



April 12, 2019

Staff Director
Public Comments
U.S. Commission on Civil Rights
1331 Pennsylvania Avenue, N.W.
Suite 1150
Washington, DC 20425

**Re: Public Comments on Immigration Detention Centers and Treatment of
Immigrants in Detention**

Dear Staff Director:

Advancement Project's National Office submits these comments in regards to the public notice on Immigration Detention Centers and the Treatment of Immigrants. Advancement Project is a next generation, multi-racial civil rights organization based in Washington, DC. Rooted in the great human rights struggles for equality and justice, we exist to fulfill America's promise of a caring, inclusive and just democracy. Advancement Project's Immigrant Justice Project supports grassroots organizations in litigation, advocacy, organizing, and communications to build power in their local communities by working together to dismantle racist policies and structures that result in the criminalization of migration.

In our Immigrant Justice work we have conducted two stakeholder visits at immigration detention centers – the first in August of 2018 at Eloy Detention Center in Eloy, Arizona, and the second in April of 2019 at the York County Prison in York, Pennsylvania. This was in partnership with Puente Human Rights Movement in Arizona and Juntos and Casa San Jose in Pennsylvania. At both prisons, we witnessed firsthand the inhumane and deplorable conditions in which this country cages immigrants and those serving a criminal sentence. We wanted to submit comments and advocate for the end of the criminalization of migration as a whole.

Immigration detention, by its very name, is misleading. It is not "detention" it is prison. The immigration detention system, like mass incarceration dehumanizes individuals at every level. Eloy Detention Center is a privately operated facility halfway between Tucson and Phoenix in Arizona. It is a prison run by CoreCivic (formerly Corrections Corporation of America) in the middle of the Arizona desert – about fifteen minutes away from the closest gas station or fast food restaurant.

1220 L Street, NW • Suite 850 • Washington, DC 20005 • 202.728.9557 • 202.728.9558 *fax*
ap@advancementproject.org • www.advancementproject.org

LA Office: 1910 W. Sunset Blvd • Suite 500 • Los Angeles, CA 90026 • 213.989.1300 • 213.989.1309 *fax*

U.S. Commission on Civil Rights

Public Comments on Immigration Detention Centers and Treatment of Immigrants in Detention

Page 2

The day of our visit was a typical August day in Arizona – it was well over 100 degrees Fahrenheit. Our day at the prison consisted of a tour of the facility in the morning, followed by interviews with some of the immigrants detained there in the afternoon. We saw a woman who was seven months pregnant, almost in her eighth month. She told us she was always hungry and had lost weight in detention. ICE told us she received a “high protein diet.” We learned that the “high protein diet” was an extra piece of bread and cheese in addition to the three daily substandard meals she could barely eat. We saw a man who had Down Syndrome in the “special needs unit.” We saw and heard from people detained about Eloy’s inhumane work conditions, poor food quality and quantity, lack of basic medical care, brutality of solitary confinement, and denial of basic hygiene and human dignity.

On the tour of Eloy, we saw people in detention performing all sorts of jobs – from cleaning, to painting, to cooking, to landscaping. For performing these “voluntary” jobs, the people are paid \$1 a day. When we passed by the kitchen, we saw that most of the kitchen staff were people who were detained as well. We heard stories of rancid, moldy bread, of expired commissary food, of putrid water, of medicine that seemed like it came from a dollar store, of the cages used at outdoor recreation for those in solitary confinement, of the yellowed, dingy, sometimes blood-stained underwear that they provided to people, and of many other indignities inflicted upon them on a daily basis.


Our tour of York County Prison was just as disheartening and appalling. York County Prison is a state-run facility where ICE rents about half of the beds. On the day of our visit, ICE had about 690 immigrants detained at York (the total capacity of the prison is about 1500). Unlike at Eloy, where people were housed in two-person cells with bunk beds, at York, there was merely a giant room with sixty bunk beds out in the open in which everyone slept. There were several of these “pods” at the facility. We saw one of these rooms – and not only are all of the beds out in the open, but so are the toilets and the showers – there were no curtains in the facility at all – meaning that everyone who was detained there had to urinate, defecate, and bathe in full view of other people. The people imprisoned at this facility had to sleep, eat, bathe, and relieve themselves all in the same giant open room. People who are detained under immigration enforcement are experiencing conditions that constitute punishment, in violation of the Fifth Amendment of the Due Process Clause in the U.S. Constitution.

We also heard many similarities amongst the people at York as we heard from the people at Eloy. Inhumane work conditions, poor food quality and quantity, lack of basic medical care, and denial of basic hygiene and human dignity is not an anomaly at these detention centers – it is the norm. The detention of immigrants must end today.

Our recommendations:

- End immigration detention. Move away from an enforcement approach to a humanitarian-approach to migration. Partner with the non-governmental organizations rather than with private for-profit prison corporations like CoreCivic and Geo Group.
- Investigate allegations of racial discrimination and disability rights.
- Provide trauma-informed services in the least restrictive setting.
- Provide clean water, fresh food, access to fresh fruits, and vegetables.
- Provide clean undergarments.
- Provide a right-to-counsel for people in deportation proceedings.
- Provide access to up-to-date *pro se* legal materials in several languages.

Sincerely,



Losmin Jimenez, Esq.*
Project Director and Senior Attorney
Immigrant Justice Project

*Admitted in Florida, Maryland, and District of Columbia.