

# Using ICE Contracts & Inspections to End Abusive Detention

## *An Advocacy & Organizing Toolkit*



*The Immigration Detention Transparency and Human Rights Project  
November 2015*



DETENTION  
WATCH NETWORK

NATIONAL  
IMMIGRANT  
JUSTICE CENTER

A HEARTLAND ALLIANCE PROGRAM

## About the Detention Watch Network

The Detention Watch Network works through the collective strength and diversity of its members to expose and challenge injustices of the U.S. immigration detention and deportation system and advocate for profound change that promotes the rights and dignity of all persons.

Visit [detentionwatchnetwork.org](http://detentionwatchnetwork.org)

## About the National Immigrant Justice Center

With offices in Chicago, Indiana, and Washington, D.C., Heartland Alliance's National Immigrant Justice Center (NIJC) is a nongovernmental organization dedicated to ensuring human rights protections and access to justice for all immigrants, refugees, and asylum seekers through a unique combination of direct services, policy reform, impact litigation and public education.

Visit [immigrantjustice.org](http://immigrantjustice.org)

## Acknowledgements

This toolkit was a collaborative effort of NIJC and DWN. Primary contributors were: Jennifer Chan of NIJC; and Aurea Martinez, Carly Perez, Silky Shah, and Mary Small of DWN.

Other staff and interns also contributed crucial research, editing, and design support, including Tara Tidwell Cullen, Royce Bernstein Murray, Katherine Rivera, and Claudia Valenzuela of NIJC; and Ana Carrion of DWN.

Sincere thanks to pro bono attorneys at Dentons US LLP, who represented NIJC through more than three years of Freedom of Information Act litigation to obtain the contract and inspections documents mentioned in this report.

## For more information contact:

- **Inspections and contracts**  
Claudia Valenzuela, National Immigrant Justice Center, [cvalenzuela@heartlandalliance.org](mailto:cvalenzuela@heartlandalliance.org)
- **Organizing local campaigns**  
Aurea Martinez, Detention Watch Network, [amartinez@detentionwatchnetwork.org](mailto:amartinez@detentionwatchnetwork.org)
- **Policy recommendations and advocacy**  
Jennifer Chan, National Immigrant Justice Center, [jchan@heartlandalliance.org](mailto:jchan@heartlandalliance.org)  
Mary Small, Detention Watch Network, [msmall@detentionwatchnetwork.org](mailto:msmall@detentionwatchnetwork.org)
- **Communications and working with the media**  
Carly Perez, Detention Watch Network, [cperez@detentionwatchnetwork.org](mailto:cperez@detentionwatchnetwork.org)  
Tara Tidwell Cullen, National Immigrant Justice Center, [ttidwellcullen@heartlandalliance.org](mailto:ttidwellcullen@heartlandalliance.org)

Cover Image: Steve Pavey

# Using ICE Contracts & Inspections to End Abusive Detention

## *An Advocacy & Organizing Toolkit*

### Table of Contents

Introduction .....	2
Immigration Detention Contracts and Inspections .....	3
Policy Recommendations and Talking Points.....	9
What You Can Do .....	13
<i>Launch or Support a Local Campaign     Against a Detention Center .....</i>	13
<i>Advocate with Decision-Makers .....</i>	23
<i>Use the Media to Support Your Work .....</i>	29
Case Studies .....	35
Appendix .....	38
Endnotes .....	40

*Look for these icons throughout the toolkit:*



*Links to important documents*



*Additional resources*

# INTRODUCTION

The United States manages the largest immigration detention system in the world. American taxpayers spend over \$2 billion each year to detain an average of 34,000 individuals daily—nearly half a million people annually—under a bed quota established in congressional appropriations.<sup>1</sup> Individuals are held in a network of more than 200 detention facilities across the country. Roughly half of detained immigrants are held in state prisons and county jails, which contract with U.S. Immigration and Customs Enforcement (ICE), the interior enforcement agency of the Department of Homeland Security (DHS), to detain immigrants.<sup>2</sup> The rest are held in dedicated immigration detention facilities run by ICE or contracted to for-profit, private prison corporations, such as Corrections Corporation of America (CCA) or the GEO Group (GEO). Facilities often are punitive and remote, cutting immigrants off from their families, access to counsel and the opportunity for fair hearings. Despite the Obama administration’s 2009 promise to overhaul the immigration detention system,<sup>3</sup> little progress has been made to increase transparency and oversight, improve conditions, or reduce the detention of individuals who face deportation from the United States.

ICE provides minimal transparency to the public on how it operates its immigration detention system. Consequently, Heartland Alliance’s National Immigrant Justice Center (NIJC) filed a Freedom of Information Act (FOIA) request to obtain the contracts and inspections for the 100 largest immigration detention facilities in the country in 2009. Ultimately, NIJC entered into a three-year litigation battle and obtained the documents it requested in 2015, resulting in the most comprehensive public release to date of ICE immigration detention center contracts and inspections. The thousands of pages of documents provide an unprecedented look into a failed detention system that lacks accountability, shields ICE from public scrutiny, and allows local governments and private prison companies to brazenly maximize their bottom line at the expense of basic human rights.

 ***The contracts and inspections are available at***  
***<http://immigrantjustice.org/TransparencyandHumanRights>***

NIJC and Detention Watch Network (DWN) have created this toolkit in order to provide community organizers, advocates, academics, and other stakeholders with the basics of how to read and understand immigration detention contracts and inspections and how to use these documents to advocate around various detention issues, such as shutting down detention centers, improving detention center conditions, and increasing accountability and transparency for ICE and other detention center operators. While the documents obtained by NIJC include valuable insight into the level of oversight and transparency over immigration detention, the documents—especially the inspections—should be read with a questioning eye. NIJC and DWN encourage advocates to compare the content of ICE documents to their experiences at certain facilities, the experiences of detained people, media reports, and public testimonials from service providers, including legal service providers and visitation groups.

# IMMIGRATION DETENTION CONTRACTS & INSPECTIONS

## Immigration Detention Contracting

The immigration detention contracting system is shrouded in secrecy. ICE's online map of immigration detention facilities is updated infrequently and does not include many detention facilities. For instance, as of November 2015, the 10-month-old Mesa Verde Detention Facility, with space to detain 400 people, is not listed on ICE's website. However, GEO Group, the detention facility operator, lists the facility on its website.<sup>4</sup> In addition, ICE does not share important information such as who operates the facility, the size of the facility, and which detention standards apply. In fact, NIJC's release of 90 detention contracts after a three-year legal battle is the first time such a large number of detention contracts have been publicly released. The full explanation of NIJC's review of the contracts can be found in its August 2015 report. In general, the review found that:

1. The immigration detention contracting process is convoluted and obscure, suffering from a significant lack of uniformity in how contracts are created, executed, and maintained.
2. There is a lack of consistency and clarity as to which detention standards govern which facilities.
3. Forty-five facilities operate with indefinite contracts, mostly under outdated standards.
4. Tracking the taxpayer dollars ICE pays to local and private contractors to detain immigrants is daunting, and for some facilities, nearly impossible.
5. The practice of contracting and subcontracting with private entities shields many ICE detention facilities from public (taxpayer) scrutiny.
6. At least 12 contracts will expire before the end of 2017, providing an opportunity for advocates to raise questions about the rationale for keeping these facilities open, and/or ensure any modifications or extensions of the contract contain robust standards, and address other concerns.



*Read the ICE contracts report at <http://immigrantjustice.org/ICEcontractsreport>*

## What to Look for in the Contracts

The following information that can be found in the contracts may be used to identify advocacy targets and opportunities (e.g. when the contract will be up for renegotiation). For examples of what this information might look like within the documents, see the annotations in the contracts posted online. More guidance on how to use this information is in the “**What You Can Do**” section on page 13.

1. **Type of contract.** There are four contract types (see below). Note that because of the prevalence of sub-contracting, the type of contract will not necessarily indicate what entity is running that facility, but it will help you identify advocacy targets for your local detention center.
  - **Contract Detention Facilities (CDFs)** are owned and operated by private corporations that contract directly with ICE.

- **Service Processing Centers (SPCs)** are owned and operated by ICE. However, ICE hires contractors to handle many services within the facilities, such as transportation and guard services.
  - **Intergovernmental Service Agreements (IGSAs)** are owned and operated by local governmental entities, typically county or city governments. Many local governments subcontract to private corporations to fully administer the facilities and/or to provide other services.
  - **U.S. Marshals Service (USMS) Intergovernmental Agreements (IGAs)** are under contract with the Department of Justice's U.S. Marshals Service. In general, these contracts pre-date the 2003 creation of DHS and frequently do not reference clear applicable standards for detaining immigrants. Further, the majority of the USMS IGA contract terms are indefinite, meaning that there is no clear opportunity to renegotiate facility contracts, upgrade them to the most recent detention standards, or contractually address other concerns.
2. **Expiration date.** This date will help you identify detention centers that have contracts expiring soon. Some contracts do not have expiration dates, which means that these detention centers may continue to operate without ever being required to undergo contract modifications to incorporate newer detention standards or contractually address other concerns.
  3. **Per diem rates** show the amount of money ICE pays per person per day. This does not necessarily reflect the total amount of money that the contractor is receiving; there may be additional per-person payments for other services, such as transportation or security. Additionally, the per person payment may fluctuate with population.
  4. **Guaranteed bed minimums** are a contractual requirement that obligate ICE to pay private contractors or subcontractors for a minimum number of detention beds regardless of whether they are filled. These often are found alongside a tiered pricing scheme in which the daily cost of each person detained above the guaranteed number is discounted. These are concerning because they can incentivize ICE to detain more people in order to access the discounted rate. DWN and the Center for Constitutional Rights investigated the local lockup quotas in its 2015 report *Banking on Detention*.  
 **Read the *Banking on Detention* report at [http://www.detentionwatchnetwork.org/sites/default/files/Banking\\_on\\_Detention\\_DWN.pdf](http://www.detentionwatchnetwork.org/sites/default/files/Banking_on_Detention_DWN.pdf)**
  5. **Governing ICE detention standards and other applicable standards** (see below for more information about the different standards).
  6. **Average daily population:** Number of people detained at the facility on an average day, though this can vary significantly over the course of the year.
  7. **Subcontractors:** Detention facilities subcontract many services, such as food services and transportation, to private companies. Contracts may include information on subcontractors; whether they are held to applicable detention standards; and rates of pay for subcontractors.
  8. **Financial penalties:** Some facility contracts include provisions on financial penalties for failure to maintain adequate quality control. It is unclear how these penalties are implemented, but they can offer a helpful advocacy and organizing hook.

