



Legislation Text

File #: 2019-1250, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): County Administrator

Staff Name and Phone Number: Sheryl Bratton 707-565-2431

Vote Requirement: Majority

Supervisorial District(s): All

Title:

Immigrant Family Confinement Facility Investments by Banks

Recommended Action:

Approval of Letter to Financial Institutions Condemning Investment in Immigrant Family Confinement Facilities

Executive Summary:

The protection of immigrant rights continues to be an issue of importance to the County of Sonoma. Recent changes in federal administration policies at the southern border have highlighted inhumane conditions at immigration jails and detention centers. These facilities are over capacity and are ill equipped for current length of stays. The inhumane conditions are leading to both physical and mental illness in adults and children.

These detention facilities have been supported by investments from several financial institutions including, BNP- Paribas and Wells Fargo. Both institutions in which the Sonoma County Treasury holds investments. These banks recently pledged to cease investments in private detention facilities imprisoning immigrant families. However, recent data suggests that these investments continue. The County of Sonoma maintains its commitment to protecting immigrant rights and, in light of the continued separation of families and the subjection of children to deplorable and trauma inducing conditions, we are reviewing our investments in these banks.

To further this goal the County Treasurer will make an investment presentation to the Board of Supervisors later this year.

This item seeks your Board's approval to send the attached letters to Wells Fargo and BNP-Paribas condemning investments in private for profit detention facilities that are imprisoning immigrant families.

Discussion:

The protection of immigrant rights continues to be an issue of importance to the County of Sonoma. In recent years, federal executive and legislative actions have demonstrated a need for the County's continued assessment of undocumented community member needs with respect to services, legal protections and support. On February 7, 2017, Sonoma County formally affirmed its commitment to Diversity and to safeguarding the Civil Rights, Safety and Dignity of all our residents through a resolution of the Board of Supervisors.

Recent changes in federal administration policies at the southern border have highlighted inhumane conditions at immigration jails and detention centers. Migrants detained by Customs and Border Protection (CBP) are to be detained for short-terms only and once processed, are to be transferred to other agencies such as US Immigration and Customs Enforcement (ICE) or the Department of Health and Human Services (HHS). These agencies are over capacity resulting in extended stays in detention facilities. In addition, families are being separated and there is inadequate care for children and youth. The facilities are ill equipped for the longer stays and inhumane conditions are leading to both physical and mental illness. These facilities have been supported by investments from several financial institutions including, BNP- Paribas and Wells Fargo.

The County of Sonoma has been a longtime investor in BNP-Paribas and Wells Fargo. Both institutions have recently pledged to cease in investments in private detention facilities imprisoning immigrant families. However, recent data suggests that these investments continue. The County of Sonoma maintains its commitment to protecting immigrant rights and, in light of the continued separation of families and the subjection of children to deplorable and trauma inducing conditions, we are reviewing our investment portfolio.

Private prison industry leaders, CoreCivic and GEO Group depend on debt financing from banks such as BNP-Paribas and Wells Fargo to conduct their day-to-day business operations, finance new facilities, and acquire smaller companies. In doing so, BNP-Paribas and Wells Fargo are complicit in and profiting from mass incarceration and the criminalization of immigration.

Sonoma County continues to firmly support the rights of all residents, regardless of immigration status. In our local communities, we have experienced the harmful consequences of federal immigration policies implemented by the private prison industry. In particular, immigrant communities face insecurity and separation of families due to increased enforcement by Customs and Border Patrol (CPB) and Immigration and Custom in Enforcement (ICE). Continued financial support of this dehumanizing effort runs counter to the County's policies and priorities.

California Government Code and the Sonoma County Statement of Investment Policy require the County Treasurer, as agent of public funds deposited in the County Treasury, to serve in a fiduciary capacity subject to the prudent investor standard. Primary objectives ranked in order of importance are to safeguard principal, maintain liquidity and maximize the rate of return. The County Treasurer strives to invest and reinvest in a manner consistent with County environmental and social goals and initiatives when possible and permitted within this statutory framework. The County Treasurer will make an investment presentation to the Board of Supervisors later this year including information on legal parameters, challenges, and evolving opportunities for environmental, social and governance considerations, including the investments at issue.

This item seeks Board approval to send letters to Wells Fargo and BNP-Paribas condemning investments in immigrant family private for profit confinement facilities.

Prior Board Actions:

August 22, 2017: Authorize the County Counsel to execute a Fund Agreement and serve on an Advisory Committee with the Community Foundation Sonoma County to create the Sonoma County Secure Families Fund to raise and disburse funds to increase the capacity of Sonoma County non-profits to provide low- and no-cost immigration legal services and education.

May 23, 2017: Receive an update on impacts of recent federal immigration policy changes on County

Departments and clients and on the County Immigration Initiative to address those impacts and meet the legal service needs of undocumented residents.

February 7, 2017: Minute Order and Resolution on Immigrant Services ad Protections; Resolution affirming the county's commitment to protecting the rights of all residents regardless of immigration status.

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

N/A

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Investment in Private Detention Corporation Letter to Wells Fargo
Investment in Private Detention Corporation Letter to BNP-Paribas

Related Items "On File" with the Clerk of the Board:

None