



Episode 732: The Point Everyone Misses About So-Called Private Prisons, Plus: Are Millennials Really as Anti-Capitalist as the Polls Say?

Guest: Brittany Hunter

WOODS: I'm slow sometimes to get to current events. By the time I get to them they're about three weeks non-current, but a lot of these topics are evergreen. They're going to come up a lot over the years, and it's important to get them right. Even if they fall out of the news, it's still important that we understand them correctly. So you've been doing some writing recently over at the Mises Institute website, Mises.org, and you had a piece specifically on the private prisons controversy.

HUNTER: Yes.

WOODS: Now, that was current last month, August 2016, and what made it current? What was going on that brought this up?

HUNTER: Yeah, so the Obama administration announced that — honestly, they didn't announce much of anything. What they said is they intend to stop using private prisons, but they gave no deadline; they didn't say when; it was just kind of to appease civil liberty lovers everywhere. So eventually they plan to phase out, you know, "private prisons." So obviously that was big news in the criminal justice world, and so a lot of people — "this is why libertarianism isn't going to work; private prisons don't really work." And it kind of got me thinking, well, that's because these aren't private prisons, something that a lot of people don't understand.

WOODS: Yeah, so let's talk about what makes something private. I can understand — even though it frustrates me, I can understand why a non-libertarian observer looking at this situation would say of course these are private prisons. They're run for profit by a non-governmental institution, so that makes them private prisons. What makes them, in your view, not private prisons?

HUNTER: The fact that they're getting money from the federal government. I mean, that to me — and that's always kind of been the line even with private universities when they still receive that federal funding. In my opinion — and I'm a bit of purist on this — if you are receiving any federal funding, you don't get to claim being private anymore. If you are, you know, plundering from the taxpayer dollar, you're not a private organization.

WOODS: And to me, the analogy I think of involves airport security. We hear a lot about, from some people, let's privatize airport security. And I'm all for that. But what they mean by it is let's have the government set out the rules, and then just hire some private lackeys to carry out those rules. Well, that's not really private. In a really private security system, the private people would make the rules. The rules would be private.

HUNTER: Exactly.

WOODS: Some airlines would go more on the side of security; some airlines would go more on the side of non-intrusiveness, and then you would see, you know, what the public prefers. That's what – but in the case of private prisons, the rules are coming from the government, and the prisons basically have to deal with them.

HUNTER: Exactly. I mean, the state has a monopoly on law, so to even say that a prison even could be private, it's the one sector where I think clarification needs to be given, because first of all, look at mandatory minimums as a good example. That's a federal law, mandatory minimums. So somebody comes in to you and they have a little bit of marijuana; they're going to get a minimum of 10 to 15 years no matter what. So already the federal government is not letting judges judge. Already they've taken over that. Now to put that one step further, if the state decides who gets to go to prison, then yeah, exactly what you're saying: there is no private prison. Basically it's a private organization benefitting off of the state, so when they have a monopoly over that law it would be literally impossible to have a private prison system, in my opinion.

WOODS: Right. So what we have had is something that basically gives privatization a bad name, and it allows people to shift blame from where it really belongs, which is the government and its crazy 8 million laws that everybody breaks three of them a day without realizing it, and placing it on these private prisons, which are a tiny, tiny sliver of the number of prisons anyway, as far as I can see.

HUNTER: Yeah, and really it takes the whole shift off of who should be responsible, because another thing that happens in these private prisons is not only do you have government bureaucracy, but now you're adding in another layer of bureaucracy, so no one can get anything done. No one knows what's going on in these prisons. It is the epitome of cronyism. It is exactly what we're fighting against. But these, you know, Bernie Sanders-type supporters, they see this, and they use this to prove that capitalism doesn't work or privatization doesn't work. So I do think it's important that we do make this distinction.

WOODS: You do have an interesting statistic in here. As of 2014, approximately 50% of prisoners in federal prisons were serving time for drug-related offenses. That to me is a key factor here in incarceration and in the whole debate over private prisons. We would have far fewer people being incarcerated in the first place if we weren't engaged in this drug war.

HUNTER: Exactly, and if you look at the rise of, not just private prisons, but if you look at the rise of our prison population in general, you're going to see it correlate with "tough on crime," War on Drugs, and that's something that I think we like to brush over, especially with some conservatives, because Reagan was so involved in it, thinking that, oh, this is limited government. No, it's not. You are causing the prison population to skyrocket here, and no one's done anything to stop it. And you can follow that along with the rise of private prisons, so now they're literally benefitting off the drug war. So they're filling — they get paid to fill up these cells, and so the more people that our federal government wants to send away, the more they benefit. That's not capitalism.