## Immigration Detention Center Inspections

ICE's lack of transparency continues in the immigration detention inspections process. The process fails to identify pervasive and troubling conditions of detention. Instead, the inspections process functions as a "checklist culture," in which inspectors employed by ICE directly or via subcontracts engage in pre-planned, perfunctory reviews of detention facilities that are designed to produce passing ratings and ensure local counties and private corporations continue to receive government funds. NIJC and DWN's analysis of inspections obtained through NIJC's litigation can be found in the October 2015 report *Lives in Peril*, but in general, the review revealed that:

1. ICE's culture of secrecy persists.
2. ICE inspections fail to adequately assess the conditions detained immigrants experience.
3. Inspections are designed to facilitate passing ratings for facilities, not identify or address violations.
4. When violations are uncovered, facilities face no real accountability.



*Read the Lives in Peril report at <http://immigrantjustice.org/LivesinPeril>*

## How does the inspections process work?

Facilities are inspected for compliance to ICE detention standards. Currently, ICE has three sets of standards that it uses nationwide. At an absolute minimum, NIJC and DWN believe that every facility should be contractually required to meet the 2011 standards, which contain the strongest protections for immigrants in detention:

1. **National Detention Standards (NDS):** Promulgated in 2000, the NDS consist of 38 detention standards and are the least robust set of standards.<sup>5</sup>



*Read the NDS: <http://www.ice.gov/detention-standards/2000>*

2. **2008 Performance-Based National Detention Standards (PBNDS 2008):**<sup>9</sup> PBNDS 2008 include 41 standards, including standards added to monitor facilities' preparedness to prevent and address sexual assault and abuse, and more detailed requirements for SPCs and CDFs.



*Read the PBNDS 2008: <http://www.ice.gov/detention-standards/2008>*

3. **2011 Performance-Based National Detention Standards (PBNDS 2011):** ICE revised the PBNDS in 2011 to improve medical and mental health services, access to legal services and religious opportunities, communication with detained immigrants with no or limited English proficiency, the process for reporting and responding to complaints, as well as guidelines for recreation and visitation. PBNDS 2011 has 42 standards.



*Read the PBNDS 2011: <http://www.ice.gov/detention-standards/2011>*

The amount of ICE oversight at each facility is typically driven by a combination of the number of people detained at the facility. ICE uses three types of inspections:

Type of Inspection	Where is it used?	Who is the Inspector?	Inspection Frequency	Criteria Used
<b>Enforcement and Removal Operations (ERO)</b>	Facilities which hold 50 or more people for more than 72 hours	ICE ERO's Detention Management Division employs private contractors, currently The Nakamoto Group, and previously MGT of America and Creative Corrections.	Annually	<u>ICE Form G-324A</u> : Provides a checklist of applicable national detention standards and components under that standard. <u>Rating System</u> : Facilities receive a rating for the overall facility. The overall rating is based on the rating for each standard, which in turn is based on ratings assigned to components categorized under each standard.
<b>Office of Detention Oversight (ODO)</b>	Facilities which hold 50 or more people for more than 72 hours	May include ICE ODO employees and/or private contractors.	Varies <sup>i</sup>	ODO inspectors focus on key standards which have been identified as areas where a facility may not be in compliance. Thus, the standards discussed may vary from facility to facility. Inspectors collect and analyze "relevant allegations, complaints, and detainee information from multiple databases" <sup>ii</sup> and gather "facility facts and inspection-related information from ERO [headquarters] staff to prepare for the site visit." <sup>iii</sup>
<b>Organizational Review Self Assessment (ORSA)</b>	Facilities that hold fewer than 50 people or any number of people for less than 72 hours.	Facility staff	Varies	Unknown; not included in the inspections documents received through NIJC's FOIA.

i. The ODO selects facilities for inspection using a risk-based model that uses deficiencies identified in ERO's annual inspections, number and type of allegations, deficiencies identified in prior ODO inspections, ADP, and the date of the facility's last ODO inspection. U.S. Government Accountability Office (GAO) Report to Congressional Requestors, *Immigration Detention: Additional Actions Needed to Strengthen Management and Oversight of Facility Costs and Standards* GAO-15-153, Oct. 2014, at footnote 71. Available at: <http://www.gao.gov/assets/670/666467.pdf>.

ii. These include the Joint Integration Case Management System (JICMS) and the ENFORCE Alien Booking Module (EABM) and Alien Removal Module (EARM).

iii. 2011 Stewart ODO Inspection, p. 4. Available at: <https://www.documentcloud.org/documents/2065395-stewart-detention-center-ga-2011-odo-inspection.html>.

## What to Look for in the Inspections

The inspections contain information on detention facility operations, facility capacity, subcontractors, and conditions. NIJC and DWN encourage advocates to compare the content of ICE documents to their experiences at certain facilities, the experiences of detained people, media reports, and public testimonials from service providers, including legal service providers and visitation groups.

1. **Deaths of detained immigrants** are reported in ERO's "Significant Incident Summary Worksheet," including information on whether the death was violent, a suicide, due to illness, or another reason. If further details on any deaths are provided, it is typically found in the comments section of the "LCI Review Assurance Statement" or in the sections on "Suicide Prevention and Intervention" or "Terminal Illness, Advanced Directives, and Death."
2. **Suicides and suicide attempts** are reported in ERO's "Significant Incident Summary Worksheet." More detailed information may be provided in the comments section of the "LCI Review Assurance Statement" or in the section on "Suicide Prevention and Intervention."
3. **Assaults** are reported in the ERO's "Significant Incident Summary Worksheet." The worksheet requires disaggregated reporting on whether a weapon was involved and the type of assault (i.e. physical, sexual, etc.). However, the worksheet only requires reporting on assaults committed by detained individuals against other detained individuals or staff members. Assaults committed by staff are buried in ERO inspections, and even then only for facilities inspected to the PBNDS. Component No. 10 of the Sexual Abuse and Assault Prevention and Intervention standard asks whether incidents or allegations of sexual assault or abuse by staff on detained individuals have been documented, but it is left to the discretion of inspectors whether to record the actual number of incidents or allegations.
4. **Use of force incidents** are reported in the "Significant Incident Summary Worksheet." The worksheet mandates reporting on the number of uses of chemical agents; the Special Reaction Team; four/five point restraints; and canine units. In addition, further comments on any use of force incidents may be found in the overall comments section in the "LCI Review Assurance Statement;" or standards on "Use of Force and Restraints" or "Staff Training." If use of force incidents impact other areas of operation, related comments may be scattered throughout the inspection report.
5. **Bed rates and guaranteed bed minimums** are documented in the ERO inspection "Detention Review Summary Form." ODO inspections may include this information in the executive summary, but it is not provided consistently.
6. **Deficiencies** (specific areas where a facility did not meet standards) are indicated in ERO inspections with a checkmark either for "Deficient" (for inspections based on the NDS) or "Does Not Meet Standards" (for inspections based on the PBNDS). ODO inspections highlight deficiencies in bold throughout the report and typically summarize and describe deficiencies in the executive summary and in the section on "ICE Performance Based National Detention Standards." Deficiencies in ERO inspections are more difficult to find. Whereas ODO inspections clearly delineate the deficiencies found, ERO inspections do not provide a list of all deficiencies found during an inspection. Further, even if several components within a standard are found deficient, the inspector may still find that the facility passes the overall standard and does not elaborate on the deficiency in the comments section.

7. **Detention standards to which the facility is inspected:** While the ODO inspections clearly state which detention standards were applied during the inspection in the “Inspection Process” section, the ERO inspections are less clear. One way to tell is that facilities inspected to the NDS will only have 38 standards listed in the table of contents whereas PBNDS 2008 include 41 standards and PBNDS 2011 include 42 standards. The revision dates for the inspection checklists, often noted at the bottom of the worksheets, provide another clue. Where possible, NIJC has annotated the set of standards on which each 2012 inspection posted online was based.
8. **Operator of detention center:** The ODO inspections typically provide this information in the executive summary. This information may be provided in the comments of an ERO inspection, but there is not a standardized location for this information.
9. **Population:** ERO inspections provide population information in the “Detention Review Summary Form,” including total facility population; detained immigrant’s security classification level (only SPCs and CDFs); facility capacity (rated, operational, and emergency); and average daily population broken down by males and females. ODO inspections also provide this information in the executive summary, but since the information is in narrative form as opposed to ERO’s worksheet, the information may vary.
10. **Private contractors:** ERO inspections may include information on private companies to which ICE contracts services, including phone provider, food services, bio-hazardous waste disposal, commissary services, health services, pest control, pharmaceutical provider, transportation, etc. This information is not gathered in an organized manner, but may be found in the inspector’s comments. ODO inspections may include this information in the executive summary.
11. **Significant redactions:** Both ICE and the detention center operator may have made redactions to the inspections, raising questions. For example, in ERO’s “Significant Incident Summary Worksheet” the accompanying description for use of force incidents are routinely redacted.

