

September 14, 2016

The Honorable Jeh Johnson  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, DC 20528

**Re: End the U.S. Department of Homeland Security's Use of Private, For-Profit Immigration Detention Facilities**

Dear Secretary Johnson:

The 344 undersigned organizations call on the Department of Homeland Security (DHS) to end its reliance on private prison companies to detain immigrants. While we understand that you have announced the creation of a subcommittee of the Homeland Security Advisory Council to review the use of privatized immigration detention, it is already clear that DHS must follow the lead of the Department of Justice (DOJ) in severing ties with private prison contractors.

Even more so than the Bureau of Prisons (BOP), Immigration and Customs Enforcement (ICE) has become deeply entangled with private prison companies, which now operate the facilities in which 73% of all detained immigrants are held.<sup>1</sup> This relationship has been disastrous for immigrants, as well as for American taxpayers.

Detention facilities operated by private prisons companies have repeatedly been the site of abuse and mistreatment. Recent investigations into deaths in detention facilities have found that inadequate medical care at privately-operated detention facilities contributed to numerous deaths. These include: Evalin-Ali Mandza who died after staff at a GEO Group facility in Colorado waited nearly an hour to call 911 after Mr. Mandza began experiencing chest pain<sup>2</sup> and Manuel Cota-Domingo who died after an eight hour delay in transferring him to the emergency room by staff at the Corrections Corporation of America (CCA) Eloy facility in Arizona.<sup>3</sup> In fact, Eloy is by far the deadliest detention facility in the country, with 14 deaths since 2004.<sup>4</sup>

These failings are exacerbated by the inability of ICE to provide proper oversight for its contractors. The ineffective inspections process ICE uses has consistently failed to identify and correct problems inside these facilities.<sup>5</sup> Further, the vast majority of ICE facility contracts do not include any robust penalty

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<sup>1</sup> Steven Nelson, "Private Prison Companies, Punched in the Gut, Will Keep Most Federal Business." U.S. NEWS & WORLD REPORT, August 18, 2016.

<sup>2</sup> American Civil Liberties Union, Detention Watch Network & National Immigrant Justice Center, *Fatal Neglect: How ICE Ignores Deaths in Detention*, Feb. 2016, <http://immigrantjustice.org/publications/FatalNeglect>.

<sup>3</sup> Human Rights Watch, *US: Deaths in Immigration Detention*, Jul. 2016, <https://www.hrw.org/news/2016/07/07/us-deaths-immigration-detention>.

<sup>4</sup> Immigration and Customs Enforcement, "List of Deaths in ICE Custody," Jul. 28, 2016, [https://www.ice.gov/sites/default/files/documents/FOIA/2016/detaineeDeaths\\_07\\_28\\_2016.pdf](https://www.ice.gov/sites/default/files/documents/FOIA/2016/detaineeDeaths_07_28_2016.pdf).

<sup>5</sup> Detention Watch Network & National Immigrant Justice Center, *Lives in Peril: How Ineffective Inspections Make ICE Complicit in Immigration Detention Abuse*, Oct. 2015, <http://immigrantjustice.org/lives-peril-how-ineffective-inspections-make-ice-complicit-detention-center-abuse-0>; Government Accountability Office, *Immigration*

provisions. This incentivizes private companies to minimize facility costs by rationing basic necessities for detained individuals, including medical care. Even when severe deficiencies are discovered, ICE has not terminated contracts or used available penalties, but rather continued to send immigrants to be held in unsafe conditions.<sup>6</sup>

ICE's reliance on private prisons companies has enabled the huge expansion of immigration detention over the last decade and has also hurt U.S. taxpayers, who pay more than \$2 billion each year<sup>7</sup> to maintain the detention system. In fact, contracts held by private prison companies are some of the most expensive, and often take advantage of the federal government, as was the case with the detention center for families in Dilley, Texas, which costs U.S. taxpayers \$20 million each month regardless of how many people are detained.<sup>8</sup>

Rather than directing the Advisory Council subcommittee to consider whether or not to stop contracting with private prison companies, the answer to which is clear, we encourage you to use the Advisory Council to create an action plan to end to ICE's entanglement with private prison companies as quickly as possible, and to close down the most dangerous and problematic facilities immediately. The subcommittee should consult with community stakeholders and directly affected people when developing its plan.