WOODS: Yeah, you know, maybe there's also an analogy with the military industrial complex. I mean, it's not like these companies are out there, front and center, agitating for war, but it certainly doesn't hurt. It doesn't hurt their bottom lines, so there's something very fishy about all these relationships where you have so-called private entities that benefit when the state does bad things, then the state engages in war or incarcerates people wrongly. In fact, Hans Hoppe says, you know, it's true that we want to privatize goods. We don't want to privatize bads.

HUNTER: Yeah.

WOODS: And incarcerating people for victimless crimes is a bad.

HUNTER: And that wouldn't exist without the state. That only exists because there is a state. So just allowing a private company to benefit from that, it's immoral.

WOODS: So do you realize that in just this conversation that we've had, in about five minutes or six minutes, we've already cleared away 8 million misconceptions that people have about the way the world works. I would be satisfied with this episode just at this point (laughing), because so few people get these central arguments.

Well, what I want to talk about — I want to transition a bit into something that you and I experienced together, I guess it was about a month and a half ago now. You wrote this article; I'm going to be linking to it at TomWoods.com/732. And maybe I'll link to — I know I've seen a couple of other pieces of yours. What the heck? Maybe I'll link to those too while I'm at it. But you've written them for Mises.org, and that of course is the Mises Institute site. And you were at the Mises University program this summer —

HUNTER: I was.

WOODS: — which is their weeklong program. And I'm telling you, I need you to talk about that, because not enough of my listeners were there. I mean, people who were there listen to the show, but I know there are a lot of people who listen to the show who are age appropriate for Mises U., and they're not applying, and I want them to apply, and I need you to help me get them to apply.

HUNTER: Absolutely, and for me personally, having been in this movement since — I got in right around the Rally for Republic time, so about 2009, after most of the 2008 Ron Paul stuff had died down, but it was still around. And for me — I mean, I'm sure you know; you were there — but the spirit of the Ron Paul Revolution was what invigorated so many of us, and we felt just so united in this amazing quest. And then I think in the aftermath of 2012, that kind of disappeared a little bit. It's still there, but it's not as — it's not like it used to be. But I felt completely reinvigorated at Mises U. For that week long, it felt like — well, the Revolution still is alive and well, but for that week it really felt like this is what we've been working towards, and it gave me hope again, for lack of a better way to say it. It really did restore my faith in what we're doing and this movement and where we're going.

WOODS: Now, I talked to a lot of students while I was there, but I bet you talked to more than I did. Give me your frank impression — it's a range of people, in terms of the knowledge they have coming in and their backgrounds and stuff, but what was your overall impression?

HUNTER: Yeah, that actually surprised me. So for me personally, I'm not an econ student; I am trying to get into law school. So Judge Napolitano was there, and he did his course on the free market and constitutional law, and so that was really beneficial to me. So you have law students; you have econ students. There was one girl there, 17 years old, I believe. She had never been exposed to any of this. I believe her parents worked for Ted Cruz. Completely new to this whole thing, but at the end of it she was starting to understand. And I don't think she was using the term "anarchocapitalism" by the end, but she was definitely starting to see things on the other end of the spectrum. So I know a lot of people don't apply; they feel like they don't know enough, and I would say that's not a worry, that that should not keep you from applying, because you're going to learn so much during Mises U.

WOODS: All right, so now let's — I shouldn't ask this, but who cares? Who cares? I want to know what were the best parts, the things that were most memorable to you that stand out. We've got to get people to apply to this. In fact, if they have the application process open already for next year, I'm going to link to that at TomWoods.com/732 so they can't say, well, I didn't know where to go to sign up. Nope. I'm telling you right now where it is. So when you look back on it — and it's okay if it's the karaoke night, because that's one of my favorite memories too.

HUNTER: You know, I actually think — and this is one of those things that I'll remember till the day I die, is we were upstairs in the wing of the institute where there's all these former Mises U. photos. And my friends and I were back there specifically looking for Bob Murphy's picture, because he said we wouldn't be able to recognize him. So we're looking for him. But Joe Salerno had joined us and just started talking crap on all the '80s styles: the hairstyles, the clothing. That was one of those moments — I didn't learn a lot from it, but that was one of those moments that I'll take with me forever, because it was just so hilarious. So that was a personal moment.

