



FREEDOM FOR IMMIGRANTS

TOGETHER WE WILL END IMMIGRATION DETENTION

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Delegate Vaughn M Stewart III
House Office Building, Room 220
6 Bladen Street
Annapolis, MD 21401

February 21, 2020

Re: Freedom for Immigrants Support for HB 677/SB 850

Dear Delegate Stewart,

Freedom for Immigrants is pleased to support HB 677/ SB850, the Dignity Not Detention Act. We believe this bill will improve transparency in contracting for the purposes of immigration detention, prevent the expansion of immigration detention in Maryland, and ensure that Maryland localities are not complicit in maintaining the abusive and profit-driven private prison industry. As co-sponsors of California's Dignity Not Detention Act (codified at Cal. Civil Code § 1670.9), we are excited to support this bill in Maryland.

Freedom for Immigrants is a national nonprofit organization, and we work exclusively in the immigration detention context. We are working to end U.S. immigration detention by visiting people in detention weekly, monitoring human rights abuses, elevating stories, building community-based alternatives to detention, and advocating for system change. Our network of 4,500 volunteers conducts weekly visits to ICE jails and prisons throughout the country, including in the DMV area.

In FY20, Immigration and Customs Enforcement (ICE) detained a daily average of 55,000¹ people across a network of more than 200 jails and prisons.² Freedom for Immigrants and our partner organizations have documented extensive abuses within these

¹ Kight, Stef W. "Trump's budget proposal requests 'wildly large' ICE funding." Axios. February 10 2020 <https://www.axios.com/white-house-budget-ice-immigration-8c2ece6b-0aad-44a1-80bf-d2a59a49aeb8.html>

² <https://www.freedomforimmigrants.org/detention-statistics>

facilities, including medical neglect leading to death³, retaliatory use of solitary confinement⁴, barriers to legal counsel⁵, racial discrimination⁶, sexual assault⁷, and physical abuse.⁸

These human rights violations come at an extremely high cost to the taxpayer. According to FY18 data, the average cost of detention per person per day is \$208.⁹ Taxpayers continue to foot the bill for a profit-driven and abusive system of mass incarceration despite viable alternatives to detention in the form of proven community-based support services, which can operate for as little as \$17 a day.

Fortunately, policy solutions to combat a morally bankrupt, economically costly, and unnecessary system of immigration detention exist. In conjunction with the Immigrant Legal Resource Center, Freedom for Immigrants helped to draft and acted as one of the original organizational co-sponsors for the California Dignity Not Detention Act - composed of SB 29 and AB 103. Combined, these bills prevent new or expanded contracts between the federal government and California localities for the purposes of immigration detention and increase transparency and oversight of contracting and conditions within existing immigrant jails and prisons. Freedom for Immigrants is also a member of a coalition of organizations that advocated for passage of California state bill AB 32, which mandates an end to all private detention in the state. We are now working toward its implementation.

Since the passage of Dignity Not Detention in 2017, four county jails ended their contracts with ICE for immigration detention. In addition, three cities that previously acted as a middleman in a contract with ICE and a private prison company ended their involvement in the contract. Therefore, the total population of detained immigrants in California was reduced to approximately 4,000 people detained, down from 6,250. The bill has also resulted in greater oversight of immigrant jails and prisons. In February 2019, the California Office of the Attorney General published a report exposing serious

³ “Systemic Indifference: Dangerous and Substandard Care in Immigration Detention.” Freedom for Immigrants and Human Rights Watch. 2017. <https://www.freedomforimmigrants.org/medical-neglect>

⁴ Urbina, Ian. “ICE Uses Solitary Confinement Against Detained Immigrants.” The Atlantic. September 6, 2019. <https://www.theatlantic.com/politics/archive/2019/09/ice-uses-solitary-confinement-among-detained-immigrants/597433/>

⁵ “SPLC Demands Access to Detainees, Challenges Barriers to Legal Representation at Immigrant Detention Center in Georgia.” Southern Poverty Law Center. July 31, 2017. <https://www.splcenter.org/news/2017/07/13/splc-demands-access-detainees-challenges-barriers-legal-representation-immigrant-detention>

⁶ “Abuse Motivated by Hate and Bias in U.S. Immigration Detention.” Freedom for Immigrants. 2019. <https://www.freedomforimmigrants.org/report-on-hate>