# POLICY RECOMMENDATIONS & TALKING POINTS

In this section, you will find descriptions of some of the pressing problems within detention, as well as some recommended policy solutions to address them. In meetings with decision-makers who are looking for actionable recommendations, you may find these useful. However, depending on the context, you may instead want to say that the failure of the inspections process, or the convoluted nature of detention contracting, just offer further proof that there is simply no way to detain people humanely, and that the system must be dismantled. What you say and which recommendations you use will depend on your group, your target, and the goals of your campaign. For more information about selecting your targets and goals, see the “What You Can Do: Launch or Support a Campaign against a Local Detention Center” section on page 13.

## **1. Hold immigration detention centers accountable for deplorable conditions.**

### Problems:

- Individuals in detention report inhumane treatment, including inadequate or spoiled food, poor access to medical care, inappropriate use of solitary confinement, and physical and sexual abuse.
- Immigrants are isolated in remote detention facilities located far from cities. Exorbitant phone rates exacerbate detained individuals’ isolation, making it very difficult to report complaints, access legal service providers, and communicate with family members.
- ICE’s inspection process fails to hold detention centers accountable. Facilities with well-documented problems continue to receive passing ratings.
- In 2009, Congress said that ICE could not expend funding to any facility that failed two inspections in a row. After this consequence was established, the number of facilities failing inspections suddenly dropped, even as immigrants and advocates continued to experience and observe human rights and due process violations throughout the system. This is not what Congress intended and instead is facilitating abusive conditions. We need real oversight and real consequences.

### Solutions:

- Require all detention facilities to, at a minimum, immediately adhere to the 2011 Performance-Based National Detention Standards (2011 PBNDS), and terminate contracts for facilities that are unable or unwilling to meet these standards.

- Place detention facilities on probation and subject them to more intensive inspections after the first finding of substantial non-compliance within an inspection.
- Terminate contracts within 60 days for those facilities with repeat findings of substantial non-compliance.

## **2. Eliminate arbitrary bed quotas that incentivize increased immigration detention.**

### Problems:

- The immigration detention bed quota and contractual guaranteed bed minimums drive ICE to focus on detaining individuals to fill arbitrary quotas.
- Immigration detention is unnecessary for many individuals for whom detention inflicts tremendous emotional and financial harm on their families. Further, detention severely hinders an individual's ability to get legal help.

### Solutions:

- Eliminate the immigration detention bed quota.
- Stop contracting with private corporations or other entities that require guaranteed payments for a minimum number of immigration detention beds, and modify existing contracts to remove guaranteed bed minimum payments. If the contractor is unwilling to make such a modification, ICE should terminate the contract.

## **3. Improve transparency in the immigration detention contracting and inspection process.**

### Problems:

- ICE does not publicly provide detention center contracts or inspections, or even a comprehensive list of the detention centers it uses and the standards that apply at each detention center.
- The immigration detention contracting process is convoluted and obscure. Tracking the taxpayer dollars ICE pays to local and private contractors to detain immigrants is extremely difficult, and for some facilities, nearly impossible.
- At least forty-five facilities operate with indefinite contracts, mostly under outdated standards. Since the contract renewal process typically triggers updates to applicable detention standards, facilities with no end date can operate indefinitely under old, inadequate standards.

Solutions:

- Make detention center contracts and ERO and ODO inspections available to the public in a timely manner. To date, ICE has released its inspections to the public only as a result of FOIA requests. These are unnecessarily time-consuming and expensive obstacles to accessing information about how the federal government treats thousands of people in its custody and spends billions of taxpayer dollars. Instead, this information should be freely available.
- Provide public reporting on suicide attempts, hunger strikes, work program stoppages, use of solitary confinement, use of force, and other significant events at detention centers.
- Submit quarterly reports to Congress on inspection and oversight activities of detention facilities, to be made available to the public.
- Throughout the contracts negotiation process for individual detention facilities, engage with legal service providers, faith groups, and other local and national non-governmental organizations that visit facilities, to address human rights and due process issues they observe.

## 4. Improve the quality of inspections.

Problems:

- Inspections fail to adequately assess the conditions detained immigrants experience. ERO and ODO inspections are not designed to capture actual conditions of detention. They base findings on written policies, but do not check for implementation or take into account the experiences of detained immigrants. Even where human rights violations and unexplained deaths have been publicly documented, facilities rarely fail ERO inspections.
- The inspections are designed to facilitate passing ratings for facilities, not identify or address violations. Both ERO and ODO inform facilities of inspections in advance, giving them time to improve conditions prior to the inspections. The entities which conduct the inspections are paid and vetted by ICE.
- Inspections may be edited before they are finalized by the inspections contractor and submitted to ICE's Detention Monitoring Unit.

Solutions:

- Establish a DHS ombudsman outside of ICE to conduct unannounced inspections of immigration detention facilities not less than once per year, with complete findings made available to the public. These third-party inspections should examine compliance with all aspects of applicable detention standards and determine whether contracts will be renewed as stipulated in congressional appropriations.

- Ensure that the inspection process involves more than a checklist and encompasses interviews with detained individuals and other stakeholders assessing the facility, including documentation of the content of those interviews. Inspectors also must rely on more than assurances by facility administrators of compliance with applicable policies and procedures and instead seek and document proof of their effective implementation.
- Do not allow facilities to take an “à la carte” approach to compliance by only making a limited number of detention standards provisions “mandatory” during inspections and permitting some facilities to opt out of detention standards they have been contracted to apply. If a facility cannot abide by detention standards in their entirety then they should not be permitted to enter into or continue a contract with ICE.

## 5. End immigration detention profiteering.

### Problems:

- Both local governments and private prison companies are making money from immigration detention contracts. Efforts to cut costs in order to maximize revenue often lead to inadequate medical care and other forms of abuse and neglect.
- Sixty-two percent of all immigration detention beds are operated by private for-profit prison companies.<sup>6</sup> Corrections Corporation of America (CCA) and GEO Group are the primary beneficiaries, operating nearly three quarters of the privately-contracted beds.<sup>7</sup> From 2007 to 2014, CCA’s profits have increased from \$133.3 million to more than \$195 million while GEO Group’s profits have increased from \$41.8 million to more than \$143.8 million.<sup>8</sup> Often these contracts require guaranteed payments for a minimum number of immigration detention beds, regardless of whether they are full, in turn incentivizing ICE to detain more people.

### Solutions:

- ICE should cease using for-profit prison companies to provide the agency with immigration detention beds.
- So long as such contracts exist, ICE should refrain from contracting with private corporations or other entities that require guaranteed payments for a minimum number of immigration detention beds, and modify existing contracts to remove guaranteed bed minimum payments. If the contractor is unwilling to make such a modification, ICE should terminate the contract.

# WHAT YOU CAN DO



## Launch or Support a Local Campaign Against a Detention Center

### 1. Request a Detention Center Tour

Start off by learning more about the detention facility in your area. Touring a detention facility through ICE's stakeholder access policy is possible as long as participants are associated with an organization and submit the following information:

#### A. Written request

Provide a written request to the Enforcement and Removal Operations (ERO) Field Office Director at least two weeks in advance of the requested tour/visit.

 *Download ICE's stakeholder access policy for a list of information that must be included in the request:*  
<http://www.ice.gov/doclib/ero-outreach/pdf/access-directive-stakeholder.pdf>

 *The contact information for each Field Office Director is listed on ICE's website at <http://www.ice.gov/contact/ero>*

## B. Code of Conduct

These are rules stakeholders must follow when allowed on the premise to tour a facility. Read thoroughly and sign. Keep a copy for your records. Every person attending the tour must read, sign and submit a code of conduct.

 **Download the code of conduct at**  
<http://www.ice.gov/doclib/ero-outreach/pdf/71-032.pdf>

## C. Stakeholder Tour/ Visit Notification Flyer

You need to clearly state in your request if you want both “a detention facility tour” and “visitation with detainees” in order to speak with immigrants who are currently detained.

If you do want to interview detained individuals, complete and submit the “Stakeholder Tour/Visit Notification Flyer” form. ICE uses this form to post a sign-up sheet inside the facility to notify individuals detained there of an upcoming visit and the opportunity to talk to visitors.