But other than that, I think Napolitano's class was amazing. Thorton, he spoke on economics of the drug war. That was amazing. Bob Murphy, of course. You did the opening night; that was amazing. It's so hard to pinpoint one thing, because Mises U. was just such an incredible week altogether.

WOODS: I'm going to — I used my opening talk as an episode of the show, and I can't remember if I mentioned this when I did it; I have a bad memory these days. But I am going to just point out that I forgot to put one of the suitcases in the car when we drove up for Mises U., and that included the entire set of clothes that two of my kids were bringing. So they got here; they had literally nothing to wear. So the day of Mises — and we had just moved, and there was never any time to put that talk together. And then the day of the talk, I thought, oh, I'll write it today. I had to go out and buy them clothes, because I left their suitcase at home. So I wrote that talk in about the 15 minutes before I went on. It was horrible. I mean, the talk —

HUNTER: No one would have known.

WOODS: I appreciate that. I mean, the talk was fine, but the process was absolutely terrible (laughing).

HUNTER: You know what, everybody was so excited; no one noticed.

WOODS: Oh, I appreciate that, thanks. So tell me about — if you don't mind; I didn't ask you in advance if I could ask you this, but again, that's what makes the show fun. Tell me about Generation Opportunity, because I know you've been doing some work for them.

HUNTER: Yeah, so that's kind of where I got my blogging start. So honestly, I hate the term Millennial, but that's the term we've agreed on, so we'll go with it. So the Millennial generation and kind of getting them to, one, understand that they're not socialists — they think they are, and I wrote a piece about this as well, but they're not. When you look at them all using their iPhones and, you know, reaping the benefits from capitalism, it's just very hard for me to sympathize with the fact that they think they're socialists. So that's one of our aims, is to inform people about capitalism and the free market and all the good it does.

And the next thing we do is a lot of criminal justice reform. In my home state in Utah, actually, our organization just helped someone get released from prison almost 40 years early. He was found with less than \$1,000 worth of marijuana, no prior convictions, but he had a gun on him, which automatically makes it a felony, so he was sentenced to 55 years for less than \$1,000 of marijuana. And thanks to my organization petitioning and getting him proper legal representation, he only ended up serving 12 years, and he's now back home in Utah. So that was one of our biggest successes. So criminal justice and kind of combatting socialism are what I work on the most.

WOODS: Ah, okay. So given that you're planning to go in to law school, is there a particular area of law that you want to focus on, and if so, is there anything that your ideology can bring to bear in studying it?

HUNTER: Yeah, and this is actually another point that I loved about Mises U., was hearing Walter Block just talk about the good ol' days, and Randy Barnett, who wrote some of my law school books, hearing that he started with Rothbard and then kind of split away from him, and it kind of gave me more pressure to stick to my principles as I get to that point. But I would love to fight against the state. That's kind of my end all, be all, whether that's Institute for Justice, where I'm literally suing the EPA — or *Making a Murderer* made criminal defense seem really fun. Again, I would love to defend people against the state. That's kind of my whole priority. But definitely want to make sure that I keep those libertarian principles and that no matter what I do I don't fall into the system.

WOODS: So how did you — any time I talk to a, let's say, youngish person, I always want to know what was the thing that got you into this crazy group of kids. How did you — because whatever it is we want to do more of it.

HUNTER: Yeah, honestly, it was such a combination of things. I had been a server during college, and I had been audited by the IRS, and I didn't think about it, but it sucked and I —

WOODS: Wait, wait, wait, hold on. Time out; time out. You were audited?

HUNTER: Audited for — it was something so weird. You have to realize, I made less than \$30,000, and they were saying that because I was a student I had to pay \$3,000 — I had done it wrong and I got sent all this paperwork to a house I didn't live in. So I had to deal with the IRS at, like, 19 years old.

WOODS: I've never heard of that sort of thing. What possible reason?

HUNTER: I did my own taxes, and I submitted, and I'll be honest — but I think what happened was because I'm a server it was flagged, because they do look very closely at whether or not servers are claiming all their tips. And I'll be honest: I wasn't, because I don't want them to have my money.

WOODS: Yeah, what server is? I mean, nobody — now, did you happen to hear about the Tax Free Tips Act that Ron Paul was involved in?

HUNTER: Oh yeah.

WOODS: Did that ever reach you?

