TO: SUNY University Faculty Senate (UFS)
FROM: Operations Committee
RE: Opposition to Mandated Purchases from SUNY Preferred Vendor Corcraft Products
DATE: Winter Plenary
LOCATION: Virtual

Resolution #:
Vote: For: X / Against: X / Abstain: X

Rationale

Whereas the Faculty Senate at SUNY Plattsburgh approved resolution 961 on April 5th, 2022 (see Appendix 1), in opposition to the state-mandated purchase of furniture and other items from Corcraft Products because of the moral and ethical issues involved in using prison labor; and

Whereas at CUNY, a letter[1] asking the university to cut ties with Corcraft and divest from private prison companies has been signed by more than 90 student, faculty, and community groups, and 12 city and state elected officials[2]; and

Whereas two bills are currently under consideration in the New York Legislature, The No Slavery Act in New York Act[3] to amend the state constitution to abolish modern-day slavery and the Fairness and Opportunity for Incarcerated Workers Act[4] to ensure fair wages for incarcerated people; and

Whereas social justice is an important foundational framework for SUNY and our 64 campuses.

Resolution

Therefore be it resolved, the UFS endorses the resolution submitted by SUNY Plattsburgh; and

Therefore be it further resolved that the University Faculty Senate (UFS) calls on UFS Senators and Campus Governance Leaders to discuss and raise awareness on this issue at their campuses and join SUNY Plattsburgh in passing parallel resolutions; and

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[1] CUNY for Abolition and Safety, The Release Aging People in Prisons (RAPP) Campaign, 12 City and State Elected Officials, and 90+ Organizations (2021). CUNY's Ties to Prison Slavery in the United States from https://drive.google.com/file/d/1UmTkKoMAjNFNR3crZ1yMc-NqAhH95pkG/view

[2] Burke, L. (n.d.). Pushing back on prison labor. Inside Higher Ed. Retrieved November 30, 2023, from https://www.insidehighered.com/news/2021/05/04/students-cuny-demand-cutting-legally-mandated-ties-prison-labor

[3] Senate Bill S225B from https://www.nysenate.gov/legislation/bills/2023/S225

[4] Senate Bill S6747 from https://www.nysenate.gov/legislation/bills/2023/S6747

Therefore be it further resolved that the University Faculty Senate asks the Chancellor to direct the SUNY Office of Government Relations to work with members of the Executive and Legislative branches to enact new legislation in this area more consistent with the principles of social justice, which allows SUNY campuses the option to opt out of SUNY Preferred Sources[5].

[5] https://www.suny.edu/meansbusiness/preferred-sources/

Appendix 1

TO: SUNY Plattsburgh Faculty Senate
FROM: SUNY Plattsburgh Faculty Senate Executive Committee
RE: Resolution in Opposition to Mandated Purchases from SUNY Preferred Vendor Corcraft Products
DATE: April 5, 2022
ACTION#: 961
VOTE TALLY: For: 34 / Against: 2 / Abstain: 2

WHEREAS from April 1, 2017 through March 1, 2022, SUNY Plattsburgh purchased a total of $18,691.25 of commodities from Corcraft Products ("Corcraft"), with 95.6% of the money used to purchase desks and chairs.[6]

WHEREAS Corcraft is "the industry program within the New York State Department of Corrections and Community Supervision." Here, incarcerated people make commodities that state agencies, political subdivisions, and public benefit corporations are statutorily obligated to purchase when such commodities meet the "form, function, and utility" sought, unless a waiver is secured.

WHEREAS Corcraft is a SUNY Preferred Vendor, and according to the NYS Procurement Bulletin that governs SUNY purchasing policy is the first priority vendor. As a result, SUNY institutions are obligated to secure commodities from Corcraft before purchasing from other vendors, including other preferred sources. SUNY's legal obligation to Corcraft supersedes any SUNY "good faith efforts to reach its System-wide participation goals for minority and women vendors."

WHEREAS incarcerated people in the state of New York are paid as little as $0.26/hour and an average of $0.65/hour for their labor. Meanwhile Corcraft has received over $340 million in revenues from state agencies, including $2.94 million from the SUNY system, from Fiscal Year 2010 through Fiscal Year 2018.