It is clear that privately run facilities are unaccountable and unsafe. We urge you to swiftly end ICE's use of these dangerous facilities. If you have any questions, please do not hesitate to contact Mary Small of Detention Watch Network (202-846-7058; msmall@detentionwatchnetwork.org), Joanne Lin of the American Civil Liberties Union (202-675-2317; jlin@aclu.org), or Jennifer Chan of the National Immigrant Justice Center (312-660-1363; jchan@heartlandalliance.org).

Sincerely,

### **National Organizations**

Adjunct Justice

Advocating Opportunity

African American Ministers In Action (AAMIA)

Alianza Americas

America's Voice

American Civil Liberties Union

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*Detention: Additional Actions Needed to Strengthen Management and Oversight of Facility Costs and Standards*, Oct. 2014, <http://www.gao.gov/assets/670/666467.pdf>; DHS Office of the Inspector General (OIG), "DHS OIG to Periodically Inspect CBP and ICE Detention Facilities, Mar. 15, 2016, <https://www.oig.dhs.gov/assets/pr/2016/oigpr-031516b.pdf>.

<sup>6</sup> Detention Watch Network & National Immigrant Justice Center, *Lives in Peril: How Ineffective Inspections Make ICE Complicit in Immigration Detention Abuse*, Oct. 2015, <http://immigrantjustice.org/lives-peril-how-ineffective-inspections-make-ice-licit-detention-center-abuse-0>

<sup>7</sup> Department of Homeland Security, *Homeland Security Budget-in-Brief Fiscal Year 2016*, [https://www.dhs.gov/sites/default/files/publications/FY\\_2016\\_DHS\\_Budget\\_in\\_Brief.pdf](https://www.dhs.gov/sites/default/files/publications/FY_2016_DHS_Budget_in_Brief.pdf)

<sup>8</sup> Chico Harlan, "Inside the Administration's \$1 Billion Deal to Detain Central American Asylum Seekers," WASHINGTON POST, Aug. 14, 2016, [https://www.washingtonpost.com/business/economy/inside-the-administrations-1-billion-deal-to-detain-central-american-asylum-seekers/2016/08/14/e47f1960-5819-11e6-9aee-8075993d73a2\\_story.html](https://www.washingtonpost.com/business/economy/inside-the-administrations-1-billion-deal-to-detain-central-american-asylum-seekers/2016/08/14/e47f1960-5819-11e6-9aee-8075993d73a2_story.html).

American Federation of State, County and Municipal Employees  
American Federation of Teachers (AFT)  
American Friends Service Committee (AFSC)  
American Immigration Council  
American Immigration Lawyers Association  
American-Arab Anti-Discrimination Committee  
Americans for Immigrant Justice, Inc.  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Americans Advancing Justice - AAJC  
Asian Americans Advancing Justice - Asian Law Caucus  
Asian Pacific American Labor Alliance, AFL-CIO (APALA)  
Asian Pacific Institute on Gender-Based Violence  
ASISTA  
Auburn Seminary  
Baptist Peace Fellowship of North America  
Bend the Arc Jewish Action  
Border Network for Human Rights  
Casa de Esperanza  
Catholic Committee of the South  
Catholic Legal Immigration Network, Inc. (CLINIC)  
Catholic Theological Union  
Center for Constitutional Rights  
Center for Employment Training  
Center for Gender & Refugee Studies  
Church World Service  
Clerics of St. Viator (Provincial Council)  
CODEPINK  
Color Of Change  
Columban Center for Advocacy and Outreach  
Community Initiatives for Visiting Immigrants in Confinement (CIVIC)  
Conference of Major Superiors of Men  
Council on American-Islamic Relations (CAIR)  
Detention Watch Network  
Disciples Refugee and Immigration Ministries, Christian Church (Disciples of Christ) in the U.S. and Canada  
Dream Action Coalition  
Enlace  
Familia: Trans Queer Liberation Movement  
Families for Freedom  
Farmworker Justice  
Fig Tree Revolution  
First Focus  
Franciscan Action Network  
Freedom Network USA  
Friends Committee on National Legislation  
Grassroots Leadership  
HIAS  
Holy Spirit Missionary Sisters: USA - JPIC