HUNTER: Well, this was before I was in the Ron Paul movement, but that was one of my biggest things when I was campaigning for him in 2012, is we had those little cards

everywhere, and we were leaving them all over the country, because that to me was so compelling for young people.

WOODS: And you know, I don't know where I got them. Again, my memory just does not serve me well. But they were like business cards —

HUNTER: Yeah.

WOODS: Yeah, and they —

HUNTER: I want to say the campaign sent them for free, maybe? I can't remember.

WOODS: I don't know where I got them, but I was leaving them after every single restaurant meal, I was leaving them. And I don't know if it ever did any good, but I felt good about — I thought, one person at a time I'm getting something to.

HUNTER: Exactly.

WOODS: And you know, even if I have them on me, even if I get pulled over for speeding — not that that would ever happen, but let's suppose it did — I actually will take a business card and give it to the policeman. Why not, right? He'll take it. He'll take it.

HUNTER: He will take it.

WOODS: In fact, I was pulled over once in Auburn, Alabama, and the guy went back to the police car, and apparently he Googled me in the police car, and he came back and said, "Hey, you're a pretty interesting guy. I just Googled you." And I thought, I'm not sure if I'm creeped out by that or if that's pretty good. And he actually —

HUNTER: That's freaky.

WOODS: He let me go. I guess if you're interesting you're allowed to just speed here and there (laughing).

HUNTER: Clearly you didn't have a Ron Paul bumper sticker on your car or anything.

WOODS: No, I didn't; I didn't.

HUNTER: But yeah, there was — so there was a bunch of little things that I don't think necessarily made me libertarian, but little things that I remembered. And then it got to the point where a bunch of my college friends and I were talking, and I was raving about how great I thought FDR was. I thought FDR was the best president we ever had. Granted, I was in college, and I thought my professors were correct on everything. And that's when I had my libertarian that loved Ron challenge me, and they challenged me to prove them wrong, and by the end of that I could not prove them wrong, and from there I kind of dug right into it. I went from thinking I was a liberal to donating to

Campaign for Liberty and joining Young Americans for Liberty, and just kind of went from 0 to 100 real quick.

WOODS: Wow, that is really good. That's really good. All right, well, I'm just always curious about stuff like this. So let's go back. I want to look at another piece that you've done. And by the way, I feel like your pieces are exactly the right length. When I write online, sometimes I write three times as much as I should, and it just doesn't get read, whereas you really pack a punch with these shorter pieces. And I was just saying to somebody before we went on that I liked that. We need more of that. A lot of people just like to hear themselves talk or see themselves write, and boom, you make your point and you're done. That's excellent.

HUNTER: Thanks. It took a long time to do that, but thank you.

WOODS: Oh yeah, yeah, yeah. Actually, the easiest thing in the world actually is to write a really long, meandering piece.

HUNTER: Exactly.

WOODS: It's much harder to be more disciplined. All right, so you've got a piece: "Millennials Love Free Markets, But Don't Understand Them." So this kind of goes back to something we were talking about before. And you've got some survey data — and it's very depressing survey data in some ways —

HUNTER: Yeah, in some ways.

WOODS: — but yet in other ways, you've actually shown that maybe it's not as bad as we think.

HUNTER: Yeah, and I'm definitely one of those people who thinks actions speak louder than words, and I think there's the cool factor of being a socialist. I don't think they know what it means. But yeah, when you look at it, and this really struck me because I had a lot of friends that were musicians, and they were all these diehard communists. And I kept thinking to myself, do you think you'd be able to play instruments for fun in a communist society where they tell you what you're allowed to do? It baffled me that they thought this way, and that's kind of what got me thinking on this.

And as we've become more of a technological world and everyone has an iPhone, everyone uses Uber — even Bernie Sanders admitted to using Uber, even though he doesn't support them. So at this point, capitalism has taken over way too much of our lives for anyone to pretend that they're not at least an active participant in the free market, so that is something that I definitely try to call my own generation out on, because this socialism stuff frightens me, to be honest with you, especially coming from a point where Ron Paul was getting all the youth vote and then Bernie Sanders comes along. So I think that is something people of my generation need to be very vigilant about.

WOODS: You know, you mentioned Uber and Bernie Sanders being against it. I'm pretty sure, anyway, that Hillary is also against it. And on what possible grounds could you be against Uber?

