

UC Berkeley

California Journal of Politics and Policy

Title

The Pandemic in Prison: Implications for California Politics and Policymaking

Permalink

<https://escholarship.org/uc/item/14p2v75w>

Journal

California Journal of Politics and Policy, 12(1)

Authors

Lerman, Amy E.
Harney, Jessie

Publication Date

2020

DOI

10.5070/P2cjpp1150413

Copyright Information

Copyright 2020 by the author(s). All rights reserved unless otherwise indicated. Contact the author(s) for any necessary permissions. Learn more at <https://escholarship.org/terms>

Peer reviewed



RESEARCH

THE PANDEMIC IN PRISON: IMPLICATIONS FOR CALIFORNIA POLITICS AND POLICYMAKING

Amy E. Lerman, University of California, Berkeley
Jessie Harney, University of California, Berkeley

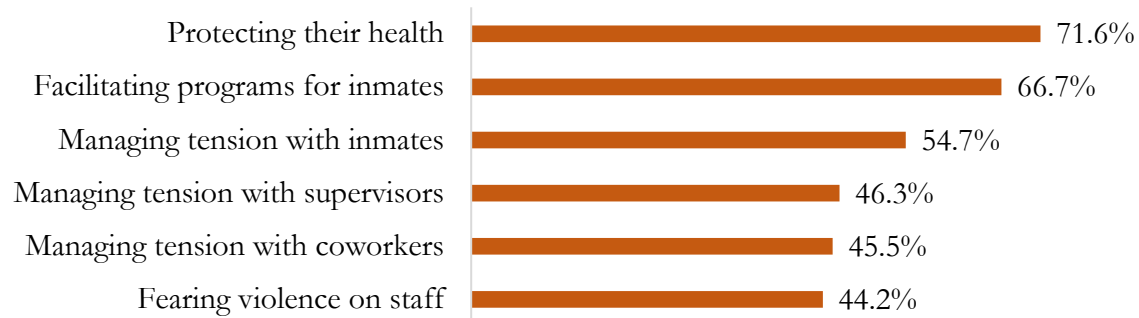
The effects of COVID-19 across California have been devastating, but the impact of the virus has been particularly acute in the state's overcrowded prisons and jails. The epidemic has clear implications for incarcerated individuals and their families, but also for the tens of thousands of Californians employed in the state's prison system. These workers represent a powerful force in state politics (Myers, 2018; Williams et al., 2020).

To develop an understanding of the impact of COVID-19 on California correctional officers, we deployed an online survey in May of 2020. The survey link was sent via email to all officers currently employed in the state's adult correctional institutions. We received 1,761 responses, constituting roughly 9% of California's correctional officer workforce. While the sample size is relatively small, respondents represent each of California's adult state correctional institutions and are broadly representative by race and gender.

Our results demonstrate that California's correctional officers have been negatively affected by COVID-19 in a variety of ways, which might powerfully shape state politics and policymaking in coming years. First, like many Americans, correctional officers are facing difficulties finding adequate childcare (50.1%), dealing with financial instability (58.6%) and protecting the health and safety of their loved ones (63.6%). They are also having difficulties finding space where they can be alone (42.7%) and managing their own stress at home (58.5%).

At the same time though, like other essential workers across the country, the coronavirus has created or exacerbated a host of work-related stressors for prison personnel. Figure 1 displays the distribution of officers reporting that workplace responsibilities have become more difficult to deal with in the context of COVID-19. Notably, more than two-thirds of officers reported that protecting their health at work (71.6%) and facilitating programs for incarcerated individuals (66.7%) were more difficult to manage as a result of the outbreak. About half (54.7%) suggested that managing tensions with incarcerated individuals had become more difficult in light of the pandemic.

