DECARCERATE - REPARATE - LIBERATE

CITY PRISON DIVESTMENT

DIVEST FROM PRISONS!

INVEST IN COMMUNITIES
Introduction

The Prison Divestment movement is gaining momentum. In 2011, Enlace convened the Private 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. More than 145 organizations nationwide are participating in the Campaign to get our money and our community members out of the prison industrial complex and reinvest those resources in humanity. The Campaign is led by Enlace and a diverse, collaborative steering committee whose members are listed below. Together, we aim to break the lobbying power of the private prison industry at all levels of government to make it possible 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 copy and use as you outreach to and educate potential supporters.

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

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Prison Divestment Campaign Steering Committee Members

Enlace • Advancement Project • Afrikan Black Coalition • Black Alliance for Just Immigration • California Immigrant Youth Justice Alliance • Color of Change • Community Initiatives for Visiting Immigrants in Confinement • Detention Watch Network • Dream Defenders • Families for Freedom • Florida Immigrant Coalition • Florida New Majority • Grassroots Leadership • National Day Laborer Organizing Network • National Network for Immigrant & Refugee Rights • National People’s Action • Presente.org • Responsible Endowments Coalition • Rights for All People • SEIU USWW • United Methodist Church
I. Prison Divestment City Initiative Overview

$204 million a day is spent on incarceration & detention. $142,000 per minute is spent on incarceration & detention. $2,360 per second spent on incarceration & 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 City 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 divestment from prisons, and reinvest in the needs of communities that have been most impacted by criminalization.

The for-profit Prison Industrial Complex (PIC) violently exploits, abuses, profits off and controls communities of color and immigrants, and it is rapidly expanding domestically and abroad. 1 in 3 Black men already have a cage waiting for them; drug and immigration offenses are landing an ever increasing number of people behind bars; so-called “Alternatives” to Detention and Prison are actually expansions: sending people home with electronic shackles and intensive surveillance creates a prison in your home and community. Corporations and politicians are working together to increase mass incarceration and immigration enforcement.

Private prisons and their powerful lobbyists and financial investors promote and profit off the disproportionate incarceration and detention of people of color, undermine our democratic process, and misdirect tax dollars that might otherwise go towards socially beneficial programs. By targeting the GEO Group and the Corrections Corporation of America (CCA), the largest private prison companies in the U.S., we deepen our financial, political and social analysis of the criminalization of immigrants and communities of color. Divestment allows us the space to break open and reimagine the narrative around criminalization that—though it targets communities differently—creates a common pain and trauma, and to collectively demand reinvestment and reparations for communities of color and immigrants. To build a new and just system, we must work together to destroy all cages.

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 have to 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 shareholders, aka the Million Shares Club
- End local city and county contracts with private prisons
- Build local and national multi-racial, multi-sector coalitions focused on ending the criminalization of communities of color and immigrants
- Foster local #ReinvestInHumanity initiatives
- Collect, uplift, and share stories centering the voices 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 where transformative justice, and not cages, are the norm
FAQs

Q. What is divestment?
A. Divestment is the act of selling one’s assets in a company for political or social reasons. It is a way for the investor to admonish an unethical corporation by withdrawing financial assets. The overall goals of divestment are to reduce a corporation’s financial capacity to engage in business-as-usual, and to publicize an issue or injustice that a corporation is furthering. Divestment is an effective strategy where we want to abolish an industry or way of doing business, rather than reform it.

The importance of prison divestment is three-fold:

1) Divestment from prison corporations Corrections Corporation of America (CCA) and GEO Group politically isolates prison corporations and creates the political will to end the era of mass incarceration and mass detention. Large-scale divestment will weaken CCA and GEO financially, limiting their abilities to lobby for more incarceration and to build more prisons.

2) Divestment from the “Million Shares Club” quickly pressures Million Shares corporations to create investment screens that do not allow investment in 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 hold more than one million shares in the private prison corporations Corrections Corporation of America (CCA) and GEO Group.

