



# Seattle Human Rights Commission

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## **Resolution 14-4: Calling for the City of Seattle to Divest from the Private Immigration Detention Industry**

A RESOLUTION calling for a joint City Council – Mayor’s policy divesting the City of Seattle’s investments from the private immigration detention industry.

WHEREAS, the City of Seattle (the “City”) was declared to be a Human Rights City on December 10, 2012, committing itself to protect, respect and fulfill the full range of inherent human rights for all, as set forth in the Universal Declaration of Human Rights and numerous other international human rights instruments; and

WHEREAS, the Seattle Human Rights Commission (the “Commission”) is committed to protecting and advocating for justice, human rights, and the equal treatment of all people who live and work in Seattle; and

WHEREAS, the Seattle City Council and the Mayor established joint citywide policy priorities in support of Federal Comprehensive Immigration Reform in Resolution No. 31490 in 2013 that included, among other things, the policy priority of creating programs or expanding existing programs that provide alternatives to detention and that ensure compliance with immigration laws in a more balanced manner; and

WHEREAS, the Inter-American Commission on Human Rights in its *Report on Immigration in the United States: Detention and Due Process*, urged the United States to respect the right to personal liberty by limiting the local enforcement of immigration laws and significantly curtailing prison-like detention conditions for civil infractions<sup>i</sup>; and

WHEREAS, during the 2010 Universal Period Review before the UN Human Rights Council, the United States committed to implement the recommendations to “reconsider alternatives to the detention of migrants” and to “ensure that detention centers for migrants and the treatment they receive meet the basic conditions and universal human rights law”<sup>ii</sup>; and

WHEREAS, the private immigrant detention industry and its institutional investors effectively supported immigration enforcement policies that resulted in the detention of over 2 million immigrants in the past 5 years and pursued strategies to undermine efforts to enact just and humane comprehensive immigration reform<sup>iii</sup>; and

WHEREAS, the United States has doubled its private prison daily detention bed capacity to over 34,000 beds, and Congress mandates by statute that each of those beds be filled each night<sup>iv</sup>; and

WHEREAS, the recent 55-day hunger strike at the Northwest Detention Center revealed violations of due process, unjust deportations, inhumane detention conditions, exploitation of detainee labor, and retaliatory use of solitary confinement against detainees requesting improvement in detention conditions; and

WHEREAS, Seattle residents are deeply concerned about human rights violations reported at the Northwest Detention Center in Tacoma, as documented in the 2008 report by the Seattle University School of Law and OneAmerica titled *Voices from Detention: A Report on Human Rights Violations at the Northwest Detention Center*,<sup>v</sup> which documents violations that separate Seattle families through detention and deportation; and

WHEREAS, private immigrant detention companies like GEO Group, Inc. base their business model on government contracts that require maximum occupancy of facilities, earn further profits through extensive use of off-site monitoring systems like ankle bracelets,<sup>vi</sup> rely on increasing numbers of immigrants being incarcerated,<sup>vii</sup> subcontract basic services, and exploit detained immigrants; and

WHEREAS, privately owned enterprises performing specialized state functions – including GEO Group, Inc., which manages the Northwest Detention Center – should meet the same standards that states are held to by complying with all applicable laws, protecting and respecting human rights, avoiding infringement on the human rights of their detainees, and addressing human rights violations against their detainees when they occur; and

WHEREAS, the City is committed to promoting human rights in its investment policies as demonstrated by the City Retirement Board’s investment policy, which “expects that its portfolio managers will give consideration to the following geopolitical and social issues when investing in portfolio companies including, but not limited to, the following: Respect for Human Rights; Respect for Civil Liberties; Respect for Political Rights; Discrimination Based on Race, Sex, Disability, Language or Social Status; Worker Rights; Environmental; and War, Conflicts, and Acts of Terrorism”<sup>viii</sup>; and

WHEREAS, the City Retirement Board’s existing policy has not prevented the investment of the assets of the Seattle City Employees’ Retirement System in companies that profit from the private immigrant detention industry; nor have other policies prevented General Fund investment in companies that profit from the private immigrant detention industry; and

WHEREAS, the Retirement Board’s current investment in Blackrock Corporation, which owns shares in both Geo Group, Inc. and Corrections Corporation of America, and the City’s General Fund investment in Prudential, which owns shares in Geo Group, Inc., demonstrate that the City’s funds are currently invested in companies that profit from immigrant detention and related human rights violations; and

WHEREAS, the City's investment practices should be aligned to the City's commitment to the Race and Social Justice Initiative, and to its declaration as a Human Rights City; and

WHEREAS, the City has established precedent for divestment of public funds from business enterprises implicated in human rights violations by passing a 1985 Resolution in support of the divestment of public funds from South Africa, an effective policy measure that helped to bring an end to Apartheid;

NOW, THEREFORE, BE IT RESOLVED, that the Commission calls on the City to adopt a policy to divest from the five major private immigrant detention companies, including but not limited to GEO Group, Inc. and Corrections Corporation of America, until those companies have demonstrated respect for human rights in the management and operation of their detention centers and have discontinued strategies to undermine efforts to enact just and humane immigration reform nationally; and

BE IT FURTHER RESOLVED, that the Commission calls on the City to require the immediate withdrawal of all City funds invested in stocks, bonds, or other securities offered by or issued from companies involved in the private prison and immigrant detention industry or portfolio companies or mutual funds that invest in such companies and in said industry; and

BE IT FURTHER RESOLVED, that the Commission calls on the City Seattle to require the development and use of a portfolio screen that shall bar any future investment of City funds and assets in the private prison and immigrant detention industry or any companies involved therewith; and

BE IT FURTHER RESOLVED, that the Commission calls on the City to adopt a policy that if within 60 days of the effective date of the City's divestment policy the City's existing fund managers have not divested City investments from companies that profit from the immigrant detention industry, or those fund managers have failed to implement the portfolio screen to ensure that no current or future funds will be invested in the private prison industry, the City of Seattle will work to fulfill its fiduciary obligations while seeking to contract alternative fund managers for City funds and assets; and

BE IT FURTHER RESOLVED, that the Commission calls on the City to urge our federal congressional delegation, and all members of the U.S. Senate Appropriations Committee, including United States Senator Patty Murray, to halt all public funding for contracts with private prison and immigrant detention companies that are performing a public function.

Adopted by the Seattle Human Right Commission on July 1st, 2014.



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Sarah Bishop, Co-Chair

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Ethel Branch, Co-Chair

<sup>i</sup> <https://www.oas.org/en/iachr/migrants/docs/pdf/Migrants2011.pdf>

<sup>ii</sup> <http://www.humanrights.gov/wp-content/uploads/2012/03/USAcceptedRecommendations-2010UPR.pdf>

<sup>iii</sup> [http://www.huffingtonpost.com/laura-carlsen/immigration-reform-privatization-prisonslobby\\_b\\_2665199.html](http://www.huffingtonpost.com/laura-carlsen/immigration-reform-privatization-prisonslobby_b_2665199.html)

<sup>iv</sup> <http://www.businessweek.com/news/2013-09-24/congress-fuels-private-jails-detaining-34-000-immigrants>

<sup>v</sup> <http://www.law.seattleu.edu/news-and-features/news/2008-news-archives/voices-from-detention>

<sup>vi</sup> <http://www.businessweek.com/news/2013-09-24/congress-fuels-private-jails-detaining-34-000-immigrants>

<sup>vii</sup> See Id.

viii Seattle City Employees' Retirement System: Statement of Investment Policy and Procedures at 17  
<http://www.seattle.gov/retirement/documents/SCERSInvestmentPolicyandProcedures.pdf>.