

August 1999

PRISON WORK PROGRAMS

Inmates' Access to Personal Information





G A O

Accountability * Integrity * Reliability

United States General Accounting Office
Washington, D.C. 20548

General Government Division

B-280467

August 18, 1999

The Honorable Charles F. Bass
House of Representatives

Dear Mr. Bass:

This report responds to your request that we obtain information on correctional industry work programs¹ under the federal Bureau of Prisons (BOP) and in state prison systems² that allow inmates access to personal information. For this assignment, we defined personal information as information that can be used to threaten an individual's physical, psychological, or financial well-being. This information would include (1) credit card numbers (personal or business); (2) Social Security numbers; or (3) names in combination with physical descriptions or financial, medical, or motor vehicle information. You also were interested in information on inmates who had access to only names and addresses or telephone numbers.³ This type of information tends to be more readily available to the public, such as through telephone books, than personal information.

More specifically, you asked for information on

- the extent to which inmates in the BOP and state prison systems had access to personal information through correctional industry work programs;
- prison safeguards and procedures, statutes and regulations, and proposed legislation that addressed correctional industry work programs involving personal information;
- the extent to which contracts that provided inmates access to personal information contributed to BOP's and states' correctional industry income;
- the extent to which BOP and state prison inmates had access to only names and addresses or telephone numbers through correctional industry work programs; and

¹For our study, we defined correctional industry work programs as work programs that produce products and services for sale to government agencies and/or to the private sector.

²For this report, when we refer to state or states, we are including the District of Columbia.

³When we use the phrase "names and addresses or telephone numbers" we are referring to names and one or more of the following: work or home addresses or telephone numbers, names of employers, or job titles but no other item that we defined as personal information.

- incidents of inmates misusing information obtained through correctional industry work programs, including how safeguards failed and what, if any, changes were made as a result of the incidents.

To answer these questions, we surveyed BOP and state correctional industry officials by mail.⁴ Although questionnaire respondents provided us with data on the number of inmates with access to personal information or only names and addresses or telephone numbers, it should be noted that some officials told us that these data were estimates. We also contacted states' attorneys general and the special counsel for the District of Columbia, interviewed officials from federal investigative agencies, and conducted literature and database searches.

Results in Brief

On September 30, 1998, of approximately 1.2 million⁵ inmates, about 1,400⁶ in BOP and 19 state prison systems had access to personal information through correctional industry work programs, based on the questionnaire responses from correctional industry officials.

- Of these 1,400 inmates, about 1,100 had access to names and dates of birth or Social Security numbers. These inmates were performing work, such as data entry, for the federal, state, or local governments.
- BOP and all of the 19 states reported using a variety of safeguards to prevent inmates from misusing the information. The safeguards cited by the largest number of states were close supervision; selective hiring (e.g., excluding inmates convicted of sex offenses or fraud); confidentiality agreements;⁷ and security checks at the exits from the work areas. The federal government and seven states in which inmates had access to personal information were identified as having either enacted statutes or had bills pending that related to limiting which inmates could perform work involving personal information.

⁴Representatives from Arizona's state-run facilities, Ohio, and Tennessee declined to respond to our questionnaire. The representatives from Arizona and Ohio told us that they would not respond due to limited staffing. The Ohio representative informed us that inmates involved in data entry work programs did not have access to credit card numbers or Social Security numbers. Arizona provided information on work programs in privately run facilities, which we included in our analyses.

⁵The latest date for which data were available from the Bureau of Justice Statistics on the number of inmates in custody in federal and state correctional facilities was June 30, 1998. See Prison and Jail Inmates at Midyear 1998, Bureau of Justice Statistics, March 1999, NCJ 173414.

⁶This number is an estimate because, as noted previously, state-run facilities in Arizona, Ohio, and Tennessee declined to respond to our survey.

⁷Confidentiality agreements are agreements signed by the inmates not to release information obtained through a work program.

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- Less than one-hundredth of 1 percent of BOP's and no more than 22 percent of any state's fiscal year 1998 gross correctional industry income was generated from contracts that resulted in inmates having access to personal information. Six states reported that less than 1 percent of their gross correctional industry income was earned from these contracts.

In addition, about 5,500 inmates in BOP and 31 state prison systems had access to only names and addresses or telephone numbers through correctional industry work program contracts or support work.⁸ The three safeguards that the largest number of states and BOP reported using were similar to those used when inmates had access to personal information—close supervision, security checks at the exits from the work areas, and selective hiring.

Questionnaire respondents described nine incidents in which inmates misused personal information or names and addresses or telephone numbers obtained from correctional industry work programs. In four of the nine incidents, inmates removed information from the work areas, either physically or by memorization. In five of the incidents, the work programs were discontinued.

Background

In 1995, the latest year for which complete data were available, about 65 percent (or about 647,000) of the inmates in custody in federal and state places of confinement⁹ participated in 1 or more types of work programs.¹⁰ These work programs included prison industries (e.g., involving the manufacture of license plates, wood products, and textiles); facility support services (e.g., doing office and administrative work, food service, laundry, and building maintenance); farming/agriculture; and public works assignments (i.e., inmates working outside the facility on road, park, or other public maintenance work). Data entry was the type of work that most often allowed inmates access to personal information.

⁸We defined a contract as a formal or informal agreement (including purchase orders) to produce a specific product or perform a specific service. By support work, we mean inmates who were not associated with a specific correctional industry work program contract but who had access to personal information by performing tasks, such as order taking, order fulfillment, manufacturing or customer support, complaint resolution, or shipping, that supported the industry work program operations.

⁹Places of confinement included prisons; prison hospitals; prison farms; boot camps; and centers for reception, classification, or alcohol/drug treatment.

¹⁰The latest date for which these data were available from the Bureau of Justice Statistics was June 30, 1995. See *Census of State and Federal Correctional Facilities, 1995*, Bureau of Justice Statistics, August 1997, NCJ-164266.

One mission of the Federal Prison Industries (FPI), a BOP component, is to employ and provide skills training to the greatest practicable number of inmates and to produce market priced quality goods in a self-sustaining manner that minimizes potential impact on private business and labor. FPI markets about 150 types of products and services to federal agencies.

Some states had similar programs and provisions. For example, Alabama generally requires state departments, institutions, and political subdivisions to purchase their products and services from Alabama Correctional Industries, to the extent to which they can be supplied. In addition, only those entities can purchase Correctional Industries products. According to the Alabama Correctional Industries purpose statement, it exists primarily for the purpose of providing a work-training program for inmates of the Department of Corrections. Another important purpose is to assist all state departments, institutions, and political subdivisions of the State to secure their requirements to the greatest possible extent.

Scope and Methodology

To obtain information on the assignment objectives, we surveyed BOP and state correctional industry officials by mail. We asked the officials to answer questions on correctional industry work programs in federal, state, and privately run facilities for which the federal or state government or state-appointed organizations had oversight. We limited the questionnaire to work programs associated with secure, confined facilities, including youth authorities but excluding programs associated with prerelease facilities and city and county jails. We asked

- if on September 30, 1998, they had inmates who, through performing (1) work on correctional industry work program contracts that were either in progress or were agreed to but the work had not been started or (2) support work for the industry work program operations, had access to personal information or only names and addresses or telephone numbers;
- what prison procedures, statutes, regulations, pending legislation, or other guidelines provided guidance on (1) limiting which inmates perform work involving access to personal information and (2) preventing personal information from being retained by inmates or being transferred to unauthorized inmates or other persons;
- what the total gross income was for the correctional industry work program and the income generated by those contracts that resulted in inmates having access to personal information in the most recently completed fiscal year; and
- what incidents of misuse occurred as a result of inmates having access to the information through correctional industry work programs.

We received responses from BOP, 47 states, and the District of Columbia. We did not independently verify the information provided by questionnaire respondents. We did, however, compare the questionnaire responses to the results of our current literature and legal database searches. After we consolidated the data received from the questionnaire respondents in the tables included in this report, we faxed the compiled information to all of the questionnaire respondents for confirmation of the accuracy of the data displayed and made corrections as necessary.

We interviewed BOP and state officials. We also contacted states' attorneys general to obtain information on (1) incidents of misuse of which they were aware and (2) state statutes or regulations, pending legislation, or other guidelines that provided guidance on work programs involving personal information.

We requested comments on a draft of this report from BOP and the Correctional Industries Association, Inc. They provided written comments that are summarized at the end of this report and are reprinted in appendixes X and XI.

We performed our work from June 1998 to June 1999 in accordance with generally accepted government auditing standards. Appendix I provides more details on our objectives, scope, and methodology.

