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The Progressive Enslaver:

A History of Repackaged Justifications for Forced Carceral Labor

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Table of Contents

Introduction.....	4
1. The Origins of Penal Labor.....	13
2. Racial Capitalism, Legal Exception, and Convict Labor.....	21
3. The Bureaucratic Facade of “Progressive” Prison Reform.....	32
4. Prison Labor as State Infrastructure: Highways, Camps, and Carceral Geography.....	43
5. Rehabilitation as Management: Vocationalism, Behavioral Science, and the Technocratic Afterlife of Prison Labor.....	55
6. The Managerial Turn: The PIA and the Architecture of Indispensability.....	65
7. The Myths of Carceral Labor: Scientific Evidence and Its Failure.....	73
Conclusion.....	85
References.....	90

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Introduction

To the modern reader, the concept of slavery is a closed chapter in American history, universally understood as a moral evil that was abolished over a century and a half ago. However, the abolition of slavery in the United States came with a fatal caveat. When the Thirteenth Amendment was ratified in 1865, it declared that neither slavery nor involuntary servitude shall exist within the United States, *except as punishment for crime*.¹ This single phrase created a constitutional loophole that allowed the state to inherit what once was an enslaver's role, so long as the individual was first branded a "criminal." For generations, this exception has allowed states, including California, to legally coerce incarcerated individuals to perform grueling labor under the threat of punishment.

In November 2024, California voters had the opportunity to close this loophole. Proposition 6 was a ballot measure designed to remove the "involuntary servitude as punishment for a crime" exception from the state's constitution. It sought to prohibit the California Department of Corrections and Rehabilitation from punishing incarcerated individuals who refused a work assignment. Given California's reputation as a progressive pioneer of social justice reform, the measure's passage seemed like a foregone conclusion.

Instead, it failed, with 53 percent of the electorate voting to maintain the status quo, effectively choosing to keep forced labor legal.² The shocking defeat of Proposition 6 left political analysts and civil rights advocates confused, raising deeply uncomfortable questions. Are Californians pro-slavery? Did a supposedly progressive electorate care more about the

¹ "U.S. Constitution - Thirteenth Amendment | Resources | Constitution Annotated | Congress.Gov | Library of Congress," accessed March 16, 2026, <https://constitution.congress.gov/constitution/amendment-13/>.

² "California Proposition 6, Remove Involuntary Servitude as Punishment for Crime Amendment (2024)," Ballotpedia, accessed February 26, 2026, [https://ballotpedia.org/California_Proposition_6_Remove_Involuntary_Servitude_as_Punishment_for_Crime_Amendment_\(2024\)](https://ballotpedia.org/California_Proposition_6_Remove_Involuntary_Servitude_as_Punishment_for_Crime_Amendment_(2024)).

economics of cheap labor than the fundamental human rights of marginalized people? The mystery only deepened when looking at the rest of the country. In recent years, traditionally conservative, “deep red” states have overwhelmingly voted to abolish their own forced labor loopholes. Similar measures saw over 76 percent approval in Alabama, over 79 percent in Tennessee, and over 80 percent in Utah.³ How could a measure that easily passed in the Deep South fail in California?

Even more confounding is the official California Voter Information Guide. In a highly contested political landscape where corporate spending and partisan warfare usually dominate the ballot box, the page dedicated to the opposition of Proposition 6 was entirely blank. The guide starkly stated, “NO ARGUMENT AGAINST PROPOSITION 6 WAS SUBMITTED.”⁴ There was no organized political party, no corporate coalition, and no law enforcement agency that officially funded an opposition campaign. Yet, the measure was still defeated by millions of votes. The reasons for this rejection lie beneath the surface of the ballot. First, there was an issue of terminology. The official ballot summary used the phrase “involuntary servitude” but noticeably avoided terms like “slavery,” “coercion,” and even “labor,” leaving many voters confused about what they were actually voting to protect or entirely unaware that forced labor was still a legally sanctioned practice in their state.

What was *not* missing in the measure, however, was its fiscal fear. The state’s nonpartisan legislative analyst estimated that ending forced labor without pay could result in a potential increase in criminal justice costs in the “tens of millions of dollars annually.”⁵ Because generations of Californians had already internalized the historical ideals of saving souls, building

³ November 5, 2024, *General Election Voter Information Guide* (California Secretary of State, n.d.), 36.

⁴ “Proposition 6 | Official Voter Information Guide,” California General Election November 5, 2024, California Secretary of State, accessed February 26, 2026, <https://vigarchive.sos.ca.gov/2024/general/quick-reference-guide/6.htm>.

⁵ California Secretary of State, “Proposition 6 | Official Voter Information Guide.”

character, and teaching skills, the system no longer needed to actively defend the morality of forced labor; it could simply rely on those ingrained, now public, justifications while subtly threatening the fiscal consequences of abolition. Given the already high tax burden on Californians, the public shied away from footing what seemed like an additional bill. What taxpayers did not understand was the underlying logic: If incarcerated individuals could refuse to cook the food, clean the facilities, and maintain the prisons for free, the state would be forced to hire salaried staff to do the work, and the taxpayers would pay the price. Had it been stated this way, the results could have been very different.

This political paradox raises the central historical questions driving this research: How did forced labor become so deeply entrenched in the political economy of a supposedly progressive state that its elimination became practically unthinkable? Proposition 6 was written by California legislators and garnered support from labor unions and dozens of advocacy groups who viewed their efforts as part of a national movement to end a racist legacy. Yet, despite institutional support, they were defeated by a status quo that voters refused to dismantle.⁶ How did carceral institutions successfully convince the public, across multiple centuries, that coerced extraction was actually a public good? This thesis explores the historical trajectory of this model, arguing that this political moment was not an inexplicable anomaly. Rather, it was the modern culmination of confusing, overlapping justifications, rationalizations, and normalizations of carceral labor over the last century. By masking forced labor beneath rotating narratives of moral redemption, technocratic employability, and administrative efficiency, the state has rendered involuntary servitude an invisible structural pillar of California's physical and economic survival.

⁶ Cayla Mihalovich, "Anti-Slavery Measure Prop. 6 Fails, Allowing Forced Labor to Continue in California Prisons," Elections, *CalMatters*, November 11, 2024, <https://calmatters.org/politics/elections/2024/11/california-election-result-proposition-6-fails/>.

The Historiographical Landscape

To understand how this system of extraction became so deeply embedded in the state's foundation, it is necessary to situate this study within the broader academic discourse on prison labor and spatial control. Historians of racial capitalism and carceral geography have long interrogated the “legal exception” created by the Thirteenth Amendment, though largely focusing on the American South. Historian Douglas Blackmon exposes how the Southern judicial system was reconfigured to reproduce enslavement through criminalization, transforming the convict into a disposable asset.⁷ Alexander Lichtenstein further identifies the mature form of this economy, where convict labor provides a workforce more controllable than free labor, facilitating modern economic development while maintaining racial domination.⁸

Conversely, scholars of the early American penitentiary have historically focused on the industrial North, tracing how Quaker morality and social reform led to the modern prison. This thesis argues that California effectively built a legal bridge between these two distinct historical paradigms. It took the moral rehabilitative logic of the North and used it to camouflage the extractive, carceral reality of the South. In California, this logic took a distinct, bureaucratic form. Unlike the overt plantation violence of the South, California refined the mechanics of extraction through administrative normalization. As historian Ruth Wilson Gilmore argues, prisons functioned as “geographical solutions” to political-economic crises, allowing the state to mobilize a racialized workforce to secure its frontiers and build its infrastructure.⁹ This thesis builds upon these frameworks by examining how the California carceral state transitioned from

⁷ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II*, Vintage Books edition (Vintage Books, a division of Penguin Random House LLC, 2009).

⁸ Alexander C. Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (Verso, 1996).

⁹ Gilmore, Ruth Wilson. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley: University of California Press, 2007, p. 26.

the raw convict capital of the nineteenth century to the architecture of indispensability that defines the modern California Prison Industry Authority (PIA).

The Origins of the Exception

To understand how California bureaucratized forced labor, one must first trace the origins of the American penitentiary itself. The system was not born as a site of state-sponsored enslavement but was originally conceived in the North as an institution of compassion. In the late eighteenth century, Quaker reformers and the Philadelphia Society for Alleviating the Miseries of Public Prisons (1806) proposed incarceration as a benevolent alternative to corporal punishment of English common law prior to the Revolution. This shift was deeply intertwined with early nineteenth-century social reform movements and driven by a distinctly Christian morality. Believing that crime was a spiritual failing, these reformers framed the penitentiary as a site of penance, arguing that silent reflection and labor could restore a “fallen” individual to “virtue and happiness.”¹⁰ However, by nesting labor inside Christian salvation, these early advocates inadvertently laid the foundation for centuries of ideological justification. If labor were an instrument of moral redemption, then forcing someone to work could be legally and socially reinterpreted as kindness.

By the 1820s, this spiritual ideal hardened into a rigid system of industrial discipline under New York’s Auburn System. Under administrators like Gershom Powers, the goal shifted from spiritual restoration to mechanical compliance, effectively transforming early prisons into factories of obedience. The moral rhetoric survived, but it was stripped of its redemptive promise and repurposed into an apparatus of control designed to stimulate economic development.

¹⁰ Philadelphia Society for Alleviating the Miseries of Public Prisons, *Constitution of the Philadelphia Society for Alleviating the Miseries of Public Prisons*, with U.S. National Library of Medicine (Philadelphia: Printed by Joseph Crukshank, 1806), <http://archive.org/details/101292180.nlm.nih.gov>.

This Northern entanglement of incarceration and capitalism was subsequently codified into the highest law of the land following the Civil War. The ratification of the Thirteenth Amendment in 1865 abolished chattel slavery but explicitly preserved involuntary servitude “as a punishment for crime.” While this exception is often viewed in hindsight as a deliberate loophole, the framers did not necessarily intend to lay the groundwork for a vast carceral system. The phrasing was largely borrowed from pre-existing legal texts like the Northwest Ordinance of 1787, with little foresight regarding how it might be applied in a post-emancipation society.¹¹ Regardless of its original intent, however, this single exception clause created a constitutional haven for coerced labor. It allowed states to inherit the absolute authority of the master, bypassing the moral question of slavery so long as the subjugated individual was first branded a “criminal.”

While Southern states utilized this loophole to build the overtly violent convict leasing system, California absorbed the Auburn logic of industrial discipline but reshaped it to fit the political economy of a rapidly expanding Western frontier. By successfully fusing Northern morality with Southern extraction, the state set the stage for a century of bureaucratic exploitation.

Methodology and the Archival Trace

To effectively deconstruct this century-long rehabilitative myth, it is necessary to look beyond the state’s polished public narratives and examine its internal administrative logic. This study employs qualitative analysis of primary sources, anchored by extensive research conducted both online and in person at the California State Archives. Crucially, during this archival process,

¹¹ George Rutherglen, “State Action, Private Action, and the Thirteenth Amendment,” *Virginia Law Review* 94, no. 6 (2008): 1371–74.

an omission became apparent: the absence of the incarcerated perspective. The state's repositories hold thousands of pages detailing the mechanics, budgets, and policies of prison labor, yet the voices, testimonies, and lived experiences of laborers themselves are missing. This raises the question of whether this erasure is purposeful, a tactic designed to reduce incarcerated individuals to data points. Consequently, the methodological approach of this thesis deliberately departs from taking government data at face value. Instead, this research treats official state documents not as neutral records of objective facts, but as calculated rhetoric.

By critically analyzing archival materials ranging from *Biennial Reports of the Bureau of Labor Statistics* to mid-twentieth-century *Correctional Progress Reports* and modern legislative audits, this research traces the evolution of the state's institutional vocabulary. These documents reveal a deliberate professionalization of administrative language designed to erase the inherent coercion and extraction.

When California inherited this penal model, it quickly codified extractive ideals into its own administrative records. In the 1880s, state reports frankly discussed convict labor as a labor-management problem to be optimized purely for the financial benefit of the burgeoning state. By the 1940s, documents such as the *Manual of Instructions Governing Highway Construction Using Prison Labor* replaced the overt punishment of carceral labor with the subtle mechanisms of rigorous administrative procedures and uniform practice. Incarcerated men building state roads were no longer framed as forced laborers but as participants in a highly structured, bureaucratic enterprise.

Linguistic euphemisms reached their zenith in the 1960s and 1970s. As revealed in the California Department of Corrections' progress reports from this era, the extraction of labor was aggressively reframed as “vocational training” and therapeutic intervention. By adopting the

language of behavioral science, the state successfully detached the concept of crime from structural issues like racial inequality and poverty, pathologizing it instead as an “individual deficiency” that could only be cured through confinement and state-mandated work. While there is no doubt that many individual clinicians and educators operated in good faith to provide genuine rehabilitation, their interventions functioned within this larger framework, often as mere band-aids over a fundamentally extractive enterprise. Because the underlying legal architecture of forced labor remained untouched, these well-meaning reform efforts were consistently co-opted by state administrators to sanitize and sustain the machinery of economic extraction.

Finally, to bridge the historical archives with the modern political reality of Proposition 6, this thesis analyzes the foundational documents and contemporary audits of the California Prison Industry Authority (PIA), established in 1983. By contrasting the PIA’s internal Annual Reports, which boast self-sufficiency and high rehabilitation rates, with external investigations such as the *2011 California State Auditor’s Report* and recent independent longitudinal studies, a staggering empirical gap emerges. Comparing these audits proves that the state bypasses the moral problem of forced labor by selling the public a lie: a false return on investment built on entirely unproven claims of employability.

Roadmap

To deconstruct this century-long rehabilitative myth, the following chapters trace the evolution of California's carceral system across four distinct eras of state-building. The investigation begins by examining the origins of penal labor, contrasting the Quaker vision of moral reformation with the industrial “factories of obedience” established by the Auburn System. From there, the analysis moves westward, exploring how early California utilized the Thirteenth

Amendment's exception clause to transform incarcerated bodies into the raw capital needed to build the frontier. As the state modernized, so did its justifications; early twentieth-century Progressive reforms masked extraction behind a clinical vocabulary, while the mid-century expansion into highway and conservation camps transformed the prisoner into a mobile architect of the state. By the 1960s and 1970s, a technocratic turn aggressively reframed this extraction as behavioral science and employability. Finally, by deconstructing the 1980s managerial turn and the creation of the PIA, this thesis illustrates how coerced labor was embedded so deeply into the state's fiscal architecture that ending it became administratively unthinkable—a reality confirmed by the staggering empirical gap between the state's ambitious rehabilitative promises and the modern reality of labor market exclusion.

1. The Origins of Penal Labor

“The post–Civil War South did not, in fact, invent profit-driven prison labor. Incarceration and capitalism became entangled half a century earlier in the North, in the context of that region’s rising industrialism and gradual abolition of slavery.”

— Robin Bernstein¹²

Moral Foundations of the Early Penitentiary

The American penitentiary was not born as a site of state-sponsored enslavement. On the contrary, it was conceived as an institution of compassion. In the late eighteenth century, as England’s tradition of public executions and corporal punishment began to lose its social legitimacy, a group of Quaker reformers and civic leaders in Philadelphia proposed a radical alternative: a genuine desire to improve the conditions and souls of those who had fallen into criminality and sin. This model actually reflected significant historical continuities. The charitable aim of reforming a criminal’s soul through confinement possessed deep institutional precedents dating back to the Middle Ages and early modern Europe. The Quakers did not invent the concept of benevolent imprisonment; instead, they explicitly presented their efforts as a return to the foundational precepts of Christian mercy, adapting these older European traditions of pastoral care into a formalized framework for the new republic.¹³

The Constitution of the Philadelphia Society for Alleviating the Miseries of Public Prisons (1806) serves as the primary example of this “benevolent” origin. Founded in 1787, the

¹² Robin Bernstein, *Freeman’s Challenge: The Murder That Shook America’s Original Prison for Profit*. (University of Chicago Press, 2024), 14.

¹³ Guy Geltner, *The Medieval Prison: A Social History* (Princeton: Princeton University Press, 2008); Pieter Spierenburg, *The Prison Experience: Disciplinary Institutions and Their Inmates in Early Modern Europe* (New Brunswick: Rutgers University Press, 1991).

Society was among the first American organizations to advocate penitentiary confinement as a moral rather than purely punitive measure. Their constitution was both a declaration of principles and a framework for reform, directed at state officials, civic authorities, and the broader public. Explicitly Christian and humanitarian, its authors insisted that “the obligations of benevolence, which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures”¹⁴ and that the goal of imprisonment was not vengeance but to “restore them to virtue and happiness.”¹⁵ The text argues that moral duty requires society to treat even the most flawed individuals with compassion, insisting that the “follies and crimes” of others do not grant society a “free pass” to abandon their own moral standards of kindness. Moral obligation continues to frame the Society’s mission: its members assert that they must extend “compassion to that part of Mankind”¹⁶ that has sinned and pledged “to devise means for the reformation, and to propose such degrees and modes of punishment as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness.”¹⁷ This document affirms both that even those who broke the law deserved moral concern and that imprisonment was a space for “reformation” and redemption.

