“When you get to the place of refuge, the people you think will help you make you out to be a criminal and put you in prison.”
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I first went to the Cibola County Correctional Facility in March 2017 shortly after it opened to house immigrants and was completely stunned by what I saw there.

The facility had been closed in October of 2016 after losing its prison contract because the conditions were so bad that there had been several inmate deaths. It reopened in February 2017 under a new contract run by CoreCivic (formerly Correctional Corporation of America), the same for-profit prison company that had previously been running it—same facility, same conditions, same guards, same everything, but this time to house detained immigrants. The large majority of the immigrants held there are refugees who presented themselves at a port of entry asking for asylum and who are not in violation of any law. No man, woman, or child deserves to be incarcerated for seeking refuge when their lives are in danger. In fact, it is in direct violation of international human rights agreements that state that all people have the right to seek asylum in another country and that detention on the basis of asylum is explicitly prohibited.

Over months of going to the Cibola facility, I befriended some of the guys. Many of them were from or had passed through countries on their journey that I lived in as a child—El Salvador, Guatemala, Honduras, or that I have lived in as an adult—Brazil and Mexico. I could relate to and visualize their journeys in a powerful, visceral way, and as an immigrant to this country myself, I couldn’t begin to imagine what it would be like to be incarcerated upon arriving here. Alpha and Zeferino were among the first to win their asylum cases and be released from Cibola, thanks to legal representation from the Santa Fe Dreamers Project. I knew that they would want to tell their stories, and I felt that the American public needed to see and understand what is happening out there. Their stories represent those of thousands more like them—from all walks of life—who are not able to tell their stories because they are either still incarcerated, have since been deported, or didn’t survive the journey to safety. In the months since this facility first opened, there has been a rapid escalation in the detention of immigrants. There are currently 50,000 immigrants incarcerated in detention facilities nationwide—the largest number ever in this country—and 70% of them are held in for-profit prisons.

Alpha and Zeferino were lucky to have legal representation and to have their cases determined in front of the Denver immigration court which has a 60% asylum case approval rate. Since their release, all of the asylum cases at Cibola have been transferred to the El Paso immigration court, which has a miniscule 1% approval rate. It is my hope that this film helps to illuminate what our country is currently doing to refugees and to remove the veil from the ways in which many of us—unknowingly, unwittingly, and unwillingly—are complicit in the financial systems that make these facilities possible. We all have a role to play in dismantling systems that prioritize profit over life and in building new models that are humane and allow for thriving, diverse communities.

—Sylvia Johnson, Director
Q&A with the director

How does immigrant detention fit into the bigger picture of mass incarceration in this country?

Mass incarceration has a long, ugly, racist past and present in this country. In the last 40 years, the incarcerated population in the United States has increased by 500%. We incarcerate more people than any other country in the world and it is disproportionately people of color who are affected, with black people incarcerated at more than five times the rate of whites. Immigration detention facilities make up a very small portion of the total carceral state in this country. However, it is still disproportionately people of color detained in these facilities. Unlike state and federal prisons and local jails, 70% of immigrant detention facilities are private for-profit prisons. This represents an alarming trend towards increasing corporate interest in financial gain from the incarceration of people of color.

Why is the film about two African guys, I thought most refugees and immigrants coming to the U.S. were Latinos?

Alpha and Zeferino were some of the very first immigrant detainees at Cibola detention center to win their cases with legal representation from the Santa Fe Dreamers Project attorneys - and some of the only ones from the male population. The large majority of people seeking asylum in the U.S. come from El Salvador, Guatemala, Honduras, and Mexico, but there are also refugees from many other countries seeking asylum. We have seen asylum seekers at Cibola from numerous African countries, as well as India, Brazil, Cuba, Nicaragua, Venezuela, and beyond. Unfortunately, due to the way that asylum law is designed, and because of government policies targeting Central American asylum seekers, it can often be much more difficult for Central Americans to prove asylum eligibility, especially if they are fleeing gang violence. The African cases on the other hand often fit very cleanly into the political persecution parameters of asylum law. This film features the stories of a couple of those who were released and therefore able to tell their stories. Their stories represent those of so many others who are not able to tell their stories.

