decided to apply for a job at the prison simply because several of his golfing buddies already worked there. Such social ties undoubtedly played a role in recruiting staff. "There wasn't a dime's worth of difference in any of us whom they hired down there after the war," he recalled. "The service experience, a couple of years of

college, about the same age, in the early twenties.”⁶⁵ Wilkinson was also white, which is another similarity that he shared with many of those who were hired during this period.

According to Wilkinson, both the pay and benefits as well as the sense of purpose that he and others derived from their work helped make a job as a correctional officer attractive. When Wilkinson was hired, his starting salary was \$325 per month, which was less than what he had been making before. But the department ensured that there were enough incentives to retain people. “It was the leading industry for that rural area,” he said. “And then the promotions came along so quickly that I was stuck. Not that I did not have any interest in it—it was like anything else, you get into it, and it becomes interesting.” “The prison business had traditionally always been low paid,” Wilkinson recalled, “but then right after that, within the first year after I was there, I was making almost \$400 a month. We just got raise after raise after raise, which we kind of knew was going to happen. They had to meet the competition, and they had the tidelands oil money.”⁶⁶ At that time, a correctional officer could retire at the age of fifty-five and, with twenty years of service, collect a pension.

At CIM, the programming that the minimum-security environment made possible improved Wilkinson’s life as a worker just as it improved the lives of the men incarcerated there. He started working the overnight shift on a barracks, where his main responsibility was to make sure that prisoners woke up early enough to arrive at their work detail on time. From there, he worked the second watch, from mid-afternoon until the overnight shift came on. He worked supervising prisoners in the agricultural industries; as a utility man, covering for other staff or

⁶⁵ William Richard Wilkinson, ed. John C. Burnham and Joseph E. Spillane, *Prison Work: A Tale of Thirty Years in the California Department of Corrections* (Columbus: The Ohio State University Press, 2005), 14.

⁶⁶ *Ibid.*, 15–16.

doing odd-jobs; and in the control room, where his job was to record the counts. His favorite job was the engineering crew. “It was a six-man crew,” as he described it, “and we just went around tidying up things—cleaning out storm drains, hauling materials for crews who were pouring cement, and so on.” “I just felt that I was free, floating around, doing what needed to be done,” he said.⁶⁷ Wilkinson rarely described having to administer discipline to the prisoners, and he enjoyed a variety of perks, from free vegetables and pheasant to games of horseshoe to Scudder’s policy of allowing the younger men with families to take their vacations during the summer time. He especially appreciated an apparent policy of Scudder’s, that distinctions of rank within the prison be minimized as much as possible. “In the staff dining room, there were no distinctions,” Wilkinson remembered. “You just sat down... It did not matter who was sitting there. If it was the director of corrections and Scudder, and you walked in and there was an empty seat at his table, you sat down at his table. That was a requirement.”⁶⁸ More than anything, what Wilkinson enjoyed about CIM was that he felt he could believe that the rehabilitative ideal was working. “I think if I had started at San Quentin or Folsom,” he recalled, “I would not have stayed in the business. They were just warehousing inmates at those two institutions. Chino, however, was productive. They had a good vocational setup there: welding, carpentry, cement work, the trades.” According to Wilkinson, many of the men who participated in these vocational programs were hired right out of prison, which of course made all the difference. “This was the leadoff. The inmates do their time, they get their training, they go out to get a job. You could see that at Chino.”⁶⁹ Clearly, Wilkinson believed in the rehabilitative ideal, at least

⁶⁷ Ibid., 9.

⁶⁸ Ibid., 29.

⁶⁹ Ibid., 2–3.

initially. While it is hard to extrapolate his view—especially given the fact that, as he notes, he worked in a unique setting defined by minimal custodial practices and robust programming—it is not unreasonable to assume that a significant number of other correctional officers felt similarly.

Zooming out from Wilkinson's individual experience, another body of evidence that sheds light on the attitudes of other workers emerged from one of the most prominent rehabilitative programs that CDC officials implemented during the postwar period—group counseling. From a labor history perspective, the group counseling program can be understood as an effort to manipulate the work process of correctional officers to conform to the rehabilitative ideal. In many ways, correctional officers' jobs remained quite similar to what was described in the Warren Committee hearings. Generally speaking, they were still responsible primarily for custody. As Wilkinson describes, they supervised prisoners in all of their activities, moved them from place to place, maintained order, meted out discipline, and wrote reports for the parole board. Certain roles became more bureaucratized, to be sure, and certain contextual factors changed (they moved more people to and from more educational and vocational classrooms, for instance, and they worked in newer facilities). But on the whole, prison work remained prison work in many ways. The group counseling program was one major exception, and analyzing the record of the program sheds light on the ways in which workers lost faith in the rehabilitative ideal, especially as time passed and the prison system continued to suffer from recidivism and overcrowding.

Group counseling was a form of rehabilitative programming that tasked lay staff with convening groups of ten or fifteen prisoners to discuss their lives, and especially the circumstances that may have led to their incarceration, as well as their hopes for and fears of returning to the free world on parole. The idea for this program emerged out of World War II

military hospitals, where similar efforts were used to treat servicemembers who had experienced trauma on the battlefield and suffered the debilitating effects of what was then known as “war neurosis.”⁷⁰ It was first implemented in California on a limited basis in 1945 at San Quentin, and by the mid-1950s, it was being practiced at every prison in the state except for the California Medical Facility, which eventually began its program in 1961.⁷¹ Prisoner participation in group counseling was especially widespread. In 1964, for example, while 4,900 prisoners either worked in correctional industries or earned either an elementary or a high school diploma, more than twice as many participated in group counseling—12,500 in total.⁷²

A combination of factors motivated the adoption of the group counseling program, including the sincere beliefs of corrections officials, the increasing skepticism of penny-wise politicians, and custodial concerns that stemmed from overcrowding and understaffing. According to many of its proponents and participants within the Department, group counseling helped foster more respectful relationships between incarcerated people and staff; the program was said to ease tensions, prevent violence, and to reduce the number of disciplinary infractions. In 1960, corrections officials claimed that group counseling had “helped reduce those violent and unpleasant incidents which in earlier days made prisons places of frustration and peril for both inmates and officers.”⁷³ Officials were so confident in the program’s custodial efficacy that they made participation mandatory in lieu of building and staffing guard towers when overcrowding

⁷⁰ For more on the history of the group counselling program in general, see Janssen, “From the Inside Out.”

⁷¹ In 1950, the California Vocational Institution, then still at its temporary site in Lancaster, hired a senior sociologist to train its custodial staff to get the group counseling program off the ground there. CDC, *1950 Biennial*, 32. By 1956, Folsom announced plans to recruit seventy-five workers to provide group counseling to eight hundred prisoners and San Quentin, seventy-four lay staff led ninety-seven groups. CDC, *1956 Biennial*, 30–32.

⁷² CDC, *1964 Biennial*, 8, 31, 34.

⁷³ CDC, *1960 Biennial*, 3.

forced the reopening of the earthquake-damaged women's prison at Tehachapi. This decision supposedly saved the Department \$100,000 annually.⁷⁴

An especially valuable aspect of group counseling was the fact that it could be carried out by lay staff who were already on the payroll. This made it attractive from a budgetary standpoint because officials did not have to hire additional civilian staff, as they did for more specialized forms psychiatric treatment, or for work and educational programs. In 1956, a year of major expansion for the program, McGee described group counseling as "the most significant general advance in treatment this biennium." Calling it "realistic," McGee valued group counseling, in particular, because it "economically" tapped "the treatment potential of large numbers of the custodial, business and industrial staffs." "With professional guidance," McGee continued, "these lay leaders conduct group sessions which lead to a greater understanding by the inmates of their own problems. The sessions, incidentally, have also given the employees a better understanding of the prisoners. Group counselling has already proved its value in improvement of institution morale and reduction of disciplinary problems."⁷⁵ Other officials were more explicit about the budgetary incentive behind the advent of group counseling. The director of corrections in Washington DC, for example, explained his belief in the necessity of using lay staff for counseling by calculating that it would cost him \$97,000 per prisoner per year to properly staff such a program with professionals. "No legislative body in the country," he wrote "with all the other public needs before them, would even consider such an appropriation, and certainly no realistic prison man would expect it in this day and age."⁷⁶ McGee was never quite

⁷⁴ CDC, *1958 Biennial*, 14.

⁷⁵ CDC, *1956 Biennial*, 4.

⁷⁶ Donald Clemmer, "Use of Supervisory Custodial Personnel as Counselors: An Expedient," in *Federal Probation* 20, no. 4 (December, 1956), 36-42.

so frank in his public writings, but he faced similar pressures. In light of McGee's letter to the Joint Commission on Correctional Manpower, the group counseling program can be seen as an effort to deal with understaffing.

Although other civilian workers such as clerks, teachers, and vocational instructors helped administer the group counseling program, no group of lay staff contributed more than correctional officers. In California, as of 1961, fifty-six percent of the 827 staff members who had agreed to participate in the program were custodial staff—468 workers in all—including 269 correctional officers, 156 custodial administrators (mainly lieutenants and sergeants), thirty-four parole officers, and nine women's correctional supervisors. The next largest groups were educators and researchers (109 in total), mental health professionals (103), service and maintenance staff (58), and technical specialists (39), followed by twelve clerical workers, eleven chaplains, and three physicians and dentists.⁷⁷

Correctional officers' participation in the program—and its perceived success—helped bring about a shift in what was expected of them on the job. As an official for the conservation camp program wrote in 1964, the new conservations centers not only represented an innovation in terms of capital outlay or a more efficient use of incarcerated labor for the public good, they also “provided a proving ground for a promising staff innovation involving a new breed of correctional worker—the correctional program supervisor.” “The correctional program supervisor is a combination caseworker, counselor, and uniformed custodial officer.” “His office is usually in the dormitory which houses the men he supervises. He conducts regular group counseling sessions... [and] handles matters ranging from discipline problems to family

⁷⁷ Gene E. Kassebaum, David A. Ward, and Daniel M. Wilner, *Group Treatment by Correctional Personnel: A Survey of the California Department of Corrections* (Sacramento: California Board of Corrections, 1963), 13.

interviews. With guidance from other staff members, he recommends treatment and training programs for his men and helps assess their readiness for assignment to camp or parole.”⁷⁸ That same year, the CDC claimed that prisoners who participated in group counseling had a ten percent better chance at succeeding on parole than those who did not.⁷⁹

As it expanded, group counseling became the object of considerable study, and the findings of the researchers who looked at the program call into question the positive spin that officials tried to put on it. In 1959, with the help of grant funding from the National Institute of Mental Health, a public health researcher from UCLA conducted fifty-eight in-depth interviews with “lay group leaders” at San Quentin and Chino. He wanted to evaluate “the reasons for the leaders’ interest in becoming counselors, the kind of training and supervision they received, the theoretical approaches employed, and the leaders’ views concerning the outcome of their counseling activities.” Thirty-eight percent of his interviewees worked as correctional officers, with vocational and academic instructors (19 percent) and classification and treatment personnel (13 percent) the next largest groups. Although the CDC held that participation in group counseling was voluntary, more than a third of workers reported being “invited” by their immediate supervisors to participate, and others said that they saw their participation as a way to advance within the department. Still, many reported a genuine desire to help the rehabilitative mission of the prison system. In terms of training, the CDC attempted to adhere to the methods of the psychologist who invented the idea, namely, by providing staff with a two-hundred-page manual written by a prominent psychologist Norman Fenton (a separate guide book, half as long,

⁷⁸ CDC, *1964 Biennial*, 12–13.

⁷⁹ *Ibid.*, 27.

was provided to prisoners).⁸⁰ The majority of lay counselors interviewed for the study, however, had apparently received no training at all, and only 22 percent claimed to be following Fenton's approach. Only "a small minority" received specific in-service training for the role, and half received no supervision after starting. According to the study, "the majority of counselors could not identify or conceptualize any underlying theory in their practice of group counseling."⁸¹

Most staff who participated in group counseling reported feeling either positive or strongly positive about it, but individual responses revealed some amount of doubt. For instance, the researchers paraphrased a nurse who said that group counseling was "better than nothing," but also that many counselors felt inadequate "because they have taken on more than they can handle." She also worried that the counseling program was having little impact on rising recidivism rates. According to a classification officer, the program had been "overemphasized by the top-level administration." "This overemphasis has trickled down to the inmates," the researchers wrote, "who now are aware that at their Board hearings for parole the Adult Authority takes into account whether or not they are in group counseling." The officer complained of "phonies" participating in groups, men who "have learned that they can get off work in order to attend session... learned about what the counselors or departmental officials 'want to hear' and, as a result, withhold their true opinions in the group sessions."⁸² This criticism matches accounts of prisoners who experienced group counseling directly. Since the staff who ran group counseling sessions often wrote reports that were entered into prisoners disciplinary files, and since the parole board wanted above all to see evidence that prisoners were

⁸⁰ For more on Norman Fenton, see Janssen, "Convict Labor, Civic Welfare," 103–66.

⁸¹ Alfred H. Katz, "Lay Group Counseling: The Program in the Department of Corrections," *Crime & Delinquency* 9, no. 3 (July, 1963): 282–89.

⁸² *Ibid.*, 287.

participating in the rehabilitative programming that was on offer, incarcerated people had good reason to use these spaces accordingly.⁸³

A second study conducted by a group of graduate students in the UC Berkeley Department of Social Welfare measured correctional officers' mixed attitudes towards group counselling. The students surveyed correctional officers at two prisons—San Quentin and the California Medical Facility (CMF) at Vacaville—and they surveyed officers who led group counselling sessions as well as those who did not. Their survey asked how officers viewed prisoners, how officers viewed themselves, how officers viewed other staff, and how they viewed the counseling program as a whole. Their findings were inconclusive. Correctional officers who worked as group counselors at San Quentin, generally felt more positively compared to officers who did not work as counselors. The former tended to be more trusting of prisoners, to perceive their role within the prison as being in line with the mission of treatment and rehabilitation, and to view professional staff (those trained specifically for counseling) favorably. Most importantly, they believed that group counseling had a positive impact on the incarcerated men they worked with. The opposite was true at the CMF. In Vacaville, correctional officers working as counselors viewed prisoners, the counseling program, and the professional staff who helped run it negatively. They did not believe group counseling contributed to the prisoners' rehabilitation. What explained this discrepancy? The researchers had no firm answer, only speculating that the counseling program at San Quentin, the oldest in the state, was more established than the

⁸³ See Irwin, *Prisons in Turmoil*, 44–46. George Jackson also mentions the program briefly, as one of several “demands” made by the parole board alongside attending school and maintaining a clean conduct record. Jackson, *Soledad Brother*, 47.

program at the California Medical Facility, which had only begun in 1960, a year before they conducted their study.⁸⁴

The interviews that these researchers conducted with correctional officers at CMF clearly undermine the notion that correctional officers supported rehabilitation, and they confirm a dominant view in the historical literature on prisons, which emphasizes a polarization between treatment-oriented staff and staff who were primarily responsible for custody, such as correctional officers.⁸⁵ For instance, one officer said he felt that the CDC was “coddling” prisoners, and that it should “go back to the old system and make them work, teach responsibility.” “Now,” he continued, “they lay around, eat and sleep, don’t have to work. You could still have group counseling under the old system. Group counseling is nothing new. Nowadays group counseling hurts custody.”⁸⁶ Others agreed. “Custody in this institution doesn’t amount to much,” said another officer. “You have no ‘say so.’ If an inmate cusses you out before other inmates you write up a 115 and the result is the inmate gets counseled.”⁸⁷ “If an inmate in a counseling session calls me an SOB,” said yet another officer, “I let it ride and figure he needs to blow off steam, and it’s good for him to have this outlet. If the same guy were to call me that on the line or in the wing, I would have to deal with it much differently. I have to let the other inmates know they can’t walk all over me.”⁸⁸ These frustrations would have been familiar

⁸⁴ See Barbara Francisco, et. al., “Attitudes and Role Perceptions of Correctional Officers: A Comparative Study,” (Master’s thesis, University of California, Berkeley, 1961).

⁸⁵ See, for example, Kohler-Hausmann, *Getting Tough*, 220.

⁸⁶ Francisco, et al., IV-36.

⁸⁷ *Ibid.*, IV-35.

⁸⁸ *Ibid.*, IV-37.

to many of the workers who testified before the Warren Committee seventeen years earlier, and they call into question the ability of officials to win staff over to the mission of rehabilitation.

In a third study, three other researchers from UCLA conducted a more expansive analysis of the group counseling program, and their broader data set further undermines the notion that custodial staff believed in the rehabilitative ideal. This study surveyed the vast majority of the roughly eight hundred staff who took on the counselor role, as well as about five times as many staff who did not. Virtually all of the counselors surveyed agreed that the idea of rehabilitation itself was sound, yet fewer than one third believed that it was being carried out “as well as can be expected.” Two thirds of the counselors, on the other hand, agreed that the idea of treatment was sound, “but the way it is being carried out is not adequate.” More than half the counselors identified something other than counseling as being most helpful to prisoners. Indeed, staff who did not volunteer for counseling were more likely to feel that treatment programs were being carried out effectively.⁸⁹ In their survey, the researchers asked group counselors and non-group counselors a variety of questions about their attitudes towards the causes of crime, towards adopting tougher sentencing laws, and towards the idea of prioritizing rehabilitation programs over security within the prisons. The researchers also administered the California F-Scale test, first developed by Theodor Adorno at San Quentin, which supposedly measured the extent to which an individual had what was called an “authoritarian personality.”⁹⁰ According to their results, a strong contingent of staff, particularly those who did not participate in group counseling, tended to score higher on the F-Scale. This supposedly meant that they favored

⁸⁹ Kassebaum, et. al. *Group Treatment*, 15.

⁹⁰ This was indeed the Theodore Adorno of the Frankfurt School, who worked with psychologists at San Quentin and at UC Berkeley in researching his 1950 book *The Authoritarian Personality* (New York: Norton). For more on Adorno’s research and the F-Scale test that he developed at San Quentin, see Janssen, “Convict Labor, Civic Welfare,” 104 and “From the Inside Out,” 118, fn. 5.

“traditional authority in the regulation of conduct,” and that they believed “that custodial considerations have priority over treatment programs,” held “low expectations of positive effects of treatment on inmates,” and favored tougher penalties for criminals. The researchers’ results also found, however, that counselors tended away from the authoritarian personality, displaying more trust in incarcerated people, a greater willingness to prioritize rehabilitation over security, and preferring lighter sentencing laws.⁹¹ While the study’s authors concluded that the support for the rehabilitative ideal among staff who participated in counseling was “quite impressive,” their findings could just as easily be read in the opposite direction, particularly when it comes to correctional officers. Those officers who worked as counselors were the most likely to agree that “no treatment program should be instituted if security precautions would have to be lowered.”⁹²

Despite evidence to the contrary, as they struggled to legitimize the failing prison system, corrections officials insisted that staff were on board with the rehabilitative ideal. Richard McGee himself wrote the introduction to the study described in the previous paragraph, opening with another affirmation of the importance of carceral workers to the CDC. “So,” he began, “the history of the Department of Corrections is the history of staff development.” He then went on to tout the extent to which the CDC had successfully transformed carceral work into a professional vocation in line with rehabilitation:

Early in its course, a vigorous and pervasive training program was introduced; it transformed the prison guard into a man with a career instead of a niche. Seen in the perspective of 19 years of interacting events, the training program has made possible most of the innovations with which the Department is credited. The prison guard who knew only the tools of coercion could not possibly have managed our expanded use of minimum security, the replacement of dungeons with adjustment centers, or our first steps toward the creation of therapeutic communities in prison. It is especially true that

⁹¹ Kassebaum, et. al. *Group Treatment*, 23–24.

⁹² *Ibid.*, 25.

group counseling could not have permeated our institutions so rapidly without the solid support of an entrenched training program.⁹³

However, when evidence emerged of the ineffectiveness of group counseling in reducing recidivism, it hardly supported such a triumphant narrative. By 1971, when the same UCLA research team concluded a longitudinal study of group counseling, their findings were disappointing. The researchers began their work in 1962 at the newly opened medium security prison at the California Mens Colony at San Luis Obispo. From there, they followed nearly one thousand men through their incarceration and release. Some were assigned to or volunteered for various forms group counseling, as had become the norm, and others were either assigned to or volunteered for the control group that did not participate in counseling. Clear majorities of both groups experienced “minor problems” on parole, which might mean some dispute with their parole officer, or an arrest or short period of incarceration in a county or city jail. Worse, men who participated in group counseling were returned to prison at higher rates than those who did not. Perhaps worse still, fifty-one percent of the entire cohort, including the experimental and control groups, were returned to state prison, either for a major technical violation of parole, or for committing a new offense.⁹⁴

Working under the probation subsidy program

Recidivism statistics like the one cited above helped motivate the Brown and Reagan administrations to embrace the probation subsidy program and to pursue alternatives to incarceration. The efforts of corrections officials to professionalize carceral work, to provide

⁹³ Ibid., 3–4.

⁹⁴ Gene E. Kassebaum, David A. Ward, and Daniel M. Wilner, *Prison Treatment and Parole Survival: An Empirical Assessment* (New York: John Wiley & Sons, Inc., 1971), 238.

carceral workers with higher wages, greater job security, and better training, and officials' ploy to enlist workers directly in the process of rehabilitation did not stop the legitimacy of the system as a whole from eroding. As in the beginning, however, carceral work and carceral workers remained an important part of what came next, and the final section of this chapter analyzes how work and workers factored into the probation subsidy program itself, as well as some of the ways in which carceral work became increasingly politicized as things changed.

Probation officers were the group of carceral workers who were most directly impacted by the probation subsidy program, and arguably the biggest changes that they saw came in the form of higher wages and smaller case load sizes. Prior to the subsidy program, a typical deputy probation officer working with adults might have 150 or more people on their caseload, and an officer working with youth might have a caseload of around seventy-five.⁹⁵ This varied from place to place, with especially high caseloads in the larger, more populous counties (adult caseloads in San Francisco and Los Angeles counties, for example, often exceeded two hundred).⁹⁶ Under such conditions, the amount and quality of contact that officer had with the people on their caseloads would have been hurried, at best, and at worst entirely impersonal. Many people simply left voicemails for their probation officers, reporting their whereabouts, employment status, and whatever else might have been required. Under the subsidy program, county probation departments were required to change this. Individuals who were diverted from state prison were assigned to so-called "special supervision programs," and the law empowered officials from the YA and the to define what "special supervision" entailed by developing minimum standards "embodying a degree of supervision substantially above the usual or the use

⁹⁵ Smith, *A Quiet Revolution*, 63.

⁹⁶ *Report of the Senate Committee on Correctional Facilities*, 98–100.

of new techniques in addition to, or instead of, routine supervision techniques...”⁹⁷ This could mean a variety of things, but for most officers, it simply meant much smaller caseloads. As of 1971, there were 621 deputy probation officers responsible for 17,000 people assigned to subsidy probation units across the state. That put the statewide average for subsidized caseloads at about twenty-seven probationers per deputy probation officer.⁹⁸ Counties hired many more probation officers to make such heightened supervision possible.

Lower levels of incarceration and recidivism did not follow automatically from lower caseloads, however.⁹⁹ For many probation officers who were used to glancing quickly at a case and looking for a violation serious enough to warrant the intervention of the court, more time simply meant more opportunities to send people to jail or prison. In Sacramento County, for example, officers who worked the subsidy program caseloads contacted their probationers four times as often as officers who worked regular units. And yet, over a sixteen-month period, half of the probationers assigned to subsidy caseloads were rearrested, as opposed to only thirty percent of those assigned to regular units. Perhaps this was due to the fact that subsidy caseloads were made up of “high risk offenders,” which was the excuse that probation officials provided, but the fact that the officers who worked subsidy caseloads simply had more time to process violations is also a likely explanation.¹⁰⁰

⁹⁷ Statutes of California, Chapter 1029, 1965 Regular Session, State Aid for Probation Services.

⁹⁸ Smith, *A Quiet Revolution*, 63.

⁹⁹ Jonathan Simon addresses the question of caseload size in his analysis of the Special Intensive Parole Unit program, which was an early effort within the CDC to reduce recidivism through smaller caseload size that I do not describe in the dissertation. According to Simon, smaller caseloads did not necessarily lead to lower recidivism rates, especially because the kinds of supervision that parole agents provided remained “a black box.” In other words, as my analysis of the probation subsidy program also finds, the ways in which carceral workers spent their time also mattered. See *Poor Discipline*, 80–84.

¹⁰⁰ California Youth Authority, *An Evaluation of Seven Selected Probation Subsidy Programs*,” (Sacramento, 1977), 19–24.

More than the amount of time an officer was able to spend on a given case, the way in which that time was spent likely mattered a great deal, both to the officer, and to the person on probation. In San Francisco County, for example, where the special supervision units funded through the probation subsidy program put more energy into connecting people to services, the officers who worked those units reported feeling higher levels of satisfaction, happiness, and involvement in their work than their colleagues who worked regular units. As in Sacramento, officers who worked subsidy units did interact with the people on their caseloads more frequently, those interactions were said to be more constructive than the brief and spontaneous contacts performed by their overworked colleagues working regular units. From the standpoint of the probationer, while supervision under a subsidized unit was still experienced as a compulsory imposition on their lives, they nevertheless were said to have “accepted and appreciated” such services over the alternative. According to YA researchers, in interviews, these individuals “were more likely to view probation as a supportive and helpful experience,” and to have felt “more commitment and involvement in the program.”¹⁰¹ Robert Smith, the researcher who looked the closest at the subsidy program, reported observing something similar in his investigations. Visiting the office of a subsidy program one day, Smith recalled overhearing a polite interaction between a young man and an office staff member. When Smith spoke to the young man, this is what the young man reportedly said:

Well, before when I was on probation it didn't mean anything. No one cared, I didn't know who my probation officer was, and I certainly couldn't regard him as someone to whom I could turn for help. Things are different now. Did you notice when I came in that Miss Martin knew who I was, expressed an interest in my children and was aware of some of the difficulties I had had? Did you notice, too, that she treated me like a human being, she offered me a cup of coffee, while at the same time telling me that there would be a few moments before my probation officer could keep our appointment. That's pretty

¹⁰¹ Ibid., 24–27.

much the difference. Here, now, I am treated like a human being. Before, I was nothing. That's the biggest difference, mister. Now, I'm a human being.

Interpreting evidence like this is tricky. Setting aside the extent to which Smith mediates this man's voice (indeed, the quotation has an air of fabrication about it) the power imbalance inherent in such conversations necessarily raises doubts about whatever truth they can convey. At the same time, however, for someone attempting to comply with the terms of their probation, to support their loved ones, and to avoid incarceration, surely it meant something to be treated decently in the process. Smith greatly emphasizes the fact that the small caseloads and atypical programming required by the subsidy program helped humanize relationships between officers and the individuals on their caseloads. Consistent with the broader ethos of the rehabilitative ideal, many of the youth programs that he describes, in particular, required young people to attend or participate in athletic or cultural events with their probation officers, or to spend time outdoors on trips to the beach or to the mountains. Often, these activities incorporated an element of group or individual counselling. "Participation in these discussions and experiences," Smith wrote, "means that the officer begins to see his probationers in a different light, while they too gain a new perspective from which to view their officer." As the nature of their work process changed, Smith claimed, subsidy officers came to see the individuals on their caseloads as "more than just a series of interviews to be held, recorded, and evaluated," and they "found their judgment about their clients complicated by their feelings for them as individuals." As one officer reportedly put it, subsidy programs "force us to throw away our excuses. We have to think and act effectively. We no longer have an excuse for doing nothing because of large caseloads and too little time." For those subsidy programs like San Francisco's that showed

lower violation rates, perhaps one cause was the fact that the workers involved found it more difficult to recommend that a court incarcerate someone whom they knew on a personal level.¹⁰²

At their best, probation subsidy program caseloads altered the basic function of the carceral work process, orienting it around the provision of specific services that the people on probation needed. For example, Fresno County's adult subsidy program provided educational and vocational training to probationers who had also been given a jail sentence. Perhaps more importantly, mirroring the success of work furlough and Operation Pathfinder, the county also provided active job placement services for probationers once they were released. People on Fresno's subsidy caseloads received vocational assessments, technical education and job training, and medical, dental, and psychiatric health care. Part of the funding even helped subsidize their wages, providing an added incentive for local employers to hire formerly incarcerated people. In some cases, the subsidy funding was used to provide emergency food or housing, or cash loans. Because of these services, probationers assigned to Fresno's subsidized caseloads found work more quickly, worked more often, and held their jobs for longer periods of time than those assigned to regular caseloads, and they were also far less likely to face future arrest. The researchers who compiled and interpreted this data tried to use it to trace criminality to "an individual's association with a peer reference group that is alienated from society and holds antisocial values." Work, they believed, would connect people to a "social system" rooted in "pro-social values," making them "more likely to accept social convention and values and refrain from criminal behavior." However, their data did not track who people on probation associated with, and thus any claim that such relationships made the crucial difference had little basis in

¹⁰² For brief, second-hand descriptions of some probation subsidy programs, including the passages from which all of the cited quotations and information in this paragraph were taken, see Smith, *A Quiet Revolution*, 72–83.

fact. What the data did track was the impact of access to waged labor on a person's ability to avoid incarceration, and that relationship appeared to be a positive one. The data showed the difference that it made when probation officers spent their working days helping the people on their caseloads to find jobs of their own.¹⁰³

Apart from altering the nature and intensity of their jobs, the subsidy program also raised probation officers' wages substantially and dramatically expanded the number of probation jobs that were available. Arguably, these were the program's most direct and significant impacts on workers. By 1971, nearly 750 new probation officers had been hired across the state.¹⁰⁴ That same year, as counties began to complain about inflation eating into the value of their subsidies, which had stayed the same since 1965, the state Department of Finance surveyed the salary ranges for probation officers working in participating counties. They found that salaries had increased dramatically during the five-year period from 1966–1970. In the more populous counties with the largest departments—including Alameda, Contra Costa, Fresno, Los Angeles, Orange, Sacramento, San Bernardino, San Diego, San Francisco, Santa Clara, and San Joaquin counties—salaries for deputy probation officers increased by about 30 percent over this period, from around \$800 per month in 1966 to around \$1,100 per month in 1970. Supervisors saw their pay rise at a similar rate, to about \$1,300 per month in 1970. California's consumer price index only rose by 14 percent over the same period, so these raises represented meaningful real-wage increases. Moreover, outside of the comparatively populous urban counties, some of the highest relative wage increases came in smaller, more rural parts of the state. Wages for deputy

¹⁰³ *An Evaluation of Seven Selected Probation Subsidy Programs*, 7–11; 34–37. San Mateo County also took a similar approach, tasking their probation officers with emphasizing job development and with facilitating access to other types of social service.

¹⁰⁴ Lester Velie, "The Way to Lick the Jail Habit," *Reader's Digest*, February 1971, pp. 143.

probation officers in Humboldt, Inyo, Nevada, Shasta, Solano, Sutter, Tehama, and Tuolumne counties all rose by more than 40 percent thanks to the subsidy program, though the highest paid officers in these counties still made considerably less than their counterparts in larger departments.¹⁰⁵ Thus, whatever else the probation subsidy program did, it helped to make a job as a probation officer more attractive for anyone seeking a middle-class standard of living, and it helped make such jobs more widely available.

Probation officers, however, were not the only carceral workers impacted by the probation subsidy program; correctional officers arguably experienced the downside of California's search for alternatives to incarceration, and in response they helped to politicize carceral work in new and important ways. Most obviously, as the probation subsidy began to shrink the prison system for the first time in a generation, correctional officers began to worry about their job security. As Robert Smith put it, one consequence of the probation subsidy was to make correctional workers "redundant." "Indeed," he wrote, "as jobs became more and more important and opportunities for employment less and less available, organizational survival began to evidence itself. As wards became scarce, the institutional time they served began to gradually creep up."¹⁰⁶

Nowhere was this development more evident than in the town of Susanville. Located in Lassen County on the high desert plane east of the Sierra crest, Susanville became home to the California Conservation Center in 1963, not long after the demise of the region's logging

¹⁰⁵ According to this report, the highest relative salary increases went to supervisors in the comparatively less populous rural counties. In Santa Barbara and San Luis Obispo counties, for instance, salaries for supervising deputy probation officers rose more than fifty percent. In Sutter County, supervisor salaries rose by 73 percent, to \$990 per month; in Amador County they rose by 86 percent, to \$750 per month; and in Mariposa County they rose by 126.9 percent, though the high end of the salary scale only reached \$571 per month. "State Aid for Probation Services," 1971, RR papers, Box H23.

¹⁰⁶ Smith, *A Quiet Revolution*, 71.

industry. By 1972, however, with the prison more than half empty, the Reagan administration announced plans to close it down. Understandably, the townspeople felt anxious about this potential change, which a local disc jockey put to lyrics thusly: “Ten million dollars to build her from the ground // Now the taxes we paid to get her will be made to tear her down // Momma don’t you buy no new dress; make the old one wear // The Conservation Center is going to close, and we don’t have a dime to spare.” Because the prison served as Susanville’s economic base—providing a \$3.8 million payroll of 270 jobs, plus \$250,000 in local purchases, annually—the Reagan administration’s announcement received a great deal of publicity, especially as the town’s people began to fight back. A committee was formed to lobby the Governor to reverse his decision. One person appointed to sit on that committee was the former president of the International Longshore and Warehouse Union Local 13, who had moved to Susanville from Long Beach for his retirement. “If [Governor] Reagan has a true feeling for the people,” he told a reporter from the *LA Times*, “then he must reverse the decision. A lot of people will be hurt. The county’s economy up here will be in shambles if the prison is closed.” When reporters spoke to one of the correctional officers employed at the prison, himself retired from the Los Angeles Police Department, he pointed to the fact that the Susanville prison was renowned for being “a type of institution that humanizes the prison system.” “We have huge workshops where inmates learn skills,” he said. “We have an in-house high school and a college for the inmates.” The officer specifically blamed the \$4,000 subsidy the counties received for each prisoner they did not commit to state custody. “That’s the same it would cost to house an inmate up here,” he said. “Instead, the inmate sits in the county prison cell with nothing to do with his time.” It did not matter that few people sentenced to probation subsidy programs actually faced incarceration in a county jail. Nor did it matter, in this officer’s assessment, that the rehabilitative value of the

programming at CCC was questionable, at best. What mattered was the fact that prisons had become an important source of employment for local economies, a reality that the probation subsidy program threatened.¹⁰⁷ Similar dynamics also played out on a smaller scale in the places where conservation camps were closed, such as the town of Garberville, in Humboldt County. And, as Volker Janssen has compellingly argued, the sense of entitlement that rural white residents felt to benefit economically from carceral expansion must be interpreted in light of the fact that an increasing number of the incarcerated were Black or Mexican American. Susanville's largely white residents wanted jobs, which meant they had to accept prisoners. At the same time, they remained openly hostile to the families of prisoners, and to the Black and Mexican American staff that corrections officials tried to assign to these institutions.¹⁰⁸

While the risk of job loss was a direct consequence of the subsidy program, another development with a more tenuous causal relationship to the program involved increasing levels of violence that correctional officers faced inside state prisons. The causes of this development are difficult to prove, but the fact remains that, during the early-1970s, people living and working in California's prisons were exposed to historically anomalous levels of violence. Between 1970 and 1974, seventy-one incarcerated people and eleven correctional officers died to violence inside the prisons. Workers and administrators often blamed this development on the probation subsidy, arguing that it resulted in an inherently more dangerous population of prisoners. Whatever the case, one effect of the violence was to politicize carceral workers in new ways. For example, while closures threatened jobs in places like Susanville, in the wake of the incident

¹⁰⁷ All quotations above were taken from Charles Hillinger's article, "Townsppeople Battle Order to Close Prison," *Los Angeles Times*, January 14, 1973, accessed in the Edwin Meese Papers, Box 391, Folder 4, Hoover Institution Library and Archives.

¹⁰⁸ Janssen, "When the 'Jungle' Met the Forest."

surrounding George Jackson's death at San Quentin in August of 1971, an incident that also left three correctional officers dead, the officials recommended that Governor Reagan hire 405 new staff—the vast majority of them custodial staff, as opposed to counselors or teachers—in an effort to regain control over that institution and others like it.¹⁰⁹ As newspapers reported on that particular incident, they largely uplifted the voices of San Quentin's correctional officers. "I'll tell you something," said one worker, "anybody who has less than five years' experience is crazy if he comes back to work."¹¹⁰ Indeed, more than a dozen correctional officers quit their jobs in protest. In a resignation letter that was printed by the *San Francisco Chronicle*, one such worker complained about the "many Supreme Court decisions and softened policies by the California Department of Corrections relating to inmate rights..." "I have struggled through World War II, Korea, and Vietnam, I see no future in laying my life on the line for a convict, nor do I see any future for other correctional officers to lay their lives on the line either."¹¹¹

Despite the violence of the early-1970s, there would of course be a future for correctional officers, and it would be one in which the mentality that "soft" policies bolstering the rights of incarcerated people existed in diametric opposition to the safety of prison staff dominated the policy landscape. One point to emerge from the newspaper coverage in the late-summer of 1971 was the fact that California's prisons, especially the antiquated San Quentin, were simply incapable of fulfilling their stated mission of rehabilitation. The frustrated guards were said to be in agreement with reformers in this. Closing the prison, however, would require building additional prison capacity elsewhere, something that state officials still did not have an appetite

¹⁰⁹ "Report to Governor Reagan on Violence in California Prisons," State of California Board of Corrections, Box H23, Ronald Reagan Governor's Papers, Ronald Reagan Library.

¹¹⁰ "13 Guards Quit San Quentin in Wake of Killings," *Los Angeles Times*, August 30, 1971.

¹¹¹ "Why a Guard Left the Job," *San Francisco Chronicle*, August 30, 1971.

for. Reporters repeatedly mentioned plans to build a maximum-security prison near San Diego, and, indeed, one of the earliest calls for a “super-max” prison in California came from a representative of the correctional officers’ union speaking at a congressional hearing held to investigate the violence.¹¹² Although Pelican Bay would not open for another eighteen years, as an organized political force, correctional officers played a significant role in the development of such repressive institutions, and of a far more repressive system overall.¹¹³

In the leadup to the crisis years, William Robert Wilkinson’s own faith in the rehabilitative ideal grew dim. Wilkinson transferred to Vacaville to help open CMF in 1955, and there he worked under administrators who were night-and-day different compared to Scudder and CIM. Although CMF was also supposed to play a specialized role in the expanded prison system, Wilkinson felt its potential was largely wasted. “The medical part of the institution, the psychiatric part, appealed to me,” he said. “Something was happening at CMF, as it was at Chino. There was a purpose, a direction. Little did I know that when I got there, there was a burned-out public health guy as superintendent. The other two administrators [the captain and the associate warden] were burned out, too.”¹¹⁴ By “burned out,” Wilkinson meant that these administrators, each of whom had spent decades in corrections before arriving at CMF in 1955, were unwilling to rethink the ways in which they approached their work. In fact, Wilkinson was punished for suggesting improvements. He advocated for a more efficient count system that would help staff notice escapes more quickly, and he also suggested adjusting the shift changes to more safely manage the movement of the prisoners to and from breakfast in the morning.