Figure 1: COVID Work Stress: Percentage of CA State COs Finding Things More Difficult



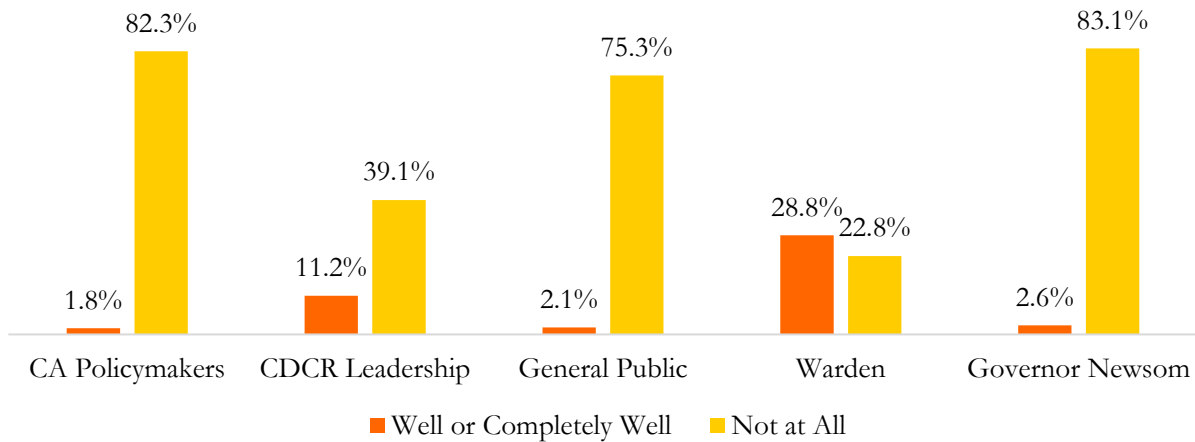
We also found high levels of frustration with aspects of the state’s COVID-19 response. While most officers (88.6%) reported having access to handwashing stations, about three-quarters (76.5%) reported that maintaining social distancing was difficult inside prison. Likewise, while a substantial majority (83.6%) of officers reported having access to the personal protective equipment they need at work, this was still far from universal. Moreover, though 80% noted receiving at least some of their PPE from their employer (the California Department of Corrections and Rehabilitation, CDCR), 52.1% reported acquiring at least some of it themselves.

In addition, many officers reported having difficulty getting access to testing. Overall, less than a quarter (23.1%) indicated that they have either been tested or tried to get tested for COVID-19. Most strikingly, of the correctional staff that tried to get tested, more than two in five were unable to do so. Of those that had been tested, which constituted about 13.3% of the total sample, slightly more than one-in-ten (11.0%) have tested positive for COVID-19 and a non-trivial 15.2% were unsure if they had tested positive.

Politics and Policies

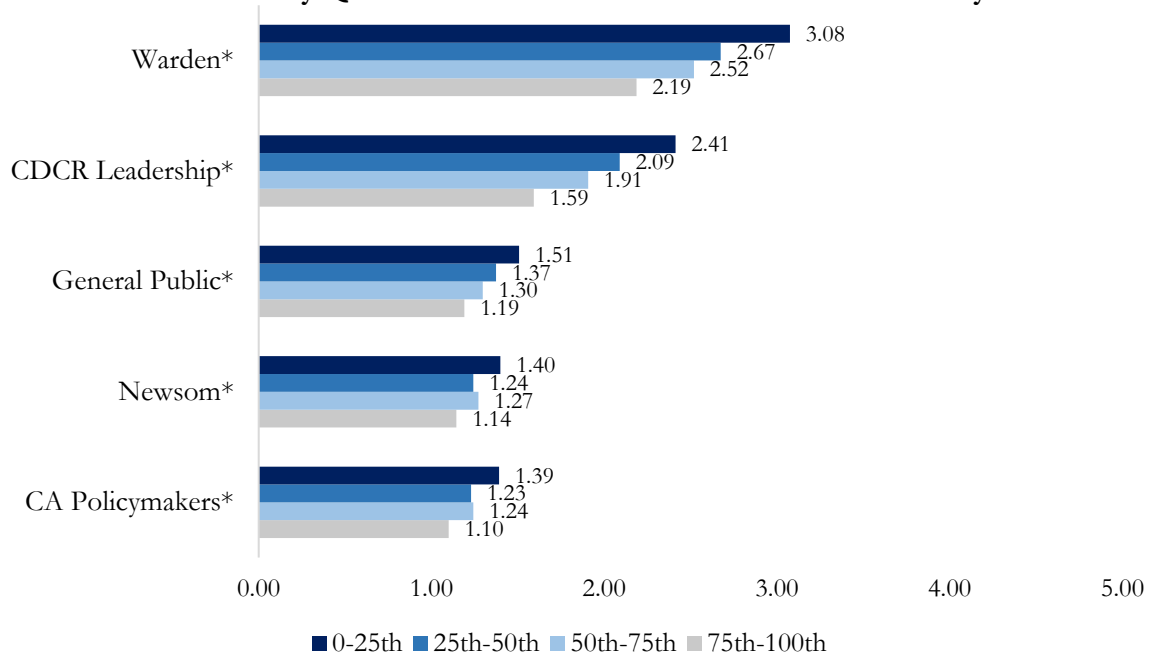
In addition to asking about correctional officers’ experiences with COVID, we also asked respondents whether they felt various groups and individuals in the state understood what they are experiencing related to the outbreak. A majority of correctional officers perceived the state’s primary stakeholders, including the Governor, policymakers, and the general public, as failing to understand what they are experiencing (see Figure 2). Levels of perceived understanding by CDCR leadership and the warden at an officer’s prison were somewhat higher, but a substantial proportion (39.1% and 22.8%, respectively) still felt their experiences were “not at all” understood by these actors.