 **Download the “Stakeholder Tour/Visit Notification Flyer” form at**  
<http://www.ice.gov/doclib/ero-outreach/pdf/71-031.pdf>

### Sample Request Letter

*This letter was submitted by the Detention Watch Network to arrange a visit to Adelanto Detention Facility.*

*Dear Mr. Jennings*

*My organization, Detention Watch Network, along with several southern California detention stakeholders, would like to request a detention facility tour and visitation with detained individuals at the Adelanto Detention Facility on either September 3, 2015 or September 4, 2015, under the Stakeholder Access Directive. On either day, we request that the tour begin in the morning in order to ensure that we have sufficient time to tour the large facility and speak to detained individuals who may sign up to speak with us.*

*We are requesting the tour and opportunities to speak with detained individuals at Adelanto in order to learn more about the ways in which the recent expansion of the facility has affected quality of life and access to resources, programs and services for people detained at Adelanto. During the tour, we would like to see all areas of the facility, including the housing units, special housing units, medical unit, library, dining areas, and recreation spaces. We also request the opportunity to speak with any detained person interested and willing to meet with us.*

*Enclosed, please find completed copies of the ICE Stakeholder Tour/Visit Notification Flyer and Sign Up Sheet and our interview consent form for your review. In addition, I have attached a separate flyer which explains who Detention Watch Network is and the purpose of our visit in both English and Spanish. Finally, I have included the signed ICE Stakeholder Code of Conduct form for the following group of stakeholders:*

*[Include chart with names, organizations, dates of birth and drivers license numbers for each tour participant]*

*Please let me know at your earliest convenience which dates would work best for you and your staff. If you need any additional information or have questions about this request, please contact me at [email] or [phone number].*

*Sincerely,*

*[Signed by main point of contact]*

## 2. Involve Directly Impacted Individuals

It is crucial to talk to individuals who are directly affected by detention, get their input when developing strategies, and have their voices at the forefront, leading campaigns. DWN members have used various methods to connect with immigrants impacted by detention:

### Visitation Program

Plan a visit through an established visitation program or local organization that already has a relationship with a detention center. Visitation programs can arrange your visit and guide you through the entire process. Two organizations that run visitation programs are Community Initiatives for Visiting Immigrants in Confinement (CIVIC) and Lutheran Immigration and Refugee Services (LIRS).<sup>9</sup>



**CIVIC can recommend and facilitate an introduction to a local visitation program near you. Email CIVIC at [info@endisolation.org](mailto:info@endisolation.org) or go to <http://www.endisolation.org>.**



**LIRS can help people join or launch a visitation ministry. For more information email [visitation@lirs.org](mailto:visitation@lirs.org) or call 412-230-2775.**

### Use the Media

Whether it's a scheduled interview or you happen to find yourself being interviewed, use the media as a recruiting and awareness tool. Being in front of a camera is a perfect moment to reach directly impacted individuals and their families and get them involved in your campaign to end detention. It is free publicity for the campaign, legitimizes the work, and will reach a large audience. Make sure to provide contact information so that people can get in touch with you or your organization. (See page 29 for more information on how to use the media.)



*Northwest Detention Center Resistance vigil.  
Photos courtesy Timothy Smith*

### Solidarity Day

A more direct approach can involve standing outside the detention center during visitation hours to connect with family members who are visiting their loved ones that day. You can find information about visiting hours by calling the facility. This can help you learn and support individual cases. Also, you can collect information about what's happening inside the facility regarding conditions or abuses.

For example: Once a month on Saturdays, Northwest Detention Center Resistance in coordination with other groups has about 10-15 volunteers who stand outside the Northwest Detention Center in Tacoma, WA and talk to families visiting their loved ones.

### 3. Develop a Strategy for Your Campaign

Now you are ready to take action. You have learned about the appalling system of immigration detention and have a clear understanding of the problem. You have connected with directly impacted individuals and will be working with them to develop a strategy targeting a specific detention facility. Below is an outline of the steps you can take to launch your group's campaign.

#### A. Determine Your Goals

- Consider 1 to 2 long-term objectives for your campaign. Do you want to ultimately shut down the detention center, gain more access to support those on the inside, or something else?

*Examples: Shut down the detention center in my county or state; eliminate the local quota (guaranteed minimum) at the detention center.*

- Determine 2 to 3 intermediate goals that will indicate movement toward your long-term objective.

*Examples: Local member of Congress calls for closure of the detention center; the county council passes a resolution against the facility.*

- Determine 3 to 4 short-term goals that help you get to your long-term and intermediate goals

*Examples: Get 2,000 signatures on a petition calling for closure of the facility; 20 people join the group to help fight the facility; raise \$3,000 for the campaign to support actions and outreach.*

All your efforts should complement the long-term goals.

#### B. Consider What Resources You Have, and What You Need

Assess the resources that you bring to this campaign:

- Number of volunteers, staff
- Space for meetings
- Key relationships with decision-makers
- Skill sets: media, organizing, writing, design, public-speaking
- Budget

Consider what resources you need to win, and what gaps you may need to fill or work around.

## C. Build and Sustain Your Base

Once you have a core group of people who are part of the campaign, set regular meeting times so that you are consistently checking in about progress towards your goals. Monthly or bi-weekly meetings will help you stay on track. You might also want to create a listserv for easy communication among the core group.

- Continue to build your base of constituents
  - » Who cares about the issue?
  - » Who can you mobilize on the issue?
  - » How can you engage them to join your efforts?
- Determine who your allies are
  - » Who are allies that you can move to join your effort?
  - » What is their bottom line?
  - » What power do they have?
  - » Do you lose anything by engaging them in the fight? (i.e. do you have shared principles, objectives, or are they potentially “strange bedfellows”)
- Who makes up the opposition? Who are your opponents?
  - » What will your victory cost them?
  - » What will they do/spend to oppose you?
  - » What obstacles do you anticipate?



## D. Choose Your Targets

Now that you have your goals in place and understand your capacity, it's time to determine who your target is. It is rare to have access to the final decision-maker, so it's important to consider both primary targets and secondary targets who can influence the primary target.

- Primary Target (the final decision-maker)
  - » Who has the power to give you victory?
  - » What power do you have over your target?
  - » What power can you obtain during the course of the campaign?
  - » Choose a person or set of people, not an institution.

- Secondary Targets (those who can influence your primary target)
  - » Who has power over your primary target?
  - » Who do you know that has access to your target(s)?

In order to determine your primary and secondary targets it is important to understand what type of facility you are focusing on. Below is a chart with the types of facilities you may encounter and possible targets. To determine the type of facility you're targeting, review your facility's contract.

Type of Facility	Description	Possible Primary Target	Possible Secondary Target
Contract Detention Facility (CDF)	A facility operated by a private prison company	ICE national and/or local field office	County or city officials, members of Congress
Intergovernmental Service Agreement (IGSA)	When a local or state jail contracts with ICE to hold immigrants for civil detention (Note that the local government may in turn contract with a private company to run the facility)	County commissioners, local sheriff, and/or ICE local field office	City officials, members of Congress
Service Processing Center (SPC)	A facility owned and operated by ICE	ICE national and/or local field office	Members of Congress

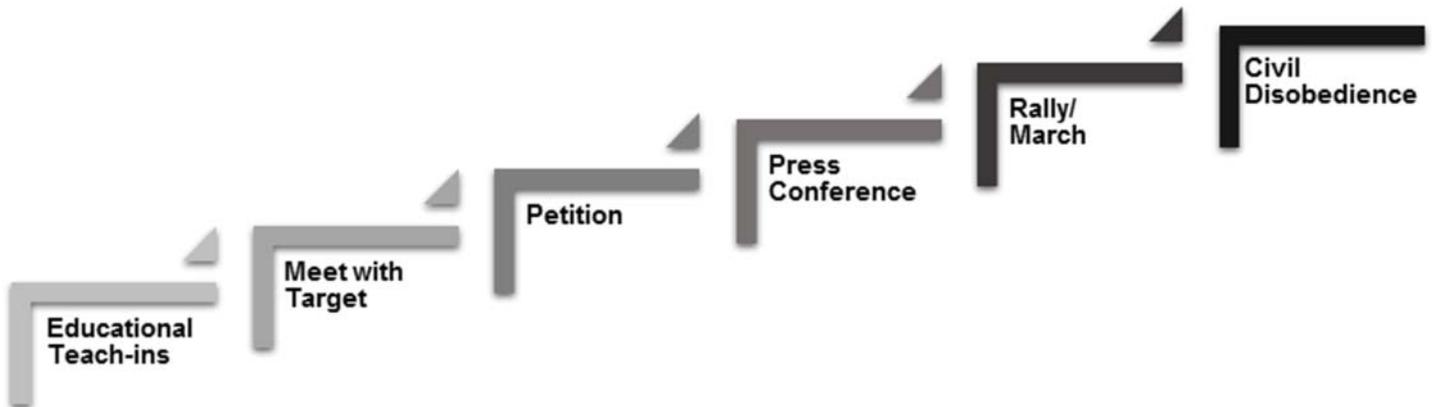
Potential demands/requests for elected officials:

- Demands for local officials (county commissioners, city council members, state legislature):
  - Visit the detention center in their district/county as a first step to increase engagement and their awareness of issues at the facility.
  - » Sponsor a city or county resolution against the facility.
  - » Pressure a member of Congress to take a stand against the facility.
- Potential demands for representatives and senators who represent you in Congress:
  - » Visit a detention center, in order to garner media coverage and/or as a first step to engage them on problems within the facility.
  - » Write a letter to DHS or ICE with concerns about a detention center.
  - » Write an op-ed in their local newspaper calling attention to problems at the detention center.
  - » Co-sponsor or vote for a good piece of legislation, or vote against a harmful piece of legislation.

## E. Develop Tactics to Reach Your Goals

Tactics are the final part of strategy development and should not stand alone but complement the larger campaign. Tactics should:

- Focus on the primary or secondary target of the campaign.
- Put power behind a specific demand.
- Take your target by surprise – disrupt their schedule and force them to respond.
- Be supported by your members and involve actions they are comfortable carrying out. (As the campaign escalates consider pushing your own boundaries to advance your goals.)
- Move the campaign forward in a logical progression. Whenever decision-makers don't meet your demands, you can escalate to more disruptive tactics:



Tactics usually fall into one or more of the following categories:

- Aimed at the target to show your power
- Raising the morale and engagement of your members
- Getting media coverage and raising public awareness

Below is a sample list of tactics. Don't feel limited by these and be sure to think outside the box to catch your target off guard.

