

# Center for Constitutional Rights

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

**<https://ccrjustice.org/home/blog/2015/08/31/fighting-local-lockup-quotas-growing-momentum-end-profit-immigration-detention>**

### Public Facing Advocacy Writing

The CCR blog

Each year, 400,000 immigrants enter the immigration detention system, charged not with crimes but with civil violations of immigration law. Few have lawyers. The Obama Administration has deported more than 2 million immigrants, more than any president in history. At an annual cost of \$2.2 billion per year, immigration detention is the fastest-growing component of the U.S. system of mass incarceration, due in no small part to the increasing influence of private prison contractors, who control 62% of the immigrant detention beds. Private contractors are the exclusive operators of the family detention centers that the Obama Administration has used to jail mothers and children fleeing violence in Central America. The millions they spend each year in lobbying and political contributions shape public policy toward refugees and long-time immigrants alike.

Private companies like Corrections Corporation of America and GEO Group benefit from both well-known legislation and less-visible contractual arrangements. First, the federal detention bed quota, a provision in the annual appropriations bill, requires the funding of 34,000 detention beds per day. Immigration and Customs Enforcement (ICE) has interpreted this provision to require that these beds be filled. Second, ICE has allowed private prison corporations to negotiate guaranteed minimums in local contracts, which require ICE to pay for beds in private facilities even if they are unfilled. These guaranteed minimums operate as local lockup quotas, giving ICE enormous incentive to shunt immigrants into privately-operated detention centers whose rampant human rights abuses are hidden from public scrutiny.

Those local lockup quotas are the subject of CCR's June 2015 report with our client [Detention Watch Network, Banking on Detention: Local Lockup Quotas and the Immigrant Dragnet](#). Drawn from information we've gathered from Freedom Of Information Act litigation regarding the federal detention bed quota, the report examines the role of guaranteed minimums in generating private profit from the suffering of immigrant communities.

The response has been exciting. Within a week, Congressional representatives proposed legislation to eliminate guaranteed minimums in federal contracts and remove ICE's incentive to use immigrants for private profit. H.R. 2808, the Protecting Taxpayers and Communities from Local Detention Quotas Act, was introduced by Ted Deutch of Florida, and has co-sponsors from Illinois, Washington, and Arizona, states where private prison corporation influence is strong. Community activism has been even more impressive, with organizing groups around the country using the local lockup quota issue to mobilize against for-profit prisons. In New Jersey, home of the privately-operated Elizabeth Detention Center which earns CCA \$40-million over three years -- our partner [American Friends Service Committee](#) sponsored a week of action to protest the local lockup quota, culminating in a rally to persuade the New York and New Jersey Congressional delegations to co-sponsor the anti-quota legislation.

Much attention is paid to the politicians who freely denigrate immigrant communities and propose destructive policies to further their ambitions. But many others are increasingly uneasy with our system of immigration detention, and we have the hard work of our community partners to thank.

[View the discussion thread.](#)

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