Hope In Focus  
Human Impact Partners  
Human Rights Campaign  
Human Rights Defense Center  
Human Rights First  
Immigrant Defense Project  
Immigrant Justice Corps  
Immigrant Legal Resource Center  
Immigration Equality  
In the Public Interest  
International CURE  
Jobs With Justice  
JPIC Committee of the Sisters of St. Francis of Philadelphia  
Just Foreign Policy  
Justice Policy Institute  
Justice Strategies  
Kids in Need of Defense  
Latin America Working Group  
Latino Commission on AIDS  
LatinoJustice PRLDEF  
Leadership Conference of Women Religious  
League of United Latin American Citizens  
Lutheran Immigration and Refugee Service  
MALDEF  
Mennonite Central Committee U.S. Washington Office  
Mijente  
MoveOn.org  
NAFSA: Association of International Educators  
National Advocates for Pregnant Women  
National Alliance to End Sexual Violence  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Council of Jewish Women  
National Council of La Raza  
National Day Laborer Organizing Network  
National Immigrant Justice Center  
National Immigration Law Center  
National Immigration Project of the NLG  
National Justice for Our Neighbors  
National Korean American Service and Education Consortium  
National Latina Institute for Reproductive Health  
National LGBTQ Task Force  
National Network for Immigrant and Refugee Rights  
National Partnership for New Americans  
National Queer Asian Pacific Islander Alliance  
NETWORK Lobby for Catholic Social Justice  
Not One More Deportation Campaign  
OCA - Asian Pacific American Advocates

OpenTheGovernment.org  
Pax Christi USA  
People's Action  
PICO National Network  
Presente.org  
Private Corrections Institute  
Private Corrections Working Group  
Project South  
Queer Detainee Empowerment Project  
Reform Immigration FOR America  
Refugee and Immigrant Center for Education and Legal Services (RAICES)  
Responsible Endowments Coalition  
Salvadoran American National Network (SANN)  
Scholl Sisters of Notre Dame Central Pacific Province Provincial Council  
Service Employees International Union (SEIU)  
Sisters of Charity of New York  
Sisters of Mercy South Central Community  
Sisters of St. Francis, Redwood City, CA  
Sojourners  
South Asian Americans Leading Together (SAALT)  
Southeast Asia Resource Action Center (SEARAC)  
Southeast Immigrant Rights Network  
Southern Border Communities Coalition  
Southern Poverty Law Center  
Tahirih Justice Center  
The Advocates for Human Rights  
The Center for Popular Democracy  
The Leadership Conference on Civil and Human Rights  
The Sentencing Project  
Transgender Law Center  
U.S. Committee for Refugees and Immigrants  
UE Western Region  
Unitarian Universalist Association  
Unitarian Universalist Service Committee  
Unite Here  
United Church of Christ, Justice and Witness Ministries  
United for a Fair Economy  
United We Dream  
University of California Davis Immigration Law Clinic  
Voto Latino  
W. Haywood Burns Institute  
Washington Office on Latin America (WOLA)  
We Belong Together  
Women's Refugee Commission  
Young Center for Immigrant Children's Rights at the University of Chicago

