

DUMP

THE PRISON STOCK!

INVEST IN HUMANITY!



A Toolkit for Community Organizers

Prison Divestment to Build Freedom Cities



Introduction

The Prison Divestment movement is gaining momentum. In 2011, Enlace convened the Prison Divestment Campaign to fight the devastating impacts of mass incarceration and immigrant detention and deportation on low-income, immigrant, Black and Brown communities by exposing and removing a root cause of these systems: the private prison's lobbying power. Since then hundreds of community groups have organized to push their cities, universities, pensions and faith and community organizations to divest more than \$4.3 billion from private prisons and their major lenders and investors. Together, we are working to break the lobbying power of the private prison industry at all levels of government to end the criminalization of immigrants and people of color.

This toolkit will help you research your city's connections to private prisons, build a local coalition, identify your target, define your campaign goals, create a petition, enlist support through community outreach and educational events, pass a divestment resolution, and connect with the national prison divestment movement. Simply put, this toolkit will help you win prison divestment in your city! There are also materials for you to use as a template as you outreach to and educate potential supporters.

Check out Enlace's website at enlaceintl.org and the Freedom Cities website at freedomcities.org for more resources. Keep us posted on your efforts and let us know how we can help!

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I. Freedom Cities Prison Divestment Overview

\$227 million a day is spent on incarceration and detention. **What would divestment from that system mean for your community? If your city divested from prisons, jails and detention tomorrow, what would you reinvest in?**

The Freedom Cities Prison Divestment Initiative is a national strategy that creates space for local communities to answer these questions for themselves while uniting movements to target a powerful driver of mass incarceration and immigration enforcement: private prisons. We demand that cities divest from prisons, and reinvest in the needs and political power of communities that have been most impacted by criminalization.

The national movement for city divestment brings the fight against criminalization, policing, incarceration and immigration enforcement to the next level: addressing the role of corporations in creating a national program of criminalization of people of color, and what each of us must do to end our complicity in this corporate and political web that uses Black, Brown and immigrant bodies for corporate profit. We work to:

- Stop city investment in private prisons and their major bankrollers, the Million Shares Club
- End local city, county and state contracts with private prisons
- Build local and national multi-racial, multi-sector coalitions focused on ending the criminalization of communities of color and immigrants
- Uplift the leadership of people directly impacted by criminal and immigration systems
- Demand an end to federal contracts and federal tax breaks for private prisons
- Build a liberatory future free of cages, where transformative justice is the norm

Prison Divestment has become a pillar of the Freedom Cities resistance movement. **Freedom Cities is an emerging movement that seeks to make cities, towns, campuses and communities safe for all oppressed people in the US.** Freedom Cities recognizes the US' racist, punitive systems of policing and incarceration as rooted in histories of slavery and genocide. Prison divestment is an accessible way for people across the country to take action against the carceral system as they demand healthy and thriving cities and neighborhoods.

This is a campaign led by directly impacted leaders who know that justice is built when everyone lives with dignity and has what they need to thrive without fear of physical violence, racial injustice, and economic oppression at the hands of white supremacists, the government, or greedy corporations.

Through prison divestment in the Freedom Cities movement, we are **owning our power and rising up together as an unstoppable force that will fight for each of our own communities' visions**. Freedom Cities engages the most vulnerable members of the community to answer the question of *how and where* to invest our resources and our attention: whether in affordable housing, mental health, youth programs, and other social supports that contribute to the wellbeing and humanity of our people.

#FreedomCities campaigns embody each of the following organizing principles:

- **Led by directly impacted communities**
- **Pro-Black**
- **Use narratives and organizing principles that leave no marginalized community behind**
- **Shift control of resources and political power to impacted communities**
- **Deepen relationships across oppressed communities**

What is Prison Divestment?

We call on local institutions to divest from private prisons and their major lenders and investors.

Prison corporations perversely profit from incarceration and use their money and political influence to lobby for harsh criminal penalties and anti-immigrant legislation. They benefit directly from and work to exacerbate mass incarceration, one of the driving forces of racial inequality in America today. Private prison corporations depend upon capital from their major lenders and investors on Wall Street. Our cities should not invest our money in, nor profit from this system of human misery.

Divestment is the act of selling one's assets in a company for political or social reasons. It reduces a corporation's financial capacity to engage in business-as-usual, and publicizes an issue or injustice that a corporation is furthering. Divestment is an effective strategy where we want to abolish an industry rather than reform it.

The importance of prison divestment is three-fold:

- 1) **Divestment from prison corporations CoreCivic (CCA) and GEO Group (GEO)** politically isolates prison corporations and creates political will to end criminalization, mass incarceration and mass detention. Large-scale divestment will weaken CCA and GEO financially, limiting their ability to lobby for more incarceration and to build more prisons.
- 2) **Divestment from prison lenders and the "Million Shares Club"** pressures Million Shares corporations to create investment screens that prohibit investment in private prisons, and to stop lending to private prisons. The "Million Shares Club" is made up of financial institutions that lend money to prisons, lobby for prisons, and are key culprits in propping up the private prison industry. "Million Shares Club" members are companies that own more than one million shares in the CCA and GEO.
- 3) Divestment opens the door to reinvestment, and reinforces critical work already happening in communities for abolition of police, police-ICE collaboration and ICE, for Black Lives, sanctuary, affordable housing, mental health services, and other work intimately tied to decriminalization. **Divestment allows us to ask and answer the question: If we divested from the prison industrial complex, what community initiatives could we reimagine and invest in?**



Q. Why are we targeting private prisons?

A. Private prisons are a key driver of the expansion of the prison industrial complex, both public and private. CCA and GEO Group, the nation's largest private prison corporations, profit billions each year from imprisoning people. The companies control approximately 166,000 prison, reentry, and immigrant detention beds around the world. In 2017, GEO reported more than \$2.26 billion in annual revenues, and CCA earned \$1.77 billion. Both companies faced near destruction in 2016 under Obama's administration, with the proposed Justice is Not for Sale Act, the Bureau of Prison's plan to end private contracts and ICE's considering ending private contracts.

However, GEO and CCA invested heavily in Trump's campaign and administration, and are making a come-back.

CCA and GEO Group are constantly seeking new growth opportunities. The private prison industry has lobbied for [stricter criminal sentencing laws, through their involvement with the American Legislative Exchange Council](#); [police force expansion](#); and state and federal laws and programs that criminalize immigrants, including [Arizona's SB1070](#) and the [Department of Homeland Security's Operation Streamline](#). GEO is also behind [Alternatives to Detention \(ATD\)](#), which have become synonymous with formal electronic monitoring of immigrants by private prison companies.¹

Alarming, ATDs have become popular for politicians and some immigrant rights advocates as a "more humane" option than detention centers. The expansion of ATDs in immigration enforcement parallels the growth of for-profit probation and mental health services in the general prison industry.

Not limited to incarceration, CCA and GEO Group are setting themselves up as the "Wal-Mart" of state control and surveillance—a one-stop shop for surveillance, monitoring, incarceration, detention, and "treatment." GEO and CCA have expanded their business to run [mental health "treatment" facilities](#). Their expansion into the mental health sector creates a revolving door for many who are criminalized, and furthers their endeavor to offer false solutions that seek new ways to commodify people and social problems. This is a trend groups are calling the Treatment Industrial Complex.

Private prisons have turned the criminal system into a business where the highest bidder is rewarded and criminalization of our communities is job security. As a stipulation in their contracts for individual prisons, [CCA and GEO typically require 90% or more of prison beds to be filled](#). These contract clauses and the millions CCA and GEO spend on lobbying and campaign contributions ensure that state and federal governments work for them to create more criminals and detainable immigrants. Studies of private prisons also expose that they [purposefully imprison a disproportionate number of people of color in their state facilities](#), and that [they hold people longer than public prisons](#).