Figure 2: Feeling Understood by Stakeholders



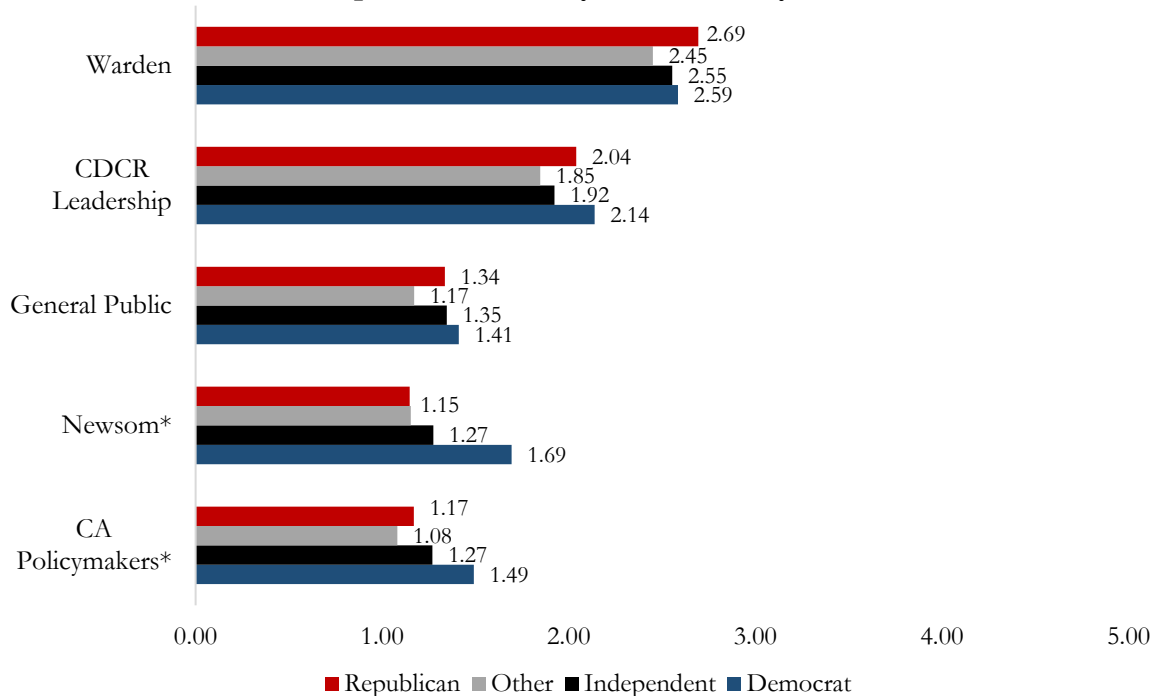
On these measures, we also find consistent differences when we compare officers by levels of reported occupational stress. Figure 3 shows the average score for feeling understood by each group, separately by each quartile of COVID-19-related work stress. For all groups, average feelings of being understood varied significantly by quartile stress. However, officers who reported greater difficulty coping during COVID-19 tended to feel less understood across the board.

Figure 3: Average Score for Feeling Understood by Each Group or Individual by Quartile of COVID-related Work Stress Intensity



Not surprisingly, officers' party identification also seemed to matter here. Of those self-identifying their political partisanship in our sample, 15.8% identified as Democrats, 51.6% as Republicans, and 32.6% were either Independent or supported another party. Along with COVID-related stress, partisanship appeared to matter a great deal to whether officers felt understood, particularly in the context of elected stakeholders. Specifically, self-identified Democrats indicated feeling more understood by Governor Newsom and other elected officials in the state. Notably, however, perceived levels of understanding by these stakeholders was low even among Democrats, and we find no significant difference in perceptions of other stakeholders (see Figure 4).

