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# Prison Divestment Resolution

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WHEREAS, more Black men are under correctional control today than were enslaved in 1850<sup>1</sup>; and,

WHEREAS, in 1865, the 13th amendment deemed slavery as an unlawful entity, except when serving as punishment for a crime<sup>2</sup>; and,

WHEREAS, criminal acts are classified as such based on the same documents that once called for the consideration of all Black people as 3/5 of a person<sup>3</sup>; and,

WHEREAS, prisons serve as modern forms of slavery and Jim Crow; and,

WHEREAS, according to Elliott Curie, “Short of major wars, mass incarceration has been the most thoroughly implemented government social program of our time;”<sup>4</sup> and,

WHEREAS, Since 1991 the rate of violent crime in the United States has fallen by about 20 percent, while the number of people in prison or jail has risen by 50 percent<sup>5</sup>; and,

WHEREAS, the US has the highest number of people in prison out of every country in the world, with more than 20% of the world’s prison population but only 5% of the overall population<sup>6</sup>; and,

WHEREAS, In the State of California the prison population is disproportionately racialized; and,

WHEREAS, Nearly 40% of those incarcerated in the United States are Black<sup>7</sup>; and,

WHEREAS, Black Americans make up 13% of the population, 14% of drug users, but make up of 56% of incarcerations of drug related crime<sup>8</sup>; and,

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<sup>1</sup> Alexander, Michelle, The New Jim Crow

<sup>2</sup> [http://www.archives.gov/exhibits/charters/constitution\\_amendments\\_11-27.html](http://www.archives.gov/exhibits/charters/constitution_amendments_11-27.html)

<sup>3</sup> <http://www.heritage.org/constitution#!/articles/1/essays/6/three-fifths-clause>

<sup>4</sup> <http://www.historyisaweapon.com/defcon1/davisprison.html>

<sup>5</sup> [http://core.ecu.edu/soci/juskaa/SOCI2110/Prison\\_Industrial\\_Complex.htm](http://core.ecu.edu/soci/juskaa/SOCI2110/Prison_Industrial_Complex.htm)

<sup>6</sup> <https://www.aclu.org/prison-crisis>

<sup>7</sup> [https://www.bop.gov/about/statistics/statistics\\_inmate\\_race.jsp](https://www.bop.gov/about/statistics/statistics_inmate_race.jsp)

<sup>8</sup> The House We Live In

WHEREAS, In 2010, Black men were incarcerated at a rate of 5,525 per 100,000, compared to 1,146 for Latinos, 671 for whites, and 43 for Asians<sup>9</sup>; and,

WHEREAS, If you tie in the lasting repercussions of being labeled a felon it means about 13% of all black men in the US are unable to vote, live in public housing (in some places this means their families can't either), or get a majority of job<sup>10</sup>, and,

WHEREAS, Black women are the fastest growing segment of the juvenile justice Population and the criminal justice system<sup>11</sup>; and,

WHEREAS, Among women, Black women were incarcerated at a rate of 342 per 100,000, compared to 57 for Latinas, 66 for non-Latina whites, and 5 for Asians in 2010<sup>12</sup> and,

WHEREAS, Prisons tend to be distributed differently than the general population in a state. In New York, 25% of the state lives in the upstate rural and upstate urban areas. Ninety-one percent of the state's prisoners are incarcerated there, mostly in the upstate rural areas<sup>13</sup>; and,

WHEREAS, The prison industrial complex has become a \$70 billion industry in the last few decades<sup>14</sup>; and,

WHEREAS, Privately-operated federal facilities have grown 600 percent faster than state-level contract facilities since 2010, and now represent the single most quickly-growing corrections sector<sup>15</sup>; and,

WHEREAS, In 2011, nearly half the beds in the nation's civil detention system were in private facilities with little federal oversight<sup>16</sup>; and,

WHEREAS, Companies that operate private prisons such as Corrections Corporation of America, The GEO Group, and Management and Training Corp have spent at least \$45 million combined on campaign donations and lobbyists at

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<sup>9</sup>[http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab\\_0301-0350/ab\\_324\\_cfa\\_20150412\\_145417\\_asm\\_comm.html](http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_0301-0350/ab_324_cfa_20150412_145417_asm_comm.html)

<sup>10</sup> <http://www.historyisaweapon.com/defcon1/streeracripov.html>

<sup>11</sup> [http://www.nccdglobal.org/sites/default/files/publication\\_pdf/fact-sheet-girls-in-juvenile-justice.pdf](http://www.nccdglobal.org/sites/default/files/publication_pdf/fact-sheet-girls-in-juvenile-justice.pdf)

<sup>12</sup> <http://www.prisoneducationproject.org/TyeeGriffithThesis.pdf>

<sup>13</sup> <http://www.prisonersofthecensus.org/toobig/intro.html>

<sup>14</sup> <https://www.popularresistance.org/incarceration-up-education-down-americas-cannibalistic-profitteering/>

<sup>15</sup> [https://www.aclu.org/files/assets/private\\_prison\\_infor\\_act\\_sign\\_on\\_letter\\_final\\_jan2013.pdf](https://www.aclu.org/files/assets/private_prison_infor_act_sign_on_letter_final_jan2013.pdf)