Why don’t all refugees qualify for political asylum?

One of the things a person has to prove to meet the refugee definition and qualify for asylum is a “well-founded fear of persecution”. This could be because something terrible happened to them, because someone threatened them, or because there is ample evidence that something would happen to them if they returned to their country. The persecution a potential refugee experiences must be due to race, political opinion, religion, nationality, or membership in a particular social group. This means you have to explain that the violence you experienced was on account of your identity. In Central America, the violence and persecution that people are experiencing is extreme, but it is overwhelmingly tied to gang activity and it is very difficult to prove that gang persecution is due specifically to the victim’s identity as it relates to their race, political opinion, religion, nationality, or membership in a particular social group.

What happens if someone loses their political asylum case?

If an immigration judge denies the asylum claim, a person can appeal or be removed to their home country. The decision to appeal is a long, drawn out process that can be extremely difficult to win. It can mean many more months of detention. If the ruling is not appealed, they are deported back to their home country. Why does it matter what immigration court someone appears in? Not all immigration courts are equal. The immigration court that someone appears in front of can have a significant impact on the outcome of their case. For example, the Denver court has a 60% approval rate on asylum cases, while the El Paso court has only a 1% approval rate on asylum cases.

Why the focus on divestment?

Corporations like CoreCivic and Geo Group profit off of the incarceration of marginalized communities, especially immigrant populations and people of color. 70% of immigrants are detained in for-profit prisons, and in 2017, the combined profit of these two companies was $4 billion. Divestment is one powerful tool for social change that hits these companies where it hurts—in their pocketbooks. Calls for “divestment” demand that entities with monetary stakes in the private prison industry withdraw their investments to reject the prison industrial complex, the violation of human rights, and the mistreatment of incarcerated people.
Discussion questions for *Refuge(e)*

1. **What are your initial reactions to the film?** Did the depiction of the U.S. asylum process and the private prison system surprise you or challenge your previously held beliefs about U.S. immigration?

2. **Do you think asylum-seekers can adequately prepare** their legal case while they are detained? Why is legal representation critical for a successful asylum case?

3. **How should the U.S. treat asylum-seekers?** What would a more compassionate asylum process look like?

4. **How does the immigration-driven private detention system** fit into a larger narrative of mass incarceration in the United States?

5. **Do you think asylum-seekers should be detained** when they arrive at a U.S. port of entry? Should they be detained when they illegally enter the country seeking refuge?

6. **Why do you think ICE** (U.S. Immigration & Customs Enforcement) contracts with private corporations to detain asylum-seekers? Do you think private detention centers are a good solution to an overburdened immigration system?

7. **Do you think divestment and/or socially responsible investing** is achievable on an individual scale? Community scale? National scale?

8. **What can you do to advocate for prison divestment** in your community? What personal goal(s) would you like to set before you leave this screening?

9. **How does it make you feel** to see that people who are fleeing for their lives are being incarcerated under our current immigration system?
Take action

DIVESTMENT is one tool for pushing back against inhumane private prisons.

• **Does your school, city, or faith group invest in private prison corporations?**
  Do the research and mobilize your community to divest your school, city, or faith group from private prisons and reinvest in thriving, diverse communities. There are lots of resources on our website to help you do this: prisondivestsfdp.org

• **Do you own stocks?**
  Research your investments, or call your financial advisor. If you have holdings in CoreCivic or Geo Group companies, divest now. The good news: divesting from unethical companies doesn’t mean you will take a financial loss!

• **Do you have a pension fund?**
  Talk to your HR representative and investigate where your retirement funds are invested. Many of us are unknowingly complicit in the private prison industry. Many educator retirement funds have direct holdings in both CoreCivic and GeoGroup, or in BlackRock and Vanguard packages that invest in private prisons. Demand that your institution divest from private prisons and offer a socially responsible alternative.

• **Want to learn more?**
  Visit our website for more resources, toolkits, and information about investigating investments and divesting.
Why divestment?

The Private Prison Industry has devastated immigrant communities across New Mexico and the United States:

Corporations like CoreCivic and Geo Group profit off of the incarceration of marginalized communities, especially immigrant populations and people of color. Calls for “divestment” demand that entities with monetary stakes in the private prison industry withdraw their investments to reject the prison industrial complex, the violation of human rights, and the mistreatment of incarcerated people.