On the surface, this rhetoric appears radically compassionate and harmless. However, it became a double-edged sword. At its best, this plan offered the possibility of societal improvement and thus became the preferred mode of punishment for crimes, displacing corporal punishment. At its worst, this reform created a hierarchy that allowed for extreme control under the guise of care. Embedded within the 1806 Constitution is a subtle but powerful assumption: that the incarcerated person is fundamentally deficient and must be reshaped by those who

¹⁴ Philadelphia Society for Alleviating the Miseries of Public Prisons, *The Constitution of the Philadelphia Society* (1806), 3.

¹⁵ Philadelphia Society, *Constitution*, 5-6.

¹⁶ *Ibid.*, 4.

¹⁷ *Ibid.*, 5-6.

preside over them. The desire to “restore them to virtue and happiness” positions the reformer as morally superior and the prisoner as broken. While these ideals may have worked if Quakers had led prison reform forever, they actually laid an unstable foundation for the future of reform. With this forethought, the writers of the constitution specified rules to ensure fair practice: the Society’s Acting Committee “shall visit the Prisons, at least once a Month, enquire into the circumstances of the Prisoners, and report such abuses as they shall discover... They shall examine the influence of confinement or punishment upon the morals of the Prisoners.”¹⁸ Here the Society imagined prison as a moral workshop in which supervisory visitation acted as a kind of pastoral care, designed to improve “the morals of the Prisoners,” not their productivity. Taken at face value, the Constitution lays out practices designed to genuinely help prisoners become better. However, the oversight they put in place was easily and quickly co-opted for more economic values. What began as compassion actually laid a foundation for a long tradition in which coercion was reframed as care.

Crucially, this moral vision was inseparable from labor. The Society did not view work as punishment to be added to a sentence but as the primary vehicle for redemption itself. In the early Philadelphia model, this labor was strictly solitary and artisanal. To prevent moral corruption from other inmates, prisoners remained isolated in their individual cells performing simple handicrafts, such as weaving or shoemaking.¹⁹ Because the primary goal was penitence rather than profit, the work was deliberately designed to occupy the hands while leaving the mind free for spiritual reflection and remorse. In this way, too, the Society implicitly set the stage for “industry” and “constant employment” to co-opt reform mechanisms.

¹⁸ Ibid., 6.

¹⁹ Britannica Editors. “Auburn system.” Encyclopedia Britannica, July 20, 1998.
<https://www.britannica.com/topic/Auburn-system>.

The aspect of labor as a genuine reform strategy here is essential to understanding the future trajectory of prison labor as extraction and exploitation. By nesting labor inside morality, the earliest reformers, perhaps without realizing it, created the foundation for centuries of ideological justification. If work was good, then forcing someone to work could be reinterpreted as kindness. In this way, benevolence and coercion became intertwined from the very start of the American penitentiary. What appeared to be spiritual reconstruction soon gave way to physical and economic exploitation. Nevertheless, the moral language remained, adapted to suit increasingly strict, industrialized, and racialized systems of discipline.

The Rise of Discipline

By the 1820s, the spiritual ideals of early reformers hardened into a rigid system of discipline as the Auburn System developed in New York. While it was celebrated as “an institution praised throughout the United States and Europe for its advanced methods of penal reform,”²⁰ the reality of Auburn represented a fusion of religious tradition and industrial discipline. This unique model of reform functioned through a hybrid of isolation and industry, combining “two popular theories of that time: congregate working quarters and complete solitary confinement.”²¹ As a result, “by day, the prisoners labored together in silence; by night, they slept alone in tiny cells.”²²

In some ways, this regimentation emulated the traditions of Christian monasticism. The enforcement of absolute silence, “Spartan” economic conditions, and communal physical labor mirrored monastic practices aimed at cultivating humility and spiritual growth. However, the

²⁰ David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996), 6.

²¹ Oshinsky, *Worse Than Slavery*, 6.

²² *Ibid.*

Auburn model fundamentally repurposed this religious framework. The state did not abandon the monastic aesthetic; rather, it absorbed these strict routines into a new logic. By maintaining the strict architecture and discipline of the monastery, where “food and clothing were purposely inferior to what the lower classes enjoyed,”²³ administrators successfully cloaked a shifting institutional priority. Under this system, the traditional ideal of physical labor was systematically redirected. What was originally designed as a pathway to spiritual salvation was turned into a mechanism for industrial discipline and state-directed production, ensuring prisoners were “trained in religious instruction and taught the value of hard work.”²⁴ Although the rhetoric maintained a veneer of religious pedagogy, the underlying practices were entirely extractive.

The departure from the Quaker missions of Philadelphia was due to a new group of reformers. In Auburn, “a group of white businessmen built a new kind of prison: one that did not aim primarily to punish, confine, or redeem criminals but instead to stimulate economic development.”²⁵ The prison was transformed into a site of production that “enclosed industrial factories where prisoners were leased to private companies, usually for thirty cents per day.”²⁶ This arrangement created a stark economic divide: while the “prison pocketed this money,” the “prisoners received no cut;”²⁷ the population became the engine of a diverse manufacturing sector. They produced everything from furniture and carpets to combs and goods, which were funneled into the consumer markets of New York State. Ultimately, this system was successful not because it redeemed people, but because it “made Auburn prosperous, internationally admired, and proud.”²⁸ The moral invention of the prison had reached its logical industrial

²³ Ibid.

²⁴ Ibid.

²⁵ Robin Freeman, *Freeman's Challenge: The Murder that Shook America's First Prison for Profit* (Chicago: University of Chicago Press, 2024), 14.

²⁶ Freeman, *Freeman's Challenge*, 14.

²⁷ Ibid.

²⁸ Ibid., 15.

conclusion: it had created a class of people who were, as one warden bluntly stated in 1826, “slaves of the state.”²⁹

Industrial prosperity required more than just factories; it demanded a total transformation of prisoners’ daily existence. For the business of the prison to thrive, prisoners who were once believed to be capable of internal redemption had to be replaced by a body capable of output. The shift from spiritual restoration to mechanical compliance was most clearly articulated in Gershom Powers’ *A Brief Account of the Construction, Management, and Discipline of the New York State Prison at Auburn* (1826).

Where the Philadelphia Society envisioned repentance, Gershom Powers, U.S. Representative, attorney, and law enforcement officer from New York, codified obedience. His *Brief Account* is a different kind of text: it is the voice of a militant administrator. His manual, “General Regulations and Discipline,” translates reformist vocabulary into rules enforceable by prison officers. The transition from reformist vocabulary to enforceable rules represents a pivotal moment in carceral history: the birth of the administrative state.

Powers declared that “each convict shall labor diligently and in silence during the hours of employment” and that “he shall observe a humble sense of his degraded situation.”³⁰ By defining duty as obeying orders, Powers replaces moral growth with a checklist, prioritizing prison management over psychological change. Additionally, the words “humble” and “degraded” retain religious resonance but are repurposed to demand outward compliance. The “humble sense” he demands is no longer a private reconciliation with God but one of submission to the state. Powers goes further, declaring that “the whole duty of a convict, in this Prison, is to

²⁹ Ibid.

³⁰ Gershom Powers, *A Brief Account of the Construction, Management, and Discipline of the New York State Prison at Auburn* (Auburn, NY: U.C. Doubleday, 1826), 3.

obey orders.”³¹ This ideology begins to strip penitence of its original and primary spiritual meaning and defines it as routine obedience.

Another way Powers’ regulations make clear the turn from moral pedagogy to administrative control is through a lack of human expression. He forbids any behavior that might disrupt institutional order: prisoners “shall not laugh, dance, whistle, sing, run, jump, or do anything that will have the least tendency to disturb or alarm the Prison.”³² The list frames everyday human expression as a threat to the penitentiary’s order; the measure of reform becomes behavioral suppression rather than conscience formation. Additionally, Powers imposes strict mechanical time. His account underscores temporal precision through repeated bell signals: “The Steward Turnkey rings a small bell and they instantly sit down to their meals,” and later, “When the Steward perceives the convicts have done eating, or have had ample time for it, he rings the bell, when all rise instantly and march to their shops to labor.”³³ Bell-ringing organizes the day into discrete, enforceable units: meals, work, movement. Thus, moral reform is performed through punctuality and immediate response. Where the Philadelphia Society imagined silence as conducive to prayer and reflection, Powers institutionalizes silence as a mode of efficiency and production. Instead of focusing on moral enlightenment, the prison becomes more of a factory of obedience. The kind of labor performed under the Auburn model underscores that transformation. Prisoners worked in carpentry, shoemaking, weaving, blacksmithing, and similar trades, producing goods for state use and private sale. The demand that convicts “labour diligently and in silence during the hours of employment” ties moral language directly to production; what was presented as restorative work became more about efficiency and an economic resource.

³¹ Powers, *A Brief Account*, 3.

³² *Ibid.*

³³ *Ibid.*, 5.

While there is continuity in vocabulary, both documents speak of “virtue,” “humility,” and “restoration”; a semantic shift occurred. The Constitution insists on restoring prisoners “to virtue and happiness,” whereas Powers demands that convicts maintain “a humble sense of [their] degraded situation.”³⁴ Powers’s regime redefined reform as repetition, obedience, and production. The moral rhetoric survives, but its redemptive promise is structurally overshadowed by its utility as an instrument of control.

The evolution from spiritual reformation to temporal regulation marks a shift in emphasis: American prisons increasingly operated less as houses of penitence and more as factories of obedience. However, the moral framework established in the North did not remain a regional phenomenon. As the United States expanded and the abolition of slavery neared, the Auburn model’s logic, that a prisoner could be simultaneously a “creature to be saved” and a “slave of the state,” provided a convenient legal and ethical blueprint for the rest of the nation. By allowing spiritual redemption to survive as a secondary aim, the state could successfully justify its primary objective: absolute economic extraction.

This Northern “entanglement of incarceration and capitalism”³⁵ would soon be codified into the highest law of the land. In 1865, the Thirteenth Amendment preserved the moral exception of involuntary servitude as a punishment for crime, legally allowing the state to inherit the absolute power of the master under the benevolent guise of the law. This constitutional pivot ensured that the “factories of obedience” in the North would find a brutal, racialized afterlife in the convict leasing systems of the South—and ultimately, in the burgeoning infrastructure projects of early California.

³⁴ Ibid., 3.

³⁵ Freeman, *Freeman’s Challenge*, 14.

2. Racial Capitalism, Legal Exception, and Convict Labor

I now turn from the Auburn System as a founding model to its adaptation within nineteenth-century California. Crucially, California did not merely replicate Northern or Southern carceral traditions. In the postbellum South, the impetus behind carceral labor was explicitly racial: it was designed to re-enslave emancipated Black Americans, reproduce plantation economies, and enforce a rigid caste system. California, however, possessed different racial politics and economic demands. Instead of reproducing a plantation system, California absorbed the Auburn logic of industrial discipline and utilized it to conquer the rapidly expanding Western state. Unlike previous prisons rooted in manufacturing towns, California's penal system developed alongside frontier expansion, infrastructure building, and state formation. In this context, labor was not only a means of discipline within prison walls; it became the main tool for statebuilding.

The following chapter traces the decades after 1865, following the formal end of slavery, during which California transformed incarceration into a system of coerced labor that aligned punishment with economic development. Drawing on the *Biennial Reports of the California Bureau of Labor Statistics*, I argue that Auburn's emphasis on productivity evolved into a state-centered labor regime that blurred the lines between punishment and exploitation.

The reliance on this deeply valued carceral labor, however, faced a profound ideological threat by the mid-nineteenth century. The end of slavery in 1865 and the sweeping momentum of abolitionist rhetoric, which championed self-ownership and the inherent dignity of free labor, had the potential to complicate the nation's penal systems. Logically, the moral arguments used to dismantle Southern chattel slavery could have easily been used to challenge the legality of involuntary carceral labor in the North and West. To prevent this abolitionist momentum from

dismantling profitable prison factories, the state required a constitutional shield. The Thirteenth Amendment, therefore, did not create the concept of forced labor; rather, its exception clause served as a repackaged justification to protect an already thriving carceral economy.

The Thirteenth Amendment

Rather than representing a completely novel legal pivot, the Thirteenth Amendment's exception clause functioned as a strategic repurposing of established legal precedent. The architects of the amendment borrowed the punishment clause directly from earlier foundational texts, including the Northwest Ordinance and the Missouri Compromise.³⁶ However, by elevating this existing language to a national, constitutional level, mandating that neither slavery nor involuntary servitude shall exist "except for as punishment for crime,"³⁷ they did not merely leave a historical loophole; they created a permanent constitutional haven for coerced labor.

Although many legislators at the time likely viewed this clause as standard legal boilerplate rather than a calculated blueprint for mass incarceration, in practice, this "except" functioned as a bridge between the old world of chattel slavery and the new world of carceral management. It became the essential legal basis that allowed the moral framing of the North to merge with the economic extraction of the South. It meant that the state did not have to defend or condemn the morality of slavery; it only had to defend the legality of the conviction and reaffirm the long-standing Northern logic that hard labor possessed a redemptive, moral power. Once an individual was branded a "criminal," the state synthesized the Southern legacy of racial subjugation with the Northern tradition of industrial penal discipline. This absolute authority was

³⁶ George Rutherglen, "State Action, Private Action, and the Thirteenth Amendment," *Virginia Law Review* 94, no. 6 (2008): 1371–74.

³⁷ U.S. Const. amend. XIII, § 1.

now sanitized through the “due process” of the court and justified as a necessary moral intervention.

Convict Leasing and the Reconfiguration of Slavery

Douglas Blackmon’s *Slavery by Another Name* exposes how the Southern criminal legal system was deliberately redesigned to reproduce enslavement. Crucially, this redesign co-opted the older Northern carceral model, a system not originally imagined as racialized or explicitly tied to chattel slavery, and weaponized it under a new legal form. By the turn of the twentieth century, “the South’s judicial system had been wholly reconfigured to make one of its primary purposes the coercion of African Americans.”³⁸ This represented a divergence from Northern practices: rather than focusing on institutional production, the postbellum South manufactured a captive workforce by throwing an alarming number of Black citizens in jail for minor infractions simply to extract cheap, disposable labor. Arrests were often for vague offenses such as vagrancy, unemployment, or “idleness.”³⁹ Arrests criminalized the everyday presence of African Americans rather than actual criminal behavior: one man was charged with vagrancy for simply standing at a train depot he frequented daily.⁴⁰ Once entangled in the system, individuals were fined amounts they could not pay, and failure to pay meant obligatory labor to pay off their “debt to society.”

Under the convict leasing system, men were rented to private farms, coal mines, turpentine camps, or lumber camps, often “more cruel and more deadly than the slave system that it replaced.”⁴¹ Unlike enslavers, who had a reason to keep their enslaved laborers alive,

³⁸ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Anchor Books, 2008), 23.

³⁹ Blackmon, *Slavery by Another Name*, 23.

⁴⁰ *Ibid.*, 382.

⁴¹ *Ibid.*, 9.

convict lessees could be worked to exhaustion, injury, or death with little economic consequence. This shift from the “enslaved as property” to the “convict as disposable asset” represents the evolution of racial capitalism. As Blackmon notes, the antebellum enslaver had a perverse financial interest in the “health” of their property, as an enslaved person represented a lifetime of capital. In contrast, the convict leasing system introduced a disposable workforce. If a leased laborer died in a coal mine or a turpentine camp, the contractor could simply return to the sheriff for a replacement. This created a level of violence that was, in some ways, more efficient and lethal than what preceded it. For state-building, the “criminal” became a renewable resource. This disposability is a recurring theme that transitions from the Southern mines to the California road camps discussed in later chapters. Although postbellum Southern governments and the developing Californian state possessed vastly different political economies, they converged on this central carceral logic. In both instances, the laborer’s life was rendered secondary to the output they provided to their respective states.

Importantly, Blackmon demonstrates that convict labor was not an abuse of the law but rather its fulfillment. The violence was legal, and the exploitation was rationalized. The law, therefore, did not interrupt slavery with its abolition but instead redesigned it. Ultimately, this localized system of racialized extraction did not require novel legislation; rather, the state simply weaponized what was already permitted under earlier legal regimes, turning existing penal loopholes into a sprawling enterprise across the Deep South. As Blackmon demonstrates, the principal centers of this system were built around heavy extraction—specifically coal mining, ironworks, and railroad construction—enriching massive private industrial corporations through the consumption of captive Black labor.⁴² However, as the localized brutality of private corporate leasing faced mounting public and political scrutiny at the turn of the twentieth century, the

⁴² Ibid., 7-8.

carceral landscape shifted once again. Southern states began consolidating their captive workforce, transitioning from decentralized private leasing to massive, state-run agricultural penal plantations, a model most infamously realized at Mississippi's Parchman Farm."