WHEREAS New York State contracted with Corcraft during the COVID-19 pandemic, requiring people in prison to produce up to 100,000 gallons of hand sanitizer per week to be distributed for "free" to New York residents and institutions such as SUNY. The hand sanitizer produced by people in prison cost $6.1Of gallon to produce, revealing the extent to which prison laborers are underpaid. Remaining invisible, however, is the dismal irony in recruiting people in prison to protect New Yorkers. The state continues to fail to provide people in prison adequate protection from COVID-19, despite the unique vulnerabilities incarcerated people face, providing neither sufficient social distancing nor P.P.E. Initially, N.Y.S. allowed guards - but not incarcerated

[6] Purchase Order Inquiry data, provided by Sean Dermody, Assistant Vice President, Regional Procurement Services, on March 2, 2022. These years include periods when the campus was under purchasing restrictions in response to the COVID-19 pandemic.

people - to wear masks and, ironically, adhered to policies that make alcohol:hase_d_band sanitizer co_ntraband.

WHEREAS the production of hand sanitizer was touted as a means of combating commercial price gouging and quelling pandemic-related fears, there is nothing "free" about coercive and exploitative prison labor. Incarcerated people are not "free" in any sense. They are required to work in prison industries or participate in mandatory offense-related programs. Any amount of individual autonomy is supplanted by 24-hour surveillance and a constant fear for personal safety as a result of violence, derelict living conditions, medical neglect, and lack of mental health care.

WHEREAS the lack of labor and workplace protections for incarcerated people function to disable individuals, debilitate communities, and exacerbate the violent and unsafe everyday conditions of prisons. State prison labor systems usually are not subject to state and federal protections; prohibitive of any labor organizing for better wages or working conditions; lack means of redress for workplace injury or illness; and may require incarcerated people to manufacture products that consist of toxic materials.[7]

WHEREAS the miniscule wages paid to incarcerated workeers are especially appalling given the· enormous pecuniary costs of incarceration incurred by people inside and by their familiesWhile there has been some qualified successes in pushing the FCC to fight such exploitative practices, many children still pay $1.00/minute to speak to an incarcerated parent. Prisons also shift the burden of paying for basic necessities, including basic food and hygiene items , to people in prison and their families.

WHEREAS mass incarceration disproportionately targets impoverished people of color, especially Black people, and also transgender and queer people and survivors of violence. Exploitative practices and human rights violations define the experience of incarceration for the vulnerable populations marked as disposable.

WHEREAS the Prison industrial complex (P.I.C.) describes the network of state interests, including but not limited to Corcraft, and private businesses that profit from the U.S. systematic use of mass incarceration as an ineffective solution to problems primarily rooted in systemic forms of oppression, notably poverty, racism, and gender-based violence. The prison industrial complex includes the state, the for-profit private prison industry, and the network of firms that profit from building and maintaining the physical infrastructure of prisons and from serving the imprisoned population (e.g. construction, utility, food, textile, telephone, medical, and security industries).

WHEREAS purchasing items made by prison laborers functions to endorse the violence of mass incarceration and further collusion between state punishment systems and state higher education systems.

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[7] Russell, Marta and Jean Stewart. 2001. "Disablement, Prison, and Historical Segregation." *Monthly Review* 53(3): 61-75.

WHEREAS the Mission in the Plattsburgh Next Strategic Plan states that social responsibility is "integral to our identity."

WHEREAS the Prioritize Equity and Inclusion pillar of the Plan states that "the pursuit of social justice is identified as a defining community value," and that we are committed to cultivate students' "potential to address social injustice in our world."

WHEREAS the purchase of items from Corcraft undercuts these and other campus commitments to equity, social justice, social responsibility, and community values.

WHEREAS the Faculty Senate has the opportunity to reflect a larger vision of social justice in our own actions regarding such institutional commitments, and regarding the literal furniture that our students sit in during our classes.

THEREFORE BE IT RESOLVED that the SUNY Plattsburgh Faculty Senate asserts our opposition to the New York State requirement that the SUNY system and its campuses, including our own, purchase items from Corcraft, and thus contests this legally-mandated participation in the further exploitation of incarcerated people.

BE IT FURTHER RESOLVED that we request President Alexander Enyedi and Vice President for Administration and Finance Josee Larochelle consult with the SUNY Office of General Counsel to seek a waiver permitting SUNY Plattsburgh to procure items usually purchased through Corcraft from other vendors.

BE IT FURTHER RESOLVED that we request our campus representative at the University Faculty Senate (UFS) initiate discussions and a future resolution by UFS similarly contesting Corcraft purchasing.

BE IT FURTHER RESOLVED that Faculty Senate will work with Regional Procurement Services and the Division of Administration and Finance in order to increase faculty awareness of procurement procedures, and to support the institution's current participation in New York State's procurement program for certified "Minority- or Women-Owned Business Enterprises" (MWBEs). We especially seek to identify certified vendors that pay laborers a living wage and provide the types of benefits that would enable marginalized communities most affected by the P.I.C. to prosper.