<sup>16</sup> <http://sociology.leeds.ac.uk/sites/disciplineandpunish/2012/08/02/us-private-prisons-profit-from-number-of-prisoners/>

the state and federal level in the last decade<sup>17</sup>; and,

WHEREAS, a little over a decade ago, more than 3,300 criminal immigrants were sent to private prisons under two 10-year contracts the Federal Bureau of Prisons signed with CCA worth \$760 million. Now, the agency is paying the private companies \$5.1 billion to hold more than 23,000 criminal immigrants through 13 contracts of varying lengths<sup>18</sup>; and,

WHEREAS, nearly a million prisoners are currently manufacturing office furniture, working in call centers, taking hotel reservations, manufacturing textiles, shoes, clothing, and other products while getting paid somewhere between 93 cents and \$4.73 per day<sup>19</sup>; and,

WHEREAS, the growth of the prison industrial complex further incentivizes the growth of the prison system and is reflected by the fact that over 20 prisons have been built in California over the past 30 years, while only 2 UC's and 1 CSU have been built<sup>20</sup>; and,

WHEREAS, Since 1980, state spending on prisons has skyrocketed 436%, while investment in higher education has decreased by 13% (adjusted for inflation)<sup>21</sup>; and,

WHEREAS, the school-to-prison pipeline contributes to the Prison Industrial Complex; and

WHEREAS, These are Civil Rights and educational rights that harm and destroy the educational outcomes for Black students in particular and students of color in general,

WHEREAS, private prisons profit from incarceration (an average of \$122 per person per day)<sup>22</sup> and use their political influence to lobby for harsher penalties and anti-immigrant legislation like Arizona's SB1070

WHEREAS, The three categories that can implicate a corporation as participating in the use of inmate labor are the following: Corporations, businesses and companies that use direct inmate labor for manufacturing and service jobs, Corporations, businesses and companies that contract with other companies to purchase products or services made by inmate labor (such as McDonalds),

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<sup>17</sup>[http://www.huffingtonpost.com/2012/08/02/immigrants-prove-big-business-for-prison-companies\\_n\\_1732252.html](http://www.huffingtonpost.com/2012/08/02/immigrants-prove-big-business-for-prison-companies_n_1732252.html)

<sup>18</sup><http://thinkprogress.org/justice/2012/08/03/627471/private-prisons-spend-45-million-on-lobbying-rake-in-51-billion-for-immigrant-detention-alone/>

<sup>19</sup>[http://www.alternet.org/story/155061/getting\\_paid\\_93\\_cents\\_a\\_day\\_in\\_america\\_corporations\\_bring\\_back\\_the\\_19th\\_century](http://www.alternet.org/story/155061/getting_paid_93_cents_a_day_in_america_corporations_bring_back_the_19th_century)

<sup>20</sup> <http://cacs.org/research/winners-and-losers-corrections-and-higher-education-in-california/>

<sup>21</sup> [http://www.huffingtonpost.com/2012/09/06/california-prisons-colleges\\_n\\_1863101.html](http://www.huffingtonpost.com/2012/09/06/california-prisons-colleges_n_1863101.html)

<sup>22</sup><http://www.counterpunch.org/2012/12/12/how-private-prisons-profit-from-the-criminalization-of-immigrants/>

individuals, corporations, organizations and investment companies that support the use of prison labor or enable prison industry operations by contributing financial support to those directly involved in using inmates for labor or invest in or support private prison corporations, and;

WHEREAS, The University of California currently holds \$25 million in investments in private prison corporations

WHEREAS, The University of California currently holds investments and does business with companies that exploit said labor for financial gain, such as: Wells Fargo, American Express, and Procter & Gamble; and,

WHEREAS, Investing in these aforementioned companies also makes the UC system complicit in the perpetuation of the previously-mentioned form of modern day slavery; and,

WHEREAS, mass incarceration and the Prison Industrial Complex are entities that thrive on and perpetuate anti-Black racism and public disservice; and,

WHEREAS, investing in corporations that directly gain from the PIC is against the UC mission, which states: “The University's fundamental missions are teaching, research and public service;” and,

WHEREAS, The “State of California” educational system would better serve the public and its students by investing in alternative solutions to social problems, like education, and not incarceration.

**THEREFORE BE IT RESOLVED, the UC system DIVEST, effective immediately, all of the \$25 million it has currently invested in private prison corporations, namely the Corrections Corporation of America, the Geo Group, and others, and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC system divest, effective immediately, all of the \$425 million it has currently invested in Wells Fargo for as long as Wells Fargo has any business relations with the private prison industry, and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC Regents institute a policy to never invest in private prison corporations, and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC regents institute a policy to never invest in Wells Fargo for as long as Wells Fargo has any business dealings with private prison corporations, and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC President Napolitano and the Regents issue a memorandum advising all the individual UC foundations to DIVEST all their holdings from private prisons and Wells Fargo immediately, and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC Regents mandate the Chief Investment Officer to provide quarterly investment reports to the Afrikan Black Coalition (a coalition of all the Black Student Unions throughout the UC system) and**

**THEREFORE BE IT FURTHER RESOLVED, that the UC Regents implement a Socially Responsible Investment screen committee that actively researches whether future corporations the UC invests in are held to ethical standards and that such committee has representatives from the Afrikan Black Coalition and UCSA**

**THEREFORE BE IT FURTHER RESOLVED, that the millions of funds which will be divested get re-invested in education, and companies that are owned or controlled by the formerly incarcerated.**