- **Teach-ins, workshops, presentations, and film screenings**
  - » Use every opportunity to raise awareness about the issue. These types of events are great places to recruit people to join your campaign and provide constituents ways to become active.

INDHIRA PREGO



- » These types of events can be hosted in churches, public spaces or co-sponsored with other organizations to provide context and information about the immigration detention system or a specific component.
- » Invite directly impacted individuals and individuals working on detention.
- **Meet with your target/decision-maker or attend a public forum/town hall.** *(For more information on meeting with decision-makers, see the “What You Can Do: Advocate with Decision-makers” section on page 23.)*
  - » If your target is a public official, schedule a meeting to directly talk about the conditions at the detention center, concerns or questions about its contract or inspections, guaranteed bed minimums, the national bed quota and/or ending immigration detention.
- **Hold a press conference.** *(For more information on developing a media strategy, see the “What You Can Do: Use the Media to Support Your Work” section on page 29.)*
  - » A press conference is a good way to launch your campaign and get media attention.

- **Do a petition drive**
    - » Gather signatures for a petition on one of your goals
    - » Set a goal for the number of signatures
    - » Develop a plan for where you will gather signatures: local events, farmers markets, etc.
    - » From the beginning, plan how you will use the completed petition. Will you hand deliver it to your target? Call a press conference to announce it?
  
  - **Organize a rally, march or vigil**
    - » Call attention to the issue and engage more members of the community.
    - » Consider location and necessary permits before moving forward.
    - » Identify compelling speakers and decide on spokespeople for the media.
    - » Develop chants and prepare materials and signs and creative tools such as puppets to call attention to the rally/march.
  
  - **Do a direct action involving civil disobedience, potentially including arrest.**
    - » Evaluate whether civil disobedience is the next logical step, taking into consideration efforts leading up to the civil disobedience event.
    - » Determine goals of the action, how will it impact your decision-maker, how will it impact public perception of your cause, is the risk of arrest worth it?
    - » Determine where, when, and what type of action it will be.
    - » Identify who is willing to risk arrest and evaluate any potential negative consequences for them.
    - » Identify legal support; reach out to your local National Lawyers Guild chapter to secure lawyers to support those who are arrested and to serve as legal observers during the action.
    - » Raise money for bail and potential legal fees.
    - » Conduct a training<sup>24</sup> for individuals who will participate in the event (both those getting arrested and those providing support), including de-escalation techniques and how to protect oneself during the action.
-  ***The Ruckus Society provides tools and training on nonviolent direct action at <http://www.ruckus.org>***
- » Identify a point person to make contact and negotiate with the law enforcement agency that arrives on scene.
  - » Recruit peacekeepers to monitor and prevent any conflicts at the action.

## Sample Strategy Charts

This chart developed by the Midwest Academy is a useful tool for developing your strategy.



Download a template of this chart as a PDF at [http://www.tcsg.org/sfelp/toolkit/Midweststrategy\\_01.pdf](http://www.tcsg.org/sfelp/toolkit/Midweststrategy_01.pdf)

Private Prison (Contract Detention Facility)				
Goals	Resources	Base Building	Targets	Tactics
<p><u>Long-term:</u></p> <p>Shut down the detention center, End ICE contracts with private prison companies</p>	<p><u>Have:</u></p> <p>10 volunteers 1 part-time staff Designer/Artist Meeting space for 50 people</p>	<p><u>Constituents:</u></p> <p>Immigrant community, Visitation Program, Legal Service Providers, Faith groups</p>	<p><u>Primary:</u></p> <p>ICE National Official</p>	<p>Host a teach-in about the detention center and the private company</p> <p>Hold a press conference announcing the campaign</p> <p>Meet with member of Congress to gain their support</p> <p>Expose the conditions of the facility via rallies, media, and actions</p>
<p><u>Intermediate:</u></p> <p>Member of congress pressures ICE to end contract</p>	<p>Large van for transportation</p>	<p><u>Allies:</u></p> <p>Criminal justice organizations, labor unions</p>	<p><u>Secondary:</u></p> <p>ICE Field Office Director</p>	
<p><u>Short-term:</u></p> <p>20 signatures for a local sign-on letter from county and state officials</p>	<p><u>Need:</u></p> <p>20 volunteers Full-time staff Media support Money for actions</p>	<p><u>Opponents:</u></p> <p>Private prison company, elected officials receiving private prison money</p>	<p>Local elected officials (Mayor)</p>	

County Jail (Intergovernmental Service Agreement)				
Goals	Resources	Base Building	Targets	Tactics
<p><u>Long-term:</u></p> <p>The contract between ICE and the county is terminated</p>	<p><u>Have:</u></p> <p>5 volunteers Meeting space for 100 people</p>	<p><u>Constituents:</u></p> <p>Immigrant community, Visitation Program, Faith groups</p>	<p><u>Primary:</u></p> <p>County Commissioners ICE Field Office Director</p>	<p>Hold regular (monthly or weekly) vigils outside the jail</p> <p>100 individuals attend City Council meeting to demand resolution</p> <p>Be present at public events to get signatures for the petition</p> <p>Meet with decision-maker(s)</p>
<p><u>Intermediate:</u></p> <p>City council resolution against the ICE contract</p>	<p>\$2,000 Free printing Media support</p>	<p><u>Allies:</u></p> <p>NAACP, criminal justice orgs, civic engagement groups</p>	<p><u>Secondary:</u></p> <p>Member of Congress Major faith leader</p>	
<p><u>Short-term:</u></p> <p>Petition with 5,000 signatures Endorsement by local member of Congress</p>	<p><u>Need:</u></p> <p>Staff Designer</p>	<p><u>Opponents:</u></p> <p>Sheriff's office, local anti-immigrant groups or elected officials</p>		

# WHAT YOU CAN DO



## Advocate with Decision-Makers

When politicians know that their constituents care about an issue, they are more likely to vote or take action in favorable ways. Establishing and nurturing relationships with your local, state, and/or national representatives is crucial to enacting policies that protect and affirm the rights of immigrants, and also to stopping proposals that would negatively impact immigrant communities.

Once you've chosen your target (*see Step D in Section 3, "Develop a Strategy" on page 17*) you're ready to start planning for a meeting.

### Setting up and preparing for a meeting

- 1. Get a team together:** Before you meet with a decision-maker, get a team together. Be strategic in finding team members who best represent your asks—including people who have been directly impacted by unjust policies—and who can commit to building an ongoing relationship with the office. Think about including community leaders whom the decision-maker may al-

ready know or respect, or people who will be effective messengers with this particular decision-maker. Aim for 5-10 participants, though a larger group can be a powerful sign of support. Check with the scheduler to see how many people the office can accommodate and be sure to plan well, so that you are focused on your message and everyone knows their specific roles.

- 2. Do background research on your decision-maker:** This doesn't have to be an extensive project, but some quick online searching will show you what past positions they've taken and comments they've made publicly as well as biographical sketches, campaign statements, past occupations, religion, political and social memberships, areas of interest and positions on other issues, all of which can inform your approach to the meeting.
- 3. Have a plan:** Before your visit, *always* meet with the other participants to assign roles, including the facilitator, the personal story, specific points, and the 'ask'. Practice by role-playing before the meeting so that everyone feels comfortable and knows what to do. Review your talking points and prepare your materials. Think about any materials you want to bring to the meeting to share with the decision-maker.

**The Facilitator** will kick off the meeting by introducing the group, explaining the purpose for the meeting, and providing space for each person to *briefly* introduce themselves. The facilitator will also jump in if the meeting goes off-track and redirect the conversation.

**The Personal Story** is key to every meeting. Someone should be present who has either been directly impacted by the unjust detention system, or has worked closely with individuals who have been separated from family members, detained, or deported. Telling these stories will show how peoples' lives are impacted and how your community would benefit from positive policies and legislation, as well as the negative consequences of proposed anti-immigrant bills.

**Point People on Specific Issues:** There will be specific issues your group will want to discuss. It will be helpful to have one person take on each of these issues to show they are distinctly important. (*For ideas of problems and recommendations you might want to discuss, see the "Policy Recommendations and Talking Points" Section on page 9.*)

**The Ask** is the critical part of the visit when you ask your decision-maker to take a specific action. It can be tempting to bury or qualify the ask because you're afraid the decision-maker will say no. Whoever is in charge of the ask should practice and be comfortable making the ask directly, so that the decision-maker knows what you want. Listen carefully and ask for clarification if what they say is vague.

- 1. Schedule a meeting.** Call your decision-maker's local office to request a meeting. Every senator and representative has an office – often multiple offices – in their home state. They work from these local offices during "congressional recess," making these recesses particularly good times to try to meet with your member of Congress.

*Look up when the next recess will be:*



*The U.S. House of Representatives calendar is at <http://www.majorityleader.gov/floor/#annual> (representatives will be in their local offices on the un-shaded weekdays)*



*The U.S. Senate calendar is at [http://www.senate.gov/legislative/resources/pdf/2015\\_calendar.pdf](http://www.senate.gov/legislative/resources/pdf/2015_calendar.pdf) (senators will be in their local offices on the weekdays in red)*

When you call, make sure to state how many constituents would like to attend. If the decision-maker is unavailable, ask to meet with staff who work on immigration issues. You may have to send an email or fill out a form. Don't be discouraged if you need to follow up for a response.