CCA and GEO opened the door to privatization of the prison industry when they started operating and lobbying in the 1980s. In their quest for profit at the cost of Black and Brown lives, CCA and GEO continue to open new revolving doors to criminalization. By targeting CCA and GEO, we are

¹ The only ATD program funded by Immigration and Customs Enforcement (ICE) is the Intensive Supervision Appearance Program (ISAP) II, a program requiring immigrants to wear an ankle bracelet. Since the program's inception in 2009, the ISAP II program has been administered by GEO Group subsidiary Behavioral Interventions (BI) Incorporated. In September 2015, GEO Care, LLC, another GEO subsidiary, was awarded an \$11 million-per-year contract with ICE to establish a new [case management alternative to detention initiative](#) for 1500 families released from detention.



strategically building a movement of communities who have been criminalized that is empowered through multiracial, multi-sector relationships and corporate-political analysis to take on the corporate drivers of policing, criminalization, incarceration and detention.

Q. Does the campaign oppose alternatives to prisons?

A. The Campaign opposes false solutions, like privatized “alternatives to detention” and privatized mental health treatment centers that allow corporations to profit off people of color, immigrants, and low-income communities. The Campaign supports community-based transformative justice efforts that decriminalize our communities and honor the dignity of all peoples.

Q. How does a divestment campaign work?

A. When many investors in a company decide to sell their stock around the same time, that company’s stock comes under pressure. Over time, the stock price decreases due to shareholders selling their stock, and is then dumped by many investors due to the negative publicity it has received. A low stock price can make it harder for a company to get loans, finance sales, or expand its business. And if the pressure is persistent and high enough, an entire industry—even a national government—can decide it’s time to change how they do business, or, can be wiped out entirely.

CCA and GEO Group are publicly-traded corporations. As of 2018, there are 29 major investors who own more than one million shares in CCA and GEO Group. 6 of those investors are banks that are also providing credit to private prisons to finance their expansion and lobbying. We call these hyper-investors in incarceration the [Million Shares Club](#)—a league brimming with corporate banks and giant investment firms. CCA and GEO Group rely on the financial and political support of the Million Shares Club to manipulate public policy towards increased criminalization and immigration enforcement. The Million Shares Club have defeated shareholder resolutions demanding political accountability, adequate responses to sexual assault, and the adoption of human rights standards.

City divestment is a way for us to pressure the Million Shares Club, and the politicians with power to cut tax breaks and contracts with private prisons, and to abolish racist criminal and immigration laws. When institutions that control significant amounts of money—like cities—divest, there is impactful media coverage that raises public awareness and exposes how big banks uphold the prison system by financing these corporations through loans and share-buying. Financial institutions will not stop financing an industry until they feel the repercussions of their investments in their profits and public image. City divestment forces Million Shares Club lenders and investors to address their support of the prison industry publicly and cut their ties with these companies. **As we reduce the ability of the private prison industry to lobby for mass incarceration and immigration enforcement, we get much closer to living in a world where people of color and immigrants are decriminalized, a world free of cages, a world of collective liberation.**

Local divestment campaigns create space to push for reinvestment in community values, and create a national platform where we can pressure national politicians to cut private prison contracts and their tax breaks. City divestment makes more resources available for creating safer communities. Divestment means that the success and sustainability of your city will not be tied to the ability of private prison corporations to break apart families and criminalize communities of color.



II. City Prison Divestment Victories

Since 2011, the Prison Divestment Campaign has pushed for the divestment of more than \$4.3 billion from the private prison industry by Million Shares Club members, individuals, cities, universities and pension funds. City divestment victories are below.

2014:

- Portland adopted Socially Responsible Investment (SRI) Policy to include human rights abuses by corporations like Private Prisons, and voted to include directly impacted people on the SRI committee

2016:

- Portland Socially Responsible Investments Committee voted to divest from Wells Fargo and the Bank of NY Mellon, due to their role as a Million Shares Club member of private prisons. Portland City Council voted to temporarily halt all investments in prison lenders and all other corporations for the first quarter of 2017.
- City of Berkeley Peace and Justice Commission passes resolution in April to divest from private prisons. In July, the City of Berkeley adopted a resolution to divest city funds from private prisons and to send a letter to Wells Fargo and other Million Shares Club members that the city does business with, asking them to divest immediately from the private prison industry.

2017:

- Seattle divests \$3 billion from Dakota Access Pipeline financier and major prison lender, Wells Fargo.
- Portland, OR ends all corporate investments due to intersectional organizing for prison divestment, indigenous rights in Palestine and the U.S., and fossil fuel divestment. The City commits to terminate its banking contract with Wells Fargo and to conduct a feasibility study to create a municipal bank.
- Alameda fully divests \$36 million from its accounts at Wells Fargo for its role in financing the Dakota Access Pipeline and private prisons.
- New York City's pension system becomes the first in the nation to fully divest from direct holdings in private prisons, dumping about \$48 million worth of stock and bonds from GEO Group, CoreCivic Inc. (CCA) and G4S.
- The City of Philadelphia Board of Pensions and Retirement divests \$1.16 million from private prison companies CoreCivic, GEO Group and G4S.

2018:

- Los Angeles drops its \$4 million per year banking contract with Wells Fargo after they fail to pass the city's Community Reinvestment Act, which encourages banks to operate and lend in low-income and minority communities.



III. Start Your Own Campaign!



Step 1: Build Your Coalition

Building a coalition with other groups in your community is essential to any divestment campaign's success. Consider who your strategic allies might be as well as your natural allies, and get them involved as soon as possible. It is essential that you have the support of a strong, broad, multiracial coalition before you go public with your divestment demands. Coalitions work best when everyone is involved from the beginning. Invite partner immigrant rights, Black Lives Matter, faith, labor, civil rights, criminal justice, environmental justice, LGBTQ, peace and justice, human rights, and student organizations to join your divestment campaign.

As you outreach to build your coalition, stay true to the racial, economic and migrant justice nature of this work. Are you bringing in partners who are strategic in their connections to city officials, and who will not undermine or compromise the coalitions' values? Are you bringing in and following the leadership of directly impacted people, who may or may not already be organized? How could a prison divestment campaign fit into and how could the [Freedom Cities platform](#) bridge the important work groups are already doing? Are there groups who are already lobbying the city for more resources for education and other community services that you can build with? Are there other local coalitions that you could collaborate with—for example, Palestinian solidarity and BDS, Mazaska Talks and DefundDAPL, and Divest from the War Machine—to find common corporate divestment targets and strong, movement-building narratives?

Ask these groups to work with you to:

- Endorse the campaign and pass a resolution supporting divestment
- Uplift the real lived impacts of incarceration and detention in your town, both through peoples' lived experiences and research
- Organize teach-ins, demonstrations, informational meetings, and strategy sessions.
- Participate in public meetings with city officials
- Contribute to letter-writing and phone-banking campaigns targeting city council
- Place advertisements in your local newspaper and write letters to the editor

Engaging Labor

Unions have major political influence and are often campaign donors to city council members. Ask for a meeting with their political department to discuss the campaign you're launching, and why you want the voice of labor in your coalition. Frame your engagement of labor by discussing how incarceration and immigration enforcement hurts the workers they represent, and threatens organizing. If they're an affiliate of the AFL-CIO, remind them of the 2013 commitment to take on mass incarceration and 2017 resolution to stop private prisons.

Engaging Faith

Many congregations have taken action against private prisons at the national level, and provide sanctuary to immigrants targeted by ICE. The United Methodist Church divested all prison holdings in 2012; the Presbyterians passed a resolution in 2011. In 2015, the Unitarian Universalists passed an Action of Immediate Witness calling to abolish prisons and the US Congress of Catholic Bishops called to end to family detention. Faith institutions are powerful voices, and are often organized across denominations and faith to address moments of moral crisis. Ask your local faith network to stand against the moral crisis of private prisons.





