

# Profiting From Misery: How Corporations Are Getting Away With Capitalizing On, Exploiting Detainees In ICE Contracted Detention Facilities

Written by Robbie G. Singh, MSW Candidate, University of Southern California

## Executive statement

While mainstream media outlets have their lens fixated on unfolding conditions at detention centers, political distractions, and news commentary – private prison corporations quietly profit from the ensuing chaos.

## Key messages and recommendations

- **Problem: Major private prison companies such as Geo Group and Core Civic continue to evade media attention as they capitalize on the suffering of detainees who are subjected daily to child abuse, sexual assault, solitary confinement – while making hundreds of millions of dollars annually from the government (Reiter 2019).**
- **Recommendation 1: Follow California’s Proposal for Banning Private Prisons.**
- **Recommendation 2: Re-implement Alternatives to Detention and Understand Root Causes of Migration.**
- **Recommendation 3: Reduce Demand for Government-Run Incarceration to Prevent Overcrowding and End Reliance on Private Prisons.**

## Concerning Issue

Far removed from the scrutiny of media focus, where news commentators discuss a range of topics such as: (1) controversial family separations, (2) new efforts to refuse asylum or (3) detainees in life threatening environments, that get excess airtime, for-profit private prison companies manage to quietly escape the spotlight attention - thereby capitalizing on detainees suffering within the multi-billion dollar US private prison industry (Francis, Wachendorfer, & Wilson, n.d.).

According to the National Immigrant Justice Center (2018), the cost to taxpayers for detention per individual is \$133.99 per day and if the individual is in family detention, the cost is \$319.37 on a daily basis. In 2017, for-profit prison companies Geo Group witnessed gross revenues of 2.18 billion and Core Civic (formerly known as Corrections Corporations of America) saw a 31% rise in revenue at 1.85 billion due to larger than expected demand from the government (Reiter 2019).

“ The private prison industry is as strong as ever—and with the administration’s anti-immigrant policies, the industry is poised to greatly increase its revenues from government contracts ”

[Francis et al, n.d.]

## Prevalence of Issue

By 2017, the private prison industry had witnessed a growth rate of 442% for its immigration detention facilities alone affecting 26,249 detainees (Gotsch & Basti, 2018). In 2016, both the federal government along with 27 states were adopting the use of private prisons with New Mexico and Montana having the highest utilization followed by Oklahoma, Tennessee, Hawaii and Arizona (Gotsch, et. al, 2016).

In 2016, the Justice Department conducted an audited that revealed that private prisons had more safety and security concerns that did government-run prisons (Sullivan, 2016). This report prompted former President Barack H. Obama to eventually end government reliance on private prisons (Sullivan, 2016). However, that all changed when in 2017, under the Trump administration - Attorney General Jeff Sessions eliminated the Obama order, in an effort to meet the new administration's anticipated needs (Gotsch, et. al, 2016). On a national level, 1 in 12 people (128,063) have been incarcerated in private prisons since 2000 to 2016 (Gotsch, et. al, 2016).

It is also noteworthy to understand how corporate donations influenced politics when the news of Obama's legislative action caused (publicly traded) Geo Group shares to plunge, causing them to donate \$100,000 towards the Trump Campaign (Francis et. al., n.d.).

## Where Policy Advocacy Should Occur

Due to media exposure of inhumane conditions involving recent migrant deaths, human rights violations and the spreading of disease, local municipalities and states have started to distance themselves by choosing not to renew their contracts with ICE - with California taking the lead as the only state to take legislative action to ban private prison companies all together (Adams, L, 2019).

However, advocacy needs to continue at the local and state level until the federal government can re-implement effective alternatives to detention (ATD) such as The Family Case Management program (Adams, L, 2019). This pilot program was introduced by the Department of Homeland Security (DHS) and served 1,600 individuals between 2015 – 2017 achieving a 99% success rate of cooperation from participants but was prematurely terminated by the Trump Administration, despite saving taxpayers significant amounts money compared to private prison detention (Adams, L, 2019). In 2014, a government report calculated that alternatives to detention saved over 6% per day, per detainee and that an individual would have to be on the ATD for 1,229 days (over 3 years) before the time spent in ATD versus detention would amount to the same cost (Immigrant Justice Center, 2018).

## Opposing Stakeholder Perspectives

In 1993, critics of the private prison ban believe private prisons would reduce the amount of times a crime was repeated but after a study that was conducted in 2003 by Florida State University, it concluded there was no reduction in rates of recidivism (Gotsh, et. al., 2016). In addition, policies such as War on Drugs contributed to overcrowding in prisons, leading a case all the way to the Supreme Court, as overcrowding was so prevailing, it was deemed unconstitutional (Rhodes, 2018).

The resulting increase in demand also requires an increase in supply but rather than build new public prison facilities, the federal government sought to save on costs and time by utilizing private prisons with companies such as Geo Group and Core Civic (Rhodes, 2018). However, the worst of prevailing conditions in public prisons are more extreme in private prisons and there is a lack of public oversight in private facilities (Rhodes, 2018).

However, proponents of private prison ban considering the driving forces behind the migrants coming in from Central America, where vulnerable families make desperate attempts to avoid certain death from gang violence, extortion and life-threatening crimes (Valdes, 2016). In addition, political instability, corruption and lack of funding for social services have caused unprecedented levels of volatility in the region (Forrest, C & Cruz, A., 2016). The need for public safety supersedes education and healthcare (Forrest, C et. al., 2016).

By criminalizing migrants and oversaturating public prisons, private prisons stand to benefit at the expense of anti-immigration laws that promote suffering. However, proponents in favour of banning private prisons consider foreign policies involving Central America to find out the rationale behind the trends of migration.