3) Divestment opens the door to conversation on reinvestment, and reinforces the critical work already happening in communities for civilian oversight of police, reduction in police-ICE collaboration, sanctuary cities, houseless advocacy, mental health services, and other work intimately tied to the decriminalization of people of color, immigrants and low-income peoples. Prison divestment allows us to ask and answer the question: If we divested from the prison industrial complex, what community initiatives could we reinvest in?

Q. What are the goals of the national Prison Divestment Campaign?
A. We work to break the lobbying power of the private prison industry so that we can end immigrant detention, abolish prisons and stop criminalization of communities of color and immigrant communities.

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 170,500 prison, reentry, and immigrant detention beds around the world. In 2014, GEO reported more than $1.6 billion in annual revenues, and CCA earned $1.7 billion. By the end of 2015, GEO and CCA will make approximately $265 million annually locking up immigrant mothers and their children at their expanding family detention camps in Texas.

But, CCA and the GEO Group are not content with an increase in privatized state prisons or the expansion of immigrant detention. 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 Group is also behind Alternatives to Detention (ATD), which have become synonymous...
with formal electronic monitoring of immigrants by private prison companies.\(^1\) Alarmingly, ATDs have become exceedingly popular for politicians and some immigrant rights advocates as a “less costly” and “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 and monitoring, incarceration and detention, and “treatment.” In pursuing this all-in-one model, 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 constantly seek new ways to commodify people and social problems. This is a trend some groups are calling the Treatment Industrial Complex.

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 able to strategically build a movement of communities who have been criminalized that is empowered through multiracial, multi-sector relationships and corporate-political analysis to take on 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 peoples. 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 eschewed 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 and majority-owned by institutional investors. As of 2015, there are 29 U.S.-based major investors in the for-profit prison industry who own over one million shares in CCA and GEO Group. We call these hyper-investors in hyper-incarceration the Million Shares Club—a league brimming with corporate banks and giant investment firms. CCA and GEO Group have historically carried massive debt because of their excessive costs, and are thus reliant on the financial and political support of the Million Shares Club to manipulate public policy towards increased criminalization and immigration enforcement.

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\(^1\) 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.
The Million Shares Club have successfully defeated shareholder resolutions demanding political accountability, adequate responses to incidents of sexual assault in private prisons, and the adoption of human rights standards.

Private prison companies have a perverse profit motive to drive criminal justice and immigration policy towards ever greater incarceration of people in prisons, jails, and immigrant detention centers. CCA and GEO spend millions of dollars—dollars provided in part by investors and credit lenders—lobbying state and federal governments to institute longer sentences, to incarcerate more people for minor crimes, and to terrorize immigrant communities.

Q. Who has been successful in divesting?

- **2011**: Pershing Square Capital Management, fully divested its CCA holdings of over 7 million shares worth $180 million
- **2012**: The Pension Board of the United Methodist Church—the largest faith-based pension fund in the U.S.—announced divestment of all its private prison holdings
- Podesta Group, a powerful lobbying firm in Washington D.C., dropped GEO Group as a client.
- General Electric fully divested its nearly 2.7 million shares in CCA
- The General Assembly of the Presbyterian Church (U.S.A) created a portfolio screen to prevent investments in private prisons
- **2013**: Allianz Asset Management and Systematic Financial Management LP fully divested, each dumping over 1 million shares of prison industry stock
- Florida Atlantic University students prevented GEO Group from donating $6 million to their university and gaining naming rights to their stadium
- Amica and DSM Netherlands fully divested from CCA and GEO Group.
- **2014**: 5 University of California campuses passed divestment resolutions at student senate level
- Granite Peak Unitarian Universalist Church moved its money out of Wells Fargo
- Scopia, Sit Investment Associates and Secor Capital Advisors fully divested from private prisons
- Portland City Council 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
- **2015**: New York State United Teachers adopted a resolution to investigate current pension investments in prisons and to move immediately to divest from prisons
- Columbia University becomes the very first university in the country to divest its endowment from the private prison industry

Q. What impact will city divestment have?

A. Divestment will proactively reduce the lobbying power of private prisons and raise awareness of the private prison industry’s and investors’ roles in the criminalization of communities of color. Divestment increases our power over these systems as we intentionally build a movement of diverse, local coalitions.