Parchman Farm: the Plantation Prison

While convict leasing outsourced state power to private entities, the emergence of the "state farm" model represented the state's decision to reclaim and manage that exploitation directly. David Oshinsky's *Worse Than Slavery* demonstrates that this transition was not a humanitarian reform but a shift in management. Established in 1904, Parchman Farm was a massive, 20,000-acre Mississippi state penitentiary deliberately designed to replicate the spatial and economic layout of an antebellum plantation.⁴³ The facility operated primarily as a highly lucrative cotton farm, relying entirely on the grueling, sun-to-sun manual labor of a captive workforce to plant, chop, and harvest the state's cash crop. Within this sprawling agricultural enterprise, Black men labored in fields under armed guards and were subjected to whipping, isolation, starvation, and abuse.⁴⁴ Here, the state bypassed the middleman—the private corporate contractor—and became the sole proprietor and primary beneficiary of this coerced agricultural labor, operating with the clear and explicit intention of generating massive state revenue.⁴⁵

Parchman functioned not only as a disciplinary institution but also as a "giant money machine" that "made its cruelty permanent by making it profitable."⁴⁶ This profitability transformed the prison from a site of potential reform into a permanent economic engine. The priorities of the institution were laid bare in its administrative reporting; as Oshinsky notes, the

⁴³ David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996), 109.

⁴⁴ Oshinsky, *Worse Than Slavery*, 110.

⁴⁵ *Ibid.*, 109-110.

⁴⁶ *Ibid.*, 155.

superintendent's "annual report to the legislature is not of salvaged lives. It is a profit and loss statement, with the accent on the profit."⁴⁷ As long as labor produced revenue, the system was viewed not as a moral failure but as an institutional success.

Crucially, Parchman established a template for the modern carceral state by successfully replacing the institutional confinement of slavery with the institutional confinement of the prison yard. This new model maintained a rhetorical veneer of "rehabilitation" while the material reality remained one of extraction. The transition was best exemplified by James K. Vardaman, the "White Chief" who built the farm; he argued that the plantation would "socialize" young Black men "within the limits of their God-given abilities."⁴⁸ However, this "socialization" was explicitly designed to enforce a racial caste rather than encourage growth. Vardaman viewed education as a dangerous tool that "made [the Negro] yearn for things he could never achieve" and led him to ponder "forbidden topics as social equality."⁴⁹ By defining the Black man as a "lazy, lying, lustful animal" whose behavior "resembles the hog's," Vardaman reframed the brutal labor of Parchman not as a moral failure, but as a necessary administrative response to a "savage" nature.⁵⁰

This contradiction, where violence occurs beneath the surface of administrative "improvement," is the essential link to the California model. If the Southern plantation prison was the overt, physical manifestation of the 13th Amendment's exception clause, California represented its bureaucratic refinement. In both regions, the state used the "criminal" label to strip individuals of their right to their own labor, simply swapping the cotton field for the rock quarry and the public road.

⁴⁷ Ibid., 139.

⁴⁸ Ibid., 110.

⁴⁹ Ibid., 89.

⁵⁰ Ibid., 87.

Convict As Capital

The transition from the Southern plantation to the California road camp is best understood through the lens of “convict capital.” Alexander Lichtenstein’s *Twice the Work of Free Labor* places convict labor within a broader framework of racial capitalism—a theory pioneered by the University of California, Santa Barbara’s Cedric Robinson—arguing that these systems were not archaic remnants of racism but rather a “central component” of regional “modernization.”⁵¹ This approach echoes Douglas Blackmon’s research into the Southern judicial system’s reconfiguration, but with a shift in the beneficiary of that labor. While Blackmon illustrates how the “criminal” was manufactured to enrich private corporate interests, Lichtenstein argues that this labor was simultaneously utilized to build the public infrastructure of a “New South.” By transforming incarcerated men into controlled, expendable economic assets, the state effectively modernized the logic of the plantation. Lichtenstein notes that “convict labor made modern economic development of the South’s resources compatible with the maintenance of racial domination.”⁵²

Because the state held absolute control over the prisoners’ bodies, movement, and labor, incarcerated workers functioned as a “perfect” workforce: they could be forced to labor longer hours for no wages, without the right to protest, unionize, or leave. In this hybrid labor regime, the state used the “criminal” label to bypass the traditional negotiations required by free labor. For officials who could no longer give out arbitrary punishment to the formerly enslaved, “the criminal justice system served as a prime means of racial control and labor exploitation.”⁵³

⁵¹ Alexander C. Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*. (Verso, 1996), XVII

⁵² Lichtenstein, *Twice the Work of Free Labor*, 5.

⁵³ *Ibid.*, 18.

Without the incentive of wages or the threat of dismissal, violence became a calculated management strategy used to ensure productivity.

When Alexander Lichtenstein describes convict labor as a “modern strategy of economic development,” he challenges the idea that forced labor is a remnant of an “uncivilized” past. Instead, he positions it as a prerequisite for the modern state. In California, this took the form of “spatial management.” The state used the legal exception of the 13th Amendment to mobilize a racialized workforce to secure its frontiers and build its infrastructure. As the system evolved from private leasing into public works, a prisoner's conditions became “more deplorable than it ever was in antebellum days,” to the point where a convict often “invites the bullet of a guard as a desirable alternative and desperate relief from a condition to which death is preferred.”⁵⁴

By transforming the incarcerated body into convict capital, California was able to solve two problems at once: It suppressed a perceived social threat through criminalization and simultaneously funded the physical expansion of the state through unpaid toil. This was not a tragic error but a rational, calculated, and profitable system embedded in law. Importantly, this logic did not disappear with the formal abolition of convict leasing, which phased out across the country between the 1890s and 1920s. Instead, as public scandals involving the lethal conditions of private coal mines and turpentine camps made corporate leasing a political liability, the state moved to eliminate the private “middleman.” This transition was not a step toward liberation but a move toward centralization; the logic of the plantation was absorbed, bureaucratized, and modernized—reimagined as infrastructure and vocational training to make the extraction of labor appear both benign and progressive.

California and the Bureaucratization of Coercion

⁵⁴ Ibid., 185

California did not rely on large-scale private convict leasing to the same extent as Mississippi or Alabama. Instead, the “convict capital”⁵⁵ described by Lichtenstein was deliberately absorbed into the state’s own administration in the late nineteenth century, transforming the prison from a private revenue source into a tool of state formation. The *Biennial Report of the California Bureau of Labor Statistics* (BLS) (1882-1884) reveals how convict labor persisted through bureaucratic normalization rather than overt plantation violence. Produced for legislators and state officials, these reports treat convict labor not as a moral dilemma, but as a labor-management problem to be optimized.

While the sources documenting these eras differ in tone—moving from the theological “misery” found in the accounts of early reformers like Gershom Powers to the clinical audits of the California Board of Labor Statistics—this shift is itself evidence of the repackaging at the heart of the progressive carceral state. In the nineteenth century, forced labor was a moral debate recorded in religious and reformist tracts. By the twentieth century, California had successfully moved that debate into the realm of administrative science. The moral dilemma was not resolved; it was simply buried under the professional language of biennial reports and cost optimization. By comparing these disparate archives, we can see exactly how the state sanitized the record, turning a human rights issue into a balance sheet to make the extraction of labor appear as a benign necessity of modern governance.

The report makes clear that incarcerated people were required to work “for the benefit of the state,”⁵⁶ framing forced labor not as a choice but as a mandatory form of atonement. By defining labor as the repayment of a debt to society, the state could align the moral language of rehabilitation with the economic goal of maximizing state revenue. Although California’s 1879

⁵⁵ *Ibid.*, 13.

⁵⁶ *California Bureau of Labor Statistics of California 1st Report, 1883-1884* (State Office, James J. Ayers, Supt. State Printing, 1884), <https://hdl.handle.net/2027/hvd.32044097824601?urlappend=%3Bseq=3>, 144.

Constitution formally prohibited the “contract system”⁵⁷ of leasing out prisoners, the BLS report reveals the persistence of the underlying logic: “The old contract system is still as active as it ever was, although masquerading under another name.”⁵⁸ This “masquerade” allowed the state to disguise carceral extraction as a restorative process, maintaining the Auburn System’s productivity while insulating itself from the political fallout associated with Southern-style private leasing.

In this state-managed system, convict labor was priced, measured, and evaluated according to productivity and cost-efficiency. The state valued this coerced labor at “forty to fifty cents per day,”⁵⁹ a rate that allowed the government to fund massive infrastructure projects such as roads, breakwaters, and the quarrying of granite at Folsom at a fraction of market cost. Officials openly recognized that prison-made goods and state-run quarries undercut free labor markets, noting the “unfair competition” between coerced workers and “honest and law-abiding labor.”⁶⁰ Here, the state’s role was not to reform the prisoner but to balance the degradation of the incarcerated against the economic utility of the state’s growth.

Significantly, the 1884 BLS report frames its opposition to the contract system not as a humanitarian concern for the prisoner but as a defense of the “home working man.”⁶¹ By labeling the competition from both “pauper” immigrants and convicts as a “blow at the interest of both labor and capital,” the state justified its takeover of carceral labor as a move to eliminate “unfair competition.”⁶² Within this framework, the moral dilemma of forced labor was rebranded as a market-management problem. While reformist rhetoric of atonement may have persisted in

⁵⁷ “Constitution of the State of California,” Constitution, State Office: J. D. Young, Supt. State Printing, 1880, Article X, Section 6. XXXIV.

⁵⁸ Bureau of Labor Statistics, *First Biennial Report*, 159.

⁵⁹ *Ibid.*, 154.

⁶⁰ *Ibid.*, 159.

⁶¹ *Ibid.*, 158.

⁶² *Ibid.*

public, the BLS audits reveal that the state's primary goal was to maximize the economic utility of the criminal without destabilizing the private labor market.

In California, the state's power did not rely on the publicly visible violence of the Southern whipping post; instead, it functioned through the quiet efficiency of administrative reports and statutory mandates. The "violence" of the California system was not necessarily physical but structural—legalized through the coercion of the Thirteenth Amendment's exception clause, which transformed the prisoner into a state-owned asset. By shifting labor management from the plantation to the bureaucracy, the state refined the mechanics of extraction while avoiding the political scandals associated with overt brutality. California thus rejected the optics of the plantation but perfected the "Progressive" facade of forced labor, ensuring that the "criminal" remained a permanent, unpaid architect of the Western frontier.

3. The Bureaucratic Facade of “Progressive” Prison Reform (1903-1922)

Defining Progressive Reform and the Scientific Turn

The transition of the California carceral landscape in the early twentieth century was defined by a pivot from raw industrial extraction to a sophisticated, “scientific” management. While the state’s economic agencies in the late nineteenth century justified prison labor through a logic of pure utility, treating the prisoner as a unit of “convict capital” essential to building the state’s infrastructure, the arrival of the Progressive Era introduced a more professionalized framework of governance. The “newness” of this era lay in its shift toward what historian Khalil G. Muhammad describes as a “statistical discourse on black criminality,” which he notes was a “modern invention” that allowed for reformers to categorize populations in new, clinical ways.⁶³

Crucially, the scientific turn was an urban reform movement designed to address social problems through expert-led reform, but those problems did not include systemic racism. As Muhammad notes, “Progressive era white race-relations writers frequently asserted that racism had nothing to do with black criminality. They... critiqued black criminality in what they perceived to be race-neutral language.”⁶⁴ Because reformers claimed that the numbers “speak for themselves,” they could easily adopt the defensive posture of “I am not a racist.”⁶⁵ By relying on these supposedly objective metrics, reformers effectively sanitized existing racial hierarchies under the guise of administrative science.

In California, this drive toward professionalization was codified in 1903 with the establishment of the State Board of Charities and Corrections. Tasked with imposing rational

⁶³ Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America, With a New Preface* (Harvard University Press, 2019), 4.

⁶⁴ Muhammad, *The Condemnation of Blackness*, 8.

⁶⁵ Ibid.

oversight on a burgeoning but disorganized network of institutions, the Board functioned as the administrative engine of this new era, masking the continued extraction of coerced labor beneath a sterile, bureaucratic vocabulary of “due economy.”⁶⁶

This Progressive reform did not represent a humanitarian retreat from coercion but rather its ideological professionalization. Crime was reimagined as a social pathology, a treatable “disease” that required a controlled, clinical environment for correction. As historian Ruth Wilson Gilmore notes, the state often reorganizes crises rather than resolving them; in this era, the “crisis” of prison violence was reorganized into a “crisis” of social hygiene and management.⁶⁷ This medicalized lens introduced a new carceral doctrine: the belief that character was a product of “habitual practice” rather than moral reflection.

At the same time, this shift did not represent the end of the reformist desire to “save souls,” but rather its secularization into the language of psychology and administrative science. Even as the state prioritized economic utility, the underlying belief in the possibility of rehabilitation remained. The fascination with psychology in this era was not merely a strategic “fig leaf”; for many reformers, it represented a sincere, modern evolution of the Quaker mission to restore the “fallen.” By replacing the 19th-century goal of spiritual redemption with the 20th-century goal of psychological “fitness,” the state preserved the moral core of the person, ensuring that the “saved soul” was also a disciplined, manageable, and productive rehabilitated character. The blend of motives ensured that convict labor was both productive and appealing to those interested in true rehabilitation efforts.

⁶⁶ *First Biennial Report of the State Board of Charities and Corrections of the State of California 1903/1904* (The State Board of Charities and Corrections of the State of California, 1904), <https://hdl.handle.net/2027/mdp.39015055392339?urlappend=%3Bseq=7>, 9.

⁶⁷ Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*, 1st ed. (University of California Press, 2007). 26.

The professionalization of punishment necessitated the rise of the “expert” administrator. Oversight was transferred from political appointees to a new category of specialized inspectors whose *Biennial Reports* provide a unique window into this era. These documents were not intended for public consumption but for the legislature; as such, they reveal an internal, administrative logic that allowed reformers to categorize populations in new, clinical ways. Under this regime, the prisoner was no longer merely an object of state property but a member of a population to be sorted and measured through scientific classification, justifying the continued reality of labor exploitation through a sterile, bureaucratic vocabulary.

While the “diseased character” of the Progressive Era mirrored the “fallen soul” of the nineteenth century, the novelty lay in its ideological professionalization. Labor was no longer marketed as a religious penance but as a clinical necessity for a pathology that could be measured, classified, and cured through the direction of the administrative state.

Good Intentions

It is essential to acknowledge that the reformers of the State Board of Charities and Corrections were often driven by a genuine desire to alleviate the most visceral horrors of 19th-century incarceration. In their eyes, the move toward habitual practice and vocational training was a compassionate alternative to the indiscriminate violence of the Southern lease system or the total sensory deprivation of early Northern penitentiaries. By rejecting the lethal neglect of Southern coal mines and cotton plantations and the psychological torture of the Northern silent system, these reformers believed they were creating a middle path of “productive” reform.

These reformers saw themselves as protectors, seeking to replace abuse with individualized character development. However, the shift represented more than a mere rebranding of the nineteenth-century focus on the “soul.” While both models targeted individual transformation, the Progressive Era replaced theological categories of “sin” and “redemption” with the secular authority of social science. In the early 1800s, hard labor was a form of silent penance intended to save a fallen soul; by the 1900s, it had become a therapeutic necessity for a diagnosed pathology. By viewing the prisoner through this clinical lens, these reformers shifted the blame from the system to the individual in a fundamentally new way.

Consequently, this clinical lens created a divide between those deemed “fit” for reform and those deemed “pathologically criminal.” As Muhammad explains, this era was marked by the “framing [of] white criminals sympathetically as victims of industrialization” while simultaneously juxtaposing them against an “army of self-destructive and pathological blacks who were their ‘own worst enem[ies].’”⁶⁸ Criminality being viewed as a “social pathology” effectively shifted the burden of success from the state and the white community to the prisoner’s “psychology.” By framing labor as therapy, the state turned the prisoners’ failures into a symptom of their personal character rather than the failure to “invest sufficient material resources into the uplift of African American urbanites, advising these communities to ‘work out their own salvation’ before others could help them.”⁶⁹ While the nineteenth century featured a moral debate about the state’s right to punish, the twentieth-century debate shifted toward the individual’s “fitness” for reform. This is the key difference: while a soul was universally eligible for salvation through prayer, a character could be scientifically diagnosed as unreformable.

⁶⁸ Muhammad, *The Condemnation of Blackness*, 8.

⁶⁹ *Ibid.*, 10.

This logic of “fitness” provided the administrative justification for ongoing confinement and, by extension, for a larger workforce. If a prisoner was deemed “unfit” for the modern reformatory method, they were not merely a sinner to be pitied but a biological or psychological liability. For those diagnosed with “innate self-destructive tendencies,” social and economic conditions were seen as having “absolutely nothing to do with black criminality.”⁷⁰ For these “unfit” subjects, the clinical framework suggested that no amount of trade classes or “honor” systems could spark reform. This allowed the state to argue that grueling, extractive labor, as in the Folsom quarries, was the only appropriate management for a character that was fundamentally resistant to the Progressive “cure.”