Extent to Which Inmates Had Access to Personal Information

On September 30, 1998, about 1,400 inmates in BOP and 19 state prison systems had access to personal information through correctional industry work programs, according to the questionnaire respondents. This number accounts for (1) about one-tenth of 1 percent of all inmates in custody as of June 30, 1998, (or approximately 1.2 million) and (2) about 2 percent of all inmates participating in correctional industry work programs (approximately 61,500). Almost all of the inmates who had access to personal information were being held in federal or state-run facilities (1,332 inmates) as opposed to privately run facilities (25 inmates).

The number of inmates with access to personal information in each of the 19 states ranged from 6 in New Jersey to 426 in California. The types of information to which the largest number of inmates had access were (1) names and dates of birth or (2) Social Security numbers.¹¹ About 30

¹¹The numbers of inmates having access to specific types of personal information are the maximum number that would have had access to the information. Some inmates worked on more than one contract. Also, we asked respondents for the number of inmates on each contract and the types of information to which inmates had access. However, each inmate may not have had access to all the types of personal information involved in a contract.

percent of the inmates had access to names and (1) drivers' license numbers or (2) vehicle makes and models. Appendix II shows the number of inmates in BOP and individual state prison systems that had access to personal information on September 30, 1998, and the types of information to which they had access.

Most of the inmates who had access to personal information were performing work for federal, state, or local governments (93 percent) as opposed to private sector companies (7 percent). Over half of the inmates with access to personal information were involved in data entry work. Another about 25 percent of the inmates were duplicating or scanning documents. Types of information processed in these work programs included

- medical records;
- state, county, or local licenses;
- automobile registrations;
- unemployment records;
- student enrollment data; and
- accident reports.

The length of time the contracts that resulted in inmates having access to personal information had been in effect ranged from less than 1 year to 19 years. About 1 quarter of the contracts had been in place from 10 to 19 years; the remainder were more recent. The reasons BOP and states most commonly identified for selecting the contracts that resulted in inmates having access to personal information were the contracts

- provided valuable job skills training,
- satisfied a need or demand for a service,
- were needed to provide work for more inmates,
- were profitable, and
- provided work that was relatively easy for training inmates.

Questionnaire respondents from 11 states said they planned to add and/or expand existing correctional industry work programs that allow inmates access to personal information. Respondents from 29 states said they did not plan to add or expand existing work programs that would allow inmates access to personal information, and respondents from 8 states said they did not know whether their states had plans to add and/or expand existing correctional industry work programs that would allow inmates access to personal information.

In response to our survey, 29 states indicated that inmates did not have access to personal information on September 30, 1998. The more commonly stated reasons were that the opportunity had not presented itself, the prisons prohibited such work programs, and public opinion limited the feasibility of implementing such work programs.

Safeguards Used When Inmates Had Access to Personal Information

BOP and each state that had work programs in which inmates had access to personal information reported that they had in place a variety of safeguards to prevent inmates from misusing personal information. In addition, BOP and most of the states in which inmates had access to personal information reported that they had prison procedures that limited which inmates could perform work that would give them access to personal information. The federal government and seven states in which inmates had access to personal information were identified as having either enacted statutes or had bills pending that related to limiting which inmates could perform work involving personal information.

The safeguards most frequently reported as being used when inmates had access to personal information were close supervision; selective hiring (e.g., excluding inmates convicted of sex offenses or fraud); confidentiality agreements; and security checks at the work area exits. Other commonly used safeguards included security checks at the work area entrances, no photocopy machines in the work area, and monitored telephone calls. Appendix III provides additional information on the safeguards cited by questionnaire respondents.

BOP and most of the 19 states in which inmates had access to personal information reported that they had prison procedures that placed limitations on which inmates could perform work that would give them access to personal information. Questionnaire respondents from BOP and 18 states said that they screened inmates before hiring them for work programs involving personal information. For example, one state respondent said that inmates who were convicted of rape or who have life sentences were ineligible to work on contracts where they would have access to personal information. In addition, in the course of our work, statutes or proposed legislation related to this issue were identified in seven of the states as well as the federal government in which inmates had access to personal information. A brief summary of these provisions is provided in appendix IV, table IV.1.

Further, six states were identified in which inmates did not have access to personal information that had enacted statutes or introduced legislation

that related to this issue. For more information on these statutes and pending bills, see appendix IV, table IV.2.

Income Generated From Contracts That Allowed Inmates Access to Personal Information

Less than one-hundredth of 1 percent of the BOP's annual gross correctional industry income of \$568 million was generated from its contract that allowed inmates access to personal information. For those states in which inmates had access to personal information, no more than 22 percent of any state's gross fiscal year 1998 correctional industry income was generated from these contracts; six states reported that less than 1 percent of their gross correctional industry income was earned from these contracts. In total, these states grossed about \$18 million in 1998 from correctional industry work program contracts that allowed inmates access to personal information, compared to an annual gross correctional industry income of about \$515 million. Appendix V provides information on the income generated from these contracts.

Extent to Which Inmates Had Access to Only Names and Addresses or Telephone Numbers

About 5,500 inmates, in BOP and 31 state prison systems, had access to only names and addresses or telephone numbers through correctional industry work programs. Over half of these inmates were in the custody of BOP. Appendix VI presents these data by BOP and state. The types of work inmates were performing in the largest number of states in which they had this access were order fulfillment, data entry, shipping, and printing. For additional information on the types of work performed by inmates with access to only names and addresses or telephone numbers, see appendix VII.

The safeguards that BOP and most states reported using when inmates had access to only names and addresses or telephone numbers were similar to those reported being used when inmates had access to personal information. The most commonly used safeguards reported by states included close supervision while working, security checks at the exits from the work areas, selective hiring, and security checks at the entrances to the work areas. For additional information on safeguards that BOP and states used when inmates had access to only names and addresses or telephone numbers, see appendix VIII.

Incidents of Inmates Misusing Personal Information or Names and Addresses or Telephone Numbers

Questionnaire respondents from eight states reported a total of nine incidents in which inmates misused personal information or names and addresses or telephone numbers that they obtained from a correctional industry work program. We defined misuse of information as any action that threatened or caused injury to the physical, psychological, or financial well-being of any member of the public. Each of these incidents was associated with a different contract. Six of the incidents involved inmates

contacting individuals identified through a work program by telephone or by mail (in one of these instances, the inmate in the work program passed information on an individual to another inmate, who then contacted the individual). Two incidents involved inmates using credit card numbers that they obtained through participating in a work program. The other incident involved two inmates' attempts to smuggle copies of documents out of the prison through the U.S. mail.

Five of the contracts related to these incidents were terminated after the incident occurred. In three of the four other incidents, the prison responded by either adding new safeguards or reinforcing existing safeguards used on the contract. In the remaining incident, the prison's procedures remained the same. For more information on these incidents, see appendix IX.

Questionnaire respondents also provided information on four additional incidents that did not meet the previously described criteria for misuse of personal information. On the basis of one or more of the following reasons, these four incidents were not included in appendix IX: no reported injury, a court finding of no wrongdoing, or termination of the inmate from the work program on the basis of an allegation or suspected wrongdoing. These incidents, however, resulted in some type of program change. The types of program changes ranged from adding or reinforcing policies and safeguards to program termination. Briefly, these incidents, as reported by the respondents, consisted of the following:

- An inmate was processing accident reports in a data entry work program. He told another inmate, not in the work program, about an individual involved in one of the accident reports he processed. The other inmate contacted the individual involved in the accident. The questionnaire respondent reported that nobody was harmed, safeguards did not fail, and no sanctions were taken. After this incident, the state reportedly reinforced its policies and safeguards associated with this contract.
- An inmate working in a data entry work program saw, reportedly by accident, a state document that had information about one of his family members. He spoke with another member of his family about the information he saw. A member of his family filed a lawsuit claiming that the inmate should not have had access to this information. The questionnaire respondent reported that the case was dismissed because the information was covered by an open record regulation whereby birth records are considered to be public records. The state, however, canceled the contract for processing this type of information.

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- An inmate working in a telemarketing work program was accused of harassing a customer. The inmate was terminated and transferred to maximum security on the basis of the allegation alone. The state reportedly implemented additional safeguards after the alleged incident was reported.
 - An inmate wrote a letter to an individual, and it was suspected that the inmate obtained the individual's name and address through the work program. According to the survey response, the inmate was disciplined and terminated from the work program, and a measure providing for the closer monitoring of inmates was instituted.

Agency Comments and Our Evaluation

In commenting on our report, BOP concurred with our report with one exception. BOP noted that since our survey, it changed its procedures, and no inmates in the BOP prison system have access to personal information. Since our methodology was to report on the number of inmates who had access to personal information on September 30, 1998, we did not eliminate the 25 BOP inmates who we reported as having access to personal information. (See app. X.)

