

A Resolution to Divest Undergraduate Students Association Council and UC Los Angeles Finances from Corporations Profiting from the Prison Industrial Complex

WHEREAS, more Black men are under correctional control today than were enslaved in 1850¹; and,

WHEREAS, Black women are the fastest growing segment of the juvenile justice population² and the criminal justice system³; and,

WHEREAS, the US has the highest number of people in prison out of every country in the world, we have about 25% of the world's prison population but only 5% of the overall population⁴, and,

WHEREAS, prison is thus a modern form of slavery; and,

WHEREAS, fifty years after the United States Supreme Court announced in *Gideon vs. Wainwright* that the Sixth Amendment guarantees to every criminal defendant in a felony trial the right to a lawyer, only 24 states have public defender systems⁵, and in cases where defendants do have a lawyer, they often spend less than six minutes with that lawyer.⁶

WHEREAS, according to Elliott Curie, “Short of major wars, mass incarceration has been the most thoroughly implemented government social program of our time⁷,” and,

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

WHEREAS, in Los Angeles Unified School District (LAUSD), in the 2012-2013 school year, more than a full year after major reforms began taking hold⁸:

1. Latino students were more than twice as likely as white students to be ticketed
2. Black students were almost 6 times as likely as a white student to be ticketed
3. 47% of tickets to youth 14 and under; several as young as 9 and 10 years old
4. 70% of tickets to males
5. Black students were 29 times more likely than white students to be ticketed for Disturbing the Peace (often issued for school fights or perceived defiance)

¹ Alexander, Michelle, *The New Jim Crow*

²<http://www.blackyouthproject.com/2012/11/report-black-females-are-fastest-growing-segment-of-juvenile-justice-population/>

³ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449417/>

⁴ Alexander, Michelle, *The New Jim Crow*

⁵ <http://www.eji.org/node/752>

⁶ <http://www.brennancenter.org/publication/community-oriented-defense-start-now>

⁷ <http://www.historyisaweapon.com/defcon1/davisprison.html>

⁸ <http://www.thestrategycenter.org/report/black-brown-and-over-policed-la-schools>

6. Geographic concentration of highest ticketing rates in schools in South LA and in the majority-Latino neighborhoods of the San Fernando Valley, Westlake and Boyle Heights.

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

WHEREAS, Nearly 40% of those incarcerated in the United States are Black and nearly 16% of those incarcerated are Chican@/Latin@; 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 percent⁹.

WHEREAS, Black Americans make up 13% of the population, 14% of drug users, but make up of 56% of incarcerations of drug related crimes¹⁰; and,

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

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.

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; 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 day¹¹; and,

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

WHEREAS, Private Prisons profit from incarceration (an average of \$122 per person per day) and use their political influence to lobby for harsher penalties and anti-immigrant legislation like Arizona's SB1070

WHEREAS, Since 1980, state spending on prisons has skyrocketed 436%, while investment in higher education has decreased by 13% (adjusted for inflation)

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; and,

⁹ http://core.ecu.edu/soci/juskaa/SOCI2110/Prison_Industrial_Complex.htm

¹⁰ The House We Live In

¹¹ http://www.alternet.org/story/155061/getting_paid_93_cents_a_day_in_america_corporations_bring_back_the_19th_century

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 the state and federal level in the last decade¹², 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; and,

WHEREAS, The three categories that can implicate a corporation as participating in the use of inmate labor are the following:

1. Corporations, businesses and companies that use direct inmate labor for manufacturing and service jobs,
2. Corporations, businesses and companies that contract with other companies to purchase products or services made by inmate labor,
3. 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 investments and does business with companies that exploit said labor for financial gain, such as: Wells Fargo, American Express, and Procter & Gamble; and,

WHEREAS, The Associated Students of the University of California Berkeley, and the Associated Students Senate of the University of California Santa Barbara have already passed similar resolutions; and

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

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

¹² http://www.huffingtonpost.com/2012/08/02/immigrants-prove-big-business-for-prison-companies_n_1732252.html

THEREFORE BE IT RESOLVED, the ASUCLA Board of Directors must evaluate all companies in which the USAC invests and must adjust the USAC investment profile to prohibit investment in any company that is found to profit from the prison industrial complex; and,

THEREFORE BE IT FURTHER RESOLVED, UCLA Foundation and the UC Regents divest all investments, contracts, and business from all aforementioned companies as a protest to the establishments that comprise the prison industrial complex; and,

THEREFORE BE IT FURTHER RESOLVED, That the proposed alternatives to the USAC's current relationship with companies profiting from the prison industrial complex suggest finance institutions that:

1. Do not benefit/profit from the prison industrial complex
2. Utilize fair trade and labor practices
3. Support non-discriminatory hiring practices
4. Provide employees with equitable benefits and wages

THEREFORE BE IT FURTHER RESOLVED, the USAC President author a letter to Chancellor Block that all formal investment, banking and/or financial relationships and contracts held by the USAC and UC Los Angeles, its pension funds and subsidiary and/or related organizations should mirror the University's commitment to its students and surrounding community and thus be disinvested from any institution currently profiting from the prison industrial complex, redirected, and reinvested in companies and institutions with morally sound practices; and,

THEREFORE BE IT FURTHER RESOLVED, The USAC President issue a similar recommendation to the UC Regents and UC President Janet Napolitano urging the University of California System's finances be disinvested from institutions profiting from the prison industrial complex, redirected, and reinvested in companies and institutions that practice the aforementioned, morally sound practices; and,

THEREFORE BE IT FURTHER RESOLVED that we call upon the Associated Students of UCLA to divest all investments in all companies complicit with and in support of the prison industrial complex, determined by fund fiduciaries, within their discretion;

THEREFORE BE IT FURTHER RESOLVED that we call upon our university, the University of California Treasury, the UC Regents, and the UCLA Foundation to divest their holding from each of these aforementioned companies, as determined by fund fiduciaries, within their discretion;

THEREFORE BE IT FURTHER RESOLVED that we, the students, urge the UCLA Foundation to explore its investments and to utilize socially responsible corporations, with the goal of restricting the use of companies that profit from the prison industrial complex;

THEREFORE BE IT FURTHER RESOLVED, that if it is found that UCLA funds or UC funds are being invested in any of the aforementioned companies, UCLA will divest, as soon as feasible, as determined by fund fiduciaries, within their discretion. Moreover, UCLA will not make further investments, in any companies materially supporting or profiting from the prison industrial complex in the above-mentioned ways;

THEREFORE BE IT FURTHER RESOLVED, Furthermore, UCLA and the UC Regents shall implement a Socially Responsible Investment screen and/or policy which keeps investments out of undesirable corporations;

THEREFORE BE IT FURTHER RESOLVED, That the USAC External Vice President issue a formal proposal to UCSA in support of all UC student governments moving their money out of companies currently participating in the prison industrial complex; and

THEREFORE BE IT FINALLY RESOLVED, The USAC reassert our commitment to fairness, equity, and equality by investing solely in companies that provide moral and fair services and products
