

**Statement of
Jesse Franzblau, Senior Policy Analyst
National Immigrant Justice Center**

**Maryland House of Delegates, Judiciary Committee
HB 677 – Support
Correctional Services, - Immigration Detention – Prohibition (Dignity Not Detention Act)**

February 25, 2020

Dear Chair Clippinger and Members of the Judiciary Committee:

My name is Jesse Franzblau; I am a Senior Policy Analyst at the National Immigrant Justice Center (NIJC). On behalf of my colleagues, and the thousands of individuals NIJC serves every year, I am here to express our strong support for HB 677, the Dignity Not Detention Act.

For over three decades, NIJC has dedicated itself to ensuring human rights protections and access to justice for immigrants, refugees, and asylum seekers. NIJC provides direct legal services to and advocates for these populations through policy reform, impact litigation, and public education. NIJC provides legal services to more than 10,000 low-income individuals each year. NIJC also monitors abuses in the federal immigration detention system, while serving as a primary *pro bono* legal service provider for detained immigrants. NIJC submits this written statement to inform you that the Dignity Not Detention Act is a timely and vitally important measure to protect Maryland residents.

The Department of Homeland Security (DHS) issued a Request for Information (RFI) in April 2019 to identify one or more possible immigration detention facility sites within a desired 50-mile radius of the U.S. Immigration and Customs Enforcement (ICE) Baltimore Field Office. The RFI called for a facility of approximately 600-800 adult males and females.¹ In response, the private company Immigration Centers of America (ICA) submitted a conceptual site plan and 14-page packet of information for an 800-bed facility. The company's packet was redacted, but a three-page cover letter offered a glowing account of the private immigrant detention facility that ICA runs with ICE with 700 beds in Farmville, Virginia, and expressed interest in creating a similar operation in Maryland.² Importantly, no local governments in Maryland responded to the RFI expressing interest in hosting the new ICE facility in their town or county.

The Virginia-based company, ICA, hired the Annapolis-based consultancy firm Cornerstone Government Affairs to lobby officials in Queen Anne's County to take on the new facility. Cornerstone lobbyists then went to the town of Sudlersville in an effort to convince local

¹ Request for Information (RFI), Immigration and Customs Enforcement (ICE), *Immigration Detention Services – Maryland Detention Capability*, April 2019, <https://cutt.ly/CrML3uA>.

² Lilian Reed, "ICE published an ad looking for interest in building a Baltimore detention facility. Here's who answered," The Baltimore Sun, August 1, 2019, shorturl.at/rAM38.

Michigan rejected an ICA detention center in her state because ICE failed to assure her that the facility would not house parents who were separated from their kids.¹⁰

The rapid pace of expansion of the system in overcrowded quarters lacking sufficient medical care is also resulting in the spread of disease. Last year ICE was holding more than 2,000 individuals in detention in quarantine.¹¹ In June 2019, after ICA-Farmville suspended lawyer visits in response to a mumps outbreak, immigrants detained at the facility organized a “meal strike” in protest of the restricted freedoms following the quarantine. Guards cracked down on the protesters, using pepper spray and placing some into solitary confinement. The protesters are suing ICE Field Office Director Russell Hott and ICA-Farmville Warden Jeffrey Crawford over the incident.¹²

ICE’s detention system is overwhelmingly outsourced to for-profit prison companies such as ICA and local jails. ICE and its contractors are notorious for abusive and inhumane conditions and widely criticized for a lack of transparency and accountability. For-profit prisons have little incentive to focus on anything other than ensuring profitability for their shareholders.¹³ NIJC has obtained documents through information requests that shed light on the money transfer scheme between ICE, ICA, and the Town of Farmville which illuminate how the company profits from detaining immigrants.¹⁴ It can reasonably be assumed that ICA will continue to be motivated by profit-driven incentives as it seeks to grow its immigrant detention business.

2. Expansion undermines rather than protects public safety. Community-based alternatives to detention are cheaper, effective, and humane.