The Correctional Industries Association, Inc., in its comments said that our report was fair and thorough and presented the facts objectively. However, it took two exceptions with the report. First, the Association said that the information on inmates' access to personal information is presented largely out of context. We disagree. Our draft report said that of approximately 1.2 million inmates, about 1,400 in BOP and 19 state prison systems had access to personal information through correctional industry work programs. We noted that less than one-hundredth of 1 percent of BOP's and no more than 22 percent of any state's fiscal year 1998 gross correctional industry income was generated from contracts that resulted in inmates having access to personal information. Further, we pointed out that about a quarter of the contracts that resulted in inmates having access to personal information had been in place from 10 to 19 years.

Second, the Association said that a benchmark is needed against which the success or failure of correctional industries to control access issues can be measured. We did not judge whether the correctional industries have succeeded or failed in their attempt to prevent the misuse of personal information to which inmates had access as the result of work programs because we are not aware of criteria by which to make such a judgment.

However, given that the inmates with access to personal information are individuals who have been incarcerated for crimes, and given that the institutional settings permit work program officials to exercise close scrutiny over the inmates and work places, breaches of security and misuses of personal information are a cause for concern. (See app. XI.)

As agreed, unless you announce the contents of this report earlier, we plan no further distribution until 30 days from the date of this letter. At that time, we will send copies of this report to the Honorable Janet Reno, Attorney General; the Honorable Kathleen Hawk Sawyer, Director, BOP; Ms. Gwyn Smith Ingley, Executive Director, Correctional Industries Association, Inc.; the states that responded to our survey; and other interested parties. Copies will also be made available to others upon request.

The major contributors to this report are acknowledged in appendix XII. If you or your staff have any questions about the information in this report, please contact me or Brenda Bridges on (202) 512-8777.

Sincerely yours,

A handwritten signature in black ink that reads "Richard M. Stana". The signature is written in a cursive style with a large, prominent initial "R".

Richard M. Stana
Associate Director, Administration
of Justice Issues

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Abbreviations

BOP	Bureau of Prisons
FPI	Federal Prison Industries

Objectives, Scope, and Methodology

The objectives of our study were to

- determine the extent to which inmates in the BOP and state prison systems had access to personal information through correctional industry work programs;
- identify prison safeguards and procedures, statutes and regulations, and proposed legislation that addressed correctional industry work programs involving personal information;
- determine the extent to which contracts that provided inmates access to personal information contributed to BOP's and states' correctional industry income;
- determine the extent to which inmates in the BOP and state prison systems had access to only names and addresses or telephone numbers through correctional industry work programs; and
- identify incidents of inmates misusing information obtained through a correctional industry work program, including how safeguards failed and what, if any, changes were made as a result of the incidents.

For our study, we defined correctional industry work programs as programs that produced products and services for sale to government agencies and/or to the private sector. We excluded institutional work programs, i.e., programs that would involve activities such as housekeeping, food services, day-to-day maintenance, and community service, as well as support programs in which an inmate may have inadvertently seen personal information. The scope of our study included work programs that were (1) overseen by BOP, a state government, or a state-appointed commission; (2) associated with federal, state, or privately run facilities; and (3) associated with secure, confined facilities—including youth authorities—but not programs associated with prerelease facilities or city or county jails.

We defined “personal information” as information that could be used to threaten an individual’s physical, psychological, or financial well-being. This information would include (1) credit card numbers (personal or business); (2) Social Security numbers; or (3) names in combination with physical descriptions or financial, medical, or motor vehicle information. We also collected data on inmates’ access to “names and addresses or telephone numbers,” which included a name and one or more of the following: work or home address or telephone number, name of employer, or job title but no other item that we defined as personal information.

To meet the assignment objectives, we surveyed, by mail, correctional industry officials in BOP, all 50 states, and the District of Columbia. The questionnaire asked for information on the following:

- correctional industry work program contracts that involved personal information that were either orders-in-progress or that had been agreed to but had not yet been started on September 30, 1998;¹
- the number of inmates who had access to personal information or to names and addresses or telephone numbers through correctional industry work program contracts or support work;
- safeguards that were in place to prevent inmates from misusing the information;
- statutes, regulations, procedures, other guidelines, and proposed legislation that dealt with correctional industry work programs involving personal information;
- the gross income in the most recently completed fiscal year for the correctional industry work program overall and for those contracts that involved personal information; and
- incidents of misuse of information that occurred at any time as a result of inmate access to the information through a correctional industry work program.

We asked questionnaire respondents for information on inmates who had access to (1) personal information or (2) names and addresses or telephone numbers, either through working on a correctional industry work program contract or through performing support work for the industry work program operations. We defined a contract as a formal or informal agreement to produce a specific product or perform a specific service. We defined inmates who were performing support work as inmates who were not associated with a specific correctional industry work program contract but who performed tasks—such as order taking, order fulfillment, manufacturing or customer support, complaint resolution, or shipping—that supported the industry work program operations.

In designing our questionnaire, we received input from the Correctional Industries Association, Inc. (a nonprofit professional organization representing individuals and agencies engaged in and concerned with correctional industries) and federal and state correctional industry

¹We chose September 30, 1998, because it coincided with the last day of the federal and some states' fiscal years. We anticipated that quarterly or annual data would be collected and compiled at that time and that this would facilitate the questionnaire recipients' ability to provide us with information.

officials. We revised the questionnaire based on the feedback these officials provided. We made further changes based on input from correctional industry officials as a result of pilot testing the survey instrument in Maryland and Virginia.

To identify questionnaire recipients, we called the contact point for each state's correctional industry program as identified in the 1998 Correctional Industries Association, Inc., Directory. We informed them of our assignment and asked whether they would be the proper recipients for the questionnaire. We asked these officials if their state had any privately run prisons that housed inmates from their state prison system or from other states' prison systems. If they had such facilities, we asked them to identify the individual who had oversight responsibilities for work programs in these facilities.

To further ensure that we had a respondent for each privately run facility that met our criteria (i.e., the facility was a secure, confined facility—including youth authorities—but not a prerelease facility or city or county jail, and any work programs in the facility would be overseen by BOP, a state government, or a state-appointed commission), we obtained a list of privately run correctional facilities from the Private Corrections Project Internet web site.² We then contacted the individuals whom we had identified as overseeing work programs at privately run facilities to ensure that they had responsibility for each facility that met our criteria. If they stated that they did not have responsibility, we asked them who did and repeated this procedure until we reached the appropriate party.

We mailed a total of 63 questionnaires: 1 to BOP, 1 to each state and the District of Columbia, 1 to a youth authority, 1 to a joint venture program, and 1 each to 9 privately run facilities that had been identified by the method described above. Representatives from two states, Arizona and Tennessee, informed us that they would not be participating in our survey. Ohio's representative also indicated that he would not be completing the questionnaire but told us that Ohio does not permit inmates involved in data entry to have access to credit card numbers or Social Security numbers. When we received the questionnaires, we followed-up by telephone on missing or incomplete data, consolidated the data into the tables displayed in this report, faxed the completed tables to all questionnaire respondents for confirmation of the accuracy of the data displayed, and made corrections as necessary. Questionnaire respondents were provided only with compiled data concerning their individual states.

² The address for this web site is <http://web.crim.ufl.edu/pcp>.

We also conducted literature and legal database searches to identify published articles, reports, studies, statutes, proposed bills, and other documents dealing with the assignment objectives. We contacted representatives from various organizations to determine what information they may have that related to our assignment objectives. These organizations included the American Correctional Association; Correctional Industries Association, Inc.; American Jail Association; American Federation of Labor and Congress of Industrial Organizations; and Union of Needletraders, Industrial and Textile Employees.

We contacted each state's attorney general's office and the District of Columbia's Corporation Counsel to identify any additional (1) incidents of inmates misusing information obtained through correctional industry work programs and (2) state statutes or regulations, proposed legislation, or other guidance that dealt with correctional industry work programs involving personal information. We did not verify the completeness of the information provided.

We contacted various federal agencies with investigatory responsibilities to determine if they were aware of instances of inmates misusing personal information that they obtained through correctional industry work programs. Within the Department of the Treasury, we contacted the Internal Revenue Service's Criminal Investigation Division and the U.S. Secret Service. Within the Department of Justice, we contacted the Federal Bureau of Investigation. Finally, we contacted the U.S. Postal Service and the Social Security Administration.

We performed our work between June 1998 and June 1999 in accordance with generally accepted government auditing standards.