Step 2: Do Your Research & Identify Your Targets and Divestment Model

We are presenting two models for city prison divestment: direct divestment, and a holistic socially responsible investment policy. After you have done enough research to start to answer the following questions, you can reach out to Enlace for assistance, campaign guidance, and to connect to other city divestment campaigns across the country by emailing us at info@enlaceintl.org.

1. What is my city invested in? What types of investments does my city have? How else is my city connected to private prisons?

Your campaign will be shaped by the types of investments your city has, what your city is invested in, and whether your city or county has contracts or other ties with private prisons. Your city will have its own investment portfolio, and may have a pension investment portfolio for city employees. As a taxpayer, you'll likely be able to build a stronger coalition to impact the city investment portfolio. If you're a city employee, you may be able to more easily target how your own pension is invested.

City portfolio investments and pension investments are public information—it's your money after all—and most cities provide this information on their websites. You can also find this information by calling or visiting city hall, and asking questions of your city elected officials and the treasury office.

Some cities invest in corporate bonds, while others invest in money markets and capital markets.

- If your city invests in corporate bonds, you're more likely to find Million Shares Club members on the list and not direct investments in private prisons. The city will be likely to respond to your divestment campaign that they must hold onto bonds until the bonds mature. You can research whether the city has ever issued a do-not-buy resolution where they will hold onto bonds until they mature, but commit to not buy more. Research tip: check archives of resolutions and city hall meetings.
- If your city invests in money markets or the stock market, you'll likely see investments with both private prisons and the Million Shares Club. The city may respond to your campaign by saying they have little control over how the money market or stock index funds are run.

Are there privately owned or managed prisons, jails, detention centers, or re-entry facilities in your community? Or are people from your community stolen from their families and locked up in private prisons far away? Are people in your community locked up in their homes on privatized ankle bracelets? Some cities and counties contract directly with private prisons to operate jails. To determine if there are CCA and GEO prisons in your community, you can look to their annual shareholder reports, which are available on the [Securities and Exchange Commission website](https://www.sec.gov/) (look up the 10-k filings for CXW (CCA's stock ticker) and GEO (GEO's stock ticker)). These reports list CCA and GEO's facilities and whether the county, state or federal government is paying for the contract. If there is a private prison located in or impacting your community, you may also want to research whether the company has lobbied your city government, or contributed to the campaigns of local city and county officials.



2. Does your city have a socially responsible investment policy?

This information will likely be on the city's treasury or financial management office webpage. If not, call the office to find out, or do an internet search for news articles on the SRI policy.

...Yes! My city has a socially responsible investment policy!

Great! Your city has already made a commitment to recognizing the impacts its investments can have locally and globally, and implemented a process to stop investing in harm. Read the language of the policy, and learn how it has been implemented. Begin assessing whether you want to lobby city council to add "human rights impacts," or any other such language as criteria to the SRI policy like in Model A (below), or if you want to follow Model B.

...Sort of! My city has started the implementation of a SRI policy!

Reach out to city officials about what the SRI policy is likely to include and what the process will be.

...Nope! My city has no such thing in place or in the works!

Perfect! Your coalition will have to decide whether you want to engage in a longer advocacy campaign to implement an SRI policy, or if you want to press city council to pass a stand-alone divestment resolution or ordinance. If you push for an SRI policy, you'll have primary input into what the policy looks like, be able to advocate for inclusion of directly impacted people as decision makers in that policy, and be able to build relationships with Palestinian, environmental, international solidarity, Mazaska Talks, labor, and corporate ethics advocates in your city who are interested in other divestment movements. Freedom Cities offers a framework for intersectional organizing that can be used to facilitate connections between different social movements and communities. On the downside, an SRI policy campaign may take a long time until it is enacted.

Model A: SRI Policy Criteria

Best if: Your city already has a SRI policy

Looks like: Adds criteria to the SRI policy that will allow for prison divestment. Adds mechanism to ensure SRI policy is implemented in transparent way with buy-in from the community.

See Sample, page 24

Model B: Stand-alone Divestment Resolution or Ordinance

Best if: Your city doesn't have a SRI policy - Your city has a history of passing divestment resolutions (fossil fuels, South Africa, etc.).

Looks like: A stand-alone divestment resolution or ordinance

See Sample, page 26

3. Who are the targets?

Who ultimately determines where your City invests? Start with the city council: in many cities, they are the primary target because they are the decision-makers who can pass a resolution to divest the City's money from private prison companies and the Million Shares Club. They can also adopt an SRI policy. Otherwise, look to the mayor or other boards that may oversee City funds, such as a Retirement Board.



4. Who are your inside allies?

Once you know who the ultimate decision makers are, you'll want to determine who would realistically champion prison divestment, and who will push back against the campaign. There are four categories into which your decision makers will fit:

- *Active allies:* People who agree with you and are actively fighting for the cause.
- *Passive allies:* People who agree with you, but aren't doing anything about it.
- *Passive opposition:* People who disagree with you, but aren't actively resisting you.
- *Active opposition:* People who disagree with you, and are actively fighting against you.

You may not have any active allies on city council who are already talking about prison divestment, and ending criminalization of communities of color. However, through research, you can likely identify one or two passive allies who you can pressure into becoming active. To do this, research the resolutions they have introduced and voted for, the work they do in the community, boards they're on or have been on, past jobs they have held, whether community allies have strong relationships with them, etc. If, for example, they have supported other divestment (like from tobacco or fossil fuels), and have worked hard to fund schools in low-income neighborhoods, they are probably your best option. Those who have worked to expand the police and luxury development will probably be your opposition.

5. Find Your Champion: someone in local government to introduce a resolution

Identifying who will be most sympathetic to your cause is essential. Without a government official who will take ownership of the issue and make it their cause, it will be difficult to successfully pass a resolution. Once you have completed your research to determine your allies, your champion will become apparent. Plan to spend a good deal of time meeting with your champion, and getting to know their staff. A supportive city council staffer can help enormously in getting you the information you need, moving your campaign forward, and keeping it on the priority list of a politician who is balancing many different agendas.





Step 3: Demands

Divest, Decriminalize, Decarcerate, Reinvest in Humanity

We demand an end to all city fund investments in criminalization, militarization, and imperialism, and the Wall Street companies that prop up and profit from these industries.

Our city funds should not go towards companies doing business within the prison industrial complex. Local governments need to take a stand against state and corporate control over people of color and immigrants. Most of the criminal and immigration enforcement systems are now privatized, providing a perverse incentive to police, lock up and monitor people of color. Every person in our community has the right to be free from the terror, harassment and isolation of policing and prisons.

Our city funds should not go towards companies profiting from war and imperialism. Local governments must do their part to dismantle the war economy and divest from companies that derive their profits by supplying and profiting from U.S. military interventions, expansions, the Israeli occupation of Palestine, and the militarization of our streets. Every human being, both at home and abroad, has the right to live in freedom and dignity, safe and free from poverty, danger and despair.

Investing in Wall Street strips our communities of resources, directly investing in big banks that profit from harm to our communities and lobby against our needs. Prison companies, weapons manufacturers, military technology companies and oil companies all have financial backers. Many of those financial backers have also engaged in racially discriminatory practices that rob our communities of access to housing and resources, and lobbied to erode their own taxes, limiting funds for our social safety net. Our cities must divest from big banks that harm our communities on every front, starting with Wells Fargo, JPMorgan Chase and Bank of America.

