



JOINT RESOLUTION 8F

WHEREAS, the Associated Students of the University of New Mexico (ASUNM) Government is the representative body of the undergraduate students and promotes student success; and

WHEREAS, the United States of America has the highest inmate population both per capita (655 per 100,000) and total (2.1 million)[1]; and

WHEREAS, people of minority backgrounds are more likely to be imprisoned than white people are in the United States—one in three Black men and one in six Latino men are likely to be imprisoned at one point in their life, while only one in seventeen white men are likely to be imprisoned in their lifetime[2]; and

WHEREAS, the 'School-to-Prison Pipeline' is a national trend where children, especially those with historically disenfranchised backgrounds, are funneled out of public schools into private prisons by nature of zero-tolerance policies, the presence of School Resource Officers (SRO), and increase in school disturbance laws[3]; and

WHEREAS, Black students are three times more likely to be suspended or expelled from school than white students, and despite making up only sixteen percent (16%) of the American student body, account for over thirty-one percent (31%) of all in-school arrests[4]; and

WHEREAS, SROs have become commonplace in US schools, the individuals tasked with protecting students often police them instead, leading to upwards of ninety-two thousand (92,000) student arrests in school in the 2011-2012 school year[5]; and

WHEREAS, the 'School-to-Prison Pipeline' begins as early as preschool with 48% of students who are suspended being Black[6]; and

WHEREAS, the top five largest COVID-19 outbreaks in the United States were in correctional facilities, and as of August 21, 2020, there have been over one-hundred sixty thousand (160,000) prison inmates and employees who have contracted COVID-19;[7] and

WHEREAS, the business model of private prisons relies on incarcerating people to turn a profit, often causing their responsibility to inmate health and safety to be overshadowed by their responsibility to shareholders; and

WHEREAS, in order to maximize profit, the business model of private prisons incentivizes recidivism and harsher sentences, which are actively lobbied for by private prison companies; policies including but not limited to lengthier mandatory minimums, three strikes laws, and truth in sentencing laws[8] have all been lobbied for by the private prison industry; and

WHEREAS, the conflict of interest embedded in private prisons and the policies they lobby for further the problem of mass incarceration in the United States rather than improve or even address it; and

WHEREAS, private prisons create more safety and security incidents, as well as raise more human rights concerns than their public counterparts[9]; and

WHEREAS, private prisons are not any more economically viable than their public counterparts[10]; and

WHEREAS, large banks, including but not limited to, Wells Fargo, JP Morgan Chase, and Bank of America have already divested from private prisons due to the decreasing and/or volatile value of their stock as well as ethical concerns[11]; and

WHEREAS, the New Mexico Educational Retirement Board (NMERB) is responsible for managing and investing the pensions of New Mexico teachers, including those at UNM; and

WHEREAS, the American Federation of Teachers (AFT) outlined the economic risks of investing in private prisons in a 2019 report[12] to bodies like the NMERB; and

WHEREAS, three of the four largest teacher pensions across the nation have followed suit with the AFT report and divested; and

WHEREAS, CoreCivic and GEO Group are two of the United States' largest private prison firms; and

WHEREAS, CoreCivic and GEO Group have received many complaints of misconduct, especially in relation to their government contracts with Immigration and Customs Enforcement (ICE) during the severe measures taken by the Trump administration in the name of "securing the border;"[13] and

WHEREAS, fifty three percent (53%) of those incarcerated in New Mexico are held in private, for profit prisons as of 2019[14], the highest percentage of any state in the US; and

WHEREAS, the NMERB inadvertently divested from CoreCivic when it fell out of the S&P 400 but has not actually voted to divest or passed a policy to prevent future unethical and economically-irresponsible investments; and

WHEREAS, the NMERB Chief Investment Officer Bob Jacksha was quoted on October 16, 2020, saying "the [economic] cost to divest, I would put it as minimal... from the standpoint of the effect on the portfolio it is also minimal;"[15] and

WHEREAS, the Albuquerque Teachers Federation has already passed a similar resolution[16] calling for their president to actively lobby the NMERB to divest from private prisons; and

WHEREAS, the retirement plans of UNM Faculty contribute to NMERB's investments, and consequently UNM students contribute to those investments through tuition payments; and

