

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/history-racial-injustice-for-profit-detention-centers/>

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Mexican immigrants in Broadview, Illinois, ride a U.S. Immigration and Customs Enforcement bus to the airport for deportation. (AP Photo/LM Otero)

People detained by U.S. immigration officials are particularly vulnerable to human rights violations, and they comprise the fastest-growing part of the American prison population. Private detention facilities have been profiting from rising rates of immigrant detention since 9/11, and presidential administrations of both parties have overseen an increasing reliance on these profit-based models of immigration detention. Like American mass incarceration as a whole, the roots of this situation are deep and bipartisan, and the burden is borne by the poor and people of color.

Private detention companies are paid a set fee per detainee per night, and they negotiate contracts that guarantee a minimum daily headcount. Many run notoriously dangerous facilities with horrific conditions that operate far outside federal oversight. Department of Justice officials in 2017 reversed an August 2016 pledge to phase out federal use of private prisons, but even that reform would not have done anything to slow, much less stop, the federal government's use of private facilities to detain immigrants. In fact, the percentage of detainees held by U.S. Immigration and Customs Enforcement (ICE) about 400,000 people in 2016 rose from 25 percent in 2001 to 65 percent in 2016, and the trend shows no signs of slowing.

In January 2017, the White House issued a series of executive orders calling for an overhaul of immigration law enforcement and ordering ICE to work with private facilities to expand its nationwide network of detention centers. In June 2017, *Mother Jones* reported that the federal government contracted to build a new \$110 million facility with a company whose detention facility in California was cited for egregious medical errors after three detainees died there within three months.

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