The criminalization policies and rhetoric that the prison industry promotes work to divide Black from Brown communities. To build a new and just system, we must be unified, organized, and work together to destroy all cages. Divestment and reinvestment provide us the frame to dismiss false solutions. We can shift power to impacted people.

The Freedom Cities movement asks us to imagine how we can strengthen our community well-being, and how can we be explicit in leaving no group behind in the process. As we answer the reinvestment question, we are challenged to view growth differently: to build infrastructure in our neighborhoods, towns and cities that works to uplift all of our communities, instead of exacerbating the success of a few. It becomes our duty to ask the most vulnerable amongst us what reinvestment we should prioritize.

As we stop city fund investing in the destruction of communities of color locally, nationally and internationally, we will reimagine investment as a way to serve the thriving of our communities. We can create a municipal bank, increasing community control over resources. We can create a model for cities to invest in community centers and local small businesses owned by Black, indigenous, people of color and immigrant entrepreneurs, providing access to services and spaces that increase our community's wellness and health. We can transition city funds to build cooperative economies and guarantee basic rights of housing, livable wages, healthcare and a clean environment.





Step 4: Build Your Campaign

Now that you have your coalition, an understanding of your city's investments, your likely champion, and your demands, it's time to build to win.²

Plan a timeline for the resolution campaign

Learn when and how often the city council meets and how long it typically takes for a resolution to be passed. Divestment campaigns can be long-term campaigns. As you timeline, think about what other fights are coming up for your coalition members and what other opportunities may be on the horizon for your coalition members to push a decriminalization and reinvestment narrative.

Educate the Public

Spread the word. Without real public support, passing your resolution will be difficult. At the same time, one of the main reasons for working on a local resolution is to educate the public about the injustice perpetrated by the Prison Industry. The resolution is a vehicle for educating the public.

Get the media interested. Contact the media and ask them to do a story about the campaign. Resolutions give local media a way to cover larger issues through a community angle. Write letters to the editor and op-eds in support of the resolution.

Host a public forum about the resolution. Hold a teach-in or other educational event to talk to your fellow residents about the resolution, showcasing the perspectives in your coalition.

Social media. Amplify updates within your networks to up pressure on elected officials. Offer a dose of inspiration as others view your efforts and decide to replicate the idea in their own cities.

Lobby Other Elected Representatives

Make contact with other officials. Communicating with your representatives is a right, not a privilege. You should make sure all of the representatives on the city council have a packet of information about your resolution. Try to get constituents from different districts to arrange meetings with the representatives to show support for the resolution.

Expand the base of support. As the date of the vote approaches, make sure you are working with residents across the city and asking them to call or write their representatives in support of the resolution. Constituents throughout your town should be contacting their representatives on the city council. There are some ways to coordinate this. Organize a citywide "call-in" day during which people from every neighborhood will call their representatives in support of the resolution. If a particular representative is opposed to the resolution, do targeted outreach in that neighborhood.

Day of the vote. On the day your resolution is voted on, fill city council chambers with supporters. Bring colorful and eye-catching signs to show support. Encourage supporters to speak in favor of the resolution during the public comments section, and make sure a few people are ready with prepared remarks. This is your final chance to show that the community really does care about divestment.

² This section draws heavily from *Divesting from Israel: A Handbook* by Global Exchange. Available at endtheoccupation.org/downloads/divest_toolkit.pdf





Step 5: Winning and Building the Movement

Reaching the point where you have decided on a target for your divestment campaign, built coalitions with other groups, educated the public about the For-Profit Prison Industry, and empowered activists to join your divestment efforts will be a huge accomplishment. You will have learned so much from the process, and you will have much to share with other groups and grassroots organizers in other communities across the country. This final step of connecting to and sharing your experience with a national network will be instrumental in sustaining your efforts and expanding the divestment movement. By following the steps outlined below, you can make sure that divestment initiatives are connected with each other through Freedom Cities.

Pass and Implement a Local Resolution

The culmination of your local campaign will be passing a divestment resolution. You will need to follow up and ensure that the resolution is actually implemented once passed. Keep in touch with your champion and city staff to ensure the resolution is being implemented. If it isn't, make sure all of your supporters, your champion, and the media hear about it, and plan how to move forward with your coalition.

Use the momentum from your win to push your city council to take further action by making a public statement against the private prison lobby and ICE, and calling for an end to tax breaks and contracts for private prisons.

Use the Momentum to Build Freedom Cities

Use the momentum of your win, as well as the relationships you built in your coalition, to continue to move your community forward in becoming a Freedom City. Check the [Freedom Cities menu of campaigns](#) to pivot to the next most appropriate resolution: whether that is ending collusion between FBI and local police, decreasing the number of police officers in your city, or other work that is gaining momentum in your neighborhood. Figure out where to redirect energy and attention, and use the skills you gained to continue the work.



IV. Victory! Portland, Oregon Case Study

The Portland Prison Divestment Campaign, convened by Enlace in 2013, embodies the principles of Freedom Cities because its organizing methodology united multiple strategic campaigns, and the organizers of those campaigns refused to let their city council targets divide their issues. The Portland Prison Divestment Coalition, led by people impacted by criminalization and immigration enforcement, united with solidarity groups for divestment from Israel, the Dakota Access Pipeline and fossil fuels. The success of this campaign led to a reimagining of city investment.

In April 2017, Portland city council unanimously voted to permanently end all investments in corporate securities due to Enlace's powerful community organizing. Other organizations are building on this victory, demanding the city stop banking with Wells Fargo, stop contracting with G4S, and create a municipal bank. Enlace's transformative campaign built a broad local movement for human rights and racial justice, linking prison divestment with #NoDAPL and the movement to End the Israeli Occupation of Palestine.

Achievements on the road to victory:

- We pushed city council to adopt a socially responsible investments policy with a "human rights impact" criteria, setting the ground for divestment from prisons and all other human rights abusers. This language was the first of its kind in the country.
- City council created a diverse Socially Responsible Investments Committee.
- Our strong coalition pushed Senator Ron Wyden to introduce the Ending Tax Breaks for Private Prisons Act (S. 3247, Wyden) in July 2016, which he reintroduced in November 2017.
- Our coalition supported Oregon Educators Association in passing a resolution to divest their pension from private prisons, later introduced as a bill by a state legislator.

Build Your Coalition

The Portland Prison Divestment Campaign brought together 25 diverse groups. To convene the coalition we sent introductory e-mails, convened an introductory teach-in for the coalition, held additional community teach-ins, and presented one-on-one to organizations. We set up an online petition for individuals and organizations to sign onto the campaign (see sample below). We created and distributed a [factsheet](#) highlighting how our city was tied to prisons—our immigrant community winds up locked up in a private prison and our investments in Wells Fargo and Bank of New York Mellon help GEO stay afloat and connected to the powerful financial services industry (see linked documents below).



We first brought together the groups with bases most impacted by criminalization and immigration enforcement: Black, immigrant, people of color, low-wage workers and/or QTLGB communities. As the coalition grew over time, and came to include more ally and policy groups, we created a core space where strategy was set only by the organizations whose base was made up of directly impacted people. Ally organizations followed the leadership of that core strategy group.

Identify and Engage Your Local Government Champion

We set up meetings between city commissioners with directly impacted people advocating for prison divestment. Before meeting with commissioners, we investigated who their campaign contributors were and who in our coalition had good working relationships with commissioners and with their campaign contributors. We decided on one progressive commissioner who had spoken out against bad corporate behavior, Steve Novick, as our champion. ‘

Demands

We initially decided on Model B, a stand-alone resolution, for our campaign. Later, our champion introduced Model A, a Socially Responsible Investment (SRI) policy.

We demanded an end to investments in prison lenders and investors. Because there's no private prisons in-state, we focused on uplifting the impacts of how immigrants are targeted locally by Immigration and Customs Enforcement (ICE) and sent to a private detention center in neighboring Washington state. The stories and testimony of families and friends of people targeted, detained and deported moved city council to add “human rights impacts” as criteria to the city SRI policy.