¹¹² Tim Findley, “The Real Issue at San Quentin,” *San Francisco Chronicle*, August 30, 1971.

¹¹³ See Page, *The Toughest Beat*.

¹¹⁴ Wilkinson, *Prison Work*, 52.

Wilkinson's captain, however, took umbrage to Wilkinson's initiative and assigned him to first watch, from midnight to eight o'clock in the morning, in hopes of silencing him. "We had a twenty-five-million-dollar building and the finest medical setup of any place in the state," Wilkinson said, "and the way we used it was like hauling shit in a Cadillac. It was a brand-new building, the latest in penology, and you have these two dump trucks... you can't get out of the 1930s."¹¹⁵ Wilkinson recalled dealing with some of the same issues that the Warren Committee had uncovered and tried to rectify more than a decade earlier. When he was sergeant of the psychiatric unit, for instance, Wilkinson did not have enough staff to properly administer medication or supervise prisoners who might harm themselves or others, and a trained psychiatrist only visited the unit once per week. Understaffing remained a problem elsewhere as well. Wilkinson recalled how difficult it was to supervise the housing units in the evening, after most of the staff had gone home, but while the units remained largely open for prisoners to socialize and participate in recreational, vocational, or educational programming. And when he worked the first watch, Wilkinson only had nine officers to manage the entire prison, which held two thousand men. Even graft remained a problem. The captain who opened CMF—one of the "dump trucks" who scorned Wilkinson's suggestions—was finally forced into early retirement after he was caught stealing construction materials for use on his personal residence.

Over time, Wilkinson developed a much more punitive attitude towards his job. By the mid- to late-1960s, he came to resent the ways that judges and advocates meddled in prison management, and he felt that incarcerated people received too much undeserved sympathy. "We are going into the second phase of my career," Wilkinson told the oral historians who interviewed him, "First you hit them with a two-by-four if they don't conform. Now, in the late

¹¹⁵ Ibid., 46.

1960s, you give them everything they ask for, appease them.”¹¹⁶ Creature comforts like televisions and radios, in his view, created noisy, chaotic environments and promoted theft. He also said that conjugal visiting and marriage promoted jealousy and sometimes sexual violence. One of Wilkinson’s jobs during this period was to screen organizations of incarcerated people or of people on the outside that wanted to operate inside the prison, and to either facilitate or prohibit their activities. With the exception of the Nation of Islam Chapter at CMF, with whom he had a positive relationship, Wilkinson gives no indication that such organizations served any purpose other than to jeopardize security. “They would have whole groups come in,” he complained, “They would have bands come in. They would have banquets. You just opened the front door and let anybody in.”¹¹⁷ Despite the fact that he often worked with organizations that promoted literacy or bilingual educational or low-cost legal representation—all things that incarcerated people needed—he insisted that “what it was all about was the inmates’ exploiting the outsiders.” “That is what inmates do,” he said, “that is what they are. They can’t resist the opportunity. It is their whole life, running this sandy candy on someone else.”¹¹⁸

What is most striking about Wilkinson’s transformation is the extent to which his views of incarcerated people were inimical to the basic ethos of the rehabilitative ideal. As with those who were evaluating vocational training programs in the late-1970s, Wilkinson reduced incarcerated people to a set of immutable characteristics that seemingly foreclosed the possibility of change. Perhaps this shift in attitude was down to years spent working in a restrictive environment. Perhaps it came from Wilkinson’s own resentment towards people he viewed as

¹¹⁶ Ibid., 103.

¹¹⁷ Ibid., 104.

¹¹⁸ Ibid., 105.

being entitled, or to the demographic shifts that he observed in the incarcerated population. “It was startling sometimes what they would say to you,” Wilkinson said, referring to the advocacy groups he interfaced with. “I would tell them this is what convicts do. They would say, ‘No, they are not that way. You are just making that up. They are just ordinary people here.’ They would tell me that I did not understand the convict. These people had never been in a prison before, and they were telling me that it was obvious how I treated the convict and why they acted the way they did... Their idea was that we should provide the inmate with a giveaway program, and my idea was that we should cut their balls off if they do not perform.”¹¹⁹ Such harsh rhetoric in opposition to prison reform efforts that might have further enfranchised incarcerated people also emerged when the nascent prison guards union, the California Correctional Officers Association, squashed the effort to organize a prisoners union.¹²⁰

* * *

This chapter has argued that work and workers were central to the trajectory of California’s carceral state in the decades following World War II. Despite the various ways in which corrections officials sought to legitimize the rehabilitative ideal through workers, ample evidence reveals how they failed to a significant degree. In the 1980s and 1990s, carceral workers would go on to play a role delegitimizing rehabilitation in favor of far more punitive correctional policies. At the same time, however, the expansion of the carceral state created also created opportunities for people with much different experiences and viewpoints to Wilkinson’s.

¹¹⁹ Ibid., 106.

¹²⁰ See Cummins, *The Rise and Fall of California’s Radical Prison Movement*, 255–56; Kohler-Hausmann, *Getting Tough*, 251–53.

As the next chapter will show, before the rise of mass incarceration, some carceral workers sought to leverage their jobs to contest the uncertain moment of the late-1960s and early-1970s, when a different future arguably appeared on the horizon.

CHAPTER FOUR

Contesting Decarceration Through Carceral Work: Black Carceral Workers and the RODEO Program

Those who inhabit it [the prison] and feed off its existence are historical products.

—George Jackson¹

A second concept fundamental to the democratic ideal is the belief that all humans have essential dignity just by being human. The capitalistic system in which we operate has negated this principle to a degree by according and equating dignity with accomplishment, material possessions and social status. RODEO has made an attempt to rebalance the equation to its original emphasis, the dignity of humanity.

—Ruth Rushen, Los Angeles County Probation Office²

For too long, the justice system has been a white man's plantation, and society has suffered as a result of its failure.

—Willie Jackson, California Black Correctional Coalition³

* * *

In February of 1971, Reader's Digest published an article about California's probation subsidy program, which, by that time, had diverted nearly 20,000 people from incarceration. The title of the article, "The Way to Lick the Jail Habit," was a double entendre. On the one hand, it referred to the problem of recidivism; how incarcerated people, more and more of whom were believed to be addicted to drugs, had a "habit" of returning repeatedly to prison or jail. On the other hand, the title also implicated California's costly and increasingly futile "habit," continuously fed over the preceding thirty years, of responding to the overcrowding that plagued

¹ Jackson, *Soledad Brother*, 18.

² Ruth Rushen, "A Proposed Model for the Application of the New Careers Approach in the Field of Corrections: A Case Study of the RODEO Project (Reduction of Delinquency Through Expansion of Opportunity)," (Master's Thesis, University of Southern California, 1971), 4.

³ "Black Prison Workers Protest New Changes in Hiring Rules," *San Francisco Sun Reporter*, May 5, 1977.

its prisons and jails by building more such institutions. The state's unprecedented investment in expanding its carceral capacity—totaling more \$200 million by the time the early-1970s—had been justified as the necessary prerequisite for establishing a modern correctional system capable of turning the rehabilitative ideal into a reality. As the legitimacy of that project began to erode, the probation subsidy program emerged as a viable alternative. Thanks to the financial incentives that were put in place through the program, California counties could now claim thousands of dollars in state funding for every individual whom they refrained from committing to state custody. Simply not sending people to prison, *Reader's Digest* explained, was the way to lick the jail habit. The thinking was that local officials could use money that might otherwise be spent on even more prison construction to address the root causes of crime in more meaningful ways.⁴

To dramatize the story of the probation subsidy program, the article profiled one carceral worker in particular: a Los Angeles County probation officer named Ruth Lovell Rushen. Born in 1924 and raised in Sunflower County, Mississippi, Ruth moved west after earning a bachelor's degree in social studies at Clark College in Atlanta, a historically Black institution.⁵ By 1950, she had arrived in Los Angeles and married her first husband, who worked as a mail separator. Ruth found a job of her own working as a typist for a religious organization, and together the couple supported Ruth's mother, Violet.⁶ For her part, Violet had been born in Mississippi in

⁴ Velie, "The Way to Lick the Jail Habit."

⁵ 1930 United States Federal Census, Beat 5, Sunflower County, Mississippi, 39A, Ancestry.com. Much of Rushen's social history and that of her family was derived from genealogical research, but for another source about her professional life, see "The Woman who Runs California's Prisons," *Ebony Magazine*, June, 1981.

⁶ 1950 United States Federal Census, South Los Angeles, Los Angeles, California, sheet 240, Ancestry.com.

1889 to parents who themselves had likely been born enslaved.⁷ She married a man named Samuel Harris, Ruth's father, but it appears that Violet supported herself and her four children singlehandedly at times. A 1930 census record lists her as being widowed and the head of the household, with both her and her eldest daughter, who was eleven years-old that year, working on a farm, yet the 1940 census puts Samuel back in the home with Violet.⁸ Whatever the case, by 1950, Violet lived with Ruth on East 131st Street in South Los Angeles, just off Central Avenue in the Willowbrook neighborhood. By 1953, after Ruth divorced her first husband, she remarried a man named Allen Rushen.⁹ The son of a school principal, Allen had been born in Leesville, Louisiana, in 1928. When he enlisted in the military at the age of eighteen, he was a student at the Tuskegee Institute, and in 1950 he was studying in Marshall, Texas, possibly at Wiley College, another historically Black institution.¹⁰ By 1952, the year before he married Ruth, when he registered to vote in Los Angeles, he listed his address as 504 East 69th Street, a ten-minute drive down Avalon Boulevard from where Ruth was living at the time.¹¹ Like many Black Angelenos, Ruth and Allen eventually found work in the public sector. Allen worked as a program analyst for the county government, while Ruth, in 1956, took a job as a deputy probation officer. This set her on a twenty-six-year career in carceral work, beginning with an entry-level job as a juvenile supervision officer. In 1958, she became a training officer, and in

⁷ 1900 United States Federal Census, Gainesville, Hancock, Mississippi, 16, Ancestry.com.

⁸ 1930 United States Federal Census, Beat 5, Sunflower County, Mississippi, 39A, Ancestry.com; 1940 United States Federal Census, Yazoo, Mississippi, 22B, Ancestry.com.

⁹ California Marriage Index, 1949–1959, 846 Ancestry.com.

¹⁰ WWII Draft Registration Cards for Alabama, 10/16/1940–3/31/1947, Records of the Selective Service System 147, Box 237, National Archives at St. Louis, Missouri, Ancestry.com; 1950 United States Federal Census, Marshall, Harrison, Texas, roll 3026, sheet 9, Ancestry.com.

¹¹ Great Register of Voters, 1900–1969, California State Library, Ancestry.com.

1961 she promoted to supervisor. Four years later, Ruth took on an administrative role managing care and treatment at MacLaren Juvenile Hall, the aging and badly overcrowded jail-like facility for abandoned or neglected children that, by the mid-1960s, the county's voters were refusing to pay to modernize. A decade later, in 1975, Governor Jerry Brown nominated Ruth to sit on the state parole board, the Adult Authority. Five years after that, in 1980, Brown nominated her again, this time to serve as the director of the Department of Corrections. Ruth held that position for two years. She was both the first woman and the first African American to do so, and no other Black woman has done so since.¹² *Reader's Digest* did not provide any of this social history, but as this chapter seeks to argue, it is important for understanding what made Rushed and others like her significant to the history of California's carceral state.

In 1967, Rushen distinguished herself by administering one of many new programs funded through the probation subsidy that aimed to divert people, especially young people, from incarceration, and it was this program that the magazine focused on. The program had an awkward title—Reduction of Delinquency through Expansion of Opportunity—colloquially abbreviated as RODEO. It had two goals. The first was to prove that incarceration was an ineffective means of dealing with delinquent youth. During its pilot phase, a group of 120 boys who would otherwise have been sent to one of Los Angeles County's probation camps or to a YA prison were instead left in their communities under the supervision of four specialized probation units, which Rushen managed. These units were funded with probation subsidy dollars, and the people who staffed them were the object of RODEO's second goal. Instead of the college-educated professionals who corrections officials felt should carry out the work of rehabilitation

¹² "The Woman who Runs California's Prisons," *Ebony Magazine*, June, 1981; "RODEO Is _____," Kenneth Hahn Papers, Box 291, Folder 3, Huntington Library and Archives.

as prison guards, counselors, parole agents, or probation officers, Rushen chose to staff RODEO's units with people whose life experiences more closely matched those of the young people who were at risk of being sent to prison. Rushen believed that poor and working-class people of color, people with limited formal education and work experience, and with no background or training whatsoever in carceral work would be more capable than the kinds of people preferred by Richard McGee or Walter Dunbar of effectively mediating whatever problems might arise in the lives of the primarily Black and brown youth who were coming into contact with LA's courts, and their families, and thus help them avoid violating the terms of their probation and facing imprisonment. As Rushen put it, RODEO's workers were meant "to be *of* the community, as well as *in* it."¹³ In this way, she sought to show that the kind of people who did carceral work mattered.

This chapter is about how some Black carceral workers contested the moment of contingency that emerged surrounding the crisis of correctional policy in the late-1960s and early-1970s. It shows how a subset of those who came to work within the carceral state demonstrated a unique—though not innate—commitment to limiting the further spread of the carceral state and the harms they knew it was capable of causing. As with the subsidy caseloads described in the previous chapter, through RODEO, Rushen tried to change the nature of the work that her probation officers did, orienting their work process more directly toward meeting the needs of LA's court-involved youth and their families. At the same time, Rushen also tried to change who was given the opportunity to do that work in the first place. As with the example of Jim Lewis, from the introduction, in the RODEO program, the three dimensions of the relationship between labor and incarceration that this dissertation focuses on begin to overlap

¹³ Ruth Rushen, "A Proposed Model," 80.

one another, as carceral work becomes a possible career pathway for people—some of whom had experienced incarceration themselves—who had been shut out of California’s political economy during the postwar decades. The chapter adds to an important set of debates within the scholarly literature on the carceral state, both about the political valence of carceral workers as a whole, and about the complex and contradictory relationship that developed between Black and Mexican American communities and the criminal justice system.¹⁴

In order to better contextualize Rushen’s story and the story of the RODEO program, the chapter begins by looking closely at the social histories of a group of Black people who found work in the carceral state during the postwar decades. From there, it examines the ways in which some Black and Mexican American carceral workers tried to build a political coalition that would be capable not only of challenging the racial discrimination that they faced, and incarcerated people faced within in the carceral state, but also of advocating for more meaningful solutions to the social problems that funneled so many people from their same communities into prison and jail. To the extent that scholars of California’s carceral state have studied carceral workers during the 1960s and 1970s, they tend to treat them as a monolithic group—white, male, conservative, and broadly in support of the turn toward more punitive criminal justice policies in response to the failure of the rehabilitative ideal and the politicization of prisons.¹⁵ Arguing that

¹⁴ On the relationship between the Black community and the carceral state, see Forman, *Locking Up Our Own*. See also, Michael Javen Fortner, *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge, MA: Harvard University Press, 2015). Fortner’s arguments, in particular, have come under significant scrutiny. See, for example, Donna Murch, “Who’s To Blame For Mass Incarceration?” in *Boston Review*, October 16, 2015: <https://www.bostonreview.net/articles/donna-murch-michael-javen-fortner-black-silent-majority/>.

¹⁵ For example, although Volker Janssen does discuss Black correctional officers at times, he ultimately characterizes prison guards as a group of people who “shared a common culture deeply rooted in gender, race, and class,” who formed their political identity in response to efforts to empower prisoners, to assert their constitutional rights, or to improve programs aimed at their rehabilitation motivated early unionization efforts among guards who “shared a common culture deeply rooted in gender, race, and class.” “No matter how constrained the opportunities for the social betterment of the urban, poor, nonwhite prisoners in penal welfare,” he continues, “the very suggestion that such opportunities should exist raised the ire of their white male keepers.” See “Convict Labor, Civic Welfare,” 525–29. Joshua Page is more singularly focused on prison guards in his study of the history and politics of the

this understanding is not so much wrong as incomplete, this chapter seeks to tell a more complicated story that focuses on carceral workers of color who did not fit that mold. The chapter concludes by returning to the RODEO program, which was largely successful in its aims. The chapter considers the experiences of the people whom Rushen, as well as the young people who were assigned to RODEO in lieu of incarceration. Despite the program's success, and despite the opening of carceral work to even greater numbers of Black and Mexican American workers during the 1980s, the carceral state became an even more pernicious vehicle for racial and economic domination during the age of mass incarceration. Knowing this may make it tempting to dismiss Rushen's efforts and the efforts of others like her as naïve or wrong-headed, but this chapter hopes to show that to do so would be to overlook important possibilities that people like her helped open up at a moment when the future of correctional policy was still uncertain.

How and why Black workers entered the carceral workforce

For a variety of reasons, many people of color became carceral workers in California during the postwar decades, following pathways that mirrored Ruth Rushen's journey into the LA County Probation Department. For one thing, the professionalization of carceral work that

California Correctional Peace Officers Association. He identifies an insular group of men, including the infamous Don Novey, known as the "Folsom pugs" who all shared "similar backgrounds." "Until the mid-1970s," Page writes, "nearly all of the prison officers at Folsom were white males, the vast majority of whom had fathers or other relatives who worked at the prison... The officers were politically conservative men who identified with rugged, ultra-masculine, cowboy types like John Wayne. As many of the officers were military veterans, they embraced the prison's paramilitary leadership structure and affections." This group of guards, Page notes, were also opposed to the entrance of women into carceral work, as they were to the culture of rehabilitation itself. See *The Toughest Beat*, 31. For other similar accounts, see Cummins, *The Rise and Fall of California's Radical Prison Movement*, 230–31; Hill, "The Common Enemy is the Boss and the Inmate"; Irwin, *Prisons in Turmoil*, 193–52; Keramet Reiter, *23/7: Pelican Bay Prison and the Rise of Long-Term Solitary Confinement* (New Haven: Yale University Press, 2016), 36, 74; and Thompson, "Rethinking Working-Class Struggle through the Lens of the Carceral State," 15–45.

accompanied the rise of the rehabilitative ideal brought higher wages, improved benefits, and new forms of job security for prison guards, parole agents, probation officers, and others. Those changes would have meant something to people of all races, but they would have been particularly attractive to working-class people of color who faced economic discrimination in the hardening postwar labor market. As other historians have emphasized, after World War II, public sector employment provided an important economic foothold for people of color in California, and for Black people especially, and expanding access to public sector employment was a key demand of the Civil Rights Movement.¹⁶ Although carceral workers made up a comparatively small proportion of the overall public sector workforce, nevertheless, the state's carceral expansion opened up thousands of new jobs that many Black and Mexican American workers took advantage of. As George Jackson suggests, these men and women were historical products, and historicizing their lives and actions helps to illustrate why so many people of color took jobs within the carceral state during this period. The solidification of racialized structural unemployment as a permanent feature of California's postwar political economy helped create the conditions for rising rates of incarceration among people of color, but it also made the kind of security that came with a job as a prison guard or a probation officer that much more valuable to people from the very same communities. This section illustrates this point, placing it in a larger context in which the relationship between communities of color and the carceral state was becoming increasingly strained.

In 1964, the *Los Angeles Sentinel*, a Black-owned newspaper, published a series of articles about the roles that Black workers played within the law enforcement and correctional

¹⁶ See Jane Berger, *A New Working Class*; Jones, "The Other Operation Dixie"; Robert O. Self, *American Babylon*, 84; Sides, *LA City Limits*, 88–92.

agencies that operated in LA County. The paper published five articles that profiled the police department, the county probation department, the state youth and adult correctional agencies, and the newly-opened women's jail, which was operated by the county sheriff. The articles document the emergence of a Black carceral workforce in California, and with additional genealogical research, it is possible to make reasonable claims as to what carceral work might have meant to those within the Black community who were willing to take on such roles in cities like Los Angeles.

In order to understand the significance of the *Sentinel* series and the workers it depicts, however, it is important to first understand the broader context of the Black community's struggle against police repression, which may indeed have motivated the publication of the series to begin with. During the spring of 1964, the relationship between law enforcement and the Black community in LA had become especially hostile. After numerous instances of police brutality, Black residents felt emboldened to openly confront the police in their neighborhoods. The night of April 11, for instance, saw three separate confrontations between police and Black residents in South LA.¹⁷ The press picked up on these events, and Black LA City Councilmember Billy G. Mills publicly validated the community's anger by telling a reporter that he himself had been stopped many times while driving, "not because I was violating the law, but because they saw me at night driving a car provided by the city."¹⁸ Days later, police Chief William Parker responded by chastising Mills for providing "rationalization or excuse for

¹⁷ "Crowds Attack Police Here for Third Time," *Los Angeles Times*, April 12, 1964.

¹⁸ "Civic Relations Course for Police Suggested," *Los Angeles Times*, April 14, 1964.

lawless behavior,” that he said “can only serve to stimulate further disorders and additional physical demonstration against constituted authority.”¹⁹

On April 23, two white officers pulled over twenty-one-year-old Melvin Townes for driving with a faulty tail light and without a front license plate. Melvin complied at first, but then refused to accept the citation the officers tried to give him. The officers claimed that Melvin “talked back” to them before fleeing the scene. Melvin drove to his home, parked his car in his driveway, and placed his driver license on the roof of the vehicle for the officers to inspect. When the officers tried to physically detain him, Melvin’s wife, Arvella, came outside to defend her husband. According to the police and the *LA Times*, as many as one hundred neighbors gathered, some of whom supposedly “mauled and kicked” the officers in defense of the Townes. Eyewitnesses disagreed. “There wasn’t any 100 people involved,” said Vivian McLaughlin, a neighbor of the Townes. “There ain’t that many people in the neighborhood.” A group of twelve Pacoima residents who provided statements said that the two officers “viciously yanked” Melvin from his car, before “roughing up” Arvella. “What starts trouble is when people think they’re better than others,” McLaughlin said. “It’s just, they [the police] don’t have the right approach. They don’t respect you. What are you going to do?” Melvin and Arvella were eventually arrested along with four of the young people who came to their defense.²⁰

Importantly, such incidents took place amid a much larger wave of police violence and Black resistance, both within and beyond Los Angeles.²¹ On April 27, James Farmer, the

¹⁹ “Parker Criticized Talk That Encourages Strife,” *Los Angeles Times*, April 19, 1964.

²⁰ Paul Weeks, “More Resistance to Police Arouses Growing Concern,” *Los Angeles Times*, April 24, 1964.

²¹ As Max Felker-Kantor has documented, anti-Black racism had been a part of the police culture in Los Angeles for many years, and the racial profiling of Black residents was a regular practice within the LAPD. The level of police violence began to intensify in the mid-1960s, however, with 65 police killings taking place between January of 1964 and July of 1965. See, *Policing Los Angeles*, 20–26. Garrett Felber also writes about the history of anti-Black

National Director of the Congress of Racial Equality (CORE), landed in Los Angeles to attend a series of strategy meetings for his organization. In New York City the week before, Farmer and 300 other CORE members had been arrested for disrupting the opening of the 1964 World's Fair, hoping to highlight the exploitative rents, racist hiring practices, and police brutality that the city's Black residents faced.²² When asked about the developing story in Los Angeles, Farmer accused the LAPD of intentionally recruiting white officers from the south. Chief Parker and the city personnel manager rebuffed the accusation by saying that they had stopped placing recruitment ads in southern newspapers in 1962, and anyway that only thirteen percent of the department's officers were born in the south.²³ This was hardly the consolation they thought it was. By early May, twelve local CORE chapters along with the United Civil Rights Commission openly demanded that Parker either resign or be fired by the city council.²⁴ Much of the city's power structure backed the chief. Mayor Yorty dismissed charges of racism because, in his words, the police commission was already headed by a "responsible" Black man. Councilmember Louis R. Nowell, a retired fire captain and one-time president of the police and firemen's union, introduced a "resolution of confidence," which the council passed thirteen-to-two. The two nay votes came from Mills and another Black representative, Gilbert Lindsay.²⁵ Outside of government, the chamber of commerce publicly backed Parker, as did some members

policing in Los Angeles in contextualizing the 1962 murder of Ronald Stokes outside of the Nation of Islam Mosque No. 27 in South LA. *Those Who Know Don't Say*, 120–50.

²² Don Irwin and Jerry Hulse, "N.Y. On High Alert," *Los Angeles Times*, April 22, 1964; Don Irwin, "294 Arrested in Clashes at Fair's Opening," *Los Angeles Times*, April 23, 1964.

²³ Lance Brisson, "Parker, CORE Chief Predict More Anti-Police Outbreaks," *Los Angeles Times*, April 27, 1964; Paul Weeks, "Parker Cites Figures on Recruitment," *Los Angeles Times*, April 28, 1964.

²⁴ "Rights Leaders Renew Police Review Demands," *Los Angeles Times*, April 30, 1964; Erwin Baker, "Police Board, Yorty, Council Back Parker," *Los Angeles Times*, May 7, 1964.

²⁵ Erwin Baker, "Police Board, Yorty, Council Back Parker," *Los Angeles Times*, May 7, 1964

of the Black clergy.²⁶ The *LA Times* editorial board also weighed in, claiming that CORE did not speak “for all, or even most Negroes” and that the “responsible Negro community” would never condone violence or lawlessness. “There should indeed be widespread demonstrations,” the editorial board wrote, “but they should be for law and order—not challenging it. All citizens should join with the City Council in reaffirming their support of the law and the chief appointed to enforce it.”²⁷ Soon, the city council would convene another round of hearings on police abuse, and all of this unfolded as President Lyndon Johnson warned that violent protests threatened to scuttle the Civil Rights Act, which was then before Congress.²⁸

The journalist who wrote the *Sentinel* series, L. M. Meriwether, was keenly aware of this context. In March of 1964, after already publishing the first piece in the series, which focused on the new women’s jail, he wrote an article about James Baldwin. Baldwin was visiting LA for the premier of his play *The Amen Corner*. Meriwether venerated the Black author, who had been using his intellect and capacity with language to clarify for ordinary people the racism that pervaded US society. “They can’t live with us and they can’t live without us,” Meriwether quoted Baldwin. “Once they needed us for a source of cheap labor, but now we are no longer of utilitarian value, and they don’t know just what to do with us.” Indeed, Baldwin’s words attest to the extent to which structural unemployment was becoming an increasing problem for Black people, especially, and he connected this development to the carceral state by helping Meriwether to see that Black people were, in Meriwether’s paraphrasing, “penned in like a hog

²⁶ Paul Weeks, “Demand for Parker’s Resignation Criticized,” *Los Angeles Times*, May 8, 1964; “‘Few’ Responsible for Militancy, Negro Says,” *Los Angeles Times*, May 30, 1964.

²⁷ “The Voices of Intimidation,” editorial, *Los Angeles Times*, May 7, 1964.

²⁸ “The Nation,” *Los Angeles Times*, April 19, 1964; Erwin Baker, “City Hall Open Meeting to Prove Racial Conflict,” *Los Angeles Times*, May 31, 1964.

within the prison system.”²⁹ A month after his encounter with Baldwin, Meriwether found himself covering the fallout of clashes between Black residents and police.³⁰ Though he tended not to editorialize, after hearing an objectional broadcast on KNX radio in which the vice president of CBS denied the existence of racism in LA and accused Black leaders like Tom Bradley of inciting the Black community to protest, Meriwether candidly expressed his own feelings and undoubtedly those of many others. “I would like to say,” he began, “that you insult the integrity of our race if you believe the Negro is kept in a state of resentment at what he is told is injustice and unfair treatment. The Negro does not have to be told that he has been the victim of violence, intimidation, and moral degradation for 100 ‘free’ years.” “Apparently,” Meriwether continued, “what you have to be told... is that the Negro people are involved in a just revolution to obtain their long overdue rights... For the most part, this revolution has been remarkably nonviolent, on the part of the Negroes, that is!”³¹

It is difficult to square Meriwether’s passionate condemnation of Black oppression at the hands of police with his articles in the *Sentinel* series on Black workers in the carceral state, the first of which reads like an advertisement for the rehabilitative ideal. Covering the newly-opened women’s jail, the Sybil Brand Institute, Meriwether emphasized how much of an improvement it was over the “fishy-smelling, overcrowded” facilities where women prisoners had previously been incarcerated. “When we were at the Hall of Justice,” one deputy sheriff told Meriwether, “we were so overcrowded that cell blocks designed for two women had to house

²⁹ L. M. Meriwether, “Crimes Against the Negroes, Crimes Against the Holy Ghost,” *Los Angeles Sentinel*, March 5, 1964.

³⁰ For Meriwether’s coverage of the community opposition to police abuse, see his *Sentinel* articles “Citizens, Police in Head-on Clash,” April 16, 1964 and “Parker Stirs Debate,” May 7, 1964.

³¹ L. M. Meriwether, “An Open Letter to KNX Radio Station,” *Los Angeles Sentinel*, May 7, 1964.

five. We had them sleeping in the corridors and on the floors.” On the other hand, the new jail had ample space and was only half-full when Meriwether was let inside. Meriwether also reported on the improved programming at the jail, and although he briefly mentioned counseling and religious services, he focused mainly on the jail’s work programs. “The institution is a modern city in miniature,” he wrote. “The prisoners make all their own clothes, bedding, hospital supplies, repair clothing for the men’s prisons and make dolls for Christmas. The sewing room looks like a large-scale factory, equipped with the latest power sewing machines.” In addition to textile work, the women also worked in the jail’s beauty parlor, its laundry, and its kitchen. Instead of monetary compensation, they were given time credits—five days per month—for taking a work assignment. “But what’s more important,” Meriwether quoted the jailer, “is that our women can learn a trade in here which they can use in the outside world.”³²

In addition to the work programs that incarcerated women were made to participate in, Meriwether also emphasized the work done by the sheriff’s deputies themselves. One of Meriwether’s main sources was a woman named Captain Ruth Johns, “a gracious and greying grandmother of three” who had worked in corrections for two decades. He wrote that Johns was “largely responsible for replacing drab prison gray and dull khaki green with warm pastel colors,” and was thus instrumental in the jail’s comparatively modern, home-like design. Johns also enjoyed her work. Her “greatest feeling of accomplishment,” she said, was when “some ex-prisoner telephones to thank her for some helpful advice.” She had no trouble encouraging others like her to consider law enforcement as a career. “Most women don’t realize the diversified careers which are available in the sheriff’s department,” Johns said. “The work is

³² L. M. Meriwether, “New Women’s County Prison: Jail Has All the Comforts of Home (Almost),” *Los Angeles Sentinel*, January 16, 1964.

worthwhile and rewarding.” Unlike the workers featured in Meriwether’s subsequent reporting, Johns was white. Meriwether did note, however, the fact that the jail’s staff was integrated, and that only one man worked there out of nearly one hundred employees.³³

While Meriwether’s first article about the new women’s jail appeared in January of 1964, the other four articles appeared in quick succession at the end of April and into May, at the height of the fallout over the Black community’s resistance to police violence, and they identify a cohort of Black men and women who worked for the LAPD, the LA County Probation Department, the YA, and the CDC. The subsequent articles lack the kind of first-hand reporting that Meriwether provided in his story about the Sybil Brand Institute. They lack direct quotations from staff, and read as if Meriwether only had time to review and regurgitate the official reports of these agencies. Maybe this had to do with what was going on at the time, or, maybe Meriwether or his editors rushed these stories to print, either in an attempt to sell newspapers or to shore up the legitimacy of the carceral state in the eyes of the Black community, or both. The article on the LAPD was comparatively brief, but the three articles that followed contained much more detailed information. Meriwether’s language was matter-of-fact, simply describing important aspects of each agency: the probation department’s group guidance program; the demographics of the state youth and adult prison system and the increasing number of people committed to both; the new drug rehabilitation center in Corona; proposals for community correctional programs. Although the stories lacked interviews, either Meriwether or a photographer spent time observing and photographing some of the agencies’ Black workers—twenty-seven individuals, in all. Viewed on the page, the photographs are more prominent and, in some ways, more detailed than Meriwether’s text. It is as if the paper were trying to

³³ Ibid.

emphasize the fact that, perhaps unlike the police, these correctional agencies included Black people who were professional, who were smartly dressed, and who were trying to do good work to help members of the Black community who found themselves in trouble. By identifying these individuals, Meriwether provided a basis for reconstructing their social histories through genealogical research³⁴

Take Victor Mack, for instance, for whom a job in corrections helped him to maintain a middle-class status that he was born into. Born in 1927 to George and Mae Mack, Victor came from a comparatively secure background. His parents were educated. His father had a degree in personnel administration from Hampton University, a historically Black college in Virginia, and his mother attended Florida A&M and later Hunter College in New York. It is not clear if Victor's mother worked, but his father spent thirty years as a petty officer in the Navy, retiring in 1952. By 1950, the family was living in Long Beach and Victor was working as a truck driver.³⁵ A local newspaper featured Victor's brother, George, in a column about prominent Black residents in the city. According to the column, while George was attending the Paris Conservatory of Music, Victor had recently completed a bachelor's degree in psychology from San Diego State College and was currently working towards a master's degree in the same field at USC, where he may have studied at the Delinquency Control Institute or completed coursework under its faculty.³⁶ Victor later took a job as a playground director for the county

³⁴ See L. M Meriwether's articles, all published in the *Los Angeles Sentinel*, "L.A.'s Finest: The Men and Women in Blue," April 23, 1964; "Rehabilitation is Job of Probation Department," May 7, 1964; "Juveniles Receive Special Care Under Youth Authority Agency," May 21, 1964; and "Corrections Department Runs State Jails," May 28, 1964.

³⁵ Bureau of the Census; Washington, D.C.; *Seventeenth Census of the United States, 1950*, Long Beach, Los Angeles, California, Roll 5858, Sheet 11, Enumeration District 65-301, via ancestry.com, accessed October 21, 2022.

³⁶ Vera Williams, "Who Are Their Leaders?" *Long Beach Independent-Press-Telegram*, November 23, 1952.

Department of Recreation, and at some point he switched over to work for the YA. By 1964, when his picture appeared in one of Meriwether's articles, Victor was working as a supervising parole agent in the Los Angeles YA parole office.³⁷ It is not clear why he left his job as a playground director, but the expansion of the YA created many opportunities for people of his age and educational background, and Victor took one.

Unlike Victor, for Jack Clarke carceral work provided a ladder of upward mobility. Born in 1914 in San Francisco, Jack was the first of five children. His parents, George and Virgie Clarke, had both been born in Maryland sometime around 1885. Virgie's background is unknown, but George was raised in Baltimore, and his parents (Jack's paternal grandmother and grandfather) had worked as a cook and as a stevedore.³⁸ By 1910, likely in pursuit of economic opportunity, George and Virgie had moved to San Francisco, where they both listed the same Japantown address on their voter registration cards.³⁹ During World War I, when George registered for the draft, he was working as a laborer for the Shaw-Batcher ship company.⁴⁰ Two years later, in the 1920 census, he was still working in the shipyards, but this time he was listed as steelworker.⁴¹ At some point, however, George either decided to leave the shipyards or he was forced to leave. By 1930, when he and Virgie were caring for five children between the ages of

³⁷ "Juvenile Receive Special Care Under Youth Authority Agency," *Los Angeles Sentinel*, May 21, 1964.

³⁸ Bureau of the Census, Washington, D.C.; *Twelfth Census of the United States, 1900*, Baltimore Ward 14, Baltimore City (Independent City), Maryland, Roll 614, Page 9, Enumeration District 01744, via ancestry, accessed October 19, 2022.

³⁹ California State Library; Sacramento, California; *Great Register of Voters, 1900-1968*, via ancestry.com, accessed October 19, 2022.

⁴⁰ *U.S., World War I Draft Registration Cards, 1917-1918*, Registration State: California; Registration County: San Francisco, via ancestry.com, accessed October 19, 2022.

⁴¹ Bureau of the Census; Washington, D.C.; *Fourteenth Census of the United States, 1920*, San Francisco Assembly District 30, San Francisco, California, Roll T625_139, Page 1B, Enumeration District, 233, via ancestry.com, accessed October 19, 2022.

five and fifteen, George was working as a janitor. To supplement their income, the family had taken in a boarder who also worked as a janitor.⁴² By 1940, at the age of fifty-four, George was working as a service attendant for a car dealership. By that time, Virgie had taken up work as a matron at a motion picture house.⁴³

As a young man, Jack's prospects were dim, and by taking a job in one of the YA's new conservation camps after World War II, he managed to avoid returning to the stagnant life he had lived before the war. In 1932, he was a promising graduate of Galileo High School, near Fort Mason. He played football, ran track, and rowed for the crew team. He was class secretary his senior year, and also a member of the gavel society. He told the yearbook editor that he wanted to become a dentist.⁴⁴ Jack never realized that ambition, however. By the time he enlisted in the Army, in 1942, Jack was working as a doorman at an apartment building in the Tenderloin. He was twenty-six years old, had not attended college, and still lived with his parents.⁴⁵ While it is impossible to know exactly what happened in Jack's life in the decade between his high school graduation and his enlistment, as a young Black man living a city with a racially segregated labor market entering his prime wage-earning years at the height of the Great Depression, his opportunities were surely limited. After the war, things improved. Sometime before 1950, Jack

⁴² Bureau of the Census; Washington, D.C.; *Fifteenth Census of the United States, 1930*, San Francisco, San Francisco, California, Page 19A, Enumeration District 0334, via ancestry.com, accessed October 19, 2022.

⁴³ Bureau of the Census; Washington, D.C.; *Sixteenth Census of the United States, 1940*, San Francisco, San Francisco, California, Roll m-t0627-00319, Page 1A, Enumeration District 38-532, via ancestry.com, accessed October 19, 2022.

⁴⁴ Jack Byron Clarke, Galileo High School, 1932, US School Yearbooks, 1880–2012, via ancestry.com, accessed October 19, 2022.

