

Alabama is Getting Swindled For Billions

1/29/21

To the Alabama State Legislators:

We are a coalition of people, communities, and organizations committed to stopping the ill-conceived construction of prisons being forced upon Bibb, Elmore, and Escambia counties. We are made up of communities of farmers and activists in each of those counties, more than two dozen organizations and churches across the state, and nearly 300 Alabama students from 28 colleges, universities, and law schools, writing to you in opposition to Governor Kay Ivey's attempt to spend \$2.6 billion on three new mega-prisons without a shred of transparency. **We are Communities Not Prisons, and our futures depend on your immediate action.**

It is no secret that barring significant action, our prisons will remain unconstitutional—ensuring a federal takeover by the Department of Justice. It is equally clear that our prisons are in need of long-overdue maintenance. But Governor Ivey and Commissioner Dunn have elected to pursue a multi-facility mega-prison construction project that will address only a small aspect of the overall criticisms from the Department of Corrections. **Throughout the entire process, they have acted behind closed doors, keeping the public and even you—our elected leaders—entirely in the dark.**

The DOJ report on Alabama prisons details 5 pages of actions Alabama could take to become compliant with the 8th Amendment prohibition on “cruel and unusual punishment.” Not a single recommendation mentions new construction. Though part of the DOJ lawsuit does highlight infrastructural deficiencies, these primarily could be addressed by installing more cameras and repairing broken locks. **If a cost estimate for implementing these minimum infrastructural repairs has been done, the people of Alabama deserve to know about it.** The quality of our current facilities, however abysmal, is a minor concern in comparison to the core reasons our prisons are unconstitutional—violence stemming from a dysfunctional Department of Corrections, chronic understaffing, and poor leadership.

Our prisons are unconstitutional not because they are in need of repair, but because the ADOC is the most dysfunctional department of corrections in America. The DOJ has targeted our prisons because they are racist and violent. **Are we supposed to believe that the same department that got us into this mess will run functioning prisons just because they get new buildings?**

Even if building modern facilities addresses some concerns, it is unlikely to take us out of the DOJ's crosshairs. The best use of taxpayer dollars cannot be to pursue the action **most**

expensive and **least likely** to avoid federal intervention—paying \$2.6 billion to rent 3 prisons. Why have there been no known attempts to determine the cost of pursuing the DOJ’s actual recommendations?

With growing needs for investments in healthcare, including mental health, and the additional burden that COVID-19 has placed on critical departments, as we heard outlined in this week’s budget hearings from the leadership of the Department of Public Health, Department of Mental Health, and the Alabama Medicaid Agency, **it is astounding that Governor Ivey is prioritizing fiscally irresponsible and devastating contracts for prisons that do not address our most urgent needs as Alabamians.**

While we understand the need for action and the difficulty of legislating around prison issues, **we do not accept the degree of secrecy under which this plan has developed.** Governor Ivey has attempted to act unilaterally and has refused to answer the legitimate questions of her constituents. The people of Alabama have had no say in this. Residents in Tallassee and Brierfield, where two of the prisons will be built, have been opposing this plan for months. Governor Ivey has made it clear that our farmers and rural communities do not matter to her. This is not how Alabama should work. This is not how America should work. **This is tyranny, not democracy. It is past time for our legislators to intervene.**

We demand more information through an independent and transparent assessment of the Alabama Department of Corrections before Alabama is strapped into this expensive, irreversible plan. **Without an audit, we risk torching a significant portion of our already strapped discretionary spending.** Furthermore, due diligence has not been exercised to determine the environmental impact of these proposed prisons. Basic questions about wastewater treatment, water sourcing, storm runoff, additional infrastructure, and more have not been answered, even when local residents have asked about them. This is unacceptable and irresponsible.

We demand the legislature do everything in their power to intervene in this process and stop Governor Ivey from trapping us into a 30-year mistake.

We demand Governor Ivey immediately stop her assault on farmers and the rural communities whose homes and livelihoods will be destroyed if these contracts are signed and these prisons are built.

We are calling on you, our leaders, to intervene.

Alabama cannot move forward with this plan. **We implore you: do everything in your power to delay these contracts from being signed.** You are the last line of defense against this anti-democratic process and appalling executive overreach.

Sincerely yours,

Block the Brierfield Prison
No Prison for Tallassee
Alabama Students Against Prisons
The Ordinary Peoples Society
Prodigal Child Project
Alabama Justice Initiative
Auburn Students and Community for Change
Emerge at Auburn University
Fight Toxic Prisons
ACLU of Alabama
Black Lives Matter Alabama
Faith and Works Collective
National Lawyers Guild
Alabama Applesseed Center for Law and Justice
National Lawyers Guild Chapter at University of Alabama School of Law
Birmingham IWOC
Metro Montgomery NAACP
Tuscaloosa Action and the T-Town Freedom Marchers
National Lawyers Guild - Alabama Chapter
Black Lives Matter Birmingham Chapter
Reclaiming Our Time
Formerly and Currently Incarcerated People Movement
Social Justice AME Churches Alabama
National Action Network
Men for Women's Rights
Voices of the Violated
The Other Cheek
Yippies
Alabama A&M College Democrats
Young Americans For Liberty
Hometown Action
Alabama Rivers Alliance

Adelante Alabama Worker Center
Auburn Justice Coalition
Black Warrior Riverkeeper
Free Mafundi Lake Committee
SONG Montgomery
NOW of Birmingham
Law Office of April R. Burnette
Birmingham Mutual Aid
Shoals Area Young Democrats
Project Say Something
BhamStands

Pending further additions