Plan a Timeline for the Campaign

We held a kick-off action at the ICE building downtown to highlight how our city is tied to private prisons. Then, we planned on at least one meeting with each city commissioner with multiple representatives from our coalition, and to meet more frequently with our champion. We planned to take advantage of every public forum offered by the city on the path to passing our resolution. We presented our divestment resolution to the City Human Rights Commission, which endorsed our resolution. We built in solidarity: when members of our coalition held actions, we showed up in support, and spoke on how our causes were united.

City divestment campaigns can take a long time; ours was an unexpectedly long 3.5 year process. That meant we revisited our timeline and strategy often and sought opportunities to build the power of our coalition in fighting for decriminalization and reinvestment outside of just the city divestment process:

- we built more deeply with the bases of coalition organizations, working on political education together and actions to end police-ICE collaboration, against police brutality and for labor rights;
- we pivoted to target state investments in private prisons by supporting a teacher ally in the Oregon Education Association to introduce and pass a resolution pushing for state pension divestment, which was then picked up and introduced as a bill by a state legislator;
- we pivoted to target Senator Ron Wyden, who as a member of the Joint Tax Committee, was a key target able to introduce federal legislation to end tax breaks for private prisons.





Educate the Public

When the city hall process first lagged, we escalated with a postcard campaign. The coalition hit the streets, asking members of the community to sign on to the campaign, and then members of the coalition hand delivered postcards to our champion's office over the course of two weeks.

When our plan for a stand-alone resolution was changed by the introduction of a socially responsible investment policy, we built in

more time for community outreach, forums and actions. We sought press at each of these events, and got our message out in op-eds.

Work with City Staff

We developed relationships with Novick's staffers and with other city hall staff. We met with the treasury office to determine the feasibility of divestment. We wanted them to admit that divestment wouldn't be burdensome, and they did.

Follow Up

We initially chose Model B, but our strategy evolved to Model A as we pressured the city to implement a socially responsible investing policy. Due to the strength and trusting relationships built up in our coalition, and the relationships we fostered in city hall, we were able to work through the long SRI process. When [Portland's SRI Policy](#) finally came to a vote, we advocated for human rights impact criteria in the policy and for adequate representation of people harmed by abusive corporations on a new SRI committee.

We followed up and got our people appointed to that SRI committee by city council. Of the 7 committee members, two were active allies from the start and we moved most of the rest of the committee through a year of advocacy. Getting our allies on this committee was an important step in building community control over resources.

During the year that the SRI committee was active and considering what companies to recommend the city stop investing in, other groups lobbied the SRI committee around other companies. We built with these groups, and presented a united front for divestment from destruction. Our coalitions worked together to narrow our demands down to divestment from two companies: Wells Fargo and Caterpillar, for its involvement in the Israeli occupation of Palestine. The list of atrocities committed by these companies grew while we campaigned: Wells Fargo was exposed as a backer of the Dakota Access Pipeline and Caterpillar was Trump's pick to build the border wall. The SRI committee recommended both for divestment, as well as 7 other companies. In response to advocacy by the Prison Divestment Coalition, the local Boycott Divest Sanctions movement, DefundDAPL solidarity, and the fossil fuel divestment movement, city council ultimately voted to end investments in not just Wells Fargo and Caterpillar, but in all corporate securities.



V. Resources

Divestment Petition 1

We call on the City of Portland, Oregon to divest from the private prison industry. Profits from human misery have no place in Portland's investment portfolio!

In our Portland communities, we have experienced the harmful consequences of criminal justice and immigration policies promoted by the private prison industry. In particular, immigrant communities face insecurity and separation of families due to increased enforcement. Each year, up to 3,900 immigrants are detained in Portland by Immigration and Customs Enforcement; most detainees are transferred within hours to The GEO Group's Northwest Detention Center in Tacoma, Washington. At the Northwest Detention Center, as at most private prison facilities, documented abuses are rampant: detainees are inhumanely subjected to overcrowding, abusive strip searches, delayed medical care and inadequate food, and are pressured with physical force to sign deportation paperwork. Lobbying by GEO Group and other private prison companies has generated greater immigration enforcement, mandatory detention, and criminal prosecution of immigration offenses. The City of Portland currently has investments worth \$45 million in Wells Fargo and \$27 million in Bank of New York Mellon, two major investors in GEO Group. We demand an end to the City's profiting from such suffering.

Divestment Petition 2

Portland City Council must permanently stop investing in the banks financing private prisons and the Dakota Access Pipeline, and Caterpillar for its destruction of indigenous land and involvement in human rights abuses in Standing Rock and Palestine.

The companies involved in destroying our communities are the same. Our struggles are united. Join us in raising a single voice to City Council: uphold human rights and add Wells Fargo, Caterpillar, Nestlé, and Amazon to the city's do-not-buy list.

As taxpayers and residents in the City of Portland, we demand that the City immediately stop our investments in that are complicit in tearing apart our families and criminalizing our communities, destroying Palestinian communities, desecrating sacred lands and indigenous sovereignty, and threatening all of our water.

We call on City Council to honor the process it set in motion, and maintain the Socially Responsible Investment Committee and adopt the SRI Committee's recommendations to not buy bonds of the companies the Committee identified as the "worst of the worst," including Wells Fargo, Caterpillar, Nestlé, and Amazon.

Sample Teach-In Materials

Community Forum Announcement

"Prisons do not disappear problems, they disappear human beings. And the practice of disappearing vast numbers of people from poor, immigrant, and racially marginalized communities has literally become big business." – Angela Y. Davis, "Masked Racism" (1998)



We know that in California, while state funding is decreasing for public higher education, the budget for prisons is huge and growing. Californians United for a Responsible Budget (CURB) has found that Governor Brown's proposed budget for 2015-2016 brings prison funding to \$12.676 billion. The prison budget is growing faster than the general budget, despite decreases in the prison population.

Through Prison Divestment, we can influence the root causes of this issue, attacking the profit motive that has seen an explosion in incarceration of black and brown communities. With the Prison Divestment Campaign our objective is to break the lobbying power of the prison industry at all levels of government to make it possible to halt unjust incarcerations of immigrants and people of color.

In this Prison Divestment Forum we will explore the intersecting roles of the criminal justice system and immigration system on maintaining class, race, and labor divisions within U.S. society, and how capital has been inserted into these systems by prison companies as a way to make money off of the "surplus labor" class and social problems. We will discuss the connections between the world of finance and government in maintaining the prison industry, and the class and racial divides that industry depends upon.

Participants will discuss how they fit into this system of capital, of class and racial divide, and how they can organize together (cross-sector, multi-racial and international analysis, strategy, and alliances) against it. We are all tied to the criminal justice and immigration systems, through our lived experience, community ties, or capital ties to our institutions, which are most of the times directly invested in prisons. We will introduce the participants to the Prison Divestment Campaign, and provide them with concrete local actions they can take to use their power and move their capital—their taxes, tuition dollars, or their pensions—out of the prison industry, as the first steps toward moving our communities out of the criminal justice and immigration enforcement systems.

The goal is to empower community members and organizations to take the Prison Divestment Campaign to their communities as a way to organize against and understand the intersection of capital and government in promoting class and racial divides that benefit the elite and corporate classes.

While the focus of this forum is the for-profit prison industry, we understand this industry as one (powerful) part of much larger systems rooted in long histories (and presents) of genocide, colonization, and slavery. We see both border enforcement and the prison system as a whole as a current face of white supremacy, capitalism and heteropatriarchy—the capture, exploitation, violation and abuse of land, peoples and people.