⁴⁵ National Archives at College Park, College Park, Maryland, USA, *Electronic Army Serial Number Merged File, 1938-1946*, NAID: 1263923, Record Group Title: *Records of the National Archives and Records Administration, 1789-ca. 2007*, Record Group 64, Box Number, 13916, Reel 157; National Archives at St. Louis, St. Louis, Missouri, *WWII Draft Registration Cards for California, 10/16/1940-03/31/1947*, Record Group: *Records of the Selective Service System, 147*, Box 333. Both records accessed via ancestry.com, October 19, 2022.

took a job with the YA. That year, he was working as the assistant superintendent of the Pine Grove conservation camp, east of the town of Jackson in Amador County in the foothills of the Sierra Nevada.⁴⁶ By 1964, when he appeared in one of Meriwether's articles, he was working as a supervising parole agent in the agency's Riverside County office. He and his family lived in one of the suburban housing subdivisions that went up in the Inland Empire during these years.⁴⁷

Tom Meeks' experience was similar to Jack Clarke. The third of five children, Tom was born in 1917 in Joplin, Missouri. For most of his childhood, Tom's father worked as a night watchman at the local ten cent store.⁴⁸ In 1940, at the age of twenty-two, Tom still lived at home, and the census taker listed no occupation under his name. The Meeks family's only other reported income that year came from Tom's older sister, Thelma, who worked as a public-school teacher.⁴⁹ Over the next decade, Tom's life changed dramatically. He enlisted in the Army, and in 1943 he married a school teacher from Waxahachie, Texas, named Rossye Gibson.⁵⁰ By 1950, the couple had moved to Los Angeles. Rossye found work as a typist for the Veterans Administration, and Tom became a social worker for the county welfare department. They lived on the northern edge of the Crenshaw neighborhood, and together they helped support Tom's

⁴⁶ United States of America, Bureau of the Census; Washington, D.C.; *Seventeenth Census of the United States, 1950*; Record Group: *Records of the Bureau of the Census, 1790-2007*; Record Group Number: 29; Residence Date: 1950; Home in 1950: *Amador, California*; Roll: 2741; Sheet Number: 44; Enumeration District: 3-8. Accessed via ancestry.com, October 19, 2022.

⁴⁷ Social Security Administration; Washington D.C., USA; *Social Security Death Index, Master File*, accessed via ancestry.com, October 19, 2022.

⁴⁸ Bureau of the Census; Washington, D.C.; *Fourteenth Census of the United States, 1920*, Joplin, Jasper, Missouri, Roll, T625_921, Page 7A, Enumeration District 45, via ancestry.com, accessed October 18, 2022.

⁴⁹ Bureau of the Census; Washington, D.C.; *Sixteenth Census of the United States, 1940*, Joplin, Jasper, Missouri, Roll m-t0627-02117, Page 23B, Enumeration District 49-13, via ancestry.com, accessed October 18, 2022.

⁵⁰ Alabama, US, County Marriage Records, 1805–1967, ancestry.com, accessed October 18, 2022.

younger brother, Walter.⁵¹ Like Victor Mack, by 1953, Tom had graduated from the USC School of Social Work, and it is a safe bet that he had some exposure to people connected to the DCI, because the following year he left the welfare department to become a probation officer. By 1964 he had been promoted to supervisor of juvenile officers at the department's Crenshaw district office. In 1973, twenty-five years after he first found work with the county, Tom became an assistant chief probation officer.⁵²

Finally, Clarence Cabell's social history provides one last example of a Black man who ended up making his way to carceral work. Born in Ohio in 1921, Cabell had also migrated to Los Angeles by the early 1940s. According to his military record, in 1943, the year he enlisted in the Army, he was working in a laundry.⁵³ Three years later, however, after leaving the service, he took a job with the LA County Probation Department. By 1950, he was living in the West Adams neighborhood, though his home was likely demolished by the expansion of Interstate 10 in the late-1950s. According to his 1960 voter registration, he and his wife, Lydia, were living in the mid-Wilshire neighborhood.⁵⁴ Like Tom Meeks, Clarence also climbed the departmental ranks. In 1964, when the *Sentinel* carried his picture, Clarence was working as the director of the newly-opened Los Padrinos Juvenile Hall. He apparently did well in this role. In 1970, he

⁵¹ Bureau of the Census; Washington, D.C.; *Seventeenth Census of the United States, 1950*, Los Angeles, Los Angeles, California, Roll 2058, Sheet 4, Enumeration District 66-1027, via ancestry.com, accessed October 18, 2022.

⁵² "Announce New Probation Dept. Assistant Chief," *The Van Nuys News*, October 26, 1973.

⁵³ National Archives at College Park, Maryland, Electronic Army Serial Number Merged File, 1938–1946, Record Group 64, Box Number 14497, Reel 20, via ancestry.com, accessed October 18, 2022.

⁵⁴ Clarence and his wife Lydia were counted in the 1950 Census twice. One address is for a building that is still standing, 2650 South Manhattan Place, just north of the I-10 West on ramp at Western Avenue. The other is for a building that once stood a short distance away, at 2138 South Hobart Boulevard, but is now covered by the interstate itself. See, Bureau of the Census; Washington, D.C.; *Seventeenth Census of the United States, 1950*, Los Angeles, Los Angeles, California, Roll 2619, Sheet 16, Enumeration District 66-2141, and Roll 2619, Sheet 81, Enumeration District 66-2134, both via ancestry.com, October 18, 2022.

became the chief deputy county clerk. He eventually assumed the top position in that office, and when Kenneth Kirkpatrick was forced to resign his position as Chief Probation Officer in 1974, Cabell served as interim chief until a permanent replacement could be found.⁵⁵

Documenting the lives of those who appeared Meriwether's *Sentinel* series illustrates how Black people came to work within the carceral state, and what it meant for their lives. Importantly, although the section above only describes men, several women were also featured in Meriwether's articles. They included Tina Reed, a secretary in the juvenile gang unit of the probation department; Jean Sides, a supervising deputy probation officer at MacLaren Hall; Bonna J. Henderson, a supervising clerk for the YA; and Adelaide B. Herron, a parole agent with the YA in Van Nuys. Although no biographical details surfaced for these individuals, along with several other men who were photographed and named in the series, their experiences may have been similar to those of Mack, Clarke, Meeks, and Cabell. They may also have been similar to that of Ruth Rushen, and similar stories undoubtedly existed elsewhere in the California. Although the mere presence of Black workers inside the probation, prison, and parole systems did not itself lead to contestation, as the next section argues, Black workers intervened in important ways as the legitimacy of the carceral state began to erode.

Black worker organizing in the carceral state

Recovering the stories of California's Black carceral workers provides context for assessing the ways in which some of California's carceral workers sought to influence the trajectory of the criminal legal system during the late-1960s, when conditions were changing and the future was uncertain. To the extent that scholars have studied the politics of carceral

⁵⁵ See Clarence's obituary, "Clarence E. Cabell; Ex-County Clerk," *Los Angeles Times*, December 22, 1982.

workers, they have mostly focused on documenting how workers helped advance punitive or tough-on-crime policies.⁵⁶ In California, in particular, as the previous chapter touched on, the dominant narrative emphasizes how correctional officers responded to the heightened levels of political organizing that took place within the state prisons during these years, as well as the violence surrounding George Jackson's death, by calling for greater emphasis on custody and control as opposed to rehabilitation. According to Joshua Page, a sociologist who wrote an in-depth study of the politics of the California Correctional Peace Officers Association during the 1980s and 1990s, Jackson's death helped turn the union into a "pugilistic and radical" force, one that undoubtedly helped to tip the scales decisively away from efforts to diminish the size and scope of the carceral state during the 1970s and actively fueled its growth from 1980s on.⁵⁷ The fact that the nascent correctional officers union intentionally scuttled promising efforts to unionize—and therefore empower—incarcerated people is a testament to the fact that this was not only something that had to do with Jackson.⁵⁸

In addition to clear evidence of rising conservatism among guards, there is also evidence that many carceral workers of color, in particular, adopted a different kind of oppositional politics during this context, one that arguably aligned with the broader social movement

⁵⁶ For example, Rebecca Hill has shown how, during the city's fiscal crisis, guards in New York City's jails aligned themselves with the police in opposition to looming budget cuts, fueling a moral panic about public safety in the process. Hill also documents how correctional officers at the state level, both in New York and in Massachusetts, organized against efforts to improve prison conditions, to expand rights for incarcerated people, and to diversify their own ranks by hiring more Black and Spanish-speaking officers. The union that represented officers in New York State even opposed efforts to discipline staff members who openly affiliated with the Ku Klux Klan. The same union also carefully cultivated political power and influence in the state legislature, which they exercised to lobby for legislation enacting more punitive policies, both inside and outside of prisons. Hill, "The Common Enemy is the Boss and the Inmate."

⁵⁷ Page, *The Toughest Beat*, 25.

⁵⁸ In addition to Page, Eric Cummins also describe this development. See, *The Rise and Fall of California's Radical Prison Movement*, 230–33 and 252–53.

landscape of the period and was aimed at diminishing the harms that they knew incarceration could cause. For example, in 1968, two parole agents who worked for the Youth Authority in Los Angeles wrote to Governor Reagan to inform him of what they called “a policy of hiring and encouraging dissidents of the ‘SDS – New Left’ variety” in the Youth Authority. Such dissidents, these authors claimed, allegedly made up a majority of the parole agents in Los Angeles County. “Unbelievable as it must seem,” they wrote, “many are unwashed, smelly, bearded, extreme left wingers. They carry badges, are supposed to be law enforcement officers, yet they hate the police, the courts, and the government passionately. They don’t wear suits at times but brightly colored shirts, hippy beads, striped jackets, etc.” Although language nearly elicits a smirk on first pass, these authors were serious. Most of the dissidents, they claimed, were “Negro Black-power advocates,” as well as “sick, neurotic white fellow-travelers.” “They believe that Eldridge Cleaver, who is a parolee, should be president. They put pressure on decent Negro parole agents to conform to their radical views. Stokely Carmichael and Rap Brown are their idols. Whites are evil, and your administration consists of ‘pigs.’ Some are communists but most are members of other lunatic fringe groups. Some of the Black parole agents are secretly Panthers.” Citing fears of retaliation, these two parole agents signed their letter anonymously: “They [the dissidents] are now too powerful to be taken lightly. Can anything be done?”⁵⁹ Importantly, this is not the only example of such red-baiting.⁶⁰ And despite the tone of the letter, as this section

⁵⁹ Anonymous to Governor Reagan, November 3, 1968, Edwin Meese Papers, Box 392, Folder 1, Hoover Institution Library & Archives.

⁶⁰ John Irwin describes another example. According to him, in 1971, the vice president of the nascent prison guards’ union tried to entrap a psychologist who, while working at Soledad prison, refused to turn over his file on a prisoner accused of killing a staff member there. The vice president apparently believed that this psychologist, as well as CDC Director Raymond Procnier, belonged to the communist party and that they intentionally had the Soledad officer killed. See *Prisons in Turmoil*, 146–47.

shows, the authors were not wrong in their claim that significant opposition existed among their coworkers.

Claims that the carceral workforce had been infiltrated by members of the Black Panther Party or Students for a Democratic Society may seem far-fetched, but one series of events that agitated Black and brown workers in the YA suggests that they may have contained an element of truth. Not long after Governor Reagan received the letter described in the previous paragraph, a member of the local American Legion post who volunteered at the youth prison in Whittier distributed what Youth Authority Director Allen Breed described as “a pornographic cartoon with very racist implications.” The cartoon itself does not survive in the archive, only Breed’s description of it and, more importantly, the fallout from the incident. Two weeks later, on September 22, sixteen of Whittier’s staff signed their names to a letter to the superintendent of the prison. In it, they decried what they felt was a “climate of racism” that pervaded their workplace. Like Black and Mexican American workers in innumerable workplaces across the US, these workers felt that their employer deliberately segregated workers of color and pursued racist hiring and promotion practices. The workers demanded change. A week later, on September 29, these events were reported to Spencer Williams, the secretary of human relations and a member of the Reagan’s cabinet. Williams, in turn, asked the state Fair Employment Practices Commission to step in “to make an objective investigation of conditions at the institution.” The following day, Whittier’s superintendent met with a much larger group of staff. This group, which now identified itself as the “Black and Brown Employee Coalition,” numbered seventy-five in total.⁶¹

⁶¹ Allen Breed to Spencer Williams, November 10, 1969, Edwin Meese Papers, Box 391, Folder 4, Hoover Institution Library and Archives.

The rapid organizing of the Black and Brown Employee Coalition at the Whittier youth prison is a sign of broader discontent among carceral workers of color throughout the state. Apparently unsatisfied with whatever the prison's superintendent had to say, on October 8, some number of the coalition drove four hundred miles to Sacramento, where they met with co-workers from other work sites to escalate their campaign. At three o'clock that afternoon, a delegation of sixty workers accompanied by cameramen from local television news stations marched into the offices of the YA's deputy director of rehabilitation services, demanding an audience. Panicked, the administrator initially refused to meet with the group, offering instead to speak with a single spokesperson. The workers discussed and rejected this proposal. Instead, they offered to elect four spokespeople to dialogue with the administrators, but in the presence of the entire delegation. The administrator hesitated and eventually agreed. During the meeting, which lasted forty-five minutes, the workers made five key demands. Again, they emphasized the need to address racist hiring and promotional practices, but they also demanded that the YA empower their coalition to advise the director and his administrative staff directly on a continuing basis. Furthermore, they demanded "a policy that community-based Youth Authority operations have general social responsibilities extending beyond parolee supervision," as well as "appointments of personnel in communities consistent with the racial composition of the wards and communities involved."⁶² This last demand would come to mirror demands made by prisoners in their own organizing.⁶³

⁶² Ibid.

⁶³ As Volker Janssen has shown, for example, in August of 1970, on the day of the trial of George Jackson and the Soledad Brothers at San Quentin, one hundred Black prisoners delegated the prison yard office, demanding "the employment of a Black warden, two Black associate wardens, and a Mexican-American associate warden," as well as the hiring of more Black and Mexican-American guards. See "Convict Labor, Civic Welfare," 396-97. Additionally, the Folsom Prisoners Manifesto also included a demand for "the services of Ethnic Counselors for the needed special services of the Brown and Black population of this prison." *If They Come in the Morning*, 63.

As the situation continued to develop, evidence of deeper connections between organized carceral workers and the community emerged. Although Director Breed insisted that racism was not a problem within the YA, two groups of white workers at two separate institutions apparently continued to distribute the offensive cartoon that had tipped the whole thing off. When Breed tried to fire them, the state attorney general warned that their dismissal could not be sustained under law. Further, there was apparently a real possibility that doing so would spark a wildcat strike among some number of department's white staff. In response, the Black and Brown Employee Coalition reconvened in LA. This time, they won an audience with Breed himself. Of the one hundred people in attendance on the Coalition's side at that meeting, Breed wrote that "at least fifteen of the participants were not Youth Authority employees." "There was one person from the Black Students' Union," he continued, "several from the Mexican-American Correctional Association, several from the Watts Neighborhood Adult Participation Project, and a few Mexican-American adult parolees who seemed to want to enlarge this effort to a correctional confrontation rather than restricting it to the Youth Authority." Breed also mentioned that there were "a number of rather outspoken, radical employees" but that they were "outnumbered by the majority who advocated a more moderate approach." Two days after this meeting, eight employees elected to represent the group met with Breed a second time. There, they issued nineteen additional demands beyond those made by the initial delegation in Sacramento the previous month. Unfortunately, no record of this larger list survives, nor of the identities and affiliations of those who attended the meeting with Breed. The only archival evidence of this entire sequence of events is the memo that Breed submitted to Governor Reagan in summary.⁶⁴

⁶⁴ Ibid.

As Breed's account suggests, carceral workers of color formed numerous organizations similar to the Black and Brown Employee Coalition during this period, and although the archival record they left is sparse, it shows a clear concern for not only improving the lives of workers themselves, but also the lives of the "clients" who spent time in prison, on parole, or on probation. For example, in his testimony in support of the Humphrey-Hawkins Full Employment Bill in 1977, Jim Lewis mentioned an organization called Counselors West. Counselors West was a professional association of Bay Area probation and parole officers that, according to one local Black-owned newspaper, was "dedicated to protecting Black clients in penal institutions and the community." In 1970, the organization was honored by the local Urban League alongside a group police officers called Black Officers for Justice and the Black Panther Party's community breakfast program.⁶⁵ Beginning in 1972, Counselors West won a contract with the federal government to hire formerly incarcerated people to work as counselors. As Lewis put it, the group "employs twelve ex-cons, hardcore ex-convicts, grown men that have been through the state prison system, Folsom or San Quentin or some of the Federal prisons, and I mean it gainfully employs these people to work with youth within the East Oakland community."⁶⁶ Thus, the group mirrored programs like Operation Pathfinder (described in chapter two), as well as Rushen's work through RODEO (described below).

Along with the Black Probation Officers Association of Los Angeles and the Association of Black Correctional Workers, which represented workers in the YA and may have been an outgrowth of the agitation that began at Whittier, the probation and parole officers who organized Counselors West formed a statewide body known as the California Black Correctional Coalition

⁶⁵ "Urban League Annual Awards," *Sun Reporter*, April 18, 1970.

⁶⁶ Testimony of Willie Jackson and Jim Lewis, *Unemployment and Crime Hearings*, 416.

(CBCC). This was the organization that Willie Jackson, the man who brought Jim Lewis to speak before congress in 1977, had belonged to. The CBCC held annual training conferences that oscillated between the northern and southern parts of the state and attracted as many as a thousand workers from a variety of fields, including, in addition to the usual cast of carceral workers, social workers, police officers, teachers, and formerly incarcerated people. At the 1974 conference in Oakland, Tom Meeks introduced the keynote speaker, LA City Councilmember David Cunningham, who emphasized the need to address the root causes of crime, which he argued lay in California's exclusionary political economy. "The problem of crime will never be solved," he told the audience, "by changing and reforming conditions in the criminal justice system... Once a person has served his time in prison, he is thrust back into a society that he is not able to deal with in terms of being able to get a job."⁶⁷

In 1976, the CBCC invited Julian Bond to deliver the keynote speech at the group's annual training conference in Oakland. A veteran of the civil rights movement of the 1960s, at the time, Bond was serving in the Georgia State Senate. Although it is difficult to verify the exact speech that he gave before the carceral workers gathered through the CBCC, his speeches from 1976, including speeches on the role of Black professionals that clearly reference the California prison system, are powerful indictments of what he viewed to be the social function of prisons at the time—the incarceration of undereducated and underemployed Black people—as he put it, "the products of 200 years of official carelessness of one-tenth of the nation's population." As one passage that Bond used in at least two speeches from this period claimed, "some statistics suggest that the end of education may mean the beginning of unemployment, the creation of a permanent class of unemployed and unemployable persons who are condemned to a lifetime of

⁶⁷ "Black Correctional Officers Meet," *Sun Reporter*, October 19, 1974.

public charity.” Bond described incarcerated people, specifically, as “the vast army of the unwanted, the products of assembly-line education, of a social welfare system designed to destroy families, of a government that publicly opposed crime in the streets and privately practices crime in the suites.” Importantly, Bond did not merely assume that, because the carceral workers gathered before him were themselves largely Black, they would automatically take action to change such a dire set of circumstances. He recognized the possibility that Black people who had achieved relative economic security, such as those who found work in the carceral state, might become complacent. He urged his audience to guard against that outcome. “One of the great success stories of the last decade and a half—in spite of the recession, inflation, and unemployment rates as high as 50 percent among some sections of the Black population—has been the growth of the Black middle class. If this section of our population only apes and imitates its white counterparts, then it ignores the fact that it exists on the backs of others less fortunate, that it rose to relative affluence because others fought hard battles before, or that a remaining 33 percent of us cannot generate enough income to provide the basic necessities of life.” At the end of the speech, he said: “It’s not enough to be Black by birth; that was an accident. To be Black in life is the supreme test, to demonstrate every day, in word and deed, that you are a part of a great people, of a national movement that has had its ups and downs and will have more, but which demands your allegiance unless through some magic you have managed to escape the burden of being the eight-ball in a universe built for ivory.”⁶⁸ Jack

⁶⁸ “Black Correctional Workers Conference Attracts Hundreds,” *Oakland Post*, October 13, 1976; “Julian Bond Here for Big Crime Confab,” *San Francisco Sun Reporter*, September 23, 1976. In the copies of his speeches that are available in the Julian Bond papers at the University of Virginia, the exact dates and locations of each speech are unfortunately absent. The quotations above come from two speeches that are copyrighted 1976, one titled “Black Professionals: Their Task” and the other titled “Crime, Justice, and Reformers.” Both are available through the Julian Bond papers, MSS 13347, Special Collections, University of Virginia Library, Charlottesville, Va.

Clarke, who managed to radically alter the circumstance of his own life thanks to the YA, received an award from the CBCC at the same conference.⁶⁹

Importantly, some within the CBCC appear to have taken to heart Bond's emphasis on putting the least fortunate members of the Black community first and on addressing the broader structural conditions that fed so many Black people into prison to being with. For example, when racial violence became a problem at San Quentin in the summer of 1977, the CBCC and its affiliates joined a host of other advocacy groups, including the Prisoner's Union, in condemning what they believed were unfair reprisals targeting Black prisoners. Black prisoners, they held, were being unfairly subjected to solitary confinement and involuntary transfer. The coalition believed the prison's warden and top-level administrators were incapable of handling the crisis and wanted them removed.⁷⁰ In 1978, the theme of the CBCC training conference was "Crime by Whose Definition?" and it picked up on the contradiction that Bond had highlighted, about how elites condemned "crime in the streets" while practicing it "in the suites." By that year, the coalition had grown to include several additional organizations, including a group of workers based in conservative Orange County. This is how one newspaper described the theme of the 1978 conference:

In a country where white-collar crime and corporate crimes cause all to suffer, negative public opinion and law enforcement practices still center on street crime, which is virtually the only available outlet for minority criminals. Meanwhile, those who take the most from us are left alone or are allowed to plead no contest and to continue nefarious business as usual. The harmful and threatening aspects of street crime, for which minorities are often responsible, ought not to be minimized. Yet Blacks aren't the only persons committing crimes. Neither are Blacks responsible for many of the more heinous

⁶⁹ "Black Correctional Workers Conference Attracts Hundreds," *Oakland Post*, October 13, 1976.

⁷⁰ "Move to Probe Quentin Racism," *San Francisco Sun Reporter*, September 1, 1977; "San Quentin Probe Sought," *Sun Reporter*, September 7, 1977.

and far-reaching crimes. The coalition expects to address the specific types of action that it and others can and must take to reverse this practice.”⁷¹

The conference even included a session on “the hidden tax costs” associated with Proposition 13, which would reduce funding for education and social services.⁷² In 1981, a representative of the CBCC criticized the moral panic over violent crime in LA, saying that it was “only when the carnage moved to the largely white, largely middle-class” west side that “the spiraling murder rate” garnered attention from politicians and the press.⁷³ Two years later, when the *LA Times* covered the tenth annual training conference of the CBCC, part of the group’s focus was “fighting cutbacks in rehabilitation programs and the movement toward warehousing offenders.”⁷⁴

Assessing the significance of this organizing involves reckoning with difficult contradictions. For example, one consistent demand of the CBCC and other groups was to end racist hiring and promotional practices. As in any other workplace, from one angle this can be viewed as a matter of economic and racial justice. In the context of carceral workplaces, however, some made the argument that this was also a matter of just treatment for Black and brown prisoners, who constituted a majority of the prison population for the first time in 1971. As Willie Jackson put it in 1977, the criminal justice system was “ruled and manned by middle-class whites” who served an incarcerated population “wherein the majority are non-white and of lower socio-economic order.” “Anyone should be able to see how explosive that is,” Jackson

⁷¹ “Why Defines What’s a Crime,” *San Francisco Sun Reporter*, August 31, 1978.

⁷² “Community Calendar,” *Oakland Post*, October 10, 1978.

⁷³ “Crime Epidemic Wave Hits State,” *Los Angeles Sentinel*, September 10, 1981.

⁷⁴ “Black Correctional Coalition Will Hold Training,” *Los Angeles Times*, October 6, 1983.

said.⁷⁵ Prison officials had long recognized this fact. As early as 1971, in the immediate aftermath of George Jackson's death, the corrections began urging the state to hire more Black and Mexican American workers as a way of improving the relationship between staff and prisoners, even going so far as to suggest reallocating welfare spending in order to do so.⁷⁶ Both the CDC and the YA adopted affirmative action policies during the early-1970s, and these were modeled on the affirmative action requirements that had been written into the Law Enforcement Assistance Act as well as the federal Equal Opportunity Employment Commission.

Beginning in the mid-1970s, the Youth Authority began publishing affirmative action statistics twice per year, and these data not only verify the accusations of hiring discrimination leveled by Jackson and the Black and Brown Employee Coalition, but also that officials were able to make progress in diversifying the workforce of the youth prison system even as it became more punitive in nature. As the tables below illustrate, in 1975, the Youth Authority's staff was disproportionately white by a large margin. Additionally, non-white staff were more likely to be employed on a part time basis and in either entry-level or in service positions. Non-white staff were significantly underrepresented in supervisory positions, and in the higher tiers of the promotional structure. And this was already several years after Black and Mexican American workers had begun to organize themselves. By 1983, however, the number of Black and Mexican American workers had risen substantially, and although disparities still existed when it came to accessing full-time jobs or advancing through the promotion structure, the YA workforce had become far more diverse than the state civil service workforce as a whole. Black workers

⁷⁵ "Black Prison Workers Protest New Changes in Hiring Rules," *San Francisco Sun Reporter*, May 5, 1977.

⁷⁶ "Report to Governor Reagan on Violence in California Prisons," State of California Board of Corrections, Box H23, Ronald Reagan Governor's Papers, Ronald Reagan Library.

were doubly represented in the youth prison system as compared to the state government as a whole, and an astonishing 7.5 percent of all Black state employees worked for the YA alone.⁷⁷ No such records for the adult prison system are available, but the CDC had its own parallel affirmative action policy, and other evidence suggests that a similar change took place over time the adult prisons. According to Joshua Page, by 1999, the demographics of the union that represented youth and adult prison employees were 55 percent white, 26 percent Latinx, 15 percent Black, and 6 percent “other.” Page argues that, during the 1980s and 1990s, race-based workers advocacy organizations were of “practical utility” to the union that represented correctional officers, which, despite being a staunch supporter of punitive policies that disproportionately harmed communities of color, was able to co-opt such groups in order to create the appearance of celebrating diversity.⁷⁸ That may have been true, but as this section has shown, such groups originated out of the oppositional politics of groups like the CBCC and the Black and Brown Employee Coalition.

Despite the limitations of demands to further diversify the carceral workforce, through their organizing, carceral workers of color also advocated for changes that mirrored some of the most radical efforts to fundamentally change the repressive role that the criminal legal system played in Black and brown communities during the postwar period. It is frustrating that the archival record is so incomplete, but Allen Breed’s memo to Governor Reagan about the campaign that the Whittier Black and Brown Employee Coalition waged in 1969 clearly shows a relationship between carceral workers and the broader social movement landscape of LA at the

⁷⁷ See California Youth Authority, *Affirmative Action Statistics*, September 1974–September 1983, which are available in the stacks at the Young Research Library at UCLA.

⁷⁸ Page, *Toughest Beat*, 48–50.

time, who, at least for a day, presented a united front against YA administrators in demanding accountability. Breed's memo says little about the actual substance of their demands, but the workers clearly wanted the YA to be responsive to the needs of the community, and while there is no evidence that the workers sought a change as radical as that proposed by the Black Panther Party two years later, when they successfully placed a local ballot initiative before voters in

Table 8. Youth Authority wards and personnel, 1976–1983, by race

Wards				
	September, 1976		September, 1983	
	Number	Percent	Number	Percent
Total	11,836	100	12,527	100
White	4,876	41.2	3,895	31.1
Combined Minority	6,960	58.8	8,632	68.9
Black	4,114	34.8	4,592	36.6
Spanish Surnamed / Hispanic	2,542	21.5	3,721	29.7
Asian	79	0.7	72	0.6
Native American	154	1.3	104	0.8
Filipino	34	0.3	34	0.3
Other	37	0.3	109	0.9
Personnel				
	September, 1976		September, 1983	
	Number	Percent	Number	Percent
Total	4,350	100	5,029	100
White	3,017	69.4	2,787	55.4
Combined Minority	1,333	30.7	2,242	44.6
Black	387	15.8	1113	22.1
Spanish Surnamed / Hispanic	503	11.6	856	17
Asian	88	2	123	2.4
Native American	11	0.2	62	1.2
Filipino	14	0.3	54	1.1
Other	30	0.7	34	0.7

Table 9. Full-time vs. part-time staff in the Youth Authority, 1976–1983, by race

	September, 1975						September, 1983					
	Overall		Full-time		Part-time		Overall		Full-time		Part-time	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	4,245	100	3,518	100	730	100	5,029	100	3,841	100	1,188	100
White	2,976	70	2,522	71.6	454	62.2	2,787	55.4	2,160	56.2	627	52.8
Combined Minority	1,272	30	966	28.3	276	37.8	2,242	44.6	1,681	43.8	561	47.2
Black	659	15.5	522	14.8	137	18.8	1,113	22.1	809	21.1	304	25.6
Spanish Surnamed	464	10.9	362	10.3	102	14	856	17	662	17.2	194	16.3
Asian	94	2.2	72	02	22	3	123	2.4	95	2.5	28	2.4
Native American	9	0.2	5	0.1	4	0.5	62	1.2	51	1.3	11	9
Filipino	14	0.3	13	0.4	1	0.1	54	1.1	41	1.1	13	1.1
Other	32	0.8	22	0.6	10	1.4	34	0.7	23	0.6	11	0.9

Table 10. Select job categories among Youth Authority employees, 1976–1983, by race

	Paraprofessional (teaching)		Treatment Team Supervisor		Social Worker		Youth Counselor		Group Supervisor	
	1976	1983	1976	1983	1976	1983	1976	1983	1976	1983
Total (#)	28	51	63	71	13	27	688	835	415	417
White (%)	53.6	41.2	76.2	53.5	76.9	51.9	61.2	41.9	52	41.2
Combined Minority (%)	46	58	23.8	46.5	23.1	48.1	38.6	58.1	47.9	58.8
Black (%)	32.1	29.4	19	21.1	15.4	11.1	21.1	32	22.9	30.2
Hispanic (%)	14.3	23.5	3.2	19.7	0	18.5	15.7	22.6	24.1	24.5
Asian American (%)	0	3.9	1.6	4.2	7.7	14.8	1	1.2	0.7	0
Native American (%)	0	0	0	1.4	0	0	0.1	1.9	0	2.4
Filipino (%)	0	0	0	0	0	3.7	0.1	0.1	0	1
Other (%)	0	2	0	0	0	0	0.6	0.2	0.2	0.7
	Other Professional		Maintenance		Food Service		Janitor		Senior Youth Counselor	
	1976	1983	1976	1983	1976	1983	1976	1983	1976	1983
Total (#)	35	63	51	56	167	175	33	33	101	117
White (%)	71.4	58.7	74.5	53.6	67.1	49.7	51.5	33.3	75.2	60.7
Combined Minority (%)	28.6	41.3	25.5	46.4	33	50.3	48.4	66.7	24.7	39.3
Black (%)	14.3	15.9	5.9	12.5	17.4	24	33.3	39.4	15.8	19.7
Hispanic (%)	11.4	14.3	11.8	19.6	12.6	18.9	12.1	24.2	7.9	17.9
Asian American (%)	2.9	3.2	7.8	3.6	0.6	2.3	3	3	1	1.7
Native American (%)	0	0	0	5.4	0	1.1	0	0	0	0
Filipino (%)	0	4.8	0	3.6	0	1.7	0	0	0	0
Other (%)	0	3.2	0	1.8	1.8	2.3	0	0	0	0

Table 11. Employment in the Youth Authority vs. total state civil service, 1983, by race				
	State Civil Service		YA	
	Number	Percent	Number	Percent
Total	144,053	100	5,029	100
White	98,016	68	2,787	55.4
Black	14,914	10.3	1,113	22.1
Hispanic	16,938	11.7	856	17
Asian American	7,388	5.1	123	2.4
Filipino	3,384	2.3	54	1.1
American Indian	2,072	1.4	62	1.2
Pacific Islander	305	0.2	n/a	n/a
Other	1,036	0.7	34	0.7

Berkeley to establish community control of the police department there, it is also not a stretch of the imagination to suggest that Whittier’s correctional officers and their colleagues throughout the state sought something that was different only in degree and not in kind.⁷⁹ Indeed, the organizations that formed in the wake of the Whittier campaign are reminiscent of more well-documented formations elsewhere, such as Chicago’s Afro-American Patrolman’s League, which, in their own words, sought “to transform the role of the police in perpetuating racial domination.”⁸⁰

There is one additional source that sheds light on the political orientation of carceral workers during the turning point of the early-1970s, which supports the argument that workers were not simply a monolithic group that supported more punitive policies. According to a 1972 study conducted by the YA itself aimed at assessing the “working assumptions” of staff, a large

⁷⁹ For more on the history of campaigns for community control of the police, see Simon Balto, *Occupied Territory*, 222–55; Max Felker-Kantor, *Policing Los Angeles*, 114–138; and Robert M. Fogelson, *Big City Police* (Cambridge: Harvard University Press, 1977), 296.

⁸⁰ Balto, *Occupied Territory*, 240.

swath of the agency's workforce believed not that prisons or police needed to be harsher towards criminals, but rather that less incarceration, not more, should be the goal, and that only a major effort to address social and economic inequality could enable them to do the work of rehabilitation. Surveying nearly 600 randomly selected workers from each institution, camp, and parole office, including custodial staff as well as treatment staff, teachers, psychologists, and social workers, the goal of the study was to carry out the first "systematic effort at tapping the experiences of [the YA's] own youth workers regarding delinquency causes and remedies." To be sure, many workers reproduced pathologizing frameworks that defined mainstream public discourse surrounding poverty and crime, identifying, for example, "family processes" as the most common single cause of delinquency, "both by damaging the personalities of developing children and by failing to control them." At the same time, however, workers also broadly agreed that pointing to any single "cause" of delinquency was impossible. Rather, as a group, they agreed that a confluence of factors and circumstances contributed to a young person's becoming involved with the legal system, and most staff felt it best to divert youth from the state correctional system entirely whenever possible, citing the system's "potential for harm." As the study's author wrote, while workers articulated a wide range of specific approaches to delinquency prevention, "the common denominator was the overwhelming staff focus on solving the delinquency problem in the community," and on "normalizing rather than abnormalizing the lives of marginal youth" (emphasis in original). Moreover, more than two thirds of the staff surveyed argued that public officials needed "to mount a massive attack against broad social and economic conditions" in order to "make a large dent in the delinquency problem." Such conclusions echoed what Richard McGee himself articulated to Ronald Reagan in 1967, that victory in the War on Poverty was step one in creating a more balanced correctional system,

where fewer people who committed crimes would be incarcerated. Indeed, some YA staff felt that family relations were themselves “constructed... in large measure by broad societal influences.” “Thus,” the study’s author wrote, “features of the environment were portrayed as varying systematically (in terms of rates of occurrence) with broad societal forces. For instance, staff... often perceived larger social-system causes (say, the skewed distribution of American income) as acting to create a nonrandom dispersion of problems at local levels (say, varying rates of blocked opportunity, unemployment, family disorganization, etc.), yielding high differential delinquency rates as one result” (emphasis again in original). In other words, while carceral workers believed that “family disorganization” was an important cause of youth delinquency and crime, they also believed that such problems were themselves often caused by the broader structural conditions in which poor and working-class families had to make their lives.⁸¹ This study and other parts of the archival record tend to be silent on the racial dimensions of these questions. But given the fact that a large and growing segment of the Youth Authority’s staff would have come from California’s Black and Mexican American communities, it would make sense that their own social histories would have led them to hold such critical attitudes toward the institutions that employed them.

Instead of denying that many carceral workers subscribed to the conventional conservative politics, which met demands for racial and economic equality with calls for law and order, the point here is that the conservative tendency was not the only tendency; that even though carceral workers would become a largely reactionary political force by the mid-1980s and 1990s, one that helped to fuel mass incarceration in important ways, that outcome was not

⁸¹ See Doug Knight, *Delinquency Causes and Remedies: The Working Assumptions of California Youth Authority Staff*, (Sacramento, 1972).

inevitable. The fact that so many men and women who had come out of California's Black and brown communities gained access to middle class jobs through the carceral state mattered. Whether native-born Californians or migrants, whether children of relative privilege seeking to maintain their status or people seeking a kind of economic security that their parents had never known, these people felt compelled to action as they saw the criminal legal system failing others like themselves whose life trajectories had, for whatever reason, taken a different course. At one point in the questionnaire that the YA's researchers distributed among the agency's staff, workers were asked to identify the behavioral scientists who had the greatest influence on their approach to their jobs. William Glaser, who popularized the notion that mental illness was a matter of personal choice, was the most common response, followed by Eric Berne, the author of the 1964 book of popular psychology *Games People Play*. More surprisingly, eleven workers identified Erich Fromm, a Marxist and a member of the Frankfurt School of social theory.⁸² Eleven is a small number, to be sure, but proof enough to wonder whether the letter that Governor Reagan received from the LA parole office was not such an exaggeration after all.

The RODEO program and the contradictions of carceral work

With an understanding of how Black and Mexican American carceral workers came into their jobs—and of the kind of oppositional politics that some of them developed once they got there—this chapter now returns to the story of Ruth Rushen and the RODEO program that *Reader's Digest* highlighted in its coverage of the probation subsidy, which is an example of how some carceral workers sought to contest the future of California's carceral state. In 1956, when Rushen took her first job in probation, she and her new husband were just beginning to build a

⁸² Ibid.

life together, and they sought to gain access to the economic security that characterized postwar California at the time. A decade later, when California embraced the probation subsidy program, Rushen had become a well-respected corrections official and she decided to use her position in the probation department to ensure the subsidy program's success. Through RODEO, she sought to prove that diverting young people from incarceration was the wiser policy, that leaving young people in their communities made more sense than moving them, to borrow McGee's words, "bodily and traumatically" to the mountains surrounding Los Angeles or to one of the gleaming new youth prisons that dotted California's landscape. Not only that, in the aftermath of the 1965 Watts Rebellion, when the problem of structural unemployment in places like South LA finally achieved serious attention, she also tried to show how the project of developing alternatives to incarceration could provide the residents of places like Watts or East LA with stable, high-wage, and meaningful jobs addressing the social problems that produced crime and delinquency.