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 will make more resources available for creating safer communities, and will finally remove the veil of security that conceals the colossal corporate profits gained from incarcerating people of color. Finally, 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. Start Your Own Campaign!

Step 1: Coalition Building and Public Education

Building coalitions with other groups in your community is essential to any divestment campaign’s success. Consider who your most 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 communities, labor, civil rights, criminal justice, environmental justice, LGBTQ, peace and justice, 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, but who will stay true to the work? Are you bringing in directly impacted people, who may or may not already be organized? How could a prison divestment campaign fit into and bridge the important work groups are already doing on the ground?

Ask these groups to work with you to:

- Endorse the campaign and pass a resolution supporting divestment
- Help you and the community learn about the real lived impacts of incarceration and detention in your town, both through research and peoples’ experiences
- 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 the city council, mayor, etc.
- Demand divestment of public funds from prisons and reinvestment in humanity at town hall and city council meetings
- Place advertisements in your local newspaper and write letters to the editor

Engaging Labor

Unions have major political clout and are often campaign donors to city council members. Ask for a meeting with their political department to discuss the campaign you’re hoping to launch, 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.

Engaging Faith

Many congregations have already taken action against private prisons at the national level. 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 United States Congress of Catholic Bishops called for an end to family detention. Faith institutions are powerful voices in your community, and are often organized across denominations and faith to address moments of moral crisis. Ask for your local faith network to take a stand on the moral crisis of private prisons.

Resources: Coalition Outreach E-mail, Divestment Petition, Community Forum Announcements & Agenda
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, reach out to Enlace for assistance, campaign guidance, and to connect to other city divestment campaigns in your region and across the country.

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 what 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 freely 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 or financial management office.

Check the investment portfolio for direct investments in private prisons, Corrections Corp of America and GEO Group, as well as investments in the Million Shares Club members (bit.ly/MillionSharesClub).

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 to hold onto bonds until they mature, but committed 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? 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 (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 assess this process. 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," "prison industrial complex," "ties to criminalization of communities of color," "promotes racial disparities" or any other such language as a 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 environmental, labor, and corporate ethics advocates in your city who are interested in other divestment movements. On the downside, an SRI policy campaign may take a long time until it is enacted.

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**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 28**

**Model B: Stand-alone divestment resolution/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 30**

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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.

If you’re working with your City Council, there are probably not any active allies who are already talking about prison divestment, ending criminalization of communities of color, etc. 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 Who Will Introduce a Resolution
Identifying who will be most sympathetic to your cause is essential. Without a government official who will actually 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.

**Resources:** Divestment Model A: SRI Policy, Divestment Model B: Resolution
Step 3: Demands
Divest, Decriminalize, Decarcerate, Reinvest in Humanity

The Prison Divestment Campaign broadly demands that cities divest from the criminalization of communities of color, low-income communities, and immigrant communities. Within this anti-criminalization divestment frame, we demand that cities: 1) divest from prisons; 2) call on state and national politicians to get dirty prison money out of politics, and to speak out against incarceration at local and state levels; and 3) reinvest in humanity, in response to the needs of the local community.

1. We demand that cities move their investments—which come from the taxes, fees, and fines we pay—to divest from prison companies CCA and GEO and the Million Shares Club. We further demand that cities stand against local private prison contracts and halt funding more police and more jails.

Sample Divest Demand:
We urge the City of Oakland to prohibit itself from holding in its investment portfolio any investments and/ or ownership stake in the “Million Shares Club”: any publicly-traded companies which hold more than one million shares in the private prison corporations Corrections Corporation of America (CCA) and GEO Group.

Specifically, the City should immediately halt any new investments in any Million Shares Club member, and should allow existing short-term investments to expire, and divest from medium-term investments within ________.

2. No tax breaks! No contracts!
We call on cities to demand that our national representatives stop tax break breaks and contracts with private prisons. In 2013, GEO and CCA began to be classified as Real Estate Investment Trusts (REITs) for tax purposes. What that means is they pay no taxes on their “real estate,” and return most of their profits to shareholders. REIT status means that prisons and their investors are making more money off incarceration and detention, and investors have stronger incentives to ensure the success of the private prison lobby.