Sample Community Forum Agenda

6:05pm Introduction - MC (10 minutes)

Goal: motivate people to care about this issue, storyteller, interesting & engaging, set the stage for speakers

MC: Introduction:

- "Welcome and thanks for joining us for this forum about prison divestment!"
- [If part of National Action] "This is one of over a dozen events happening around the country highlighting our institutions' complicity in mass incarceration, criminalization, and immigration enforcement. This week/ Today is _____ **for Prison Divestment.**"



MC: Opener: (these are suggestions, please make it yours!)

- "I represent [group name], an organization that works on [I won't try to paraphrase for you :) We have worked on actions like [some examples, stories]."
- "But we know that undocumented people and immigrants are not the only ones who are impacted by incarceration and systems of control of people of color. We are not the only people that are fighting prison expansion led by the lobbying of private prison corporations like GEO Group and Corrections Corporation of America. We are part of a bigger story. Our African and African American brothers and sisters are being locked up by the same corporations who have been behind pushing the policies that got us into the era of mass criminalization."
- Anything else, analysis or stories, you want to add about the importance of showing up for each other's struggles, and identifying the shared roots.
- "While the focus of this forum is the for-profit prison industry, we understand this industry as one (powerful) part of much larger systems rooted in long histories (and presents) of genocide, colonization, and slavery. We see both border enforcement and the prison system as a whole as a current face of white supremacy, capitalism and heteropatriarchy—the capture, exploitation, violation and abuse of land, peoples, and people."

MC: Introduce Icebreaker:

- "For our agenda tonight, we have several powerful speakers that are going to share a lot of information with you, but we want this to also be a space where each of you has a chance to share your ideas and experience a little bit. That's why before we launch into the lecture-style portion of the event, we are going to give you a chance to get up and interact."

6:15pm Icebreaker (10 minutes)

Goal: set the tone for an event where people participate vs. lecture-style event

6:25pm MC: Introduce panelists, Panel of 3 speakers (10-15 min each, 40 minutes total or less)

Goal: to show impacts of the Prison industry, intersectionality of black, brown, and immigrant communities / explain facts & strategy behind Prison Divestment Campaign

1st panelist Historical context to the development of the prison industrial complex through a hip-hop lens.

- Make the connection between the civil right/Black Power era and the subsequent explosion of mass incarceration
- Answer "why" the prison system exploded in the way it did
- Talk about why [organization] identified divestment as a solution, and a divestment victory

2nd panelist

- Who is the private prison industry
- How has the private prison industry created a market for incarceration by advancing criminalization of people of color and immigrants (Operation Streamline, SB1070, 3 strikes)
- What is divestment, and how does it work
- Brief snapshots of divestment victories

3rd panelist

- Mass criminalization - detention system, vocalizing, case study of impact of detention system on black immigrants
- Detention abolition - detention is about criminalization, conditions are really bad, conditions and organizing against local detention centers
- Trends: where are detention centers - isolated areas, lack of infrastructure for legal support -



- telecommunications court
- Reality of what detention system is
- What does deportation mean for communities.

7:05pm 5-10 minutes Question and Answer

7:15pm Discussion in small groups (20 min)

MC: Guide people through activity

- Now we have a lot of questions and ideas buzzing in our heads. We know that many of you have personal experience with organizing campaigns, with fighting incarceration, and personal experience with the prison system. So let's bring that wisdom out.
- We'd like to ask you to break into groups of 3-4 people to discuss 2 guiding questions. Get into a group with people that you haven't met before. We suggest that you do a first round of reflection to give everybody a chance to answer the questions in 1-2 minutes, then take time to dialogue and engage with each other.
- It's not necessary for everybody to answer every question, just the ones that call to you.
- You have 20 minutes total, then we'll have another 20 for groups to bring back one top point or question that they discussed
- One very important piece here: please assign a good note taker. Your notes will help the event organizers move forward in the future with shaping a campaign for Oakland.
- We know you may have questions for the speakers, so they will be floating during this time. They are also available after the event to chat and answer questions.

Guiding Questions (will be up on a projector):

- How are you personally connected to criminalization, incarceration, or immigration enforcement (family, history, investments)
- Solidarity - what does it mean to you?
- What strategies have you seen or we need to develop to change this system? What are your next steps individually?

7:35pm Questions, comments and experiences (20 min)

MC: Facilitate comment & question

As time allows, each discussion group can share a question, comment, or story related to the panelists presentations

- "We're going to ask you to come back to the main group. Choose somebody from your group that you would like to share one main takeaway with the larger group."

7:55pm What this means for the region, next steps, thank you and close (5 minutes)

Goal: build investment in people taking concrete next steps for the campaign

MC: Close out (Do we want to have each presenter give next steps?)

- "Thank you to everybody for being part of this event."
- "We hope that you're taking away new understanding of the history of the prison system and its purpose. We hope you have made some new connections, with new ideas, or new people in the room. Most importantly we hope that this is just the first step for you. Right here in the city we can make a difference in turning the tide nationally against private prisons - this forum is the first step in a bigger fight that we hope you will join us in. Make sure that you signed in so that we can contact you for next steps. Presenters will be around for you to talk with them after the event."





Prison Divestment Campaign
Convened by Enlace

Portland Coalition:

American Friends Service
Committee

Causa OR

Center for Intercultural
Organizing

Enlace

Interfaith Movement for
Immigrant Justice

National Lawyers Guild – Lewis
& Clark Chapter

Oregon DREAM Activists

Partnership for Safety and
Justice

Portland Association of
Teachers

PDX Campaign to End the New
Jim Crow

Portland Central America
Solidarity Committee

PDX Jobs with Justice

Race Talks

Rural Organizing Project
SEIU 49

Urban League of Portland

Voz

Sample Letter to City Hall Champion

October 13, 2013

Dear Commissioner Novick,

We respectfully ask that you endorse and support our efforts to push the City of Portland to pass a binding divestment resolution from the private prison industry. We call on the City of Portland to require the financial institutions with which the City of Portland invests through stocks, bonds or other securities, to divest the City of Portland's investments from the private prison industry.

Private prison corporations like the two largest, Corrections Corporation of America and GEO Group, build and operate prisons to make profits. This profit motive does not fit with the public safety rationale for government-operated prisons. National research shows that the profit drive of these corporations prevents unionization; does not provide adequate staff training; creates unsafe working conditions; promotes abuse and injuries to inmates; results in less secure facilities; and feeds the development and funding of legislation that has created mandatory minimum sentencing laws, three strike laws mandating life imprisonment, and a new apartheid system that disproportionately incarcerates people of color. Since 2001, the industry has aggressively lobbied for immigration enforcement policies, like mandatory detention, detention bed quotas, and Arizona's SB 1070, that have resulted in the detention of over 2 million people in the last five years. In 2012, CCA and GEO together spent \$1.2 million on lobbying the federal government; in return, they grossed \$2.7 billion in revenue for private prison and immigrant detention centers.

Despite recent declines in crime rates, the U.S. now boasts an incarceration rate that is 6 to 10 times greater than any other industrialized nation. No other country incarcerates such an astonishing percentage of its racial or ethnic minorities; over 60% of those incarcerated are Black or Latino. There is overwhelming evidence that prisons do not significantly deter crime, but instead create more crime. According to current trends, one in three young African American males will serve time in prison. Near the center of this conservative movement to increase incarceration and advance this new apartheid system of social control are those who will directly profit: the private prison corporations.

Through the Portland Plan, the City of Portland made a commitment to advance equity and to assess the equity impacts of policies and investments "that may appear fair, but marginalize some and perpetuate disparities." By investing in private prisons, Portland's current investment policy marginalizes communities of color locally and nationally. By investing in private prisons, the City's investment policy perpetuates extreme racial disparities in state and national criminal justice and immigration policies that result in misery in communities of color. We call on the City to refine its investment policy to proactively advance equity through divestment from the private prison industry.