Hiring ordinary people into RODEO marked a departure from the common sense of professionalization that officials used to legitimize the rehabilitative ideal, and for Rushen it was motivated by a broader approach to job creation popular during the War on Poverty known as the "new careers" theory of employment. Proponents of the new careers theory recognized the difficulty in reversing trends toward automation, deindustrialization, and capital flight that rendered so many working-class people surplus to the economy, a reality that was especially true for working-class people of color living in the nation's large urban centers. As a solution, new careers proposed to create jobs in the so-called human service sector—in fields like health, education, and welfare. In the second-half of the 1960s, this approach helped influence the flow of federal dollars to the local level, and people in positions to affect that process tried to build out the service sector to hire un- and under-employed people within it. As historian Claire Dunning

argues, broadly speaking, while new careers aided the growth of a large non-profit sector ostensibly oriented toward addressing a variety of issues in cities, the “non-professionals” or “new careerists” hired to work in this sector did not find dignified jobs. As with other efforts to apply the new careers theory to California’s carceral state, however, Rushen bucked this trend.⁸³

Although the perspectives of the new careerists who were hired into RODEO are difficult to access, in 1971, when Rushen made the program the subject of the master’s thesis that she wrote at USC for her degree in public administration, she created a valuable archive that documents certain aspects of their experience. According to this source, over five years, fifty-one people were hired to work as new careerists in the RODEO program. Thirty-three of these were women and eighteen were men. Forty-two were Black residents of South LA, while the other nine were Mexican American and were hired to staff a RODEO office in East LA. Roughly one-quarter were still in their twenties, about half in their thirties, and the remainder were forty or older. Most had migrated to California at some point after 1940, had lived in the area for many years, and were married with dependents. Importantly, more than half of the new careerists had criminal records of their own, and fourteen had themselves experienced incarceration of one form or another at some point in their lives. One man was himself still on probation when he was hired. When it came to formal education, RODEO’s new careerists could be divided roughly into three equal groups: those who had not graduated high school, those who had, and those who had gone on to pursue some college or trade school education.⁸⁴

⁸³ See Claire Dunning, “New Careers for the Poor: Human Services and the Post-Industrial City,” *Journal of Urban History* 44, no. 4 (July, 2018): 669–90.

⁸⁴ Rushen “A Proposed Model,” 177–86. Although the names of the individuals hired into the RODEO program survive in a separate source (a funding application that Rushen submitted in 1969, which is discussed below), efforts to conduct genealogical research to better understand their social histories have been unsuccessful. Rushen’s master’s thesis remains the only record them and their experiences.

The employment histories of RODEO's new careerists are particularly significant. Eight of them had no work history whatsoever. More than half had only worked as clerks, checkers, laborers, waitresses, nurse's aides, or truck drivers—all of which Rushen classified as “unskilled” labor. About a quarter had worked semi-skilled jobs, which mainly meant as equipment or machine operators in manufacturing. One person had been a licensed barber, another a musician. “Employment,” Rushen wrote, “had tended to be intermittent, with frequent changes. Only eleven had held a job in the same location for more than five years, and sixteen of those who had worked at all had not held any one job for as much as a year.” In addition, the new careerists were all low-wage workers. “Salaries and wages had been uniformly low,” wrote Rushen. “Only four had ever held a job paying more than \$500 per month. Characteristically, they had received less than \$400.” In other words, most of the new careerists lived in poverty before they were hired into RODEO. In fact, the initial cohort was hired through the Neighborhood Adult Participation Project (NAPP), a poverty program that existed to connect poor Angelenos with jobs. This was the same poverty program whose members appeared alongside the workers who organized Black and Brown Employee Coalition at the Whittier youth prison in their meeting with YA Director Allen Breed, which means that some individuals within NAPP, and perhaps some of the same individuals who wound up working for RODEO, believed in the necessity of holding the carceral state accountable to the broader community. A large number of RODEO's new careerists were also hired through the Concentrated Employment Program, another jobs initiative of the War on Poverty.⁸⁵

Rushen's thesis shows how access to the wages and protections of public sector employment changed the lives of the people she hired. According to her data, by 1971, after the

⁸⁵ Ibid.

program had been active for four years, forty-one of the fifty-one new careerists who had been hired were still working for the probation department. Six had either transferred to work in some other county department or had voluntarily taken another job, and the remaining four had been fired. Their jobs impacted their lives in numerous ways, but primarily by providing a living wage. For the first five months of their employment, the new careerists made \$333.33 per month, a rate that was set by NAPP. Once they became county employees, however, their base pay rose to \$428 per month, with automatic annual raises of \$24 per month until the salary scale topped out at \$530 per month (a benefit of union membership).⁸⁶ Moreover, at some point, Rushen successfully lobbied the county personnel department to open up a specific “Community Worker” career ladder, and once that happened, the wage floor for the new careerists rose to \$677 and topped out at \$755 per month. Adjusted for inflation, that same base salary would be worth more than \$57,000 per year in 2022 dollars.⁸⁷ By 1971, two of RODEO’s first new careerists had promoted all the way to “Senior Community Worker II,” a title with a top salary of \$848 per month.⁸⁸ Beyond income, many new careerists decided to pursue further education. One earned their GED; two earned associates degrees; fourteen completed a certificate in social service from Compton Junior College. Sixteen enrolled in community college, and twelve in a four-year college or university.⁸⁹ Additionally, most of the new careerists moved, including five who were able to purchase homes for the first time, two of whom had been collecting public

⁸⁶ Ibid., 187–89.

⁸⁷ According to the US Bureau of Labor Statistics CPI Inflation Calculator, a \$677 monthly salary in 1971 annualized to \$8,124 would have been worth \$57,388.10 in January of 2022, https://www.bls.gov/data/inflation_calculator.htm.

⁸⁸ Rushen, “A Proposed Model,” 188.

⁸⁹ Ibid., 190–91.

assistance at the time they were initially hired. In Rushen's words, the Black workers, especially, tended to move "toward more stable communities with better housing."⁹⁰

When Rushen interviewed RODEO's new careerists, few of them pointed to the money as the most meaningful change that the program brought to their lives. The most common "changes in self" that the workers reported were "personal improvement" and "more self-respect." Importantly, when asked about the program's flaws, or about what could be improved, the workers emphasized the lack of adequate services for youth. The quotations that Rushen provided from some of her conversations offer the most direct window onto the meaning of the program from the standpoint of the workers involved. All of them spoke positively, especially about their personal growth and the opportunity to perform meaningful work—to "make it," as one person reportedly put it, or to feel "a helluva lot of self-dignity," according to another. It is also clear that some felt a particular sense of meaning because they shared certain life experiences with the young people who were sentenced to serve their probation through RODEO. "I hope I'm helping break stereotypes," one person said, "that of the Mexican American and that of probation. I believe that being in probation has given me a chance to see the other side of the fence and I want to share that view with my people." "I like working with kids," said another person, "they tell me things they wouldn't tell a PO [probation officer] because I'm from the community, I speak Spanish, and I've had many of their problems." "I had a year and a half of college when I got in trouble with the police," said another. "Afterwards, I didn't go back to school. I think my work with RODEO has given me a chance to grow up. I've learned that to live in the world, you have to be involved with people...you have to be involved

⁹⁰ Ibid., 189–90.

to survive. I want to help kids to not be a threat to society, but even more, to not be a threat to themselves.”⁹¹

Of course, the new careerists were not the only people whose lives were impacted by RODEO, and the significance of the program cannot be fully understood without also considering the young people for whom it provided an alternative to incarceration. Though less focused in her master’s thesis on the youth than on the workers, Rushen did collect important data that sheds light on the experiences of the young people assigned to a RODEO caseload. Around one thousand young boys would have passed through the program by the time it ended—despite the gender make-up of Rushen’s staff, incarcerated girls were excluded from being assigned to the program outright—and the vast majority of them would have been either Black or Mexican American (ninety percent of the initial cohort of 120 boys, for instance, were Black). The vast majority of these boys, moreover, came from families living below the poverty line, and most of the remainder subsisted just above it. Most were below the age of sixteen, and none were above the age of eighteen at the time they were assigned to the program. More than half had been held back at least one grade in school, and all of them, according to Rushen, “exhibited educational problems.” “These were varied in nature and in the degree of seriousness,” she wrote, including “academic, behavioral, or truancy problems, or a combination of all three. A few were on probation solely because of persistent truancy rather than police contacts.” Rushen also carefully documented information about the families of the boys who were assigned to RODEO, noting that only 31 percent came from households in which both biological parents lived. Most of those who were incarcerated after being assigned to a RODEO caseload came from what she called “disturbed” homes where “parental support and control” was lacking, and

⁹¹ Ibid., 197–98.

where “severe conflict existed between the minor and at least one of his parents or parent-substitutes.”⁹²

Despite some failures, RODEO was largely successful in its goal of keeping the majority of the boys out of the county probation camps and juvenile halls as well as the state youth prisons. After the first ten months of the program, seventy-five percent of the program’s initial cohort were still in the community, as compared to sixty-eight percent of a control group that had been sent to camp and fifty percent of a control group that had been placed under regular probation supervision. After two years, two-thirds of the initial cohort were still “without serious involvement in the law,” an outcome that was more than ten percentage points better than the camp control group. By May of 1970, three years after the start of the program, 63 percent of the 844 youth who had been assigned to RODEO by that time were still free and living in their communities. This record was as good or better than conventional recidivism rates, giving Rushen sure footing to argue that community supervision was just as effective as incarceration, if not more so.⁹³

As with the specialized subsidy caseloads described in the previous chapter and the Operation Pathfinder program described in the chapter before that, part of what made RODEO successful was the fact that the probation officers and the new careerists oriented their own work process toward meeting the needs of the youth on their caseloads. Each RODEO unit was comprised of one deputy probation officer and two new careerists working together to supervise thirty boys. The small caseloads enabled more direct contact than was typically the case, and, according to Rushen, the nature of that contact was largely determined by the whatever was

⁹² Ibid., 217.

⁹³ Ibid., 218–20.

going on in the lives of the youth and their families. The career probation officers used counseling as their “main supervision tool,” she said, and deputies often interacted with the families of the youth on their caseloads, as well as with school personnel, community organizations, representatives from other state agencies, and employers. As for the new careerists, Rushen explained that they spent a good deal of time simply getting the youth to school each day and making sure they stayed there. “Other duties,” she continued, “included counseling with families and helping to find solutions to family problems, assisting with tutorial programs, and transporting minors to and from job training projects, job interviews or to and from Juvenile Hall.” The new careerists also “organized parent group meetings, back-to-school workshops, neighborhood activities, recreational and cultural experiences for minors and their families.”⁹⁴ As with the subsidy-funded programs in Fresno and San Francisco, a service-oriented work process appears to have made a difference in RODEO as well.

Many people within the broader community, including law enforcement officials, supported the RODEO program. In 1969, when Rushen applied for funding to expand the program into the West Athens neighborhood, east of Watts, she encountered organized opposition because the building that she wanted to rent sat adjacent to an elementary school. As a result, Rushen and her staff spent a good deal of time counter-organizing by asking people and officials who were familiar with the program to publicly declare their support. They circulated a petition within the vicinity of the initial RODEO office in South Central, collecting signatures from fifteen business owners and 128 residents who attested to the fact that they had suffered “no property damage or loss nor personal harassment” as a result of the presence of the office. One version of the petition included language about the community’s “grave concern” for

⁹⁴ Rushen, “A Proposed Model...” 79.

delinquency, and its interest in “programs that maximize the rehabilitation prospects of the child in trouble and minimize the cost of such a task.” Rushen and her staff also solicited personalized letters from twenty-seven community leaders, including thirteen teachers or school administrators, as well as a number of local businesses and War on Poverty organizations. Jay Dee and Jessie Sholes, the proprietors of a Cajun restaurant on Compton Avenue, said that the young people assigned to RODEO frequented their restaurant, conducted themselves “in a very orderly manner,” and that the program was “a great asset and benefit to the community” that needed “to be extended throughout the city and county.” The owner of a local barber shop wrote that the presence of such a program would be “an asset” to local businesses, a point reinforced by a letter from the owner of a plating company, who had hired a young woman who had once been on probation herself. “Having the job here as a trainee,” he wrote, “she is now in hopes of being able to go to night school to further her education... I am grateful to be able to give any help I can to the youth of today that will enable them to live a better life.” E. D. Warren, the president of the Watts Branch of the NAACP, supported the program because it tried “to relate the minors and their families to resources for education, job training, and employment,” and even Ted Watkins of the Watts Labor Community Action Committee said that his organization had worked closely with the RODEO program, and found it “one of the better programs in the community working with youth.”⁹⁵ The most ringing endorsement came from a police officer identified as M. Correa, the Lieutenant Commander of the Juvenile Division of the Compton Police Department, who described the program as “miraculous” and “wholeheartedly” endorsed “the expansion of this Project so that more and more of these youngsters who need this special type of guidance can be exposed to it.” In her own letter, Rushen insisted that the RODEO probationers

⁹⁵ For more on Ted Watkins as leader in the Black community in South LA, see Sides, *LA City Limits*.

who would use the office “would pose no menace to the children” and that it was “highly unlikely” that they would “increase the lawless activities whose occurrence in the area are a valid source of anxiety.” Her language provides an indication of what her opponents may have been saying. The fact that so many people would support her efforts underscores the contingency of the broader moment, when police chiefs, teachers, and restaurateurs all refrained from the language of moral panic in favor of supporting what Rushen was trying to accomplish.⁹⁶

What makes the RODEO program a significant part of the labor history of California’s carceral state is that it highlights the contingencies as well as the contradictions that emerged during the pivotal turning point that produced the probation subsidy program. While the program helped individuals to overcome whatever circumstances threatened to send them deeper into the carceral state, it could not and did not address the broader structures that shaped the lives of young people on probation in LA County. *Reader’s Digest* made this clear by highlighting the success story of a young man whose delinquency was said to have originated at home with a tense relationship with his single mother. After his probation officer took a more active role in mediating conflicts within the family, this young man was able to find a job doing yard work. Only fifteen years old, his probation officer was helping him to find a regular after-school job so that he could provide for his mother and sister. “Bernard the delinquent,” the article quipped,

⁹⁶ Sources related to Rushen’s 1969 application for funding to expand into West Athens, including the petitions and letters of support that she received, come from “RODEO IS _____,” Kenneth Hahn Papers, Box 291, Folder 3, Huntington Library and Archives. Many of the support letters were addressed to an organization variously referred to as the Imperial Community Improvement Association or the Imperial Community Council. Neither of these organizations appear in the archival record, and thus it is difficult to say much about them. But given the broader opposition among local homeowners to the siting of carceral institutions in suburban areas, which surfaced in Norwalk in the 1950s when the state decided to build the Southern Reception Center and Clinic there, it is likely that those who opposed RODEO’s expansion did so out of fear for the value of their properties and perhaps also frustration with rising taxes and inadequate services. As Rushen’s language suggests, they also may have drawn on the broader moral panic surrounding crime to demonize the young people who would be using the new office.

“had made the leap to Bernard the responsible head of a family.”⁹⁷ The question of why a fifteen-year-old would need to do so was left unasked and unanswered.

Despite its limitations, as a job-creation program, RODEO also shined a light on the kinds of policies that might have addressed structural unemployment had they been embraced on a larger scale and over a longer period of time. The program certainly marked a structural change for the forty-one people for whom it offered long-term high-wage employment, and the fact that Rushen persuaded the county government to change the civil service hiring rules to be more inclusive towards people they otherwise would have barred from public sector employment meant that RODEO was unique among new careers programs for providing meaningful jobs that also offered stability. Rushen was not the only person who attempted to apply the new careers theory to corrections. As Volker Janssen describes, several new careers program were set up in the Department of Corrections, including one that placed formerly incarcerated men as teachers’ aides within California’s first head start program in an impoverished community in Riverside County. “The kids grew in their math scores and their English scores by a whole year,” one of the program’s participants, Wayne Hunnicut, told Janssen in 2003. “One class decided they were going to go to the beach, most kids had never seen the beach, even when 20 or 21 years old, because most of them were Black and Hispanic.” Hunnicut also described how this opportunity was more appealing than the alternatives that were commonly available to people in his position. “I [simply did not] want to go out there and stack ply wall,” Hunnicut told Janssen. “I [did not] want to go out there and paint, I [did not] want to go out there and be at a packing house.” Many of Hunnicut’s coworkers had only ever worked manual labor, and just “became more excited over learning, more thoughtful, creative, and enthusiastic over relations with children, some after

⁹⁷ Velie, “How to Lick the Jail Habit,” 144–46.

nearly a lifetime of tragic economic and social disadvantage.” Hunnicut and several other participants went on to earn doctorate degrees in education, and many pursued lifelong careers in various fields of public service.⁹⁸ The parole program through which Jim Lewis was hired is another example, and although there is no evidence that it was directly inspired by the popularity of the new careers theory, it certainly carried the same spirit. Like RODEO, these examples point to the kind of alternative policy that might have made a difference as officials sought more innovative methods of creating meaningful rehabilitation programs by providing formerly incarcerated people with access to work.

At the same time, however, because it created jobs within a larger state structure that could easily shed the service-oriented ethos that Rushen brought to the program, RODEO’s achievement is bittersweet in hindsight. It is worth noting that the civil service ladder that the county set up specifically for RODEO’s new careerists included a bridge between the community workers series and the regular probation officer series. After working for two years on the community worker track, a person could decide to take the exam to become a group supervisor, which was the apprentice position for becoming a deputy probation officer, and typically a job that required working with incarcerated youth in one of the probation camps.⁹⁹ Additionally, while the number of new careerists whom Rushen hired was fairly small, as a result of her program’s success, hundreds of new careerists were hired elsewhere in the probation department, and it is not clear that their jobs did anything other than help expand the traditional approach to probation. By further opening carceral work to people who otherwise would have been

⁹⁸ See California State Archives, F3717:681 Corrections, Correctional Program Services, ICE—Iron Mine Camp—New Careers Development Project, 1965–66 and Janssen, “Convict Labor, Civic Welfare,” 276–283.

⁹⁹ Rushen, “A Proposed Model,” 227–28.

excluded, Rushen helped to expand the LA County Probation Department at a time when other parts of the state that were more well equipped to do the kind of work that she wanted to do were being attacked. Similar to the demands of Whittier’s Black and Brown Employee Coalition for affirmative action within the YA and the CDC, hiring Black and Mexican American people into the probation department did not necessarily ensure a more humane approach to community supervision. Additionally, there is evidence that the conservative carceral workers who have received most of the scholarly attention were further politicized by such efforts. As William Robert Wilkinson said of the Black and Mexican American workers who were hired into the CDC during the 1970s, they were “a tough bunch to handle.” “We could have handled them a lot easier and a lot better if we had insisted on the basics in our hiring process,” he continued. “We did not have to indulge these people to hire them, just to jack our statistics up.”¹⁰⁰ Indeed, opposition to affirmative action is one of the things that first California’s nascent prison guards union organized itself around.¹⁰¹

It is not clear when, why, or how the RODEO program met its end, but Rushen continued trying to push for change within the correctional system through the 1970s. In 1971, the East LA office of RODEO was still open, at least, but Rushen’s thesis from that year is the last substantive archival record that was left. For her part, in 1975, Rushen earned Jerry Brown’s nomination to the state adult parole board, the Adult Authority. At the time, she had been serving as the chief of the southeast division of the LA County Probation Department, and her background in law enforcement combined with her race and gender made it possible for Governor Brown to point to her as someone who could be both understanding toward criminals

¹⁰⁰ Wilkinson, *Prison Work*, 131.

¹⁰¹ Page, *Toughest Beat*, 33–34.

as well as tough on crime. For example, at the time of her appointment, the Dean of the USC School of Public Administration said that Rushen “really understands how the world looks to people in trouble and is sensitive to their predilections and problems but at the same time tough-minded... She is not at all capable of being manipulated, conned, deceived.” While on the parole board, Rushen continued to take a comparatively moderate position, though her views would appear increasingly progressive in the coming years. She supported the end of the indeterminate sentence, for instance, which was a key demand of California’s prison reform movement at the time. She also questioned the efficacy of the rehabilitative ideal while maintaining that the state should emphasize addressing the root causes of crime, both by addressing situational factors like the availability of guns or corporate-manufactured drugs, as well as the individual barriers that incarcerated people faced in their lives. “My basic philosophy,” she told the *LA Times* in 1975, “is when society intervenes in a person’s life via the criminal justice system, we owe the person alternatives for changing his behavior... We know, for example, that the bulk of the people in prison have not had the benefit of equal opportunity that is promised in a democracy. Man, we know that.”¹⁰² In 1980, when Governor Brown again turned to Rushen for an important criminal justice nomination, this time to serve as the director of the CDC itself, Rushen wanted the job because she felt she could use it to help make a change. As one reporter put it, Rushen said that “minorities can complain as much as they want about the high percentages of minorities going to jail, but if they want to change the system, they must ‘position ourselves in such a way as we can make those decisions.’”¹⁰³ She clearly still felt that such change was possible at the beginning of her tenure, but after only two years, she left the

¹⁰² William Endicott, “No One Likely to Con Her,” *Los Angeles Times*, May 11, 1975.

¹⁰³ Nick Brown, “Rushen Proposes Prison Reforms,” *Los Angeles Sentinel*, July 24, 1980.

CDC. By that time, California's embrace of mass incarceration was largely determined by factors that were outside her control.

* * *

This chapter has shown how California's carceral state helped provide economic security to members of the state's Black and Mexican American communities, as well as the ways in which some of those workers sought to contest the crisis in correctional police that emerged in the 1960s. Ultimately, Rushen and the RODEO program marked a fundamentally limited effort to change the carceral state from within at a time when doing so appeared possible. The failure of California's search for alternatives to incarceration during the 1970s had less to do with the creation of jobs for poor people of color within the carceral state than it did with the ascendancy of tough on crime rhetoric, as well as the further evisceration of the state's manufacturing economy, and of state services such as education, mental health, and welfare, that could have helped address social problems.¹⁰⁴ These changes were, of course, beyond the purview of Rushen and the new careerists whom she hired. Nevertheless, as things continued to deteriorate, the carceral state became a jobs program for working-class Black and Mexican-American communities in California. In August of 1982, toward the end of her tenure in the CDC, Rushen spoke before a panel organized by the Urban League at its national convention, which was held in Los Angeles that year and aimed to address the problem of "Black on Black Crime." Rushen told her audience that crime in places like Los Angeles was closely related to the problem of unemployment, and that incarcerating criminals and preventing crime were two different things. At the same time, however, she also pointed to the jobs that prisons and jails could bring to

¹⁰⁴ Gilmore, *Golden Gulag*. See also, Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham: Duke University Press, 2009).

communities where unemployment rates were high. “We have to look at reality,” she said, in reference to a proposal to build three 1,700-bed jails in South LA. “These prisons would mean employment for local people... The annual payroll in the three prisons would be \$42 million. Before we turn down something, we have to look at what it is.”¹⁰⁵ Far from an isolated development, the proposed jail construction project that Rushen was referencing marked the resurgence of carceral expansion California and the nation at the dawn of the age of mass incarceration. As chance would have it, that specific project revolved closely around the third dimension of the relationship between labor and incarceration—the relationship between the carceral state and the larger political economy in which it is situated. The final chapter of this dissertation turns to focus on how the failure of federal employment policy to resolve the problem of structural unemployment impacted the trajectory of correctional policy, paving the way for another prison boom.

¹⁰⁵ Yolanda Austin, “Experts Analyze Black Crime,” *Los Angeles Sentinel*, August 5, 1982.

CHAPTER FIVE

From Lockheed to Lockdown in Lynwood: Hard-Core Unemployment and the Resurgence of California's Carceral State

Capitalism needs and must have the prison to protect itself from the criminals it has created. It not only impoverishes the masses when they are at work, but it still further reduces them by not allowing millions to work at all.

—Eugene V. Debs¹

They can't live with us and they can't live without us. Once they needed us for a source of cheap labor, but now we are no longer of utilitarian value, and they don't know just what to do with us.

—James Baldwin²

The job is the thing that will make or break the ex-convict.

—Bill Schwentner, Lockheed-California³

* * *

The day after Jim Lewis testified in support of the Humphrey-Hawkins Full Employment Act in December of 1977, a man named Bill Schwentner described to the same congressional committee how the Lockheed subassembly plant that he managed in the South Los Angeles neighborhood of Lynwood helped reduce recidivism. As many as forty percent of his roughly 250 employees had an arrest record of some kind, Schwentner said. Some had been arrested for relatively minor offenses like drug possession, gambling, or disturbing the peace, but others had been arrested for more serious crimes like robbery and burglary, which likely would have carried

¹ Eugene V. Debs, *Walls and Bars: Prison Life in the "Land of the Free"* (Chicago, IL: Charles H. Kerr Publishing Company, 2000), 174.

² L. M. Meriwether, "Crimes Against the Negroes, Crimes Against the Holy Ghost," *Los Angeles Sentinel*, March 5, 1964.

³ Testimony of William. F. Schwentner, *Unemployment and Crime: Hearings Before the Subcommittee on Crime of the Committee of the Judiciary, House of Representatives*, 95th Cong. 477–484 (1977).

a prison or jail sentence. At least one worker confided to Schwentner that he had been incarcerated at the YA's Southern Reception Center and Clinic, one of the flagship youth prisons built in the 1950s in the model of the rehabilitative ideal, located a short distance from the plant. At Christmas time one year, this man collected donations from his coworkers in order to buy gifts for the young people incarcerated there. "I was there once," Schwentner remembered him saying, "and if I didn't have my job with Lockheed, I might be back there." As Schwentner told Representative Conyers and the rest of those who were present to comment on the relationship between unemployment and crime, the recidivism rate among his workforce was "almost nil." "We always believed," he said, "that a person convicted of a crime, after paying his debt to society, should not be penalized for the rest of his life." Companies like Lockheed, Schwentner felt, and plant managers like himself, could "help complete the rehabilitation process that prisons start, reduce their own costs, and find willing, able workers if they would hire, train, and seriously try to retain former inmates on the job." "The job is the thing that will make or break the ex-convict," he emphasized, summing up in that pithy statement both a central belief of the rehabilitative ideal, as well as its Achilles heel.⁴

When it opened in 1971, the Lockheed plant that Schwentner managed was heralded nationally as an example of a new solution to structural unemployment. More precisely, the plant was heralded as a new solution to the problem of so-called "hard-core" unemployment, which was a term that came into widespread use by the late-1960s to refer to undereducated, underemployed, and often formerly incarcerated young people of color living in the nation's largest cities. These were the very same people who had become increasingly enmeshed in California's failing prisons. The term hard-core unemployment emerged as the administration of

⁴ Ibid., 477-484.

President Lyndon Johnson, facing increasing pressure to expand the federal government's role in addressing urban poverty, changed the orientation of federal employment policy in precisely the opposite direction, by diminishing the role of the state in providing economic security. Through the aptly named the Job Opportunities in the Business Sector program—or JOBS, for short—instead of funding employment directly through infrastructure projects or social services, the Johnson administration decided to give subsidies to companies like Lockheed in exchange for those companies' commitment to hire members of the hard-core unemployed. Through JOBS, the federal government began to abdicate its role in administering its own employment policy, much less creating jobs for people who needed them. In part for this reason, the administration of President Richard Nixon embraced the program as a part of its retreat from the War on Poverty, and JOBS failed miserably during the economic recessions of the 1970s. Lockheed's Lynwood plant became emblematic of the discourse surrounding hard-core unemployment and was funded in part with a JOBS contract. Although the plant was located in the largely white neighborhood of Lynwood, its larger significance within this policy landscape was illustrated by the fact that the plant was colloquially known as the Watts-Willowbrook Plant, after two adjacent, predominantly Black neighborhoods, one of which had become synonymous with the problem hard-core unemployment in August of 1965 when its residents expressed their dissatisfaction at being systematically excluded from California's postwar prosperity through the largest urban rebellion in US history up until that point. The boosters of the Watts-Willowbrook Plant promised that it would finally address the problems—unemployment chief among them—that caused the Watts rebellion. As Richard Nixon's secretary of commerce put it at the groundbreaking ceremony, Lockheed's Lynwood plant represented “not only one of the best investments that has ever been made in the Watts area,” but also “one that will serve as a model

for other communities... in our country's determined effort to restore decency and hope to the ghettos of America."⁵

The story of Lockheed's Lynwood plant and the larger context that produced it matters to the history of California's carceral state because, in 1988, more than a decade after Schwentner's testimony, Lockheed permanently closed the plant just as Los Angeles County, on an adjacent plot of land, was about to begin building a massive new "justice center" to house a sheriff's substation, a crime laboratory, three municipal court rooms, and a 1,700-bed maximum security jail.⁶ This was the development project that Ruth Rushen, by then more than fifteen years removed from her success with RODEO, suggested might provide much-needed employment to the Black communities of South LA. What explains this shift? Certainly, a lot had changed in the interim. Tens of thousands of manufacturing jobs had left the area for good, and without the economic security that those industries provided, a range of social problems emerged for which policing and incarceration became, in the words of Ruth Wilson Gilmore, "catchall" solutions.⁷ Indeed, for a significant number of people, policing and incarceration themselves became sources of economic security. This must have been difficult for Schwentner and his workers to witness. At peak production, Lockheed's Lynwood plant employed around 250 people. The new Lynwood Regional Justice Center, on the other hand, was slated to provide well over a thousand jobs that would become available to working-class Black and Mexican-American residents in the

⁵ Jack Jones, "Industrial Park Employing 2,000 Planned Near Watts," *Los Angeles Times*, February 27, 1969.

⁶ Daryl Kelley, "Settlement of Suit Paves Way for Lynwood Justice Center," *Los Angeles Times*, August 17, 1989.

⁷ Gilmore, *Golden Gulag*, 2. In her last chapter, about Mothers Reclaiming Our Children, Gilmore explores how people in South LA's working-class communities of color organized to challenge the expansion of the carceral state during the 1990s, in the wake of deindustrialization. This chapter seeks to provide more context for that history.

surrounding neighborhoods.⁸ And these were not job opportunities in the business sector that were subject to the vicissitudes of the business cycle. These were public sector jobs. They came with high wages, generous benefit packages, union representation, and pensions. Furthermore, the Lynwood Regional Justice Center was only one of a several dozen similarly sized carceral expansion projects to go up in California during this period. As incarceration rates in Los Angeles, California, and the nation skyrocketed, these jobs provided a kind of stability that Lockheed and other manufacturers could not.

This chapter is about the bitter historical irony at the heart of this story, and it helps illustrate the significance of the third dimension of the relationship between labor and incarceration—the relationship between the carceral state and the broader political economy in which it was situated. In particular, the chapter argues that federal employment policy had an as-yet underappreciated impact on the trajectory of the carceral state as the moment of contingency surrounding the crisis of correctional policy began to fade during the 1970s.⁹ Just like the decision to abandon full employment at the end of World War II, the JOBS program that made Lockheed’s investment in Lynwood possible marked a contingent choice, initially taken by the Johnson administration and later embraced by Nixon, to reject the chorus of voices that were advocating for the federal government to take a more expansive role in addressing racialized structural unemployment. While it is impossible to know whether a federal job guarantee would have further reduced California’s reliance on incarceration as Jim Lewis, Willie Jackson, and Bill

⁸ Kelley, “Settlement of Suit Paves Way.”

⁹ While generally recognizing the fact that structural unemployment helped create the conditions of possibility that led to mass incarceration, the literature on the carceral state does not delve into employment policy, specifically. David Stein’s work is one exception to this. See “Containing Keynesianism.” Additionally, the JOBS program is also largely absent from the literature on federal employment policy, and thus the contribution of this chapter is two-fold. Steven Attewell briefly mentions JOBS in his study of postwar employment policy. See *The People Must Live by Work*, 204.

Schwentner hoped it would, tracing the impact of the employment policies that were embraced instead of full employment helps clarify the conditions out of which more punitive correctional policies emerged. Thus, despite the failure of JOBS and of Lockheed's Lynwood plant, exploring how this promising redevelopment project gave way to a recommitment to carceral expansion aids a broader understanding of how the outcome of the struggle over racial and economic inequality during the 1960s and 1970s produced a new wave of prison and jail expansion.

To contextualize this story, this chapter first explains important elements of the policy landscape that helped generate Lockheed's Lynwood plant to begin with. The chapter begins by historicizing the term hard-core unemployment, which became much more widely used during the late-1960s as the contest over the proper policy response to instances like the Watts Rebellion reached a crossroads. Importantly, in addition to being a signifier for the matrix of social problems that caused such rebellions, the evidence surrounding the emergence of the term hard-core unemployment also encompassed the difficulties that formerly incarcerated people confronted in finding employment. Some, including leaders within the Black Freedom Movement, believed that the government should prioritize the needs of poor people themselves, which suggested a renewal of the demand for full employment that had died in the 1940s. Others argued for a retreat from that position. Out of this contested policy landscape emerged the JOBS program, which the second section of the chapter describes. Finally, the chapter concludes by looking more closely at the life of Lockheed's Lynwood plant as a micro history that helps explain how the larger orientation of the nation's political economy impacted the poor and working-class communities who would soon become the targets of a far more punitive carceral

state. This story illustrates how this fateful turn in federal employment policy helped make mass incarceration possible.

The etymology of hard-core unemployment

When it was first used in the early-1960s, the adjective “hard-core” as a descriptor for unemployment or unemployed people did not generally have anything to do with race or urban space, or prisons. Initially, the term referred broadly to the impact of structural unemployment, which had become a more notable problem as a result of a variety of federal policies and private business practices. Automation, in particular, was described as a leading cause of hard-core unemployment, and workers who endured especially long bouts of automation-induced joblessness came to be known colloquially as the hard-core unemployed. Although some newspaper reporters recognized that Black workers were more vulnerable to the phenomenon, many accounts ignored its racial dimensions entirely.¹⁰ Arthur J. Goldberg, who was the labor secretary for the Kennedy administration, first began using the term in the context of his efforts to urge congress to fund programs that would “attack hard-core unemployment among such groups as miners and steelworkers permanently displaced by automation.”¹¹ In 1963, the first report published under the Manpower Development Retraining Act (MDTA) displayed the race-neutral meaning of the term by separating the section on hard-core unemployment from the

¹⁰ An article published in the *New York Times* in April of 1961 included the subtitle “Negro Workers Hard Hit by Trend,” but this was not the norm. See A. H. Raskin, “Hard-Core Unemployment a Rising National Problem,” *New York Times*, April 6, 1961. More typical was coverage that ignored race entirely. For examples, see Sam Dawson, “Start of Decade Poses Challenge,” *Oakland Tribune*, March 30, 1960; Norman Walker, “Problem Grows Worse in Hard-Core Idleness,” *Washington Post*, August 3, 1961; “Nation’s Jobless Ranks Show Increase in July,” *Los Angeles Times*, August 3, 1961; “Decline in Jobless for March Called ‘Not Significant,’” *Wall Street Journal*, April 9, 1962.

¹¹ “Vote Jobless Retraining, House Urged,” *Oakland Tribune*, August 24, 1961.

section on Black unemployment. The former noted that both the number and the proportion of unemployed workers who had been out of work for six months or more had increased significantly, from 240,000 in 1957 (8 percent of the total number of unemployed workers) to 600,000 in 1962 (15 percent of the total). Although the data also showed that nearly thirty percent of the hard-core unemployed were non-white (up more than 16 percent from 1957), the report did not explicitly link the term itself to race. And, while the report showed that “a good many” of the hard-core unemployed lived “in areas where there are no longer job opportunities in the types of work for which they are qualified,” it did not specify which areas these were. That manufacturers had been automating away or otherwise transplanting jobs that had once been available to Black and brown workers living in the nation’s older city centers was left unsaid by Kennedy’s labor department.¹²

By the mid-1960s, however, as Black communities in cities across the nation began to express their frustration toward the various forms of racism that they faced in their lives through outright rebellion, the discourse surrounding hard-core unemployment began taking on new racial and spatial connotations. In January of 1965, for instance, Goldberg’s successor at the labor department, Willard Wirtz, tempered an otherwise optimistic economic forecast with a warning that “poverty and prejudice” threatened to “cancel permanently the futures of millions of young Americans.” The reporter who quoted Wirtz used his own language to specify that the labor secretary was referring to Black youth becoming “tomorrow’s hard-core unemployed and welfare cases,” but nevertheless, the connection was becoming clearer in the wake of the first high-profile instances of Black rebellion, which occurred in Harlem, Rochester, and Philadelphia

¹² See, United States Department of Labor, *Manpower Report of the President* (Washington DC, 1963). In 1962, half of the hard-core unemployed had previously worked in manufacturing, mainly as laborers or machine operators. The next largest categories included service work, clerical work, and those with no previous work experience.

in the summer of 1964.¹³ Eighteen months after the rebellion in Harlem, the neighborhood's congressional representative, Adam Clayton Powell, spoke alongside senators Robert F. Kennedy and Jacob Javits. He declared that hard-core unemployment was Harlem's "most critical problem." "What we Black people need is jobs," Powell continued, "we need green in our pockets."¹⁴

In California, with its comparatively high unemployment rate, the Watts rebellion helped establish the link between chronic, long-term joblessness and the state's segregated Black and Mexican American populations, concentrated in the southern and eastern parts of the city. Although the McCone Commission did not explicitly use the term hard-core unemployment in its report on the rebellion, it did highlight disproportionately high unemployment as a leading cause. The Commission estimated that Black unemployment in LA was between two and three times that of whites, and that the problem equally applied to the Mexican American community.¹⁵ And when the McCone report was released in December of 1965, Governor Pat Brown used the occasion to request \$15 million in federal support to, in his words, "train 5,000 hard-core unemployed persons for skilled jobs," making the new meaning of the term clear.¹⁶

As the term hard-core unemployment became fixed to communities of color, the question of what to do about it remained up for grabs. Everyone agreed that more jobs were needed. They disagreed about how to create them. For its part, the Kennedy and Johnson administrations

¹³ "Unemployment Problem Seen Key Stumbling Block to Banner Year," *Los Angeles Times*, January 1, 1965.

¹⁴ Steven V. Roberts, "More Jobs Urged to Relieve Ghettos," *New York Times*, January 22, 1966.

¹⁵ Governor's Commission on the Los Angeles Riots, *Violence in the City—An End or a Beginning?* (December, 1965), 38–41. For more on the history of the Watts rebellion, see Gerald Horne, *The Fire This Time: The Watts Uprising and the 1960s* (Charlottesville: The University of Virginia Press, 1995).

¹⁶ "Governor to Seek Aid for Unskilled," *Los Angeles Times*, December 13, 1965.

focused on establishing state-run programs to help train underemployed or unemployed workers to attain security. Legislation such as the MDTA (passed in 1962) or programs like the Job Corps or the Neighborhood Youth Corps (both created through the Economic Opportunity Act of 1964) provided things like job training, remedial or vocational education, or counseling. In some cases, the state even provided workers, particularly heads of households, with direct temporary employment or stipends to tide them over while they transitioned from one job to another.¹⁷ Outside of government, however, others were pushing for bolder action. In particular, following the legislative victories of the 1964 Civil Rights Act and the 1965 Voting Rights Act, leaders within civil rights movement began to focus their attention more directly on the kinds of racism that defined life for Black communities, as well as for other communities of color and for poor whites, in the urban north.¹⁸ By 1965, for example, Bayard Rustin and A. Philip Randolph were organizing their “Freedom Budget for All Americans,” which called for full employment and a living wage for all who were willing and able to work, as well as for a social wage for those unable to work, and proposed to achieve those goals by building new housing, schools, and hospitals in the nation’s ghettos. Similarly, after his failed campaign to confront housing discrimination in Chicago, by 1967, Martin Luther King and the Southern Christian Leadership Conference had begun to lay plans for the Poor People’s Campaign. The effort was aimed at pressuring President Johnson to fully fund his War on Poverty, which had suffered as a result of the escalation of US aggression in Vietnam.