3. Reinvest in Humanity

Sample Decriminalize, Decarcerate, Reinvest Demand:
“We don’t need more cops. We want strong communities. Communities of color are being systematically over-policed while also being displaced by rising rent and gentrification. We must repair the damage of mass criminalization and help people return to their communities instead of squandering resources. Resources that help our communities thrive, lift our social net and also lower core drivers of crime are key and we demand the City Council invest the $97 million annual dollars proposed for 1,000 new cops instead towards those solutions instead. Our taxpayer dollars should be invested in ...” – Safety Beyond Policing Campaign
The national divestment platform creates the space for reinvestment demands that are local, specific and culturally appropriate to the needs of local communities. Your coalition may also demand the city fund true alternatives to detention.

**End Criminalization of Our Communities**

Prison divestment is intricately connected to the larger movement to end mass incarceration, end detention, end the police state, and to build a liberated world where all peoples can live and work in humanity and in dignity. #PrisonDivest targets major private prisons and the Million Shares Club, who are also part of the financing for the revamping of Broken Windows policing in NYC, police expansion, and border militarization. CCA and GEO Group’s major investors simultaneously finance the expansion of police departments and divestment from local communities facing displacement. As you work with your city to divest from prisons, demand divestment from policies and practices that criminalize your community.

The criminalization policies and rhetoric that the prison industry promotes work to divide Black from Brown communities. Only together can we actually win. The Prison Divestment Campaign is our intersection to build and collaborate to end detention and abolish prisons. Divestment allows us the space to break open and reimagine the narrative around criminalization that—though it targets communities differently, creates a common pain and trauma—and to collectively demand reinvestment and reparations for communities of color and immigrants. 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.

**Sample Decriminalize, Decarcerate, Reinvest Demand:**

We demand that Los Angeles City and County immediately:

- Stop any contracting with Private Prison Corporations
- Divest from Private Prison Corporations and the Million Shares Club
- Eliminate Quotas and Minimum Occupancy Requirements for Private Prisons in LA County
- Stop Constructing New jails and Prisons
- Don’t Accept Lease Revenue Bond Dollars to Build New Jails
- Ensure transparency and accountability of LA County’s interactions with Private Prison Corporations
- Invest Dollars in Community Based Programs and Social Services
Step 4: Share Your City Divest/Reinvest Vision

$204 million a day is spent on incarceration & detention. $142,000 per minute is spent on incarceration & detention. $2,360 per second spent on incarceration & 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?

Divestment demands naturally lead to the question, "Well, what should we invest in instead?" Enlace wants to hear your answer. Should your city move its money from private prisons and invest in a revolutionary breakfast program led by and for youth of color? Community events to demystify DACA and DAPA? More shelters for houseless peoples and rent stabilization measures? At divest-reinvest.org share with us, your community, and your elected officials what you want your city to reinvest in once it's out of the for-profit prison industry and criminalization racket.

Help us imagine a world where the needs of communities of color and immigrants are valued more than policing, criminalization, prisons, jails, and detention centers. We are asking folks who have been directly impacted by these systems to help us create this vision together. We are collecting video responses to the following prompt: "If my city divested from prisons, jails and detention today, I would reinvest in..."

These stories will go into an online story bank, and will also be used in our city campaigns across the country. Upload your story today at divest-reinvest.org to be included in this collective visioning to #ReinvestInHumanity.

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 and sharing your experience to national work 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 in the National Prison Divestment Campaign.

