

Columbia Prison Divest  
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## **Columbia Prison Divest Proposal for Divestment**

1. Columbia should immediately divest all shares from CCA and G4S, and provide a public statement confirming its divestment from these corporations. We want Columbia to adopt a permanent negative screen for CCA, G4S, and the GEO Group (the second largest private prison company in the U.S.) to confirm that Columbia will not invest in these companies in the future.
2. Columbia should publicly communicate the urgency of prison divestment to its peer institutions, insisting that they too divest from CCA, GEO Group, and G4S.<sup>1</sup>
3. We want greater transparency regarding Columbia's investments. The complete list of Columbia's financial holdings should be made available to the Columbia community at large to ensure a meaningful structure of accountability and transparency.

### **Urgency of Divestment**

In the time that has elapsed since we first brought this issue to the school's attention, these companies have built and opened new facilities, including most recently the CCA's South Texas Family Residential Center, the largest immigrant detention facility in the United States. Every day, these companies engage in practices that enact violence upon marginalized communities, both here in the United States and across the world. Many students on this campus come from these communities and Columbia's investment in the incarceration and criminalization of our loved ones effectively communicates to us that the "fundamental dignity and worth"<sup>2</sup> of our communities is not a priority for Columbia. As Professor Brett Dignam stated at the Community Engagement Panel, her experiences as an educator have shown her that Columbia's investment in these companies has an immeasurable impact on its students, particularly its students of color. As students disturbed by the inconsistencies between Columbia's rhetoric and its practice, we cannot overemphasize the urgency of our demands for immediate divestment from the private prison industry.

### **ACSRI Criteria for Divestment**

#### **1. Institutional Consensus**

There is a clear institutional consensus that CCA, GEO Group, and G4S are morally reprehensible companies and it is therefore unacceptable for Columbia's endowment to be invested in them. A total of 971 students, faculty, and alumni from across the university have signed a petition for referendum, demonstrating their support for a ballot initiative calling on the university to divest<sup>3</sup>. Our change.org petition garnered 1,303 signatures in support of prison divestment at Columbia<sup>4</sup>. Supporters

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<sup>1</sup> The "peer institutions" we refer to include but are not limited to those listed in Appendix E.

<sup>2</sup> Columbia University Statement on Equal Opportunity and Affirmative Action.

<http://eoaa.columbia.edu/affirmative%20action>

<sup>3</sup> See Appendix B

<sup>4</sup> <https://www.change.org/p/lee-c-bollinger-divest-from-the-private-prison-industry>

filled the room beyond capacity for the Community Engagement Panel and voiced the campus community's strong belief in the absolute necessity and urgency of divestment. As one student stated, "after sitting through the divestment panel, I was unable to hear a single reason as to why Columbia would want to continue investing in an institution that profits from human captivity, yet I heard account after account highlighting the personal pain that comes from Columbia's support of the industry"<sup>5</sup>. The thousands of students that Columbia Prison Divest has interacted with at various teach-ins, educational events, and rallies routinely express disbelief that Columbia continues to hold investments in companies so contradictory to this university's stated values.

## **2. Merits of Dispute Lie Clearly on One Side**

There is no question that private prisons are morally and socially irresponsible investments, and that divestment from CCA and G4S as well as a negative screen for GEO Group is the only suitable option. Divestment from CCA and G4S is necessary for two primary reasons. Firstly, CCA and G4S have exploited and expanded mass incarceration within the United States as well as the global trend of incarceration and policing of people of color. Secondly, divestment from these companies is necessary due to the systematic human rights abuses that have occurred within CCA and G4S facilities and will continue in the future, because the aims of these companies is to gain profit regardless of human cost.

We cannot meaningfully engage the issue of mass incarceration without acknowledging its basis in racism. CCA and G4S continue to profit off of practices that incarcerate increasing numbers of black and brown people for longer periods of time, in facilities with horrific human rights track records. Some of the specific practices which have been found to disproportionately target black and brown people include but are not limited to: mandatory minimum sentencing, 3 strikes laws, and Arizona's SB1070<sup>6</sup>. Christopher Petrella, one of the panelists at the Community Engagement Panel, did a study in 2013 in which he found that there was a disproportionate number of people of color in private prison facilities as compared to the number of people of color in public prison facilities<sup>7</sup>. The study illuminates how prisoners deemed less worthy of comprehensive medical care are funneled into private facilities as a cost-saving mechanism, eviscerating the argument that private prisons are a fiscally responsible option for local governments. Ultimately, private prison companies are more interested in filling their facilities and cutting costs than they are in crime reduction, safety, or addressing the racial disparities that they exploit to maximize profits. As has been repeatedly articulated by President Bollinger throughout his career and in a recent email to the Columbia community, this country continues to deal with the legacies of generations of institutional racism—from slavery, to Jim Crow, to our current era of profit-driven hyper-incarceration. It is our responsibility as an elite research university to meaningfully address private prison companies as one of many instruments being used to reinforce pervading racial inequalities today.