Figure 4: Average Score for CA State COs Feeling Understood by Each Group or Individual by Political Party/Preference



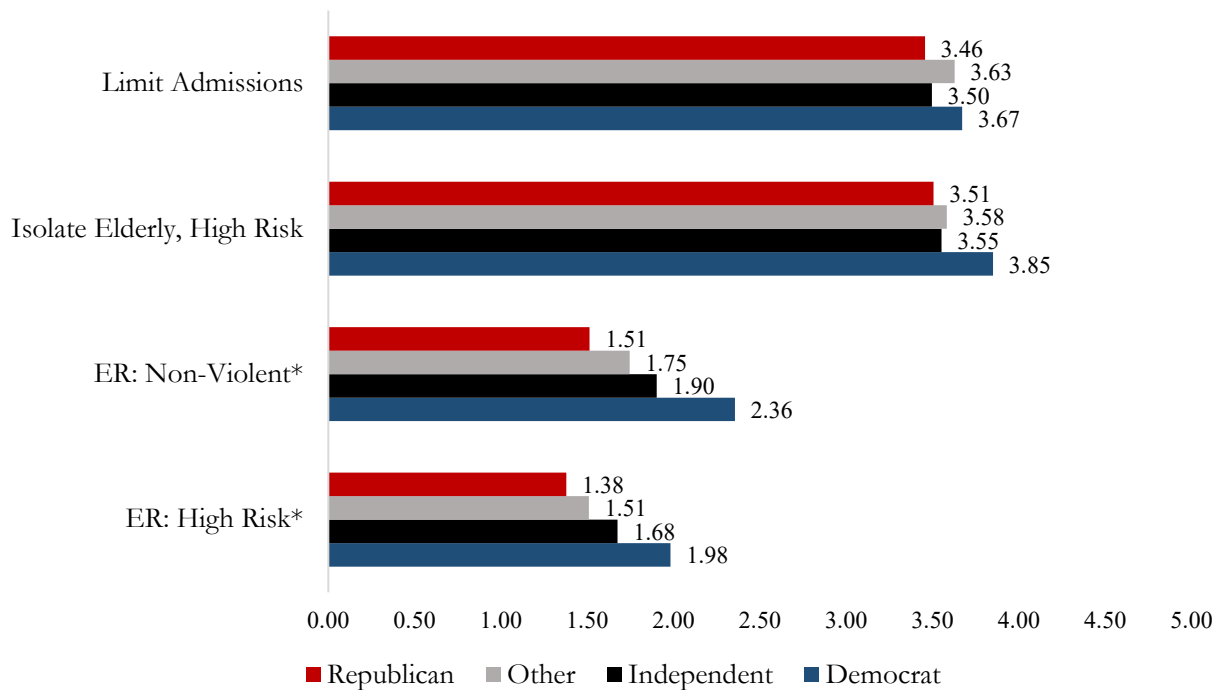
We similarly find significant differences across partisanship when it comes to support for policy initiatives aimed at reducing the spread of COVID in prison. Specifically, we asked officers about four policy initiatives the state has considered (and in some cases has already implemented) in response to the outbreak. Two of these policies focus on efforts to stop incoming cases (limiting new admissions to state prison, and isolating the elderly or those at high-risk for severe COVID-19 symptoms), and two focused on lowering the risk of contagion within state facilities (via early release for elderly or high-risk individuals, and early release for those with non-violent offenses). Overall, support for all four proposals was generally low, but support was substantially lower for the early release options (see Table 1).

Table 1: Officer Support for COVID-19 Policy Initiatives

	Early Release (Elderly/High Risk)	Early Release (Non-Violent)	Limiting Admissions	Isolation of Elderly/High Risk
Frequency	82	132	636	634
Percentage	7.2%	11.6%	55.8%	55.5%
<i>N</i>	1,141	1,140	1,140	1,143

Again, this difference is shaped by partisanship. Figure 5 reports the average support for each policy initiative by political party. As the figure shows, Democrats indicated significantly greater support for both early release options (high risk or elderly, and those with non-violent offenses) relative to Republicans. Partisan differences were not significant on attitudes towards the other policies.

