

Immigration Detention in U.S. Overview

The United States has the largest immigration detention infrastructure in the world.

Immigration detention is the unjust and inhumane practice of incarcerating immigrants while they await a determination of their immigration status or potential deportation. In Fiscal Year (FY) 2019, the United States government detained over 500,000 people in a sprawling system of over 200 jails across the country run by Immigration and Customs Enforcement (ICE). Georgia ranks among the top 5 states for the number of people it detains.

ICE contracts with both local governments and private prison companies, namely the GEO Group, Inc., CoreCivic and LaSalle Corrections, to operate the majority of its vast network of facilities. The ICE Detention system includes dedicated immigration detention centers as well as local and state jails, a model that creates a perverse financial incentive to keep people incarcerated. Private prison companies profit, and local governments are able to address shortfalls in their shrinking budgets through lucrative federal contracts. The annual cost to taxpayers is now over \$3 billion.

ICE has an appalling record of abuse. Many Americans are shocked to learn that in ICE detention centers people are deprived of their liberty, denied access to lawyers, separated from their families and loved ones, and are subject to severe medical neglect. ICE detention centers have been responsible for medical abuse, sexual and physical abuse and neglect and civil and human rights abuses. One example is the widespread and arbitrary use of solitary confinement as punishment and for people with mental health issues. Since 2003, over 200 people have died in ICE custody, 21 of them in FY2020.

The Covid-19 pandemic exacerbates an already broken system. Immigrants in detention face heightened risk of infection due to lack of safety protocols and screening. And if infected, persons detained are less likely to receive adequate medical attention. Over 100 detention centers have had at least one positive case of Covid-19. As of October 22, ICE reported 661 cases of COVID-19 at 57 facilities. The Irwin and Stewart detention centers have been among ICE detention centers with the highest rates of infection in the nation.

Recent abuses at ICE detention centers in Georgia have been documented by House Oversight Committee investigations. “Among other allegations, [the Irwin County Detention Center nurse] has alleged that women who were detained at the ICDC were sent to an outside medical provider to undergo gynecological procedures—including but not limited to hysterectomies—without providing informed consent. “These allegations, if true, are a shock to the conscience.” (September 21, 2020 House Committee on Oversight & Reform). On October 2, 2020 the House of Representatives passed a resolution that condemns performing unwanted, unnecessary medical procedures on individuals without their full, informed consent.

We deem such programs to be both unjust and unwise public policy. We believe that these programs lead to discrimination and less safe communities for all of us. It doesn't have to be this way. The majority of people in detention has been living in the U.S. for years, have families here, and are established members of their communities. People seeking asylum often have strong community ties with loved ones waiting to welcome them to the United States. And for those that need support, they can access it through community-based groups that offer services to help people navigate their immigration proceedings.

Alternatives to Detention

Community-based non-profits are best suited to build trust with migrant participants, identify the needs of individuals, address those needs with available resources, and build resilience in the individuals to face the range of potential outcomes in their legal cases. Non-governmental organizations are mission-driven and generate more community resources because of their ability to attract volunteers and donations of goods and services. There are numerous examples of effective community-based Alternative to Detention programs, such as those studied in: *Unlocking Liberty: A Way Forward for U.S. Immigration Detention Policy* (Lutheran Immigration and Refugee Service, October 27, 2011,) and *From A More Human System: Community-Based Alternatives to Immigration Detention* (Part 2) (Sue Weishar, Just South Quarterly) <http://www.loyno.edu/jsri/more-humane-system>.

There are two national organizations that provide the most up-to-date information on U.S. immigration detention centers, including a map and reports on current conditions:

Detention Watch Network - <https://www.detentionwatchnetwork.org/>

Freedom for Immigrants - <https://www.freedomforimmigrants.org/>