**State/Local Organizations**

8th Day Center for Justice

ACLU of Mississippi  
Advocates for Basic Legal Equality, Inc. (ABLE)  
African Services Committee  
Alabama Coalition for Immigrant Justice  
allgo  
Alliance San Diego  
Allies of Knoxville's Immigrant Neighbors  
Alterna  
American Dream Community Agency  
American Gateways  
API Legal Outreach  
ARISE  
Arkansas United Community Coalition  
Arlington Street Church (Boston) - Social Action Committee  
Asian Americans Advancing Justice - Atlanta  
Asian Law Alliance  
Asociacion de Servicios para el Inmigrante  
Atlantans Building Leadership for Empowerment (ABLE)  
Austin Jewish Voice for Peace  
Austin Justice Coalition  
Austin Sanctuary Network  
Bellevue/NYU Program for Survivors of Torture  
Berkshire Immigrant Center  
Boston University's Immigrants' Rights Clinic  
Brooklyn Defender Services  
CAIR-Chicago  
California Immigrant Youth Justice Alliance  
California Rural Legal Assistance Foundation  
CASA  
Central American Legal Assistance  
Central American Resource Center - LA  
Central Atlantic Conference - United Church of Christ  
Central Ohio Worker Center  
Central Valley Immigrant Integration Collaborative (CVIIC)  
Centro de Trabajadores Unidos-Immigrant Workers Project  
Chhaya CDC  
Church Women United in New York State  
Cleveland Jobs with Justice  
Coalicion de Derechos Humanos  
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)  
Colectiva Legal del Pueblo  
Coloradans For Immigrant Rights, a program of the American Friends Service Committee Colorado  
Colorado Immigrant Rights Coalition  
Communities for Recovery

Community Legal Services in East Palo Alto  
Community to Community Development C2C  
Connecticut Immigrant Rights Alliance  
Cornell Law School Asylum and Convention Against Torture Appellate Clinic  
Crossing Borders - Dubuque  
DC-Maryland Justice for Our Neighbors  
Dolores Street Community Services  
Dominican Sisters in Committed Collaboration  
Dream Team LA  
Durango Unido en Chicago  
El Centro de Igualdad y Derechos  
El Centro Hispano, Inc.  
Emerald Isle Immigration Center  
End Streamline Coalition  
Equality New Mexico  
FEDECFMI  
FIEL Houston Inc.  
Filipino Advocates for Justice  
First Congregational Church of Palo Alto, UCC  
First Congregational UCC Ypsilanti  
Florida Immigrant Coalition  
Franciscan Peace Center  
Friends of Broward Detainees  
Gainesville FL Interfaith Alliance for Immigrant Justice  
Georgia Detention Watch  
Georgia Latino Alliance for Human Rights  
Greater Rochester Coalition for Immigration Justice  
HACES  
HIV Law Project, Inc.  
Human Rights Initiative of North Texas  
Illinois Coalition for Immigrant and Refugee Rights  
Illinois Hunger Coalition  
Immigrant Defenders Law Center  
Immigrant Law Center of Minnesota  
Immigrant Legal Advocacy Project  
Immigration Center for Women and Children  
Immigration Resource Center of San Gabriel Valley  
Inland Coalition for Immigrant Justice  
Inside Amigos/Social Action Committee at First Unitarian Universalist Church of Austin  
Interfaith Committee for Detained Immigrants  
Interfaith Movement for Immigrant Justice - Oregon  
International Institute of the Bay Area  
Irish International Immigrant Center  
Junta for Progressive Action