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

Connect: Join the Prison Divestment Movement
Stay connected to the national movement for prison divestment by endorsing the campaign at enlaceintl.org. Enlace hosts regular campaign calls to support local campaigns and in-person regional strategy sessions. Sign up today at enlaceintl.org!
III. How to Pass a Local Resolution
This section draws heavily from Divesting from Israel: A Handbook, by Global Exchange. Available at endtheoccupation.org/downloads/divest_toolkit.pdf

Build Your Coalition & Plan Your Campaign
- Identify and reach out to supporters. Campaigns work best when they are anchored by a coalition of groups and individuals. Who else might be interested in helping to pass the resolution? What strategic and natural allies do you have in the community? Find coalition partners before moving forward with your campaign.
- Remember since you are pushing for divestment, you might want to find groups who are already lobbying the city for more resources for education and other community services to build strategic partnerships.
- Determine who will work with you to pass the resolution and what their roles will be. As with any campaign effort – hosting a teach-in, organizing a demonstration, etc. - it is necessary that everyone knows their assigned tasks. Enlace can help in strategic planning. When trying to pass a resolution, you probably want at least one person responsible for communicating with elected officials, at least one person responsible for working with the media, and at least one person responsible for putting together public education materials. Everyone should work on spreading the word to the general public.
- Determine what kind of resolution you want to pass. Is Model A or Model B more appropriate for your city?
- Plan a timeline for the resolution campaign. Make sure you know when, and how often, the city council meets and how long it typically takes for a resolution to be passed.

Engage Your Local Government Champion
- Contact your champion. Find people who live in the official’s district or ward and request a meeting with the representative. Once you arrange a meeting, try to organize as diverse a group as possible to represent your divestment coalition and include directly impacted people. By involving a wide range of coalition partners in the discussion, you demonstrate that divestment has community support. At the meeting, make a strong case for why the resolution is important and why the city should pass it.
- Get your champion to introduce the resolution to the council for a vote. When you meet with the elected official, you should present them with the text of the proposed resolution. This will make the official’s job easier, and make them likelier to support your issue.
- Chart the political landscape. When meeting with your champion, ask them to predict which members of the city council are likely to support or oppose the resolution. Knowing your allies and opponents will help you in your campaign.

Work with City Staff
- Get to know the city staffers. In many city halls, un-elected bureaucrats wield as much power as the elected representatives. That’s because the staff are permanent and work full time, whereas the elected officials come and go and often work only part time. It’s crucial, then, that your get the city staffers on your side. Ask for meetings with the city manager, the city attorney, the pension fund manager, the city purchaser, or whoever else may be affected by the proposed
resolution. Explain to them why the resolution is important. If you gain their support, you are much closer to winning the campaign.

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 For Profit Prison Industry. The resolution is, in a sense, a vehicle for educating the public. There are several ways you can do this.
- Try to get the media interested. Once your resolution is introduced and scheduled for a vote, 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. It may be a good idea to hold a teach-in or other educational event to talk to your fellow residents about the resolution. Bring an inspiring speaker into the community to talk about why the resolution is important.

Lobby Other Elected Representatives

- Make contact with other officials. “Lobbying” is just a fancy word for letting your elected officials know how you feel about an issue. 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.
- Cover all the bases. On the day your resolution is going to be voted on, make sure the city council chambers are filled with supporters of your resolution. Bring colorful and eye-catching signs to show support for the resolution. Encourage supporters to speak in favor of the resolution during the public comments section, and make sure you have a few people ready with prepared remarks. The day of the vote is your final chance to show that the community really does care about divestment.

Follow Up

- Make sure that what the resolution calls for actually happens. This is crucial when it comes to binding resolutions. 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.
How to Pass a Resolution: Portland, Oregon Case Study

Convened by Enlace in 2013, the Portland Prison Divestment Coalition achieved a historic victory in December 2014: the adoption of a socially responsible investment (SRI) policy in the City of Portland capable of addressing the human rights abuses of private prison corporations. This is the first city-adopted SRI policy with a human rights criteria specifically responding to demands by low-wage workers, undocumented immigrants, and family members of incarcerated and formerly incarcerated people to end city investments in private prisons and prison investors.

Build Your Coalition & Plan Your Campaign
The Portland Coalition is composed of 17 diverse groups. To convene the coalition we sent introductory e-mails (see sample below), 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 brief 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 decided on Model B, a stand-alone resolution, for our campaign.

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.

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

Educate the public
We held a kick-off action at the Immigration and Customs Enforcement building downtown to highlight how our city is tied to private prisons. When members of our coalition held actions, we showed up in solidarity, and spoke on how our causes were united by the target of private prisons.

