



Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

March 21, 2017

The Honorable Senator Ricardo Lara
State Capitol, Room 5050
Sacramento, CA 95814

RE: Support for SB 29 – Immigrant Detention

Dear Senator Lara:

The Human Rights Defense Center (HRDC), a leader in the effort to abolish the private prison industry, is pleased to strongly support SB 29, which will improve conditions in immigrant detention facilities, provide a private right of action for immigrants who have faced abuse or neglect in such facilities, and prohibit local governments from contracting with for-profit companies to detain immigrants in California.

HRDC has reported extensively in our monthly publication, *Prison Legal News*, about the unresolvable conflict between companies that exist solely to generate profit and the critical need to provide for the health and safety of prisoners in our nation's detention facilities. In 2011 ICE developed the Operations Performance-Based National Detention Standards, which set forth the basic health and safety standards detainees should expect while in detention. However, these standards are not codified and therefore not enforceable. There have been consistent reports of physical and sexual abuse, poor access to healthcare, no access to legal counsel and overuse of solitary confinement in detention centers; further, LGBT detainees have reported discrimination, harassment and abuse due to their sexual orientation. Medical neglect has led to deaths, and even the U.S. Department of Homeland Security has found those deaths were preventable. Tragically, such problems often go unaddressed and victims have little or no recourse.

Private, for-profit immigration detention centers present a host of problems. The facilities are not subject to the federal Freedom of Information Act, and operate with little oversight. They also operate under a perverse incentive; some ICE contracts guarantee payments for a minimum number of detainees in the facility at all times, and thus are designed to incentivize filling the most beds regardless of whether an immigrant is actually a flight risk or there is any legitimate reason to hold them in detention. Private companies such as CoreCivic (formerly Corrections Corporation of America) and the GEO Group make hundreds of millions in profit every year from housing undocumented immigrants.

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SB 29 will prohibit local governments in California from contracting with private companies to detain immigrants for profit. It will also require detention facilities to meet the basic standards included in ICE's 2011 Performance-Based National Detention Standards, and provides a private cause of action for individuals to take legal action against a facility in the event those standards are not met. SB 29 will ensure that immigrants' rights are protected while ensuring they are not held in detention for the purpose of generating corporate profit.

For all the foregoing reasons, HRDC strongly endorses SB 29.

Sincerely,



Paul Wright
Executive Director, HRDC