Our broad coalition of faith, immigrant rights, community, student and labor organizations, has long suffered under the policies promoted by the private prison industry. We welcome the opportunity to further discuss the necessity of divestment, and to work with you in passing this critical divestment resolution.

Respectfully,

Portland Coalition, Prison Divestment Campaign; Enclosed: Draft Resolution; Campaign Brief; Bloomberg Article; Wells Fargo Private Prison Holdings





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Committee

Causa OR

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Immigrant Justice

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Oregon DREAM Activists

Parkrose Community United
Church of Christ

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PDX Campaign to End the
New Jim Crow

Portland Central America
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PDX Jobs with Justice

Race Talks

Rural Organizing Project

SEIU 49

Survivor to Survivor

Urban League of Portland

Voz

Sample Memo for City Officials

City of Portland: Investing in Prison Profiteers

Our broad coalition urgently requests the creation of a negative portfolio screen by the City of Portland that will shield our city investments from investing in private prisons and those companies that own over one million shares of private prison stock. A negative portfolio screen targeting private prison investments would set precedent for other cities that are immigrant friendly and ready to take a stand against mass incarceration, would limit the ability of private prisons to secure capital for anti-immigrant and pro-incarceration lobbying, and would pressure our federal politicians to cut funding and tax-breaks for outsourced, for-profit private prison companies.

The two largest private prison companies, Corrections Corporation (CCA) and GEO Group, are publicly-traded corporations and majority-owned by institutional investors. There are 28 U.S.-based major investors in the for-profit prison industry who own over one million shares in CCA and GEO Group. CCA and GEO Group have been historically over-leveraged and thus reliant on the funding and political support from their major investors to manipulate public policy towards increased criminalization and immigration enforcement.

The City of Portland currently holds over \$82 million worth of corporate bonds in two of the major investors in the for-profit prison industry: over the last year, the City of Portland has dramatically increased its investments in Wells Fargo and Bank of New York Mellon Corp. [1] The City may be invested in other major investors of the private prison industry, but these investments are not included in Investment Summaries available to the public.

Wells Fargo is a major investor in both CCA and GEO Group. As of the institutional investor's latest filing with the Securities and Exchange Commission, Wells Fargo owned over 1 million shares of these two for-profit prison companies. [2]

Wells Fargo is also a major lender to CCA, the largest private prison company in the country, acting as the syndication agent and issuing lender on CCA's \$900 million line of credit. Wells Fargo has steadily increased this line of credit: first expanding the line from \$450 million to \$785 million in January 2012, and further increased the amount to \$900 million in March 2013. [3][4] Wells Fargo is also the trustee for a GEO Group senior note in the amount of \$300 million. [5] As the bond trustee, Wells Fargo manages bond payments from the issuer, GEO Group, to the bondholders.

As of its latest SEC filing, Bank of New York Mellon Corp owned 3 million shares in CCA. [6] Over the last year, Bank of New York Mellon Corp steadily increased its holdings in both private prison companies. The Bank of New York Mellon has aided in the expansion of GEO Group. The Bank was the trustee and securities intermediary for Municipal Corrections Finance, allowing MCF to sell full ownership interest of MCF's 11 correctional properties, representing 10,000 beds, to GEO Group. [7]

Major investors have successfully defeated shareholder resolutions demanding political accountability and the adoption of human rights standards in private prisons, and adequate responses to incidents of sexual assault in private prisons. For example, as a GEO Group shareholder, Wells Fargo thwarted attempts to add transparency to the private prison business model by voting against the motion to "report on lobbying payment and policy" in 2012 and 2013. [8]

Private prison companies have a perverse profit motive to drive criminal justice and immigration policy towards ever greater incarceration of citizens and immigrants in prisons, jails, and immigrant detention centers. CCA and GEO spend millions of dollars --



dollars provided in part by investors and credit lenders like Wells Fargo – on campaign contributions and lobbying state and federal governments to institute longer sentences, to incarcerate more people for minor crimes, and to terrorize immigrant communities.

There are currently no portfolio screens for stocks or safeguards for bondholders to prevent their investments with Wells Fargo or Bank of New York Mellon Corp from being used to invest in and extend credit to the for-profit prison industry.

Sources:

- [1] City of Portland Treasury. Investment Summary. 7/31/2014.
- [2] Securities and Exchange Commission 13-F filings for reporting period 6/30/2014.
- [3] National Peoples Action. Banking on Immigration Detention: Wells Fargo's Ties to the Private Prison Industry. Sept. 2012.
- [4] SEC 10-Q filing by CCA, for reporting period June 30, 2013.
- [5] <http://wfdetentions.wordpress.com/>
- [6] Securities and Exchange Commission 13-F filings for reporting period ending 6/30/2014.
- [7] GEO Group. "GEO Group Closes Acquisition of 100 Interest in Municipal Corrections Finances"
- [8] Josh Lantigua. "Protestors at GEO Group Shareholders Meeting Push for Prison Safeguards." Palm Beach Post. 5/4/2012.

Sample Letter of Support from Human Rights Commission

June 11, 2014

To the Honorable Mayor Hales and City Commissioners,

On behalf of the Human Rights Commission of Portland (HRC), we would like to thank all of you for following the growing concern about the mass incarceration of Americans. As you probably know, the number of Americans in prison now exceeds 2.2 million—a number 5 to 10 times the incarceration rate in other democracies and quadruple the U.S. prison population of the 1970s.³ This growing prison population is disproportionately comprised of persons of color.

What's driving this mass incarceration? The profitability of the private prison industry. What impact is it having? As was just reported in the New York Times, researchers across multiple disciplines are "issuing reports on the *widespread societal and economic damage* caused by America's now-40-years experiment in locking up vast numbers of its citizens."⁴ Together we must figure out how to end this horrific experiment.

On June 3, 2014, the HRC heard testimony from a broad coalition of people convened by Enlace. They shared research and personal stories of this problem, as well as a draft of their **Prison Divestment Resolution** that they hope you will adopt. While it only addresses the biggest profiteers (i.e., those corporations that hold more than one million shares of stock in Corrections Corp of America and GEO Group) we think this is a good place to start. By so doing, the City of Portland will set an example to the rest of the country. Just as importantly, we will also begin to repair the broken trust between the people of Portland and those that enforce and uphold these unfair and damaging laws.

Respectfully submitted by,

Sonji R. Young
Chair, Human Rights Commission

Rev. Kate Lore
Human Rights Commission

³ <http://nyti.ms/1jNhRq2>



Divestment Model A: SRI Policy

Create the Socially Responsible Investments Committee charged with recommending corporate issuers in which the City shall not directly invest its cash assets (Resolution)

...

WHEREAS, consistent with its responsibilities to the residents of the City of Portland, the City Council has social and ethical obligations to seek to avoid adding to its investment portfolio debt securities issued by corporations whose practices egregiously contradict efforts to create a prosperous, educated, healthy, and equitable society;

...

WHEREAS, corporations that engage in practices that damage the environment and health, engage in abusive labor practices, violate corporate ethical and governance standards, engage in extreme tax avoidance strategies, exercise such a level of market dominance as to disrupt normal competitive market forces, or contribute to human rights violations undermine efforts to create a prosperous, educated, healthy, and equitable society;

WHEREAS, City Council will receive an analysis of financial impact to the investment portfolio when considering adding a company to, or removing a company from, the Corporate Securities Do-Not-Buy List;

WHEREAS, when adding to or removing from the Corporate Securities Do-Not-Buy List, City Council seeks to consider and balance a company's practices as a whole, including the seriousness of concerns about any single business practice, and whether the company's practices involve more than one of the social and values principles established by City Council;

...