As the city hall process 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.

We presented our divestment resolution to the City Human Rights Commission, which endorsed our resolution. See the video of our presentation, here.

We sought press at each of these events, with our kick-off rally receiving nationwide coverage by the Associated Press.
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. We continued public education efforts by presenting on divestment with teach-ins, and continued working with coalition members on actions to stop police-ICE collaboration, anti-police brutality work, labor rights, and educational forums on decolonization. When the SRI policy finally came to a vote, we were able to regather with the coalition to advocate for criteria in the policy and for adequate representation of people harmed by abusive corporations on a new investment committee.

Portland’s SRI Policy has two primary components. First, the SRI policy establishes a permanent standing Socially Responsible Investments Committee comprised of seven volunteers who are charged with reviewing the City’s investments and the principles established by Council and recommending which companies City Council should add to - or remove from - the Do-Not-Buy List. Second, the SRI policy sets forth a set of criteria that the SRI Committee may evaluate in making their recommendations.

The Portland Prison Divestment Coalition impacted the SRI Policy in two significant ways. First, after we demanded that the SRI Committee include low-wage workers and people of color, City Council amended the resolution—before its formal introduction during Council meeting—to ensure that the Committee is “reflective of the diversity of...Portland.” Enlace and Voz also submitted additional criteria to the set that the SRI Committee may evaluate in making its recommendations. We called for two additional criteria that would allow the Committee to evaluate whether a company “disproportionately and detrimentally impacts people of color” or “adversely impacts individual liberties.” After twelve representatives from our coalition provided testimony on the need for such criteria during City Council meeting, the City Council ultimately responded to our demands by adopting a “human rights abuses” criteria on the spot.

Representatives from Enlace, Voz, SEIU 49, Portland Jobs with Justice, Portland State University, Center for Intercultural Organizing, Oregon Dream Activists, and Migrant Collective testified to demand a SRI policy that is bold and responsive to the needs of the community. Stories of abuses in GEO Group’s Northwest Detention Center and the policies that lead to the inhumane detention of Portlanders away from their families swayed City Council to adopt this historic criteria. After the unanimous vote approving the SRI policy, City Commissioner Steve Novick stated, “We hope that this will be a model for other cities and municipalities to follow.”

The human rights abuses criteria is a perfect fit for prison divestment. By state law, the City of Portland is unable to invest in the largest private prison companies. However, it does invest in the financial institutions which hold significant power in—and make immense profits off their investments in—private prison companies. As shareholders, those financial institutions have actively voted against the adoption of human rights standards at prison facilities.2

There are currently no portfolio screens for stocks or safeguards for bondholders to prevent their investments with Wells Fargo from being used to invest in and extend credit to the for-profit prison industry. This human rights abuse criteria provides the foundation for the first such portfolio screen.

2 In the 2012 GEO shareholder meeting, shareholders defeated a resolution proposed by the Dominican Sisters and The Mercy Investment Services, Inc. to adopt policies and standards based upon Universal Declaration on Human Rights and the United Nations Guiding Principles on Business and Human Rights.
Enlace, Voz, and other members of the coalition worked with City Council to advocate for the appointment of members of directly impacted communities to the SRI Committee. We are now working with this Committee to demonstrate the human rights abuses of private prison investors and finalize city divestment from private prisons, and to pressure city council to speak out nationally against the prison lobby. The decriminalization frame of divestment allows work in coalition on ban the box, ending police brutality, and stopping deportations and police-ICE collaboration to continue.

“We applaud the City for committing to socially responsible investing that pays attention to corporate human rights abuses of private prisons and other companies that impact people of color.”
– Peter Cervantes-Gautschi, former Enlace Co-Director.