Ultimately, this brand of benevolence, administered through a state bureaucracy, functioned as an instrument of power that rendered forced labor compatible with the language of progress. The reports thus reveal how reformers reconciled ideals of moral improvement with a continued reliance on coerced labor, stabilizing punitive structures by making them appear both rational and humane for the “fit,” while justifying the permanent removal and exploitation of those deemed pathologically unreformable.

Administrative Oversight and the Appearance of Reform

By the early twentieth century, California’s prison system was reorganized under a belief that a central, professional authority could address the competing demands of humanitarianism and fiscal conservatism. In its inaugural 1903-1904 report, the Board of Charities and Corrections articulated its purpose as a balancing act of institutional efficiency: “In inspecting an institution we aim to see every part of it, to see all of the inmates, to know how everyone is treated and cared for... and in general to ascertain whether without abuse and with due economy

⁷⁰ Ibid., 35.

the institution is fulfilling the purposes... for which it was created.”⁷¹ The language here appears progressive: it promises care, oversight, and the avoidance of “abuse.” However, by anchoring their authority in “due economy,” the state signaled that its priority was the management of institutional costs.

The Board’s foundational project, a statewide “census of the jail and pauper classes,” was conducted with a “view to gathering data upon which to recommend measures tending to the reduction of the now large cost”⁷² of these populations. This census is a manifestation of what Muhammad describes as “statistical discourse,” a modern invention that allowed the state to define populations through numbers rather than legal rights. By grouping the jail population with the indigent, the Board framed the convict not as a unique legal subject but as a generic “costly burden.”

This data-driven approach provided the “race-neutral” shield necessary to justify intensive labor extraction. If the census proved that certain populations were a financial liability, then forced labor was the rational administrative solution to achieve “due economy.” In this context, the census served as a diagnostic tool that labeled specific communities as “unfit” or “costly,” thereby legitimizing the hazardous labor of the Folsom quarries as a fiscal necessity. The primary concern was no longer the morality of the punishment but the optimization of the “social burden” through the productive extraction of labor.

Habit, Labor, and the Illusion of Reformation

Labor became rebranded as a mechanism for character engineering. While the older Auburn model utilized work as a form of silent penance, the State Board of Charities argued that

⁷¹ Board of Charities and Corrections, *First Biennial Report*, 9.

⁷² *Ibid.*

“moral regeneration” could only be achieved through “habitual practice—by habitude.”⁷³ In this Progressive framework, the prisoner was no longer working to repent but working to be “cured” of a diagnosed social pathology.

The Board justified this invasive approach by arguing that prisoners were often “unappreciative of the reasonableness and profitableness of right behavior” and “devoid of, or greatly deficient in the feelings of sympathy” that restrain “normal” characters.⁷⁴ Because these subjects were seen as unresponsive to moral appeals, the state used their “one motive—love of liberty” to force them to “regulate themselves according to the plan mapped out for them.”⁷⁵ By using the indeterminate sentence as a lever, the state ensured that the prisoner’s “entire conscious life and conduct... [would] be placed under unceasing direction.”⁷⁶ Rehabilitation was thus also redefined: it was no longer a change of heart, but the successful adoption of a state-mandated behavioral blueprint.

Labor functioned as the primary mechanism for this “habitual practice.” The Board’s advocacy for “manual training for prisoners who are exceptionally defective”⁷⁷ reveals the eugenicist underpinnings of the era. In this logic, criminality was a marker of genetic inferiority that social science could categorize but not always correct. For those labeled “exceptionally defective,” their categorization justified a permanent quarantine from society to prevent the procreation of what was deemed a pathologically criminal class.

These “unfit” individuals spent their time at “the rock quarries at Folsom,” for example. While the Board acknowledged the quarries provided a “very satisfactory field of labor” for the state’s infrastructure needs, they admitted the work was “not at all suitable for the forms of

⁷³ Ibid., 13.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid., 14.

⁷⁷ Ibid.

industry required in a reformatory where instruction in various trades is a necessary part of the treatment.”⁷⁸ This admission highlights the persistent contradiction of the Progressive era. While reformers claimed to be fostering “the tastes and habits of a reputable life,”⁷⁹ they continued to deploy those deemed “defective” in hazardous, extractive labor that served the state’s budget rather than the prisoners’ future.

By asserting that “to form a habit is to create character,” the state reframed physically demanding exertion as a therapeutic necessity. Yet, the Board openly acknowledged the punitive utility of this system, noting that the thing “most dreaded by the ‘hobo’ and the common criminal [is] labor.”⁸⁰ Here, the mask of benevolence slips. Labor was not merely a cure; it was also a “deterrent,”⁸¹ designed to be so punishing that it functioned as a method of control for those deemed resistant to the “modern” plan. This proves that the Progressive Era’s “good intentions” were ultimately anchored in the same logic that defined the 1880s, just sanitized through a clinical vocabulary of self-regulation and “habitude.”

Folsom State Prison, 1921: Bureaucracy and the Management of Coercion

The 1921 inspection report of Folsom State Prison exemplifies exactly how these new administrative ideals were implemented at the institutional level. Authored by an outside inspector rather than prison officials, the document adopts a clinical, systematic perspective, cataloging intake procedures, medical examinations, sanitation, diet, and most significantly, labor assignments.

⁷⁸ Ibid., 16.

⁷⁹ Ibid., 13.

⁸⁰ Ibid., 44.

⁸¹ Ibid.

At Folsom, incarcerated labor was not merely a supplement to the punitive experience but the engine that sustained every function of the prison. The report catalogs a diverse array of labor assignments; prisoners worked in the laundry, kitchen, tailor shop, shoe shop, farm, gardens, carpentry, plumbing, painting, and quarrying. These jobs reveal that the prison functioned as a self-sustaining industrial unit. Assignment decisions were made by “the captain of the guard,” who was tasked with balancing the prisoners’ “physical condition” and “previous training” against the shifting “needs of various departments.”⁸²

This administrative logic was not a departure from the Board’s “scientific” ideals, nor was it a case of high-minded reform becoming muddled. Rather, it was the practical application of a philosophy that viewed productivity as the primary metric of reform. While the Board’s rhetoric prioritized “moral habituation,” they simultaneously praised Folsom’s management for its “discipline” and “economy.”⁸³

In this framework, there was no contradiction between “rehabilitation” and “extraction”: a prisoner who was “efficiently deployed” was, by definition, a prisoner who was demonstrating the “habits of a reputable life.” By approaching inmates as units of labor systematically deployed for state objectives, both prison inspectors and Board officials successfully merged the humanitarian goal of “correction” with the fiscal goal of “due economy.” This bureaucratic alignment did not fail to implement reform; it successfully reorganized the raw extraction of convict capital into the modern language of vocational placement and individualized “fitness.”

This rhetorical erasure of exploitation reached its peak in the report’s discussion of the Folsom quarries. Although the quarries were described as the “least desirable” assignment, the

⁸² Don Chaddock, “1921: A Snapshot of Life in Folsom Prison,” California Department of Corrections and Rehabilitation, *Inside CDCR*, April 6, 2017, <https://www.cdcr.ca.gov/insidecdcr/2017/04/06/cdcr-time-capsule-1921-folsom-report-gives-snapshot-of-life-behind-the-walls/>.

⁸³ Board of Charities and Corrections, *First Biennial Report*, 20.

report notes that prisoners technically worked “half a day only,” even though they remained at the site all day. This euphemistic managerial language served to soften the brutal reality of the hazardous, physically taxing labor the prisoners endured. Instead of acknowledging the physical toll, the “task system” was praised as “an incentive to application and greater production,” allowing the state to rationalize the success of progressive oversight.

The implementation of this administrative logic was most visible in the establishment of highway construction camps, which functioned as an extension of the prison walls. In these camps, as documented in the 1921 report, prisoners worked “strictly on their honor” without armed guards and received “two days for each day they work” as extra good time.⁸⁴ On the surface, the highway camp appeared as a triumph of Progressive benevolence, an opportunity for trust and independence that acknowledged the prisoner’s capacity for self-reform. However, this “honor system” served as the ultimate diagnostic tool for the “scientific” state. By incentivizing compliance with the promise of early release, the state effectively turned the prisoner into their own guard. The honor system and good-time credits encouraged self-discipline, presenting coercion as self-governance. This maneuver allowed the state to expand its infrastructure while maintaining a high-stakes disciplinary tool: any failure of “honor” or evidence of being “unfit” resulted in a return to the grueling, “dreaded” conditions of the Folsom quarries.

Warden Smith extended this logic by proposing the development of a new prison factory, suggesting that prisoners could “earn their own maintenance and something additional toward the support of their families.”⁸⁵ By linking forced extraction to civic and family responsibility, the state successfully recast coerced labor as a moral and social duty.

⁸⁴ CDCR, *1921: A Snapshot of Life in Folsom Prison.*

⁸⁵Ibid.

California's early twentieth-century prison system demonstrates that what passed for progressive reform was, in practice, a bureaucratic management of labor exploitation. Oversight, classification, habit formation, and incentive structures framed labor as educational, moralizing, and efficient, but these were rhetorical tools designed to legitimize coercion rather than reduce it.

The promise of fostering "good habits" and "preparation for the future" fell short in its practical application. While the Board's doctrine claimed to cultivate "the tastes and habits of a reputable life" through trade instruction, the reality at Folsom was an extractive industry. Consequently, the promised benefit of "re-entry" was sacrificed for institutional functioning. Labor remained compulsory and physically demanding, yet branded as a necessity for "social hygiene." Rather than embodying the humanitarian ideals they championed, administrators functioned as managers of coercion, using reformist rhetoric to stabilize a system of forced labor that would shape the California carceral state for decades to come.

4. Prison Labor as State Infrastructure: Highways, Camps, and California's Carceral Geography

Industrial Transition

While the early twentieth century was defined by the internal professionalization of the prison, specifically the attempt to engineer the “character” of the individual through institutional routine, the arrival of the 1940s marked a shift in the scale of the state’s carceral ambitions. To understand this jump, one must look to the historic failure of California’s early infrastructure. Since the 1850s, California had struggled to traverse a “sparsely populated land mass”⁸⁶ defined by mountain ranges and deserts that hindered the movement of goods and people. Early attempts at connectivity through “turnpikes, plank roads, and wagon roads” were often private, disorganized, and geographically limited.⁸⁷

By the mid-twentieth century, the state’s growing post-war population transformed this old logistical problem into an urgent political-economic crisis. The bureaucratic framework established in the 1920s, which reimagined the prisoner as a manageable, “scientific” unit, provided the necessary logic to solve this century-old “hinterland” problem. The state finally possessed both the administrative oversight and the “surplus” human capital needed to conquer the terrain that had remained difficult since the gold rush.⁸⁸ Consequently, the 1940s saw the logic of “moral habituation” repurposed into a mechanism for large-scale state-building. The prisoner was no longer only a subject of internal reform but was transformed into a mobile

⁸⁶ Linda Johnson, “Getting ‘There’ Was Difficult: Turnpikes, Plank Roads, Wagon Roads, and Toll Roads,” *California Originals, A Quarterly Newsletter of the California State Archives*, Summer 2016, 1.

⁸⁷ Johnson, “Getting ‘There’ Was Difficult,” 1.

⁸⁸ *Ibid.*

architect of the state, tasked with securing the state connectivity that private corporations and early legislatures had failed to achieve.

Prison Labor and the Making of the California State

California's use of prison labor in highway construction, forestry camps, and conservation projects represents a crucial transformation in the functional logic of incarceration. Rather than serving primarily as sites of punishment or rehabilitation, prisons became embedded in the state's physical expansion. As Ruth Wilson Gilmore argues in *Golden Gulag*, prisons function as “partial geographical solutions to political economic crises, organized by the state, which itself is in crisis.”⁸⁹ In California, the crisis was the “surplus,” specifically surplus labor in overcrowded urban centers and surplus land in the underdeveloped wilderness. By relocating the prisoner to the frontier, the state “fixed” two problems at once: it cleared urban space and built rural value through a process Gilmore identifies as the spatial reorganization of social problems.⁹⁰

To understand how this was conveyed to the public, one must look to the 1953 publication *How Prisoners Can Become Community Assets*, produced by the California Correctional Industries Commission. In a calculated move to reconcile the state's demand for cheap labor with the liberal values of the post-war era, the state continued to deploy the vocabulary of rehabilitation from the previous era but altered its purpose to serve the state's physical and economic expansion. By framing the prisoner not as a “Forgotten Man” but as a

⁸⁹ Gilmore, *Golden Gulag*, 26.

⁹⁰ Gilmore, *Golden Gulag*, 69.

“human being who can become a community asset,”⁹¹ the state effectively made this seem like a positive outcome for inmates. The Department of Corrections was characterized as a unit designed to “return to free society the largest possible number of rehabilitated individuals as community assets,”⁹² yet the report explicitly argued that “every dollar spent in accomplishing rehabilitation saves many dollars in later police and court costs.”⁹³ This rhetoric reframed the state as a facilitator of social reintegration while simultaneously stripping rehabilitation of its humanistic intent and redefining it as a strict cost-avoidance strategy. In this model, the prisoner's worth was no longer measured by their penitence or character but by their utility to the “general welfare”⁹⁴ of the state's economy. This economic “rehabilitation” was operated through “Reception-Guidance Centers,” where specialists, from sociologists to psychiatrists, subjected prisoners to clinical scrutiny to ensure their “work assignments” matched institutional quotas “based on the job requirements, funds available, and availability of inmates.”⁹⁵ Ultimately, the state utilized the guise of medicalized reform from the previous era to accurately sort incarcerated people into the most efficient labor roles for expansion.

Highway Camps and the Normalization of Carceral Labor

The technical execution of this expansion is codified in the *Manual of Instructions Governing Highway Construction Using Prison Labor* (1946). This document demonstrates that by the mid-1940s, prison labor had transitioned from an experimental reform into a routine,

⁹¹ *How Prisoners Can Become Community Assets: A Publication of the California Correctional Industries Commission* (California Correctional Industries Commission, 1952), Department of Corrections, 3.

⁹² Correctional Industries Commission, *How Prisoners Can Become Community Assets*, 4.

⁹³ *Ibid.*, 2.

⁹⁴ *Ibid.*, 3.

⁹⁵ *Ibid.*, 7.

permanent fixture of state development. By regulating camps through a standard instruction manual, the state effectively normalized forced labor, treating mass extraction as a mundane bureaucratic task. The manual notes its primary purpose is “developing uniformity of practice in matters pertaining to the construction of highways with prison labor.”⁹⁶ By creating a manual to “develop uniformity of practice,” the state essentially stripped the carceral act of its violence and replaced it with a rigorous administrative procedure.

This normalization relied on an authority that institutionalized the dual nature of the prisoner. The manual stipulates that while “designation and supervision of road work is vested in the Division of Highways,” the “prison authorities have full jurisdiction at all times over the discipline and control of inmates.”⁹⁷ This arrangement allowed the state to treat the prisoner both as a worker for productivity and as a prisoner for the lack of employee rights. By separating the management of the body (work) from that of the person (custody), the state could bypass traditional labor protections. As Gilmore argues, prisons manage populations “across time and space,”⁹⁸ allowing the state to extract labor without relinquishing control.

The economic rationality was explicit. The manual states that prison labor serves as “both a humanitarian and economic purpose,” enabling incarcerated people to “return to the State... a portion of the expense of their retention in custody.”⁹⁹ This framing reverses responsibility: rather than questioning the social and economic costs of maintaining a massive carceral system, the state demands that the subjects of that system subsidize their own confinement. The state’s internal logic had moved from the 1880s goal of raw profit toward a mid-century goal of

⁹⁶ *Manual of Instructions Governing Highway Construction Using Prison Labor* (State of California, Department of Public Works, Division of Highways, 1946), 1.

⁹⁷ California Department of Public Works, *Manual of Instructions*, 3.

⁹⁸ Gilmore, *Golden Gulag*, 11.

⁹⁹ California Department of Public Works, *Manual of Instructions*, 2.

self-sustenance. To this end, the manual highlights this “fiscal advantage,” noting that prisoners in road camps are “self-supporting; being paid a wage... from which all expenses for their upkeep is deducted.”¹⁰⁰ This fiscal model ensured that the carceral state could grow without burdening the general taxpaying public.

The 1946 *Agreement Re Employment of Convicts On State Highway Projects*, or the formal agreement between the Department of Corrections and Division of Highways, explicitly formalized this view, stating that “prisons will send only such men to the camps as physically qualify to perform the manual labor to be required of them” and mandating that they “will not send convicts to the camps who when assigned do not have at least one year of time to serve.”¹⁰¹ By requiring a minimum sentence length, the state prioritized the longevity of the labor source over the timeline of individual rehabilitation. More time served was equated with more labor extracted, a literal capitalization of the prisoner's sentence.

Spatial Design, Surveillance, and the Camp Form

This capitalization of the prisoners' time was mirrored in the state's absolute control over their physical environment. The physical organization of highway camps further illustrates how prison labor functioned as infrastructure. Camps were carefully sited to meet construction needs, with the manual specifying that total project length “should preferably not exceed 20 miles.”¹⁰² This spatial constraint reflects the logistical requirements of daily labor delivery, but it also reveals how incarceration shaped the geography of development. Roads were built where prison labor could reach, binding infrastructure expansion to the spatial limits of carceral control. To

¹⁰⁰ Ibid.