WHEREAS, since City Council seeks to link our community's values with the City's investment decisions, it is appropriate to appoint a permanent committee of community members charged with making recommendations to City Council about including social- and values-based criteria in the City's direct investments in corporate securities.

NOW, THEREFORE, BE IT RESOLVED that City Council establishes the following social and values concerns as principles for consideration in the City's direct investment in corporate securities:

- Environmental concerns

- Health concerns including weapons production

- Concerns about abusive labor practices

- Concerns about corrupt corporate ethics and governance

- Concerns about extreme tax avoidance

- Concerns about exercise of such a level of market dominance so as to disrupt non competitive market forces

- Concerns about impacts on human rights**

....

BE IT FURTHER RESOLVED that City Council creates the Socially Responsible Investments Committee charged with recommending corporate issuers for inclusion on, or removal from, the City's Corporate Securities Do-Not-Buy List.



BE IT FURTHER RESOLVED that the Socially Responsible Investments Committee will be made up of seven public members who are **reflective of the diversity of the Portland community** and who are confirmed by City Council, including one nominated by each member of City Council and the others nominated by the Mayor. Initial terms of committee members shall be one or two years, regular terms of committee members shall be two years, and any individual may serve no longer than four consecutive years.

BE IT FURTHER RESOLVED that the Socially Responsible Investments Committee must include individuals with expertise in environmental and conservation issues, labor practices, corporate ethics and governance, corporate taxation, public health and safety, and business.

...

BE IT FURTHER RESOLVED that in making its recommendations, the Socially Responsible Investments Committee shall consider and balance a company's practices as a whole, including the seriousness of concerns about any business practice and whether the company's practices involve more than one of the social and values principles established by City Council in this resolution or later amended by City Council.

...

BE IT FURTHER RESOLVED that the Socially Responsible Investments Committee shall prioritize its review, starting with the corporate issuers eligible for the City's direct investment as identified by the City Treasurer, after which the committee may review other companies or industries that they reasonably anticipate may become eligible for the City's direct investment.

BE IT FURTHER RESOLVED that the Socially Responsible Investment Committee shall receive and consider an analysis of financial impact to the City's investment portfolio prepared by the City Treasurer before recommending that City Council add a company or industry to the Corporate Securities Do-Not-Buy List.

BE IT FURTHER RESOLVED that the committee may identify and use additional research beyond research purchased by the City.

BE IT FURTHER RESOLVED that the Socially Responsible Investments Committee shall forward a recommendation, which may include "no change," and explanatory report to City Council once per calendar year and no later than October 1.

BE IT FURTHER RESOLVED that if the Socially Responsible Investment Committee recommends companies for inclusion on, or removal from, the Corporate Securities Do-Not-Buy List, the City Treasurer will provide a financial impact statement for City Council to consider along with the recommendation.

Full text of Portland City Resolution 37102 available [here](#).



Divestment Model B: Resolution

We call upon the City to adopt the following resolution to demand that financial institutions, with which the City invests funds through stocks, bonds or other securities, to divest the City's investments from the private prison industry:

WHEREAS, the City Council has a history of divestment from racist and violent regimes (for example, in 19__ the City passed a Resolution in support of the divestment of public funds from South Africa); and

WHEREAS, there exist no portfolio screens shielding the City's investments from placement in the private prison industry; and

WHEREAS, private prison industry leaders CoreCivic and GEO Group and their financial institutional investors have immensely profited from immigration enforcement policies that resulted in the detention of over 2 million immigrants in the past 5 years; and

WHEREAS, the private prison industry continues to expand its lobbying efforts and campaign contributions, contributing more than \$45 million in the last decade to state and federal governments, with a significant increase in federal lobbying and contributions under the Trump administration; [1] [2] and

WHEREAS, the private prison industry is entirely dependent on government contracts to incarcerate increasing numbers of immigrants and people of color to maintain financial viability for its investors; and

WHEREAS, CoreCivic and GEO Group depend on "debt financing to conduct their day-to-day business operations and acquire smaller companies," and Wells Fargo, JPMorgan Chase, Bank of America, SunTrust, U.S. Bancorp and BNP Paribas have played a leading role in financing these debts; [3] and

WHEREAS, CoreCivic and GEO Group depend on their Million Shares Club investors for support, including by defeating shareholder resolutions that would increase political accountability of private prisons, adopt human rights standards in private prisons, and adopt adequate responses to incidents of sexual assault in private prisons; and

WHEREAS, the United States has a private prison bed capacity of over 130,000 beds, and most private prison contracts include contract clauses guaranteeing maximum occupancy; [4] and

WHEREAS, detained immigrants are prosecuted as criminals with prison sentences, to be served in private prisons, ranging from 180 days to over 10 years for infractions that were once handled primarily by the United States' civil legal system resulting in fines rather than incarceration; [5] and

WHEREAS, most detained immigrants including children, survivors of torture, and refugees do not have an attorney because immigration law does not guarantee immigrants a right to counsel; and

WHEREAS, detainees in private prisons have sued and gone on hunger strike over being forced to labor for private prison companies; [6] and

WHEREAS, private prisons incarcerate people 4 to 7 percent longer than public prisons; [7] and

WHEREAS, the profits of the private prison industry are dependent upon pro-incarceration policies, exploitation of incarcerated people of color and detained immigrants, and continued investment in the



industry's stocks and debt; and

WHEREAS, the City's investment practices are in conflict with the City's commitment to equity; and

NOW, THEREFORE, BE IT RESOLVED, that the City treasurer wholly divest the City's investments from the private prison industry and the Million Shares Club, and create a portfolio screen preventing any future investments in the private prison industry.

BE IT FURTHER RESOLVED, that any and all persons acting on behalf of City investment activity be required to enforce the provisions of this Resolution.

BE IT FURTHER RESOLVED, this Resolution shall be binding city policy and shall be in full force and effect after adoption by City Council.

BE IT FURTHER RESOLVED, that the City Council urge Senator ___ and all members of the U.S. Senate Appropriations Committee to halt all funding for contracts with private prison companies.

BE IT FURTHER RESOLVED, that the City Council urge Senator/Representative ___ and all members of the Joint Tax Committee to support the bill to end tax breaks for private prison companies.

[1] "What Does Millions in Lobbying Money Buy? Five Congresspeople in the Pocket of the Private Prison Industry," The Nation, February 27, 2013, <http://www.thenation.com/article/173122/what-does-millions-lobbying-money-buy-five-congresspeople-pocket-private-prison-indus#>

[2] "Private Prisons Boost Lobbying as Federal Detention Needs Grow," Roll Call, October 25, 2017, <https://www.rollcall.com/news/politics/99602-2>.

[3] "The Banks that Finance Private Prison Companies," In the Public Interest, November 17, 2016, <https://www.inthepublicinterest.org/report-the-banks-that-finance-private-prison-companies/>

[4] "Private Prison Contracts and Minimum Occupancy Clauses," American University Business Law Review, November 19, 2017, <http://www.aublr.org/2017/11/private-prison-contracts-minimum-occupancy-clauses/>

[5] "Indefensible: a Decade of Mass Incarceration of Migrants Prosecuted for Crossing the Border," Grassroots Leadership, July 2016, <https://grassrootsleadership.org/reports/indefensible-decade-mass-incarceration-migrants-prosecuted-crossing-border>

[6] "Lawsuit alleges 'forced labor' in immigrant detention," CNN, April 17, 2018, <https://www.cnn.com/2018/04/17/us/immigrant-detention-forced-labor-lawsuit/index.html>.

[8] "Is 'Doing Time' Money for Private Prisons?," Correctional News, July 11, 2018, <http://correctionalnews.com/2018/07/11/time-money-private-prisons/>

