

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/news/executive-order-loop-hole-private-prisons-and-ice>

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The issuance of the executive order has increased since the Trump era and President Joe Biden has demonstrated he is no stranger to the task. With the recent [Executive Order](#) on *Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities*, he has publicly declared the ending of private prison contracts with the federal government, in efforts to decrease mass incarceration rates. While this is an important first step in decreasing dependence upon the private prison system, states still use private prisons and the order failed to include people without documentation in the list of who can and cannot be detained in these prisons for federal purposes.

By signing this order without language inclusive of undocumented individuals, President Biden failed to follow through on his word. According to the [Public News Service](#), during his presidential campaign, Biden pledged to end the federal use of private prisons, including for the detention of undocumented immigrants. In a typical fashion, campaign promises hold no weight and can be partially seen within an order to fulfill the political appeasement quotient.

Ohio has capitalized on this loophole and has been holding people without documentation in a private prison owned by CoreCivic in Youngstown. **Ohio is the first and only state to sell a former federal prison to a private company and this Executive Order does nothing to enforce the state to cancel their contract with them.** Private prisons operate to retain their prisoners and with [16% of the federal prison population](#) already in them, this number will at the bare minimum stay the same or drastically increase.

Furthering this point, according to the [Brennan Center for Justice](#), More than 25,000 people are currently held in ICE detention as of early August, and about 80 percent of ICE detention beds are still owned or managed by for-profit firms. This set the precedent of how people without documentation will be treated and handled. President Biden promised to improve immigration conditions during his campaign, but they have only worsened. Mike Gauntner from [WFMJ](#), exposed the deplorable conditions of the CoreCivic prison in Youngstown amidst a suicide investigation within the prison. These private prisons make clear that they do not care about the standard of care they provide for the people within them and have no intention to provide resources or support. **With ICE continuing to funnel people without documentation into private prisons, the immigration system only further highlights its inability to care for the people who have come to this country seeking refuge.**

The Biden administration must stop expansion of private prisons to detain immigrants, terminate or forgo renewal of all current private prison ICE contracts, and build alternatives to support immigrants who seek a better life in this country.

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