¹⁰¹ “Agreement Re Employment of Convicts On State Highway Projects,” Agreement, 1946, Folder F3717:429 Corrections–Conservation Camp Services; Camps–Highways–Cedar Springs 1946–56, Box 128, State of California, California State Archives, Office of the Secretary of State, Sacramento.

¹⁰² California Department of Public Works, *Manual of Instructions*, 9.

ensure the camp was as resilient as the highway it produced, the manual required that “all roads in and about the camp should be... graded and surfaced for all-weather service,”¹⁰³ ensuring that the delivery of inmate labor would never be interrupted by mud or snow.

Surveillance remained central despite the absence of walls. The 1946 manual mandated that inmate bunkhouses be arranged “in a semi-circle wherever possible, with all front doors facing the supervisor’s office.”¹⁰⁴ This design reproduced the carceral panopticon in the wilderness, ensuring that “honor” was maintained through the constant possibility of observation. This layout was supported by “logistical groups” that clearly separated “inmate-occupied buildings” from those used “for job purposes,”¹⁰⁵ reinforcing the boundaries of control even in open terrain. Daily routines reinforced this depersonalization: prisoners were “assigned to daily work tasks by the camp superintendent, the inmates being delivered to him in the morning... and returned... at the end of the daily work period.”¹⁰⁶ The language of “delivery” underscores the depersonalization essential to mass incarceration, treating human beings as logistics to be moved. Furthermore, “each foreman shall be held responsible for the custodial check of inmates... upon leaving camp and again upon arrival at the job,” ensuring the labor unit was never outside the state's accounting.”¹⁰⁷

However, the pristine spatial order promised by the manual was a bureaucratic fiction. The actual spatial layout of the camps further confirmed that “rehabilitation” was entirely subordinated to the extraction of convict capital. While bunkhouses were meticulously arranged for surveillance, at Camp 37, the “recreational field is located three to four miles from the camp

¹⁰³ Ibid., 18.

¹⁰⁴ Ibid., 11.

¹⁰⁵ Ibid., 10.

¹⁰⁶ Ibid., 7.

¹⁰⁷ Ibid., 67.

site,”¹⁰⁸ physically marginalizing the only activity that did not contribute directly to state infrastructure.

Inside the camp boundaries, internal inspection reports from the 1950s reveal an environment defined by geographic neglect and biological hazards rather than character-building. Inspectors found a “lack of adequate maintenance,” noting that work was authorized “only when repairs are essential”¹⁰⁹ to keep the plant running. The living quarters themselves were sites of geographic neglect; the “underpinnings and supports of the various inmate housing units appear[ed] to be in a very dangerous condition,” while stairways and walkways were “generally in hazardous condition.”¹¹⁰ The physical degradation produced conditions that would never be acceptable in lawful, salaried employment. Other accounts included a “foul smelling condition... under many of the housing units,” with communal washrooms deemed entirely “unacceptable from both the layout and size considering the number of men required to use the facility,” and plumbing in “poor condition.”¹¹¹ Honor Camp No. 2 at Rainbow exhibited similarly “exceedingly poor” housekeeping, where a grease trap located ten feet from the mess hall emitted an “extremely offensive odor,” and “bones left from beef carcasses” were left rotting near stacked garbage cans.¹¹² By forcing inmates to live amidst raw sewage and rotting meat, the state reduced them to a disposable class.

¹⁰⁸ *Report of Trip to Honor Camp 37*, Inter-Departmental Communication (Office of the Secretary of State, 1954), Box 128, Corrections-Conservation Camp Services; Camps-Highways-Cedar Springs, California State Archives, Sacramento, 1.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*, 2.

¹¹¹ *Ibid.*

¹¹² *Honor Camp Inspection Calif. Institution for Men*, Inter-Departmental Communication (Office of the Secretary of State, 1955), Box 128, F3717:431 Corrections-Conservation Camp Services, Camps-Highways, Cedar Springs, California State Archives, Sacramento.

This mandate for “due economy” meant that fiscal savings consistently superseded human safety and basic needs. Inside the barracks, the state’s refusal to adequately fund infrastructure resulted in inmates utilizing “makeshift lamps and lampshades” that constituted a “distinct fire hazard.”¹¹³ When camp administrators did discuss repairs, the logic remained strictly fiscal: meetings concerning Camp 37 concluded that to recover the floors, “the cheapest would be ‘Mastipave’ and would probably last five years.”¹¹⁴ The state’s concern for the prisoner's well-being was activated only when it disrupted the engineering schedule. For example, an inspection noted that an “acute” shortage of properly sized boots meant that an inmate was “lost to the project work for at least a week until the regular exchange day.” The administrative grievance was not the prisoner's physical discomfort, but the temporary loss of the labor unit. Here, capitalization of the prisoner is absolute; they have value to the state so long as they can actively pave a highway.

Finally, the facade of the “honor” system and its semi-circular surveillance was constantly undermined by the underlying violence of the labor camps. In 1948, officials at Camp 37 discovered “two sticks of dynamite with caps attached” hidden under the officers' quarters.¹¹⁵ This startling find shatters the narrative of “honor-bound” civic service and exposes the deep, contested hostility inherent in the camp structure. It proves that the state’s attempt to use “honor” and good-time credits to turn the prisoner into their own guard had failed. The violence of the

¹¹³ Ibid.

¹¹⁴ *Minutes of Meeting of Division of Highways Personnel and Department of Corrections Personnel Regarding Camp Problems at Honor Camp No. 37, Cedar Spring*, Minutes (Office of the Secretary of State, 1955), Box 128, Folder F3717:431 Corrections-Conservation Camp Services; Camps–Highways–Cedar Springs 1954-61, California State Archives, Sacramento.

¹¹⁵ “Communication Regarding Dynamite at Camp 3,” Inter-Departmental Communication, 1948, Box 128, F3717:430 Corrections-Conservation Camp Services; Camps–Highways–Cedar Springs 1946-53, California State Archives, Sacramento.

carceral act was not erased by the open air of the wilderness; it was merely displaced into the hazardous architecture of the camp and the retaliatory resistance of a captive workforce.

Despite this underlying volatility and the glaring failures of basic habitability, the state's carceral machinery achieved its ultimate goal: a massive, subsidized expansion of California's infrastructure. George McCoy's *1951 Progress Report on Prison Labor Projects* reveals the staggering scale of this extraction, recording that "total excavation on these projects to date is about 5,297,933 cubic yards."¹¹⁶ To support such output, camps were equipped with specialized "industrial facilities," including an "equipment shop," "blacksmith shop," "powder magazine," and "cap house."¹¹⁷ The camps were not built to house men safely but rather to house industrial manpower.

From Highways to Conservation: Expanding the Carceral Landscape

The transition from highway camps to forestry and conservation camps did not represent a break from this model, but its expansion. As environmental management, fire suppression, and land conservation became increasingly central to California's economy, prison labor was redeployed accordingly. As Gilmore argues in her critique of the "new slavery" thesis, prisoners were not primarily exploited for private profit but for public functions that reinforced state legitimacy.¹¹⁸

The *1957 Report of the Senate Interim Committee on Natural Resources* justifies this expansion through a lens of fiscal desperation. The report notes that "on a per capita basis, the cost of constructing the present type of honor camp is approximately half of that necessary to

¹¹⁶ *Annual Progress Report on Prison Labor* (California Division of Highways, 1951), P2200 .P8L, California State Documents, https://cslib.primo.exlibrisgroup.com/permalink/01CSL_INST/1ahdi14/alma990005422000205115.

¹¹⁷ California Department of Public Works, *Manual of Instructions*, 15.

¹¹⁸ Gilmore, *Golden Gulag*, 21.

construct an institution.”¹¹⁹ By framing conservation camps as a cost-saving measure, the state transformed the environmental crisis into a carceral opportunity. The committee concluded there was “virtually an unlimited field of work which should be done by inmate labor to conserve and develop the State's natural resources.”¹²⁰ Inmate crews were strategically utilized in areas where construction was “too expensive to be accomplished by normal means” and where “free labor could not be found during the winter season,”¹²¹ further proving the state's reliance on carceral extraction to bridge economic gaps. This “unlimited field” meant that the state could perpetually expand its carceral reach under the guise of ecological necessity, making the prison a permanent, “good neighbor” fixture of the California wilderness.

Long before the 1957 committee formalized this, however, the state was already treating camp laborers as a disposable emergency frontline, exposing even more lethal stakes of carceral state-building. The state stipulated that while men shouldn't normally be withdrawn from work, exceptions were made “when it is absolutely necessary in cases of emergency... for fire fighting purposes.”¹²² In 1945, the Forest Supervisor thanked San Quentin Warden Clinton Duffy for the “excellent help” of incarcerated men who endured a “long hike [6-24 hours]” to battle one of forty lightning fires in the Trinity National Forest, noting that they took on a “very tough fire... that had real possibilities of becoming very bad.”¹²³

While the state publicly praised these efforts as civic heroism, its internal communications remained cold, strictly fiscal, and devoid of concern for inmate safety. The

¹¹⁹ *Study on Prison Labor and Forestry Camps: Report of Senate Interim Committee on Natural Resources* (Senate of the State of California Committee on Natural Resources, 1957), 12.

¹²⁰ California Senate, *Study on Prison Labor*, 15.

¹²¹ California Senate, *Study on Prison Labor*, 27.

¹²² California State Archives, “Agreement Re Employment of Convicts On State Highway Projects.”

¹²³ “Letter to San Quentin Warden Clinton Duffy Regarding Trinity National Forest Fires,” July 27, 1945, Folder F3717:429 Corrections-Conservation Camp Services; Camps–Highways–Cedar Springs 1946-56, California State Archives, Office of the Secretary of State, Sacramento.

Division of Highways objected to prisoners being pulled for firefighting because the “reduction of the number of prisoners in a camp results in higher costs” and a “loss of efficiency and progress on road construction work.”¹²⁴ The interdepartmental grievance was not the physical danger to the prisoners but the financial liability of their bodies. The Division complained that men returned with “damaged clothing which they replace as a charge against the road camp account,” and bluntly demanded that “where prisoners are hurt or become sick or die from fire fighting activities, the highway camps should not assume the cost thereof.”¹²⁵ This bureaucratic calculus of death was formally codified in the 1946 Agreement, which explicitly mandated that prisons would bear “all burial expenses of convicts in a camp.”¹²⁶ By pre-negotiating the cost of a laborer's death, the state acknowledged the lethal nature of the work while simultaneously ensuring that the financial burden of a dead inmate would never interfere with the project's bottom line.

Conclusion: Incarceration as Infrastructure

California's highway and conservation labor programs demonstrate how incarceration became embedded in the state's material reproduction. Roads, forests, and conservation projects were not incidental beneficiaries of prison labor; they were central to how California managed economic instability, surplus populations, and territorial expansion. As *Golden Gulag* makes clear, prisons did not grow because crime demanded them but because they offered a politically expedient solution to structural crises.

¹²⁴ *Department of Public Works Division of Highways Communication Regarding Firefighting*, Inter-Departmental Communication (Office of the Secretary of State, 1943), Box 128, Folder F3717:429 Corrections–Conservation Camp Services; Camps–Highways–Cedar Springs 1946-56, California State Archives.

¹²⁵ *Ibid.*

¹²⁶ California State Archives, “Agreement Re Employment of Convicts On State Highway Projects.”

Ultimately, the asset being produced by this system is not a free citizen but a disciplined subject who no longer drains the state's budget. This was codified under Section 2700, which required every able-bodied prisoner “as many hours of faithful labor each day and every day during his term of imprisonment as shall be prescribed.”¹²⁷ As Gilmore notes, prisons are solutions to crises they help produce; by framing incarcerated labor as environmental or infrastructural “protection,” the state masked coercion beneath narratives of civic responsibility, ensuring that the material growth of California remained dependent on the continued extraction of coerced labor.

By transforming incarcerated people into infrastructure workers under the guise of remaking them into subjects suitable for freedom, California rendered prisons indispensable to its physical and economic landscape. Prison labor stabilized the state while obscuring the violence of confinement behind narratives of efficiency, public service, and reform. In doing so, it laid the groundwork for the expansive carceral geography that continues to define California today.

¹²⁷ Correctional Industries Commission, *How Prisoners Can Become Community Assets*, 11.

5. Rehabilitation as Management: Vocationalism, Behavioral Science, and the Technocratic Afterlife of Prison Labor

Professionalizing Character

While the highway camps of the 1940s and '50s successfully solved California's spatial and infrastructural crises, the political uprisings of the 1960s required a new kind of institutional defense. The state previously relied on the Thirteenth Amendment's exception clause to preserve forced labor as raw "convict capital"; the 1960s and 1970s, however, saw a refinement of this authority: the fusion of rehabilitation with technocratic management. Incarceration was reframed as including vocational training and behavioral correction, a return to the moral reformism of the Quaker vision, now modernized through the language of social science and administrative expertise.

This change is most visible in the California Department of Corrections' (CDC) *Correctional Progress Reports* from 1964, 1966, and 1968. These documents reflect a shift toward psychology and employability as the core metrics of reform. Prison labor is presented as therapeutic rather than coercive, framed as a key element of "basic correctional services" designed to "give offenders a chance to remedy the personal inadequacies which may have caused or contributed to their criminal behavior."¹²⁸ Yet this professionalization of reform did not challenge the structural or racial roots of incarceration. Instead, it individualized responsibility and translated structural inequality into personal problems of motivation, attitude, and skill acquisition.

The state's intensified emphasis on rehabilitation during this period was not the product of a humanitarian awakening but rather a response to instability. The intersection of political,

¹²⁸ California Department of Corrections, *Correctional Progress in California, 1963–1968* (Sacramento, 1968), <https://hdl.handle.net/2027/uiug.30112081461649>.

legal, economic, and administrative pressures made earlier labor justifications increasingly frail. By the mid-century, incarcerated people were organizing work protests and articulating their confinement as a collective injustice. National uprisings, most notably the Attica rebellion of 1971, exposed prisons as volatile and politically dangerous spaces, forcing state officials to manage not only incarcerated populations but also public legitimacy.¹²⁹ Rehabilitation offered a stabilizing solution: when labor was framed as training and discipline as therapy, resistance could be reclassified as psychological adjustment rather than political dissent. This turn also aligned with Cold War technocracy, in which social problems were treated as technical failures that could be remedied through administration. Within this worldview, prisons could be governed like clinics, schools, or factories rather than spaces of confinement. Rehabilitation allowed the carceral system to present itself as modern, neutral, and scientifically grounded rather than one of racial control.

Legal developments further reinforced this shift. Beginning in the 1960s, courts increasingly required prisons to articulate legitimate purposes beyond punishment alone. Landmark cases such as *Cooper v. Pate* expanded prisoners' access to the courts and subjected correctional practices to constitutional scrutiny.¹³⁰ In this environment, rehabilitation provided a legally defensible rationale for continued confinement. Forced labor could be reframed as treatment, surveillance as assessment, and discipline as care. The language of rehabilitation thus insulated the state from claims of cruelty while preserving the underlying structure of domination.

¹²⁹ Lucien Lombardo, "Attica Prison Revolt | 1971 Uprising, Causes & Impact | Britannica," Encyclopedia Britannica, January 9, 2026, <https://www.britannica.com/topic/Attica-prison-revolt>.

¹³⁰ Timothy Shoffner, "Cooper v. Pate New Docket (N.D. Ill.) | Civil Rights Litigation Clearinghouse," Civil Rights Litigation Clearinghouse, Civil Rights Litigation Clearinghouse, April 29, 2013, <https://clearinghouse.net/case/11079/>.

Employability as the New Standard of Freedom

Throughout the CDOC reports, rehabilitation is consistently defined in terms of employability. Vocational programs aimed to ensure that each incarcerated person “possesses a job skill,”¹³¹ while industrial programs were designed to “teach work habits” under conditions “similar to those in private industry.”¹³² Trade Advisory Committees further ensured instruction was “keyed to current practices in private industry” so that “trained parolees” could find work.¹³³ This language profoundly narrows the meaning of freedom itself. The state did not promise social belonging, political participation, or economic security. Instead, it promised adjustment to the labor market. To be rehabilitated was to be employable, and to fail was to lack the proper discipline or motivation.

To a lay reader, the prison is portrayed as a “service provider” offering tools for personal growth and may even seem progressive. However, this definition rests on the assumption that crime results from individual deficiency rather than from racialized exclusion or economic restructuring. Responsibility is located within the individual. This logic mirrors historian Khalil Gibran Muhammad’s analysis of how American criminal justice data historically naturalized racial inequality: by focusing on the individual’s “failure” to reform, the system treats the consequences of systemic exclusion as proof of inherent criminality.¹³⁴ By framing rehabilitation as a voluntary choice for the “deficient” individual, the state effectively erases the prison’s role in managing social issues born from systemic neglect. This logic also echoes historian Elizabeth

¹³¹ California Dept. of Corrections, *Correctional Progress*, 7.