Figure 5: Average Support for COVID-19 Prison Policies by Political Party/Preference

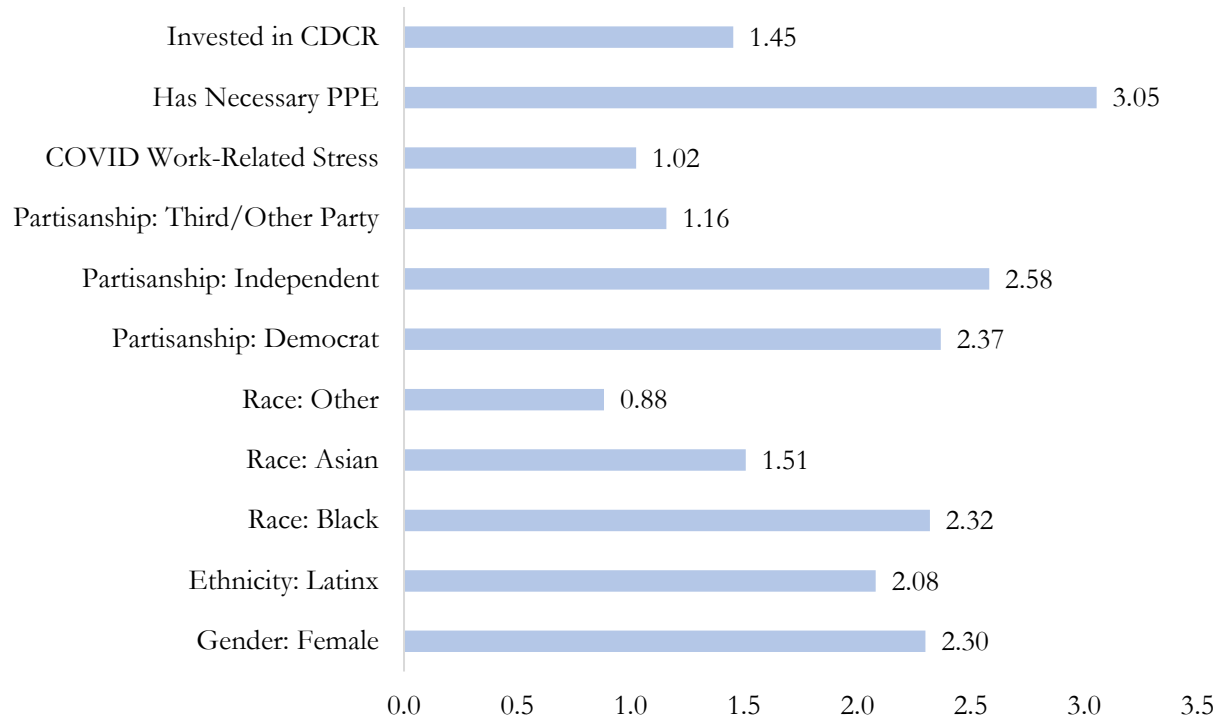


In order to understand further what factors contribute to officers' attitudes towards early release, we use a statistical model to estimate the odds that officers with different characteristics express support for these policies. The outcome of interest is measured as whether officers said they supported or strongly supported at least one of the following policies: early release of some individuals at high risk from contracting COVID-19, and/or early release of some incarcerated individuals who had committed a non-violent offense. We account for a variety of factors, including officer demographics and employment characteristics (i.e., race, ethnicity, gender, political preference, and security level), their experience of COVID-19 (including whether they had experienced symptoms of the virus, and whether they reported additional COVID-related stress at home or work measured by two separate indices), and whether they had access to PPE. We also include an indicator of workplace attachment, measured by officers' self-reported willingness to give more of their own effort to help CDCR as an organization succeed.

Our results suggest clear differences by demographics: those who identified as female, as well as Black and Latinx officers, had twice the odds of indicating support for at least one of these early release policies. Unsurprisingly, political party mattered here as well; both Democrats and Independents had twice the odds of supporting some form of early release, compared to Republicans. But experiences with COVID-19 mattered too, even when we account for these other factors. Specifically, officers who reported having access to PPE had three times greater odds of supporting early release in some form, compared to officers that did not have access to PPE. Additionally, feeling more work-related stress as a result of COVID-19 was associated with increased support of early release of incarcerated individuals. Finally, the more strongly officers agreed that they were willing to put in effort to help CDCR succeed, the more likely they were to support early release in some form. This suggests that officers who are more invested in their work may also be more likely to support policies that protect both themselves and the individuals under their care.¹

¹ These findings were broadly consistent in models predicting support for each early release policy considered separately.