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that ASUNM denounces the use of private prisons as detentional or correctional facilities in the state of New Mexico or otherwise; and

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that ASUNM denounces the use of student tuition and fees to fund (directly or indirectly) retirement plans that contribute to investments in private prison companies including but not limited to: CoreCivic and GEO Group; and

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that ASUNM encourages UNM faculty and staff to advocate for divestment of their retirement plans from private prisons; and

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that this resolution is not an endorsement of state or federal prisons; and

NOW, THEREFORE, LET IT BE FURTHER RESOLVED, that a copy of this resolution be forwarded to the U.S. President Donald J. Trump, U.S. President-Elect Joseph Biden, New Mexico State Governor Michelle Lujan Grisham, U.S. Senator from New Mexico Tom Udall, U.S. Senator from New Mexico Martin Heinrich, U.S. Senator-Elect Ben Ray Lujan, U.S. Representative Debra Haaland (NM-01), U.S. Representative-Elect Yvette Herrell (NM-02), U.S. Representative-Elect Teresa Leger Fernandez (NM-03), New Mexico State Legislature, New Mexico Educational Retirement Board, UNM Board of Regents, UNM President Garnett S. Stokes, UNM Provost James Holloway, UNM Senior Vice President for Finance and Administration Teresa Costantinidis, UNM Vice President for Equity and Inclusion Assata Zerai, UNM Vice President for Student Affairs Eliseo "Cheo" Torres, UNM Associate Vice President of Student Services Tim Gutierrez, UNM Dean of Students Nasha Torrez, UNM Faculty Senate, UNM faculty, and the UNM undergraduate student body.

[1] https://www.prisonstudies.org/sites/default/files/resources/downloads/wppl_12.pdf;

[2] <https://www.sentencingproject.org/criminal-justice-facts/>

[3] <https://www.aclu.org/issues/juvenile-justice/school-prison-pipeline>

[4]

<http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>

[5]

<https://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>

[6]

<https://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>

[7] <https://ejj.org/news/covid-19s-impact-on-people-in-prison/>

[8] <https://www.sentencingproject.org/publications/private-prisons-united-states/>

[9] <https://oig.justice.gov/reports/2016/e1606.pdf>;

[10] White, W, Pena, AA, Weiler, S. Going private: Are private prisons cost-saving options for states?. *Growth and Change*. 2020; 51: 1000– 1016.

<https://doi.org/10.1111/grow.12388>;

Saleh Mamun, Xiaoxue Li, Brady P. Horn & Janie M. Chermak (2020) Private vs. public prisons? A dynamic analysis of the long-term tradeoffs between cost-efficiency and recidivism in the US prison system, *Applied Economics*, 52:41, 4499-4511, DOI: 10.1080/00036846.2020.1736501;

<https://ips-dc.org/wp-content/uploads/2019/08/NM-Detention-Center-report-full-1.pdf>

[11]<https://www.forbes.com/sites/morgansimon/2019/09/30/geo-group-runs-out-of-banks-as-100-of-banking-partners-say-no-to-the-private-prison-sector/#6eaf8dbb3298>;

<https://truthout.org/articles/big-banks-are-divesting-from-private-prisons-thanks-to-anti-ice-activism/>

[12]<https://www.aft.org/private-prisons-and-investment-risks>

[13]<https://www.usatoday.com/in-depth/news/nation/2019/12/19/ice-asylum-under-trump-exclusive-look-us-immigration-detention/4381404002/>

<https://www.theguardian.com/us-news/2019/jul/11/private-prison-firms-profiting-trump-immigration-policy>

[14]<https://www.sentencingproject.org/publications/private-prisons-united-states/>

[15] <https://www.nmerb.org/board/board-minutes/>

[16]

<https://atfunion.org/download/motion-for-nmerb-to-divest-from-private-prison-companies/>

Adopted by the Associated Students of the University of New Mexico on this 11th day of November, 2020.



Muskan "Mia" Amin, ASUNM President



Ana Paula Milán, ASUNM Vice President



Suha Musa, ASUNM President Pro-Tempore



*Resolution introduced by: Ian May (A)(E), Senator R. Regalado (A)(S)(E), Senator S. Musa (A)(S)(E), Senator R. Harper (S)(E).