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**IN HUGE VICTORY FOR FREE SPEECH, PRIVATE PRISON COMPANY'S \$60 MILLION LAWSUIT TARGETING IMPACT INVESTOR IS DISMISSED BY FEDERAL JUDGE**

***After convincing major banks to stop financing private prisons that profit from detention of immigrants, activist-investor Morgan Simon was sued for millions by CoreCivic for writing that the company profits from family separation. CoreCivic will now pay tens of thousands in fees.***

OAKLAND, CALIFORNIA— In a major victory for Free Speech and the anti-SLAPP movement, a US federal judge has slammed one of the nation's leading private prison companies for suing an activist for \$60 million after she wrote several articles for Forbes.com asserting the company profited from family separation.

In a decision that came down on Nov 11, federal judge William Alsup dismissed various defamation claims filed by private prison company CoreCivic against impact investor Morgan Simon and the Candide Group, a company co-founded by Simon that promotes socially responsible investing. Alsup ruled that Simon's statements on Forbes.com criticizing the company's policies in detaining immigrants and being involved in family separation were protected by the First Amendment. Today was the last day CoreCivic could've appealed, officially ending this legal battle.

"This is a major victory for all citizens and activists who speak out on important policy issues — including the millions of people in the United States horrified by family separation, on the frontlines of the climate movement, and who fight campaigns to shut down private prisons," said Simon, who also was awarded attorney's fees in the amount of \$45,630.

In March of 2020, CoreCivic sued Simon and the Candide Group for \$60 million in a clear attempt to intimidate her into retracting her article claiming the company was profiting from the family separation crisis. The lawsuit also claimed Simon had defamed the company by saying it was lobbying for more punitive immigration and mass incarceration policies to benefit its revenue stream.



The private prison industry has increasingly depended on immigrant detention to grow revenue and to please investors, said Simon. [A ~\\$3B industry, 80%](#) of immigrants in detention in the United States are held by private prison companies that historically have been paid by taxpayers as much as [\\$750 a night](#) to detain one person — far higher than the cost of a luxury hotel room in most US cities.

Over 500,000 Americans across the country signed petitions and spoke out against efforts by private prison companies like CoreCivic to exploit the Trump Administration's harsh immigration policies. Major banks like Wells Fargo, Bank of America, Barclays and JP Morgan Chase responded to consumer pressure and committed to stop financing private prisons profiting from immigrant detention. Campaigns co-led by Simon and Candide Group ultimately caused [the vast majority](#) of financing by banks of private prisons to dry up.

CoreCivic stated in its legal filings that it "suffered millions of dollars of damages" as a result of these campaigns "including the loss of a favorable financing agreement from a lender." CoreCivic had its credit [downgraded by Fitch](#), and its share price fell by over 50%. The company ultimately claimed up to \$60M in damages.

The court ruled that campaigns were not defamatory. In his final ruling dismissing the case, the Judge Alsup stated, "[Simon's] statements 'serve the interests' of preventing the enactment of abusive immigration policies."

With the ACLU estimating 1,000 immigrant families still separated, this story is far from over. "This attempt by CoreCivic to intimidate me into silence failed spectacularly," said Simon. "I, alongside activists across the country, will continue to speak out against what I view as a deep injustice still being committed by private detention companies, and encourage all investors to think proactively about where their money spends the night."

SLAPP lawsuits violate Free Speech protections because they are used by corporations to try to intimidate their adversaries rather than litigate claims on the merits. Often the very filing of a SLAPP lawsuit causes the target to go silent simply because of the cost of paying lawyers to defend the allegations. (SLAPP is an academic acronym that stands for Strategic Lawsuits Against Public Participation.)

Several groups such as the ACLU, Greenpeace, and Earth Rights International have formed a coalition to fight SLAPP lawsuits; their website explaining this important issue can be found [HERE](#).

"Simon's courage in fighting CoreCivic's baseless SLAPP lawsuit is an inspiration to activists all over the world who live with the risk of being targeted by these types of corporate-funded legal abuses," said Steven Donziger, an environmental lawyer in New York who was sued by Chevron for \$60 billion after helping Amazon Indigenous peoples



win a large pollution judgement against the company. “This is a huge victory for Morgan Simon, for Free Speech, for the planet, and for advocates everywhere.”

Key Themes:

- Family separation crisis
- Free speech and SLAPP lawsuits
- Activism and the power of individual actions
- Private, for-profit prisons
- Impact Investing
- Woke Capitalism

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**Morgan Simon** has over two decades of experience making finance a tool for social justice. In that time she has influenced over \$150B and is a regularly sought out expert on impact investing. Her book, [Real Impact: The New Economics of Social Change](#) has been featured everywhere from Harvard Business School to the United Nations.

**Candide Group** is an impact investing firm and Registered Investment Advisor. Candide works with families, foundations, athletes and cultural influencers who want their money working for justice, and has allocated over \$200M to 110 companies and funds.