



BJA Bureau of Justice Assistance Fact Sheet

Nancy E. Gist, Director

Prison Industry Enhancement Certification Program

Purpose

The Prison Industry Enhancement (PIE) Certification Program exempts State and local certified departments of corrections from normal restrictions on the sale of prisoner-made goods in interstate commerce. In addition, the program lifts existing restrictions on these certified corrections departments, permitting them to sell prisoner-made goods to the Federal government in amounts exceeding the \$10,000 maximum normally imposed on such transactions.

The PIE Certification Program was created by Congress in 1979 to encourage States and units of local government to establish employment opportunities for prisoners that approximate private sector work opportunities. The program is designed to place inmates in a realistic working environment, pay them the local prevailing wage for similar work, and enable them to acquire marketable skills to increase their potential for successful rehabilitation and meaningful employment upon release.

A total of 50 jurisdictions may be certified under the PIE Certification Program. Each certified program must be determined by the Director of the Bureau of Justice Assistance (BJA), U.S. Department of Justice, to meet statutory and guideline requirements, as listed in the section of this fact sheet called “Mandatory Criteria for Program Participation.”

BJA administers the PIE Certification Program through its Corrections Branch. The Correctional Industries Association (CIA), the professional organization for prison industry employees, provides technical assistance services to the program. Under a grant from BJA, the CIA staff of volunteer correctional industry professionals audit

program participants for compliance with program requirements and provide onsite and, in some cases, telephone technical assistance in areas lacking program compliance. CIA provides additional technical assistance by responding to specific requests for substantive help from participating jurisdictions; by providing program information to government agencies, private sector companies, journalists, professional business and labor organizations, and others interested in the program; by offering periodic training to program participants; and by helping to shape program policy through development of program guidelines, quarterly program data summaries, and other documents in response to program needs.

The PIE Certification Program has two primary objectives:

- ❑ To generate products and services that enable prisoners to make a contribution to society, help offset the cost of their incarceration, compensate crime victims, and provide inmate family support.
- ❑ To provide a means of reducing prison idleness, increasing inmate job skills, and improving the prospects for successful inmate transition to the community upon release.

Authority

The PIE Certification Program originally was authorized under the Justice System Improvement Act of 1979 (P.L. 96–157, Sec. 827) and later expanded under the Justice Assistance Act of 1984 (P.L. 98–473, Sec. 819). The Crime Control Act of 1990 (P.L. 101–647) authorizes continuation of the program indefinitely.

Program Benefits

The PIE Certification Program allows private industry to establish joint ventures with State and local correctional agencies to produce goods using prison labor. The program benefits:

- ❑ **The corrections administrator.** The program is a cost-effective way to occupy a portion of the ever-growing prison population.
- ❑ **The innocent crime victim.** The program provides a means of partial repayment for harm sustained.
- ❑ **The prisoner.** The program offers a chance to work, to meet financial obligations, to increase job skills, and thus, potentially, to increase the likelihood of meaningful employment upon release from incarceration.
- ❑ **The private sector.** The program provides a stable and readily available workforce. In addition, many correctional agencies provide manufacturing space at greatly reduced rates to private sector companies involved in the program.
- ❑ **The public.** Because of inmate worker contributions to room and board, family support, victims' compensation, and taxes, the program provides a way to reduce the escalating cost of crime.

Mandatory Criteria for Program Participation

Corrections departments wishing to participate in the PIE Certification Program must meet all seven of the following criteria:

1. Legislative authority to pay wages at a rate not less than that paid for similar work in the same locality's private sector.
2. Written assurances that the PIE Certification Program will not result in the displacement of workers employed before program implementation.
3. The authority to provide worker benefits, including Worker's Compensation or its equivalent.
4. The authority to involve the private sector in the production and sale of prisoner-made goods.
5. Written assurances that inmate participation is voluntary.
6. Legislative or administrative authority to collect and provide financial contributions (of not less than 5 percent and not more than 20 percent of gross wages) to crime victim compensation/assistance programs, and legislative

or administrative authority for crime victim compensation/assistance programs to accept such financial contributions.

7. Written proof of consultation with organized labor and local private industry before PIE Certification Program startup.

Allowable Wage Deductions

Corrections departments may take a series of deductions from wages earned by prisoners. Permissible deductions are limited to room and board, taxes (Federal, State, FICA, etc.), family support, and crime victim compensation/assistance. Deductions must not total more than 80 percent of gross wages. (Deductions for crime victim compensation/assistance programs are mandatory under the PIE Certification Program guidelines; deductions for taxes are required under U.S. tax law; and deductions for room and board and family support are permissible at the discretion of the certified jurisdiction.)

Total wage deductions collected—During the period December 1979 through June 1995, jurisdictions participating in the program have collected the following amounts:

Contributions to victims' programs	\$ 3,644,557
Room and board deductions	10,458,796
Family support deductions	3,449,218
All taxes withheld	6,111,483
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Total Deductions:	\$23,664,054

Program Certification Process

Interested corrections departments may request a PIE Certification Program Application from BJA. With the application, applicants must submit written proof (including copies of legislation and/or administrative rulings, as appropriate) that they meet all mandatory program criteria. After reviewing and approving an application, BJA formally notifies the jurisdiction that it has been certified to participate in the program. Certified jurisdictions agree to enforce program requirements. Certification may be terminated if a jurisdiction is determined to be out of compliance with any of the mandatory program criteria, or if the certification is unused for 6 months or longer.

Eligibility

All States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and all units of local government authorized by law to administer prison in-

dustry programs are eligible to apply for program certification.

As of June 30, 1995, the following 36 jurisdictions have been certified under the program: Alaska; Arizona; California; Colorado; Connecticut; Delaware; Florida; Hawaii; Idaho; Indiana; Iowa; Kansas; Louisiana; Maine; Maryland; Minnesota; Missouri; Montana; Nebraska; Belknap County, New Hampshire; Stafford County, New Hampshire; Nevada; New Mexico; North Carolina; Oklahoma; Oregon; Red River County, Texas; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; Washington State; and Wisconsin.

For Further Information

For information about technical assistance and training, contact:

PIE Coordinator

Correctional Industries Association

522 E. Durham Street
Philadelphia, PA 19119

Tel: 1-215-242-9520

For further information about the PIE Certification Program, contact:

Corrections Branch

Bureau of Justice Assistance

633 Indiana Avenue NW.
Washington, DC 20531
Tel: 1-202-514-6236

Bureau of Justice Assistance Clearinghouse

P.O. Box 6000
Rockville, MD 20849-6000
Tel: 1-800-688-4252

Fax: 1-301-251-5212

Bulletin Board System: 1-301-738-8895

Internet: look@ncjrs.aspsys.com

U.S. Department of Justice Response Center

Tel: 1-800-421-6770

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Office of Justice Programs
Bureau of Justice Assistance

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