



## STATE INNOVATION EXCHANGE AGRICULTURE & FOOD SYSTEMS

### Use of Prison Labor State Assessment Questions

*A note from the author about use of language: While the phrasing of “prison labor” is widely used for discussion of this topic, this article refers to individuals and incarcerated individuals to remind us of the human rights of all persons. Also, this is to remind us that up to 95% of incarcerated individuals will be released back into the community after serving their sentence. The folks in these programs are our family, friends, and neighbors.*

**How to use this assessment tool:** This assessment tool and questionnaire is for state legislators to assist with investigating and reviewing the work force programs in their state. State legislators can pose these questions to their Department of Corrections about any work or farm program administered by the state to gain further insight into the experience of individuals in these programs and assess what reforms may be needed. Conditions are not the same everywhere and it is important to gain information about how these programs are run in your state before proposing reforms.

- 1. How do individuals participate in this program? Is it voluntary or mandated?**
  - a. Best practices include voluntary programs because they suggest respect for the needs and choice of the individual.
  - b. Worst practices include mandated programs that are often viewed and used as punishment. Worst practices also include exploitative options like earlier release for participation in difficult or potentially deadly work.
  
- 2. What level of security is used at the facility? If the facility is residential, how are visitors accommodated? Are children allowed at visits? Has anyone been hurt or died at this facility?**
  - a. Best practices include a minimum-security setting because that means individuals can move freely about the facility, encouraging learning and training, and collaboration among other workers. They are also allowed visitors as a recognition of the rehabilitative impact of keeping individuals connected to their family and community. No one should die or be hurt at a facility due to working conditions.
  - b. Worst practices include a high security facility where individuals’ movement is limited to one area, limiting opportunities for learning, training, and collaboration. Visits may be limited or difficult and uncomfortable for children and family members.



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### **3. What are they paid for the work? What is the minimum pay? Does it violate Human Right standards to use labor with that level of pay?**

- a. Best practices include paying the highest wage possible. At a minimum, individuals should be paid the minimum wage guaranteed in your state. For example, in Alaska, leadership at the state prison farm would like to pay the state mandated minimum wage, but so far they have lacked political support. For now, they are paid the maximum wage the institution can afford of only a few dollars an hour.
- b. Worst practices and worst violators (some of which are even currently being sued by human rights organizations) include those that pay as low as a few cents an hour, limit or do not provide breaks during the workday, limit or do not provide bathroom breaks and do not provide air conditioning during excessive summer heat. For example, in Louisiana prison workforce programs, incarcerated individuals are paid as low as two cents an hour and allegedly are not provided adequate or safe work conditions resulting in ongoing litigation by human rights organizations.

### **4. Are the programs offering training and opportunities for the individuals? Are they also offered participation in a GED program, if appropriate, or other educational opportunities?**

- a. Best practices include training like in a private sector job ensuring workers have the skills to secure opportunities post release from state custody. If possible, any individual without a high school diploma should leave with a GED or other certifications to substantiate their work and skill development. For example, Cal Fire is now working to create career paths for individuals working in the fire fighting program during custody. However, policies creating barriers to certain employment for individuals with past criminal convictions may need to be reformed.
- b. Worst practices include limiting an individual to one repetitive activity while limited access to other skill development and no educational programs or certifications.

### **5. What happens with the products produced? Are there corporate contracts? Are they discounted relative to the private sector?**

- a. Best practices for food production include using products such as meat and produce for the individuals living in state custody first. Then, if there are surplus items, the items can be donated to local food organizations serving the greater community. This gives individuals a connection to the community through work that creates a positive difference for their neighbors. This can be therapeutic and healing for many incarcerated individuals. Other questions to ask, If these products are sold in the



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- private market, are they part of a buy local program and do consumers know who produced the food? This can help to change attitudes about individuals who have previously been convicted of a crime.
- b. Worst practices for food production include contracting with a corporation to provide low-cost labor for corporate profit with little benefit to the local community. Sometimes products are even exported, including from places the US has historically oppressed due to their own use of incarcerated individuals in work programs. Public records should be requested to understand any contractual relationships with your Department of Corrections and private businesses.

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### **Resources and Citations:**

- Associated Press. (2025, January 31).** Why incarcerated workers play a key role in fighting California's fires. *Al Jazeera*.  
<https://www.aljazeera.com/news/2025/1/31/why-incarcerated-workers-play-a-key-role-in-fighting-californias-fires>
- Dodson, J. (2024, February 17).** When prisoners perform farm work, who benefits? *Ambrook Research*. <https://ambrook.com/research/labor/prison-farm-angola-plantation>
- Therault Boots, M. (2023, June 30).** At Alaska's prison farm, a different way of serving time. *Anchorage Daily News*.  
<https://www.adn.com/alaska-news/mat-su/2023/06/30/at-alaskas-prison-farm-a-different-way-of-serving-time/>
- Alaska Public Media. (2016, April 15).** Correctional farm saves money, redirects lives.  
<https://alaskapublic.org/news/2016-04-15/correctional-farm-saves-money-redirects-lives>
- Bulger, M. (n.d.).** Six U.S. correctional facilities with 'farm to prison' local food sourcing programs. *Smart Cities Dive*.  
<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/six-us-correctional-facilities-farm-prison-local-food-sourcing-programs/1033746/>