Preferencing profit maximization over human safety and well-being, private prisons cut costs wherever possible, operating facilities in which human rights abuses are rampant. Fraught with extreme violence and abuse by guards, inadequately trained staff, inhumane conditions, and denial of medical care, conditions in CCA and G4S prisons violate non-derogable international human rights law. Despite the overwhelming number and nature of abuses documented in these facilities and the numerous lawsuits that have been filed against them, these companies have failed to implement

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<sup>5</sup> See Appendix C

<sup>6</sup> See Appendix A

<sup>7</sup> See Appendix J

substantive changes, revealing that human rights violations are fundamentally endemic to the private prison model. Such systematic abuses will continue to happen in the future as long as these companies exist.

Profiting off of the incarceration and policing of communities of color locally and globally is morally reprehensible. Like CCA, G4S is a company responsible for constructing a landscape of discriminatory incarceration and detention, and racial inequality, in countless countries, from the UK to Palestine<sup>8</sup>. Part of social responsibility is acknowledging that what Columbia invests in as a leading American university and the practices that it endorses have ramifications that are also felt by people abroad, in far different circumstances than our own. Columbia's investment in G4S is an investment in the violation of the basic human rights of people of color across the world. While we continue to hold this investment we cannot continue to honestly call ourselves a global university, speak about global citizenship, or use our international students to boast diversity.

### **3. Engagement vs. Divestment**

Private prisons are fundamentally socially irresponsible. Companies should not profit off of maximizing incarceration and detention, and universities should not profit off of incarceration and detention by virtue of investing in such companies. This is why divestment is necessary--there is no way of reforming a system whose model relies on the violation of human rights and the perpetuation of racial inequality. Communication and engagement with company management have proven to be an ineffective strategy for addressing the unethical practices and nature of both CCA and G4S. As both Christopher Petrella and Judith Greene explained at the Community Engagement Panel, there have been multiple attempts to engage with CCA's management in order to bring about reform and transparency<sup>9</sup>. In 2007, a proposal put forward by a coalition of religious groups invested in CCA would have required "an accounting of our Company's funds that are used for political contributions or expenditures" and disclosure of "the internal guidelines or policies, if any, governing our company's political contributions and expenditures."<sup>10</sup> CCA's Board of Directors unanimously recommended that stockholders reject the proposal, and the measure was voted down. CCA's Board has continued to oppose similar proposals brought forward by its own shareholders. Moreover, private prison companies cannot be reformed because their structure is premised on a fundamentally unethical business model: making financial gains from systems of policing and incarcerations that target people of color, poor people, undocumented people, and LGBTQ people. The for-profit prison industry, as exemplified by CCA and G4S, is an industry which prioritizes profit over people and no amount of reform can change that.

Many institutions have divested from G4S on the basis of their well-documented and egregious human rights violations alone. In 2014, Durham, North Carolina, became the first U.S. municipality to boycott G4S after an interfaith coalition wrote to the Durham County Commissioners and over 200 residents created a visual petition highlighting G4S's involvement in Israel's discriminatory detention and incarceration practices.<sup>11</sup> Similarly, the University of Kent<sup>12</sup>, Dundee University<sup>13</sup>, King's College

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<sup>8</sup> See Appendix K and L

<sup>9</sup> See Appendix D

<sup>10</sup> See Appendix F

<sup>11</sup> <http://mondoweiss.net/2014/11/dropping-contract-occupation>

<sup>12</sup> <http://www.bdsmovement.net/2014/uk-student-union-to-cancel-g4s-contract-over-role-in-israeli-prisons-11827>

<sup>13</sup> <http://www.bdsmovement.net/2013/dundee-university-students-association-votes-to-cut-ties-with-g4s-10705>