Number of Inmates With Access to Personal Information Through Work Programs

Totals in bold			
Jurisdiction/ Contractor	Number of inmates	Social security number	Credit card number
Federal			
Bureau of Prisons	25	25	
Federal agency	25	25	
State			
Alabama	0		
Alaska	0		
Arizona	NR	NR	NR
Arkansas	13		
State agency	13		
California	426	426	
State agency	426	426	
Colorado	0		
Connecticut	0		
Delaware	0		
District of Columbia	0		
Florida	55	20	
State agency 1	10	10	
State agency 2	10	10	
State agency 3	5		
State agency 4	5		
State agency 5	25		
Georgia	0		
Hawaii	0		
Idaho	31	31	
State agency	31	31	
Illinois	86		
State agency 1	38		
State agency 2	48		
Indiana	0		
Iowa	20	20	
State agency	20	20	
Kansas	15	15	
State agency	15	15	
Kentucky	56	56	
State agency	56	56	
Louisiana	0		
Maine	0		
Maryland	0		
Massachusetts	0		
Michigan	0		
Minnesota	15		
Private company 1	10		
Private company 2	5		

Appendix II
Number of Inmates With Access to Personal Information Through Work Programs

Name and											
Date of birth	Home address	Driver's license number	Home telephone number	Name of employer	Make and model of vehicle	Income or salary ^a	Place of birth	Medical diagnosis	Prescription information	Employee identification number	Other
NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	13	13									13
	13	13									13 ^b
426											426
426											426 ^c
45	50	30	20	10	30		5				55
	10		10	10							10 ^d
10	10		10								10 ^e
5											5 ^f
5	5	5			5		5				5 ^g
25	25	25			25						25 ^h
31	31	31		31	31						31
31	31	31		31	31						31 ^d
86	86	86			86						
38	38	38			38						
48	48	48			48						
20							20				20
20							20				20 ⁱ
15	15	15	15		15						
15	15	15	15		15						
56				56		56					56
56				56		56					56 ^d
	15		15		5	10					5
	10		10			10 ^a					
	5		5		5						5 ⁱ

Appendix II

Number of Inmates With Access to Personal Information Through Work Programs

Totals in bold

Jurisdiction/ Contractor	Number of inmates	Social security number	Credit card number
Mississippi	0		
Missouri	48	48	
State agency 1	9	9	
State agency 2	15	15	
State agency 3	15	15	
State agency 4	9	9	
Montana	0		
Nebraska	0		
Nevada	0		
New Hampshire	25		
State agency	25		
New Jersey	6	3	
State agency 1	2		
State agency 2	3	3	
State agency 3	1		
New Mexico	26	26	
State agency 1	1	1	
State agency 2	25	25	
New York	23		
State agency 1	13		
State agency 2	10		
North Carolina	0		
North Dakota	0		
Ohio	NR	0	0
Oklahoma	254	221	84
State agency 1	2	2	
State agency 2	4	4	
State agency 3	3	3	
State agency 4	3	3	
State agency 5	3	3	
State agency 6	3	3	
State agency 7	5	5	
State agency 8	33		
State agency 9	27	27	
State agency 10	41	41	
State agency 11	41	41	
State agency 12	27	27	
State agency 13	41	41	
State agency 14	41	41	
State agency 15	46	46	
State agency 16	46		
State agency 17	84	84	
State agency 18	84	84	
State agency 19	84	84	

Appendix II
Number of Inmates With Access to Personal Information Through Work Programs

Date of birth	Home address	Driver's license number	Home telephone number	Name and		Income or salary ^a	Place of birth	Medical diagnosis	Prescription information	Employee identification number	Other
				Name of employer	Make and model of vehicle						
30	30	15	15	9		15		15			24
				9							9 ^d
15	15	15	15			15					
15	15							15			15 ^j
25	25										
25	25										
1	3		1								2
	2										2 ^k
											3
1	1		1								
25	25			26		1		25	25	25	25
				1		1					
25	25			25				25	25	25	25 ^d
13	10			13					13		23
13				13					13		13 ^l
	10										10 ^m
NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
207	246	174	207	208	204	132	166	117	117	49	254
2	2		2	2			2	2	2		2 ⁿ
4	4		4			4	4	4	4		4 ⁿ
3	3		3				3				3 ^o
											3 ^p
	3	3									3 ^q
	3			3		3				3	3 ^d
				5						5	5 ^d
	33						33				33 ^f
27	27		27	27			27	27	27		27 ^s
				41		41				41	41 ^t
41	41										
	27			27							
41	41	41	41	41	41						
41	41										
46	46		46	46			46				46 ^s
	46	46				46					46 ^u
84	84		84	84		84	84	84	84		84 ^s
84	84		84	84		84	84	84	84		84 ^s
84	84	84	84	84	84	84	84	84	84		84 ^d

Appendix II
Number of Inmates With Access to Personal Information Through Work Programs

Totals in bold			
Jurisdiction/ Contractor	Number of inmates	Social security number	Credit card number
Oklahoma (cont.)			
State agency 20	84	84	84
Oregon	75		
State agency 1	35		
State agency 2	40		
Pennsylvania	0		
Rhode Island	0		
South Carolina	0		
South Dakota	18	18	
State agency	18	18	
Tennessee	NR	NR	NR
Texas	0		
Utah	60	60	
State agency	60	60	
Vermont	0		
Virginia	0		
Washington	0		
West Virginia	0		
Wisconsin	80	80	
Private company	80	80	
Wyoming	0		
Total	1,357	1,049	84

**Appendix II
Number of Inmates With Access to Personal Information Through Work Programs**

Name and											
Date of birth	Home address	Driver's license number	Home telephone number	Name of employer	Make and model of vehicle	Income or salary ^a	Place of birth	Medical diagnosis	Prescription information	Employee identification number	Other
	84		84	84		84					84 ^d
75	35	40			40	35					40
35	35					35					
40		40			40						40 ^v
18	18		18								18
18	18		18								18 ^d
NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
60	60	60	60	60							60
60	60	60	60	60							60 ^f
	80		80								80
	80		80								80 ^d
1,133	742	464	431	413	411	249	194	157	155	74	1,132

Note 1: Personal information means information that can be used to threaten an individual's physical, psychological, or financial well-being. This information would include (1) credit card numbers (personal or business); (2) Social Security numbers; or (3) names in combination with physical descriptions or financial, medical, or motor vehicle information. This table does not include inmates who had access to only names and one or more of the following: work or home address or telephone number, name of employer, or job title. For that information, see appendix VI.

Note 2: States with "NR" in each category did not return a questionnaire. We received a questionnaire from Arizona's privately run facilities. These facilities did not have any inmates who had access to names, addresses, telephone numbers, or other types of personal information. A representative from Ohio's state-run facilities informed us that inmates involved in data entry work programs did not have access to credit card numbers or Social Security numbers. We did not receive any information from respondents in state-run correctional facilities in Arizona or Tennessee.

Note 3: The numbers shown above represent the maximum numbers of inmates who would have had access to each type of personal information. Some inmates worked on more than one contract. Consequently, as in Oklahoma, totals are not the sum of the number of inmates shown for each contract. Also, we asked respondents for the types of personal information to which inmates had access. However, each inmate may not have had access to all of the types of personal information involved in a contract.

Note 4: According to the questionnaire respondents, the data from Idaho represent the combined information from two contracts, and the data from New Hampshire were combined from five contracts. Illinois' data represent one contract situated in two geographic locations.

^aIncome or salary may refer to a range rather than a discreet number. In Minnesota, customers are prompted to refuse to respond at their discretion.

^bPhysical description.

^cOptical prescription and gender.

Appendix II
Number of Inmates With Access to Personal Information Through Work Programs

^aWork address and work telephone number.

^ePhysician's name and date of incident.

^fMother's maiden name.

^gVehicle identification number.

^hBoat description.

ⁱWork telephone number, vehicle identification number, and license plate number.

^jMedical treatment information.

^kWork address, federal identification number of business, or Social Security number.

^lWork address, work telephone number, Medicaid recipient number, and Medicaid provider number.

^mDriver's license plate number.

ⁿMedical information.

^oMug shot.

^pName of payee, address, claim number, and amount of check.

^qAmount of check.

^rLien information.

^sWork address, work telephone number, and mother's maiden name.

^tWork address.

^uLien holder.

^vLicense plate number, driver's license suspension, and motor vehicle-related conviction.

Source: GAO survey of correctional industry officials.