¹⁷ For information on the Johnson administration’s approach to hard-core unemployment, see Derek I. Meier, “The Concentrated Employment Program,” in *Journal of Urban and Contemporary Law* (January, 1971): 162-190.

¹⁸ Attewell, *The People Must Live by Work*.

Some local efforts to address structural unemployment and other social problems in California, specifically, also illustrate the extent to which community leaders envisioned direct job creation as a solution. In Watts, for example, former auto-worker Ted Watkins and the UAW-supported Watts Labor Community Action Committee seized the opportunity that the rebellion created to launch a host of successful programs—establishing a credit union for local residents, building homes, and playing an instrumental role in the construction of the first major hospital in the area, among other things—that all centered around job creation and community empowerment. Watkins and his organization also established a residential facility on the outskirts of the city, where young people could live during the week and receive vocational training in business, auto-mechanics, and horticulture.¹⁹ Perhaps ironically, the facility was located in Saugus, near the old county drunk farm, which had been turned into one of the leading examples of a jail designed in accordance with the rehabilitative ideal, where incarcerated people were received similar training. Watkins example illustrates growing popular pressure for more earnest and robust solutions to the problem of hard-core unemployment. In the Bay Area around this same time, the Black Panther Party for Self-Defense was also getting organized. Most famously, the Panthers focused on the issue of police violence, but they also demanded full employment in their ten-point program.

In the years leading up to the Watts Rebellion, a group of researchers affiliated with the UCLA Institute for Industrial Relations (IIR) completed a study of hard-core unemployment in Los Angeles, and it is worth dwelling on this source because it exemplifies both the evolution of

¹⁹ For more on the WLCAC Residential Education Center, as the Saugus facility was known, see “Watts Feeds Itself, Box 108, Folder 1, California ephemera collection (Collection 200), UCLA Library Special Collections, Charles E. Young Research Library, University of California, Los Angeles. For a broader discussion of the history of WLCAC, see Robert Bauman, *Race and the War on Poverty: From Watts to East LA* (Norman: University of Oklahoma Press, 2008), 69–89.

the meaning of the term hard-core unemployment as well as the larger contest over what to do about it—and because it implicates California’s failing prisons in both areas. Working under a contract with the Los Angeles Area Redevelopment Agency, the IIR research team explored the feasibility of carrying out redevelopment projects in poor and working-class communities in east, central, and south-central Los Angeles. Paul Bullock, a research economist who would go on to publish perhaps the only widely read analysis of the Watts rebellion written from the standpoint of Watts residents themselves, led the research team.²⁰ Bullock’s associate project supervisor was a former trade union representative from Texas named Fred H. Schmidt. Both Schmidt and Bullock were white, but the project’s chief researcher was a young Black man pursuing a master’s degree named Robert Singleton. Singleton was active in the local Congress on Racial Equality as well as the National Association for the Advancement of Colored People. Singleton had been a participant in the Freedom Rides, and his decision to research urban poverty marked a continuation of his commitment to the broader struggle for racial equality.²¹ Singleton, Schmidt, and Bullock worked at the request of two newly-elected Los Angeles congressional representatives—Ed Roybal and Augustus Hawkins—both of whom had been sworn into office in January of 1963. Having already spent decades working through the state and local political process to improve life for Los Angeles’ Black and Mexican American residents, Hawkins and Roybal wanted to know how newly-available federal funds could be used to benefit their constituents, many of whom would have been counted among the hard-core unemployed. They hired Bullock, Schmidt, and Singleton to find out.²²

²⁰ See Paul Bullock, *Watts: The Aftermath* (New York: Grove Press, 1969).

²¹ See, “Robert Singleton 1960s,” UCLA: Our Stories, Our Impact, A Centennial Initiative, accessed April 14, 2021, <https://ourstoriesourimpact.irle.ucla.edu/robert-singleton/>.

²² See William L. Batt Jr.’s forward to the report published by the US Department of Commerce, *Hard-Core Unemployment and Poverty in Los Angeles* (Washington DC, 1965). Since 1935, when he was first elected to the

To carry out their research, the IIR team of Singleton, Schmidt, and Bullock believed that it was necessary to develop as clear an image as possible of what life was like for people living in poverty—what their needs were and what barriers they faced in meeting those needs—and then to develop policy accordingly. As the chief researcher, Singleton took the lead, supervising a staff of research assistants who interviewed residents of the neighborhoods immediately east, west, and south of downtown Los Angeles. Demographically, seventy percent of the people who lived in the study area were either Black or Mexican American, and the official male unemployment rate, which tended to underestimate reality, was anywhere between nine and thirty percent. About a third of unemployed men in the area had been out of work for twenty-six weeks or more. Median family incomes were as low as \$2,241, and 41 percent of families survived on less than \$4,000, which the report described as a “deprivation” level.²³

Going door-to-door, Singleton and his research assistants conducted hour-long interviews with nearly a thousand people who were unemployed yet still actively looking for work, as well as shorter interviews with some 2,500 people who either had a job or were not trying to find one. In the long-form interviews, some of the 150 questions they asked collected basic demographic

state assembly as a New Deal Democrat, Hawkins had been one of the only prominent African American leaders in state politics. He now represented in Washington many of the same Black and Mexican American constituents from south Los Angeles whom he had represented in Sacramento. By contrast, Roybal was of Hispano descent. Since 1949, he had represented the largely Mexican American downtown and east Los Angeles areas on the city council. Like Hawkins, he also represented many of his city council constituents in congress.

²³ The study area, as the research team called it, was a contiguous swath of the Los Angeles that they chose based on rates of male unemployment, family income, and years of school completed. The area began in East LA, in neighborhoods like Boyle Heights, Lincoln Heights, before extending west to Elysian Park, Downtown, and Westlake. It then turned south, to encompass Exposition Park, Avalon, South Vermont, Green Meadows, Florence-Graham, and Watts. The research team described the study area as “a region of diverse population with a growing percentage of Negro and Mexican American representation, characterized by extensive movement in and out with a net decline in the total population figure during the 1950’s, and burdened with socio-economic problems related to the exclusion of particular groups from full participation in the economy.” More bluntly, they described the area as “in effect, a convenient ‘dumping ground’ for the problems which the community has failed to solve and which the comfortable suburbanites would rather ignore.” *Hard-Core Unemployment and Poverty in Los Angeles*, 1–13.

information about things like birthplace, age, race, sex, education, dependents, marital status, length of residence. Other questions probed much deeper. The team asked detailed questions about residents' employment history: what kinds of jobs they had held in the past, how long they had been out of work, the nature of their job search. They asked residents what they knew about state unemployment benefits and job training and placement programs, about their willingness to use such services, as well as their interest in pursuing more education or moving out of the area for work. They asked residents about their access to transportation, medical care, expenditures, and what kinds of jobs they might want, why they thought they had lost past jobs, why they thought they had trouble finding work, and what forms of discrimination they faced. The researchers even asked residents to rank their own life goals and the aspirations that they had for their families. Most residents answered either "success at work – more income, better job," "better home for self and family," or, simply, "security." Perhaps the most probing question was this: "If you had the power to make the decision, which of the following things would you consider most important to do and which ones least important" (emphasis in original). Fewer than seven percent of residents responded "leave this area pretty much as it is," whereas clear majorities reported that they would, if they could, build new homes, apartment houses, schools, and community centers. By far the most common answer to this question, exceeding all others by nearly twenty percentage points, was "bring in more factories and stores to provide jobs."²⁴

Through their survey, the IIR team produced a far more detailed record of poverty in a major metropolitan area than was generally available in the US at the time, and they also identified an as-yet unspoken dimension of the evolving concept of hard-core unemployment,

²⁴ Ibid., 136. The complete findings of the survey data are reported in a long chapter, titled "A Profile of the Underprivileged," 105–229.

which was the fact that many people with whom they spoke had come into contact with the criminal or juvenile legal systems. Indeed, even before presenting their survey data, in describing the social problems that characterized life in the neighborhoods that they studied, the team cited a 1962 study conducted by the Los Angeles County Department of Community Services, showing that the number of delinquency petitions filed on youth within the neighborhoods that they surveyed were two to three times higher than elsewhere in the county.²⁵ In addition, the research team also spoke to many residents who had spent time in jail or prison. Their survey questions did not ask directly about prison or arrest records, but they did ask residents to describe what barriers they felt they faced in securing stable employment. “Several respondents,” the researchers noted, “mentioned their prison records as a major handicap.” From this, the team deduced that “a great many more are similarly handicapped even though the fact may not be articulated to the interviewer.”²⁶ In other words, alongside substandard education and housing, inadequate health care and other social services, a lack of access to transportation, low-wages, and of course more frequent and prolonged bouts of unemployment, all of which were described in the report’s “Profile of the Underprivileged,” the research team also argued

²⁵ In their analysis, the IIR team explained that a delinquency petition might signal any number of domestic problems, such as parental neglect, an unfit home, or destitution. Or, it might also refer to so-called “pre-delinquency” behaviors (things like “incorrigibility” or truancy), or even out-and-out delinquency, defined as “car theft, narcotics, theft, rape, etc.” The IIR research team argued that this data provided a more reliable measure of what they called “anti-social situations” than arrest records, which were subject to the whims of police officers. *Ibid.*, 57–59.

²⁶ This claim is difficult to verify since the CDC did not track new commitments or releases by city, neighborhood, or census tract, but a back-of-the-envelope calculation shows it to be more than plausible. According to the *California Prisoners* reports, between 1945 and 1964, some 20,000 unique individuals, both women and men, were sent to state prison from LA County. Given that the average sentence length for the time was three years, most of these people would have been released within the same time frame. The study area included ten percent of LA County’s overall population, so even assuming that its residents were incarcerated at the same rate as elsewhere, that means that some 2,000 formerly incarcerated people lived there. That number might drop if it were possible to account for people moving in and out of the area, but it is also almost certainly deflated to begin with, since, as the delinquency petition data shows, people who lived in the study area came into contact with the legal system at disproportionately high rates, and thus were almost certainly incarcerated at a higher rate than other parts of the county.

that exposure to the state's expanding criminal justice infrastructure was something that typified life for poor Black and Mexican American people in LA. "There is every reason to believe that this [the prevalence of prison records] represents an important barrier to employment in this area," the team concluded."²⁷ The carceral state, in other words, was both a cause and a consequence of hard-core unemployment.

When it came to identifying possible solutions to hard-core unemployment, the IIR report emphasized prioritizing the needs of working-class communities of color and involving them in the process of doing so, which ran contrary to the desires of LA's political and economic elites. The team recognized that urban renewal too often benefited property developers and contractors who had a stake in high-income commercial and housing developments at the expense of ordinary people who happened to live in the area. Any future redevelopment, they argued, needed to be carefully designed to benefit the poor, first and foremost.²⁸ Those in power in LA at the time were not generally receptive to this position. Most infamously, Mayor Sam Yorty was stubbornly refusing to seat poor Angelenos on the entity that administered the city's federally-funded poverty programs, which he was obliged to do under federal law. Paul Bullock himself waded into this debate in the spring of 1965, probably as the hard-core unemployment study was being written up, in an op-ed that appeared in the *LA Times*. There, Bullock urged city leaders to work with "people outside the traditional framework, and especially those who are most directly affected by the policies to be developed." Bullock called on Yorty and other power brokers to recognize "the fact that there are vast leadership resources within the 'poverty' areas which

²⁷ *Hard-Core Unemployment and Poverty in Los Angeles*, 159–161.

²⁸ *Ibid.*, 14.

remain untapped, partly because many of the established institutions are fearful of new and unfamiliar leaders.”²⁹

At their boldest, the recommendations made by Singleton, Schmidt, and Bullock mirrored those of more well-known examples, such as the “Freedom Budget,” especially in the extent to which they called for the state to take a more active role in creating useful jobs for the hard-core unemployed. To be sure, some of their recommendations were more targeted. For example, the team recommended stronger enforcement of anti-discrimination protections in employment, housing, and education. They also recommended providing free chest x-rays to area residents, and passing a revised GI bill that would allow people to receive federal subsidies for higher education. Funding for area schools was also key, particularly to implement programs that would help keep youth from dropping out. In addition, however, the team also called for “far reaching” urban renewal reforms that would tap into the “latent resources of local leadership” to address the root causes of urban poverty. One concrete suggestion along these lines, which anticipated today’s concept of “community schools,” was to attach service centers to public school campuses, where local residents could access health care, personal and vocational counseling, and other social services. Importantly, while Singleton, Schmidt, and Bullock recommended adopting policies to create jobs by enticing manufacturers back into areas that lacked investment, they also believed that, independent of the manufacturing sector, the provision of social services itself could and should provide a stable source of employment for

²⁹ Paul Bullock, “Innovations, New Leaders, Risk Taking Urged in War on Poverty,” *Los Angeles Times*, May 28, 1965. For more on the Mayor Yorty’s refusal to implement the War on Poverty, see Kazuyo Tsuchiya, *Reinventing Citizenship: Black Los Angeles, Korean Kawasaki, and Community Participation* (Minneapolis, MN: University of Minnesota Press, 2014), 66–79; Bauman, *Race and the War on Poverty*, 20–30; Sides, *LA City Limits*, 176–189;

Elizabeth Hinton addresses how the mandate for maximum feasible participation was sometimes viewed as a form of “class struggle” by local leaders in *From the War on Poverty*, 62–66.

area residents. “A conscious effort,” they wrote, “should be made to establish auxiliary positions, to be filled primarily by persons residing in low-income areas, in occupations such as teaching, social work, recreational supervision, medical care, and vocational or personal counseling.”³⁰ The process of resolving many of the social problems that defined poverty, in other words, could itself create jobs to resolve hard-core unemployment. Ruth Rushen would have recognized this line of thinking instantly.

It was only a coincidence that the IIR team released their study the same month as the Watts Rebellion, but that event and others like it helped cement the new, more specific definition of hard-core unemployment that was implied in the report, and they also made the problem impossible to ignore. Rather than coal miners and steel workers displaced by automation, by the late-1960s, the term became fixed to the primarily young men of color—undereducated, underemployed, and likely to be carrying an arrest or prison record—who were expressing popular frustration with the status quo. Covering the Watts Rebellion in the fall of 1965, the *LA Times* pointed to the IIR report in its coverage of the underlying causes of the unrest. Although the paper reiterated the racist pathologies characterized much of the public discourse surrounding the event, it also captured the candid experiences of Watts residents with job discrimination. One man described hitchhiking each morning before sunrise from south LA to the city’s segregated west side only to face rejection, day-in and day-out in his search for work as a laborer. Another man said he had given up looking for work because wages were too low. “There are jobs paying \$1.25,” he said, “but I’m worth more than that. I’d do janitor work or anything else, as long as its decent pay.” This same man also pointed out that his arrest record—he had spent nine months in jail for missing child-support payments—constituted a major obstacle. “Half the people in LA

³⁰ *Hard-Core Unemployment and Poverty in Los Angeles*, 248.

ain't lived 'till they been in jail," he said, "but, hell yes, it keeps you from getting' a job."

During the years between 1966 and 1971, when most incidents of civil unrest took place, the use of the term hard-core unemployment skyrocketed in the press as similar stories filled the pages of the nation's newspapers and the debate over how to respond to the crisis heated up.³¹ It is telling that one of the clearest definitions of the term appeared in the Kerner Commission report, published in the wake of the 1967 Detroit Rebellion, which described the "most compelling and difficult challenge" posed by "some 500,000 'hardcore' unemployed who live within the central cities, lack basic education, work not at all or only from time to time, and are unable to cope with the problems of holding and performing a job." "A substantial part of this group is Negro, male, and between the ages of approximately 18 and 25," the report continued. "Members of this group are often among the initial participants in civil disorders."³²

Importantly, hard-core unemployment also became linked to the prison system and to the broader crisis of correctional policy that reached its critical moment at precisely the same time. For example, in the wake of the Great Rebellion, the *Detroit Free Press* led off a story about the automotive industry's commitment to hire tens of thousands of Black workers with the anecdote of "a 27-year-old Negro, four days out of prison" who walked into Chrysler hiring office and threatened the manager by saying, "either give me a job, or I'll do something to go back to jail. I

³¹ Of the nearly 11,000 instances of the use of either the term "hard-core unemployment" or "hard-core unemployed" that appear in the ProQuest News & Newspapers database, more than half (6,390) appear between the years of 1966 and 1971. The same is true of some of the major California newspapers that are left out of the ProQuest database. In the *San Francisco Chronicle*, of 258 uses of those two terms between 1960 and 2019, 159 of them fall between 1966 and 1971. In the *Sacramento Bee*, that same ratio is 295 out of 401. In the California Digital Newspaper Collection maintained by the UC Riverside Center for Bibliographic Studies and Research, a database that includes many of smaller California newspapers, the ratio is 695 out of 1,051.

³² Otto Kerner, et. al., *Report of the National Advisory Commission on Civil Disorders* (New York: Bantam Books, 1968), 231. Hereafter cited as *Kerner Commission Report*.

don't want to go, but I got to live.”³³ So vivid as to appear almost apocryphal, this example, whether it truly happened or not, shows how the carceral state factored into public narratives surrounding the very real need to address racialized structural unemployment, which prisons were incapable of doing. Indeed, in its finding that a prison record was a common barrier to employment in Los Angeles, as it surely was elsewhere in California and the nation, the IIR team not only helped define an important feature of structural unemployment, they also indirectly implicated the failure of prison work programs to successfully provide a bridge to economic security in creating the wider problem of hard-core unemployment. Had the rehabilitative ideal worked, the formerly incarcerated people that Singleton and his research staff encountered would not have been out of work. Indeed, corrections officials themselves even began to describe the incarcerated specifically as members of the hard-core unemployed. The 1969 California State Assembly report on Correctional Industries, for example, claimed that the proposal to allow private corporations to set up shop inside of prisons “would constitute a new kind of joint government-business intervention in the failure cycle of the hard-core unemployed.”³⁴

Despite growing calls for the federal government to take expansive steps to resolve the interconnected social problems that the term represented, eventually, the Johnson administration chose to address hard-core unemployment through a policy that privileged the interests of the nation's business leaders over those of the nation's poor. Even the Kerner Commission's recommendations included the creation of at least a million public sector jobs within a three-year period, and yet, in the fall and winter of 1967 and 1968, as Martin Luther King was organizing his Poor People's Campaign, President Johnson decided instead to take his cue from Detroit's

³³ Gary Blonston, “Industry's Bid to Aid Jobless Has Long Way to Go,” *Detroit Free Press*, November 13, 1967.

³⁴ *Report on the Economic Status and Rehabilitation Value of California Correctional Industries*, 36.

automotive industry, which, in the wake of Detroit's Great Rebellion, had promised to hire thousands of members of the hard core unemployed.³⁵ The solution that Johnson embraced was the JOBS program, and as the name implies, it directly eschewed the idea of expanding public sector employment as a means of mitigating hard-core unemployment. This marked a decisive shift in the orientation of federal employment policy, one that would eventually fail to address the problem of structural unemployment, and therefore carry important implications for the trajectory of the carceral state.

The JOBS program and its failure

Enacted in early 1968 in direct response to the crisis of hard-core unemployment, the JOBS program marked a decisive shift in the orientation of federal employment policy. It functioned essentially as a contracting program. Employers who agreed to participate signed an agreement with the government to hire members of the hard-core unemployed in exchange for federal subsidies. In many cases, such employers also agreed to provide services such as remedial education, childcare, transportation, or basic medical care, that were aimed at helping workers to keep their jobs. For its part, the government's only role was to compensate the employer for the cost of any services that the employer or a sub-contractor provided, as well as for the labor time that the company ostensibly lost while their new hard-core hires were in the classroom, being trained, or otherwise dragging productive output. Where earlier manpower programs involved the direct provision of job training services or temporary employment

³⁵ *Kerner Commission Report*, 231, 315

through the state, the distinction with the JOBS program was that the state delegated these functions entirely to private employers.³⁶

In publicizing the program and lobbying for its passage, the Johnson administration framed JOBS as a direct rebuke of calls for direct intervention in the social problems that caused the urban rebellions. In the months leading up to the announcement of the program, for example, the president himself used the idea of a public jobs program as a threat to prod private capital into action. “There are some half-million unemployed, hard-core unemployed, in our principal cities,” Johnson told reporters in December of 1967. “I am going to call on the businessmen of America and say one of two things have to happen: you have to help me go out here and find jobs for these people, or we are going to have to find jobs in the government for them and offer every one of them a job.”³⁷ The following month, in the message that Johnson sent to congress asking it to endorse JOBS as part of a \$2.1 billion manpower initiative for the 1969 fiscal year, he referred directly to the crises posed by the Great Depression and reconversion after World War II. Johnson argued that the federal government had resolved the vexing problems of mass unemployment and economic depression that many feared would return once World War II was over. Nevertheless, he also admitted that many people remained shut out of the nation’s postwar economic prosperity. He lamented the impacts of automation, discrimination, and the enforced idleness of, as he put it, “the man and the woman blocked from productive employment by barriers rooted in poverty: lack of health, lack of education, lack of training, lack of motivation.” Without directly referencing the prisons, Johnson echoed CDC Director Richard McGee by

³⁶ There is virtually no secondary literature on the JOBS program. For information about the program and how it operated, see *The JOBS Program (Job Opportunities in the Business Sector) Background Information*, prepared for the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare of the United States Senate, April 1970. See also, Meier, “The Concentrated Employment Program,” 172–73.

³⁷ “LBJ’s Job Plea Draws Response,” *Oakland Tribune*, December 22, 1967.

calling such idleness “a tragic waste” both of “the human spirit” as well as “the economic resources of a great nation.” Here he puts the question squarely: “In an economy of sustaining high employment, how can we assure every American, who is willing to work, the right to earn a living?” In his answer, Johnson distanced himself from the kinds of programs that Roosevelt had implemented during the depression, or, for that matter, from the kinds of programs that many Americans, from the representatives of the Kerner Commission to the IIR research team to those involved in building Martin Luther King’s Poor People’s Campaign. “In our thriving economy,” he wrote, “where jobs in a rapidly growing private sector are widely available and the unemployment rate is low, the ‘make-work’ programs of the 1930’s are not the answer.” Johnson reiterated this to the press. “I hope it won’t be necessary,” he told reporters, “for us to have any more public employment programs similar to what we had back in the thirties.”³⁸

Part of the federal government’s abdication involved an entity known as the National Alliance of Businessmen (NAB), which was created by the Johnson administration and comprised of the leaders of some of the most powerful corporations in the country, who were tasked with administering every aspect of the JOBS program, from recruitment to contracting to compliance. The same day that Johnson first announced JOBS, he spoke briefly to the press, mainly so he could name some of the businessmen who were going to be involved in the NAB. Henry Ford II, grandson of Henry Ford and chief executive officer of the Ford Motor Company, would chair the organization. One of the Ford Motor Company’s vice presidents, Leo C. Beebe, would serve as executive vice chairman. J. Paul Austin, president of the Coca-Cola Company,

³⁸ Lyndon B. Johnson, “To Earn A Living: The Right of Every American,” January 23, 1968, The American Presidency Project, UC Santa Barbara accessed April 7, 2022, <https://www.presidency.ucsb.edu/documents/special-message-the-congress-earn-living-the-right-every-american>; Johnson, “Remarks to the Press on the Message ‘To Earn a Living: The Right of Every American,’” January 23, 1968, The American Presidency Project, UC Santa Barbara, accessed April 7, 2022, <https://www.presidency.ucsb.edu/documents/remarks-the-press-the-message-earn-living-the-right-every-american>.

would serve dual roles as both vice chairman and regional administrator for the southeastern states. These three men had already agreed to help. Some of the others had only been asked to help and had not yet committed, but Johnson named them anyway. They included the president of the Hotel Corporation of America; the chairman of the board of IT&T; the president and chief executive officer of the Aluminum Company of America; the president of the Illinois Bell Telephone Company; an executive with McDonnell-Douglas Aircraft; the president of the Texas manufacturing conglomerate Lin-Temco-Vought; and the president of the Levi-Strauss Company. Assuming these leaders accepted their roles with the NAB, their task would be to coordinate between the federal government and the business communities of the largest cities in their respective regions, and to find out which companies might be willing to accept a JOBS contract. Thanks to the NAB, the federal government had no role administering the program.³⁹

In the spring of 1968, as the NAB began letting out JOBS contracts, one key limitation of the policy revealed itself as it became clear that at least some of its boosters viewed the program cynically, not so much as a long-term solution to structural unemployment, but rather as a way to provide just enough work during the summer months to stave off violence. This was implicit in Johnson's threatening comments, but it also became clear elsewhere. In March of 1968, for example, the *New York Times* reported that the NAB had issued a quota of 35,700 temporary jobs "to help cool slum areas this summer," along with 18,500 permanent jobs "for the hard-core jobless" by September.⁴⁰ Such a ratio of permanent to temporary jobs was common. The following month, the emphasis on pacifying potentially rebellious urban Black communities was made even more explicit in the wake of Martin Luther King's assassination. Vice President

³⁹ Johnson, "Remarks to the Press on the Message "To Earn a Living.""

⁴⁰ "54,200 New Jobs In New York Asked," *New York Times*, March 16, 1968.

Hubert Humphrey happened to be speaking before a gathering of the NAB the morning after King's death. In his impromptu eulogy, Humphrey described the slain leader as a champion of "individualism," "self-discipline," and "self-reliance." Perhaps sensing the contradiction of his portrayal, he then began to plead with his audience. "I come to you today, as your vice-president, to ask you to do more than you ever dreamed that you could do, to ask you to open gates that have been locked for years, to ask you to find jobs that you didn't even know existed, to ask you to train people that have been called the untrainable." Here, the solution to Black poverty lay not in the empowerment of Black people themselves, as King believed, but rather in the altruism of the nation's corporations, whose leaders were supposed to "open the gates," if not out of charity then out of self-interest, for King's death threatened to unleash yet another wave of civil unrest. "What will it mean," Humphrey asked, "if it [King's assassination] becomes a signal for Black Americans to strike out in vengeance—in rage—in retaliation, as some have said?"⁴¹ A few days later, Leo C. Beebe of the Ford Motor Company spoke to some forty business leaders gathered in Oakland to rally around JOBS. Echoing Humphrey, he told them that they were "going to have to deal with realities you've never had to face before," that they were going "to hell in a handbasket" if they did not provide jobs to the city's Black workers. The quota of permanent jobs in Oakland was 3,000, but Beebe also demanded 8,000 temporary jobs just for the summer.⁴²

Soon, a more fatal limitation of JOBS would emerge, as the program collapsed in the face of macro-economic changes in the US economy that curtailed private capital investment in

⁴¹ "Remarks of the Vice President Hubert H. Humphrey, National Alliance of Businessmen, South Huntington, Long Island, New York, April 5, 1968," Hubert H. Humphrey: An Inventory of His Speech Text Files, Minnesota Historical Society, accessed March 18, 2021, <http://www2.mnhs.org/library/findaids/00442.xml>.

⁴² "Employers Warned to Face Realities," *Oakland Tribune*, April 10, 1968; "Remarks of the Vice President Hubert H. Humphrey," April 5, 1968; "LBJ's Job Plea Draws Response," *Oakland Tribune*, December 22, 1967.

manufacturing. President Johnson left office in 1968, of course, but his successor, Richard Nixon, embraced JOBS wholeheartedly because it fit neatly with the Republican's broader retreat from the War on Poverty. Governor Reagan also publicly expressed his appreciation for the program.⁴³ By the summer of 1969, at the same time that he closed 59 Job Corps offices across the country, Nixon had doubled-down on JOBS, expanding the program from 50 to 125 cities nationwide with an annual budget of \$400 million.⁴⁴ By the following spring, however, it was becoming clear that one of the longest periods of sustained economic growth in US history was ending, and that spelled trouble for JOBS. The federal government may have been providing subsidies to incentivize hiring, but ultimately JOBS relied on the assumption that companies would bring workers onto their own payrolls eventually. Unlike the military Keynesianism that brought the US out of the Great Depression and fueled the prosperity of the postwar period, JOBS involved no direct investment on the part of the federal government to stimulate production. If private companies decided to downsize and lay off workers, the whole program would collapse. Exactly that began to happen in 1970. In March, Chrysler cancelled \$13.8 million in JOBS contracts that would have trained some 4,500 new workers. This was a particularly bad sign, since the automotive industry carried more contracts than any other single industry. That same month, when he was asked about the potentially negative impact the recession might have on JOBS, Donald M. Kendall, the president of PepsiCo and the outgoing chairman of the NAB, told a group of reporters who were assembled at the Press Club in

⁴³ In a speech before the California Manufacturer's Association in October of 1968, Reagan touted his administration's "strong and effective linkage" with the JOBS program, which he noted was active in San Diego, Long Beach, Los Angeles, San Francisco, and Oakland. See "Excerpts of Speech by Governor Reagan, California Manufacturer's Association 50th Anniversary Award Banquet, Los Angeles, October 17, 1968," Box P18, Ronald Reagan's Governor's Papers, Ronald Reagan Library.

⁴⁴ Jack Jones, "JOBS: Hard-Core Unemployed Less Trouble Than Anticipated," *Los Angeles Times*, July 20, 1969.

Washington D. C. that he and his colleagues were “seeking new openings in industries relatively immune to a mild business climate.” This meant the service sector, communications, food processing, non-profits, health care, education, and just about any sector of the economy other than manufacturing. Perhaps Kendall and the rest of the NAB did look earnestly. Perhaps not. Either way, by May of 1970, Nixon’s labor department decided to redirect nearly half of the money that congress had appropriated for JOBS for the upcoming fiscal year—some \$135 million—to other manpower programs. It was a sharp turnaround.⁴⁵

As the 1970 recession threatened the program’s future, the US Senate Subcommittee on Employment, Manpower, and Poverty decided to take a closer look JOBS and found that the program, independent of the larger economic situation, was already failing to live up to its goals. The subcommittee wanted to know how successful the program had truly been, and what kind of return on investment the government was receiving compared to other manpower programs. The one positive thing that could be said was that JOBS had enlisted, through the NAB, some 25,000 private companies in its efforts. The list of negatives was much longer. Beyond the realization that, as everyone now knew, JOBS was vulnerable to a recession, the Senate staff was shocked to learn that the NAB could not provide a reliable measure of how many people had been hired, how many people were still working, nor whether employers or subcontractors ever made good on their promises to provide the services they said they would. Indeed, there was strong evidence that many contractors and sub-contractors frequently misunderstood what they were committing to. And because there was no accountability mechanism, there was ample

⁴⁵ “Chrysler blamed sagging sales for dropping a job training contract,” *Los Angeles Times*, March 5, 1970; “JOBS Seeks Spots in Service Groups,” *San Francisco Chronicle*, March 1, 1970; Murray Seeger, “Labor Department Quietly Cuts Back JOBS Plan: Campaign to Employ Hard-Core Falls Victim to Economic Slowdown, Criticism,” *Los Angeles Times*, May 3, 1970.

opportunity for fraud. Primary contractors often pressured subcontractors to skirt the provision of services, so as to get their new hires to work more quickly. Additionally, there was no way of knowing whether companies were truly hiring bona fide members of the hard-core unemployed, or whether they were simply hiring people whom they may well have hired anyway and collecting money from the government along the way. Lastly, young people, in particular, seemed to eschew JOBS. What data was available showed that people under the age of twenty-one did not find the program worthwhile, and that their retention rates were especially low. This was a serious problem for a program designed, in large part, to reach precisely that age group.⁴⁶

JOBS failed because it did not connect people to stable, long-term employment at a living wage. According to the senate study, of the 45,000 persons hired under the first round of JOBS contracts, let out in 1968, fewer than 15,000 of them were still working by 1971. Defenders of the program argued that people mostly moved on to other opportunities. Maybe they moved, or maybe they joined the military. Maybe they quit voluntarily after finding better work elsewhere. Other evidence suggested that the jobs that JOBS provided were often undesirable. Between one-quarter and one-third of JOBS employers in San Francisco, for instance, offered what were described as “marginal jobs which appeared to be in high-turnover occupations involving minimum skills and low wages,” including “jobs as janitors, messengers, maids, porters, dishwashers, busboys, pot washers, and bar assistants.” Such jobs could have been made desirable, but under JOBS they tended to pay less than \$2 per hour. A flyer produced by the San Diego Automotive Consortium, for example, claimed that as many as 300 mechanics would be hired under JOBS contracts. The pay, however, started at \$1.65 an hour, only rising to \$3.50 after 13 months of work. Because the JOBS program was administered by the NAB instead of

⁴⁶ *The JOBS Program... Background Information*, 5–6.

the government, there was no effective way of forcing employers to raise wages. An official with the California human resources department ran into this problem, and he complained to the federal manpower administrator in San Francisco. “When you consider that the employer received full reimbursement for wage loss during the time the trainee is not OJT [on-the-job-training], and 50 percent of the wage loss while trainee is OJT, it would appear reasonable to insist upon an entry level wage which exceeds the poverty level as defined by the NAB-JOBS criteria.” The NAB had published its own wage scales, apparently, but it was either unable or unwilling to enforce them.⁴⁷

In addition to low wages, the services that JOBS contractors offered did little to overcome the larger problems that helped produce structural unemployment. The NAB was not capable of verifying whether contractors or sub-contractors were providing the services, and possibly it did not care to. The manager of one southern California packing company, for example, complained to the organization about a “bad subcontractor.” Instead of offering to help, the NAB tried to sell them tickets to a fundraising seminar at \$30 a person.⁴⁸ One service, in particular, that proved especially problematic was transportation. This was certainly true in Oakland, where retention rates among the primarily Black JOBS hires were particularly low. When someone from the comptroller’s office confronted an official from the department of labor about the problem, they were told that JOBS was only equipped to provide short-term transportation solutions. They might arrange for a ride for a few days, maybe, or provide a week’s worth of bus fare. But in the long run, the labor department official said, people hired

⁴⁷ Comptroller General of the United States, *Report to the Congress: Evaluation of Results and Administration of the Job Opportunities in the Business Sector (JOBS) Program in Five Cities*, (Washington DC, 1971), 48-49.

⁴⁸ *JOBS Program Background Information*, 23.

under JOBS were expected to provide transportation for themselves. This despite the fact that the flatlands of West Oakland were a “considerable distance from the areas in which JOBS campaigns were located,” and that the available public transportation that connected urban and suburban areas were “frequently poor.” Similarly, the Food Employers Council of Los Angeles, a group representing grocery stores that coordinated to hire under JOBS contracts, emphasized how difficult it was for their new hires to get to and from work. “A person is virtually lost here without an automobile,” wrote Robert K. Fox, the president of the council, “and most candidates for our program either do not own an automobile, are financially unable to obtain one, or due to a previous driving record are not able to obtain a driver license.”⁴⁹

Importantly, the JOBS program directly overlapped with the crisis in correctional policy that, in the early-1970s, was still very much undetermined. The *A Time to Act* report, for example, which was the product of the Joint Commission on Correctional Manpower and Training, mentioned JOBS by name, saying that the program was “bound to have some immediate payoff for corrections,” since “the hard-core unemployed are often clients of corrections or are likely to be if work opportunities are not made available.”⁵⁰ Some carceral workers in California made use of the program. In fact, Operation Pathfinder, which was described in chapter two, used JOBS contracts in its effort to secure work for the young people who participated in the study, though the consultants who ran the project complained of how long it took for the NAB to process them.⁵¹ Joe Brusca, the YA’s chief parole deputy for the southern half of the state, also mentioned the JOBS program when he spoke to a reporter about

⁴⁹ *Evaluation of Results and Administration of JOBS*, 61.

⁵⁰ *A Time to Act*, 61.

⁵¹ *Operation Pathfinder*, 32.

the frustrating nature of the work that his staff were trying to do to find placements for young parolees. As Brusca explained, federal funding to find work for members of the hard-core unemployed provided a boon to him and his overworked staff. There were nearly 10,000 young people on parole in southern California. Half of them were either Black or Mexican American. Three quarters were over the age of eighteen, and thus would have been expected to enter the workforce upon release, even if they lacked formal education and work experience. If they received any job training while in prison, whether it was useful or not, it did nothing to ensure there would be a decent job waiting for them on the outside. From Brusca's perspective, the JOBS program offered a lifeline.⁵² Because JOBS was the federal government's main response to the problem of hard-core unemployment, it was also therefore an important part of its response to the crisis in correctional policy and the failure of the rehabilitative ideal.

Ultimately, the decisive feature of the JOBS program was the timid intervention it represented compared to the scale of the social problems that its boosters, including President Johnson, wanted it to solve. In 1968, the Kerner Commission called for two million jobs to address hard-core unemployment.⁵³ While the JOBS program aimed to provide a quarter of that sum, it probably never came close. Moreover, whatever jobs that JOBS did create existed based purely on the good-will of the business sector, which evaporated quickly when economic conditions turned for the worse. Of the JOBS employers who responded to the government's surveys, the one thing that almost all of them agreed on was that a recession would force them to pull out. As one representative from an aerospace parts manufacturer put it, the 1970 recession

⁵² Jack Jones, "Youth Authority Sees JOBS as Aid to Young Parolees," *Los Angeles Times*, October 12, 1969.

⁵³ *Kerner Commission Report*, 231. See also, Elizabeth Hinton's discussion of the Kerner Commission, *From the War on Poverty*, 124-131.

“has virtually negated our participation in the program at this point, and further recession would virtually eliminate our ability to participate at all.” As a result of this limitation, the authors of the report condemned the program in no uncertain terms. This is how they put it: “To the extent that a company’s programs are poorly planned, offer such low wages that the poor are actually being exploited, or offer jobs which soon disappear due to seasonal cycles or poor management, trainees may end up back on the streets more bitter than before at the American economic system, and less inclined than ever to believe that either government or business will give them an opportunity in American society as it is now constituted.”⁵⁴

While the failure of the JOBS program matters from a macro perspective because it shows how a specific turn in federal employment policy failed to address structural unemployment, it also matters from a micro perspective because the program helped make Lockheed’s investment in Lynwood possible. The final section of this chapter describes the rest of that story, arguing that this example illustrates how the government embraced a public jobs program after all, through the resurgence of the carceral state.

