



# Program Brief



## Prison Industry Enhancement Certification Program

**T**he Prison Industry Enhancement (PIE) Certification Program exempts certified state and local departments of corrections from normal restrictions on the sale of prisoner-made goods in interstate commerce. In addition, the program lifts 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 work environment, pay them the prevailing local wage for similar work, and enable them to acquire marketable skills to increase their potential for successful rehabilitation and meaningful employment on release.

A total of 50 jurisdictions may be certified under the PIE Certification Program. To become certified, each program must demonstrate to the

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[www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)

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## About BJA

The Bureau of Justice Assistance was established in 1984 as a component of the Office of Justice Programs, U.S. Department of Justice. BJA provides leadership and resources to state, local, and tribal governments and communities to reduce crime, violence, and drug abuse and to strengthen the nation's criminal justice system. BJA provides this assistance through formula and discretionary grants, training and technical assistance, publications, and the BJA web site.

## For Further Information

For additional information about the Prison Industry Enhancement Certification Program, contact:

### **National Correctional Industries Association**

PIE Technical Assistance  
1202 North Charles Street  
Baltimore, MD 21201-5508  
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E-mail: [Info@nationalcia.org](mailto:Info@nationalcia.org)  
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### **Bureau of Justice Assistance**

810 Seventh Street NW.  
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Web site: [www.ojp.usdoj.gov/BJA](http://www.ojp.usdoj.gov/BJA)

For publications and information on other BJA-funded programs, contact:

### **Bureau of Justice Assistance Clearinghouse**

P.O. Box 6000  
Rockville, MD 20849-6000  
1-800-688-4252  
Web site: [www.ncjrs.org](http://www.ncjrs.org)

Clearinghouse staff are available Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. Ask to be placed on the BJA mailing list.

Director of the Bureau of Justice Assistance (BJA), U.S. Department of Justice, that it meets statutory and guideline requirements as listed under Mandatory Criteria for Program Participation.

The National Correctional Industries Association (NCIA), the professional organization for prison industry employees, provides technical assistance for this program. Under a grant from BJA, the NCIA staff of volunteer correctional industry professionals audit program participants for compliance with program requirements and provide onsite and telephone technical assistance to programs that are not in compliance. NCIA provides additional technical assistance by:

- ◆ Responding to specific requests for substantive help from participating jurisdictions.
- ◆ Providing program information to government agencies, private-sector companies, journalists, professional business and labor organizations, and others interested in the program.
- ◆ Offering periodic training to program participants.
- ◆ 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:

- ◆ Generate products and services that enable prisoners to make a contribution to society, help offset the cost of their incarceration, compensate crime victims, and support their families.
- ◆ Reduce prison idleness, increase inmate job skills, and improve the prospects for successful inmate transition to the community on release.



## Authority

The PIE Certification Program was first authorized under the Justice System Improvement Act of 1979 (Public Law 96-157, Sec. 827) and later expanded under the Justice Assistance Act of 1984 (Public Law 98-473, Sec. 819). The Crime Control Act of 1990 (Public Law 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 crime victim.** The program provides a means of partial repayment for harm sustained.
- ◆ **The prisoner.** The program offers a chance to work, meet financial obligations, increase job skills, and increase the likelihood of meaningful employment on release from incarceration.
- ◆ **The private sector.** The program provides a stable and readily available workforce. In addition, many correctional agencies provide manufacturing space to private-sector companies involved in the program.
- ◆ **The public.** Because of inmate worker contributions to room and board, family support, victim compensation, and taxes, the program provides a way to reduce the escalating cost of crime.

## Mandatory Criteria for Program Participation

Corrections departments that apply to participate in the PIE Certification Program must meet all eight 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. Authority to provide worker benefits, including workers' compensation or its equivalent.
4. 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.
8. Compliance with the National Environmental Policy Act and related federal environmental review requirements.

## 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 (such as federal, state, FICA), family support, and crime victim compensation/assistance. Deductions must not total more than 80 percent of gross wages.

### **Total wages earned and deductions collected.**

During the period December 1979 through December 31, 2001, jurisdictions participating in



the program have paid the following wages and collected the following amounts:

<b>Gross wages earned</b>	<b>\$215,314,373</b>
Victim program deductions	19,976,186
Room and board deductions	55,428,991
Family support deductions	12,570,451
Taxes withheld	29,225,063
<b>Total deductions</b>	<b>\$117,200,691</b>

## Program Certification Process

Interested corrections departments may request a PIE Certification Program Application from BJA or the National Correctional Industries Association. Applicants must provide written proof that they meet all mandatory program criteria (including copies of legislation and/or administrative rulings, as appropriate). After reviewing and approving an

application, BJA will formally notify the jurisdiction that it has been certified to participate in the program. Certified jurisdictions must agree to enforce program requirements. Certification may be terminated if a jurisdiction is found 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 industry programs are eligible to apply for program certification.

As of December 31, 2001, 38 jurisdictions were certified. For a complete list, please visit the NCIA web site at [www.nationalcia.org](http://www.nationalcia.org).

*Photos courtesy of the National Correctional Industries Association.*

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