Research Process
- Sources
- Argument

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Media & Culture
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Radiohead and the Tip-Jar Model

Late in the afternoon of October 3, 2007 I faced a decision that was much more difficult than I'd anticipated: how much did I want to pay for a digital download of Radiohead's seventh album, *In Rainbows*? It should've been easy; the download was offered by the band itself on its website, not a third party linked to through Napster or The Pirate Bay, and the price was given only by the text "it's up to you." Unlike the music I'd downloaded for free in the past, all without the artist's permission, *In Rainbows* came with no embedded moral problem. The band didn't seem to mind if I opted to pay nothing. Eventually I settled on $6, entered my payment information, received my download, and sat back to enjoy the album, but I wondered about the other thousands, and eventually millions, of fans like me, specifically about how they viewed this sudden influx of responsibility and the decisions it led them to make.

Uses a personal anecdote to introduce the issue of the essay

Generalizes from personal experience to raise the central question

I wasn't the only one with questions. Editorials in newspapers and on websites, blog postings and attendant comment sections, and conversations with friends all asked what this experiment would mean for music retail and digital sales, copyright law, and the stability of the industry's conventions. Everyone who took interest in the situation seems to believe, whether they side with or against the band's decision, that Radiohead changed the conversation about content distribution, one that extends beyond music to other media. Would this be the first wave in a gradual rewriting of the industry's rules, or was the band merely exercising its sizable economic muscles in a one-shot deal?

Introduces model

Qualifies its applicablity

Many of those commentators compared Radiohead's sales plan for *In Rainbows* to the tip jar on the counter of the local coffee shop. The comparison isn't quite parallel because tips are generally given for quality service that accompanies an already-purchased product. In Radiohead's case, however, the product and service are one and the same (at least until *In Rainbows* was released in the stores, months later, on TBD Records). That fits with Greg Kot's observation, from *Ripped: How the Wired Generation Revolutionized Music*, that the band wanted only "to leak its own album, give fans a taste of the new music, and invite them to buy the sonically superior physical product once it became available in a few months" (1). Using an online tip jar for digital sales, then, is not necessarily the best way to make money, but an effective means of promoting a product to be sold later at a fixed rate.

Explains one thing the model brings to light

Although Radiohead aren't the first to use the tip-jar model of sales, their particular tip jar perhaps did have the widest reach, which may have influenced the success of the experiment. "[Radiohead] seems more interested in getting the new album into as many hands as possible, and doing so legally . . . but [the band] has no trouble selling out venues, and . . . it's still in its prime for CD sales," says the editorial page of the *L.A. Times*. If Radiohead's status as a high-profile, top-selling international act is partly responsible for raising sales figures, then the tip-jar model might only change that small segment of the industry that can command such attention. Ayala Ben-Yehuda of *Billboard* puts it succinctly in her article "Networth": "online fan-funding efforts certainly sound like a grass-roots and democratic way to launch a career, but the few bands that can actually motivate enough fans to make donations to their recording effort probably don't need the help."

Considers a limit of the model

Musician Kim Gordon of the band Sonic Youth agrees, arguing "we're not in that position either. We might not have been able to put out a record for another couple of years if we'd done it ourselves: it's a lot of work. And it takes away from the actual making music" (qtd. in Peschek 5). Gordon's emphasis of production and creation over distribution not only implicitly critiques Radiohead's artistic decisions, it also rebuffs the notion that large-scale change is possible in the music industry. If the tip-jar distribution model is too complicated for a band of limited resources (even a comparatively successful, long-lived band like Sonic Youth), then the changes that will come as

Explains the limits

Research Process
- Sources
- Argument

sources

traditional music retail shifts towards a greater online presence will be cosmetic; the advantages presented by the internet will only reinforce a sales model that relies on record labels and distributors to do the work that might otherwise detract from the quality of music produced.

Examines model in another context

However, the tip-jar model has been widely adopted on the Internet and factors significantly in various proposals for refiguring online news content to recoup lost profits. Some critics argue that clicking on sponsored ads while visiting a favorite website is the same as tipping, while companies like TipJar, LLC, and TipJoy offer tip-collection services for companies and bloggers eager to earn more direct revenue than that offered by ad sales. The programming is relatively simple to integrate into any content outlet, and though the logistics required to distribute an album's worth of mp3s are likely more complex than those involved in offering a 500-word editorial, it's not difficult to imagine a young band, writer, cartoonist, or activist publishing content and earning enough through donations to at least partially subsidize further work. In fact, this sounds much like the "grassroots and democratic way to launch a career" that Ben-Yehuda describes. Furthermore, the social factors that inform the value of those donations may shift the conversation from launching a career to something much larger.