1. **DIVESTMENT IS AN EFFECTIVE METHOD TO BRING ABOUT SOCIAL CHANGE.**

Divestment has successfully served as a method to hold governments and corporations accountable by exerting economic and social pressure. A strong expression of moral dissent, divestment has drawn political attention to the South African apartheid government, the fossil fuel industry, the tobacco industry and now the private prison industry. Already, government funds like the NYC pension fund and universities such as the University of California schools and Columbia have divested from private prisons.

2. **NO ONE SHOULD PROFIT OFF THE MASS DETENTION OF IMMIGRANTS.**

Individuals and institutions should consider the ethical consequences of investing in an industry that depends on the mass detention of immigrants. The profits gained from investment in private prisons that detain immigrants often stems directly from the incarceration of people who have committed no crime. The industry’s profits depend entirely on rates of incarceration and the ability to cut costs in detention centers. Many socially, ethically, and financially sound investment alternatives exist.

3. **CONDITIONS OF PRIVATE PRISONS ARE DEPLORABLE, OPAQUE, AND UNSAFE.**

It has been well documented that private prisons are more unsafe than public prisons. Cibola Correctional Facility in NM, a prison run by CoreCivic, has witnessed hundreds of health and labor violations that have resulted in numerous deaths. Detainees are exploited to work for a dollar a day. Private detention centers experience more health violations, limited legal resources, prison labor, physical abuse, and solitary confinement.

4. **THE FOR-PROFIT MODEL LEADS TO MORE INCARCERATION AND BAD CONDITIONS.**

It is not an accident that human rights abuses are rampant in private detention centers. It is intrinsic to the private prison model that costs are cut, resulting in unsafe environments. The industry depends on legislation that increases the “supply” of people to incarcerate. This has resulted in billions of dollars spent lobbying for “tough-on-crime” and anti-immigrant bills. The founder of CoreCivic, Tom Beasley once compared prisoners to hamburgers. But humans are not hamburgers, and we should not support industries that treat them as such.

"[CoreCivic] was founded on the principle that you could sell prisons just like you were selling cars, or real estate, or hamburgers.’’

— Tom Beasley, Cofounder of CoreCivic

prisondivestsfdp.org
The Prison Industry Divestment movement began in 2008 to address the root causes of harm to communities of color caused by the Criminal and Immigration System. The movement has targeted the investors of CoreCivic and GEO Group (GEO), the two largest private prison companies in the United States. The underlying principle is that direct or indirect profiting from the separations of families, violations of human rights, and injustices caused by these prisons is inhumane and unacceptable.

Many successful divestment campaigns have led to victories at the city and state levels, as well as among government administered pension funds. Some highlights include:

- **Portland, OR** adopted a Socially Responsible Investment (SRI) Policy and voted to divest from Wells Fargo and the Bank of NY Mellon due to their role as investors in private prisons. The city also ended all corporate investments thanks to intersectional organizing for prison divestment and other important social justice movements.
- **Los Angeles, CA** dropped its $4 million per year banking contract with Wells Fargo.
- **New York City**’s pension system became the first in the nation to fully divest from direct holdings in private prisons, dumping about $48 million worth of stock and bonds from GEO Group, CoreCivic Inc. (CCA) and G4S.
- **Seattle, WA** divested $3 billion from major prison lender and Dakota Access Pipeline financier, Wells Fargo.

Universities such as the University of California School System and Georgetown have divested from private prisons. One major highlight was Columbia University’s decision to divest its endowment from the private prison industry. Columbia divested $10 million in holdings from CCA and G4S.

Ongoing movements exist at dozens of other universities, including Yale, Stanford, Harvard, Princeton and Brown.
The movement for divestment has taken many forms. In addition to Government and University resolutions, there have also been faith group and corporate initiatives.

**FAITH GROUP INITIATIVES**

These major moves are just a few examples of the bold steps that faith groups have been willing to take to ensure they are not supporting inhumane private prisons:

- The Pension Board of the United Methodist Church—the largest faith-based pension fund in the U.S.—divested of all its private prison holdings, worth $1 million.