From Lockheed to lockdown in Lynwood

As a result of the discourse surrounding hard-core unemployment and the contest over federal employment policy, from the beginning, Lockheed’s investment in its Lynwood plant took on a larger-than-life status. On May 15, 1969, as a sheriff’s deputy escorted him away from the dedication ceremony of what boosters insisted on calling the Watts Industrial Park, Reverend J. D. Gayle had a simple message for those in attendance: “This is Lynwood, not Watts!” Gayle was right, but that mattered little to the onlookers gathered that morning at a junkyard just west

⁵⁴ *JOBS Program Background Information*, 6

of Alameda Street in South Los Angeles, five blocks below Imperial Avenue, which is the southern boundary of Watts. They were there to celebrate a federally funded redevelopment project aimed at luring private capital investment to the area that had been devastated by the 1965 Watts Rebellion. Despite broad agreement that widespread and chronic unemployment had helped cause the rebellion, after four years, the area's primarily Black residents still suffered one of the highest jobless rates in the state, if not the nation. And despite the fact that the project sat in the northwest corner of the largely white neighborhood of Lynwood, its boosters wanted to signal that they were prepared to do something, finally, about the problem of structural unemployment for Black Angelenos. Hence the name: Watts Industrial Park.

The insistence on naming the plant and the larger development that it was meant to anchor after Watts is important. It mattered greatly to Reverend Gayle. With his keener sense of place, he felt the misnomer symbolized the government's failure to adequately address poverty in his community. Gayle, who had moved to Los Angeles in the early-1940s, was among those to testify before the House Subcommittee on the War on Poverty in August of 1965 when it held hearings in the heart of Watts just days before the rebellion. At that hearing, Gayle and many others protested Los Angeles' refusal to implement the 1964 Economic Opportunity Act in good faith. Identifying himself as the minister of a Baptist Church with a congregation so poor that, in his words, "their souls are lost and their lives, too, if this poverty program is not properly administered," Gayle asked that his community have a voice in distributing the federal funds flowing into Watts. "We are tired of people talking for us," he told Congressman Augustus Hawkins that day in 1965. "We want to speak out and let you know just what is happening in our community and what we need. We want to represent ourselves to some extent... to see to it that there be a poverty program, that there be poverty money, let it reach the grassroots level."

This was much the same position as Bullock, Singleton, and Schmidt were advocating for in their research on hard-core unemployment. Now, four years later, as most of the people gathered that sunny day in May cheered the dedication of Lynwood's Watts Industrial Park, Gayle appeared more dejected than ever. "I Just can't lose no more," he confessed, through tears. To him, the new development was "all part of the whole thing... they pretend they're helping poor people, but the only people who'll benefit is a few middle-class Blacks and white people."⁵⁵

Until Gayle disrupted the ceremonies that day, three men stood at the center of attention. First was Robert A. Podesta, the newly-appointed assistant secretary for economic development in President Nixon's Department of Commerce, which had helped finance the project with \$9 million in federal grants and loans. Alongside Podesta was Charles S. Wagner, the president of Lockheed-California, who had recently signed a JOBS contract to hire members of the hard-core unemployed from the surrounding neighborhoods. Finally, representing Los Angeles' Black business community was Richard Allen, the co-owner of a moderately successful electronics company. Earlier in 1969, the Nixon administration had appointed Allen president of an entity called the Economic Resources Corporation (ERC) that was comprised of some of the leading business interests in the Los Angeles area, including Lockheed, Prudential Insurance, and Pacific

⁵⁵ Jack Jones, "Watts Industrial Park Dedicated at 45-Acre Site," *Los Angeles Times*, May 16, 1969; Testimony of Reverend Gayle, *Antipoverty Program in New York City and Los Angeles, Hearings Before the Subcommittee on the War on Poverty of the Committee on Education and Labor, House of Representatives*, 89th Cong. 146–148 (1965). Congressman Augustus Hawkins also protested the siting of the Watts Industrial Park, complaining that the location had been chosen without sufficient community input and that its benefits would bypass the largely Black community that he represented. According to the 1970 census, Lynwood's 43,000 residents were 98 percent white (given the racial and ethnic designations in use at the time, this may well have included Mexican or Mexican American residents who did not identify as Black or American Indian). The adjacent census-designated neighborhood of Willowbrook, on the other hand, had a population of 29,000 that was 82 percent Black. See, *1970 Census of Population, General Population Characteristics, California Advance Report*, Bureau of the Census (Washington DC, 1971), 17, 33. For broader context on the history of racial segregation and white contestation over economic and other resources in the area, see Nicolaides, *My Blue Heaven*. South Gate, the white suburb that is the focus of Nicolaides' study, is the suburb immediately north of Lynwood, on the other side of Abbott Road and what is today Martin Luther King Jr. Boulevard.

Telephone. The ERC had used federally financed loans to purchase the 45-acre Lynwood site, and it bore the responsibility of developing the blighted land into a flourishing industrial park to lure other companies to follow Lockheed's lead.⁵⁶

Allen, Wagner, and Podesta all spoke optimistically to the crowd and to reporters, and President Nixon himself was said to harbor "deep enthusiasm" for the project "and the concept it represents." Lockheed's Wagner echoed these sentiments, saying that "the important thing is that we are not just putting up another plant. We are participating in a program to help redevelop a community." As for Allen, he boasted that the Watts Industrial Park would eventually employ 2,400 people directly, and that its mere presence would create another 3,600 jobs in the surrounding community through knock-on effects. Importantly, reflecting the turn away from earlier policy approaches to structural unemployment, he distanced the project from the War on Poverty by claiming that these would not be the "dead-end, training jobs of yesterday." Rather, he claimed that the jobs provided by Lockheed and the Watts Industrial Park would instill "self-respect." These jobs would "re-create dying communities" and offer Watts' residents "pride instead of shame, hope instead of despair, love instead of hate."⁵⁷ Such confidence was misplaced.

More than any federal subsidies, Lockheed's investment in Lynwood was made possible by \$2.61 billion in orders the company received in the spring of 1968 for a new commercial passenger jet, the L-1011 TriStar. This required the company to expand its productive capacity. Having chosen southern California as the site for doing so, it decided to locate a sub-assembly

⁵⁶ Jones, "Industrial Park Employing 2,000 Planned Near Watts" and "An Economic Giant Stirs," both published in the *Los Angeles Times* on February 27 and March 2, respectively, 1969.

⁵⁷ Jones, "Watts Industrial Park Dedicated." The quotation from Maurice B. Stans and the report of Nixon's personal views come from Jones, "Industrial Park Employing 2,000 Planned Near Watts."

plant in Watts-Willowbrook, there producing fuselage bulkhead segments, floor boards, and insulation materials that would be shipped elsewhere to be assembled into thousands of new passenger jets. But the \$2 million that Lockheed promised to invest in Watts-Willowbrook paled in comparison to the \$30 million assembly and testing facility the company planned to build in Palmdale, a city lying north of the San Gabriel Mountains, in the remote Antelope Valley. The *Los Angeles Sentinel* called the anticipated economic impact of the larger investment “almost inconceivable.” “Besides the actual jobs at Lockheed,” the paper wrote, “thousands of jobs will be created in the construction industry, contracting and sub-contracting industries. Housing for those persons planning to move into the Antelope Valley community of Palmdale will create additional jobs. Then there will be more jobs created for those in service businesses: barbers, cooks, waiters and waitresses, bartenders, shoe repairmen, beauty shops, radio and television repairmen and a thousand other jobs.” Even assuming such ancillary impacts were ever truly realized anywhere, Palmdale was still far from the parts of Los Angeles County most impacted by structural unemployment and most in need of capital investment. Lockheed was lauded for its decision to hire 300 workers in Lynwood. In Palmdale, by comparison, it planned to hire at least five thousand.⁵⁸

While Lockheed’s much larger ex-urban investment in Palmdale reflected decades of uneven development in Los Angeles’ defense and aerospace industries, the future of the Lynwood plant and the Watts Industrial Park portended a perilous fate for the industrial economy of South Los Angeles.⁵⁹ Lockheed began production on the L-1011 in 1970, and some 6,000

⁵⁸ Joe Bingham, “Jobs, Investment Opening With New Lockheed Jet,” *Los Angeles Sentinel*, June 20, 1968.

⁵⁹ For more on the history of uneven development in Los Angeles, through which Black workers’ access to the best jobs in the aerospace and defense industries was restricted, see Sides, *LA City Limits*.

residents of the neighborhoods surrounding the Lynwood plant were said to have applied for work during the first year of production. The company only ever planned to provide three hundred jobs. By February of 1971, Lockheed began laying off thousands of workers nationwide after Rolls Royce, the manufacturer of the L-1011's engines, went bankrupt. This was a product of the same 1971–72 recession that caused other prospective JOBS contractors to renege on their hiring promises and to think twice about participating in the program. That winter, Lockheed reportedly laid off 4,000 workers at its Burbank headquarters, as well as 2,500 workers at the new Palmdale facilities. It also laid off three-quarters of the 243 people who had been hired at Watts-Willowbrook. Some in the company feared the layoffs would start another riot.

The recession that caused Lockheed to stumble also undermined the ERC's efforts to develop and lease additional space in the Watts Industrial Park.⁶⁰ By October, Richard Allen had been replaced as head of the ERC by Frederick H. Black, a General Electric executive who took leave from his position at the behest of the Nixon administration. "This park has had a lot of ballyhoo," Black said as he explained his plans to revitalize the park. He said that the park consisted of "a bunch of pretty drawings and vacant land," and that the ERC had to "forget about being social workers and decide what business we're in."⁶¹ Black also struggled, however, and after eighteen months, C. Robert Kemp, the former executive director of the Los Angeles office of the Interracial Council for Business Operations, replaced him. Under Kemp's watch, a group of the park's tenants staged a rent strike when the ERC failed to make good on promised

⁶⁰ Jack Jones, "Watts Workers Hit by Lockheed Cuts Taking it in Stride," *Los Angeles Times*, February 15, 1971; William A. Schwentner, "A Hand Up, Not a Hand Out: A Success Story, Five Years in South Los Angeles, 1970–1975," box 215, folder 3, Yvonne Brathwaite Burke Papers, 0218.1. Regional History Collection, University of Southern California Libraries.

⁶¹ Jack Jones, "Watts Group Sees Hope in New Plant," *Los Angeles Times*, October 17, 1971.

improvements to their spaces. “We moved into the mini-park because we were made aware of all the labor that would be available to us,” said a manufacturer of choir robes. “This meant that we would be able to give jobs to the people of that area, who up to that point, had been existing on welfare. Here was an opportunity to raise their standard of living. They promised us things they could not deliver. Now we have to suffer.” From Kemp’s point of view, the ERC was simply strapped for cash. “There are several tenants in the mini-park who feel they should not have to pay rent,” he told reporters. “But they fail to recognize that ERC had to pay principle and interest to the US Department of Commerce on these buildings. And that their rent is a calculated part of that payment.”⁶² Another sticking point revolved around a promised community service center, which was supposed to include a headquarters for the ERC, as well as a child care center, an office for job recruitment and training, and offices for Black entrepreneurs. Per the terms of the Commerce Department’s loans, however, funding for this part of the development would only be disbursed once the park reached a sixty percent occupancy rate. Thus, the child care center was not opened until 1977, and even then, it had only enough space for forty children to serve the 775 people working in the park at that time.⁶³ In 1980, the year the ERC finally completed the park, only 1,000 people worked there. This was fewer than half the number promised by Allen back in 1969. Unemployment in South LA had only grown worse, and some of the park’s tenants openly refused to hire Black workers. When the *LA Times* ran a story about the park under the headline “Watts Jobs Experiment Fails to Gel,” it quoted the president of a brokerage firm that dealt in industrial properties. “A lot of employers are afraid

⁶² “Kemp Heads Industrial Watts Group,” *Los Angeles Times*, April 2, 1973; Jim Cleaver, “Watts Industrial Park Tenants Face Eviction,” *Los Angeles Sentinel*, June 6, 1974.

⁶³ David M. Kinchen, “Watts Industrial Park Sets an Example,” *Los Angeles Times*, May 22, 1977.

for their own personal safety,” he said. “If you drive the area during the day, you see a lot of unemployed young men and that scares the hell out of people.”⁶⁴

As the Watts Industrial Park floundered, Lockheed’s foothold remained tenuous until it slipped entirely. With the 1971 layoffs, employment at the Watts-Willowbrook plant dipped down to sixty-five. Slowly, the company issued recalls, and by the end of 1971, the payroll was back up to 170. By the end of 1975, the plant had employed 200 workers on average over five years.⁶⁵ From there, production was consistent until the end of 1981, when Lockheed announced its decision to end the L-1011 program as a result of the recession that had begun the year before. Nearly 10,000 jobs across the Southland were said to be in jeopardy, including those at Watts-Willowbrook. While workers again faced hard times, company executives anticipated higher profit margins as a result of the closure. After all, the L-1011 had only lost money—about \$2 billion—and its discontinuation was a good thing as far as investors were concerned.⁶⁶ The future of the Watts-Willowbrook plant now hinged on Congress and the pork barrel politics of military contracting. The Air Force sought a new fleet of cargo planes, and while Senator Henry Jackson of Washington state proposed to retrofit the Boeing 747, the Air Force preferred Lockheed’s new C-5B, which was the largest transport aircraft ever designed up until that point.⁶⁷ In August of 1982, Congress extended Lockheed a \$10.9 billion contract to build 50 planes, and the Watts-Willowbrook plant lived on.⁶⁸ By 1987, 271 people worked there, making

⁶⁴ “12th Structure Completed at Watts Industrial Park,” *Los Angeles Times*, September 16, 1979; Martin Baron, “Watts Jobs Experiment Fails to Gel,” *Los Angeles Times*, December 7, 1980.

⁶⁵ Schwentner, “A Hand Up,” box 215, folder 3, Burke Papers.

⁶⁶ Bill Sing, “Lockheed Will End Production of L-1011 Jets,” *Los Angeles Times*, December 8, 1981.

⁶⁷ Phyllis Bailey, “Lockheed Blacks May Lose Jobs,” *Los Angeles Sentinel*, July 22, 1982.

⁶⁸ “C-5Bs Chosen for Air Force,” *Los Angeles Times*, August 13, 1982.

aluminum floor beams, bulkheads, and wing torque boxes for the C-5B, all of which were shipped to Georgia for final assembly. Eventually, however, as with the L-1011 TriStar, the contracts for the C-5B also ran out, and this time there would be no saving grace. In early 1988, Lockheed announced 9,500 layoffs nationwide.⁶⁹ By July, the company officially decided to close Watts-Willowbrook for good. Twenty-two of the plant's workers were offered jobs with Douglas Aircraft in Long Beach, and nearly eighty had earned enough seniority for reassignment elsewhere. But commuting to Burbank—or worse, all the way up to Palmdale—was surely out of the question for many of the Watts-Willowbrook workers. One of Lockheed's sub-contractors, DV Industries, ended up taking over the lease, but there is no record as to how many workers the company employed.⁷⁰ The next summer, after Lockheed secured a contract to build anti-submarine aircraft for the Navy that was worth at least \$4 billion, rather than rehire workers in southern California to produce outer wing assemblies, the company decided to contract with a South Korean manufacturer instead.⁷¹ In protest, a group of Lockheed employees withdrew from a matching payroll deduction the company ran to buy US Savings Bonds.⁷²

Placing the Lockheed story in larger context, in some ways, Lockheed's workers were fortunate not to fall victim to the devastating wave of plant closures that struck California and the nation during the late-1970s and early-1980s. According to a report submitted to the Congress in 1983 by UC Berkeley researcher Philip Shapira, of all the plants in the western states employing between 100 and 500 workers in 1969, thirty-two percent had closed by 1976. Over the same

⁶⁹ Ralph Vartabedian, "Lockheed Gets Set to Eliminate Up to 9,500 Jobs," *Los Angeles Times*, February 6, 1988.

⁷⁰ Denise Gellene, "Lockheed to Quit Watts Factory," *Los Angeles Times*, July 9, 1988.

⁷¹ Ralph Vartabedian, "Lockheed Awards Major Military Job to S. Korea Firm," *Los Angeles Times*, August 29, 1989.

⁷² Ralph Vartabedian, "Lockheed Workers Hold Savings Bond Protest," *Los Angeles Times*, September 4, 1989.

period, twenty-three percent of the plants employing 500 or more workers closed. In California, specifically, the extent of plant shutdowns was striking. Between February of 1980 and April of 1983, the state lost 145,000 manufacturing jobs. Large urban counties were hit especially hard. Santa Clara County, for example, lost 11,284 jobs to 81 closures for a job-loss rate of 18.5 jobs per 1,000 workers. Orange and San Diego counties, respectively, lost 13,376 and 7,981 jobs for loss rates of 17 and 15 jobs per 1,000 workers. Sacramento, San Bernardino, Riverside, San Francisco, Monterey, Fresno, and Stanislaus counties all lost more than 2000 jobs each, and Alameda County suffered a particularly bleak loss rate of 38.2 jobs per 1,000 workers due to 95 plant closures that took away 14,519 jobs. As usual, enormous Los Angeles County took the cake. There, in just over three years, according to Shapira, the county lost 52,488 jobs to 485 plant closures, and its relatively modest loss rate of 16.5 jobs per 1,000 workers undoubtedly felt far worse to the specific local economies affected. Ford Motor Company took 2,300 jobs from Pico Rivera; General Motors took 4,700 jobs from South Gate. Goodyear Tire and Firestone Rubber took a combined 3,000 jobs from Los Angeles and South Gate. Bethlehem Steel took 1,000 jobs from Los Angeles and Vernon. McDonnell Douglas took 4,800 jobs from Long Beach. And this is to say nothing of the far greater number of smaller plants (plants that were the size of Lockheed's Watts-Willowbrook plant) which closed down all over the state, each taking only dozens or hundreds of jobs with them but together amounting to tens of thousands.⁷³

Efforts to oppose the devastation failed.⁷⁴ The structural unemployment that had helped cause

⁷³ Philip Shapira and the Plant Closures Project, *Shutdowns and Job Loss in California: The Need for New National Priorities* (Berkeley: University of California, Berkeley Department of City and Regional Planning, 1983).

⁷⁴ Shapira himself was part of an organization called the Plant Closures Project, which coalesced in December of 1980 during a conference in Los Angeles attended by 500 people. This group organized Maxine Waters, who represented much of South LA in the state assembly at the time, to sponsor a piece of legislation that would have required companies that closed their plants to pay significant tax penalties. This proposal failed, however, and when Shapira offered his research to the House Subcommittee on Labor Management Relations, it was in support of a far less ambitious federal law that would have required companies to provide eighteen months advance notice of plant

the Watts rebellion and so many other rebellions across the nation during the 1960s had only become a more severe problem during the 1970s and 1980s. This was especially true for communities of color.⁷⁵

Despite the fact that Lockheed eventually succumbed to the broader trend of deindustrialization and capital flight, it is worth recognizing the fact that the Watts-Willowbrook plant did provide a rare chance at economic security for a small number of working-class people of color—at least for a time. During the first phase of hiring, in 1970, Lockheed brought on twenty Black workers, including six first-level supervisors and five second-level managers, along with five Mexican American workers, and four whites. Five years later, when the workforce measured about two-hundred, Black workers made up of 83.5 percent of that number. Mexican Americans made up 12.4 percent, and the remaining 4.1 percent represented a mix of other Latinx workers, Native Americans, Asian Americans, and whites.⁷⁶ The plant's notoriety meant that the voices of some of these workers were captured in the press. As one worker told

closures and funding for retraining programs. But retraining was worthless if there were no jobs, which was increasingly the reality in places like south LA as the 1980s wore on. And, in any case, even this more modest proposal failed. The Plant Closures Project organization also received a fair amount of news coverage, particularly in regards to two campaigns. In Vacaville, the organization successfully pressured the city government to require any company sought to capitalize on tax incentives by relocating to a new redevelopment zone in the city to adhere to affirmative action standards in hiring, to continue to recognize any union that represented workers, and to provide at least one year's notice before any closures. In Oakland, when an outdoor equipment company decided to close one of its textile factories, the organization helped a small group of seamstresses—primarily immigrant women of color—to purchase the factory and run it on a cooperative basis. Both meaningful victories, to be sure, but nothing to stand up to the scale of economic restructuring that rocked the state. See David Tong, "Coalition pushes plant closures bill," *Oakland Tribune*, April 13, 1982; Henry Weinstein, "Vacaville Job Development Policy May Set Precedent," *Los Angeles Times*, July 14, 1983; David Tong, "Workers in shutdowns find help," *Oakland Tribune*, September 20, 1983; Jack Cheevers, "Seamstresses follow their rainbow," *Oakland Tribune*, February 3, 1985. For more on the Plant Closures Project, see Alison Givens, "Fighting Shutdowns in Sunny California," *Labor Research Review* 1, no. 5 (Chicago: Midwest Center for Labor Research, 1984): 1–14.

⁷⁵ For an account of the impact of economic restructuring in Los Angeles, specifically, see Edward J. Soja, "It All Comes Together in Los Angeles," in *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London: Verso, 1989), 190–221.

⁷⁶ Schwentner, "A Hand Up."

the *LA Times* in February of 1971, during the first round of recession-induced layoffs, “You picked me up off the street. I never had anything before—then I was able to look up; to have dignity.” “It’s been beautiful,” another worker said, “even if I don’t get called back.”⁷⁷

Surely, the largest advantage of a Lockheed job was the pay. During the training period, when wages and other costs were subsidized by JOBS, workers received between \$2.18 and \$2.76 per hour. This considerably exceeded both the minimum wage and the wages paid by comparable federal employment or training programs at the time. Moreover, once a worker advanced to on-the-job training, their hourly wage rose above \$3.00. By the end of the plant’s fifth year of production, average pay was \$5.95 per hour, and by the time it closed in 1988, some senior workers earned as much as \$15 per hour.⁷⁸

Beyond wages, Lockheed also appears to have made a good faith effort to fulfill its obligations under its JOBS contracts, and the fringe benefits also made workers feel valued. Lockheed provided employment counseling and basic forms of health care, including emergency dental work to some workers and helping others to obtain eyeglasses.⁷⁹ As Ulysses Wright put it in July of 1982, when the future of the plant again hung in the balance, the Watts-Willowbrook plant was “like a family.” “I grew up around here,” said the 39-year-old father of two, who was raised in the nearby Imperial Gardens housing projects, and whose wife had just been laid off by General Motors. “When I first came it was for the money. I had a vision of becoming a law enforcement officer. Two of my brothers are law enforcement officers... But I got sucked in by the closeness and the benefits.” The benefits also mattered to Angie Chapple, who said that she

⁷⁷ Jones, “Watts Workers Hit by Lockheed Cuts Taking it in Stride.”

⁷⁸ Schwentner, “A Hand Up,”; Ralph Vartabedian, “On a Wing and a Prayer,” *Los Angeles Times*, March 14, 1988.

⁷⁹ Schwentner, “A Hand Up,” box 215, folder 3, Burke Papers.

felt caught “between the devil and the deep blue sea” not knowing whether the plant would survive. A single mother of three, the possibility of retiring on a pension meant a great deal to Chapple. Julia DeVine, a secretary at the plant, also lamented the possibility of its closing. “Lockheed gave us a chance here,” she said, “gave a chance to minorities to move into the mainstream of the industry. We made a success of it, and to close this plant because of lack of work would be terrible.”⁸⁰

Indeed, as Lockheed twice mulled the future of the Watts-Willowbrook plant during the 1980s, the extent of the community’s response helps gauge just how much it meant to them. In July of 1982, during the first shutdown scare, an organization called the Watts Plant Survival Committee staged a rally at a park across the street from the plant, to pressure the company to keep it open. Congressman Mervyn Dymally and Compton Mayor Walter Tucker both attended, as did representatives from the offices of State Senator Bill Greene and County Supervisor Kenneth Hahn.⁸¹ In 1988, political leaders again rallied to save the plant. Aides from the offices of Dymally and Congressman Augustus Hawkins met with a Lockheed official in Washington. “It is inconceivable,” said Dymally’s staffer, “that Lockheed, the nation’s fourth largest defense manufacturer with over \$5 billion in federal contracts cannot maintain a plant where there are less than 200 jobs at stake.” “For neighborhood leaders and residents,” reported the *Sentinel*, “an additional loss of employment within a community suffering chronic economic devastation would be a tragedy.”⁸² Quoted in the *Times*, Hawkins himself said the plant was “more than just a symbol,” and that it had “helped stabilize” the community. “We take a rather strong position,”

⁸⁰ Bailey, “Lockheed Blacks May Lose Jobs.”

⁸¹ *Ibid.*

⁸² F. Finley McRae, “Hawkins, Dymally Press Lockheed to Retain Watts Plant,” *Los Angeles Sentinel*, March 3, 1988.

he continued, “that, in view of the contracts they have just received, they should have enough money to keep the plant open.” As the president of the union that represented Lockheed’s workers put it, “I would hope the corporation could somehow feed work into Watts-Willowbrook so as to continue the economic boost still needed in South Central Los Angeles.”⁸³

No one, however, promoted the plant’s success quite like its first manager—Bill Schwentner. Born outside of Cleveland in 1917, had the circumstances of his life been different, Schwentner may well have counted himself among the hard-core unemployed. His father died when he was young, and at sixteen he dropped out of high school and took a job at a foundry to help support his mother and three siblings. In 1941, he wound up working in a defense plant in Los Angeles, eventually becoming a manager and landing with Lockheed.⁸⁴ Schwentner was approaching the twilight of his career when the company tapped him to run the Watts-Willowbrook plant, and he embraced the role enthusiastically. In 1971, he wrote a report about the plant’s first year of operations that was distributed by the Manpower Administration as part of a set of guidelines for employers participating in the JOBS program.⁸⁵ He later revised this report to cover the first five years of the plant’s operation, publishing it under the title “A Hand Up, Not a Hand Out.” Managers across the country sent for copies of the report, and it prompted publications like the *American Machinist*, the *San Francisco Sunday Examiner and Chronicle*, and the *Chicago Defender* to run stories about the plant.⁸⁶ In Schwentner’s telling, the plant’s

⁸³ Vartabedian, “On a Wing and a Prayer.”

⁸⁴ National Archives at St. Louis, *Draft Registration Cards For Ohio, 10/16/1940–03/31/1947, Records of the Selective Service System* 147, Box 1290 accessed via ancestry.com, April 25, 2024; “Bill Schwentner offers a hand up, not a hand out,” *American Machinist*, June 1976, box 215, folder 3, Burke Papers.

⁸⁵ See *Productive Employment of the Disadvantaged: An Operating Manual*, ed. Edward M. Glaser and Harvey L. Ross (Los Angeles: Human Interaction Research Institute, 1973), 121–142.

⁸⁶ “Bill Schwentner offers a hand up, not a hand out,” *American Machinist*; Stephen Fox, “Oasis in heart of forgotten Watts,” *San Francisco Sunday Examiner and Chronicle*, August 31, 1975; “Watts Factory is Ghetto

history neatly encapsulated the interwoven discourses surrounding race, urban rebellion, unemployment, and crime—as well as the correct policy approaches to all of these things. “After the fires of Watts,” began the narrative, “an already economically depressed and frustrated community experienced further deterioration as the owners of burned-out businesses decided not to rebuild and other businesses and industries abandoned the area.” When Lockheed decided to do the opposite, Schwentner wrote, other business leaders scoffed. “Don’t you know that area has one of the highest crime rates in the country? People on welfare don’t want to work!” For Schwentner, the plant’s record rebuffed such naysayers. Ninety percent of the plant’s workers, he claimed, had been on welfare. Somehow, he calculated that they had been draining \$372,700 annually from state coffers before Lockheed hired them; after, he claimed, they paid \$325,000 annually in payroll taxes. As for crime, Schwentner said it simply was not an issue. He once told a reporter that “employee pride” was “probably responsible for an absence of militancy, thefts and marks on the restroom walls.”⁸⁷ He also proudly reported that he “hired exclusively from among the previously unemployed and unskilled in the immediate community.” Most importantly, from Schwentner’s point of view, the plant was productive. Turnover and absenteeism were relatively low, and he described how the workers themselves devised ways of cutting costs and increasing the speed of production. In October of 1976, after reading about Congresswoman Yvonne Brathwaite Burke’s fight for reelection against an inflation hawk who described federal manpower programs as “the sure road to socialism,” Schwentner wrote to Burke to tell her about the plant’s success. Unlike her opponent, Burke ranked full employment

Success,” *Chicago Defender*, August 9, 1975. Schwentner sent photocopies of each of these articles to Yvonne Burke when he wrote to her in 1976, along with copies of articles from a number of other professional journals and newsletters. See box 215, folder 3, Burke Papers.

⁸⁷ Jack Jones, “Watts Plant Boasts Record Morale,” *Los Angeles Times*, July 5, 1971.

as the most important issue facing her district, which encompassed parts of South LA, and she supported policy incentives to “draw private industry into the urban core.”⁸⁸ “I applaud your advocacy of federal intervention to halt the deterioration of our inner-cities,” Schwentner told her. At the same time, he repeated the idea that undergirded the JOBS program from the beginning, that private industry was better suited than the government to solve structural unemployment. “This was not a make work program,” Schwentner told Burke. “It was to be a hard-nosed businessman’s approach to urban redevelopment by providing meaningful self-satisfying jobs.”⁸⁹ And as he told Congressman Conyers in 1977, Schwentner also believed that the plant provided an alternative to incarceration for some of his workers.

The fact that the Lockheed may have helped keep people out of jail only makes the irony of the decision to build a jail next door to the shuttered Lynwood plant that much more bitter—and that much more illustrative of how federal employment policy factored in to the historical process that foreclosed California’s experiment with decarceration and made its return to prison and jail expansion in the 1980s and 1990s possible. In the summer of 1988, just as Lockheed confirmed its decision to close the plant, a decade-long struggle over LA County’s severely overcrowded jail system finally came to a head. As the first chapter of this dissertation showed, overcrowding had been a consistent problem in California’s prisons, jails, and juvenile halls throughout the postwar period. When the wave of county jail construction crested during the 1960s, it did not take long for many of the largest and most expensive jails to fill up and encounter all the issues that came with overcrowding. The San Diego County jail, for example,

⁸⁸ Sid Bernstein, “Mrs. Burke Holds Edge in 28th District,” *Los Angeles Times*, October 14, 1976.

⁸⁹ William F. Schwentner to Yvonne Brathwaite Burke, October 18, 1976, box 215, folder 3, Burke Papers; for details on the plant’s productivity, see Schwentner, “A Hand Up,” box 215, folder 3, Burke Papers.

which opened in 1960, was filled to capacity the day it opened, and it only took five years for the Orange County jail, which opened in 1968, to come under a grand jury investigation as a result of conditions that stemmed from overcrowding.⁹⁰ In 1975, the ACLU of Southern California sued both Los Angeles and Orange Counties, arguing that the custodial practices required to manage their overcrowded jails violated the constitutional rights of the incarcerated, many of whom were pre-trial detainees who simply could not afford bail (the ACLU eventually sued San Diego County as well). These lawsuits revealed the conditions of confinement that prevailed inside these institutions, which echoed the records of similar investigations from the 1940s and 1950s. Hundreds of people had no place to sleep. Meal times were so short that judges ordered they be extended to fifteen minutes at a minimum. The judge in the San Diego case ordered the sheriff to allow every person at least two hours of exercise time per week. Perhaps the most illustrative issue had to do with moving people to and from court, a process that required waking well before dawn before spending hours packed into holding cells, with no place to sit down and often no access to food or toilets. After hours of tense discomfort, people then had to face whatever awaited them in the courtroom. While the ACLU lawsuits won some changes, conditions only grew worse through the 1980s. By 1987, the six jails in LA County held more than 22,000 people on any given day. Their cumulative rated capacity was 12,312.⁹¹

Despite the fact that the earlier wave of jail expansion had so clearly failed, as the crisis of overcrowding grew worse through the 1980s, county and state leaders offered only one

⁹⁰ “Jail Officials, ACLU Approve Survey Rules,” *Los Angeles Times*, May 30, 1973; Margaret A. Kilgore, “Judge Orders Rule Relaxation at County Jail,” *Los Angeles Times*, May 5, 1978; Ted Vollmer, “SD Judge Orders County Jail Reforms,” *Los Angeles Times*, May 13 1980.

⁹¹ Bob Baker, “Central Jail’s Overcrowding: It’s Bad and Getting Worse,” *Los Angeles Times*, June 7, 1987; Bob Sector and Richard E. Meyer, “Severe Overcrowding at County Jail Detailed,” *Los Angeles Times*, May 21, 1980; Vollmer, “SD Judge Orders County Jail Reforms”; Kilgore, “Judge Orders Rule Relaxation at County Jail.”

solution—build more jail bed space. At the state level, the legislature had already initiated a vast program of prison construction, and it also created incentives for counties to expand their jail systems. As home to a greater number of CDC and YA prisoners than any other county, LA County held a special place in this process. The state legislature mandated that the county build a prison somewhere within its limits. When an abandoned school bus factory on the outskirts of downtown LA was offered as a potential prison site, a protracted fight broke out between lawmakers in Sacramento and a group of women and other community members from adjacent Boyle Heights, who organized to block the state from building the prison in the vicinity of their homes and schools. They won a partial victory when the downtown state prison was scrapped, but that did not stop the federal Bureau of Prisons from opening the \$36 million Metropolitan Detention Center in 1988 at the junction of Aliso and Alameda streets. Nor did it stop the CDC from opening its LA County prison in Lancaster in 1994, only a few miles from where the Lockheed L-1011 had once been assembled. Eventually, in 1997, LA County also opened the Twin Towers Correctional Facility right next to Men’s Central Jail, just behind Union Station.⁹²

Amid this larger process, in 1989, the county broke ground on the accurately named Lynwood Regional Justice Center, which was to sit across the street from the site of the Watts Industrial Park and within shouting distance of the building that had once housed Lockheed’s Watts-Willowbrook plant. This was a part of the same jail expansion plan that Ruth Rushen had commented on earlier in the decade, though not everyone shared her thinking that the jobs that the project promised to create would be worth it. Initially, the county planned to build two new

⁹² For a complete account of the history of the Mothers of East Los Angeles, see Mary S. Pardo, *Mexican American Women Activists: Identity and Resistance in Two Los Angeles Communities* (Philadelphia: Temple University Press, 1998). Mike Davis also provides an account of jail expansion in downtown Los Angeles during the 1980s, with particular attention paid to the Metropolitan Detention Center. See, *City of Quartz*, 253–257. See also, Gilmore, *Golden Gulag*, 181–240.

jails in the south-central area, but the second project fell in the face of community opposition, including the efforts of a group of South LA residents who underscored the relationship between labor and incarceration by calling themselves “People for Jobs, Not Jails.”⁹³ In August of 1989, as the county was scrambling to take advantage of funding for jail expansion from the state budget before that funding expired, residents protested outside city hall. A Crenshaw resident suggested to a *LA Times* reporter that “some of the money allocated for prisons and jails be put into long-term solutions to the area’s problems,” including “job training, referrals and better school programs, and adult education.”⁹⁴ In Lynwood, however, the narrative was flipped. There, the city’s mayor was said to covet the fact that area residents would be “first in line” for jobs on the construction crew, and for the 1,148 permanent jobs within the jail itself. County Supervisor Kenneth Hahn also supported the plan. “Many employment opportunities at the courts, jail, and substation will be available to local residents,” he said in a press release. Hahn claimed that the jail would “add to the economic development of the community.”⁹⁵ That same month, in conjunction with the LA County Sheriff’s Department and the County Department of Parks and Recreation, Hahn sponsored a hiring fair in Lawndale. “The Sheriff’s Department alone is looking for more than 1,000 qualified applicants for the position of Deputy Sheriff,” he said, “and that position pays between \$31,944 and \$35,544 a year.”⁹⁶ More than 700 deputy sheriffs were slated to be stationed at the new Lynwood jail.⁹⁷

⁹³ Charisse Jones, “Proposed Jail Seen as Symbol of Despair,” *Los Angeles Times*, October 5, 1989.

⁹⁴ John Lee, “Residents Back Court Complex but Oppose Jail,” *Los Angeles Times*, August 18, 1989.

⁹⁵ Lynwood Regional Justice Center Press Release, box 379, Folder 4, Collection of Kenneth Hahn, Huntington Library, Manuscripts Department.

⁹⁶ News Release, Los Angeles County Sheriff’s Department, box 379, folder 4, Collection of Kenneth Hahn.

⁹⁷ Kelley, “Settlement Paves Way for Lynwood Justice Center.”

* * *

This chapter has focused primarily on the third dimension of the relationship between labor and incarceration—the relationship between the carceral state and the broader political economy in which it was situated. While scholars of the carceral state have looked closely at how other kinds of federal policies, especially funding for law enforcement and welfare policy, helped to sow the seeds of mass incarceration during the War on Poverty, by tracing the history of hard-core unemployment, the JOBS program, and of Lockheed’s investment in Lynwood, this chapter shows that the history of federal employment policy belongs in that analysis as well.⁹⁸ JOBS marked a contingent decision on the part of the federal government to ignore calls for the state to take a more expansive role in addressing the social problems that fueled the urban rebellions of the 1960s, of which structural unemployment was one. Importantly, the failure of the rehabilitative ideal and the larger crisis in correctional policy featured in the discourse surrounding hard-core unemployment as well as the discourse that surrounded the JOBS program. The life of Lockheed’s Lynwood plant was emblematic of how JOBS failed to address the problem of structural unemployment, which only grew worse as deindustrialization and economic restructuring took its course. Rising unemployment, in turn, exacerbated the range of social problems that afflicted poor and working-class communities of all races, but especially Black and Mexican American communities, and the burgeoning communities of immigrants from elsewhere in Latin America who began to arrive in the US in large numbers during the 1970s and 1980s. The eruption of the Rodney King rebellion in 1992 was a stark reminder of how little had changed since 1965. As if to underline the government’s failures, what was

⁹⁸ Hinton, *From the War on Poverty* and Kohler-Hausmann, *Getting Tough*.

different about the 1990s as compared to the 1960s was the fact that the state decided to take a more expansive role in the lives of the poor, though not through employment or social welfare policy, but rather through militarized policing and a far more punitive set of correctional policies and a resurgence of carceral expansion.

EPILOGUE

Toward a Just Transition from Mass Incarceration?

Our system is broken and is damaging the officers, the inmates, the staff, and, as a byproduct, our society as a whole.

—Stephen Walker, retired Youth Correctional Officer¹

If you want to hire good people, whether they're peace officer status or not, you want to pay them well.

