

U.S. IMMIGRANT DETENTION OVERVIEW

A4a Immigration (10/19)

BACKGROUND

Over the last 50 years, the US has built the largest immigrant detention system in the world. This video/article (“DETAINED: How the US Built the World’s Largest Immigrant Detention System”) explains the history of how the US policy of detaining immigrants coincided and evolved with the war on drugs, fear about foreigners from 9/11, and the militarization of our borders. And how the detention of immigrants – not improving root causes of migration, expanding legal, temporary work opportunities in the US, or increasing resources devoted to immigration courts – became the only strategy that was pursued during the last half century.

<https://www.theguardian.com/us-news/2019/sep/24/detained-us-largest-immigrant-detention-trump>

ISSUES with IMMIGRANT DETENTION

1. Immigration is a civil matter. Immigrants are held in criminal-ready facilities.
2. For-profit prisons house 70% of all inmates – paid with taxpayer money, strong lobby.
3. Today: 52,000+ being held in immigration detention (up from 32,000 in 2017)
4. Average \$100+ per day per inmate = \$5 million/day
5. Alternatives to Detention = < 10% of the cost, 90+% appearance rate (source: Justice for Immigrants)
6. Proposed Department of Homeland Security Budget (2020) includes \$2.7 Billion for 54,000 beds
7. Average length of stay has increased from 2-3 days (1980) to 30-40 days (2017) because:
 - a. DHS holds many immigrants who are not (1) potentially harmful or (2) flight risks
 - b. ICE limits bond hearings for inmates (and sets bond as high as \$25K for some)
 - c. There are administrative lags to hand off children to parents, families, HHS
8. Indefinite detention possible
9. No adequate US oversight of detention facilities, particularly for-profit facilities

HOW DOES THIS AFFECT FAMILIES AND CHILDREN

1. American and unauthorized children of unauthorized residents throughout the country fear:
 - a. Deportation of one or both parents
 - b. Loss of household breadwinner(s)
 - c. Inability to find, talk with, or visit detained relatives
2. Some asylum-seeking families are separated while crossing the border between ports of entry (US law 1325 sends parents to federal criminal prison and children to immigration detention)
3. Children experience trauma-based fear that will affect children negatively for their entire lives

RECOMMENDATIONS

1. Detain no children
2. Keep children with adults (unless their safety is at risk)
3. Employ more Alternatives to Detention (ATD)
4. Ensure realistically-priced bonds are set for low-risk immigrants
5. Eliminate for-profit immigrant detention facilities