



# NEW HAMPSHIRE CONFERENCE UNITED CHURCH OF CHRIST



## A RESOLUTION OF CHRISTIAN WITNESS IN OPPOSITION TO THE PRIVATIZATION OF NEW HAMPSHIRE'S PRISONS

ADOPTED SEPTEMBER 20, 2012 BY THE NHC-UCC CONFERENCE COUNCIL

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### SUMMARY

*This resolution calls upon the New Hampshire Conference of the United Church of Christ to speak publicly and prophetically about the fundamental conflict between profit-making from incarceration and the objective of rehabilitation; it further calls upon the Conference and individual church members and congregations to oppose the privatization and “profitization” of New Hampshire’s prisons and to convey this stance to the NH Governor and Executive Councilors and other elected officials as appropriate.*

### BACKGROUND STATEMENT

As the push to privatize and “profitize” publicly funded prisons has intensified and private, for-profit corporations have seized upon the opportunity presented by anti-government, anti-public services sentiments to establish a privately-run system of “incarceration for profit,” the United Church of Christ at the national level has, for decades, voiced its profound concern about prison privatization and the growing “prison industrial complex.” This is exemplified by the 2012 Justice and Peace Action Network (JPANet) Alert that states, “For over 40 years, the General Synod of the United Church of Christ has affirmed our commitment to improve the criminal justice systems of state and federal governments. We believe that prisons should be institutions focused on the training and rehabilitation of inmates. We believe that we are called to service, justice, and restoration. To sell or lease (prison) facilities to private companies absolutely violates these fundamental beliefs.”

In 1997, a resolution on the “Prison Industrial Complex” of the Twenty-First General Synod urged UCC members “to speak out about the growing prison industrial complex and the shift toward purchasing prison services from private corporations.”

In March 2012, the UCC’s Cleveland, Ohio-based Collegium of Officers wrote and hand-delivered a letter to Ohio Governor John Kasich decrying Ohio’s move toward prison privatization and expressing concern that the profit motive is a “profound disincentive” to rehabilitation or alternative sentencing and an equally profound disincentive to adequate staff remuneration, training or supervision. The letter also emphasizes that the UCC joins “the Presbyterian Church (USA), the United Methodist Church, the Catholic Bishops of the South and the Episcopal Diocese of Newark in stating our opposition to private ownership and management of prisons.” The unequivocal Presbyterian statement – “since the goal of for-profit private prisons is earning a profit for their

*shareholders, there is a basic and fundamental conflict with the concept of rehabilitation as the ultimate goal of the prison system; we believe that this is a glaring and significant flaw in our justice system and that for-profit prisons should be abolished” – exemplifies the strength of these various statements of faith and witness.*

In response to a surge in prison privatization efforts in the Southwest, in April 2012 the Southwest Conference of the United Church of Christ passed a resolution titled “Advocating for Justice in the Prison Industrial Complex” stating that *“the church must speak with prophetic clarity about . . . profit-making from incarceration”* and that *“there is a fundamental conflict between the goal of for-profit private prisons of earning profit for their shareholders and the ultimate goal of rehabilitation.”*

In response to the New Hampshire 2012 solicitation to corporate bidders to submit proposals to take over the operation of NH’s Prison System, the Episcopal Diocese of New Hampshire released to the Governor, the Executive Council and the media a strong statement of opposition to privatizing NH’s prison which stated, in part, *“As Christians we believe all people are created in God’s image and are equally loved by God. In our baptismal vows we promise to ‘seek and serve Christ in all persons’ and ‘respect the dignity of every human being.’ As part of respecting dignity, justice should not be for sale to the lowest bidder. There is a fundamental difference between making prisons profitable and rehabilitating prisoners. Rehabilitation requires education and skills training to prepare for reintegration into our communities. That is not free. Prisons that are safe for inmates, for staff and for the public require well-trained and fairly compensated staff. That is not free. Nor are counseling or medical care free. Profitability, on the other hand, requires spending the least possible amount each step of the way and paying close attention to the bottom line so that shareholders will be well compensated.”*