“Portlanders do not want their city to invest in companies that don’t reflect its values or that profit by creating undue burden for low income families and people of color. Any social investment policy must use disparate impact as a key criteria for deciding if our city dollars are being used to lift up all our communities and advancing justice and opportunity for all Portlanders.”
– Midge Purcell, former Urban League Portland Director of Advocacy and Public Policy

“The SRI committee should have voices of the people who are affected to understand the dimension of the problem, and the problem includes corporate profit from institutional racism.”
– Romeo Sosa, Voz Executive Director

“Today, Council unanimously adopted two resolutions (Agenda Items #1300 and #1301) to ensure the City puts our money where our mouth is by aligning our investment decisions about corporate bonds with Portland values.”
– Portland City Commissioner Steve Novick, Dec. 17 2014

Pressure tactics used:
• Postcard campaign
• Online petition
• Rally and speak out
• Pack city council meetings
• Ongoing communication and meetings with city council

IV. Resources
Sample Coalition Outreach E-mail
As you build your coalition, consider sending an e-mail like the following to the organizations you’d like to bring into the coalition:

My name is ___ and I’m working with Enlace and the national Private Prison Divestment Campaign. I’m writing to you about our campaign in Seattle that I hope your organization will be interested in joining and supporting. We are working to pressure the Seattle City Council to adopt a resolution to divest our city funds from the two largest private prison companies, Corrections Corporation of America and GEO Group, as well as those large entities who hold over a million shares in for-profit prison companies.

CCA and GEO are high growth dividend stocks and are thus commonly held in pensions and investment portfolios, including city investment portfolios. These two companies and their major
investors actively work to increase the number of people detained and incarcerated by funding campaigns, drafting legislation, and lobbying for increased immigration and criminal enforcement. For-profit, private prisons make billions each year off the imprisonment and detention of black and brown communities. In an effort to fight phenomena of Mass Incarceration and Detention, as well as to tackle companies directly involved in—and profiting off of—inmate abuse, we started a nationwide campaign targeting private and public institutions and pressuring them to divest.

In Seattle, we are pushing forward a resolution for city divestment from CCA and GEO and their major investors. We need the support of community, faith, activist, and labor organizations like yours to show that our communities are harmed by the private prison lobby and their detention centers, like the GEO Group facility in Tacoma, WA, and do not want our city to support corporations that profit from such centers and their expansion. We are working to submit the attached resolution to City Council for a vote in late summer. We also have launched an online petition: Will you sign our petition calling on the City of Seattle to divest from the private prison industry?

We are asking for your endorsement of the Seattle prison divestment resolution.

In solidarity,

###

Sample Divestment Petition

City of Portland: Divest from Private Prisons!

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.

Sample Campaign Factsheet & Sample Campaign Handouts

Sometimes you need to present a lot of information to educate and persuade, and sometimes you have powerful facts and demands that speak for themselves. Check out our 2-page Portland factsheet, 2-page Oakland factsheet, our 1-page LA handout to see what would be best for the first steps of your city campaign.
“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.

We will provide information just as much as we facilitate dialogue that encourages community members and organizations to analyze how they have been impacted by these systems and to imagine where and how we could reinvest in our communities to foster healing and solidarity across class and racial divides.

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 Announcement #2

Ending Portland Support for Private Prisons

Date • Time

Venue • Address

Refreshments provided

Please join Enlace for an informational and action-oriented meeting for organization representatives on Portland’s investments in the private prison industry.

Come learn about the role of the private prison industry in immigration enforcement, the effect of those policies in Portland, and Enlace’s strategy for crippling the lobbying power and profits of this destructive industry.

Together, we can push the City to divest from private prisons. Our City must not invest in an industry that lobbies for and profits from the mass incarceration of immigrants and people of color.

Sample Community Forum Agenda

Volunteers:

- Registration:
- Set-up:
- Clean-up:
- Photos:

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 others 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

- Suggestions: share something personal? “hug a bear!”

MC: Introduce panelists

6:25pm 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 ABC identified divestment as a solution, and the UC 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, Mesa Verde, incarcerated folks are 400 times more likely to get Valley Fever compared to standard resident

• 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. Try to 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 questions, 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 in just a second. Choose somebody from your group that you would like to share one main takeaway with the larger group. You’ll have just about a minute to share.

7:55pm What this means for the Bay Area, 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 of Oakland 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. The presenters will be around for you to talk with them after the event.”