Appendix II
Number of Inmates With Access to Personal Information Through Work Programs

Safeguards Used in Work Programs in Which Inmates Had Access to Personal Information

Jurisdiction/ contractor	Close supervision	Selective hiring	Confidentiality agreement ^a	Security check at exit	Security check at entrance
Federal					
Bureau of Prisons					
Federal agency	•	•	•		
State					
Arkansas					
State agency	•	•		•	
California					
State agency	•	•		•	•
Florida					
State agency 1	•	•	•	•	•
State agency 2	•	•	•	•	•
State agency 3	•	•	•	•	•
State agency 4	•	•	•	•	•
State agency 5		•			
Idaho					
State agency	•		•	•	•
Illinois					
State agency 1	•	•		•	•
State agency 2	•	•	•	•	•
Iowa					
State agency	•	•	•	•	•
Kansas					
State agency	•	•		•	•
Kentucky					
State agency	•	•	•	•	
Minnesota					
Private company 1	•	•	•	•	•
Private company 2	•	•	•	•	•
Missouri					
State agency 1	•		•		
State agency 2	•		•		
State agency 3	•		•		
State agency 4	•		•		
New Hampshire					
State agency	•	•	•	•	•
New Jersey					
State agency 1	•	•	•	•	•
State agency 2	•	•		•	•
State agency 3	•	•	•	•	•
New Mexico					
State agency 1	•	•	•	•	•
State agency 2	•	•	•	•	•

Appendix III
Safeguards Used in Work Programs in Which Inmates Had Access to Personal Information

No photocopy machines	Monitored telephone calls	Computer program with privacy safeguards	Incoming calls only	Personal information segmented among inmates	No paper or writing instruments	Other
.						^b
.						
.			.			^c
.		.				^d
.		.				
.		.				
	.	.	.			^e
.	.				.	^f
.	.				.	^f
.	.	.			.	^d
	.	.				
.						
.	.					
.	.					
.		.		.		^g
.	.	.	.			^h
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.		.				
		.				

Appendix III
Safeguards Used in Work Programs in Which Inmates Had Access to Personal Information

Jurisdiction/ contractor	Close supervision	Selective hiring	Confidentiality agreement^a	Security check at exit	Security check at entrance
New York					
State agency 1	•	•			
State agency 2	•	•			
Oklahoma					
State agency 1	•	•	•		
State agency 2	•	•	•		
State agency 3	•	•	•		
State agency 4	•	•	•		
State agency 5	•	•	•		
State agency 6	•	•	•		
State agency 7	•	•	•		
State agency 8	•	•	•		
State agency 9	•	•	•	•	•
State agency 10	•	•	•	•	•
State agency 11	•	•	•	•	•
State agency 12	•	•	•	•	•
State agency 13	•	•	•	•	•
State agency 14	•	•	•	•	•
State agency 15	•	•	•	•	•
State agency 16	•	•	•	•	•
State agency 17	•	•	•	•	
State agency 18	•	•	•	•	
State agency 19	•	•	•	•	
State agency 20	•	•	•	•	
Oregon					
State agency 1	•	•	•	•	•
State agency 2	•	•		•	•
South Dakota					
State agency	•	•	•	•	•
Utah					
State agency	•	•	•	•	•
Wisconsin					
Private company	•	•		•	•

Appendix III
Safeguards Used in Work Programs in Which Inmates Had Access to Personal Information

No photocopy machines	Monitored telephone calls	Computer program with privacy safeguards	Incoming calls only	Personal information segmented among inmates	No paper or writing instruments	Other
						j
			•			
	•		•			
	•		•			
	•		•			
	•		•			
	•		•			
	•		•			
	•		•			
	•	•		•		
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	•	•		•		
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	•	•		•		
	•	•		•		
•			•			
•			•			
•			•			
•			•			
•	•	•	•			k
•	•	•	•			k
•	•	•		•		
•	•				•	
•						l

Note 1: Personal information means information that can be used to threaten an individual's physical, psychological, or financial well-being. This information would include (1) credit card numbers (personal or business); (2) Social Security numbers; or (3) names in combination with physical descriptions or financial, medical, or motor vehicle information.

Note 2: A blank means that the questionnaire respondent did not report using the safeguard in the work program.

Note 3: According to the questionnaire respondents, the data from Idaho represent the combined information from two contracts, and the data from New Hampshire were combined from five contracts. Illinois' data represent one contract situated in two geographic locations.

^aConfidentiality agreements were agreements signed by the inmates not to release information obtained through a work program.

^bPrison staff conducted random inspections of work and housing areas.

Appendix III
Safeguards Used in Work Programs in Which Inmates Had Access to Personal Information

^cSecurity cameras were located in the work area.

^dInmates were not allowed to make telephone calls in the work area.

^eTelephones located in the work area were auto-dialed.

^fRecords could not enter or leave secure area at work site except in custody of civilian state employee or bonded courier.

^gInmates signed shop rules and procedures.

^hNo telephones were located in the work area.

ⁱNo telephones or computers were located in the work area.

^jInmates could not take paper or writing instruments into or out of the work area.

^kPrison staff searched inmates' desks.

^lPrison staff prescreened documents to ensure that they did not contain certain types of information. Inmates were subject to pat searches.

Source: GAO survey of correctional industry officials.

Procedures, Statutes, and Pending Bills

Table IV.1: Federal and State Prison Procedures, Statutes, and Pending Bills That Address Limitations on Inmates Who Perform Work Involving Personal Information Where Inmates Had Access to Personal Information on September 30, 1998

Jurisdiction	Prison procedures	Statutes and pending bills
Federal		
Bureau of Prisons	Inmates who were convicted of counterfeiting or computer fraud offenses or had extensive computer knowledge were excluded	Pending Bill H.R. 369 (1999): would prohibit the use of prison inmate labor for, among other tasks, data processing of personal information about children
State		
Arkansas	Inmates must meet requirements for minimum security; inmates convicted of rape or who had life sentences were excluded	
California	Inmates are screened by type of offense as per California Penal Code, Section 5071	California Penal Code, Section 5071: in general, prohibits prison inmates convicted of offenses involving, for example, misuse of a computer, misuse of personal/financial information of another person, or a sex offense from performing prison employment functions that provide such inmates with access to certain types of personal information ^a See also California Welfare Institutions Code, Section 219.5: (language similar to above code section-- applicable to juveniles) ^a
Florida	Inmates were screened for disciplinary actions and appropriate education level	
Illinois	Inmates were referred to the program by an institutional committee and must have had a good institutional record	Pending House Bill 70 (1999): would, in general, prohibit the use of inmates to enter any personally identifiable information in a computer processible medium or any other medium
Iowa	Selective hiring ^b	Iowa Code, Section 904.801: a statement of intent that outlines various objectives to be met through the provision of meaningful work opportunities to inmates ^c Iowa Code, Section 904.809(1)(g): with respect to private industry employment of inmates of correctional institutions, various conditions shall apply to all agreements for such employment, including that the state director shall implement a system for screening and security of inmates to protect the safety of the public
Kansas	Inmates must have had a good work record and no disciplinary reports	

Appendix IV
Procedures, Statutes, and Pending Bills

Jurisdiction	Prison procedures	Statutes and pending bills
Kentucky	Inmates who had violated the correctional institutions' rules were excluded	Kentucky revised statutes, Section 97.120: in general, prohibits certain state agencies from entering into any contract for the use or employment of prisoners in any capacity that allows prisoners access to certain types of information, including, but not limited to, taxpayer information, Social Security numbers, telephone numbers, and addresses
Minnesota	Program review committee identified high-risk inmates and prevented their employment	
Mississippi	All inmates were screened by the Dept. of Corrections Internal Audit Division for security clearance. No one was hired with a forgery, counterfeit, or document fraud conviction.	
New Hampshire	Selective hiring ^b	
New Jersey	Institutional classification	New Jersey Pending Assembly Bill 603 (1998): would prohibit inmates at the Adult Diagnostic and Treatment Center from being employed in a data entry position or any other capacity that would provide the inmate access to certain types of personal information
New Mexico	Inmates' conduct while incarcerated was considered; inmates with a history of sex crimes, hate crimes, or violent behavior were excluded	
New York	Depending on contract, inmates who committed insurance, motor vehicle, credit card fraud, or extortion were excluded	New York Pending Assembly Bill 4753 (1999): in general, inmates involved in correctional institution work would be prohibited from accessing, collecting, or processing certain types of personal information <u>See also</u> New York Pending Assembly Bill 4842 (1999): (language similar to the above bill)
Oklahoma	Inmates must have had at least 8 th grade math and reading skills; other factors, such as attitude, were considered also	
Oregon	Security screening, including conviction type, was employed. Inmates convicted of computer fraud, crimes with a high degree of violence, and some sex crimes, or inmates that were considered to be high security risks by the institution or Department of Corrections were not employed	
South Dakota	Selective hiring ^b	

**Appendix IV
Procedures, Statutes, and Pending Bills**

Jurisdiction	Prison procedures	Statutes and pending bills
Utah	Inmates were screened for suitability for employment based on factors such as previous employment and prison record	
Wisconsin		Wisconsin Pending Assembly Bill 31 (1999): would prohibit the Department of Corrections from entering into any contract or other agreement if, in the performance of the contract or agreement, a prisoner would have access to any personal information of individuals who are not prisoners

Note: We did not independently verify the completeness of the data provided by the questionnaire respondents.

^aThis section also was identified by the state as requiring that such persons in prison work programs disclose that fact before taking any personal information from anyone.