¹³² *Ibid.*, 10.

¹³³ *Ibid.*, 33.

¹³⁴ Muhammad, *The Condemnation of Blackness*, 1-15.

Hinton's observation that postwar policy reframed structural poverty as individual criminal failure, thereby legitimizing punitive expansion under the guise of reform.¹³⁵

The reports make this logic explicit, describing these programs as “the backbone of the state's institutional effort to give offenders a chance to remedy the personal inadequacies that may have caused or contributed to their criminal behavior.”¹³⁶ By pathologizing the offender, the state detaches crime from broader contexts of racial discrimination, economic restructuring, or political exclusion. Counseling becomes a tool to “change an offender's habits,”¹³⁷ reinforcing the idea that incarceration exists to reshape the individual psyche. Ultimately, the state places the burden of success on the individual, claiming that the institution merely “offers offenders a positive chance to rebuild their lives,”¹³⁸ while the “ultimate proving ground”¹³⁹ is the street, where the individual will “succeed or fail in his fight to become a responsible member of society.”¹⁴⁰ By ignoring structural barriers, the state replaces justice with a demand for individual effort.

Another Wave of Measurement, Data, and the Illusion of Objectivity

The individualized model of responsibility articulated in the *Correctional Progress Reports* was reinforced through technocratic measurement. These reports describe an elaborate assessment system in which inmates underwent “four to eight weeks of intensive diagnostic testing, interviewing, and a detailed personal evaluation”¹⁴¹ to determine appropriate programming. Through this process, rehabilitation appeared objective and scientific, grounded in

¹³⁵ Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, MA: Harvard University Press, 2016), 1–25.

¹³⁶ California Dept. of Corrections, *Correctional Progress*, 113.

¹³⁷ *Ibid.*, “Cover Photos.”

¹³⁸ *Ibid.*, 6.

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*, 9.

¹⁴¹ *Ibid.*, 7.

expertise rather than discretion. Crime was rendered legible as a problem of individual aptitude, motivation, and adjustment, susceptible to diagnosis and correction through proper administration.

Within this framework, data served not merely to evaluate programs but also to legitimize the carceral system itself. Rehabilitation outcomes were quantified, tracked, and reported using institutional metrics, including employability, institutional behavior, and parole compliance. These measurements conveyed an aura of neutrality, suggesting that success or failure emerged organically from empirical observation rather than from the structure of incarceration or the conditions awaiting individuals after release.

The 1971 *Study of Vocational Training in the California Department of Corrections* provides a concrete application of this technocratic logic, seeking to quantify the effectiveness of these programs through empirical data. Conducted by the department's Research Division, the report's foundational premise was that criminal activity is essentially a response to "economic needs" that can be resolved through "regular employment."¹⁴² Consequently, the state advocated for vocational training as the definitive means of providing "inmates with the job skills which they need... to function in a non-criminal way in society."¹⁴³ Rehabilitation, in this framework, was inseparable from labor market readiness. To function lawfully was to function productively.

The study surveyed 729 parolees who had participated in institutional vocational programs to quantify their outcomes following release.¹⁴⁴ The findings were presented as empirical validation of the program's success: "35 percent of this group obtained their first jobs on parole in trades in which they were trained."¹⁴⁵ Researchers further emphasized that

¹⁴² Robert M. Dickover, Verner E. Maynard, and James A. Painter, *A Study of Vocational Training in the California Department of Corrections*, Research Report No. 40 (Sacramento: California Department of Corrections, Research Division, 1971), i.

¹⁴³ Dickover, Maynard, and Painter, *Vocational Training*, i.

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

measurable benefits were directly tied to individual performance, noting that those with higher grades and more training hours were significantly more likely to secure employment in their designated trades. Administrative legitimacy was bolstered by employer evaluations, with eighty-two percent stating that vocational trainees were “about as well prepared for the job as or better prepared than the average entering employee.”¹⁴⁶

However, when the data failed to show widespread economic success, the report inadvertently documented systemic failures that parolees faced. To protect its own institutional narrative, the state tried to pathologize these figures as cultural deficiencies. While the study admitted that over “60 percent” of those employed in their trades found their wages “below those they expected,”¹⁴⁷ it attributed such issues to the “motivations and attitudes” of “lower class cultures” rather than economic restructuring.¹⁴⁸ Yet, the parolees’ own responses contradicted this individualized blame. Over 90 percent felt they “could have been successful... if given the opportunity,”¹⁴⁹ explicitly identifying external barriers—namely, structural exclusion and a lack of viable jobs—rather than a lack of personal motivation. The state’s own data corroborated this structural failure, revealing that parole agents allotted only “three percent of the time expended in direct services”¹⁵⁰ to contacting employers on behalf of parolees. In a rare admission of institutional limitation, the authors noted that “resocializing the disadvantaged... for occupational roles is a most complicated one and one which the CDC presently doesn’t have much in the way of a capacity to meet.”¹⁵¹

As demonstrated by the prison system’s earlier “scientific turn,” the state’s reliance on objective measurement to individualize structural failure was not a new phenomenon; it was

¹⁴⁶ Ibid., vi.

¹⁴⁷ Ibid., iii.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid., 70.

¹⁵⁰ Ibid., iv.

¹⁵¹ Ibid., 10.

merely adopting a new vocabulary. Just as the early twentieth-century prison utilized clinical sorting to engineer the “character” of the individual and justify forced labor, the technocratic regime of the 1970s replaced the language of “moral defect” with the metrics of “vocational aptitude” and “lower-class culture.” By translating the material realities of post-release poverty and racial exclusion into the neutral language of behavioral science, the state achieved a powerful ideological victory. The failure of the labor market to absorb returning citizens was no longer a structural crisis requiring economic intervention; it was an individual pathology requiring institutional management. In the end, the promise of correctional reform did not change the reality of the prison system. It just used statistical data to justify keeping marginalized people locked up.

Parole as Surveillance and Control

Beneath the language of opportunity lies an infrastructure of surveillance. In theory, the state possesses a legitimate interest in providing transitional support to ensure parolees safely reintegrate into society and avoid returning to prison. However, the *Correctional Progress* reports reveal that this support was executed primarily through close supervision designed to “detect new drug use or other danger signals before crimes are committed.”¹⁵² Rather than offering material resources—such as housing or job placement—to stabilize returning citizens, testing and supervision functioned as mechanisms of risk management. The state was not managing the risk of poverty or labor market exclusion; it was managing the risk of recidivism through aggressive, preemptive policing. By prioritizing the detection of failure over the provision of actual opportunity, rehabilitation became a sprawling extension of carceral control, ultimately increasing recidivism.

¹⁵² California Dept. of Corrections, *Correctional Progress*, 13.

Humanitarian Narratives and Institutional Legitimacy

The CDCR’s 2024 retrospective on prison educators Manuel Joseph Jacobs and Frank Gibson exemplifies the modern use of “heroic” narratives to obscure a long-standing history of institutional neglect. Jacobs is celebrated as a “pioneer” for founding the Greystone Adult School at Folsom in 1915, while Gibson is highlighted for his fierce advocacy as an education administrator in the 1970s and 1980s. Both men demonstrated a genuine humanitarian commitment to improving the intellectual and material lives of incarcerated people. The ultimate tragedy, and the reality the state attempts to obscure, is not found in their individual efforts but in a carceral system that structurally squandered their potential for systemic change.

For Jacobs, the necessity of teaching “without pay” and relying on material “donations gotten together with great difficulty”¹⁵³ reveals the capitalistic design of the prison system. He recognized the profound need for intellectual engagement inside the walls, dedicating himself to expanding his classes for twenty-two to three hundred students. Jacobs did not view education as an administrative tool; he actively sought to build a collaborative intellectual community, taking on the role of principal and “hand-picking incarcerated students to act as instructors,” both believing in and trusting them.¹⁵⁴ Yet, the state was perfectly willing to extract his unpaid labor while refusing to invest structurally in the education he championed. When Jacobs requested \$10,000 to construct and equip an actual school building on the prison grounds, it underscored the reality that the program was forced to survive on charity and volunteerism rather than state

¹⁵³ Don Chaddock, “CDCR Teachers: Decades of Changing Lives,” California Department of Corrections and Rehabilitation, *Inside CDCR*, May 9, 2024, <https://www.cdcr.ca.gov/insidecdcr/2024/05/09/cdcr-teachers-decades-of-changing-lives/>.

¹⁵⁴ Chaddock, “CDCR Teachers.”

commitment. The carceral infrastructure itself prioritized fiscal economy over human development.

Similarly, Gibson's narrative highlights the limits of individual goodwill within a system built for confinement. Gibson possessed a deep sociological empathy for his students, understanding that many “feared returning to the classroom” due to prior systemic marginalization and institutional failures on the outside.¹⁵⁵ He actively sought to meet incarcerated students “at their level” with the explicit goal of turning out “literate people with marketable skills.”¹⁵⁶

He pushed against the “apathy of the public” who believed that incarcerated people “don’t deserve this training,” driven by a profound moral conviction that giving them “the best there is” could “salvage many lives that otherwise would be wasted.”¹⁵⁷ For Gibson, the classroom was a lifeline to the revolving door of the prison—a way to rescue marginalized individuals from a system designed to discard them. However, because the Department of Corrections did not share his depth of insight or his commitment to financial investment, his vision remained an isolated moral exception that the Department exploited rather than the institutional rule. The carceral system could not scale his empathy because doing so might conflict with its primary directive of cost control.

By centering these stories of individual sacrifice today, the state avoids confronting its historical refusal to invest in prison education. These two figures are co-opted as symbols of “decades” of institutional progress, weaponizing their compassion to soften the prison's bureaucratic image. The CDCR’s presentation of these “heroes” operates as calculated rhetoric: it

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

claims a legacy of care while leaving the underlying conditions of systemic neglect and chronic underfunding entirely undisturbed.

Continuity Beneath Change

Taken together, these sources reveal a century-long continuity beneath changing vocabularies. From the convict leasing systems of the early twentieth century to the technocratic management of the 1970s, prison labor has consistently been justified as necessary, beneficial, and reformative. Rehabilitation did not replace punishment; it refined it.

By individualizing blame and depoliticizing inequality, the state rendered the prison a site of moral and economic instruction rather than a site of structural violence. This history helps explain why contemporary efforts to abolish involuntary penal labor continue to falter. The myth that “work redeems” remains powerful because it has been carefully rebuilt at every stage of California's carceral development. Understanding rehabilitation as a tool of management, rather than a pathway to liberation, is essential to understanding both the past and present of prison labor in California.

Ultimately, the 1970s experiment in technocratic rehabilitation proved that while the state could measure “employability,” it could not, or would not, address the structural poverty awaiting parolees. As the clinical model of the 1970s buckled under the weight of a ballooning prison population and a shrinking state budget, the language of “treatment” began to fade. In its place, a new logic emerged: one that stopped trying to fix the individual and focused on the institution’s survival.

6. The Managerial Turn: The PIA and the Architecture of Indispensability

Back to Management

In previous decades, the state tried to justify prison labor by claiming it was “good” for the person inside, either by saving their soul through religion or “fixing” their behavior through social science. Yet the fiscal motive was always lurking beneath this rhetoric; the 1960s Correctional Progress reports frankly admitted that these programs provided “valuable conservation services and fire protection that taxpayers otherwise could not afford.”¹⁵⁸ By the 1980s, the state largely abandoned the rehabilitative facade entirely. Rather than attempting to transform the individual, the system focused on running the prison. As the number of people in prison exploded, the state stopped asking how labor could change a life and started asking how it could pay the bills.

This form of governance relied on making populations “readable” through standardized metrics and administrative data. Under this managerial logic, incarcerated people were no longer treated as moral subjects or clinical cases but as inputs within a system designed to minimize cost and maximize institutional output. The creation of the California Prison Industry Authority (PIA) in 1983 marked the full institutionalization of this logic. Rather than addressing the political contradictions of mass incarceration, the state responded by embedding prison labor more deeply into the administrative and fiscal architecture of governance. This process created a program of indispensability: a system where labor was so thoroughly integrated into the state’s budget and procurement that the elimination of coerced labor became administratively unthinkable.

¹⁵⁸ California Dept. of Corrections, *Correctional Progress*, “Cover Photos.”

From Rehabilitation to Infrastructure

The social science model of the 1970s, which reframed the prisoner as a student or patient who could be “cured” through employability, eventually hit a hard political and financial wall. By the early 1980s, California’s prison population began an unprecedented ascent, increasing more than fourfold in

just eleven years. The number of prisoners grew from approximately 24,500 in 1980 to 97,309 by 1990.¹⁵⁹ By 1990, California held the largest prison population in the Western world, more than doubling the national prison populations of Great Britain and West Germany.¹⁶⁰

This massive expansion meant that, after 1985, California added more prisoners each year than the system typically added in an entire decade between 1950 and 1980. The state simply could not afford the expensive counselors, teachers, and clinical staff required for individualized “treatment” on such a massive scale. In an era of budget cuts and “tough on crime” rhetoric, programs that could not prove their immediate economic value were reframed as an irresponsible use of public funds. What emerged in place of rehabilitation was a purely bureaucratic solution.

In 1983, the state abolished the old Correctional Industries Commission (CIC) and created the California Prison Industry Authority (PIA). Established in 1947, the CIC was designed to oversee prison workshops, but by the late 1970s, it was viewed as a relic of a

The California Story
The pace and extent of California growth
 Figure 2 shows the variation in the number of prisoners and the rate of imprisonment in California from 1950 to 1990.

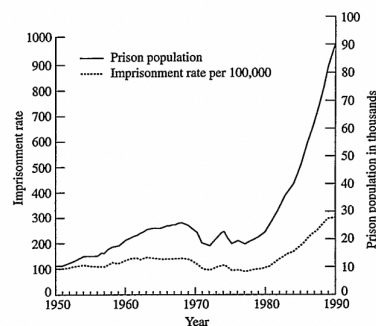


FIG. 2 Trends in Prison Population and Rate of Imprisonment per 100,000 in California, 1950–90 (California Department of Corrections, Prisoners and Parolees Series, 1988, 1989, and 1990)

¹⁵⁹ Franklin E. Zimring and Gordon Hawkins, “The Growth of Imprisonment in California,” *Brit. J. Criminology* 34, Special Issue (1994), <https://lawcat.berkeley.edu/record/1115089/files/fulltext.pdf>.

¹⁶⁰ Zimring and Hawkins, “Growth of Imprisonment,” 84.

slow-moving bureaucracy. It was frequently criticized for being economically inefficient and for failing to keep pace with the rapidly expanding prison system's needs. As the prison population quadrupled between 1980 and 1991, the state needed a system that could manage labor by prioritizing “profitability” and “self-sufficiency” while reducing “inmate idleness” and “taxpayer costs.”¹⁶¹ The PIA was designed to operate as “ultimately self-supporting,” legally mandated by Penal Code Section 2801. The goal was no longer to save the person, but to save the state money. By making the prison labor system profitable, the state turned work into a permanent piece of the prison’s physical and fiscal infrastructure.

The Blueprint of Administrative Objectivity

The 1984 *Report to the Legislature on Work Programs* shows how this business logic worked in practice. Instead of moral goals, the report relied on feasibility studies, demand forecasts, and “extensive, multi-faceted market surveys”¹⁶² to justify the expansion of the carceral workforce. By the time an enterprise reached the legislature, the moral question of whether incarcerated people should be compelled to work had already been settled. What remained was only the question of how to deploy that labor most efficiently to manage a population that had increased more than fourfold in just over a decade.

This bureaucratic repetition is captured in the report’s reliance on “Preliminary Feasibility Studies”¹⁶³ to evaluate products ranging from “Spice Production” to “Tire Chains.”¹⁶⁴ By translating incarcerated labor into projected outputs and market share, the state rendered coercion invisible. The documents devote exhaustive attention to production logistics while

¹⁶¹ Daniel Carson and Craig Cornett, “Reforming the Prison Industry Authority,” Legislative Analyst’s Office, April 30, 1996, https://www.lao.ca.gov/1996/043096_pia/pb042996.html.

¹⁶² *Work Programs in Prison Industries*, Report to the Legislature RTL-84-6 (Department of Corrections, n.d.), C1225 .W67, California State Documents, accessed February 10, 2026, 4.

¹⁶³ CDOC, *Work Programs in Prison*, 5.

¹⁶⁴ *Ibid.*, under “New Prisons Construction Project.”

offering virtually no discussion of labor rights or consent. Specifically, the development of the meat-cutting enterprise at California State Prison in Amador County reveals the scale of this ambition. The state targeted the \$15 million spent annually on meat and poultry by establishing a 15,600 square foot meatcutting enterprise designed to process 60,000 pounds of meat per week for seventeen northern institutions.¹⁶⁵ This effectively turned the prison into a regional food-processing hub, tying the system's daily survival to a captive workforce.