In the past year, ICA has pursued new contracts to open ICE detention centers in the Midwest and now in Maryland.¹⁵ Proposals such as ICA’s serve no public safety function. On the contrary, a *reduction* of the use of jails and prisons for immigrants in favor of release and community-based alternatives to detention would promote family unity, and save taxpayers millions. More immigration detention beds mean more families separated, lifelong trauma inflicted on individuals¹⁶ and more communities torn apart. The estimated 800 detention beds envisioned by ICA in Maryland will largely correspond to ramped-up interior enforcement operations. These operations will in no way reflect the “public safety” mission ICE touts.

¹⁰ Catherine Shaffer, Governor Whitmer cancels Ionia immigrant detention center deal,” Michigan Radio, February 16, 2019, [shorturl.at/uHUWY](https://www.michiganradio.com/story/news/2019/02/16/governor-whitmer-cancels-sonia-immigrant-detention-center-deal/524247001).

¹¹ Mica Rosenberg and Kristina Cooke, “Mumps, other outbreaks force U.S. detention centers to quarantine over 2,000 migrants,” Reuters, March 10, 2019, [https://bit.ly/2EOs7gc](https://www.reuters.com/article/us-mumps-outbreaks/usa-detention-centers-quarantine-over-2000-migrants-idUSKBN1Z1000).

¹² Downs v. Hott (1:19-cv-00882), PETITION for Writ of Habeas Corpus and Complaint for Injunctive Relief, filed July 3, 2019, [http://bit.do/fb4Wc](https://www.courts.michigan.gov/cases/19-00882).

¹³ Susan Ferriss & Madeline Buiano, “Despite Outrage Over Immigrant Detention, Private Prisons’ Bottom Line is Still Strong,” The Center for Public Integrity, September 2, 2018, [https://bit.ly/2Tn8HsN](https://www.cpi.org/2018/09/02/despite-outrage-over-immigrant-detention-private-prisons-bottom-line-is-still-strong/).

¹⁴ Jesse Franzblau, “The Dark Money Trail Behind Private Detention: Immigration Centers of America-Farmville,” National Immigrant Justice Center, October 7, 2019, [shorturl.at/gnzIQ](https://www.nijc.org/2019/10/07/the-dark-money-trail-behind-private-detention-immigration-centers-of-america-farmville/).

¹⁵ Lilian Reed, “ICE published an ad looking for interest in building a Baltimore detention facility. Here’s who answered,” The Baltimore Sun, August 1, 2019, [http://bit.do/fb4SL](https://www.baltimoresun.com/2019/08/01/ice-published-an-ad-looking-for-interest-in-building-a-baltimore-detention-facility-here-s-who-answered/).

¹⁶ American Immigration Council, “U.S. citizen children impacted by immigration enforcement,” March 28, 2017, [https://bit.ly/2BYDbqy](https://www.aic.gov/articles/u-s-citizen-children-impacted-by-immigration-enforcement/).

A spectrum of alternatives to detention (ATDs), including parole, affordable bond, community-based support programs and regular check-ins, has long existed as a better option to the mass incarceration of immigrants.¹⁷ At this moment, ICE is detaining nearly 40,000 people every day in its jails and private prisons. That represents a steep growth of the detention system from the average of just over 34,000 people in 2016.¹⁸ Moves to expand this already bloated system are an insult to our national values and to the taxpayer's wallet.

The National Immigrant Justice Center is unequivocally opposed to the expansion of immigration detention in Maryland and elsewhere. We urge you to support the Dignity not Detention Act to ensure that Maryland does not participate in this or any administration's assault on immigrant families.

Please direct any response or inquiries to:

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¹⁷ For a review of the existing literature on ATDs, *see* American Immigration Lawyers Association *et al.*, "The Real Alternatives to Detention," June 27, 2017, [shorturl.at/iGKL3](https://www.aiala.org/shorturl.at/iGKL3).

¹⁸ Heidi Altman, "DHS's Secret Detention Expansion Is Dangerous For Immigrants, And Democracy," National Immigrant Justice Center, January 10, 2019, [shorturl.at/emFR5](https://www.nijc.org/shorturl.at/emFR5).