Draws implications of the model

Reminds me of YouTube biz with payment

Economists have long held that opting to pay any amount of money for a good when a "free-ride" is possible is impure altruism, and even though the motives behind such giving may not be enlightened, they are no less valid. "Social pressure, guilt, sympathy, or simply a desire for a 'warm-glow' may play important roles in the decisions of agents," says economist James Andreoni, and those influences impact our understanding of what a donation means (464). The positive feelings that come from doing something generally considered good can be seen in Viviana A. Zelizer's concept of special monies, which recognizes that "extraeconomic factors systematically constrain and shape" the uses, users, allocation, control, and sources of money (351). Unlike the rational, "all-purpose" value of money, which is the same in any context, a tip, as a form of

Introduces a concept ("special monies") to analyze how tip-jar model works

Unique research

"special money," can have a different value, or even a different function, depending on the context. From this perspective, the viability of the tip-jar model is determined by the specific relationship between consumer and producer or provider rather than by general guidelines set by an artist, a company, or even the industry. This seems especially true online, where the fragmentation and specialization of those groups defies blanket solutions and plans.

Explains potential consequences

payment turns into funding through choice

In other words, a tip given to a freelance blogger or an unsigned local musician is essentially different from one given to the *Boston Globe* or Radiohead in that the stakes behind the former are far greater than those of the latter. The social forces motivating people to tip accessible, independent artists are likely to encourage continued giving, particularly when an online tipper's warm-glow feelings stem from a perceived responsibility to the artist's continued content production. The tip feels more "necessary" because the audience has entered into a more direct relationship with the artist, and the online tip becomes not only an investment in the future output of an artist but also a means for the audience to actually participate in production, to become part of the machinery that's responsible for the eventual album, book, or design. Eduardo Porter, in a *New York Times* editorial published shortly after *In Rainbows'* release, extrapolated that participation to include not just the creation of new content, or even a new means of production, but perhaps of a new economy itself (1).

Ends by drawing a distinction between "established" and "unknown" artists to suggest where change based on tip-jar model is likely to occur

Established bands like Radiohead and Nine Inch Nails (who offered a variation on the tip-jar model with *Ghosts I-IV* in 2008) rose to prominence on the established economy. For them, "pay what you will" schemes are a useful promotional tool, a means of self-sufficiency in the shadow of large corporations, and an interesting experiment. And while that independence is likely satisfying, it isn't likely to create Porter's new economy. That will be left to the artists, publishers, and others toiling unknown in bedrooms and classrooms, pushing exposure via social-networking profiles to the limit, and whatever audience is willing to follow them into a new system of exchange.

Research Process

- Sources
- Argument

ng sources

Sources

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The first true tip-jar success story seems likely to describe a community effort, the kind often absent from the myth of the individual artist.

The hesitation noted by several voices in the debate is reasonable, particularly as the question of what value, monetary or otherwise, any given consumer will place on a song, album, or entire catalog remains nebulous and somewhat intimidating. Radiohead's gambit may not have been the call to revolt as some had hoped, but it may still contain the DNA for a change to come some years from now.

Yi

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Analysis: Working with a Model

One of the interesting features of Stacy Yi's critical essay is her use of a model—the tip jar model that a number of commentators suggested—to examine Radiohead's "pay what you will scheme" and to draw out its implications not only for the music industry but for online content distribution more generally. Notice that Stacy does not apply the tip jar model rigidly. Rather, she uses it flexibly to bring to light certain aspects of online content distribution and the relationship between artists and audience. It's a matter of testing how useful the tip jar model is in explaining recent trends in the media.

FOR CRITICAL INQUIRY

1. Consider how Stacy Yi sets up the context of issues in the opening paragraphs of her essay. How does she move from a personal anecdote to the central question of her essay?
2. Consider how Yi develops the tip jar model in the essay. How does she integrate her sources to examine what the tip jar can and cannot explain? Pick one or two passages where she has effectively created an interplay of her sources and the tip jar model. How does this interplay contribute to the essay overall? Are there other passages where she is less successful in working with her sources? Explain your answer.
3. Consider the ending of the essay. What is the final point Yi is making? Does it seem to flow logically from the discussion in the rest of the essay?

RESEARCH PAPER IN APA FORMAT

Andy Mgwanna wrote this research paper in Introduction to Criminal Justice. As you read, consider how Andy establishes the purpose of the paper and how he uses his research as evidence.