In San Diego County, the PIA used similar logic to capture economic "leaks" through 840 new inmate jobs.¹⁶⁶ For instance, an Optical Laboratory was established after state officials noted that 70% of Medi-Cal eyewear was manufactured out of state. By producing 75,000 pairs of glasses annually, the PIA kept those funds within the state's carceral-industrial loop.¹⁶⁷ The spice production enterprise followed a parallel logic, seeking to dominate a "highly labor intensive"¹⁶⁸ market that commercial ventures avoided, utilizing 50 acres of land for hand-harvesting crops such as basil and oregano.¹⁶⁹

These expansion plans were built on the premise that the system must be "ultimately self-supporting." The 1984 blueprint provided the solution: an architecture of indispensability. Once the state's hospitals and prisons became dependent on the PIA for food, laundry, and eyewear, ending involuntary servitude became a fiscal impossibility. The labor was no longer about reform; it was about protecting the state's massive capital investment in a system that had grown larger than the national prison populations of Great Britain and West Germany combined. The sheer scale of these expansion plans is demonstrated in the tables below.

¹⁶⁵ Ibid., under "California State Prison - Amador County Meatcutting Enterprise."

¹⁶⁶ Ibid., 7.

¹⁶⁷ Ibid., under "Facility #3 California State Prison - San Diego Country Optical Laboratory."

¹⁶⁸ Ibid., under "California State Prison - Amador County Spice Production Enterprise."

¹⁶⁹ Ibid.

Attachment B			
Page 1 of 3			
NEW PRISONS CONSTRUCTION PROJECT			
PRISON INDUSTRY AUTHORITY INMATE WORK PLANS			
PLANT	PLANNED ENTERPRISE	PLANNED INMATE EMPLOYMENT	PLANNED PIA STAFF
Merced Maximum Security Complex	Sewing Operation Chair Manufacturing Brooms & Brushes Production	260 140 80 480	10 8 6 24
Coloano County	PIA Warehouse Central Bakery Laundry Plastic Bags/Plastic Products Micrographics Concrete Precasting Metal Fabrication Vehicle Reconditioning & Servicing Ceramics Metal Signs Micro Computer Service & Repair PIA Maintenance PIA Administration	15 100 70 30 20 225 220 150 20 60 60 20 10 1,000	4 13 5 3 2 12 11 9 1 4 5 3 5 79
Madro County	Meatcutting Ornamental Horticulture Laundry Spice Production Coarse Wood Products Tire Chains Tubular Metal/School Furniture Condiments & Sauces PIA Warehouse PIA Maintenance PIA Administration	175 50 50 50 35 30 50 30 16 8 6 500	13 3 5 2 1 3 3 2 2 3 5 43
			8-14-84

Attachment A				
Prison Industry Authority				
Planned/Actual Expansion of Inmate Work Programs				
Existing Institutions - F.Y. 1983-84 - F.Y. 1985-86				
Institution	Enterprise	Type of Expansion	Planned/Actual Inmate Employment	Planned/Actual Start-Up Date
California Correctional Institution-Tehachapi	Textiles	Add second shift	8	July 1983
California Correctional Institution-Tehachapi	Drapery			
California Correctional Institution-Tehachapi	Manufacture	New enterprise	21	July 1983
California Correctional Institution-Soledad	Textiles	Add second shift*	104	Aug. 1983
California State Prison - Folsom	Metal	Add second shift	62	Oct. 1983
Fuel Vocational Institution-Tracy	General	Add second shift	22	Nov. 1983
California Rehabilitation Center-Morco	Upholstery	New enterprise	21	Nov. 1983
California Mens Colony - in Luis Obispo	Textiles	Add second shift	56	Dec. 1983
California Correctional Institution-Soledad	Furniture	Add second shift	115	Jan. 1984
California Mens Colony - in Luis Obispo	Knitting Mill	Add second shift	20	Jan. 1984
California State Prison - San Quentin	Furniture	Add second shift	142	Mar. 1984
California Institution for Men-Chino	Furniture	Add second shift	15	July 1984
Various	Various	Increased employment	137	Various F.Y. 1983-84
Current Actual Expansion Sub-Total:			723	
California Medical Facility-Tacville	Micrographics	New enterprise	20	Oct. 1984
California Rehabilitation Center-Morco	Mattress	New Enterprise-Additional Space	30	July 1985
Fuel Vocational Institution-Tracy	General	Additional Space	60	Oct. 1985
California Institution for Women-Frontera	Meat Cutting	New Enterprise-Additional Space	85	Sept. 1986
Planned Expansion Sub-Total:			195	
Grand Total Expanded Employment by September 1986: 918				
*Second shifts added in both minimum and medium security textile factories.				

The PIA's "Success"

While the *Report to the Legislature* outlined the blueprint, the PIA's first annual report for 1986-1987 provided its evidence of success. Unlike earlier documents, which at least gestured toward moral reform, this report was saturated with corporate and managerial language: "production output," "market-demanded goods," "distribution systems," "cost-effectiveness," and "revenue-generating operations."¹⁷⁰ Notably, the report fails to mention "valuable experience" or "trade skills," making the objective clear: to "avoid the cost of commercial vendors"¹⁷¹ by sourcing goods internally, to "support prison operations," and to "enhance

¹⁷⁰ *California Prison Industry Authority Annual Report Fiscal Year 1986-1987* (California Prison Industry Authority, 1986), 7-10.

¹⁷¹ PIA, *Annual Report 1986-1987*, 9.

self-sufficiency through inmate labor.”¹⁷² In their first reporting period, the PIA accomplished their goals, posting a profit of over \$4.1 million on record sales of nearly \$76 million.¹⁷³

The financial data of the 1987 report reveal how deeply the state became entangled in this model. To sustain growth, the Authority relied on \$36.4 million in contributed capital¹⁷⁴ and a \$12 million loan from the State General Fund¹⁷⁵. Audits focused on the accuracy of its “Bills of Materials” to ensure maximum labor efficiency, treating incarcerated workers as variables in an industrial equation designed to protect the state’s investment. This financial structure positioned the state as an investor in a captive labor force. Incarcerated workers served as a reliable labor source whose availability justified continued capital investment. The possibility that workers might refuse to labor, demand higher wages, or assert their rights was excluded from financial planning; coercion became an assumption built into projections of growth.

The Mature Form of Racial Capitalism

This development reflects what Alexander Lichtenstein identifies as the mature form of a racialized convict labor economy. In *Twice the Work of Free Labor*, Lichtenstein argues that convict labor historically provided a workforce that was cheaper and more controllable than free labor. The PIA reproduced this dynamic in a modern, bureaucratic form. Incarcerated workers supplied the state with goods and services, from the 5.92 million pounds of baked goods in San Diego to the laundry for northern state hospitals, that would otherwise require unionized, salaried employees.

¹⁷² Ibid., 3.

¹⁷³ Ibid., 4.

¹⁷⁴ Ibid., 10.

¹⁷⁵ Ibid., 13.

Unlike earlier systems that justified coerced labor through overtly racial or moral claims, the PIA normalized extraction through administrative neutrality. Racialized dispossession persisted, but it was laundered through managerial language that rendered inequality invisible. The result was a system that appeared modern and race-neutral while reproducing the structural conditions of racial capitalism.

The normalization of coerced labor under the PIA is most clearly evidenced by what the reports do *not* address. There is no sustained discussion of consent, voluntariness, or ethics; labor is simply assumed as part of the prison's architecture. This silence was made possible by the sheer scale of the system's expansion. This explosive growth provided a massive, constant supply of "inputs" for the PIA's industrial machine. The state could rely on the legal permissibility of the Thirteenth Amendment without ever having to justify the morality of the work itself.

In this sense, the PIA represents a "mature" form of racial capitalism precisely because it no longer requires overt racial rhetoric to function. By treating this concentrated population of marginalized people as a technical resource, the state's feasibility studies and revenue projections rest on a singular, unspoken premise: that a population stripped of labor protections will remain available for extraction. The endurance of prison labor is not a policy failure; it is the rational outcome of a governance model that treats captivity as an economic resource.

The Rhetorical Disappearance of Coercion

Modern Californians directly inherit the administrative logic perfected by the PIA. Over two centuries, the carceral system has justified carceral labor practices through a rotating set of masks: religious salvation in the 1800s, mechanical obedience in the early 1900s, social science

"employability" in the 1970s, and finally, mere fiscal self-sufficiency under the PIA. By 2024, these overlapping justifications had successfully buried the coercive nature of the work beneath layers of bureaucratic jargon. When Proposition 6 appeared on the ballot in 2024 to strip the slavery exception from the state constitution, the fiercest defense of the status quo came from financial impact reports warning of billion-dollar price tags. The carceral apparatus no longer needed to argue that forced labor was morally rehabilitative; it merely had to prove that the state had become too financially dependent on coercion to afford ending it.

7. The Myths of Carceral Labor: Scientific Evidence and Its Failure

The Rhetorical Trace of Rehabilitation

Throughout the twentieth century, the California carceral state has justified the extraction of labor by clinging to a trace of rehabilitative rhetoric. As earlier chapters demonstrated, the ideological justification for prison labor has shifted repeatedly—from moral redemption to industrial discipline to technocratic employability, and finally to managerial efficiency. Yet at each stage, labor has been sustained by a central claim: that work prepares incarcerated people to reenter the free labor market successfully and to avoid future involvement with the criminal justice system.

When these claims are tested against empirical evidence, however, the foundation begins to fracture. This chapter examines the scientific literature, policy audits, and longitudinal employment studies that have attempted to measure the effects of prison labor and vocational programming. The evidence base for supporting prison labor is not robust; rather, it is fragmented and often inconclusive. This is a result of the combined limitations of the data, methodological constraints, and institutional incentives. The promise that prison labor fixes people isn't a proven fact; it is a convenient story. This story allows the state to keep the system running, keep the voters happy, and keep the budget balanced, all while avoiding the truth about the work itself. The most revealing starting point is not a meta-analysis or policy report but the state's own inability to verify its central claim.

Inability to Prove Impact

The technocratic justification for prison labor, that it produces employable, self-sufficient citizens, depends on the assumption that outcomes can be measured. Yet the state's administrative infrastructure has repeatedly failed to generate reliable data to substantiate this claim.

Despite presenting vocational labor as central to rehabilitation, California has struggled to track whether program participants secure employment after release. The 2011 audit conducted by the California State Auditor, a nonpartisan agency that provides independent evaluations of the state government, revealed this issue. The PIA, the state agency most responsible for prison labor programs, "cannot determine its impact on post-release inmate employability because it lacks reliable data."¹⁷⁶ This finding is not a minor technical issue; rather, it undermines the entire rehabilitative premise of carceral labor. If the state cannot measure whether its programs improve employment outcomes, then the claim that labor prepares individuals for the free market rests solely on an assumption rather than evidence.

This failure is not incidental but systemic. Efforts to track employment outcomes have been repeatedly compromised by profound administrative negligence. In attempting to measure success, auditors discovered "more than 33,000 instances of erroneous parolee employer information"¹⁷⁷ within state tracking systems. In many cases, records did not contain verifiable employer names at all. Instead, they found that records were so poorly maintained that in 13,000 instances, the employer field was simply marked with "TBD and TBA."¹⁷⁸ Consequently, the state is empirically unable to prove "whether a paroled or released inmate worked at one of its enterprises is more employable than one who did not." There are only two ways to interpret this

¹⁷⁶ *California Prison Industry Authority: It Can More Effectively Meet Its Goals of Maximizing Inmate Employment, Reducing Recidivism, and Remaining Self-Sufficient*, Audit nos. 2010–118 (California State Auditor, 2011), <https://information.auditor.ca.gov/reports/summary/2010-118>.

¹⁷⁷ California State Auditor, *Report 2010-118*.

¹⁷⁸ *Ibid.*

lack of data: either the PIA didn't care enough to follow up, or there were no jobs to report. Either way, the results contradict the state's narrative of success. The state insists that prison labor enhances employability, yet it has not developed the institutional capacity necessary to substantiate that claim. Thus, rehabilitation becomes a rhetorical objective rather than a measurable outcome.

Even the metrics used to evaluate performance reflect this ambiguity. Many of the managerial indicators employed by corrections agencies are “either vague or not measurable.” For example, one indicator stipulates the PIA’s goal to establish “‘real-world’ performance... expectations.” However, the indicator offered “no guidance about how to measure performance.”¹⁷⁹ The absence of data does not merely lack conclusive proof that prison labor rehabilitates; it lacks the capacity to produce such proof at all. Rehabilitation remains an institutional assumption rather than a demonstrated outcome.

Deconstructing the Recidivism Success Narrative

Where employment data are lacking, the state often relies on recidivism as a proxy for success. These claims play a crucial role in budget negotiations and legislative debates, where labor programs are framed as cost-saving interventions that prevent future incarceration. Yet empirical scrutiny reveals that these claims are frequently overstated and/or methodologically fragile.

In the fiscal year 2008-09, the PIA asserted that its programs generated \$9 million in taxpayer savings through reduced recidivism.¹⁸⁰ However, a subsequent audit revealed that the agency had “overstated the savings by \$546,000”¹⁸¹ due to fundamental calculation errors. This

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

discrepancy is more than just a clerical oversight; it illustrates a systemic reliance on “projected success” to justify real-world capital investment and reveals three critical flaws in the state’s managerial logic. First, because the PIA is legally mandated to be “self-supporting,” it possesses a direct institutional incentive to inflate its “rehabilitative value” to secure legislative support and evade oversight. Second, the \$546,000 gap exposes the reality of the state’s “objective” metrics: administrators often start with a desired fiscal outcome and work the math backward to reach it. Finally, in a system where every dollar is contested, a half-million-dollar “error” is not merely a miscalculation; it represents funds that could have been allocated to actual, evidence-based reentry services, such as housing or mental health support, rather than sustaining the prison’s industrial infrastructure. These inflated figures allow the state to bypass the moral question of involuntary servitude by providing a false “return on investment.” When the math is revealed to be fragile, the entire “managerial objectivity” of the carceral state is exposed as a rhetorical performance designed to protect the status quo.

More fundamentally, recidivism reductions attributed to prison labor frequently fail to account for selection bias. Participants in vocational programs are rarely representative of the broader incarcerated population. As auditors noted, the state “did not acknowledge other factors, such as some CALPIA inmates’ higher education levels or lack of drug abuse history,” which likely contributed to lower recidivism rates. In other words, individuals who enter labor programs may already be more likely to succeed after release, independent of the work itself. This bias transforms correlation into causation. Programs appear effective not because they transform participants, but because they enroll individuals already positioned for better outcomes.

At the macro level, trends in recidivism further complicate the narrative. Despite decades of labor programs, California has maintained “the nation’s highest recidivism rate,” with approximately 67 percent of those released returning to prison within three years.¹⁸² This statistic does not negate the possibility that some individuals benefit from vocational work. But it does undermine the claim that prison labor operates as a systemic solution to reoffending. If labor were as transformative as its proponents suggest, one would expect measurable declines in overall recidivism rates. Instead, the persistence of high return rates suggests that structural factors like poverty, housing instability, criminal record stigma, and labor market exclusion continue to shape outcomes more than institutional work programs.

Employment Evidence and the Limits of “Reentry Preparation”

To understand why these institutional programs fail to impact statewide trends, one must look beyond the prison gates. Independent research from the RAND Corporation and the Urban Institute provides empirical evidence explaining this disconnect: the state is training people for a labor market that is structurally designed to exclude them.

The RAND Corporation, a nonpartisan, nonprofit research organization established to provide objective analysis for public policy challenges, sought to determine whether this transition is occurring through its meta-analysis, *Evaluating the Effectiveness of Correctional Education*. Their meta-analysis does not just look at one group of people but rather synthesizes decades of existing research, in this case, studies from 1980 to 2011, to find overarching evidence that could substantiate whether vocational and academic programs actually reduce recidivism and improve job prospects.

¹⁸² Krissi Khokhobashvili, “CDCR Releases Back-to-Back Annual Recidivism Reports,” *News Releases*, October 10, 2017, <https://www.cdcr.ca.gov/news/2017/10/10/cdcr-releases-back-to-back-annual-recidivism-reports/>.

The RAND study begins by validating a familiar rehabilitative framework: incarcerated people often enter prison with lower educational attainment and limited job experience, framing these as barriers to reintegration.¹⁸³ From this starting point, prison labor and education are presented as technocratic solutions, or interventions designed to convert incarceration into a site of human capital development.

RAND's strongest findings concern behavior, specifically recidivism. The report concludes that participation in correctional education is associated with significantly lower recidivism, with participants showing roughly "43 percent lower odds" of returning to prison, an estimated 13-percentage-point reduction in risk.¹⁸⁴ These findings are often cited as evidence that prison programming is both effective and cost-efficient. However, when the analysis turns to actual employment, the evidence weakens considerably. RAND notes that only a small number of studies measured post-release employment, and very few used rigorous research designs.¹⁸⁵ In fact, only one employment study met the highest methodological standards, limiting the strength of any causal conclusions about labor market success.¹⁸⁶ Furthermore, even where positive associations in employment do appear, the effects are remarkably modest. Participants had about 13 percent higher odds of post-release employment than nonparticipants, and RAND estimated that 114 individuals would need to receive correctional education for one additional person to obtain employment (a success rate of less than 1 percent).¹⁸⁷ These findings complicate the assumption that prison labor and vocational programming translate directly into meaningful workforce integration.