^bThe criterion by which inmates were selected was not specified.

^cThis statute also was identified by the state as containing provisions that related to preventing inmates from retaining personal information or transferring it to unauthorized inmates or other persons.

Source: GAO survey of correctional industry officials, state attorneys general, and legal database searches.

**Appendix IV
Procedures, Statutes, and Pending Bills**

Table IV.2: Statutes and Pending Bills That Address Work Programs Involving Access to Personal Information in States Where Questionnaire Respondents Reported That Inmates Did Not Have Access to Personal Information on September 30, 1998

State	Statutes and pending bills
Colorado	Colorado Revised Statutes, Section 17-24-104: the Correctional Industries Advisory Board, among other things, is to consider the feasibility of proposed prison industries that would utilize the services of prisoners
Maryland	Annotated Code of Maryland, Article 27, Section 681C(3)(ii): authorizes the Board of Public Works to suspend certain requirements that state agencies utilize correctional industry services when data entry services would involve certain types of protected information
Michigan	Michigan Statutes Annotated, Section 28.1540(7a)(1)(a): prohibits inmates assigned to work in a private manufacturing or service enterprise from being granted access to certain types of employee; customer; or client information; including, but not limited to, personal addresses, telephone numbers, E-mail addresses, credit card information, other financial information, and health records
Texas	<p>Texas Government Code, Section 497.098: in general, prohibits inmates who have previously misused information gained through a work program from participating in work programs that provide inmates with access to personal information about persons who are not confined in the institutional division</p> <p>Texas Pending House Bill 812 (1999): in general, would prohibit the Department of Criminal Justice from entering into contracts that would require or permit certain sex offenders to have access to personal information about persons who are not confined in facilities operated by or for the department^a</p> <p>Texas Pending Senate Bill 420 (1999): in general, would prohibit the Department of Criminal Justice from entering into contracts that would require or permit an inmate confined in a correctional facility operated by or for the department to have access to personal information about persons who are not confined in facilities operated by or for the department</p>
Vermont	Vermont Pending Bill H.88 (1999): would require offenders engaged in a work activity involving the solicitation of confidential information from the general public to disclose such offender status and to obtain the consent of the members of public concerned before proceeding
Washington	Revised Code of Washington, Section 72.09: in general, requires work program administrators to ensure that no inmate convicted of certain sex offenses obtains access to names, addresses, or telephone numbers of private individuals while performing his or her duties in an inmate work program

Note: We did not independently verify the completeness of the data provided by the questionnaire respondents.

^aThis bill also was identified as containing provisions that related to preventing inmates from physically retaining personal information or transferring it to unauthorized inmates or other persons, i.e., inmates having access to certain personal information would be personally searched upon entering or leaving the work area.

Source: GAO survey of correctional industry officials, state attorneys general, and legal database searches.

Income From Work Programs That Allowed Inmates Access to Personal Information, Fiscal Year 1998

Jurisdiction/Contractor	Income from individual contracts for FY 1998	Total income from contracts for FY 1998	FY 1998 correctional industry gross income	Percentage of FY 1998 correctional industry gross income from personal information contracts
Federal				
Bureau of Prisons				
Federal agency	\$6,000			
Total		\$6,000	\$568,000,000	<0.1
State				
Arkansas				
State agency	135,000			
Total		135,000	5,600,000	2.4
California				
State agency	11,962,000			
Total		11,962,000	150,865,000	7.9
Florida				
State agency 1	N/A ^a			
State agency 2	N/A ^a			
State agency 3	N/A ^a			
State agency 4	N/A ^a			
State agency 5	N/A ^a			
Total		N/A ^a	81,000,000	
Idaho				
State agency	144,000			
Total		144,000	652,000 ^b	22.1
Illinois				
State agency 1	15,000			
State agency 2	278,000			
Total		293,000	47,435,000	0.6
Iowa				
State agency	N/A			
Total		N/A	120,000	
Kansas				
State agency	70,000			
Total		70,000	10,600,000	0.7
Kentucky				
State agency	294,000			
Total		294,000	12,400,000	2.4
Minnesota				
Private company 1	73,000			
Private company 2	3,000			
Total		76,000	17,820,000	0.4

Appendix V
Income From Work Programs That Allowed Inmates Access to Personal Information, Fiscal Year 1998

Jurisdiction/ Contractor	Income from individual contracts for FY 1998	Total income from contracts for FY 1998	FY 1998 correctional Industry gross income	Percentage of FY 1998 correctional industry gross income from personal information contracts
Missouri				
State agency 1	23,000			
State agency 2	13,000			
State agency 3	15,000			
State agency 4	^c			
Total		51,000	36,268,000	0.1
New Hampshire				
State agency	130,000			
Total		130,000	2,500,000	5.2
New Jersey				
State agency 1	3,000			
State agency 2	3,000			
State agency 3	1,000			
Total		8,000	17,199,000	<.1
New Mexico				
State agency 1	^d			
State agency 2	^d			
Total		698,000	4,400,000	15.9
New York				
State agency 1	2,300,000			
State agency 2	500,000			
Total		2,800,000	60,800,000	4.6
Oklahoma				
State agency 1	^c			
State agency 2	^c			
State agency 3	6,000			
State agency 4	9,000			
State agency 5	20,000			
State agency 6	2,000			
State agency 7	28,000			
State agency 8	220,000			
State agency 9	8,000			
State agency 10	200,000			
State agency 11	1,000			
State agency 12	47,000			
State agency 13	13,000			
State agency 14	1,000			
State agency 15	2,000			
State agency 16	150,000			
State agency 17	7,000			
State agency 18	17,000			
State agency 19	84,000			
State agency 20	2,000			
Total		817,000	16,754,000	4.9

Appendix V
Income From Work Programs That Allowed Inmates Access to Personal Information, Fiscal Year 1998

Jurisdiction/Contractor	Income from individual contracts for FY 1998	Total income from contracts for FY 1998	FY 1998 correctional industry gross income	Percentage of FY 1998 correctional industry gross income from personal information contracts
Oregon				
State agency 1	320,000			
State agency 2	250,000			
Total		570,000	15,000,000	3.8
South Dakota				
State agency	0 ^e			
Total		0 ^e	261,000	
Utah				
State agency	360,000			
Total		360,000	12,000,000	3.0
Wisconsin				
Private company	170,000			
Total		170,000	22,844,000	0.7

Note 1: Personal information means information that can be used to threaten an individual's physical, psychological, or financial well-being. This information would include (1) credit card numbers (personal or business); (2) Social Security numbers; or (3) names in combination with physical descriptions or financial, medical, or motor vehicle information.

Note 2: Dollar amounts were rounded to the nearest thousand. Totals may not add due to rounding. Percentages were rounded to the nearest tenth.

^aPRIDE Enterprises, a private, not-for-profit corporation that operates industries in correctional institutions throughout Florida, stated that it contributes over \$1 million annually toward incarceration costs to the state of Florida and 15 percent of total inmate wages to victim restitution.

^bNet income was provided.

^cLess than \$1,000.

^dState does not have a breakdown by individual contract.

^eContract started in June 1998.

Source: GAO survey of correctional industry officials.

Number of Inmates With Access to Only Names and Addresses Through Work Programs

Jurisdiction	Number of inmates		Total
	Through contracts with government agencies or private companies	Through general support work for correctional industry programs	
Federal			
Bureau of Prisons	80	3,109	3,189
State			
Alabama	0	0	0
Alaska	0	3	3
Arizona	NR	NR	NR
Arkansas	7	1	8
California	0	75	75
Colorado	11	21	32
Connecticut	0	0	0
Delaware	0	20	20
District of Columbia	0	0	0
Florida	41	465	506
Georgia	0	0	0
Hawaii	0	0	0
Idaho	31	30	61
Illinois	8	0	8
Indiana	0	0	0
Iowa	0	0	0
Kansas	10	0	10
Kentucky	0	0	0
Louisiana	0	0	0
Maine	0	0	0
Maryland	30	30	30 ^a
Massachusetts	80	0	80
Michigan	0	26	26
Minnesota	33	30	63
Mississippi	19	0	19
Missouri	15	60	75
Montana	8	4	8 ^a
Nebraska	112	43	112 ^a
Nevada	26	12	38
New Hampshire	0	0	0
New Jersey	58	0	58
New Mexico	90	36	126
New York	6	0	6
North Carolina	0	0	0
North Dakota	0	0	0
Ohio	NR	NR	NR
Oklahoma	255	116	371
Oregon	145	8	153
Pennsylvania	0	0	0
Rhode Island	0	0	0
South Carolina	10	0	10
South Dakota	8	6	14
Tennessee	NR	NR	NR

Appendix VI
Number of Inmates With Access to Only Names and Addresses Through Work Programs

Jurisdiction	Number of inmates		Total
	Through contracts with government agencies or private companies	Through general support work for correctional industry programs	
Texas	0	0	0
Utah	100	0	100
Vermont	0	0	0
Virginia	0	45	45
Washington	42	109	151 ^b
West Virginia	28	6	34
Wisconsin	105	0	105
Wyoming	3	0	3
Total	1,361	4,255	5,539^a

Note 1: Names and addresses mean names and one or more of the following: work or home addresses or telephone numbers, names of employer, or job titles but no other item that we defined as personal information.