Sample Creative Actions

• Postcard campaign
• Skit
• Rally
• Speak outs
• Rebranding Million Shares Club company to demonstrate to city officials their true face
• Video campaign on what city should invest in
• Create wall for where city should be prioritizing investments
• Theater of the Oppressed,
  o Example: Go to a City Council meeting and cash in on Black/Brown bodies. Deposit them with the City Council and ask for profit from their incarceration.
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 incubrates 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, Private Prison Divestment Campaign; Enclosed: Draft Resolution; Campaign Brief; Bloomberg Article; Wells Fargo Private Prison Holdings
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:
[7] GEO Group. “GEO Group Closes Acquisition of 100 Interest in Municipal Corrections Finances”

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. 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.” 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 Private 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
4 Ibid.
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 of ___ 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, the private prison industry and its financial institutional investors have successfully lobbied for immigration enforcement policies that resulted in the detention of over 2 million immigrants in the past 5 years; and

WHEREAS, the private prison industry’s lobbyists successfully influenced Congress to kill comprehensive immigration reform in 2013; and

WHEREAS, the private prison industry continues to expand its lobbying efforts and campaign contributions, contributing approximately $45 million in the last decade to state and federal governments;[1] 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, 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; and

WHEREAS, the United States Congress mandated that 34,000 immigrant detention beds be filled each night in 2013; 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;[2] 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;[3] and

WHEREAS, the average daily cost of maintaining a system of immigrant detention could cost the United States $5.05 million per day in fiscal year 2014;[4] and

WHEREAS, the United States faces a budget deficit in excess of $642 billion that now accounts for 4% of the country’s Gross Domestic Product;[5] and

WHEREAS, several United States judges have publicly questioned and cast doubt on the claim that detention deters unauthorized migration;[6] and

WHEREAS, detainees in private prisons are paid as little as 20 cents an hour for their labor;[7] and

WHEREAS, private prison industry detains immigrant mothers and fathers, some of whom have lived in the United States since childhood, and separates them from their community, children, spouses, and family; and
WHEREAS, the profits of the private prison industry are dependent upon pro-incarceration policies, exploitation of detained immigrants and incarcerated people of color, 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 Council of the City of ______ calls upon the financial institutions that invest any City funds through stocks, bonds or other securities to wholly divest the City's investments from the private prison industry and create a portfolio screen preventing any future investments in the private prison industry, and that a letter be sent to those institutions requesting immediate divestment.

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 (Feinstein, California; Merkley, Oregon; Murray, Washington; Durbin, Illinois; Johnson, Virginia) and all members of the U.S. Senate Appropriations Committee to halt all funding for contracts with private prison companies.


[7] Jails Fargo: Banking on Detention
Additional Resources

Divest-Reinvest.org
Help us imagine a world where the needs of communities of color and immigrants are valued more than policing, criminalization, prisons, jails, and detention centers. We’re asking folks who have been directly impacted by these systems to help us create this vision together. We’re collecting video responses to the following prompt: "If my community divested from prisons, jails and detention today, I would reinvest in…"

Upload your story today to be included in this collective visioning to #ReinvestInHumanity, and to fuel the movement for prison divestment by cities across the country. Check out the online story bank for inspiration!

Videos
The following videos can help you educate your community about the role of private prisons in criminalizing Black, Brown and immigrant communities.

- Private, For-Profit Prisons: Where Human Beings are Inventory – ATTN:, 2015
- #PrisonDivest Campaign – Enlace, 2015
- The Real Crime – Black Alliance for Just Immigration, 2014
- No Tax Breaks, No Contracts #RevokeREIT – Enlace, 2015
- No Sanctuary: The Big Business of Family Detention (trailer) – Grassroots Leadership, 2015
- Immigrants for Sale – Cuéntame, Brave New Films, 2012

Enlace Resources
Check the Enlace webpage for resources to fuel your campaign, including:

- Unlock Your Pension: a pension divestment toolkit
- University of California Divest! toolkit
- Wells Fargo Case Study
- Private Prisons: Criminalizing & Caging Communities of Color factsheet
- Advancement Project Infographic