Juntos  
Justice & Compassion Ministries, Cal-Pac Conference, United Methodist Church  
Justice Witness Commission, United Church of Christ  
Kentucky Coalition for Immigrant and Refugee Rights  
Khmer Girls in Action  
Kids for College  
Kino Border Initiative  
Kitsap Immigrant Assistance Center  
Korean American Resource and Cultural Center  
Korean Resource Center  
La Casa de Amistad, Inc.  
La Raza Centro Legal  
La Union del Pueblo Entero  
Latino Advocacy  
Logan Square Neighborhood Associaton  
Long Island Immigrant Alliance  
M.I.S.M.A Domestic Workers Organizing for Justice  
Make the Road NY  
Make the Road Pennsylvania  
Massachusetts Immigrant and Refugee Advocacy Coalition  
Migrant and Immigrant Community Action Project  
Migrant Justice  
Migrant Rights Collective  
Ministerios Nuevo Amanecer Church  
Mujeres Latinas en Accion  
Mujeres Unidas y Activas (MUA)  
My Sisters' Place  
National Association of Social Workers - Texas Chapter  
Nebraska Appleseed Center for Law in the Public Interest  
New Mexico Asian Family Center  
New Mexico Dream Team  
New Mexico Faith Coalition for Immigrant Justice  
New York Justice For Our Neighbors  
New York Lawyers for the Public Interest  
Ni-Ta-Nee NOW  
NM Communities in Action & Faith (part of the PICO National Network)  
No More Deaths/No Más Muertes  
North Texas Dream Team  
Northern Illinois Justice for Our Neighbors  
Northwest Immigrant Rights Project  
NWDC Resistance  
OneAmerica  
Orange County Immigrant Youth United  
Organized Communities Against Deportations



Pangea Legal Services  
Pax Christi Florida  
Peace and Justice Committee, Lake Street Church  
Peace and Social Justice Center of South Central Kansas  
Pennsylvania Council of Churches  
Pennsylvania Immigration and Citizenship Coalition  
Pennsylvania Immigration Resource Center  
Pennsylvania NOW  
Pittsburgh LCLAA  
Project IRENE  
Promise Arizona  
Public Counsel  
Puente Arizona  
Puentes: Advocacy, Counseling & Education  
RAIZ  
REACHHsv  
Reform Immigration for Texas Alliance (RITA)  
Reformed Church of Highland Park  
RITA-Reform Immigration for Texas Alliance  
Saint Patrick Catholic Church  
San Antonio Interfaith Welcome Coalition  
San Diego Immigrant Rights Consortium  
San Marcos Cinema Club  
Services, Immigrant Rights, and Education Network (SIREN)  
Silver City United Church of Christ  
Social Justice Guild of the First Existentialist Congregation of Atlanta  
Somos Mayfair  
South Asian Fund For Education, Scholarship & Training (SAFEST)  
South Texas Human Rights Center  
Southwest Organizing Project  
St John of God Church  
St. Matthew's United Methodist Church  
Strong Families NM  
Student Advocates for Higher Education at San Jose State University  
Students for Prison Education and Reform (SPEAR) - Princeton  
Tennessee Immigrant and Refugee Rights Coalition  
Texans United For Families  
Texas Civil Rights Project  
Texas Criminal Justice Coalition  
Texas Organizing Project  
Texas Unitarian Universalist Justice Ministry  
The Farmworker Association of Florida Inc.  
The Florence Immigrant and Refugee Rights Project  
The New York Immigration Coalition

The Political Asylum/Immigration Representation (PAIR) Project  
The Texas AFL-CIO  
Trinity Church of Austin  
Unidad Latina en Accion NJ  
University of Miami Immigration Clinic  
UnLocal, Inc.  
Valor Human Rights Network  
Virginia Coalition for Immigrant Rights  
Virginia Coalition of Latino Organizations (VACOLAO)  
Voces de la Frontera  
Washington Community Action Network  
Washtenaw Interfaith Coalition for Immigrant Rights (WICIR)  
Wayne Action for Racial Equality  
WeCount!  
Wellington Avenue United Church of Christ  
West Suburban Action Project (PASO)  
Wilco Justice Alliance (Williamson County, TX)  
Women Working Together USA  
WorkerJustice Center of New York, Inc  
Workers Defense Project  
Youth Rise Texas

**Cc:**

Ms. Cecilia Muñoz, Domestic Policy Advisor  
Ms. Sarah Saldaña, Director, Immigration and Customs Enforcement