Figure 6: Odds Ratios in Support for Early Release



Note: Results are from binary logistic regression. Also included but not shown: security level, has experienced COVID symptoms, and has experienced additional COVID-related stress at home. These variables were not statistically significant in the full model specification.

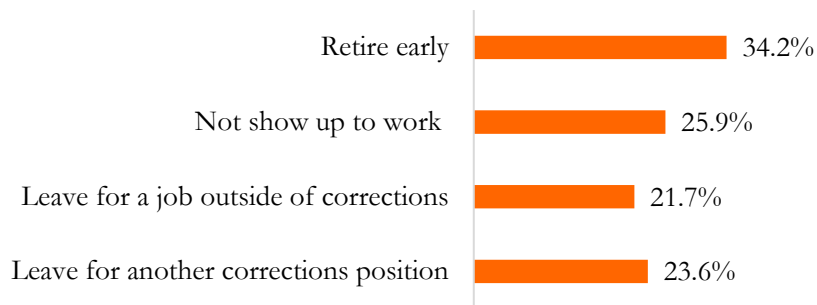
Implications and Discussion

In summary, we find that many California correctional officers are facing substantial work-related stress as a result of the COVID-19 outbreak. Notably, our survey closed in July of 2020. The prevalence of cases inside California’s prisons has increased substantially since that time, potentially exacerbating the work-related difficulties and attendant frustrations correctional officers are experiencing. In the coming months and years, the effects of the pandemic on these workers—as well as the state’s response to the virus—may become even more pronounced.

First, added workplace stressors caused by the virus may well increase officer absenteeism and turnover in both the short and longer term. In our survey, roughly one-quarter of officers reported that the COVID outbreak has made it more likely they will not show up at work. More than one in three officers also indicated that they are more likely to retire early as a result of the outbreak, with over 20% more likely to leave for a job outside of corrections (see Figure 7). To the extent that officers act on their intention, this would exacerbate a long-standing problem of staffing within state corrections,

potentially causing even further strain on remaining workers. This is especially true if the situation in state prisons remains dire or worsens in the coming months.

Figure 7: Percentage Indicating the Virus Has Made Them More Likely To Do the Following:



At the same time, it is clear that a majority of officers are opposed to the sorts of reforms that the state has already begun to implement in order to reduce virus transmission. While CDCR has been widely criticized for inaction and missteps in managing the outbreak—for instance, the Prison Policy Initiative gives California an F+ grade for its efforts to prevent deaths behind bars (Widra & Hayre, 2020)—the state recently announced that an additional 8,000 incarcerated individuals could be eligible for release, on top of the 10,000 that had already been let out of prison (CDCR, 2020a). Given that relatively few officers support policies allowing for early release, there may be political repercussions for officials if these and future population reductions continue to be carried out without further efforts to convince officers that these actions are necessary and appropriate.

Finally, our finding that the large majority of officers do not feel at all understood by Governor Newsom and other state leaders might well have political implications. This is especially true given that a perceived lack of understanding was prevalent even among many of the self-identified Democrats in our sample. It is therefore plausible that, come election time, elected officials will struggle to retain the support of state correctional workers and their families—as well as the powerful union that represents them.