### Your email might say:

*Dear [Staff Contact Name],*

*My name is [Primary Contact Name] and I represent [Organization or description of your group]. We are constituents of [Decision-Maker's Name], and would like to request a meeting with him/her to discuss our work on immigration detention. We have been [description of your work—visiting the detention facility, monitoring abuses at the detention facility, providing post-release services, etc] and as a result, have become deeply concerned about the [Name of Detention Center] and our immigration detention system in general.*

*If possible, we would like to meet with [Decision-Maker] during the week of [date option 1] or [date option 2]. Could you please let us know what might work for [Decision-Maker]?*

*We are very eager to meet with him/her.*

*Appreciatively,*

*[Signed by Primary Contact]*

*[phone number at which you can be reached]*

## Following up on a meeting

### 1. Debrief your meeting

It's important to make sure you and your group are on the same page immediately after leaving the meeting, while the conversation is fresh in your mind. Make sure to leave the office building, so your debrief conversation cannot be overheard. As a group, review: What did we hear? Did we get what we wanted? What are the next steps? Choose one person to send a follow-up email attaching any documents mentioned, providing answers to questions that came up during the meeting, and continuing to engage the member and staff in your group's work.

## 2. Send a follow-up email or letter

Send an email or letter thanking the decision-maker for the meeting, and providing a clear point of contact for the office moving forward. If you committed to providing additional information or electronic versions of any documents, make sure you include those items as well. In this letter, you may want to reiterate some of the points you made during your meeting. If the decision-maker committed to taking a specific action, you should include this in the letter or email, thanking them for the commitment and saying that you look forward to continuing to work with them on this issue.

### Your email might say:

*Dear Representative [Last Name],*

*Thank you again for taking the time to meet with those of us from [Organization or group name] earlier this week. We appreciated having the opportunity to share with you the abuses we've documented within the [Name of Detention Center], including severe medical neglect as shown by the consistent denial of medical care for [Personal Story spokesperson] and concerning due process violations such as the time that [Personal Story spokesperson]'s attorney wasn't allowed to see him.*

*We welcome your commitment to write a letter to ICE expressing concern about these instances, requesting additional information about why they happened, and inquiring about what steps ICE has taken to ensure that they don't happen again. Please don't hesitate to let us know if additional information or documentation would be helpful to you in writing the letter.*

*Thank you again for your time, and we look forward to continuing to work with you on these important issues.*

*Appreciatively,*

*[Signed by Primary Contact]*

## Writing to your elected representatives

Sometimes you might want to send a letter to an elected representative in addition to or instead of requesting a meeting. You might want to encourage your representative to support good legislation, oppose harmful legislation, or speak out publicly about something happening at a detention center in their district.

After you send your letter, follow-up. Call the office to confirm that the letter was received. Call again a couple of days later (or sooner or later, depending on the urgency of your ask) to say that you're following up on the letter, and ask if there is any additional information you can provide.

## Sample letter to encourage legislative action

*Earlier this year, several Washington based organizations sent this letter to Senators Murray and Cantwell, calling on them to take action on the national bed quota.*

*Dear Senator Cantwell,*

**Ask is up front and clearly stated**

*We are writing to encourage you to take initiative to end the immigrant detention bed quota in the current appropriations bill by introducing an amendment to that effect in the upcoming continuing resolution.*

**Explain how the problem hurts real people**

*As organizations working with immigrant communities, we know the disastrous effects of immigrant detention for families and communities in WA State and across the country. There are over 1,400 people detained right now at the privately run Northwest Detention Center in Tacoma, WA, the fourth biggest immigration detention center in the country. We strongly believe that the practice of administrative detention of immigrants, legal permanent residents, and asylum seekers young and old, goes against basic conventions of human rights and the fundamental values of our country. Mandatory and indefinite detention is arguably against the constitution, and serves the interest of the for-profit corporations contracting with the U.S. government at the expense of immigrant's health and human dignity.*

**Explain any policy or process details they need to know to task responsible action**

*While administrative detention is ineffective and inhumane, it has been further entrenched and expanded as the result of a detention bed quota written into the Department of Homeland Security Appropriations bill for FY 2010, and wrongly renewed year after year. The specific language states that "funding made available under this heading shall maintain a level of not less than 34,000 detention beds." Because some members of Congress interpret the language to require ICE to maintain and fill 34,000 beds daily, it has become known as the detention bed "quota." The number itself is completely arbitrary, and the concept of a legislatively mandated detention quota is an aberration among law enforcement agencies. Furthermore, the detention bed quota wastes taxpayer dollars. The annual budget for immigration detention has swelled since the introduction of the quota to over \$2 billion dollars each year.*

**Explain why they specifically need to take action. If they've done something good recently, give credit!**

*While efforts to date in the House of Representatives have been unsuccessful at removing the bed quota from subsequent appropriations bills, momentum is building. Members of Washington's congressional delegation, including Representative Adam Smith, have actively advocated for an end to this quota. In 2013, a simple amendment to strike the quota language received support from 190 members, including eight Republicans, when it last received a floor vote. Still, the quota remains intact, and continues to push our immigration enforcement system into overdrive.*

*As Washington-based organizations, we know that the Washington Congressional delegation can be a leader in protecting the human rights of immigrants, rather than supporting arbitrary quotas for their detention. Given your extensive experience working toward immigration reform, including the most recent call to end family detention in June of this year, we believe your leadership on this issue would make a powerful difference.*

*As we are committed to ending the bed quota as soon as possible, we will support your initiative and recruit support from other Senators to the best of our ability.*

*While anti-immigrant sentiment continues to cloud legislation, we know that our Senators in Washington State are not afraid to take a stand against unconstitutional and inhumane policies. Migrant detention not only drains tax-payer dollars, it also jeopardizes the well-being of communities in Washington State. We hope that you will join us in the important task of ending the bed quota and take part in bringing about justice to immigrants and their families in Washington State and beyond.*

*Sincerely,*

*[Name and contact information]*

### Sample letter to oppose the renewal of a contract

*This letter is fictional, but something like it could be used to ask a politician you've already met with to oppose a contract renewal at your local detention facility.*

Dear Representative [Last Name],

Thank you again for taking the time to meet with [Organization] last month, and also for visiting [Detention Center] earlier this year. As we mentioned last time we talked, the contract for [Detention Center] is expiring in three months, and we understand that ICE and [entity which runs the facility] have begun renewal negotiations. In light of the reports you've heard directly from people who were detained at [Detention Center] and what you observed during your tour, we encourage you to publicly oppose the renewal of this contract.

**Ask is up front and clearly stated**

**Explain how the problem hurts real people**

**Your campaign may face retaliation. If it does, explain it in your own terms!**

As you know, over 900 people are detained at [Detention Facility] each day, many of them are family members of people in our community. Despite the concerns you raised earlier this year and the numerous complaints that we have sent to ICE, conditions inside the facility continue to be appalling. We remain concerned about severe medical neglect, recently shown by the consistent denial of medical care for [Personal Story spokesperson], who was suffering from [describe condition]. We are also troubled that the facility continues to impede due process. Within the last three months, attorneys have reported having to wait over four hours to see their clients, and [Personal Story spokesperson]'s attorney was turned away entirely because she had previously participated in a peaceful vigil outside the facility.

We expected to see these issues raised within the official report from the inspection of the facility recently conducted by ICE. Instead, we were stunned and disappointed to see that inspectors ignored them all, and gave the facility a high rating. Among other reasons, this could be because it appears that they did not choose to interview any detained people. Both ICE and [Entity which runs the facility] have shown a complete unwillingness to be held accountable for the myriad of abuses within the facility, and are instead moving ahead to renew the contract by [date of contract expiration].

Furthermore, the contract for [Detention Center] includes a local quota, that is, a guaranteed minimum number of people who will be detained in the facility at all times. The presence of this quota continues to drive reckless and aggressive immigration enforcement in our community, separating families and further eroding community trust.

Given [Entity which runs the facility]'s lack of regard for the treatment of detained individuals, due process, or the ways in which the facility is harming the broader community, we hope you will join us in opposing the renewal of this contract.

**If several organizations are signing a letter, still include contact information for a single primary contact person**

Sincerely,  
[Name and contact information]

# WHAT YOU CAN DO



## Use the Media to Support Your Work

Communications work is a crucial element to your overall advocacy efforts. It does not exist in a vacuum, but rather is woven throughout your organizing and advocacy objectives to complement strategy. Investing time and energy into your communications work is essential to achieving your goals.

### Develop a Communications Plan

Developing a strategic communications plan that incorporates your goals and integrates campaign tactics will strengthen your overall work. Lay the foundation of your strategic communications planning with the following overarching themes, while diving deeper into each component using the recommended resources listed below.

#### 1. Evaluate your communications resources

- » Consider your team's writing strengths, social media capacity, reporter relationships, and support from national organizations (such as Detention Watch Network).

#### 2. Reference your goals

- » Refer back to your campaign and organizational goals to drive your communications efforts.

### 3. Understand your audience

- » Revisit your targets determined in the organizing section of the toolkit and consider who has influence over these decision makers.

### 4. Frame the issue

- » Describe your issue in a way that resonates with your audience.