Note 2: States with "NR" in each category did not return a questionnaire. We received a questionnaire from Arizona's privately run facilities. These facilities did not have any inmates who had access to names, addresses, telephone numbers, or other types of personal information. A representative from Ohio's state-run facilities informed us that inmates involved in data entry work programs did not have access to credit card numbers or Social Security numbers. We did not receive any information from respondents in state-run correctional facilities in Arizona or Tennessee.

^aColumns do not add across to the total column because the same inmate may have had access to names and addresses or telephone numbers through both contracts and support work. Totals indicate the maximum number of inmates with access.

^bInmates had access to names, work addresses, and work telephone numbers only; they did not have access to home addresses or home telephone numbers.

Source: GAO survey of correctional industry officials.

Type of Work Performed in Work Programs in Which Inmates Had Access to Only Names and Addresses

Jurisdiction	Order fulfillment	Data entry	Shipping	Printing	Manufacturing or customer support	Order taking	Telemarketing
Federal							
Bureau of Prisons	C/S	C	S		S	S	
State							
Alaska	S		S		S	S	
Arkansas				C			
California	S				S	S	
Colorado	S						
Delaware				S			
Florida	S	C	S	C	S	S	
Idaho	S	C/S	S		S	S	
Illinois	C						C
Kansas							
Maryland		C/S		C/S			
Massachusetts	C	C		C		C	
Michigan							
Minnesota		C			S		C
Mississippi	C			C			
Missouri	S	C	S		S	S	
Montana	S		S	C	S	S	C
Nebraska	C/S	C	S	C		S	C
Nevada	S		S		S	S	C
New Jersey		C					
New Mexico	C/S	C	S	C	S		C
New York	C						
Oklahoma	C/S	C	S	C	S	S	C/S
Oregon	C	C	S	C	S	S	C
South Carolina							
South Dakota	C/S		S	C			
Utah		C					C
Virginia			S				
Washington ¹	C	C	C/S	C	C		
West Virginia			S	C			
Wisconsin		C					
Wyoming ²							

Appendix VII
Type of Work Performed in Work Programs in Which Inmates Had Access to Only Names and Addresses

Bulk mailing	Complaint resolution	Document duplication	Computer-aided design	Document scanning	Geographic information system	Other
C	S					S ^a
	S					S ^b
						S ^c
						S ^d
						C ^e /S ^f
						S ^g
C	S	C	C	C	C	S ^d
	S	C				
C						C ^h
C/S						
						S ⁱ
						C ^j
		C	C			
C						S ^l
	S					
C						C ^k
C	S	C				
						C ^l
	S		C	C		C ^m
C		C	C	C	C	S ⁿ
						C ^o
		C				S ^d
		C				C ^p
						S ^q
	S		C			

Legend

C = Type of work performed by inmates who had access to information through work program contracts, which is a formal or informal agreement to produce a specific product or perform a specific service.

S = Type of work performed by inmates who had access to information through support work, which is not associated with a specific contract, but tasks such as order taking or shipping that supported overall industry work program operations.

C/S = Inmates performed this type of work both on contracts and through support work.

Note: Names and addresses mean names and one or more of the following: work or home addresses or telephone numbers, names of employer, or job titles but no other item that we defined as personal information.

Appendix VII

Type of Work Performed in Work Programs in Which Inmates Had Access to Only Names and Addresses

^aCustomer billing.

^bInstallation.

^cSending invoices to agencies.

^dClerical work.

^eResponse to public inquiry regarding corporate information from Secretary of State database via telephone.

^fDelivery.

^gFurniture refurbishing and auto maintenance.

^hTelephone answering.

ⁱPurchasing regulations.

^jCoding.

^kTelephone (incoming calls only).

^lProviding information via telephone.

^mProduction of various signs.

ⁿCalling for quotes, prices, and availability.

^oTravel reservations.

^pSales and purchasing.

^qTruck loading.

^rInmates working in Washington's correctional facilities have access to names, work addresses, and work telephone numbers only.

^sWyoming failed to designate type of work performed by inmates.

Source: GAO survey of correctional industry officials.

Appendix VII
Type of Work Performed in Work Programs in Which Inmates Had Access to Only Names and Addresses

Safeguards Used in Work Programs in Which Inmates Had Access to Only Names and Addresses

Jurisdiction	Close supervision	Security check at exit	Selective hiring	Security check at entrance	Monitored telephone calls
Federal					
Bureau of Prisons	C/S		C/S		S
State					
Alaska			S		
Arkansas	S	C/S		S	
California	S	S	S		
Colorado	C/S	C/S	C/S	C/S	C
Delaware	S	S	S	S	
Florida	C/S	C/S	C/S	C/S	C/S
Idaho	C/S	C/S		C/S	C/S
Illinois	C	C	C	C	C
Kansas	C		C		C
Maryland	C/S	C/S	C/S	C/S	C/S
Massachusetts	C	C	C	C	C
Michigan	S	S			S
Minnesota	C/S	C/S	C/S	C/S	C/S
Mississippi	C	C	C	C	C
Missouri	C/S	S	S	S	
Montana	C/S	C/S	C/S	C/S	C/S
Nebraska	C/S	C/S	C/S	C/S	C/S
Nevada	C/S	C/S	C/S	S	C/S
New Jersey	C	C	C	C	C
New Mexico	C/S	C/S	C/S	C/S	C/S
New York	C		C		C
Oklahoma	C/S	C/S	C/S	C/S	C/S
Oregon	C/S	C/S	C/S	C/S	C/S
South Carolina	C	C	C	C	C
South Dakota	C/S	C/S	C/S	C/S	C/S
Utah	C	C	C	C	C
Virginia		S		S	
Washington ^o	C/S	C/S	C/S	C/S	C/S
West Virginia	C/S	C/S		C/S	C/S
Wisconsin	C	C	C	C	
Wyoming		C	C	C	C

**Appendix VIII
Safeguards Used in Work Programs in Which Inmates Had Access to Only Names and
Addresses**

Computer program with privacy safeguards	Incoming calls only	No photocopy machines	Confidentiality agreement ^a	Personal information given only to noninmates	No paper or writing instruments	Other
		C	C			C ^{b/S^c}
	S					
		S				S ^d
S	S			S		
C	C	C			C	
		S				S ^e
C/S	C/S	C		C/S	C	C ^f
			C			
		C	C		C	
C	C					
	C/S	C/S		C/S	C/S	
C	C	C		C		
		S				S ^g
C		C	C	S		S ^h
C				C		C ⁱ
	S		C			
C/S	S		C/S		C	S ^j
	S	C				
C	C	C	C			
C/S	C/S	S	C/S		S	
	C				C	
C/S	C		C/S	C/S		C ^{k/S^k}
C/S	C/S	C/S	C	S		C ^l
C	C	C		C		
S						
C			C	C	C	C ^m
C/S	S	C	C			C ⁿ
	C/S					C ^{o/S^o}
C		C			C	C ^p
C		C				

Legend

C = Safeguard applied to inmates who had access to types of information through a contract, which is a formal or informal agreement to produce a specific product or perform a specific service.

S = Safeguard applied to inmates who had access to types of information through performing support work, which is not associated with a specific contract, but tasks such as order taking or shipping that supported overall industry work program operations.

C/S = Safeguard applied to inmates who had access to types of information as a result of employment on both contracts and through support work.

Appendix VIII
Safeguards Used in Work Programs in Which Inmates Had Access to Only Names and Addresses

Note 1: Names and addresses mean names and one or more of the following: work or home addresses or telephone numbers, names of employer, or job titles but no other item that we defined as personal information.

Note 2: A blank means that the questionnaire respondent did not report using the safeguard.

Note 3: This table does not include inmates who had access to names and addresses or telephone numbers and any other item(s) that we defined as personal information. See appendix III for a list of safeguards that respondents reported using for inmates who had access to personal information.

^aConfidentiality agreements were agreements signed by the inmates not to release information obtained through a work program.

^bPrison staff conducted random inspections of work and housing areas.

^cPrison staff conducted random inspections of work and housing areas. Prison staff screened outgoing business documents. Telephones in work area were auto-dialed.

^dNo telephones or computers were used by inmates in work area.

^eInmates were required to make uniform changes in work area.