## Conclusions and Recommendations

Although the overarching evidence points to corporate influence in politics that intersects with numerous social problems such as the private prison industry among many others that are controlled by special interest corporate giant groups (1% or billionaire class) that prioritize profits to shareholders first, there are steps the rest of us can take to dismantle the expansion of private prisons at the local and state levels.

- Be informed about your elected officials and their positions on the issue, Vote!
- Connect a pro-immigrant coalition that can work with grassroots movement organizations advocating relief in Central America first
- Advocate for alternatives to detention that already have had success in the past
- Advocate for laws that counter the incarceration rate for petty crimes often targeting minorities and instead reserve public prisons for people who commit dangerous crimes

### Recommendation 1: Learn About What's Driving Demand In Our Prison Systems

Whether it's Central America's foreign policy or petty crime laws leading to overcrowding in our prison systems, research the history, facts and trends that have increased the rate of incarceration over time that has encouraged the federal government to contract with private prison companies (Rhodes, 2018). You can start by referring to the references included within this brief below.

### Recommendation 2: Implement Alternative Solutions That Worked In The Past

With media reports of detainees experiencing death and disease, it's important to consider the human rights violations occurring within the private prison industry, especially when there have been effective solutions with a rate above 90% for compliance when it came to interviews, court hearings and deportation orders such as ICE's Family Case Management Program (Immigration Justice Center, 2018).

In 2018, DHS determined the cost of this program would amount to only \$4.50 per day, which would be a significant savings for taxpayers. (Immigration Justice Center, 2018).

### Recommendation 3: Thinking Beyond Incarceration

Your taxpayer money is going towards a cause that promotes human suffering and the private prison stands to profit from government-funded contracts. If this were a charity or non-profit, what type of reviews do you imagine an organization such as this would get? This is a choice and there are alternative options available. Staying silent is not one of them.

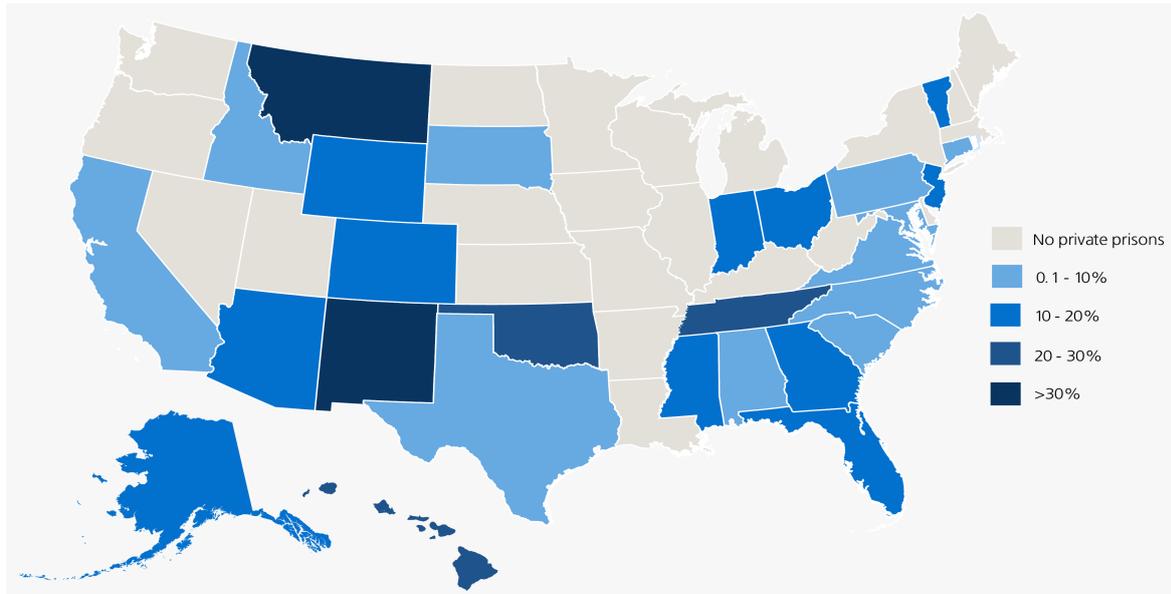
The overcrowding in government-run prisons is due to laws and policies that are punishing towards minorities, people with less money and those with behavioural disorders (Grand Challenges for Social Work, n.d.). By seeking common ground between individuals, groups and organizations, we can transform individual advocacy efforts into large-scale social movements (Haidar, n.d.).

This may consist of industries impacted by anti-immigration policies including construction, agriculture, hospitality. It may be Jewish religious organizations such as CCAR, other religious and/or non-religious groups. It can include ethnic groups ranging from Japanese Americans, Black Americans, Hispanic Americans and more. This can extend to civic and human rights organizations such as ACLU, Amnesty International, International Rescue Committee, or trade associations such as the National Association of Social Workers and more.

**Take action with this knowledge by sharing it with local organizations and larger coalitions in your community but most importantly – local and state elected officials. Currently, the state of California is poised to pass AB 32, a state law banning the operations of the private prison industry and is pending the state Governor's signature. Follow California Governor Newsom on Twitter by following @GavinNewsom or call his office at (916) 445-2841 to sign this state bill into law so other states can also follow by example.**

“ Private prison companies desire to keep incarceration rates high to keep their business afloat. In fact, much of the lobbying efforts by the GEO Group and CoreCivic have been towards harsher sentencing laws. ”

[Rhodes, 2018]



#### Incarcerated Populations in Private Prisons in 2015

Image Source: <https://www.sentencingproject.org/publications/private-prisons-united-states/>

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