### 5. Craft your message (see below for more detail)

### 6. Disseminate your message (see below for more detail)



**Strategic Communications Planning, *The SPIN Academy*:**

<http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/strategiccommunicationssp.pdf>



**Vision, Values, and Voice: A Communications Toolkit, *Opportunity Agenda*:**

[http://toolkit.opportunityagenda.org/documents/oa\\_toolkit.pdf](http://toolkit.opportunityagenda.org/documents/oa_toolkit.pdf)



**Echoing Justice: Communications Strategies for Community Organizing in the 21st Century, *Center for Media Justice*:**

<http://centerformediajustice.org/wp-content/uploads/2014/10/Echoing-Justice-7.pdf>

## Craft your Message

Crafting your message is a key component in supporting your overall advocacy efforts. Use the following resources to support your message development process:



**“Media Polishing Worksheet,” *Communicate Justice 101, Center for Media Justice*,**

[http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/messaging\\_polishing\\_worksheet\\_communicate\\_justice\\_101.pdf](http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/messaging_polishing_worksheet_communicate_justice_101.pdf)



**Try this messaging structure recommended by the *Opportunity Agenda* in the “Building a Message” section of its *Vision, Values, and Voice* toolkit (available at <http://toolkit.opportunityagenda.org/building>):**

- **Lead with values and vision.** Starting with shared values helps audiences to “hear” our messages more effectively than dry facts or emotional rhetoric.
- **Then introduce the problem.** Frame problems as a threat to your vision and values. This is the place to pull out stories and statistics that are likely to resonate with the target audience.
- **Pivot quickly to solutions.** Positive solutions leave people with choices, ideas, and motivation.
- **Assign an action.** What can this specific target audience do? Try to give them something concrete, that they can picture themselves doing.

## Create Talking Points to Support your Message

Use the following sample talking points as a springboard to developing your own tailored message that aligns with your campaign goals.

### Immigration Detention

- Immigration detention is a sprawling and unaccountable system of mass incarceration that unjustly and inhumanely targets immigrants.
- The United States locks up survivors of torture, green card holders, undocumented individuals, visa holders, asylum seekers, individuals with serious mental and medical health conditions, and other vulnerable groups including pregnant women and families with children – including babies.
- At more than \$2 billion per year, immigration detention comes at an exorbitant financial and moral cost to American taxpayers.
- The system has expanded rapidly over the past several years, in part due to an arbitrary quota set by Congress that virtually guarantees the incarceration of 34,000 immigrants at any given time. This policy, known as the detention bed quota, is unprecedented; no other law enforcement agency operates on a quota system for incarceration.
- The Obama administration's attempts at reforming the immigration detention system have failed. Detention centers are not safe: abuses are widespread and detention facilities consistently fail basic minimum standards.

### Detention Contracts and Inspections

- ICE's broken inspections process fails to identify human rights violations against detained immigrants.
- ICE's inspection regime fails to provide an accurate assessment of detention conditions because the inspections are not independent, may be irregular, and are announced in advance. ICE's continued refusal to make inspection findings public raises serious questions about the validity of those inspections.
- Congress must act to guarantee that the administration's detention facility inspection process is effective and does not deliberately obscure a broken and abusive system that wreaks havoc on immigrants and their families.

## Disseminate your Message

### Press Materials

Media advisories and press releases assist the media to run accurate and timely news stories, and help to transmit your message to your audience.

#### *Media Advisories*

A media advisory alerts reporters to an upcoming news event, typically several days in advance. Write a media advisory for upcoming actions, press calls, and events.



***“Media Advisory Template,” Communicate Justice 101, Center for Media Justice:***  
[http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/media\\_advisory\\_template\\_communicate\\_justice\\_101.pdf](http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/media_advisory_template_communicate_justice_101.pdf)

#### *Press Releases*

Written like a news story, press releases are utilized for new information such as announcements and/or updates where you can offer analysis. Write a press release for report releases, actions, and policy updates that have an impact on your campaign(s).



***“Press Release Template,” Communicate Justice 101, Center for Media Justice:***  
<http://centerformediajustice.org/wp-content/uploads/2014/10/PressReleaseTemplate.pdf>

### Develop Relationships with Reporters

Cultivating reporter relationships is key to getting your message out and influencing the news cycle. Here are some basic tips to help start building your reporter list:

- Read local newspapers and watch local TV news to see who is covering immigration or incarceration.
- Reach out to outlets for contact information for reporters or send your press materials straight to the news desk if you're not sure who to send them to.
- Make press calls once materials are sent out to ensure reporters are aware of your event and ask whether the outlet will be attending.
- Always have a media point person at events who can direct reporters to predetermined spokespeople. Make sure to have a sign-in sheet for reporters to record their contact information.
- Keep a spreadsheet of reporters, outlets, and contact info and notes you may have about the outlet or reporter.

## Letters to the Editor

Letters to the editor allow you to offer a short rebuttal to an article or commentary already published in a specific paper, or add a crucial missing perspective. Most letters should be between 150-250 words, but be sure to research the requirements for your local news outlet before sending.

### Sample letter to the editor

*Tailor this letter for your local campaign*

*Dear Editor,*

*A recent report by the Detention Watch Network and National Immigrant Justice Center exposed widespread abuse, corruption and cover-up at [local detention center] and is a clear reminder of how our nation's immigration detention system is broken. The report highlights how Immigration and Customs Enforcement's (ICE) inspection process fails to identify even publicly reported human rights abuses, and is nothing more than a rubber stamp on a broken process that separates families and hurts local communities.*

*As a member of [local organization] here in [state] - we are committed to ending the horrific practice of immigration detention and call for ICE and [local member of Congress] to take immediate action to close [local detention center].*

NAME  
CITY  
ORGANIZER  
PHONE NUMBER AND EMAIL ADDRESS



*“Writing a Letter to the Editor,” Fitzgibbon Media developed for Detention Watch Network: [http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn\\_effective\\_communications\\_-\\_ltes.pdf](http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn_effective_communications_-_ltes.pdf)*

## Op-eds

Op-eds are an opportunity to communicate directly to the public, including decision-makers, and shape or frame a debate in your own words. An op-ed is a short, usually 500-800 word, guest essay published in the opinion section of a newspaper, **O**pposite the **E**ditorial page.



*“Writing an Op-Ed,” Fitzgibbon Media developed for Detention Watch Network: [http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn\\_effective\\_communications\\_-\\_oped.pdf](http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn_effective_communications_-_oped.pdf)*

## Interviewing

Once you've gotten your message out through your press materials, op-ed, and letter to the editor, it's time to build on your narrative by doing interviews. Interviewing is a great way to deliver your mes-

sage across multiple media platforms and amplify your reach. It is a skill that requires continual practice, however, when done successfully, interviews can draw in new audiences, build reporter relationships, and strengthen your message.



*“Interviewing 101,” Fitzgibbon Media developed for Detention Watch Network:  
[http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn\\_media101\\_-\\_interviewing.pdf](http://www.detentionwatchnetwork.org/sites/detentionwatchnetwork.org/files/dwn_media101_-_interviewing.pdf)*

## Social Media

Social media is a critical tool to engage your audience in timely and meaningful dialogue for community building and education. It also acts as a megaphone to announce your events, activities, and share content that relates to your campaign goals.

### Social Media Platforms that Maximize your Reach:



*Facebook:* Use for story-telling and adding context to news articles about your campaign.



*Twitter:* Use for real-time conversations with short and punchy messages.



*Instagram:* Create a personal connection through photos or short video posts of your direct action.



*YouTube:* Videos are a great way to allow the audience to take part in your action or event.

### Use Social Media to Develop Reporter Relationships:

With social media, developing reporter relationships has never been more accessible. Learn how to build reporter relationships through social media with the following presentation:



*“Building Relationships with Journalists via Social Media” by Will Coley:  
<https://prezi.com/vxj2iabgivlr/building-relationships-with-journalists>*

### Use Hashtags to Categorize Content and Build Buzz on your Issue:

Hashtags are a powerful social media tool used to centralize multiple posts on the same issue, giving you the power to draw in new audiences. Here are some suggested hashtags:

- Create a hashtag for your local facility, i.e. #ShutDownEtowah
- #ExposeandClose – any content related to specific facilities and conditions
- #EndDetention
- #EndtheQuota
- #Not1More – can help link your message to the larger national immigrant rights movement

# Case Studies

## T. Don Hutto Family Residential Center, Texas

*Contributed by Bethany Carson, Grassroots Leadership*

The campaign to end family detention at the T. Don Hutto Family Residential Center in Taylor, Texas between 2006 and 2009 provides one example of how existing standards and detention facility contracts can be used, along with other advocacy and organizing strategies, to propel a campaign to victory.



Lisa Graybill, one of the attorneys who worked on the legal settlement, emphasized the role of organizing in the campaign’s success. “The public really hadn’t known what was going on; they didn’t realize that county officials had actually signed a contract with CCA [Corrections Corporation of America] to act as intermediary between ICE [Immigration and Customs Enforcement] and CCA, to disburse the federal funds,” she said. “It was the constant pressure at the facility, month after month, that finally ended family detention at Hutto.”