Running head: PRISON PRIVATIZATION DEBATE 1

The Prison Privatization Debate:

The Need for a New Focus

Andy Mgwanna

Sociology 101

November 20, 2009

Research Process

- Sources
- Argument

Sources

ng sources

Abstract

The dramatic increase in the privatization of prisons has sparked controversy about the ethics, economics, and administration of prisons-for-profit. This paper examines the arguments made for and against the privatization of prisons and prison services. Proponents argue that privatization provides low-cost, high-quality prisons, saving taxpayers money and generating profits. Opponents question the costs and quality of privately run prisons and argue that profits and incarceration are not compatible. Others, however, have suggested that the prisons-for-profit debate has reached an impasse and the terms of discussion about prison policy need to include a stronger emphasis on rehabilitation and recidivism.

The Prison Privatization Debate: The Need for a New Focus

In 1976, the state of Florida hired a private company to operate the Weaversville Intensive Treatment Unit for Juvenile Delinquents. In 1982, the state privatized a second facility, the Okeechobee School for Boys (Young, 2006, p. 12).

Several years later, federal, state, and local government began privatizing a range of prison services and entire correctional facilities in order to cut costs and accommodate a rapidly expanding number of inmates. This recent wave of privatization in corrections can mean several things. First, it can mean that private companies contract with local, state, and federal governments to provide such services in public prisons as medical care, counseling, mental health, and drug treatment, education and vocational training, laundry and food services, and staff training. Second, privatization can mean that prison labor is contracted out to private companie such as Chevron, Victoria Secret, and Best Western who hire prisoners to enter data, make products, and take telephone reservations (Davis, 2003, p. 102). Third, privatization can mean that a private company owns and operates a correctional facility as a for-profit enterprise.

Overview of organization

Almost as soon as the ink from these new contracts had dried, a heated debate about the ethics, economics, and administration of prisons-for-profit erupted. In this paper, I examine the debate about privatization of prisons and prison services in order to identify the issues it raises for prison policy. First I provide some background on privatization. Second, I investigate the arguments for private prisons and the arguments against private prisons. Finally, I suggest that the debate about privatization has reached an impasse and needs to be broadened to include a stronger emphasis on rehabilitation and recidivism.

Background on the Privatization of Prisons and Prison Services

History

Privatization dates back to the mid-1800s when private companies were given contracts to run Louisiana's first prison, Auburn Prison, Sing Sing in New York, and San Quentin in California. As the use of private companies to run jails and prisons increased, a number of groups protested. Businesses and labor advocates objected to the free labor many private prisons contracted out because it was "'unfair' competition." Reformers cited whippings, malnourishment, overwork, and overcrowding as evidence of prisoner abuses in private facilities. By the end of the nineteenth century, states had largely stopped using private companies and assumed full management of correctional facilities themselves (Young, 2006, p. 8).

By the mid 1980s, however, federal, state, and local governments once again were allowing private companies to run their jails, prisons, and detention centers. Phil Smith (2007) attributes this decision to the intersection of the "ideological imperatives of the free market; the huge increase in the number of prisoners; and the concomitant increase in imprisonment costs" (p. 4). The American Federation of State, County, and Municipal Employees (AFSCME), the

Research Process
- Sources
- Argument

ng sources

largest public service employees union in the country, which counts prison employees among its members, says that the trend of privatization at the end of the twentieth century can be attributed to Thomas Beasley, the Tennessee Republican Party chairman, who founded the Corrections Corporation of America (CCA) in 1983, with help from Jack Massy, who started Kentucky Fried Chicken. Since the CCA's inception and with help from Wall Street firms such as Goldman Sachs and Merrill Lynch, the private prison industry has expanded dramatically in scope (Parenti, 1999, p. 14).

Today private companies operate juvenile detention centers, county jails, work farms, state and federal prisons, and INS holding camps all over the United States. The Corrections Corporation is the largest private prison operator. In 2003, it managed 58,732 beds in 59 jails, detention centers, and prisons in 20 states and the District of Columbia. One third of CCA's revenue comes from the federal government, while the remaining two thirds come from state and local government. The CCA's largest clients are Wisconsin, Georgia, Texas, Tennessee, Florida, and Oklahoma. Although the CCA tried to operate facilities overseas, after a series of setbacks, it now works primarily in the United States. It is the sixth largest prison system in the United States with only Texas, California, the Federal Bureau of Prisons, New York, and Florida managing more prisoners (Smith, 2007, p. 9). The CCA owns 49% of U.S. prison beds under private operation, while Wackenhut Corrections, an offshoot of the Wackenhut Corporation, a private security and investigation firm founded by former FBI agent George Wackenhut, controls 21% (Lyon, 2007).