⁷ “Widespread Sexual Assault.” Freedom for Immigrants. April 2017. <https://www.freedomforimmigrants.org/sexual-assault>

⁸ Speri, Alice. “Detained, then Violated.” The Intercept. April 11, 2018. <https://www.wnycstudios.org/podcasts/takeaway/segments/new-report-documents-physical-sexual-abuse-ice-detention-centers>

⁹ Benenson, Laurence. “The Math of Immigration Detention.” National Immigration Forum. May 9, 2018. <https://immigrationforum.org/article/math-immigration-detention-2018-update-costs-continue-multiply/>

abuses and violations of standards within ICE facilities in the state.¹⁰ The law has also resulted in greater transparency for contracting by requiring localities to hold public hearings prior to approving permits to private prison companies or selling land for the purposes of private prison construction. The Geo Group, one of the nation's largest private prison companies, is actively trying to expand its immigrant detention apparatus in several cities in California. Thanks to provisions in Dignity Not Detention, community members were notified of these plans and had the opportunity to share their concerns about the harmful impact of expanded detention to their communities. On February 18, the McFarland city planning commission voted not to advance a request from the Geo Group to obtain a new permit for the purposes of expansion.¹¹

We view our work in California as part of a national movement to end immigration detention and build in its place a just approach to migration that safeguards the dignity and agency of all people. We are thrilled to see that Maryland is taking a strong stand against immigration detention via introduction of HB 677/ SB850.

Introduction of this legislation is particularly timely, as ICE is actively seeking to expand its detention apparatus in Maryland, including via the use of private prison companies. One of the companies actively soliciting a bid for an immigration detention contract in Maryland, Immigration Centers of America, currently operates an ICE jail in Farmville, Virginia. Although ICA markets itself as a humane, morally upstanding company, advocates and the Department of Homeland Security's own Office of Civil Rights and Civil Liberties have documented serious abuses at the Farmville facility, including spoiled food, inappropriate use of solitary confinement and use of force, and medical neglect which has led to death.¹² During the summer of 2019, the facility reported a series of mumps outbreaks, leading to restrictions on visitor access to the facility, and raising even greater questions about the capability of ICA staff to provide adequate care to the persons in its custody.¹³ We are also concerned with conditions within existing ICE facilities in Maryland. In December 2019, Nigerian national Anthony Oluseye Akinyemi died while in ICE custody at the Worcester County Jail.¹⁴

If ICE succeeds in expanding its immigration detention apparatus in Maryland, the agency's enforcement capacity in the region will dramatically increase, creating an environment of fear in a tri-state area home to communities from around the world. As of

¹⁰ "Attorney General Becerra Releases First Report on Immigration Detention Facilities in California." February 26, 2019. <https://oag.ca.gov/news/press-releases/attorney-general-becerra-releases-first-report-immigration-detention-facilities>

¹¹ Jordan, Mariam. "An ICE Detention Center? You Picked the Wrong Town, Residents Say." New York Times. February 20, 2020. <https://www.nytimes.com/2020/02/20/us/immigration-detention-bakersfield-mcfarland.html>

¹² "Detention in Your District: VA 5." Freedom for Immigrants. December 2019. <https://static1.squarespace.com/static/5a33042eb078691c386e7bce/t/5e456050431d563a3820356f/1581604944777/DIYD+VA+5+FINAL.pdf>

¹³ Stern, Michael. "Mumps outbreak reported at Farmville ICE facility." ABC 8 News. July 7, 2019. <https://www.wric.com/news/local-news/mumps-outbreak-reported-at-farmville-ice-facility/>

¹⁴ Frazen, Rachel. "Migrant in ICE custody dies at Maryland Jail." The Hill. December 24, 2019. <https://thehill.com/blogs/blog-briefing-room/news/475828-migrant-in-ice-custody-dies-at-maryland-jail>

2017, 15.2% of Maryland's population is foreign born.¹⁵ Expanding ICE detention in Maryland will come to the detriment of Maryland communities.

We applaud your office's leadership in introducing HB 677/ SB850. We support this bill and thank you for taking a stand for the rights of immigrants.

Sincerely,



Christina Fialho
Co-Founder/Executive Director
Freedom for Immigrants



Sarah Gardiner
Policy Director
Freedom for Immigrants

¹⁵“Maryland Demographics” Migration Policy Institute. <https://www.migrationpolicy.org/data/state-profiles/state/demographics/MD>