¹⁸³ Lois M. Davis et al., *How Effective Is Correctional Education, and Where Do We Go from Here? The Results of a Comprehensive Evaluation* (2014), 2. https://www.rand.org/pubs/research_reports/RR564.html.

¹⁸⁴ Davis et al., *How Effective Is Correctional Education?*, xvi.

¹⁸⁵ *Ibid.*, 7.

¹⁸⁶ *Ibid.*, iii.

¹⁸⁷ *Ibid.*, 45.

Furthermore, the report underscores significant methodological limitations. Many studies rely on non-experimental designs vulnerable to selection bias, meaning that participants may differ from nonparticipants in motivation, behavior, or prior preparation independent of programming.¹⁸⁸ Observed employment differences may, therefore, reflect preexisting characteristics, such as higher education or a lack of drug abuse, rather than program effects. Employment data itself remains limited. Few studies track wages, job stability, or sector placement, and many rely on administrative records capturing only formal employment. As a result, existing research cannot determine whether correctional programming produces durable economic mobility or merely short-term increases in employment statistics.

This gap between strong recidivism findings and weak labor outcomes is analytically significant. Correctional education is frequently justified as a workforce development strategy, yet RAND's synthesis shows that the most measurable effects concern behavior, reduced reincarceration, rather than sustained employment or economic independence. Even vocational training does not consistently outperform academic programming, and differences between program types remain inconclusive. Taken together, the RAND evidence does not definitively demonstrate that prison labor or vocational education integrates formerly incarcerated people into the labor market. Instead, it reveals that reductions in recidivism can be measurable and politically legible, whereas employment outcomes remain partial, uneven, and underexamined. The more rigorously outcomes are evaluated, the less certain the employment benefits appear.

The Urban Institute, another leading nonpartisan think tank that tracks the lives of justice-impacted individuals across multiple states, further complicates this narrative. Their research shows that employment after release is not a linear transition but rather an unstable, uneven process shaped by structural barriers and labor market precarity. As the report notes,

¹⁸⁸ Ibid., 7.

“Most former prisoners experience difficulty finding a job after release,”¹⁸⁹ noting that incarceration often erodes work skills and limits opportunities to gain meaningful experience. These barriers are compounded by broader structural constraints, including “low levels of educational attainment and work experience, health problems, and other personal characteristics that make them hard to employ,”¹⁹⁰ as well as the fact that “many employers [are] reluctant to hire convicted felons” and that “many former prisoners are legally barred from certain occupations.”¹⁹¹

Early post-release employment is neither universal nor stable. Two months after release, “43 percent of respondents had been employed at some point since leaving prison, but only 31 percent were currently employed.”¹⁹² Even eight months after release, while “65 percent had been employed at some point since release,” “less than half were actually employed at the time of the interview.”¹⁹³ These figures highlight a pattern of intermittent work rather than stable labor market attachment.

Employment quality also reflects structural precarity. The most common jobs obtained were in “construction or general manual labor,” “maintenance,” and “assembly line or factory jobs.”¹⁹⁴ Even among those employed, “47 percent said they were not happy with the amount of pay their job provided,”¹⁹⁵ reflecting the modest wages associated with these sectors. This outcome suggests that the labor performed behind bars, which is dominated by the same

¹⁸⁹ Christy Visher et al., *Employment after Prison: A Longitudinal Study of Releasees in Three States* (Urban Institute, 2016), 1.
<https://www.urban.org/research/publication/employment-after-prison-longitudinal-study-releasees-three-states>.

¹⁹⁰ Visher et al., *Employment after Prison*, 1.

¹⁹¹ *Ibid.*

¹⁹² *Ibid.*, 3.

¹⁹³ *Ibid.*, 7.

¹⁹⁴ *Ibid.*, 4.

¹⁹⁵ *Ibid.*, 3.

low-skill maintenance tasks required to run the facility, does not translate into upward mobility but rather funnels individuals into the most volatile segments of the free market.

Crucially, the study also emphasizes the persistence of stigma in the hiring process. A majority of respondents reported that “their criminal record had affected their job search,” and many believed “employers did not want to hire someone with a criminal record.”¹⁹⁶ Structural exclusions extend further, as restrictions on convicted persons' employment in certain occupations impede job searches, thereby narrowing available opportunities regardless of training or experience.

Importantly, the research complicates claims that prison labor programs produce durable employment outcomes. Although “respondents who held a prison job and those who participated in job-training programs while incarcerated had better employment outcomes after release,”¹⁹⁷ these advantages were limited. Having a job lined up prior to release “assists in initial employment but does not necessarily help them maintain employment,”¹⁹⁸ underscoring the fragility of post-release labor attachment.

The Urban Institute's findings depict post-prison employment as unstable, low-wage, and structurally constrained, rather than a reliable pathway to reintegration. Even when work is obtained, it does not consistently lead to economic independence. Instead, employment is embedded within a broader landscape shaped by stigma, legal exclusion, and limited opportunity, conditions that complicate the central claim that carceral labor prepares individuals for sustained participation in the free labor market.

Ambition vs. Accessibility

¹⁹⁶ Ibid.

¹⁹⁷ Ibid., 7.

¹⁹⁸ Ibid., 8.

Contemporary data also reveals a staggering gap between the assessed needs of the incarcerated and the actual availability of programming. In 2012, the California Department of Corrections and Rehabilitation (CDCR) set an ambitious goal to meet the rehabilitative needs of 70 percent of eligible individuals¹⁹⁹. However, a 2024 study by the Public Policy Institute of California (PPIC), a nonpartisan group focused on informing public policy through objective research, found that for those released between 2015 and 2019, only four in ten had participated in any program at all.²⁰⁰

This discrepancy highlights that “reentry preparation” is often a matter of statistical luck rather than systemic delivery. The PPIC report demonstrates a profound lack of program reach across all categories of need. On average, 68 percent of individuals were assessed as needing substance use disorder treatment, yet only 15 percent actually participated.²⁰¹ Similarly, while 41 percent were assessed with employment needs, a mere 9 percent participated in any “Career Technical Education” program.²⁰² This institutional failure extends to behavioral interventions as well; approximately 40 percent of the prison population was assessed to need programs addressing “criminal thinking,” but only 10 percent participated.²⁰³

A superficial reading of this data might suggest a crisis of individual motivation—the state provided the opportunity, but incarcerated individuals simply chose not to participate. However, relying on this assumption risks falling into the exact ideological trap constructed by the 1970s technocratic model: it individualizes a structural failure. While personal motivation naturally varies, these abysmal participation rates are more likely the mathematical consequence

¹⁹⁹ Heather Harris et al., “Policy Brief: California Prison Programs and Reentry Pathways,” Public Policy Institute of California, June 2024, 1.

<https://www.ppic.org/publication/policy-brief-california-prison-programs-and-reentry-pathways/>.

²⁰⁰ Harris et al., “California Prison Programs,” 1.

²⁰¹ Ibid.

²⁰² Ibid.

²⁰³ Ibid.

of a system stretched beyond its capacity. The PPIC report itself points to a major structural barrier: the duration of incarceration. The study found that 40 percent of people spent one year or less in prison, and those serving these shorter terms were the least likely to participate in programs.²⁰⁴ When combined with the logistical realities of navigating a massive carceral bureaucracy—including waitlists, facility transfers, and the competing daily demands of the prison’s own operational maintenance—the window for meaningful intervention shrinks drastically. This creates a devastating paradox: a massive portion of the population is returned to society without the interventions the state uses to justify their initial confinement, not necessarily because they refused the help, but because the system was fundamentally unequipped to deliver it in time. Instead of acquiring the rehabilitative tools promised by the state, these individuals reenter the free market equipped with nothing but the enduring, exclusionary brand of a “criminal.”

The Extraction Reality

If the empirical evidence for rehabilitation is thin, the persistence of carceral labor must be understood through its true function: the fiscal and operational maintenance of the institution. As the Robert Presley Center of Crime and Justice Studies, a research center at UC Riverside that examines the impacts of the justice system, highlights, nearly two-thirds of the 1.2 million people in U.S. prisons hold jobs behind bars, fueling an \$11 billion industry.²⁰⁵ The economic viability of the modern prison system relies on a “captive workforce” that performs roughly \$9 billion in prison maintenance services annually.²⁰⁶ When viewed alongside the PPIC’s finding

²⁰⁴ Ibid.

²⁰⁵ *Prison Labor Part I: Legal Origins & Reform Efforts*, Bulletin, Prison Labor, Volume 6, Issue 1 (UC Riverside Presley Center of Crime & Justice, 2025), https://presleycenter.ucr.edu/sites/default/files/2025-06/presley-center_bulletin_volume-6-issue-1.pdf.

²⁰⁶ Presley Center, *Prison Labor Part I*, 2.

that only 9% of eligible individuals receive vocational training,²⁰⁷ a clear hierarchy of labor emerges: the state prioritizes the \$9 billion in services required to sustain the facility over the technical training required to sustain the individual.

By the 2020s, the empirical data had stripped away the final veneer of the rehabilitative mask. Reports from organizations like RAND and PPIC laid bare the reality that the PIA and the state's broader vocational programs were neither systematically reducing recidivism nor guaranteeing meaningful post-release employment. Stripped of its social science defense, the carceral apparatus was left with its most foundational, structural reality: the system simply could not afford to function without coerced labor. This reliance was not necessarily the result of a coordinated deception by all state actors; indeed, California legislators supported Proposition 6 with the intent of abolition, and many others worked within the system in good faith. However, because generations of Californians had already internalized the historical narratives of building character and teaching skills, the carceral system no longer needed an active moral defense. Instead, the sheer weight of the state's bureaucratic inertia—manifested through nonpartisan fiscal warnings about the cost of abolition—was enough to trigger the public's financial anxieties, ensuring the survival of the extractive status quo.

²⁰⁷ Harris et al., "California Prison Programs," 1.

Conclusion

Over the past century and a half, the California carceral state has never abandoned the Thirteenth Amendment's exception clause; it has merely bureaucratized it. The historical trajectory of prison labor in the state demonstrates that rehabilitation has functioned less as a measurable pathway to freedom and more as a highly adaptable rhetorical tool used to secure institutional legitimacy. As this thesis has shown, every era of progressive reform in California has ultimately refined the mechanics of extraction, all while presenting reform as humane and in the best interest of both those incarcerated and members of California society. From the religious factories of obedience in the nineteenth century to the "honor camps" of the mid-twentieth century and finally to the technocratic management of the modern era, the state has consistently shifted its vocabulary to protect a singular historical constant: its reliance on an unpaid, captive workforce. This century-long evolution culminated in the 1980s with the creation of the California PIA. By officially reframing incarcerated individuals as economic inputs in a self-supporting industrial machine, the administration embedded coerced labor so deeply into the state's modern infrastructure that its elimination became politically and economically unthinkable.

This historical critique does not dismiss the genuine intentions of the individual educators, clinicians, and advocates who operated within this system over the last century. There is no doubt that many of these actors worked in good faith, striving to provide actual rehabilitation and human dignity to incarcerated populations. The problem with the California carceral state, however, is that those with the power to enact change never targeted the system's foundational structure. These advocates were largely unable to recognize the carceral logics beneath their own efforts. By accepting the premise that forced labor could be used for moral or

rehabilitative purposes, individuals believed they were carrying out meaningful reform while indirectly supporting the administrative machine. Because the state chose to build its carceral economy through the Thirteenth Amendment's exception clause, well-meaning interventions—whether vocational, therapeutic, or educational—functioned merely as band-aids over a fundamentally extractive framework. The constitution permitted but did not mandate carceral labor; California's reliance on coerced productivity was a deliberate administrative policy. Rather than dismantling the mechanics of forced labor, genuine reform efforts were consistently co-opted by state administrators, allowing the underlying machinery of institutional survival and economic extraction to operate uninterrupted.

When subjected to the scrutiny of the historical and empirical record, the state's co-optation of these reform efforts becomes glaringly apparent. By examining state archives and audits not as neutral accounts of progress but as instruments of economic justification, this research exposes "managerial objectivity" as a century-long facade. The state has historically justified forced labor by claiming it produces employable, self-sufficient citizens; yet, decades of legislative audits and independent longitudinal studies reveal a sprawling administrative apparatus that has consistently prioritized its own fiscal survival over the efficacy of its rehabilitative programs.

The historical promise of workforce readiness rests on institutional tradition rather than reality. The skills acquired behind bars, predominantly the low-wage, manual maintenance tasks required to keep the prison facilities themselves operational, do little to overcome the lasting historical stigma of a criminal conviction and enduring structural racism. Instead of facilitating meaningful reintegration, the state's labor programs have consistently funneled formerly incarcerated individuals back into the most precarious sectors of the economy. Despite decades

of measurable failure, the persistence of these programs exposes their true historical imperative: prioritizing the labor required to maintain the carceral facility over the resources needed to restore the human being.

The modern consequences of this century-long rhetorical project were laid bare in November 2024, when California voters rejected Proposition 6 by a margin of 53 to 47 percent.²⁰⁸ The defeat of Proposition 6 should not be viewed as an isolated political anomaly but as the historical culmination of the state's administrative logic. The measure's failure was driven not by a moral defense of slavery, but by the hidden economics of the carceral budget and the use of state vocabulary. While states like Tennessee passed similar abolition measures with over 80 percent approval by explicitly asking voters to prohibit "slavery," California's ballot euphemistically targeted "involuntary servitude," obscuring the moral stakes for the electorate.²⁰⁹

Even in the absence of an organized opposition campaign, the state's own fiscal estimates effectively weaponized the public's fear of taxation. The public's susceptibility to this fear was driven by a manufactured "clinician's illusion"—a psychological phenomenon where society generalizes the most chronic offenders to the entire incarcerated population, maintaining a punitive mindset that views individuals as dangerous and irredeemable.²¹⁰ Crucially, this illusion did not emerge in a vacuum; it was the direct psychological byproduct of the state's century-long rhetoric. Because generations of Californians had already internalized the historical myths of saving souls, building character, and correcting behavior, they had been conditioned to view incarcerated people not as exploited workers but as a monolithic population in need of strict, forced management.

²⁰⁸ Balletopedia, "California Proposition 6."

²⁰⁹ Presley Center, *Prison Labor Part I*, 5.

²¹⁰ Presley Center, *Prison Labor Part I*, 4.

Armed with this manufactured illusion—a bureaucratic framing that successfully convinced voters that the current coercive system was the only functional reality—the system no longer needed to actively defend the morality of forced labor. It could simply rely on those ingrained public justifications while subtly threatening the fiscal consequences of abolition. Because the nonpartisan legislative analysis projected that ending forced labor could cost taxpayers tens of millions of dollars annually, the implicit threat was clear: without a captive workforce, the state would have to hire salaried staff to maintain its own vast infrastructure.

Furthermore, the public's willingness to accept this fiscal trade-off demonstrates the triumph of the state's long-term messaging. For over a century, prison labor has been so thoroughly sanitized by the language of “duty” and “repayment,” conditioning society to equate involuntary servitude with an incarcerated person simply “paying a debt to society.” However, as the defeat of Proposition 6 revealed, the nature of this debt has fundamentally changed. It is no longer simply a moral obligation or a means of repairing a societal wrong; rather, it has become a literal financial debt. The expectation is that incarcerated workers—who are disproportionately Black and Latino—should subsidize the astronomical costs of their own confinement. Today, this captive workforce sustains an \$11 billion national industry, performing roughly \$9 billion in prison maintenance services annually, generating the system’s revenue.²¹¹ This ingrained public acceptance of financial extraction allowed the economic imperative of the modern carceral model to successfully defend itself at the ballot box in 2024, overriding the moral imperatives of abolition.

By continually rebranding the extraction of labor, the state of California has successfully masked the origins of its carceral wealth. The archival silence, the deliberate historical erasure of the incarcerated perspective from a century of state records, proves that the carceral system was

²¹¹ Presley Center, *Prison Labor Part I*, 2.

never designed to elevate the voices or secure the rights of the people within it. It was designed to manage them as logistical assets.

Understanding the state's narrative of rehabilitation as a historical tool of management, rather than a genuine bridge to liberation, is essential to deconstructing California's carceral past. Future historical research must continue to interrogate these archival silences, shifting the focus from how these extractive systems were built to how their foundational legal and economic architecture might finally be dismantled. The failure of Proposition 6 proves that the legacy of enslavement remains, hidden securely behind modern government audits. Ultimately, ending forced labor requires more than a change in state vocabulary; it demands the structural undoing of the carceral economy itself. Until the state is forced to abandon its century-long reliance on coerced productivity, the California prison will remain a site of unrecognized slavery, standing as a permanent, unpaid architect of the American West.

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