London<sup>14</sup>, Edinburgh University<sup>15</sup>, Southampton University<sup>16</sup>, University of Bergen<sup>17</sup>, and University of Oslo<sup>18</sup>, have all divested from or formally cut ties with G4S. Seven of the nine University of California undergraduate campuses have passed divestment resolutions in student governments--UC Irvine, UC San Diego, UC Riverside, UC Berkeley, UC Santa Cruz, UC Los Angeles, and most recently UC Davis<sup>19</sup>. In 2012 the European Union declined to renew its contract with G4S<sup>20</sup> and the Irish government did the same in October 2014.<sup>21</sup> In December 2013 Abvakabo, a trade union in the Netherlands composed of over 350,000 members, chose to terminate its contract with G4S “for its role in Israel’s violations of international law”<sup>22</sup>. Similarly, the Trauma Centre, a human rights organization that was integral to South Africa’s Truth and Reconciliation Commission and supported by the likes of Archbishop Desmond Tutu, terminated its contract and ties with G4S in 2013, saying, “the Trauma Centre is committed to creating a society free from violence and torture and committed to a culture of human rights ... we therefore note with great concern the serious allegations leveled against the security company G4S of complicity in the illegal incarceration and torture of Palestinians in Israel and the Occupied Palestinian Territories.”<sup>23</sup>

After deciding to fully divest from CCA and the GEO Group, Hugh Walsh, the president of Amica Mutual Insurance DSM North America said, “In accordance with [U.N.] principles ... with respect to the protection of internationally proclaimed human rights, the [DSM Netherlands] pension fund has divested from the for-profit prison industry”<sup>24</sup>. Many companies have followed suit in committing to prison divestment, including Pershing Square Capital Management, which fully divested its CCA holdings of over 7 million shares in 2011<sup>25</sup>, the Podesta group, which dropped GEO Group as a client in 2012<sup>26</sup>, and the Allianz Asset Management and Systematic Financial Management LP, each of which fully divested their over 1 million shares of stock in CCA and GEO Group in 2013<sup>27</sup>. Others have made similar stances, including Wells Fargo and Company and its subsidiaries, which divested 80% of its aggregate holdings in the GEO Group, and Scopia Capital Management<sup>28</sup>, which divested \$60 million of its shares in CCA and the GEO Group in 2014<sup>29</sup>.

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<sup>14</sup> <http://www.bdsmovement.net/2013/11804-11804>

<sup>15</sup> <http://edinburghnapiernews.com/2013/11/20/boycott-campaigns-send-g4s-off-campus/>

<sup>16</sup> <http://www.bdsmovement.net/2013/11804-11804>

<sup>17</sup>

<http://electronicintifada.net/blogs/michael-deas/second-norwegian-university-drops-g4s-over-support-israeli-apartheid>

<sup>18</sup>

<http://electronicintifada.net/blogs/michael-deas/second-norwegian-university-drops-g4s-over-support-israeli-apartheid>

<sup>19</sup>

<http://electronicintifada.net/blogs/nora-barrows-friedman/uc-davis-passes-divestment-resolution-five-other-campaigns-launched>

<sup>20</sup> <http://www.bdsmovement.net/2012/g4s-loses-its-contract-with-the-european-parliament-8901>

<sup>21</sup>

<http://www.ipsc.ie/press-releases/palestine-campaigners-celebrate-exclusion-of-occupation-profiteer-g4s-from-government-contract>

<sup>22</sup> <http://www.bdsmovement.net/2013/dutch-union-dumps-g4s-aiding-israels-human-rights-abuses-11506>

<sup>23</sup> <http://www.bdsmovement.net/2013/sa-trauma-centre-terminates-g4s-contract-11413>

<sup>24</sup> <http://www.mintpressnews.com/a-win-for-civil-society-as-corporations-divest-from-private-prison-industry/190258/>

<sup>25</sup> [http://inthesetimes.com/article/11623/divesting\\_from\\_private\\_prisons](http://inthesetimes.com/article/11623/divesting_from_private_prisons)

<sup>26</sup> <https://prisondivestment.wordpress.com/home/campaign-victories/>

<sup>27</sup> *ibid*

<sup>28</sup> <https://prisondivestment.wordpress.com/home/campaign-victories/>

<sup>29</sup> <http://colorofchange.org/press/releases/2014/4/23/major-corporations-divest-nearly-60m-private-priso/>

In his email to the student body on Martin Luther King Jr. Day, President Bollinger asked, “Now, the question for a great research university like Columbia, whose students, faculty, and alumni have long played such monumental roles in the quest for civil and human rights and social justice, is: what can we do in the ways of research, teaching, and public understanding to contribute to the fundamental changes that still must occur if our nation is finally to transcend the past and live up to its founding principles?” There is no singular answer to this question. While Columbia’s students, faculty, and alumni do have a history of working towards equality, as a university we also have a troubling history of social irresponsibility and complicity in the oppression of marginalized people, which we cannot begin to rectify without divesting from the for-profit prison industry. Divesting from private prison companies is one way Columbia can manifest its commitment to the pursuit of civil and human rights and social justice.

### The Columbia Prison Divest Campaign

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