**Here’s a brief timeline of the campaign to end family detention at Hutto:**

<b>May 2006</b>	CCA was awarded contract to detain mothers and children at Hutto
<b>Summer 2006</b>	Human rights advocates in Texas and across the U.S. fiercely criticized the move by ICE to detain families and denounced CCA’s deficiencies.
<b>2006-2007</b>	<p>Austin-based coalition Texans United for Families (TUFF) emerged, coordinated by Grassroots Leadership. Starting with a vigil in December 2006, near-monthly vigils were held at the facility by a broad spectrum of religious and civil rights organizations. As grassroots opposition spread across the state, local media coverage blossomed into national media stories profiling individual cases of children that had been confined at the prison. Grassroots media helped to spawn a broader network of activists. A Hutto blog documented the vigils. Email lists circulated flyers and announcements. Filmmakers produced a 17-minute video exposé, <i>Hutto: America’s Family Prison</i>. TUFF developed a DVD toolkit for broad distribution, including at workshops to highlight the issue of family detention at national conferences. Throughout this time, advocates, visitors, and attorneys were also carefully documenting abuses and other concerns about treatment inside the facility.</p>



<b>March 2007</b>	Lawsuit filed based on violations of conditions guaranteed to children in ICE custody based on <i>Flores v. Reno</i> .
<b>August 2007</b>	DHS agreed to settlement of the lawsuit resulting in significant improvements in conditions at Hutto
<b>2007-2009</b>	Organizing continued through monthly vigils, film screenings, and media work
<b>Late 2008</b>	When the IGSA contract between Williamson County and ICE was up for renewal, organizers used the contract renegotiation as a hook to focus attention on the facility. They urged residents who opposed family detention at Hutto to tell their county commissioners about their concerns.
<b>2009</b>	Organized 100 actions in the first 100 days of the Obama administration
<b>August - September 2009</b>	DHS ended family detention at Hutto and the last family was released in September

## Jefferson County Justice Center, Illinois

*This case example highlights the role of litigation and the media to close a facility. Although grassroots organizing was not a primary component of this effort, the case demonstrates the efficacy of litigation. We encourage advocates to consider how community organizing can work in conjunction with litigation to challenge detention centers. For instance, individuals or organizations conducting visitation at detention centers may help gather evidence of abuses and/or organize actions to call media attention to problematic detention centers.*



In 2008, ICE negotiated a contract with Jefferson County, Illinois, to detain immigrants at the Jefferson County Justice Center in Mt. Vernon. In anticipation of the contract, ICE had inspected the jail in 2007 and 2008. The facility failed inspections both times. Nevertheless, on January 19, 2009, ICE signed a contract to detain immigrants at the jail. Even after the contract was signed, ICE headquarters again found the jail deficient in March 2009. The ICE director for detention management stressed: “This facility shall not house ICE detainees prior to the approval of the Plan of Action” (emphasis in original) to rectify the detention deficiencies. ICE provided no record of whether a plan of action was ever implemented or the deficiencies rectified. Despite federal appropriations requirements for ICE to suspend the use of detention facilities found to be “less than adequate” on consecutive inspections, ICE started detaining immigrants at Jefferson County the very next month.

As ICE steadily increased its detention population at Jefferson County, it conducted a new inspection of the facility in September 2009 and gave it an initial “acceptable” rating for the year. ICE provided no meaningful explanation for its change in rating from March to September. When the September report reached ICE headquarters, the rating was changed to “deficient,” but ICE continued to increase the

number of immigrants detained there. In 2010 and 2011 inspections, ICE rated the Jefferson County facility “acceptable.”

Poor conditions at Jefferson County reached a peak in November 2012 following ICE’s evacuation of dozens of immigrants from the facility, after all but one member of the facility’s medical staff had resigned or tendered their resignation—including the jail’s only doctor. NIJC documented reports of MRSA, tuberculosis, respiratory infections, and skin funguses which occurred among the jail’s ICE population in the weeks leading up to the resignations and evacuation. Requests for medical treatment were repeatedly ignored, showers and restrooms were crusted with mold, drinking water was brown and putrid, jail pods were poorly ventilated, jail uniforms were tattered and soiled, and immigrants had no outdoor recreation or meaningful access to sunlight.

In the face of a meaningless inspections process, NIJC filed a federal lawsuit in February 2013, *Padron, et al., v. ICE, et al*, against officials at ICE and Jefferson County, Illinois, on behalf of seven immigrants who were held at the Jefferson County facility under these unsanitary conditions. The complaint challenged the validity of ICE’s contract with the county, as well as widespread constitutional violations at the jail, and sought to enjoin ICE from returning immigrants to the facility after the evacuation. In addition, the lawsuit garnered media attention that heightened scrutiny of the facility.



Following the evacuation, the lawsuit was dismissed for lack of standing given that ICE had evacuated all individuals in its custody from Jefferson County. In August 2013, NIJC followed up with a demand letter to inform then-ICE director John Morton and other ICE officials that it would renew litigation if ICE returned immigrants to Jefferson County Justice Center without taking significant steps to ensure the jail complied with the U.S. Constitution and federal detention standards. Ultimately, NIJC’s complaint led Jefferson County’s liability insurance provider to review its policy. In October 2013, Jefferson County’s insurance provider sent the county a non-renewal notice, effectively discontinuing the county’s insurance coverage to hold immigrant detainees.



**The contracts and inspections documents cited in this case study are available at <http://immigrantjustice.org/ICEinspections/Jefferson-TriCounty>**

# Appendix

## Key Terms

- **Corrections Corporation of America (CCA)** is the nation's oldest and largest for-profit private prison corporation. CCA is the largest contractor of Immigration and Customs Enforcement (ICE) detention beds.
- **Department of Homeland Security (DHS)** is responsible for ensuring the safety and security of the United States from terrorist attacks and other disasters. U.S. Citizenship and Immigration Services (USCIS), Customs and Border Patrol (CBP), and ICE all fall under DHS.
- **Guaranteed minimums** are contractual provisions that require ICE to pay for a minimum number of immigration detention beds, regardless of whether the bed is filled or not.
- **GEO Group (GEO)** is the nation's second-largest for-profit prison operator. GEO is the second largest ICE contractor.
- **U.S. Immigration and Customs Enforcement (ICE)** is the federal agency responsible for immigration detention.
- **National Detention Standards (NDS)** are the policies and procedures of confinement, program operations and management expectations under which ICE operated its detention system. The NDS were issued in September 2000.
- **Performance-Based National Detention Standards (PBNDS)** were crafted in 2008 in order to more clearly delineate the expected outcomes of each detention standard and the expected practices required to achieve them. ICE further revised its detention standards in 2011.

## Contract Types

- **Contract Detention Facilities (CDFs)** are owned and operated by private corporations that contract directly with ICE.
- **Service Processing Centers (SPCs)** are owned and operated by ICE. However, ICE hires contractors to handle many services, such as administration of some facilities.
- **Intergovernmental Service Agreements (IGSAs)** are owned and operated by local governmental entities, typically county or city governments. Many local governments subcontract to private corporations to administer and provide services.
- **U.S. Marshals Service (USMS) Intergovernmental Agreements (IGAs)** are formal agreements between the USMS and a state or local government in which the state or local government agrees to house federal detainees at an agreed-upon daily rate.

## Contracting Terms

- **Contract Line Item Numbers (CLIN)** are used by government agencies to report on the funding for contracts that utilize money from different accounts.
- **Federal Acquisition Regulation** is the set of policies and procedures by which the United States federal government purchases goods and services.
- **Man-Days** are one person's working time for a day, used as a measure of how much work or labor is required or consumed to perform some task.

## Inspections Terms

- **Enforcement and Removal Operations (ERO)** is the primary enforcement arm within ICE responsible for the identification, apprehension, and deportation of removable immigrants from the United States.
- **Man-Days:** See "Contracting Terms"
- **Office of Detention Oversight (ODO)** is responsible for inspecting immigration detention facilities and investigating the deaths of individuals in ICE custody.
- **Detention Monitoring Unit** was created to conduct compliance monitoring within ICE detention facilities. The unit is comprised of Detention Service Managers (DSMs) who are responsible for assessing potential problems and addressing these problems with the facility and respective field offices before they occur, or to ensure corrective action in a timely manner.

## Endnotes

1. Mario Moreno, “Detention Costs Still Don’t Add up to Good Policy,” National Immigration Forum, Sept. 24, 2014, <https://immigrationforum.org/blog/detention-costs-still-dont-add-up-to-good-policy>.
2. U.S. Government Accountability Office (GAO), *Report To Congressional Requestors: Immigration Detention – Additional Actions Needed to Strengthen Management and Oversight of Facility Costs and Standards* (GAO-15-153), Oct. 2014, p. 9.
3. Nina Bernstein, “U.S. to Reform Policy on Detention for Immigrants,” *The New York Times*, Aug. 5, 2009, [http://www.nytimes.com/2009/08/06/us/politics/06detain.html?\\_r=0](http://www.nytimes.com/2009/08/06/us/politics/06detain.html?_r=0).
4. See The GEO Group, Inc., “Mesa Verde Detention Facility,” accessed 10/12/2015, <http://www.geogroup.com/Maps/LocationDetails/123>.
5. ICE revised NDS to move to a more performance-based format similar to the American Correctional Association’s Performance-Based Standards for Adult Local Detention Facilities.
6. Bethany Carson & Eleana Diaz, Payoff: How Congress Ensures Private Prison Profit with an Immigration Detention Quota, Grassroots Leadership, Apr. 2015, <http://grassrootsleadership.org/reports/payoff-how-congress-ensures-private-prison-profit-immigrant-detention-quota>.
7. Id.
8. Amy Grenier, “Private Prison Industry Lobbies for Detention of Immigrants,” Immigration Impact, Apr. 2015, <http://immigrationimpact.com/2015/04/22/private-prison-industry-lobbies-for-detention-of-immigrants/>.
9. For more information, see LIRS’s *Bring the Sky* Resource at <http://lirs.org/wp-content/uploads/2012/05/BRING-THE-SKY-4-BEING-A-VISITOR.pdf>; CIVIC’s Visitation Page at <http://www.endisolation.org/resources/for-visitors/>; and DWN’s Visitation Guide at <https://www.prisonlegalnews.org/news/publications/detention-watch-network-visiting-us-detainees-manual/>.