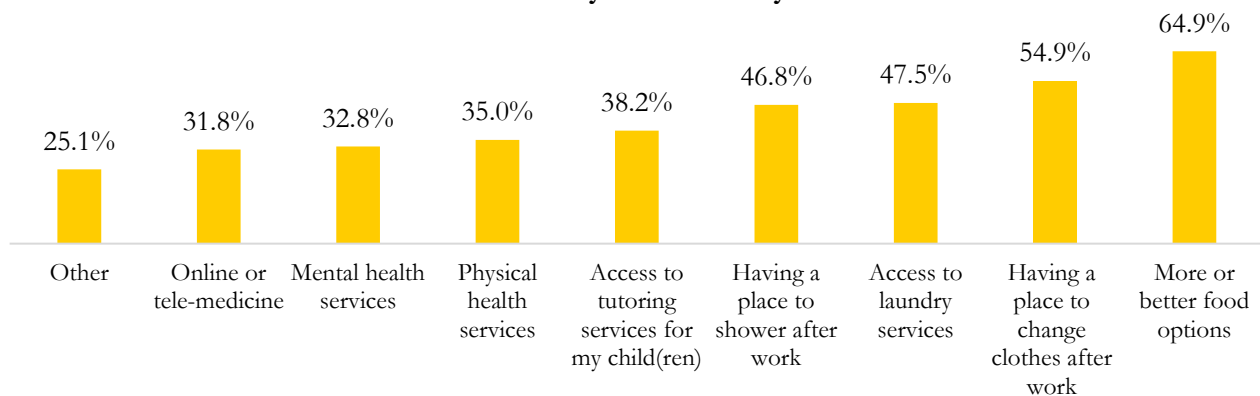
This is not inconsequential. The union representing correctional officers in California has historically been one of the largest donors to local and state-wide political campaigns, giving to both Democratic and Republican political candidates, and has established a formidable lobbying presence in Sacramento (Page, 2013). While the organization’s “electoral largess” shrank in some election cycles of the last decade (Soriano, 2014), the union appears poised to reassert its position. Responding to rising infections and recent COVID-related deaths among prison staff, as well as threats of furloughs, a pay cut and prison closures, union President Glen Stailey announced that: “Today, we recognize that it is time for us to return to the days of old, when we had a much larger footprint in California politics and were referred to as the ‘800-pound gorilla’” (Venteicher, 2020b).

Our survey results do offer some specific recommendations for how state policymakers and correctional leaders can begin to address officers’ concerns. Some of the issues we identify have already been attended to in recent weeks. For instance, issues with both the availability of PPE (CDCR, 2020b) and access to testing for correctional staff (Venteicher, 2020a) have featured prominently in recent efforts. These steps are laudable and must continue.

But other policies and practices still remain to be addressed. Perhaps most concerning, we find that a sizable proportion of officers (39.8%) reported feeling that they would need to go to work even if they were experiencing symptoms of an illness, given existing policies related to pay and sick leave. Policy changes might help to alleviate this tension: we find that the proportion falls somewhat when we ask whether officers would still go to work sick if they had additional sick leave available to them (30.7%), and falls substantially under the hypothetical condition of providing officers with paid administrative leave due to sickness (14.8%).

Addressing even the more basic needs faced by officers during the pandemic could prove exceedingly valuable, too. We asked officers about a range of programs and services that might be useful to them during this time. About a third of officers responded that additional mental and physical health services would be very or extremely useful to them right now. But even larger proportions voiced a desire for assistance reducing the risk of COVID spread to themselves and their families, such as by providing a place for them to shower and change clothes after work, or giving them access to laundry services at work to avoid taking contaminated clothes home. These sorts of additional supports could have substantial benefits to public health, but might also help state policymakers signal a concern for officers’ well-being, in ways that could begin rebuilding trust and understanding between officers and the state’s political and policy actors.

Figure 8: Percentage Reporting Additional Service or Program Type Would be Very or Extremely Useful





References

California Department of Corrections and Rehabilitation (2020a). CDCR announces additional actions to reduce population and maximize space systemwide to address COVID-19. Retrieved from: <https://www.cdcr.ca.gov/news/2020/07/10/cdcr-announces-additional-actions-to-reduce-population-and-maximize-space-systemwide-to-address-covid-19/>

California Department of Corrections and Rehabilitation (2020b). Staff Use of Personal Protective Equipment (PPE). Retrieved from: [https://www.cdcr.ca.gov/covid19/wp-content/uploads/sites/197/2020/04/R_STAFF-USE-PPE.pdf?label=Staff%20Use%20of%20Personal%20Protective%20Equipment%20\(PPE\)&from=https://www.cdcr.ca.gov/covid19/memos-guidelines-messaging/](https://www.cdcr.ca.gov/covid19/wp-content/uploads/sites/197/2020/04/R_STAFF-USE-PPE.pdf?label=Staff%20Use%20of%20Personal%20Protective%20Equipment%20(PPE)&from=https://www.cdcr.ca.gov/covid19/memos-guidelines-messaging/)

Myers, J. (2018). Column: Once an electoral juggernaut, California's prison-guard union steps back into the spotlight. *Los Angeles Times*. Retrieved from: <https://www.latimes.com/politics/la-pol-ca-road-map-prison-guards-union-20180923-story.html>

New York Times (2020). Coronavirus in the U.S.: Latest map and case count. Retrieved from: <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>

Page, J. (2013). *The Toughest Beat: Politics, Punishment, and the Prison Officers Union in California*. Oxford University Press.