## **THE RESOLUTION**

### **RATIONALE**

WHEREAS, the prophetic voice in Isaiah proclaims, “The Spirit of the Lord God is upon me, because the Lord has anointed me; he has sent me to bring good news to the oppressed, to bind up the broken-hearted, to proclaim liberty to the captives, and to release the prisoners . . .” (Isaiah 61:1), and when Jesus first preached in his own community, he chose to lift up a variation of these words: “The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free . . .” (Luke 4:18); and

WHEREAS, among the teachings/instructions given to the emerging Christian communities, Hebrews 13:3 includes this exhortation, “remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured;” and

WHEREAS, after being directed by the NH Legislature to consider prison privatization, the NH Departments of Corrections and Administrative Services, with almost no public discussion or input, in December 2011 simply started a bidding process by issuing three Requests for Proposals (RFPs): for a men’s prison, a women’s prison, and a hybrid prison for men and women; and

WHEREAS, if these RFPs come to fruition as written, New Hampshire could become the only state in the nation to privatize and outsource all of its prison operations, and the resulting “incarceration for profit” business model could include the selling of prison space to other states; and

WHEREAS, four companies have responded to the RFPs (Corrections Corporation of America of Nashville, TN; GEO Group of Boca Raton, FL; Management and Training Corporation of

Centerville, UT; and Hunt Group [now CGL]/Lasalle Corrections of Texas, a joint venture), and these corporate bidders are spending heavily to secure these contracts; and

WHEREAS, the resulting eight bids from the four companies, which fill about 60 boxes, are so complex that the state has outsourced and privatized the RFP review process by issuing a separate RFP for a consultant to evaluate the bids, and subsequently the five-person elective Executive Council (which decides all state procurements over \$10,000) voted on July 11, 2012 to award a bid review contract for \$171,000 to MGT of America, with the consultant review to be completed by early October, 2012; and

WHEREAS, the level of income/profit realized by private, for-profit prisons is dependent upon keeping people incarcerated and on prisons maintaining high occupancy rates (for example, in 2012, the Corrections Corporation of America contacted 48 states and offered to purchase prisons that contain at least 1,000 beds if the states agree “to keep these prisons at least 90 percent full”), and this effort (1) contradicts the belief that all individuals, incarcerated or free, are first and foremost children of God and not instruments for corporate profit-making, and (2) has the potential to subvert a policy focus on crime prevention; and

WHEREAS, when corporate profit is the primary purpose of prison ownership, the objectives of training and rehabilitating prisoners are subverted; further, the corporate aim of sustained high occupancy rates also subverts efforts toward early release, alternative sentencing, and other forms of restitution, especially in the cases of non-violent crimes, and

WHEREAS, extensive studies of private prison operations (including prisons operated by the corporations bidding to take over New Hampshire’s prisons) have documented patterns of maintaining profit by cutting costs in the areas of safety; staff training, staff remuneration and supervision; prisoner education and health; and infrastructure investment; and

WHEREAS, New Hampshire could make a dramatic and deeply troubling policy shift to incarceration for private profit by the vote of just *three* Executive Councilors and potentially could do so during the Fall of 2012,

**NOW THEREFORE BE IT RESOLVED:**

That the New Hampshire Conference of the United Church of Christ joins its denominational Collegium of Officers and the UCC Southwest Conference in prophetic witness by declaring its opposition to the concept of incarceration for private profit and specifically declaring its opposition to the privatization of any or all of New Hampshire’s prisons, and

**BE IT FURTHER RESOLVED:**

That the New Hampshire Conference of the United Church of Christ (1) convey this stance and its rationale in a compelling and timely way to its associations and local churches; to the Governor; to the five Executive Councilors; to other elected officials as appropriate; and to the public (via the media) and (2) encourage NH UCC members and congregations to join the Conference in sharing these concerns about prison privatization with the Governor and Executive Councilors, and

**BE IT FURTHER RESOLVED:**

That the New Hampshire Conference’s Commission for Witness and Action and its Economic Justice Ministry Team monitor the evolving activity in this effort to privatize and profitize New Hampshire’s prison system and that these bodies, along with the Conference Minister, articulate the NH Conference’s prison privatization policy stance on an ongoing basis, as needed.