^fInmates had access to telephones, computers, and fax machines connected to network only under direct supervision. Personal information was segmented among inmates. All documents in and out are monitored.

^gInformation was screened by prison staff before being accessed by inmates. Inmates were subject to body and cell searches.

^hInmates did not have access to telephones in work area.

ⁱPersonal information was segmented among inmates. Surveillance mirrors, security cameras, restricted work area, raw materials/supplies control, and random strip searches were employed.

^jPrison staff conducted area shakedowns. Personal information was segmented among inmates.

^kPersonal information was segmented among inmates.

^lTelephones in work area were auto-dialed.

^mTelephones located in the work area were auto-dialed. Telephone calls were monitored and taped.

ⁿInmates working in Washington's correctional facilities had access to names, work addresses, and work telephone numbers only.

^oInmates were not allowed to take anything except tobacco into or out of the work area.

^pPrison staff prescreened documents, and inmates were subject to pat searches.

Source: GAO survey of correctional industry officials.

Appendix VIII
Safeguards Used in Work Programs in Which Inmates Had Access to Only Names and
Addresses

Incidents of Misuse of Personal Information by Inmates

State	Date and description of incident	Safeguards reported
California (Youth Authority)	In 1991, while on parole an inmate used credit card numbers previously obtained from a prison telemarketing work program.	<ul style="list-style-type: none"> • Selective hiring • Security check at entrance to work area • Security check at exit from work area • Monitored telephone calls • Incoming calls only to work area • No photocopy machines in work area • Close supervision while working
New Mexico	In 1995, an inmate wrote a letter to a Medicare patient identified from information obtained in a data entry work program.	<ul style="list-style-type: none"> • Selective hiring • Computer programs with privacy safeguards • Close supervision while working • Confidentiality agreement signed by inmates
New York	In the mid-90s, an inmate participating in a work program provided another inmate with a name and address obtained through the work program. The second inmate wrote a letter to the individual whose name and address were provided.	<ul style="list-style-type: none"> • Selective hiring • Monitored telephone calls • Incoming calls only to work area • Close supervision while working • Personal information given only to non-inmates
Oklahoma	In about 1990, an inmate obtained information, through participating in a data entry work program, about an individual's medical expenses and wrote the individual a letter.	<ul style="list-style-type: none"> • Selective hiring • Security check at entrance to work area • Security check at exit from work area • Computer programs with privacy safeguards • Monitored telephone calls • Close supervision while working • Confidentiality agreement signed by inmates • Personal information segmented among different inmates
Oklahoma	In 1995, two inmates attempted to smuggle copies of birth certificates obtained through a work program out of prison through the U.S. mail system. The birth certificates were sent back to the prison via return mail.	<ul style="list-style-type: none"> • Selective hiring—no misconduct for 6 months • Security check at exit from work area • Computer programs with privacy safeguards • Incoming calls only to work area • No photocopy machines in work area • Close supervision while working • Confidentiality agreement signed by inmates • Personal information segmented among different inmates
South Carolina	In 1995, an inmate continued to call a particular individual identified through a work program that telemarketed local newspaper subscriptions.	<ul style="list-style-type: none"> • Selective hiring—interviews and previous work history • Computer programs with privacy safeguards • Monitored telephone calls • Close supervision while working • Personal information given only to non-inmates

Appendix IX
Incidents of Misuse of Personal Information by Inmates

How safeguards failed	Sanctions against inmate	Program continued after incident		Changes to safeguards
		Yes	No	
Unknown	Inmate charged and convicted	• ^a		
Inmate was not searched when leaving work area	Inmate was given disciplinary segregation time and was not allowed to work for Correctional Industries		•	N/A
Inmate left the premises with the information	Inmate was removed from the work program	•		Existing securities were reviewed and reinforced
Inmate memorized the address	Inmate was given a written reprimand, placed in restrictive housing, and barred from future employment in industry work programs	•		
Despite the fence around the work area and pat down procedures, these papers were removed	Both inmates were given written reprimands, fired from the work program, and transferred from this particular area of the prison	•		Monitors were placed on the gate to watch the area
Inmate was not monitored while making telephone calls	Inmate was given a written reprimand for disobeying orders		•	N/A

Appendix IX
Incidents of Misuse of Personal Information by Inmates

State	Date and description of incident	Safeguards reported
South Dakota	In 1990 or 1991, an inmate used a credit card number, obtained from a work program making motel reservations, for personal purchases.	<ul style="list-style-type: none"> •Unknown to questionnaire respondent
Texas	In the early 1990's, an inmate wrote a letter to an individual identified through a data entry work program and included personal information also obtained through the work program.	<ul style="list-style-type: none"> •Unknown to questionnaire respondent
Washington	In 1997, an inmate sent a Christmas card to an individual identified through a 1-800 information line. The individual had called for information on state parks.	<ul style="list-style-type: none"> •Selective hiring—offense history •Security check at entrance to work area •Security check at exit from work area •No photocopy machines in work area • Monitored telephone calls

**Appendix IX
Incidents of Misuse of Personal Information by Inmates**

How safeguards failed	Sanctions against inmate	Program continued after incident		Changes to safeguards
		Yes	No	
Unknown	Inmate was prosecuted		•	N/A
Unknown	Case is in litigation		•	N/A
Lack of supervision; failed to use available technology	Inmate was disciplined and terminated from work program; manager was demoted and subsequently reassigned		• ^b	N/A

Note: Incidents of misuse of personal information means any action that had threatened or caused injury to the physical, psychological, or financial well-being of any member of the public. Some of these incidents involved only names and addresses or telephone numbers, not "personal information" as we defined it for this report.

^a Program was discontinued in 1998.

^b Telemarketing activities were eliminated as a correctional industries business.

Source: GAO survey of correctional industry officials.

Comments From the Bureau of Prisons



U.S. Department of Justice

Federal Bureau of Prisons

Office of the Director

Washington, DC 20534

July 29, 1999

Richard M. Stana
Associate Director
Administration of Justice Issues
General Accounting Office
Washington, DC 20548

Dear Mr. Stana:

The Bureau of Prisons (BOP) has completed its review of the draft report entitled Prison Work Programs - Inmates' Access to Personal Information. The report did not contain any recommendations, and the BOP concurs with the report with one exception.

Our exception deals with the 25 BOP inmates identified as having access to personal information (social security numbers). Since the survey was conducted, our procedures have changed and no inmates have access to personal information (social security numbers).

If you have any questions, please contact Mike Garrett, Senior Deputy Assistant Director, Program Review Division, at (202) 616-2099.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Hawk Sawyer".

Kathleen Hawk Sawyer
Director

Comments From the Correctional Industries Association, Inc.



Correctional Industries Association, Inc.

OFFICERS August 9, 1999

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Idaho Correctional Industries

Dear Mr. Stana:

Thank you for giving the Correctional Industries Association (CIA) an opportunity to respond to the General Accounting Office's draft report, *Prison Work Programs: Inmate Access to Personal Information*. We feel that the approach the GAO took to gathering this information was sound, and we thank the GAO for involving CIA in the project, from the development of a data-gathering instrument to the review process. Because the CIA's input was solicited and taken seriously throughout this lengthy research phase, we know first-hand how diligent the GAO was in compiling a fair and thorough report.

We would like to add, however, that information on inmate access is presented largely out of context in this report. It would be hard for an objective reader to fully appreciate this issue without a sense of the volume of work performed by inmates, and the relatively small instances of abuse of access in that wider perspective. While it is appropriate for the GAO to stop short of passing judgement on the facts which you present objectively, the conclusions the reader draws could potentially be erroneous if the data is not seen consistently in context.

Correctional industries exist, in part, to provide inmates with an opportunity to learn the value of work, to undergo vocational training, and to gain real-world work experience. These programs are designed by policy makers to meet these goals, and are often geared toward providing a particular service to the government entity itself. Incidental to all these objectives is the need, in some cases, for inmates to access personal information as part of their job.

In general, correctional industries administrators and their staff have done an exemplary job in managing inmates and limiting problems resulting from inmate access to personal information. If seen against this background, the figures you present would demonstrate the overwhelming success of these programs in keeping breaches of personal security to a minimum, but this reality is not represented in your report. A benchmark is needed, for those reviewing the report, against which the success or failure of correctional industries to control access issues can be measured. Numbers are misleading when not seen in comparison to other, perhaps less impressive statistics. We cannot, therefore, endorse this report as painting an accurate picture of the inmate access to personal information issue.

Thank you again for giving the Correctional Industries Association an opportunity to respond to the General Accounting Office's report. We appreciated working with the GAO on this project, and we remain ready to assist you in future endeavors.

Sincerely,

Gwyn Smith Ingley
Executive Director

GAO Contacts and Staff Acknowledgments

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