

# Center for Constitutional Rights

## Discrimination, Detention, and Deportation: Immigration & Refugees

**<https://ccrjustice.org/home/what-we-do/our-cases/detention-watch-network-dwn-v-immigration-customs-and-enforcement-ice-and>**

## Policy Issue Resources

On April 9, 2019, the parties agreed to settle attorneys fees. On October 31, 2017, DWN and CCR reached a settlement on all other aspects of the case.

### [Detention Watch Network](#)

In November 2013, the Detention Watch Network (DWN) and the Center for Constitutional Rights filed a Freedom of Information Act (FOIA) request with the U.S. Department of Homeland Security and Immigration and Customs Enforcement for information and documents pertaining to the so-called "detention bed quota," also known as the "detention bed mandate. When the agencies failed to comply, CCR filed suit against them. This work is part of CCRs support of grassroots immigrants rights groups fighting injustice in immigration policing and enforcement, as well as CCRs long history of work around detention and mass incarceration.

Starting in 2009, appropriations bills passed by the U.S. Congress required the funding of at least 34,000 immigration detention beds per day. DHS and ICE interpreted this funding provision as a requirement that those beds be filled at all times, through the use of local jails and correctional facilities as well as private, for-profit correctional corporations with enormous lobbying power, resulting in a quota for detainees that has no parallel or precedent in the U.S. criminal justice system.

CCR and DWN filed their FOIA to obtain information that would give the public a better understanding of the detention bed quota, the decision-making surrounding the quota, and its impact on detention policy and detention contracting decisions. The information they received helped enable the public, advocates, and congressional representatives during the Obama administration push for ending the bed quota. CCR and DWN also uncovered information about local "lockup" quotas, and published two reports entitled [Banking on Detention](#), in 2015 and 2016.

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Government files opposition and cross-motion on (b)(4) exemptions, with support of private prison contractors

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The government opposes our motion for summary judgment on the b(4) exemption and files its cross-motion for summary judgment, arguing that private prison companies do not have to reveal certain financial information and staffing plans because it could cause their business "substantial competitive harm."

CCR and DWN file their FOIA complaint in the Southern District of New York (SDNY)

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