—Eduardo Mundo, retired LA County Probation Officer²

* * *

Eduardo Mundo became a probation officer because he wanted to compete in the 1988 Olympics. He was a middle-distance runner, and he had a realistic shot at qualifying for the games in Seoul, South Korea. Although he had considered becoming a teacher or a firefighter after finishing college, he decided to take a job with the Los Angeles County Probation Department largely because the schedule for officers who worked in the department's many detention camps allowed him to keep up with his training regimen. At that time, in the late-1980s, there were plenty of opportunities in corrections in California. Deindustrialization had largely run its course, and the crack crisis and the war on drugs were in full swing.³ California's incarceration rates, after declining consistently due to the probation subsidy program, were once again on the rise, both at the state and at the county level, both for youth and for adults. Racial

¹ Stephen Walker interview with the author, September 17, 2020.

² Eduardo Mundo interview with the author, September 18, 2020.

³ On the history of the crack crisis in Los Angeles, see Alex Alonso, "Out of the Void: Street Gangs in Black Los Angeles," in *Black Los Angeles: American Dreams and Racial Realities* ed. Darnell Hunt and Ana-Christina Ramon (New York: New York University Press, 2010), 140–161; Mike Davis, *City of Quartz*, 265–322; Donna Murch, "Crack in Los Angeles: Crisis, Militarization, and Black Response to Late-Twentieth Century War on Drugs," *Journal of American History* 102, no. 1 (June, 2015): 162–173.

disparities in incarceration rates were also accelerating even more than they had during the 1960s and 1970s.⁴ And while investment in other parts of the public sector such as education or social services were being cut, there was no shortage of state funding for law enforcement. In this context, in accordance with how Ruth Rushen encouraged the Black community to view the resurgent carceral expansion of the 1980s, the carceral state became something of a de facto jobs program for people like Eduardo.

Eduardo had been raised in a working-class Mexican-American community in East LA. His father was a construction foreman. His mother worked the swing shift at a tortilla factory, and later as a house cleaner. In many ways, the scenes of Eduardo's childhood resemble a Norman Rockwell painting. As a boy, he delivered newspapers, cut lawns, and played baseball on a vacant lot with kids from his neighborhood. At the same time, however, Eduardo also knew the darker side of life in the parts of LA where he and his family lived. The nighttime sounds that Eduardo remembers echoing through the arroyos into his bedroom, first in City Terrace and later in El Sereno, were those of gunshots, police sirens, and helicopters. When he was a teenager, Eduardo watched the police brutalize his uncle, who had simply had too much to drink and stumbled off a curb in front of a passing patrol car. Later, while he was working as a cashier at a Taco Bell in Highland Park, he and his co-worker were robbed at knife point. With little guidance coming out of high school, Eduardo enrolled at Pasadena City College. Eventually, he won a track scholarship to the California State University at Long Beach, where he earned a degree in public policy. Not long after he took his job with probation, his brother was murdered in an attempted car-jacking.

⁴ Gilmore, *Golden Gulag*. On the rise of mass incarceration more broadly, see Alexander, *The New Jim Crow* and Marc Mauer, *Race to Incarcerate* (New York: The New Press, 1999).

His brother's death came barely a year into Eduardo's career with the probation department. His first assignment had been at Camp Holton. Opened in the late-1950s during California's postwar prison boom, by the time Eduardo got there, Camp Holton had been specifically designated as a secure facility for gang-involved youth. Although he initially transferred to a different camp after the murder, as he told me in an oral history interview, in the middle of his first shift back he realized that he was still "harboring a lot of hate." "I was just looking at the kids," he continued, "I kept thinking that any one of them could have been the one that pulled the trigger."⁵ Eventually, after taking a longer leave of absence, Eduardo decided to come back. In 2018, he retired with thirty years of service in the department.

Today, Eduardo sits on the LA County Probation Oversight Commission, where he draws on his experience working in virtually every aspect of probation to help advance the effort to reform the county's juvenile justice system. The LA County Probation Department is the nation's largest probation department, and it is no secret that it has also been one of the most troubled. Its juvenile halls and detention camps suffered from severe overcrowding for much of the 1990s and 2000s, before an overall decline in youth crime helped bring those numbers down. In recent years, the department has come under fire for a variety of problems with its staff, including an overreliance on pepper spray as a custodial tool, widespread sexual abuse, and a punitive culture that seems incapable of implementing rehabilitative programming.⁶ These problems, in turn, helped spur a reform movement that has not only motivated the Board of Supervisors to pursue stricter oversight of the department by creating the oversight commission

⁵ Eduardo Mundo interview with the Author, August 22, 2020.

⁶ Matt Stiles, "Pepper spray is used too frequently on LA juvenile detainees, report says," *Los Angeles Times*, February 4, 2019; Richard Winton, "Nearly 300 sue over alleged sexual abuse at LA County juvenile halls and camps," *Los Angeles Times*, December 27, 2022; "Editorial: The LA Model of juvenile rehabilitation: Great in theory, untested in real life," *Los Angeles Times*, July 14, 2021.

on which Eduardo sits, but also to endorse a proposal to eliminate probation's role in administering the juvenile justice system entirely by 2025. By that time, the county has committed to transfer the responsibility for dealing with court-involved youth to the newly-created Department of Youth Development, which is supposed to be "rooted in healing and wellbeing, racial equity... [and] a rehabilitative, health-focused and care-first system" for addressing juvenile crime and delinquency.⁷ Familiar with the toxic aspects of probation's culture, Eduardo became involved with the reform process because he started showing up to the different venues where public input was being gathered. While he is skeptical of some of the rhetoric that he has heard, he also wants to see meaningful changes that can address the very real grievances of those who have been harmed by their contact with his former employer.⁸ I met Eduardo through his involvement in this process, and I collected his oral history as part of a research project that sought to learn what, if anything, workers like him can do to help advance the effort to roll back California's carceral state.⁹

When I began the research for this dissertation, I had hoped to address how the three dimensions of the relationship between labor and incarceration that I explore in the preceding

⁷ W. Haywood Burns Institute, *Youth Justice Reimagined: Recommendations from the Los Angeles County Youth Justice Work Group* (October, 2020), 18–19. The process that resulted in the county empaneling the Youth Justice Work Group began with Probation Reform and Implementation Team (PRIT), which recommended the appointment of the Probation Oversight Commission as well as the ending of all youth incarceration in the county by 2025. See Matt Stiles, "LA County proposes new oversight panel for troubled probation department," *Los Angeles Times*, June 12, 2019. For the complete recommendations of the PRIT, see LA County Probation Reform and Implementation Team, *Summary Report of the Los Angeles County Probation Systemic Reform Plan* (August, 2019).

⁸ Eduardo Mundo, "Op-ed: 30-Year Veteran LA Probation Officer Says Department Reform is Urgent—And Must Be Youth Focused," *Witness LA*, March 15, 2019, <https://witnessla.com/op-ed-veteran-la-probation-officer-says-departmental-reform-must-be-youth-focused/>.

⁹ For an overview of the research project that I was involved in, see Saúl Sarabia and Michael Dean, "A Just Transition from Mass Incarceration: The Case of Abolishing Youth Incarceration in Los Angeles," *The Law and Political Economy Project*, December 16, 2021, <https://lpeproject.org/blog/a-just-transition-from-mass-incarceration-the-case-of-abolishing-youth-incarceration-in-los-angeles/>. See also, *Decarcerate California*, <http://decarcerateca.org/about-us/>.

chapters continued to shape the trajectory of California's carceral state during the age of mass incarceration, when the debate over the future of correctional policy was finally settled and the rehabilitative ideal was replaced by an approach that explicitly favored punishment. During this more recent period, prison work programs and the narratives that surrounded them continued to play an important role in the legitimation of prison expansion, despite the fact that such programs were no more effective at providing viable pathways to economic security than they had been in the 1960s.¹⁰ Similarly, carceral work and carceral workers also continued to help legitimize the new punitive regime. Most famously, the union that represents correctional officers in California, the California Correctional Peace Officers Association (CCPOA), became arguably one of the strongest political forces in the state, supporting not only the construction of new prisons but also the passage of tougher sentencing laws to fill them, and all but totally eclipsing dissenting voices such as those that were coming from the CBCC during the 1970s.¹¹ Overlapping both of these dimensions, in the wake of the economic restructuring of the 1970s and 1980s, the relationship between the carceral state and the larger political economy in which it was and is situated remained as important as ever. Structural unemployment is still a constitutive feature of California's labor market, a reality that has recently been made clear in conversations about inflation and the Federal Reserve's decision to raise interest rates in an effort

¹⁰ Former Supreme Court Chief Justice Warren Burger became arguably the most famous exponent of prison work programs during the age of mass incarceration. His justification for expanding prison work programs mirrored the logic of the postwar decades. See Warren E. Burger, "Prison Industries: Turning Warehouses into Factories with Fences," *Public Administration Review* 45 (November, 1985): 754–757. See also, Thompson, "Toward a Labor History of Inmates and Guards."

¹¹ Page, *Toughest Beat*.

to control rising prices in part by cooling the labor market and inducing higher unemployment.¹² In such a context, the prison system still serves in part as a kind of sponge absorbing people who have been rendered surplus to the needs of the economy, and who, as a result, contend with a wide range of social problems that are largely related to poverty. Moreover, unlike the 1950s and 1960s, when Richard McGee's belief in saving prison waste at least nominally governed correctional policy, since the 1980s, correctional policy has been oriented around incapacitation. As the geographer Ruth Wilson Gilmore argues, California's prison boom of the 1980s and 1990s provided "a geographical solution that purports to solve social problems by extensively and repeatedly removing people from disordered, deindustrialized milieus and depositing them somewhere else."¹³ Or, as historian Kelly Lytle Hernández has put it somewhat more succinctly, "mass incarceration is mass elimination."¹⁴

Carrying the analysis of this dissertation over another forty years proved too ambitious for a variety of reasons, but during the COVID-19 pandemic, I had the opportunity to conduct a series of oral history interviews with people like Eduardo Mundo who had retired after working in different capacities within California's carceral state, whose career trajectories began in the 1980s and lasted into the 2010s. Four of the five narrators came from LA's working-class communities of color, from the same neighborhoods that were being disproportionately targeted for incarceration when these individuals entered their prime wage-earning years. Each wanted to provide for themselves and their families, and they also believed that a job in corrections could

¹² See David Stein and Nathan Tankus, "Jay Powell's Federal Reserve: Protection for Bankers, Pain for Everyone Else," *American Prospect*, August 1, 2023, <https://prospect.org/economy/2023-08-01-jay-powells-federal-reserve-protection-bankers/>.

¹³ Gilmore, *Golden Gulag*, 14.

¹⁴ Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (Chapel Hill: University of North Carolina Press, 2017), 1.

provide an opportunity to make a positive impact in the lives of others. Like Eduardo, and like some of their predecessors in the 1960s and 1970s, all of them ended their careers with a distinct sense of the limitations of the carceral state.

Because they capture the perspectives of workers, these oral histories help shed light on the continued significance of the relationship between labor and incarceration down to the present. The interviews illustrate, for example, the extent to which the carceral state increasingly became a source of economic security, and not only for the white rural workers who tend to garner the majority of scholarly and popular attention, but also for working-class people of color who grew up and spent their lives in places like LA. Moreover, these interviews also illustrate the extent to which carceral workers viewed their jobs as a way of making a positive impact in the lives of young people who shared a similar social background—who came from the same neighborhoods, went to the same schools, and, at some point, started down a path that led not to upward mobility, but to prison. To be sure, the people who shared their memories with me provide insight into the harmful dynamics that defined life for workers and especially for incarcerated people packed into woefully overcrowded institutions that were almost entirely devoid of rehabilitative programming. At the same time, however, these narrators also developed distinct understandings of how the “correctional” system has failed. For Eduardo, this included an awareness of racial discrimination in deciding who gets locked up, a lack of funding for community-based organizations that provided rehabilitative services, and the ways in which the moral panic surrounding crime led to a disproportionate law enforcement response.

Drawing on the memories and experiences of the five carceral workers who shared their oral histories with me, this epilogue explores the possibility of defining a just transition from mass incarceration may help resolve the contradictions that threaten present-day efforts to

change correctional policy as California once again explores alternatives to incarceration. The concept of a just transition first emerged in the 1990s, when Tony Mazzocchi, a representative of the Oil, Chemical, and Atomic Workers Union, decided to make an affirmative case for an alliance between the environmental movement, which at that time was having success at reining in corporate pollution, and the workers in his union, whose livelihoods were threatened as a result. Mazzocchi argued that the workers shared the broader concern for environmental degradation. But they were also concerned about their jobs. “It is small comfort to know that the environment is improving,” Mazzocchi wrote, “when our jobs no longer exist.” “There is,” he continued, “obviously a major contradiction to be overcome. The only way out of the ‘jobs versus environment’ dilemma is to make provisions for the workers who lose their jobs in the wake of the country’s drastically needed environmental clean-up projects, or who are displaced by economic restructuring, military cutbacks or shifts of manufacturing overseas.”¹⁵ In the face of this contradiction, Mazzocchi argued that environmental policy reform needed to account for the economic security of workers as well as the well-being of ecosystems.

Today, carceral workers are in an analogous position to workers in the energy sector, and the organized opposition of the existing carceral workforce represents a formidable obstacle to criminal justice reform. In LA County, for example, the union that represents probation officers, AFSCME Local 685, has tried to scuttle the effort to eliminate probation from the juvenile justice process. While their position rests in part on the debatable notion that young people who commit serious crimes deserve to be locked away and punished, it also rests on the simple reality

¹⁵ See Tony Mazzocchi, “A Superfund for Workers,” *Earth Island Journal* 9, no. 1 (Winter 1993–94): 40–41. Although Mazzocchi initially termed his idea after the “superfund” sites that the federal government, through the 1980 Comprehensive Environmental Response, Compensation, and Liability Act, was spending hundreds of millions of dollars to clean up, eventually, the name for his proposal changed to “just transition.” See also, Les Leopold, *The Man Who Hated Work and Loved Labor: The Life and Times of Tony Mazzocchi* (White River Junction, VT: Chelsea Green Publishing Company, 2007), 417.

that the probation department, like the CDC and YA, provides thousands of stable jobs to a workforce that is disproportionately comprised of people of color.¹⁶ The ability of people who oppose criminal justice reform efforts to manipulate this contradiction, which is a defining feature of mass incarceration in California, represents an important problem for those interested in establishing robust and effective alternatives to incarceration. As I argue, considering the experiences of workers suggests that, as in the 1960s and 1970s, the carceral workforce itself might be leveraged to support reform efforts, and the concept of a just transition can be effectively repurposed for the context of mass incarceration.

The carceral state as a jobs program and the precarity of reform

Before turning to the oral histories, it is important to point out that the claim that the carceral state became a de facto jobs program during the age of mass incarceration runs against the dominant view of the economics of prisons and jails. Prison construction during the 1980s and 1990s often proceeded under the false promise that new institutions would provide badly needed employment for depressed economies, a stimulus for vendors of goods and services, and a stable addition to local tax bases. As many commentators have pointed out, however, these benefits rarely materialized.¹⁷ In addition, it is also worth pointing out that the jobs that mass

¹⁶ On Monday, April 25, 2022, I attended a press conference and rally hosted by AFSCME Local 685 at which the union recruited both the president of the LA County AFL-CIO, Ron Herrera, who spoke about the importance of public sector employment, as well representatives from the Los Angeles chapter of Parents With Murdered Children, who emphasized the need to incapacitate people who have committed violent crimes. The event was planned to coincide with the beginning of National Crime Victims' Rights Week and with the release of a proposal developed by the union to provide additional resources for probation. See Daisha Benjamin, "Coalition of Probation Unions Develop Three Point Plan to Strengthen Probation Department," *AFSCME District Council 36*, <https://www.afscme36.org/news-0/coalition-probation-unions-develop-3-point-plan-strengthen>.

¹⁷ See Gilmore, *Golden Gulag*, 22–23; Gregory Hooks, et. al., "The Prison Industry: Carceral Expansion and Employment in US Counties, 1969–1994," *Social Science Quarterly* 85, no. 1 (March, 2004): 37–57.

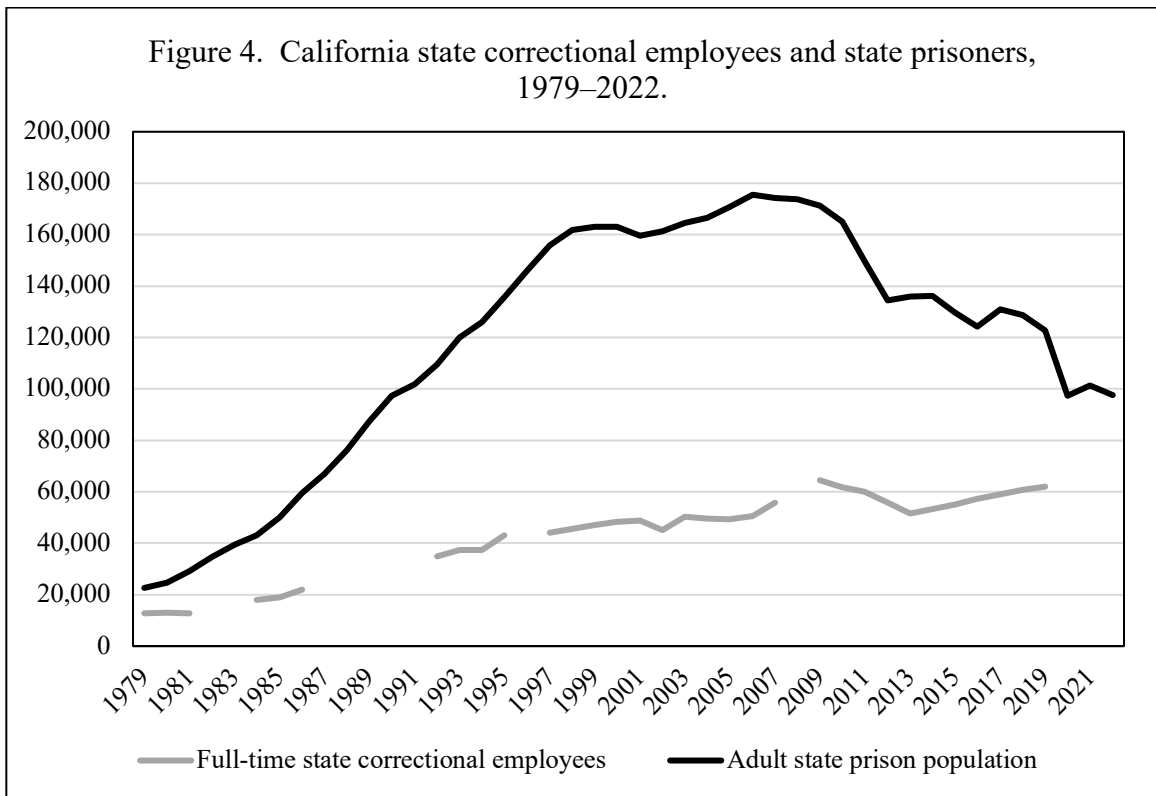
incarceration does produce are not necessarily good jobs. Correctional officers, for instance, have been found to suffer from disproportionate rates of chronic stress, anxiety, and depression, as well as related health issues such as hypertension, heart disease, and even suicide. Some data suggest that correctional officers experience post-traumatic stress disorder at rates that are comparable to combat veterans and disaster survivors.¹⁸

Despite these qualifications, however, existing scholarly and policy debates tend to overlook the clear evidence of job growth in connection with the carceral expansion. According to the Bureau of Justice Statistics (BJS), the number of jobs in corrections grew substantially during the 1980s and 1990s, both in California and in the US as a whole. Nationally, the number of jobs in corrections grew from just above 270,000 in 1980 to more than 716,000 in 1999. Moreover, the rate of employment growth in corrections has been higher than in other areas of the criminal justice system. Over the same period, employment in corrections grew by 165 percent, as compared to a growth rate of only 43 percent in policing.¹⁹ As figure four shows, employment growth in corrections in California, specifically, followed a similar trend. In 1979, the BJS counted just 12,753 people employed in corrections at the state level on a full-time basis. That number more than doubled by 1988 to reach nearly 32,000 employees, and in 2009, full time employment in the state correctional system peaked at just under 65,000 workers. Including workers employed at the local level, there were nearly 100,000 people employed in corrections

¹⁸ See Amy E. Lerman, *The Modern Prison Paradox: Politics, Punishment, and Social Community* (Cambridge: Cambridge University Press, 2013), 147. Lerman also conducted a more recent survey of California correctional officers that produced similar findings. See, “Officer Health and Wellness: Results from the California Correctional Officer Survey” UC Berkeley Goldman School of Public Policy, November, 2017, <https://gspp.berkeley.edu/research-and-impact/publications/officer-health-and-wellness-results-from-the-california-correctional-office>.

¹⁹ Bureau of Justice Statistics, “Table 7. Employees, by activity and level of government, 1980–99,” published December, 2001, <https://bjs.ojp.gov/library/publications/employees-activity-and-level-government>.

in California that year.²⁰ While these jobs carried clear downsides in terms of mental and physical health, they also offered generous wage and benefit packages. The starting annual salary for a correctional officer in California was about \$20,000 in 1980, and by 2006, it had risen to nearly \$60,000. In 2007, correctional officers earned more than \$73,000 on average, 58 percent above the average national income. Entering the profession with only a high school diploma, a correctional officer could retire as young as age fifty and earn as much as 90 percent of their salary for the rest of their life.²¹ Similar conditions exist in county probation departments.



²⁰ This data comes from the “Justice Employment and Expenditure” series collected by the Bureau of Justice Statistics more or less consistently since 1979, <https://bjs.ojp.gov/taxonomy/term/justice-expenditure-and-employment-extracts-series>. The number of adult prisoners is available through the Prison Policy Initiative, “Appendix Table 5. Jail and prison incarceration populations by state, 1978–2022,” https://www.prisonpolicy.org/reports/jails2024_table5.html.

²¹ Page, *Toughest Beat*, 76–77.

What role will this expanded carceral workforce play amid a broader moment of reform whose outcome, despite promising developments, remains uncertain? The efforts surrounding the juvenile justice system in LA County are just one part of a much broader process. At the state level, prisoners' rights advocates who had long challenged the advent of mass incarceration won major victories through the court system, in particular through rulings that impacted the re-branded Youth Authority, the Department of Juvenile Justice (DJJ), in 2007, and the CDC in 2011. These decisions found major constitutional violations in the conditions of confinement that prevailed inside the youth and adult prisons, and the threat of federal receivership helped motivate the state legislature to embrace what became known as criminal justice realignment.²² Beginning first with the youth system and later with the adult system, California adopted a policy that was not unlike the 1965 probation subsidy. Essentially, the legislature shifted responsibility to the counties for the custody of people convicted of lower-level offenses and provided additional funding (some \$4.4 billion in the initial years) to "realign" the administration of criminal and juvenile justice in the state. As with the probation subsidy, however, the impacts of realignment have not all been positive, and these changes have opened up new terrains of struggle. As scholars and reform advocates have pointed out, while realignment successfully brought about the first significant reductions in the state prison population since the 1970s, many state prisoners were simply incarcerated at the county level instead.²³ In addition, the majority of the funding that realignment made available to the counties went to expand local law

²² For the lawsuit that targeted the state youth prison, see *Farrell v. Harper* No. RG 03079344 (California Superior Court, Alameda County, filed 2003). On the adult side, see *Brown v. Plata* 563 US 493 (2011). For analyses of either case, see Barry Krisberg, "Reforming the Division of Juvenile Justice: Lessons Learned," *McGeorge Law Review* 46 (2014): 775–816 and Margo Schlanger, "Plata v. Brown and Realignment: Jails, Prisons, Courts, and Politics," *Harvard Civil Rights-Civil Liberties Law Review*, 48, no. 1 (2013): 165–215.

²³ Keramet Reiter and Natalie Pifer, "Brown v. Plata," *Oxford Handbooks Online* (June, 2015), <https://doi.org/10.1093/oxfordhb/9780199935383.013.113>.

enforcement.²⁴ On top of these issues, opponents of the criminal justice reform process are persistently attempting to stir moral panic over a range of social issues to revert back to tougher sentencing laws. While voters have in many cases rejected such efforts, each election brings new opportunities to slip back to the failed policies of the past.

Importantly, workers are not going away. As figure four illustrates, while the state prison population has dropped by about 45 percent, from 175,500 in 2006 to 97,600 in 2022, the most recent data available for the number of state correctional employees shows their numbers to be rising, up from a low of 51,500 in 2013 to more than 62,000 in 2019. Including local government employment, in 2019 there were still over 97,000 full-time correctional employees. The presence of so many carceral workers is not only an indication of the myopic views of political leaders who insist on funding law enforcement even while cutting other public services.²⁵ They are also an indication of the resilience of a system that was built through the public sector, where strong unions and civil service protections provide a kind of job security that is increasingly rare in a largely privatized gig economy. These very features made access to public sector work, including jobs in law enforcement, a victory of the civil rights movement.

Importantly, the presence of so many carceral workers presents both challenges and opportunities that a just transition framework might help to solve. Carceral workers are

²⁴ See Jeffrey Lin and Joan Petersilia, “Follow the Money: How California Counties Are Spending Their Public Safety Realignment Funds,” *Realignment in Review* 3 (January, 2014): 1–10; Diana Zuniga, Jessica Farris, Aurora Garcia, and Christina Tsao, “Reimagine 109: Allocate 50% of AB 109 Funds to Community-Based Organizations for a Stronger Los Angeles County.”

²⁵ Just this week, the LA City Council approved Mayor Karen Bass’ \$12.8 billion budget that slashed 1,700 city jobs in areas such as animal services, public works, transportation, cultural initiatives, and city maintenance, while adding funding to hire more than 500 police officers. Although the positions that were cut are vacant, this still represents a diminishing of the potential state capacity for services apart from law enforcement, and it is an accumulation of such decisions, at both the county and the state level, that has created such a resilient carceral workforce, despite the drop in incarceration rates. David Zahniser, “LA City Council Approves Mayor Karen Bass’ Budget, Cutting 1,700 Vacant Positions,” *Los Angeles Times*, May 23, 2024.

expensive, and as the data above illustrate, they can be difficult for the state to shed. For those same reasons, governments may be reluctant to create similar career pathways within new systems that are intended to provide alternatives to incarceration. In the reform process that is currently unfolding in LA County, although the Board of Supervisors has established the DYD, new care-first department that is supposed to eventually assume probation's role in the juvenile justice process, the Board has yet to allocate the budgetary resources that the administrators of this new agency are requesting. Whether or not funding can be repurposed from the probation department is an open question, though a substantial portion of law enforcement funding is earmarked and may be untouchable under the current statutory landscape. Another question is whether or not the people who work in the probation department can be repurposed. Advocates are wary of reproducing the same toxic and abusive culture that currently exists in probation by transferring officers to the DYD, but as Eduardo conveyed to me, he thinks newer probation staff "should be given an opportunity." He continued:

Now, the tone of the work group [the group that produced the recommendation to create the DYD] suggests that they don't want anybody, which, I find that disheartening. Because there are a lot of young people, within their first couple years, who may be pretty good. You don't want to rule them out. You know, the British have that saying, show me the child at seven and I'll show you the man. Well, it takes about seven years to ruin a probation officer if they take the wrong road. So, I think it would be unfair not to give them an opportunity. And they're already at the low pay scale so the pay difference wouldn't be that much. If you want to hire good people, whether they're peace officer status or not, you want to pay them well. You don't want them struggling in California, especially LA County. So, I can't imagine any job that works with kids being paid so low that it's not going to attract quality people. And if you do that then you're just creating a long-term problem.²⁶

Here, Eduardo puts his finger on two key issues related to the prospect of a just transition from mass incarceration. One has to do with making sure that whoever works in the new department is able to make ends meet in Los Angeles, which is no small matter. The other has to do with

²⁶ Eduardo Mundo, September 18, 2020.

creating pathways for existing officers to pursue such opportunities. In its most literal application, a just transition would entail providing work for each and every probation officer whose job will be lost as a result of the county reform process. Unless some provision is made along these lines, union leaders and probation officials will be able to continue to argue that criminal justice reform is harmful to workers.

The dominant view toward carceral workers in this context, which is not without merit, is that they are opponents of reform and that they support returning to more punitive criminal justice policies. In 2011, two leading scholars of the carceral state debated the role that workers might play in the reform process that was at that time just beginning to bear fruit. On the one hand, Joshua Page argued that the “fierce and effective” resistance of unions like the CCPOA would hamper “the prospects for extensive, long-term sentencing and prison reform.”²⁷ On the other hand, Heather Ann Thompson argued that prison guards did not uniformly believe “that today’s punitive prisons work and must be defended.”²⁸ A lot has happened in the years since this exchange, but the question is still very much up in the air. Efforts to downsize California’s carceral state have proceeded with some success. Youth prisons and some juvenile halls have closed down, and in 2023, Governor Gavin Newsom made good on a promise to do away with the DJJ entirely, a decision that has complicated county-level reform efforts as young people convicted of the most serious offenses can no longer be placed under state custody. Indeed, in the wake of the closure of the DJJ, LA County probation successfully leveraged the arrival of

²⁷ Joshua Page, “Prison Officer Unions and the Perpetuation of the Penal Status Quo,” *Criminology and Public Policy* 10, no. 3 (August, 2011), 736. Elsewhere, Page and Amy Lerman have similarly argued that prison guards in California, in particular, tend to support more punitive correctional policies. See Amy Lerman and Joshua Page, “Does the Front Line Reflect the Party Line? The Politicization of Punishment and Prison Officers’ Perspectives Towards Incarceration,” *British Journal of Criminology* 56, no. 3 (May, 2016): 578–601.

²⁸ Heather Ann Thompson, “Downsizing the Carceral State: The Policy Implications of Prison Guard Unions,” *Criminology and Public Policy* 10, no. 3 (August, 2011), 775.

DJJ youth to reopen Los Padrinos Juvenile Hall, which had previously been shuttered.²⁹ At the state level, the Newsom administration has also closed a handful of adult prisons and pledged to implement more rehabilitative programs at San Quentin in particular. The CCPOA has not necessarily positioned itself against these developments. In August of 2020, in the wake of the uprising against police violence that followed the deaths of George Floyd and Breonna Taylor, the union came under fire for running a provocative political advertisement in which union leaders pinned a crosshairs over the face of Assemblymember Reggie Jones-Sawyer, a leading proponent of criminal justice reform, to signal the fact that they would be working to unseat him in the upcoming election.³⁰ Apart from that, however, the CCPOA has been in the news most recently not for opposing prison closures, but rather for using them to negotiate substantial economic incentives for members and new recruits.³¹ Members of the union recently travelled to Norway to observe the more holistic approach to correctional policy that is implemented there, and instead of arguing against the effort to convert San Quentin in the Scandinavian model, they have argued that doing so will require more staff.³²

Given the resilience of the carceral workforce, its uncertain political valence, and the need to build alternatives to incarceration that can offer workers similar forms of economic security, I argue that it is important to continue to assess this dimension of the relationship

²⁹ Rebecca Ellis and James Queally, “From ‘Mission Accomplished’ to Riot: Inside the Chaotic First Month at Los Padrinos,” *Los Angeles Times*, August 27, 2023. The decision to reopen Los Padrinos was made in an effort to comply with state standards for youth incarceration, which the probation department has consistently failed to meet.

³⁰ Wes Venteicher, “California Correctional Officers Union Criticized for Ad With Crosshairs on Black Lawmaker,” *Sacramento Bee*, September 18, 2020.

³¹ Byrhonda Lyons, “As California Prisons Close, Correctional Officers Land a \$1 Billion Contract With Raises and More,” *LAist*, August 29, 2023, <https://laist.com/news/criminal-justice/as-california-closes-prisons-correctional-officers-land-a-1-billion-contract-with-raises-and-more>.

³² Anita Chabria, “Column: California Prison Guards Are Dying Too Young. How Norway (Yes, Norway) Can Help,” *Los Angeles Times*, November 9, 2023.

between labor and incarceration—the role of carceral work and carceral workers in shaping the trajectory of correctional policy. Thompson went so far as to call prison guards a “grassroots *antidote*” to mass incarceration (emphasis in original).³³ While that may overstate the claim, the oral history interviews that I collected teach that carceral workers do indeed harbor more complex and even critical understandings of the system in which they worked than we might assume. Exploring the experiences and reflections of these workers can help inform a just transition framework that can leverage both the reliance of workers on the carceral state for stability as well as their unique understanding of its failures to further advance efforts to downsize the carceral state for good.

The experiences of carceral workers of color

The biographies and memories of the carceral workers whose oral histories I collected illustrate not only that their jobs provided them with economic security, but also the extent to which workers themselves developed an understanding of the limitations of the carceral state and the harms that it can cause. Take Barbara Govan, for example, who was born in 1962 in Los Angeles and raised in Compton. Barbara’s mother, who was white, worked as a school administrator. Her father, a Black man and a Vietnam veteran, worked first as a truck driver after his separation from the military before joining the LAPD. After high school, Barbara attended CSU Long Beach where she took classes in a wide range of subjects, including both criminal justice and Black studies. Her father’s connection to law enforcement first gave Barbara the idea of pursuing a career in law enforcement, but it was a field trip to the Fred C. Nelles Youth

³³ Thompson, “Downsizing the Carceral State,” 778. For a similar framing of this issue, see Austin McCoy, “Prison Guard Unions and Mass Incarceration: Prospects for an Improbable Alliance,” *New Labor Forum* 26, no. 1 (Winter 2017): 75–83.

Correctional Facility in Whittier coupled with an internship at the Compton parole office that cemented her decision to work for the YA. She believed that this decision offered the chance to make a positive impact on people's lives. "I saw that aspect where they really cared for the kids," Barbara remembered, "where they really wanted them to do well... checking to see if they were going to school, you know, trying to help them find jobs. Drug testing them. Doing whatever they could to keep them on the right track... I could still do, you know, more passionate things with treatment and, and maybe motivating, you know, kids in a different direction."³⁴ Following that belief, in 1987, Barbara took a job in the YA as a youth counselor.

During her career, Barbara worked at every YA prison in the southland, developing a reputation as someone who used programming to run her living units safely and who could mentor other staff to do the same. Early in her career, for example, Barbara was assigned to work a unit at the Southern Reception Center and Clinic (SRCC) that was considered both an unsanitary living unit, and one where youth frequently fought with one another. By providing the youth with a set schedule, however, which included both cleaning as well as a range of recreational programs, Barbara was able to improve the situation there. Barbara did similar things elsewhere throughout her career—buying a slip 'n slide, organizing basketball or handball tournaments on the weekends, inviting the families of the youth to help judge pumpkin carving contests. Over time, administrators began to send staff who were having trouble to spend time on Barbara's units. "I think because I was so hands on," Barbara said about how she developed her reputation. "And they knew my personality, that I liked to get things done, and had a lot of activities for my guys." Barbara's approach involved relating to the youth under her care and custody in unique ways, and administrators began to send staff to work for her in order to learn

³⁴ Barbara Govan interview with the author, January 12, 2021.

her approach. “They [the staff] would come over and they would work over time,” she remembered, “and they would just see that the dynamic on the unit had changed, and what had changed was that people were talking to them [the youth], and that they [the youth] were coming out [programming]... there was a lot of staff that cycled through intentionally, because of the management, they wanted them... to see what works and what doesn’t work.”³⁵

At the same time, however, Barbara was also intimately familiar with the violence and abuse that took place within the YA, and while she found these aspects of the work demoralizing at times, she remained in her job both because of the solidarity that she felt with other staff and, crucially, because of the security that her job provided. For several years, Barbara worked in the department’s internal affairs office, where she investigated many of the neglectful and abusive practices that eventually led to a federal lawsuit against the YA. She also worked for several years at the Youth Training School (YTS) in Ontario. Opened in the 1960s to provide vocational training for incarcerated youth, by the time Barbara got there, YTS was known for violence. Perhaps most famously, in 1996, a correctional counselor named Ineasie Baker was murdered by a young person in Baker’s custody, but more commonly the youth themselves were subjected violence, whether at the hands of their peers or at the hands staff.³⁶ Barbara struggled at YTS. The strategies that she had learned to promote a safe environment for staff and youth at other institutions did not necessarily translate to the much more restrictive environment and toxic culture at YTS, and she had a particularly difficult relationship with the administrators who were in charge of the prison. When I asked Barbara why she continued working, she mentioned that

³⁵ Ibid.

³⁶ James Rainey and Tipton Blish, “Man Guilty in Death of CYA Staffer,” *Los Angeles Times*, October 4, 2000. For a robust set of sources that capture the perspectives of youth who spent time at YTS, including accounts of the violence that prevailed there, see David William Reeve’s oral history project, “Gladiator School: Stories from Inside YTS,” <https://gladiatorschool.medium.com/gladiator-school-stories-from-inside-yts-b6ac0f683c68>.

she had been diagnosed with thyroid cancer around the same time. The terms of her union contract allowed her to take extensive sick leave—over a year in total, she said—and the line staff with whom she worked supported her through her illness even as the administration sought to terminate her employment. When I asked about whether her benefits made a difference, Barbara said her health insurance helped. She added that she and her husband had also been able to purchase a second home. Property values in the late-1990s and early-2000s were nothing like they are today, but still, owning two homes would have been a rare thing for anyone, let alone for Black woman raised in working-class South LA. It would not have been possible had she not entered a career path that provided the kind of security that corrections did. During her illness, Barbara and her husband were able to take out a second mortgage as a safety net until she eventually recovered and returned to work³⁷.

Michael Reed's path to carceral work was not unlike Barbara's. Born in Texas in 1959, Michael's parents migrated to Los Angeles when he was a boy. He was raised in Inglewood, where he did his best to steer clear of both rising gang activity and the police, who often harassed Black youth in his neighborhood. Michael's father served in the Korean War and then worked as a gas station attendant before taking a job with a chemical company in Wilmington. He was killed in an industrial accident when Michael was ten. Michael's mother worked at a bank. Michael became active in sports and eventually won a football scholarship to Arizona State University. He transferred to the University of Nevada at Las Vegas and graduated with a degree in communications. After working briefly as an assistant in the university's athletics program, Michael returned to Los Angeles and began working as a high school teacher. He found teaching difficult, however, and soon began to look for something else. Someone from his basketball

³⁷ Barbara Govan interview with the author, January 29, 2021.

league happened to work for the YA and encouraged Michael to apply. Facing rejection in his other career pursuits (he even applied to work in the aerospace industry, which, as discussed in chapter five, was in dire straits during the 1980s), Michael decided to submit an application largely because of the pay and benefits that the job offered. In 1986, he was hired as a group supervisor at SRCC.