HUNTER: This one is my favorite. In Massachusetts, I think it was about two week ago, they just signed a new tax, where Uber is literally being taxed — I think it's 10 cents per ride, and that 10 cents is going directly to the cab companies. And the state's justification for this is, well, they can't compete with you; you're too far advanced, so you need to pay for them. You basically need to subsidize their efforts to compete with you. And that to me was, like, that is the antithesis of — that's *Atlas Shrugged*, right there.

WOODS: Yeah, that was crazy.

HUNTER: And so it's this weird belief that, for some reason because Uber's so good at what they do, we have to level the playing field to make everybody else up to that level. And it's baffling to me, because I don't see any logical reason why they should be against Uber.

WOODS: Yeah, well, I don't think it is logical. I think it's just a knee-jerk distrust of market solutions to problems.

HUNTER: Exactly.

WOODS: So did you write this piece as a result of the work you were doing with Generation Opportunity? Is this kind of like the kind of stuff you're doing there and the ideas you're having there?

HUNTER: Yeah, so I kind of shy away — I'm not the policy expert, nor do I want to be a policy expert.

WOODS: Oh, I would be bored out of my mind doing that work.

HUNTER: Yeah, so would I. So what I try to focus on mostly is I love to find private solutions to problems, and that's kind of where the prison thing comes in as well, is I was thinking this is not a private solution. So any time I can see an angle where I can show that privatization will work out better or would benefit my generation, that's what I try to write about. A lot of criminal justice pieces, a lot of anti-drug war pieces, but a lot of combatting socialism, just because it's been so appalling to see even Ron Paul supporters I knew in 2012 that are now socialists for Bernie. So that's been something I've kind of taken personally.

WOODS: Well, meanwhile you've got, in this piece you're showing that ways that people are using free non-government solutions to solve all kinds of problems, with education being one of them. I mean, no doubt some of these Millennials have used the Khan Academy —

HUNTER: Absolutely.

WOODS: — to learn math.

HUNTER: Yeah.

WOODS: Or they've used YouTube to learn — I mean, you can use YouTube — the other day I was trying to get, I don't even know what you call that little spirally thing that goes into your dryer and you've got to clamp it on, and I couldn't seem to get it. But I knew for a fact that all I had to do was type something into YouTube and I would get a free explanation of it just at a moment's notice. Or even, for all its flaws, and there are many, Wikipedia is nevertheless a place I can get a lot of basic facts.

HUNTER: Absolutely.

WOODS: And people just do this, and they don't even think about it.

HUNTER: Well, and look even at Yelp. I mean, part of the free market — you can't be passive in the free market. If you don't like a product, you need to tell people why you don't like that product. And one thing I thought was really interesting is Millennials are using Yelp and review sites more than any other generation, which to me was, again, proof that they're capitalists. They want to see what they're buying before they buy it. They want to be active participants. So it's so funny to me that they can't see that.

WOODS: Yeah, Yelp is such a great example, because today I don't have to — I mean, the concern normally is if we don't have government involved, everybody's going to drop dead from poisoned food and stuff. Now, even if that were true, with Yelp I think I would find out about the poisoned food pretty easily. I mean, everybody would know. It takes two seconds to look up a restaurant.

HUNTER: Oh, absolutely. There was a pizza place that discriminated against someone — I don't know who it was — and within a week they were shut down because of Yelp reviews and everybody boycotted them. I mean, the free market works in your favor.

WOODS: Yeah, it's absolutely crazy. All right, I'm going to link to these — I like these pieces. The one on the Millennials is great, because as you say, actions do speak louder than words, and they are acting in a market setting, and they just don't see it, unfortunately. It's not being explained to them. How about that? They somehow managed to get through government schooling without learning about the market economy. How about that? And also your piece on private prisons I think helps people think about that correctly. And basically what you're trying to do, it seems to me, is just correct people's thinking. A lot of times they have the facts; they just don't understand how to understand the facts.

HUNTER: Exactly. They don't understand them, and they just don't know history a lot of the time too, and so there's no context for it.

WOODS: Is there a Brittany Hunter website?

HUNTER: There is a blog that sometimes has political musings, Dainty in the District. I figure if I'm stuck living in DC, I may as well play it up. And that is where I do post my own private thoughts that don't have to go through my work, so yes, there is a website.

WOODS: All right, good, good, good. We'll, we're going to link to everything —

HUNTER: Perfect.

WOODS: — at TomWoods.com/732. All right, thanks so much, Brittany; I appreciate it.

HUNTER: Thank you so much, Tom.