- Glenmary Catholic Priests, NAKASEC, and Franciscan Action Network ended their banking contracts with Bank of America, Wells Fargo, and JP Morgan Chase.

**CORPORATE INITIATIVES**

Private investment firms, corporations and others have chosen to divest from private prison stock and to stop banking with complicit banks. **Some major divestment victories:**

- Pershing Square Capital Management fully divested its CCA holdings of over 7 million shares, worth $180 million.

- Scopia, a long-time large shareholder in private prisons, completed its divestment of 6 million shares of GEO Group stock, worth $202 million.

- ING Groep divested over a million shares of GEO stock, worth $57.5 million.
Cibola County Correctional Facility located in Grants, NM, was previously a criminal correctional prison that was shut down in October 2016 due to inhumane conditions that resulted in several inmate deaths. The exact same facility reopened in January 2017 to detain immigrants under a new $2.5 million/month contract with Immigrations Customs Enforcement (ICE). The prison is run by CoreCivic, formerly the Corrections Corporation of America.

The yearly ICE contract is worth $30 million. Essentially, the federal government uses taxpayer dollars to pay CoreCivic $2.5 million per month to house approximately 847 detainees at the prison. CoreCivic earns an additional $55 per detainee per day housed above the minimum number, while Grants – one of the most impoverished counties in the country – takes only a $.50 cut per detainee per day.

The vast majority of immigrant detainees at Cibola are political asylum seekers and most have passed a credible fear interview proving that any reasonable individual would have feared for their lives if they were in their shoes. They have come here from all over the world - Central America, Africa, Asia - fleeing violence and persecution. Many of the asylum seekers presented themselves at a US port of entry on the border, asking for political asylum, and have committed no crime.

The prison has a male immigrant population as well as the only transgender pod in the country. Women and children are held at other similar facilities in other parts of the country.
While the immigrant population detained in Cibola have often committed no crime, they live in conditions fit for no human. The 1,100 bed detention center in Grants, NM is notorious nationally for unlivable conditions, health violations, solitary confinement and prison labor. Asylum seekers at Cibola face:

### INDEFINITE DETENTION

- Historically, political asylum seekers detained at Cibola were being categorically denied parole regardless of their circumstances. This changed over the summer of 2018, but parole is still infrequent. Detainees spend an average of 6-8 months in Cibola, and some stays last over a year.
- There are no federal immigration courts in the state of NM and detainees have minimal access to legal counsel. The male population at Cibola is assigned to the El Paso immigration court which has only a 1% approval rating for asylum cases. Most will eventually be deported back to the country they fled.
- Detainees face major barriers to accessing communication outlets to gain evidence for their cases, and Cibola is not subject to FOIA requests.

### HEALTH VIOLATIONS

- Cibola accumulated more repeat deficiencies in health services than any other private federal prison in operation. A 2012 report found that Cibola was operating without a single doctor. The lack of access to health care has often resulted in death.
- One man who suffered a heart attack in 2017 was treated only with tums.
- Many transgender women have suffered health complications while at Cibola. Roxsana Hernandez, a 33-year-old woman, died of HIV-related complications, a case the ACLU is now litigating with the Dreamers Project.
- Detainees repeatedly speak about how terrible and inedible the food is.

### LABOR VIOLATIONS AND INHUMANE TREATMENT

- Detainees work for unbelievably low wages—Inmates often work for only $1 a day. The cost of one phone call for 3 minutes is $10. (This is a tremendous obstacle to obtaining important evidence for their cases.)
- Visitation is extremely difficult or impossible due to the remote nature of the facility.
- Detainees are also often placed in solitary confinement for days. Solitary confinement - especially over extended periods - is widely recognized as a form of torture.
“When you get to the place of refuge, the people you think will help you make you out to be a criminal and put you in prison.”

Refuge(e)

A film by Sylvia Johnson produced by Free Roaming Studios in association with Santa Fe Dreamers Project. Cinematography by Alex Levin, art direction by Austin Blasingame, editing by Alessandra Khalsa, music by Joachim Horsley, graphics by Benjamin Cheek.