Michael worked in a range of capacities, both at SRCC and at Whittier, and when he started out, he felt optimistic about the possibility of making a positive impact in the lives of incarcerated youth. On some occasions, Michael even recalled feeling a certain level of identification with the youth, especially those who came from a similar background as his own. “Some of the kids,” he said, “you find out that some of them grew up in the same neighborhood you grew up in, or you find out that you actually know their parents, or somebody in their family... And so, you can use that to your advantage, and say, look, you know you have no business being in here. This is what you need to do to get out of here. This is what you need to do to better yourself. And you can’t worry about what other people, the other wards are thinking for you, of you.”³⁸ Michael recognized that most of the youth wound up in the YA as a result of circumstance. As he put it, “you get some kids who probably [are in on a] first-time offense. Didn’t have any money. It might have been a robbery, it might have been a burglary, or just some incorrigible stuff, running away.”³⁹ “The might have had a prior history,” he continued, “and you could see that they’re probably good kids, but their environment was probably bad, and now they’re here... if you had sixty kids on the unit, all of them ain’t bank robbers and mass murderers and things of that nature.” Regardless of their commitment offense, Michael believed

³⁸ Michael Reed interview with the author, January 28, 2021.

³⁹ Michael Reed interview with the author, January 7, 2021.

that it was his role and the role of the staff with whom he worked to help the young people find a different path. “So, the approach is, okay... they’re here, so what are we doing about it?” “I can teach them everything they need to know,” he said, “they can go to school every day, they can graduate, but are we changing their way of thinking about what they were doing? We didn’t have enough of that.”⁴⁰

Like Barbara, Michael tried to keep his living units safe by keeping them busy, and as he rose through the ranks he tried to surround himself with staff who took a similar approach to the job. Michael made sure the youth under his supervision had opportunities to work—in the kitchen, for example, or in groundskeeping—and although the rehabilitative value of these jobs was questionable, Michael believed that they helped reduce the number of fights. When he became a sergeant, Michael staffed his units with people who wanted to actively run programs. “The thing that I did was, the people that worked for me were people that were high energy, like me, that wanted to work, that took the kids out.” “If our kids weren’t at the kitchen working,” Michael remembered, “they were outside running or doing some kind of activity, or doing something for the caseworker. They were doing something for somebody on a daily basis.”⁴¹ Not all staff were amenable to Michael’s approach, however, and as he mentored people, he tried to encourage them to have empathy for the youth on their living unit. This is how he put it:

Well because some of the people [referring to the staff], there was a mixture of some of the people there that really were there to help the kids, and work, and try and see that there was light at the end of the tunnel for them, as opposed to the people that were just there counting them, and just waiting until the shift was over. So, you know, and, you know, when I became a supervisor, I used to always tell the people that worked for me, even though these guys are in a jail situation, this is no different than if you send you kids to school. You would want the teacher there to teach them, and talk to them, so if you’re going to sit here and not talk to them, you’re not going to teach them, then why are you

⁴⁰ Michael Reed, January 28, 2021.

⁴¹ Michael Reed, January 7, 2021.

here? You wouldn't want a teacher to do that to your children, so why are you doing it here? They [the youth] just happen to be, for lack of a better word, they just happen to be in jail. So, you know, you just try to do the things the right way, and sometimes put yourself in those situations, or realize, growing up, if you didn't have sports, and some of the people that lived in your neighborhood, you know, the gang was an equal opportunity employer, anybody that wanted to be in trouble, we'll take you, come on.⁴²

Michael could empathize with the youth in part because he was raised under similar circumstances. He felt fortunate, for example, that in the wake of his own father's death that he had a strong network of extended family to support him through his adolescence and young adulthood, and eventually through college. Michael's appreciation for his own opportunities helped shape the way that he approached his own work in the prisons, and he tried to encourage others to do the same. "Well, they really didn't have a choice," Michael remembered of the people who staffed his living units. "The ones that were being lazy, okay, you know, that's not acceptable anymore, so you're going to do your job. Now, a few of you guys that don't want to be over here, it's okay, you can transfer, it ain't personal. But if you work over here... it's going to be the right environment for staff and wards to effectively get the best job of the day done." To some extent, Michael felt he was successful. Recalling an interaction when the superintendent of SRCC asked him why so many of the prison's staff were requesting to work on his unit, Michael replied, "because we work, and we do a good job."⁴³

Unlike Barbara, however, over time, Michael became disillusioned enough with working inside the youth prisons that he decided to leave. As the YA became more overcrowded and more intensely focused on security, Michael struggled to see how genuine rehabilitation could take place in such an environment. Like others, Michael felt that the decision to require YA staff

⁴² Ibid.

⁴³ Michael Reed, January 28, 2021.

to wear the same uniforms that staff wore in the adult system was a mistake. “I think that [the uniforms] was a big dynamic of how we were viewed by the kids, [and] how some of the staff members viewed themselves,” he said, “because you went from everybody kind of looking the same to everybody looking different, and an unwritten determination of now that you have uniform on, you have a different responsibility, or you gotta be more forceful.”⁴⁴ In a similar vein, as the dominant approach to the work process increasingly emphasized security, Michael had to go out of his way to pursue casework experience as a counselor, which was a requirement if he wanted to transfer out of the institutions to work parole. He also struggled with the stressors of the job. Managing the open-dorm living units at Whitter became a particularly challenging job, as overcrowding caused the populations to swell. Sometimes he had to contend with ninety or more young people and only a handful or other staff. At one point, he described how the youth had to vie with one another just to have a bed to sleep on, and how such circumstances could lead to violence.⁴⁵ (Barbara recalled a similar dynamic in her experience, although her example involved chairs instead of beds.⁴⁶) Importantly, Michael had his own critique of the causal forces behind prison overcrowding. The justice system, he believed, was overly harsh, and even discriminatory toward poor young people of color. The youth who came from more affluent counties, he recalled, often carried more lenient sentences, whereas Michael felt that Black youth from places like LA, Riverside, or San Bernardino counties were being railroaded. “You might not have any evidence,” he recalled, “but when you tell a kid who is fourteen or fifteen, we’ll give you two years—you’re facing fifteen—but we’re only going to

⁴⁴ Michael Reed, January 7, 2021.

⁴⁵ Ibid.

⁴⁶ Barbara Govan, January 12, 2021.

give you eighteen months... most kids are going to take that, whether they're guilty or not."⁴⁷

When I asked Michael about how his union lobbied for tougher sentencing laws, he said outright that he opposed the CCPOA's political orientation. "My take on that is, I think the CCPOA should have been apolitical. Because the three strikes law was a bad law. It was a bad law. So, pushing agendas, I think the union could have been the union without really getting involved in that."⁴⁸ Ultimately, the conditions inside the prisons deteriorated to such a degree that Michael lost hope in his ability to make a difference. As he put it, describing his time at Whittier:

It just didn't, to me, appear like that, that set up, for young people, at that time, and, with some of the people that we were working with, it just didn't seem to me, personally, conducive for the young men getting better. And it seemed, it just seemed like, to me, I was just really spinning my wheels. I mean, you know, you're getting paid. You're getting paid good money. You have good benefits. But you're going to have to work a job for twenty years, maybe thirty years, you want to see the fruits of your labor, and you don't want to be going home with a headache every day. So, for me, it wasn't sustainable, personally... I would not have done it. I would have had to do something else. I don't know. I just wasn't going to do that...⁴⁹

In 2001, just over a year after he transferred back to SRCC from Whittier, Michael transferred out of the institutions entirely, taking a position in adult parole instead.

Michael's experience on parole was better than his experience in the institutions, but mainly because of the fact that his own quality of life improved; as for the job itself, he still felt limited in his ability to help the people who were on his caseload. Recidivism rates during the 2000s approached seventy percent, which Michael attributed to the lack of rehabilitative services inside the prisons combined with the lack of effective support systems for people on parole.

When I asked him what might have made a difference in his work, he said that community-based

⁴⁷ Michael Reed, January 7, 2021.

⁴⁸ Michael Reed, January 28, 2021.

⁴⁹ Ibid.

programs for education and employment would have helped. “Because, if you did five or ten years in prison,” he said, “and you’ve never been to school, or never had a job, what makes them think after a certain amount of time being on parole, just sitting around the house... nobody is going to give you a job [if] they know you are a convicted felon, so what do they expect you to do?”⁵⁰ Michael’s time as a parole officer coincided with the 2007–2008 financial crisis and the Great Recession that ensued, which, although it helped motivate the push for realignment, only restricted funding for community-based programs even further. Michael remembered how these changes put new expectations on parole officers, “more documentation,” he said, “and more of trying to keep people in programs in the community.” “But the funding for the programs wasn’t there anymore,” he continued, “so, you was losing the funding for the programs. You was losing beds for programs. And so, you, you had this quandary of not being able to really service your parolees and your clients... So, you know, it was, it got to a point where I’m like, well, if I can’t even do my basic job, and do what I need to do...” Eventually, Michael became so frustrated that he simply decided to retire: “I said, well, I can continue to coach, and work outside of the job, doing things with kids and people, and you still have the impact and the desired effect, as opposed to working every day and not being able to do your job.” “They wanted more,” he remembered, “but they weren’t giving you the resources to do it.”⁵¹

The question of funding that Michael raised is central to criminal justice reform efforts today, and it resonates something that Eduardo Mundo found particularly frustrating about his time with LA County probation. For a period of his career, Eduardo worked as a school-based probation officer, often working with “at-risk” youth who had not yet come into contact with the

⁵⁰ Michael Reed interview with the author, February 12, 2021.

⁵¹ Ibid.

courts. The law that funded his position was a state law passed in 2001 known as the Juvenile Justice Crime Prevention Act (JJCPA), but it never made sense to Eduardo why that money paid his salary instead of someone else's. "We were paying \$100,000 for an officer to work with a kid who had no crime," he remembered. "That \$100,000, for the county? You could have had an after-school program, that can help tons of kids. You could have paid teachers an extra hour a day, every teacher on a campus, for a year, to stay back an extra hour and a half and provide tutoring to those kids that were struggling. There were so many other things you could have done with that money."⁵² Another dimension of JJCPA funding that frustrated Eduardo had to do with the fact that, as a probation officer, he was not necessarily the person who was best positioned to provide social services to young people who needed them. As he put it, "the that was spent on probation... would have been better served with the CBOs, and having them in the school as a full-time employee funded by the JJCPA money would have actually been more effective, because you could have spent \$30,000 and had three individuals working at schools, rather than one, who actually is the pen for the court."⁵³ What he meant by the phrase "pen for the court" was that, rather than making specific interventions in the lives of young people by providing, for example, remedial education, job training, counseling, drug treatment, gang intervention, or other services, his role as a probation officer was merely to report an individual's behavior to the judge. He might connect people to such services, but at the end of the day, his job was focused specifically around the decision of whether to continue someone on community-supervision until their discharge date, or recommend some other action, including incarceration, to the court. Elsewhere, Eduardo referred to probation as the "point guard" of the juvenile

⁵² Eduardo Mundo interview with the author, September 1, 2020.

⁵³ Ibid.

justice system to illustrate a similar point.⁵⁴ On a basketball team, a point guard's role is to run the offense, to make sure that the ball gets where it needs to go at the right time so that other players can score.

In addition, Eduardo also explained something about funding that is relevant to the exercise of defining a just transition from mass incarceration, which has to do with the level of economic insecurity that often prevails in the world of CBOs. Even though the people who worked in CBOs arguably did a more important job, in the sense that their work was oriented specifically around addressing the needs of young people, because they worked in the non-profit sector and their salaries were tied to short-term grants, they also faced a kind of precarity that Eduardo, as a civil service employee, never had to contend with. Once, when Eduardo was tasked with managing a data collection project, he recalled struggling to find CBOs to work with because of the structure of the funding model. When he called around, someone told him flat out that he was not going to find a partner. "And I asked why," he remembered. "And she [the CBO staff member] goes, 'because when probation is involved, you guys get all the money... by the time we jump through all the hoops, we're in arrears in the money, and, we have staff that are going to have to be laid off.'" "And that remains," Eduardo said, "the reason I share this is because that problem continues now. This grant process, trying to include CBOs, has a lot of deficiencies, and a lot of problems. And that lady nailed it. It was the same thing with the JJCPA."⁵⁵ Here, Eduardo put the problem more directly:

You know, the CBO concept is good on paper, but it's really not good in practice. You never know if the funding is going to stay, so if you hire employees, they're always still looking for a job. And, so that's not a good thing, when your employees are more worried about their next gig than the gig they have. And they look around, and they see

⁵⁴ Eduardo Mundo interview with the author, September 11, 2020.

⁵⁵ Eduardo Mundo, September 1, 2020.

themselves not getting the referrals, so the writing is on the wall for them. Look for a job, because this isn't a permanent position... Now, Parks and Rec was getting some of the money also. And so, that actually is a better model, because at least with Parks and Rec you can actually get employed by the county and have a chance to remain in the county and get funded by the county. Like probation, it didn't matter if the funding was coming in or not, you're still a probation officer... if the funding ran out, they just found another position for you in the Department. So, you never had that weighing you down.⁵⁶

There are debates among those involved in the criminal justice reform process about the extent to which government should be involved in replacing work that has been done by different arms of the carceral state, but Eduardo puts his finger on a very real problem, and one that harkens back to the history of the struggle over public sector employment in California and the US as a whole. The need for economic security is universal. Until better funding mechanisms are developed to ensure that people who provide services that are aimed at meeting the needs of people who come into contact with the juvenile or criminal justice systems are themselves able to attain stability in their own lives, the current system will likely be difficult to replace. At the same time, apart from the contingent historical circumstances that produced laws like the JJCPA (or, at the federal level, the Law Enforcement Assistance Administration and similar grant programs that have replaced it), there is nothing inevitable about the fact that public sector jobs have to be geared toward incarceration. This type of quandary would have been familiar to people like Ruth Rushen, Jim Lewis, or Willie Jackson, who sought to change the carceral work process in order to prevent the need for more incarceration during the 1970s—and who did so with some success. Addressing the problem that Eduardo identified by providing greater economic security for people whose work is more directly oriented around meeting the needs of people on probation could be a feature of a successful just transition platform.

⁵⁶ Eduardo Mundo, September 11, 2020.

Returning to another oral history narrator, like Eduardo, Michael, and Barbara, Stephen Walker was also raised in Los Angeles. He attended El Camino College hoping to earn a track scholarship to USC, but he gave up running after an injury and enlisted in the Marine Corps. Stephen's father had been a marine during the Vietnam-era. His father suffered from post-traumatic stress disorder and worked as a gas-station attendant until he eventually took a job with the YA. Stephen's mother worked as a nurse. After declining to reenlist in the marines at the conclusion of his first tour, Stephen moved back in with his parents and began working various low-wage jobs (in a warehouse for the United Parcel Service, for example, or as a security guard on a CBS studio lot). As he remembered it, Stephen happened to glance at one of his father's paystubs while sitting at the kitchen table one day. Stephen claims that he did not know exactly where his father worked or what his father did, but seeing his take-home pay was enough to convince him to apply. In 1985, Stephen started as a group supervisor at SRCC.

Stephen's experience was also very mixed. Of his four weeks of training at the Richard A. McGee Correctional Training Center in Galt, Stephen remembered only how little it prepared him for his job:

I look at that, obviously, in hindsight and go, there's no way on God's green earth you can prepare somebody for what you're asking them to do. With no experience in helping people resolve, especially youth, resolve what's fundamentally amiss in their life. And they're teaching us how to, you know, they're, they're teaching us evidence code and penal code, and, and we're reciting all of this stuff back, regurgitating it back. Okay, you're not teaching us anything about humanity. You're not teaching us anything about social engagement, and... any of the tools that, if the system was designed to legitimately help people, they're not preparing you for any of that.⁵⁷

When I asked if he received any training that was geared toward rehabilitation, Stephen said simply, "No." "And if it was," he continued, "it was so quick, and so inconsequential to [the

⁵⁷ Stephen Walker interview with the author, August 12, 2020.

focus on] the law enforcement components of it. The physical use of force. Chemical agents. All of those things had higher weight than, than anything they may have offered around the rehabilitative component.”⁵⁸ The extent to which this reflected a shift in priorities from the era of the rehabilitative ideal is unclear, but it appears that the ethos that Richard McGee himself had tried to instill among the staff in the 1950s and 1960s had been largely stripped away.

Initially, Stephen’s specific role within the institution was to help move youth from one place to another, and he developed a reputation for being particularly good at dealing with uncooperative youth—so much so that his coworkers bought him a union jacket embroidered with the nickname “Robocop.” Stephen joined the institution’s tactical response team, an “elite” unit of officers trained to use force to quell fights and disturbances. At the same time, however, working alongside his own father and other mentors, including Barbara, taught Stephen to approach incarcerated youth with compassion. Stephen had this to say about the impact that Barbara had on his approach to the job:

She [Barbara] was well ahead of her time. Or maybe she was a remnant. I don’t know, but she had an understanding of humanity. And she built her team with people that she saw potential in. Because she trained a couple guys that were knuckle-draggers. And that’s what I was, I mean, at that time. I was a knuckle-dragger, man. I was the guy you called when you wanted peace and it wasn’t peaceful... She brought like five of us that were not your stereotypical counsellor mentality. We were security-oriented. But she brought us on to the unit, and she helped restore our humanity. She helped us re-access who we were. And we didn’t... and I’ll tell you, I didn’t realize that that’s what was happening. But she did. She saved me. Because I was a wreck rolling. And that, that opportunity to just sit down and talk with a guy [a youth], as opposed to grabbing him and throwing him into a room, to ask him, dude, don’t you get what’s going on? Don’t you see where this is headed? And to hear why he was having a problem with what was going on. And she encouraged that... When, before she took over, we were the unit where all the headache older guys were sent. When she came in, it smoothed out... Now, we still had a reputation for them to send all the high-risk, high-needs guys because we could manage them. And we did... We programmed all day long, and very low incident, if any. And if there was an incident, it was because some new guy came in and didn’t understand the ethos that Barbara had established and that all of us were working

⁵⁸ Ibid.

in and that all the wards had adopted. But it didn't take long. But it... yeah, she was, she was a dynamo man. That was a great unit. Great unit to work on.⁵⁹

As with Michael, Stephen remembered identifying closely with the young people that he worked with. Once, he even encountered someone that he went to school with. "I was so lost in the fact that there's this guy, that could have been me," he said. "I grew up in the exact same neighborhoods as these guys." YA procedure required Stephen to disclose his relationship with this particular young man, who was then transferred to a different living unit.⁶⁰

Eventually, Stephen decided to work for the CCPOA on release in Sacramento. Stephen had become involved in the union because he had been fired from his job several times and had to utilize the grievance process to secure his reinstatement. In Sacramento, he became a lobbyist. He helped engage with the Schwarzenegger administration, which was becoming increasingly adversarial to public sector unions as a whole, including the CCPOA, as the governor sought to cut public expenditures.⁶¹ Eventually, right around the time that realignment began to take effect, Stephen became the union's director of legislative affairs.

Although Stephen's memory of his time as a lobbyist does not settle the question of whether the CCPOA as an institution helped or hindered broader criminal justice reform efforts in California surrounding the legal challenges that spurred realignment, he later experienced a personal tragedy that elicited a significant shift in his own consciousness.⁶² It is worth emphasizing this story because it highlights the potential for alternatives to the tough on crime

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ For more context on the Schwarzenegger administration's attacks on public sector workers, see Glass, *From Mission to Microchip*, 414–425.

⁶² Joshua Page, in particular, casts doubt on the claim that the union meaningfully altered its stance on correctional policy in the 2000s. See, *Toughest Beat*, 195–219.

mentality that the union so often promoted. In 2017, Stephen's brother was killed while standing on a sidewalk outside of a night club when a driver lost control of their vehicle. The driver was on probation at the time, and had been under the influence of a controlled substance. "I was angry," Stephen recalled. "I wanted the death penalty." After more reflection, however, Stephen experienced a change of heart, realizing that this was "a sterling example of how this system [the carceral state] is failing." "And it's crazy," he said, "because the victims group that CCPOA had fostered... financially and every other way you could imagine, there wasn't any healing. It was all about vengeance, and I, man, I couldn't come to terms with that... it just didn't balance in my spirit."⁶³ The group that Stephen referred to is Crime Victim's United of California (CVUC), which became a forceful advocate for strict sentencing laws during the 1990s in large part thanks to support from the CCPOA.⁶⁴ Instead of CVUC, however, Stephen eventually became involved with an organization called Californians for Safety and Justice, whose mission statement is "to replace prison and justice system waste with common sense solutions that create safe neighborhoods."⁶⁵ Shortly after his brother's death, Stephen attended one of the group's events. "I could feel this weight lifting," he remembered, "and I spent time, and it was so happy, and just reaffirming, you know. I think that's the one thing that we all look for, is that there are other people that have similar or shared experiences and they're making it, and we want that hope that we can make it through this." Stephen's explanation of how his experience with Californians for Safety and Justice helped him reassess his career in the YA and his overall view of the limitations of the carceral state is worth reproducing at length:

⁶³ Stephen Walker, September 17, 2020.

⁶⁴ Page, *Toughest Beat*, 81–110.

⁶⁵ See "What We Do," *Californians for Safety and Justice*, <https://safeandjust.org/about-us/>.

What it did was reaffirm that we have to do something different with this system. We cannot continue to claim to be serving society by this incarceration, and putting people back out on the street more damaged than when they came in, or unserved in their needs that brought them... I'm not absolving the young man of his responsibility in the death of my brother... But we didn't help him realize there were better choices for him to make. We didn't point out and facilitate an on-ramp to those better choices that may have existed. Because, in many cases, those doors are closed to so many of those young men and young women, and we don't do enough to give them the keys to unlock those doors. Because they have to make the conscious decision. You can't force anybody to do anything. But you have to help them develop a bigger key ring than what they come into the system with... Our system is broken and is damaging the officers, the inmates, the staff, and, as a byproduct, our society as a whole.⁶⁶

After his brother's death, Stephen became more committed to using his position within the union to begin to advocate for officer wellness, which he says was a way of framing some of the problems that exist within the prison system in a way that the conservative leadership of his union would sign off on. Like Eduardo, he also began inserting himself into more criminal justice reform conversations in an effort to leverage his unique experience and perspective to create meaningful change.

Even Mike Jimenez, the former president of the CCPOA and the last oral history narrator I interviewed, developed a similar critique of the prison system and considers himself supportive of efforts to roll back the carceral state. Born in Nebraska in 1961, Mike never finished college. By the mid-1980s he was working in the oil fields of the San Joaquin Valley. The work was intermittent, however, and when he and his wife learned that they were expecting twins, Mike decided to look for something more stable. Their situation became much more urgent when Mike's wife, who had a job cleaning hotel rooms, experienced complications during her pregnancy and lost one of the babies. Mike landed his first job in corrections because his landlord worked for the Kern County Sheriff's Department. When Mike was short on his rent

⁶⁶ Stephen Walker, September 17, 2020.

one month, his landlord offered him a job as an aide at the county jail. Working as an elevator operator at the jail, Mike decided that he would apply to become a sheriff's deputy himself. He also put in an application with the CDC because he knew they were hiring as well. The CDC called him back first, and Mike accepted a job as a correctional officer in 1986. The starting pay was \$2 more per hour than he made in the oil fields. More importantly, the work was steady, and he now had health insurance for his wife and their surviving child.

Mike was the only oral history narrator who worked on the adult side of the prison system, and as he recalls, it was a dehumanizing experience. Like Stephen, he did not feel that his training, which he referred to as "paramilitary indoctrination," prepared him for his job. "I can't say it was genuine preparation for the job," he said, "because they didn't prepare me for anything morally that I was going to encounter, ethically that I was going to encounter... there was a lot of stress put on use of force, but beyond that... the honest issues that I was going to face, it didn't prepare me at all."⁶⁷ Mike worked briefly at the California Training Facility at Soledad, where he remembered a strong culture of violence among the guard line, and in 1987 he transferred to Avenal State Prison, the first new free-standing prison to come online in California since the 1960s. He remembered how the administration discouraged him from doing what he perceived to be the right thing in his job. Once, for example, he was asked to sign an incident report that he had not written. Another time, he was nearly fired for refusing to identify a prisoner who had helped the staff by returning a stolen handcuff key. All of this was on top of the general human suffering that he was surrounded by on a daily basis, which he found difficult to cope with. Avenal was where he first saw someone murdered. As he put it, "as a correctional officer, you witness so much suffering, that you become numb to it." More than a passive

⁶⁷ Mike Jimenez interview with the author, January 14, 2021.

numbing, however, Mike also felt that the culture of the job actively sought to strip workers of their empathy. “They didn’t want you to get, to develop empathy,” he remembered. “There was a training that went on that built this wall, this permanent wall, that all inmates are trying to take advantage of you, that they’re all deceptive, and dishonest, and that you need to be aware of that at all times. Don’t let you guard down... Never let your guard down.”⁶⁸ Although this point confirms what is already generally understood about the dominant culture among prison staff, it nevertheless stood out in Mike’s memory precisely because it was something that did not come naturally. It had to be actively cultivated, and it went against his instincts and those of others.

Similar to my interviews with Stephen, the memories that Mike shared do not provide decisive evidence of the extent to which the union truly softened its line as overcrowding peaked and the conditions inside California’s prisons deteriorated to the point where Supreme Court ordered population reductions. It is worth noting, however, that Mike’s experience and the way that he viewed his role as a union officer differed from those of his predecessor, the union’s first president, Don Novey. Novey first came to union organizing amid the highly politicized context of the 1970s in explicit opposition to broader efforts to enfranchise incarcerated people, and he belonged to a particular cohort of officers connected to Folsom Prison who took a hardline view toward abandoning the rehabilitative ideal and embracing more punitive policies.⁶⁹ On the other hand, as Mike recounted to me, he first came to the union when he and some of his co-workers at Avenal were underpaid for a mandatory overtime shift, and Mike decided to file a grievance. This is the kind of ordinary workplace slight that might motivate someone in any workplace to stand up to their boss. Mike had a knack for grievances, and he became more deeply involved in

⁶⁸ Ibid.

⁶⁹ Page, *Toughest Beat*, 30–43.

the operation of the union fairly quickly.⁷⁰ By 1991, he took leave from Avenal to participate in the process of negotiating the successor contract. From there, he ascended to the union's executive board and in 2002 he replaced Novey as president in an acrimonious election. Over the years, Mike helped negotiate over a variety of subjects. Some of these were specific to the prison environment, such as when Mike fought to prevent the CDC from implementing stricter use of force requirements—a decision that, at the time, he viewed through the lens of officer safety, but which he regrets today.⁷¹ Other issues might have applied to any workplace. One of the most popular provisions that Mike helped secure in the contract, for example, was a provision called “post and bid,” which was essentially a system that allowed more senior officers first choice in shifts and work assignments. Staff valued post and bid because it gave them predictability in their personal lives, and because it also allowed them to exercise preferences in the types of jobs they did within the prison.⁷² In recounting his time as president of the union, Mike insisted that his main responsibility was to provide greater economic security to the membership:

I tried to approach it from a dynamic of, I don't want you [the members] to have to do overtime in order to make enough money to retire... My goals as a union president were always that you have a safe job that you can go to, that you only work eight hours a day, five days a week, that you're able to afford a home in the community where you work, that you're able to put your kids through school and into college, and then that you're able to retire young enough that you can enjoy your grandchildren and have the health care that you want. Those aren't real lofty goals.⁷³

⁷⁰ Ibid.

⁷¹ Mike Jimenez interview with the author, February 4, 2021.

⁷² Ibid.

⁷³ Mike Jimenez interview with the author, March 1, 2021.

Such words could have come from a union leader in any industry. They help illustrate the fact that, whatever else it meant to the tens of thousands of people who worked for the CDC or the YA during these years, a job in corrections was a way of making a living. Mike's words also illustrate the extent to which, although at times he may have acted in alignment with the hardline views of people like Novey and the old-guard leadership, he was not necessarily a committed partisan of mass incarceration in the same ways.⁷⁴ He got into the job because it paid well, and he tried to keep it that way as he rose in the union.

Like Stephen, eventually, Mike underwent a personal transformation to become a critic of mass incarceration. For Mike, this began in earnest when his own son came into contact with the criminal legal system and he was forced to consider the prospect that someone he loved dearly might end up on the other side of the bars.⁷⁵ Already president of the CCPOA at the time, Mike projected his transformation into the public sphere. He spoke at the 2007 convention of the California Democratic Party, where he criticized the Schwarzenegger administration's proposal to respond to the overcrowding crisis by building more prison bed space, or, as he put it in his speech, by expanding "the prison industrial complex." Paraphrasing Martin Luther King, Mike told the convention that he had "a dream that the bricks and mortar that were planned to build new prisons will instead be used to build new schools," and that "an ounce of prevention will be embraced instead of a pound of cure."⁷⁶ When I asked Mike about how those words were

⁷⁴ Page also notes this difference, though he is skeptical about whether or not Mike's leadership marked a meaningful change in the union's approach to correctional policy. *Toughest Beat*, 197–98.

⁷⁵ Mike Jimenez interview with the author, March 12, 2021. Mike also spoke candidly to the press about his son's experience and the change of heart that it elicited in him at the time. See Sasha Abramsky, "When Prison Guards Go Soft," *Mother Jones* (July–August, 2008), <https://www.motherjones.com/politics/2008/07/when-prison-guards-go-soft/>; Joe Matthews, "Prison Guards Union Shows its Softer Side," *Los Angeles Times*, March 24, 2007.

⁷⁶ Page, *Toughest Beat*, 196.

received among the membership of the union, he highlighted the range of views that exist within the carceral workforce. “Well,” he said, “the positive response is, there are a lot of people, there’s a lot of correctional staff that got into the job just trying to help somebody out.” At the same time, he also said that he “got a lot of backlash,” especially from those who believed that incarcerated people were either incapable or unworthy of redemption. This segment of the workforce wondered why Mike would care about prevention. “Don’t we want more prisoners,” Mike remembered them asking, “isn’t that what we’re after?”⁷⁷

The different responses to Mike’s public call for alternatives to incarceration illustrate a challenge of defining a just transition from mass incarceration. Somehow, those workers who are interested in and capable of working in a fundamentally different system, such as LA County’s DYD, must be distinguished from those who are not. As Mike emphasized to me, “all of the workforce doesn’t want to move forward.” Many workers, he said, still harbor a “level four mentality,” referring to the most restrictive custodial environments in the CDC. “But for everybody else,” he emphasized, “for all of the inmates that are going to get out, and for all of the staff that are trying to make a difference in somebody’s life, yeah, I think there’s a way to merge those two.”⁷⁸ Mike echoed Eduardo’s claim that plenty of existing staff would potentially have a lot to contribute to a care-first system. When I asked him what a just transition might look like, Mike painted a picture that resembled the some of the successful efforts to reorient the work of probation officers the last time that California sought to establish alternatives to incarceration, under the probation subsidy program. He mentioned transitioning uniformed prison staff to the outside “working as, I’m going to say as a parole agent, just because I don’t

⁷⁷ Mike Jimenez, March 12, 2021.

⁷⁸ Ibid.

know a better classification, but as a counselor, with a different role.” That role, he explained, “is helping them [formerly incarcerated people] find a job. Helping them find housing. Helping them find educational opportunities. When they fall, supporting them, propping them up.”⁷⁹ As with the efforts of the 1960s and 1970s, Mike’s assessment of the prospect for a just transition depends on the basic orientation of the carceral work process itself. Whoever works in new systems like the DYD, whether those workers are people who have experience working inside of prisons or juvenile halls or not, what will matter is whether or to what extent the people in those roles are able to meet the basic needs of the people they are tasked with helping.

Importantly, Mike rejects the notion that carceral workers are inextricably tied to preserving the prison system as it has existed since the 1980s. When I asked him whether he believed a segment of the workforce would support efforts to roll back the carceral state and establish meaningful alternatives to incarceration, he said yes. “And I think somebody running with a torch could lead these people,” he continued. “Seventy percent would be the number I would attach to it. I think you’ve got fifteen percent that love everything you do. Fifteen percent hate everything you do. And then in the middle you’ve got seventy percent that are trying to do the right thing, and looking for guidance, advice, leadership... and something that connects them to everything going on in the world.” “I have hope,” he said, “for the future.”

* * *

The experiences and perspectives of these five workers illustrate the extent to which there may be broader support among the carceral workforce for criminal justice reform, which in turn suggests an opening to develop a just transition platform for mass incarceration similar to what

⁷⁹ Ibid.

Tony Mazzocchi proposed for workers in the energy sector in the 1990s. To be sure, there are important differences between carceral workers and workers in the energy sector. For one thing, as Mike Jimenez explained, not everyone who works in corrections is necessarily interested in or suited for work in a care-first system. Indeed, although none of the workers whom I interviewed admitted to participating in or even witnessing the worst abuses that have been perpetrated by carceral workers against incarcerated people, a measurable number of their coworkers have committed serious crimes of their own, and at the very least should not be allowed to continue in their jobs, much less to benefit from the emergence of new systems. Where these people and their actions are concerned, perhaps a truth and reconciliation commission is a more appropriate analogy than a just transition; perhaps a just transition can and should incorporate elements of such a process that is rooted in naming and addressing harm. Importantly, apart from these and other issues related to workers, one major difference between the carceral state and the energy sector has to do with incarcerated people themselves. The point of providing a just transition for someone working on an oil rig is to leave carbon, which is the object of that person's labor, in the ground. The same cannot be said for probation or correctional officers, for the objects of their labor are other human beings. To borrow a term from David Harvey, to fail to account for the incarcerated in defining a just transition from mass incarceration would be to recreate the same forms of "organized abandonment" that helped produce mass incarceration to begin with.⁸⁰ By the same token, however, this difference can be overcome by defining a just transition platform that provides for the economic security of both carceral workers and incarcerated people. To the extent that poverty is one of the root causes of crime, such a platform can help promote safety in society more broadly.

⁸⁰ David Harvey, *Limits to Capital* (New York: Verso, 2006), 397.

Importantly, Mazzocchi's original proposal for a just transition spoke directly to the economic processes that made mass incarceration possible. Mazzocchi's vision incorporated not only the comparatively small group of workers concentrated in the energy or chemical sectors, but also workers in the defense sector, such as those at Lockheed's Lynwood plant, whose jobs were threatened by the by the end of the Cold War, as well as anyone who faced unemployment due to economic restructuring or plant closures. "Corporations, especially transnationals, do not suffer when a plant shuts down," Mazzocchi wrote. "Their operations just continue elsewhere. Workers do not have such flexibility." In his proposal, Mazzocchi reached for a historical analogy of his own, pointing to the 1944 General Infantry (GI) Bill as an example of the kind of policy intervention that, if it were recreated in the 1990s, might ensure the well-being of workers amid the desirable transition away from an economy based on extraction and pollution, as well as the seemingly inevitable transition away from one based on industrial production. Mazzocchi recognized the GI Bill's "many shortcomings," not least of which included the reproduction of forms of racial and gender discrimination. At the same time, he rightly pointed out that it was "one of the most advanced pieces of social legislation ever enacted by Congress, and a major catalyst for the post-war economic leap forward."⁸¹ While Mazzocchi understood that the GI Bill was a far cry from the general provision of full employment that many in the labor movement called for in the 1940s, he also knew that it belonged to the tradition of expansive economic policy that the nation's political leaders had eschewed, especially since the end of the War on Poverty. Looking at the discourse surrounding hard-core unemployment in the 1960s, a proposal like the GI Bill would have fallen firmly in the camp of policies that the Johnson administration and its successors chose to reject in favor of efforts policies similar to the JOBS

⁸¹ Mazzochi, "A Superfund for Workers," 40.

program. One can imagine that a federal job guarantee, which Representative Ayanna Pressley reintroduced to congress in 2021, could provide a foundation for a just transition from mass incarceration, addressing the same problems of structural unemployment and racial inequality that helped produce the crisis in correctional policy of the 1960s and 1970s and arguably remain foundational to present-day criminal justice reform efforts.⁸²

In a certain sense, perhaps a just transition from mass incarceration requires viewing the lives of carceral workers as a form of prison waste alongside the billions of dollars in public expenditure that could have been allocated to something else, as well as the millions of people who have experienced incarceration, whose human potential has been smothered, though never fully extinguished, as a result. Workers themselves might resist this claim. To varying degrees, each of the narrators I interviewed found something in their experience to remember fondly, something to feel proud of or to cherish. At the same time, however, they each felt a distinct sense of alienation as a result of the conditions under which they worked. Michael Reed put it most succinctly when he said this in summing up his time working in the youth prisons: “My whole experience... from then to now, it started out as a career, it went to a job, and then... it started developing into just a place to make money. And that kind of wears on you.”⁸³ How common is that feeling? Each of the narrators ended up in their job more or less by accident. A familial connection opened the door for two of them, but otherwise, they all simply wanted to do something that allowed them to meet their basic needs and the needs of their families. If they could help make a positive difference in the lives of others—which they all believed, at least initially, might be possible by working in corrections—a so much the better. If not, the same as

⁸² Pressley and Stein, “A Federal Job Guarantee.”

⁸³ Michael Reed, February 12, 2021.

the vast majority of people, they were simply determined to make do as best they could. Mass incarceration was made in part by attracting tens of thousands of people like them to carceral work. One way to go about its unmaking would be to create opportunities for such people to obtain the economic security that they need and that everyone else needs, but within a structure that is oriented around addressing the root causes of the various social problems that are lumped together and labeled crime. At least in part, whether or not workers can make a dignified living in new agencies aimed at providing alternatives to incarceration will determine their success or failure.

The history of the relationship between labor and incarceration that this dissertation has explored suggests that such a project is possible. Glimpses of it existed in Operation Pathfinder or the RODEO program, both of which provide an indication of the fact that addressing the root causes of crime is, indeed, a labor-intensive process. Glimpses of it also existed in Lockheed's Lynwood plant, and perhaps even in some of the prison work programs that occasionally beat the odds and provided prisoners with means of finding work on the outside, despite the structural unemployment that defined California's labor market. Given the rising threat of climate change, perhaps even the conservation camp program contains a seed of something that could fit within a just transition platform. Calls for a Green New Deal harken back to the bold vision that emerged to meet the crisis of the Great Depression, yet they ignore the fact that programs like the Civilian Conservation Corps live on through the carceral state. As California and the nation reckon with the failed environmental policies of the past three centuries—including the displacement of indigenous fire ecologies with a policy of total fire suppression that was carried out in part with incarcerated labor—perhaps one solution will still involve creating opportunities for young people to work in the mountains and along the rivers to restore a balanced relationship with the

natural world. In that hypothetical instance, work might be able to resolve social and environmental problems while broadening access to economic security. Similarly, those who may be considering or just embarking on a career in carceral work might still be able to obtain wages and benefits that can provide the basis of a dignified life, albeit in systems that meaningfully change the basic orientation of their jobs. Whatever dimension is in focus, to ignore the relationship between labor and incarceration is to ignore a constitutive element of how the carceral state developed over the course of the postwar period, in California and elsewhere. To address that relationship in the different forms that it takes is to begin to address the problem, as prevalent today as it always has been, of truly saving prison waste.

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