Overview of Scope

Arguments for Prison Privatization

Proponents of privatization present two main points when they argue that private companies can maintain low-cost and high-quality prisons and prison services while generating a profit for investors. First, they argue that private prisons offer significant savings over government-run prisons. Geoffrey Segal (2002) of The Reason Foundation reviewed 23 articles by government officials and academics and found that private prisons are, on average, 10 to 15%

Visuals

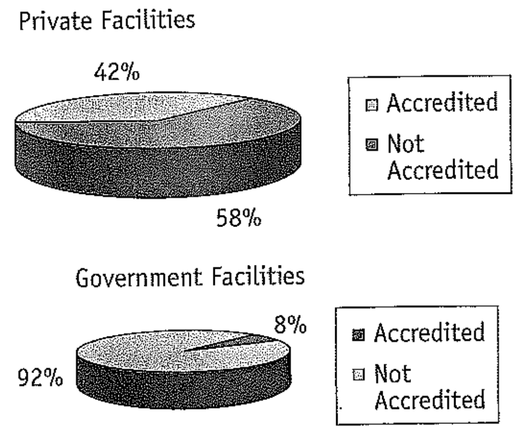

Fig. 1 Facilities with ACA accreditation, from "Prison Privitazation and the Use of Incarceration."

Cost

cheaper than government prisons (2). Taxpayers are also saved the expenses and risk of building new facilities ("Prison Privatization a Boon to Taxpayers"). Alexander Tabarrok (2004) says private prisons offer 15 to 25% savings on construction and 10 to 15% on administration. These savings, in turn, pressure public prisons to lower their costs. He notes that between 1999 and 2001 per-prisoner costs increased at a lower rate in states where public prisons competed with private prisons, 8.1 percent, compared to 18.9 percent in states without private prisons (p. 6).

Quality

Second, proponents of privatization point to the high quality of private prisons. Segal cites four reasons why quality in private prisons matches or exceeds the quality in public prisons. First, the results of six independent studies, which focused specifically on quality, indicate that private prisons are equal to if not better than government prisons. Second, 44% of private prisons have been accredited by the American Correctional Association, which provides standards for quality, management, and maintenance, while only 10% of government prisons have been accredited (see Fig. 1). Third, almost all

Research Process
- Sources
- Argument

Sources

sources

contracts with private prisons are renewed. Fourth, no private facilities have been placed under court order for issues of quality.

Others argue that high standards within private prisons are likely to be maintained and even improved upon as more companies enter the market. Frequent rebidding will likely force companies to maintain high quality in order to retain contracts. To preempt the argument that the economic goals of running a prison for profit conflict with the operational objectives, which is providing services, Joel (2004) argues that the state contracting process, which may include termination clauses for poor performance, and scrutiny on the part of courts and the press, serve as safeguards in maintaining adequate standards by the private contractors (p. 5).

Arguments Against Prison Privatization

Those who oppose prison privatizations are a heterogeneous group, and they oppose privatization for several reasons: ethical, financial, and administrative. Those who oppose prison privatization on ethical grounds argue that punishment and profit are not compatible (Smith, 2007, p. 13). Fundamentally the goal of for-profit corporations is to make as much money as possible, and in the case of prisons, profits depend on people being incarcerated. Accordingly, AFSCE objects to privatization on the grounds that it allows private companies to profit from crime. Along similar lines, Mattera, Khan, and Nathan (2003) note that the "existence of an industry based on incarceration for profit creates a commercial incentive in favor of government policies that keep more people behind bars for longer periods of time" (p. 15).

Second, opponents assert that private prisons do not save money. AFSCME asserts that there is no indication that private prisons demonstrate cost savings, while The Sentencing Project writes, "Research to date has concluded that there is little evidence that privatization of prisons results in significant public savings." The General Accounting Office (GAO) conducted a study in 1996, which found that private and public correctional facilities cost the same amount of money (Parenti, 1999, p. 154). In addition, the finances of private prisons are often in disarray. Mattera et al. (2003) point out that CCA nearly went bankrupt in the 1990s after borrowing $1 billion to build speculative prisons and undergoing a troubled corporate restructuring (p. 11). In 2000, the CCA's chief executives lost his job, and the company settled a series of lawsuits from shareholders to the tune of $120 million. CCA today "is weighed down by debt. It also continues to face weak demand for new private prisons at the state and local level" (Mattera et al., p. 21). Wackenhut has not fared much better. The corporation has been charged with squeezing money out of rehabilitation programs, counseling, and literacy courses. In 1995, for example, investigators accused Wackenhut of diverting almost three quarters of a million dollars from a drug treatment program in a Texas facility ("Wackenhut"). Opponents also argue that whatever money may be saved in private prisons is the result of the low wages and substandard benefits staff are given (AFSCME 2000). In discussing the CCA, Mattera, Khan, and Nathan (2003) write that working conditions, low wages, and lack of benefits have led to turnover rates at CCA facilities as high as 60 percent (p. 16).