Pauly, M. (2020) Coronavirus cases skyrocket at bay area prison after inmate transfers. *Mother Jones*. Retrieved from: <https://www.motherjones.com/crime-justice/2020/06/san-quentin-coronavirus-cases-skyrocket-at-bay-area-prison-after-inmate-transfers/>

Soriano, S. (2014). CCPOA's clout high, but profile low. *Capitol Weekly*. Retrieved from: <https://capitolweekly.net/ccpoa-transition-powerful-low-profile-campaign-spending/>

Venteicher, W. (2020a) California Correctional Officers, Staff at All Prisons to be Tested for COVID-19. *Sacramento Bee*. Retrieved from: <https://www.sacbee.com/news/politics-government/the-state-worker/article243427161.html>

Venteicher, W. (2020b) California prison union wants to be '800 pound gorilla' in politics. Can it win over voters? *Sacramento Bee*. Retrieved from: <https://www.sacbee.com/news/politics-government/the-state-worker/article246020620.html>

Widra, E. and Hayre, D. (2020). Failing Grades: States' Responses to COVID-19 in Jails & Prisons. *Prison Policy Initiative*. Retrieved from: https://www.prisonpolicy.org/reports/failing_grades.html

Williams, B., Cyrus, A., Cloud, D., Augustine, D. Rorvig, L., & Sears, D. (2020). Correctional facilities in the shadow of COVID-19: Unique challenges and proposed solutions. *Health Affairs*. Retrieved from: <https://www.healthaffairs.org/doi/10.1377/hblog20200324.784502/full/>

Appendix

Demographic Comparison:

COVID-19 Survey to California Correctional Officer Survey (2017)

Variable	Level	Frequency	Percentage	CCOS 2017 Comparison
Race	Asian	55	5.03%	3.31%
	Black	57	5.22%	6.97%
	Native Hawaiian, Pacific Islander	28	2.56%	1.70%
	Other Race	95	8.69%	5.84%
	White	521	47.67%	33.53%
Ethnicity	Latinx	422	38.61%	25.53%
Gender	Female	179	16.03%	17.60%
	Male	875	78.33%	82.40%
	Other or Decline to Say	63	5.64%	--
Security Level	I	58	5.24%	5.57%
	II	302	27.31%	25.28%
	III	328	29.66%	28.74%
	IV	418	37.79%	40.41%

Logistic Regression of Support for Either or Both Early Release Policies (Elderly/High-Risk and/or Individuals with Non-Violent Offenses), Includes Clustered Standard Errors on Prison

Variable	Demographics		Demographics & COVID Factors		Demographics & Attitudinal Factors		All Factors	
	OR	SE	OR	SE	OR	SE	OR	SE
Female	2.15**	0.53	2.36***	0.60	2.09**	0.51	2.30**	0.59
Black	2.32*	0.79	2.27*	0.81	2.34**	0.72	2.32**	0.71
Latinx	1.88**	0.45	1.98**	0.50	1.94**	0.47	2.08**	0.53
Asian	1.93	0.89	1.47	0.75	2.01	0.91	1.51	0.75
Other Race	0.71	0.25	0.81	0.28	0.74	0.27	0.88	0.32
Security Level II	1.04	0.54	0.96	0.50	1.03	0.54	0.95	0.49
Security Level III	0.74	0.35	0.68	0.34	0.69	0.32	0.62	0.30
Security Level IV	0.69	0.30	0.65	0.29	0.65	0.28	0.60	0.26
Democrat	2.29*	0.88	2.60*	1.01	2.12	0.82	2.37*	0.94
Independent	2.30**	0.61	2.50***	0.69	2.38***	0.63	2.58***	0.71
Other/Third Party	1.06	0.46	1.18	0.55	1.06	0.45	1.16	0.54
Had COVID Symptoms			1.19	0.31			1.19	0.31
COVID Stress Index: Home			0.99	0.01			0.99	0.01
COVID Stress Index: Work			1.02*	0.01			1.02*	0.01
PPE Access			2.96*	1.32			3.05*	1.34
Willing to Put in More Effort					1.355*	0.17	1.45**	0.19
<i>N</i>	739		732		738		731	