Third, opponents of private prison facilities charge that CCA and other private companies poorly manage their facilities, allowing prisoner abuse, violence, medical maltreatment, and escapes ("Lock Up Private Prisons"). Mattera et al. (2003) found that CCA routinely failed to give prisoners adequate medical care, create an environment where inmates were safe from harm—both from other prisoners and from correctional staff—and control the drug activities of both prisoners and CCA employees (p. 17). Further, as Christian Parenti (1999) shows, in a 15-month period, the privately-operated Northeast Ohio Correctional Center in Youngstown, Ohio experienced six escapes, 44 assaults, 16 stabbings, and two murders (p. 234). At the same time, prisoners have protested and rioted against substandard conditions. In 1995, North Carolinian prisoners, who were living in overcrowded conditions in a Tennessee prison, burnt their dorms in a several-hour riot (Parenti, 1999, p. 173).

Research Process
- Sources
- Argument

ng sources

Sexual abuse has been one of the chief allegations against Wackenhut. In 1999, Wackenhut lost a $12 million a year contract with Texas after several correctional officers were indicted for having sexual relations with female prisoners. Wackenhut fired five guards in a work-release facility in Fort Lauderdale, Florida, after learning they were having sex with inmates. After the U.S. Justice Department found Wackenhut subjected inmates to "excessive abuse and neglect," the state of Louisiana reassumed operations of a juvenile prison (The Sentencing Project, 2004).

CCA and other private prison companies have been plagued by escapes and inadvertent releases of violent inmates. Judith Greene (2002) writes that 37 inmates escaped custody from private prisons in 1999 alone (p. 97). Mattera et al. (2003) estimate that at least a dozen inmates have been mistakenly released from custody (p. 25). In some situations, the mistakes are administrative. For example, after one month of operation, an employee at the David L. Moss Criminal Justice Center permitted an inmate to post bond after registering the wrong offense. But in other situations, CCA employees have been fooled by inmates passing as other prisoners, who are eligible for release. Some prisoners are never recaptured. At the same time, important security positions in a facility in Georgia went unfilled for 8-hour shifts 20 times in one month (Lock Up Private Prisons, 1999).

Brings sides together

The debate between supporters and opponents of private prisons and the privatization of prison services has reached a stalemate. Supporters argue that well-documented studies of financial savings demonstrate the logic of the market and the superiority of privatization. Opponents argue that privatization amounts to an abdication of government responsibility that has produced systematic abuses. As we have seen, the sides in the debate are deeply divided by their assumptions and beliefs. One of the problems with this impasse, as Thomas O'Brien (2006) of the Horizon Institute for Policy Solutions suggests, is that the key issues of rehabilitation and recidivism, which have significant implications for the cost of the prison industrial complex, have been lost in a polarized debate. O'Brien argues that rather than becoming bogged down in the pros and cons of privatization, we should focus on incentives to both private and public prisons to prevent recidivism:

> If private competition can find the keys to making young offenders become productive citizens rather than career criminals, government will save far more money than the typical 10 to 25 percent savings now found with privatization. Two out of three released convicts are now rearrested. Preventing a young offender from coming back for 20 years can save $400,000 per head (at $20,000 per year in incarceration expenses).

O'Brien helps to redefine the debate about privatization by shifting the measure of success from short-term financial savings to the long-term outcomes of prisoners. This should please opponents of privatization because it makes rehabilitation, instead of profits, the central function of the prison system. At the same time, O'Brien should please supporters of privatization because he does not give up on "private competition" but rather challenges it to develop guidelines and programs that promote rehabilitation and thereby reduce long-term recidivism. In any case, by focusing on outcomes rather than ownership, O'Brien offers at least a starting point to move beyond the current impasse.

Research Process
- Sources
- Argument

ng sources

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Analysis: Finding a Place in a Debate

Andy Mgwanna establishes the purpose of his research paper at the end of the second paragraph, when he says that he will (1) give background information on prison privatization, (2) analyze the positions for and against, and (3) explain how the debate has reached an impasse. Notice how the paper builds toward the conclusion it has already anticipated in the introductory section.

¶1–2: Introduction

- Establishes trend toward privatization
- Defines privatization
- Explains purpose of the paper