OCTOBER 2019

The Carceral State of Arizona

The Human Cost of Being Confined

PUENTE MOVEMENT

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"In many ways you can say that the prison serves as an institution that consolidates the state's inability and refusal to address the most pressing social problems of this era."

"I do think that a society without prisons is a realistic future possibility, but in a transformed society, one in which people's needs, not profits, constitute the driving force."

– Angela Y. Davis
Freedom Is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement

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About Puente Human Rights Movement and Advancement Project National Office

This report is born from the organizing and people power of the Puente Human Rights Movement ("Puente"), a grassroots migrant justice organization based in Phoenix, AZ. Puente was founded in 2007 in response to the first agreement between local police and federal immigration agencies ("287(g)") in Arizona.[1] The 287(g) agreement led to cruel attacks on our community at the hands of the infamous Maricopa County Sheriff Joe Arpaio. Puente's membership and leadership has always been comprised of those most impacted by anti-immigrant policies and laws: currently and formerly undocumented people, those in mixed-status families, and people of color affected by rampant racial profiling. Over the years, Puente has engaged in several campaigns in service of the communities we hold dear, including the Alto Arizona campaign, lifting up the human rights crisis in the state in the wake of the passage of notorious anti-immigrant law S.B. 1070, and the No Papers, No Fear Ride for Justice ("Undocubus").

Advancement Project National Office is a next generation, multi-racial civil rights organization based in Washington, D.C. 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. As a result of Advancement Project National Office's work in the world, we envision a future where structural racism is eliminated and people of color have power. We believe that the elimination of structural racism results in the achievement of the Beloved Community, where operating out of power, fear and hate has been replaced with fairness; sharing resources; and collective, fair decision making for the good of the whole over the few. We also envision a future where people of color come together to exercise power—both as a tool toward eliminating racism, and as a means to produce agency for self-determination.

Puente Rally outside 4th Avenue Jail to demand the removal of ICE agents inside MCSO jail.

Advancement Project National Office's Immigrant Justice Project supports grassroots organizations in building power to end the racist criminalization of migration. We use litigation, advocacy, organizing, and strategic communications to build and strengthen the capacity of our frontline partners.

Acknowledgements

This report would not be possible without the vision of decriminalization of migration and the abolition of all cages of Carlos Garcia, Jovana Renteria, and the staff and membership of Puente Human Rights Movement. This report was authored by Jessica Alcantara, Losmin Jimenez, Lucia Sandoval and Jovana Renteria. Thank you for your review: Flavia Jimenez, Jennifer Lai-Peterson, Monae White and Tiffany Yang.

Puente Human Rights Movement Timeline

Puente Human Rights Movement began in Arizona in 2007 as a direct response to an increase in laws and policies targeting immigrant communities by Maricopa County Sheriff Joe Arpaio. After three years of protests to halt raids and roundups of day laborers, Puente took part in the boycott of Arizona—a national effort to overturn SB 1070, also known as the "show me your papers" law. Puente's actions contributed to the state losing $253 million in revenue due to the boycott. Their efforts spurred grassroots activism and organization throughout Arizona. During that time, the organization began setting up defense courses and neighborhood defense committees to inform communities of their rights.

By 2012, Puente continued its call for activism and the end of deportations by joining the Not One More Deportation Campaign. That year, the organization attended the Democratic National Convention in North Carolina, making a cross-country trip in the Undocubus in a call for immigration reform, and to bring attention to racial profiling, prisoner abuse, and high deportation rates directly linked to Sheriff Arpaio's policies. From 2013 through 2015, Puente successfully stopped 345 deportations and were successful in the release of migrants from detention facilities through legal support services and working directly with impacted families.

In recent years, Puente has increased its reach in Arizona—continuing to protest Operation Streamline, which saw an expedited deportation process of migrants crossing the southern borders. In 2016, the organization began visits to the Eloy Detention Center, witnessing firsthand how migrant detention contributed to mass incarceration in Arizona, feeding a billion-dollar, taxpayer-funded business. That year the organization pushed for political power, forming a voting block that ousted Sheriff Arpaio in a November election. Buoyed by greater awareness and community activism, that year Puente led a coalition of organizers and protestors in shutting down Arizona State Route 87 in an effort to stop deportations out of a nearby detention facility.

This year, Puente has increased its ties to the community and helping those entangled in the mass incarceration system throughout the state by helping detained individuals and their families navigate the prison system.

Undocubus action, part of the Not One More Campaign, 2012

Glossary

Language has historically been used to oppress and devalue communities of color, and to erase identity and history. We know that language becomes more pwowerful when it is understood by a wider community. We have made the decision to define some words and phrases as we feel they best represent our community and political beliefs.

Latinx: Throughout this report we will use the term "Latinx," but acknowledge that the term does not acknowledge the Indigenous and African heritage of people in Central America, South America, and the Caribbean who were invaded and colonized by Spain and Portugal.

Migrant: Instead of immigrant, we use the word migrant throughout this report. As defined by the United Nations High Commission for Refugees ("UNHCR"), "migrants choose to move not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunification, or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return. If they choose to return home, they will continue to receive the protection of their government."[2]

We chose to use "migrant" instead of "immigrant" in order to incorporate the human right to migrate in this report, but we push back against the UNHCR definition that states that migrants can safely return home. We know that famine, climate change, and disaster capitalism can spur forced migration, and often migrants cannot safely return home; they should not be forced to return if they prefer to stay where they have developed community.

Polimigra: The term "poli" refers to police, and "migra" is the colloquial Spanish word for immigration enforcement. Often, the "migra" specifically refers to U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP).

"People who are detained": We do not use the term "detainee" for people who are in an immigration detention

center - prison. We believe that word is dehumanizing and have chosen to use "people who are currently detained" instead.

Reasonable fear interview: A "reasonable" fear interview is conducted by an asylum officer. In a "reasonable fear" interview, a person has to credibly establish that there is a "reasonable possibility" they would be persecuted in the future on account of their race, religion, nationality, membership in a particular social group, or political opinion. The legal standard is the same standard used to establish a well-founded fear of persecution in an asylum case.

Secure Communities: Secure Communities is "an ICE ACCESS program that checks a person's fingerprints against both immigration and criminal databases at the time of arrest or booking. If a person is matched to a record indicating some immigration history, ICE and the jail are automatically notified. ICE then decides what enforcement action will be taken, including whether a detainer will be issued. The process from fingerprint submission to issuance of a detainer takes approximately four hours. ICE enters into agreements with the State Identification Bureaus, which process fingerprints and then provides Standard Operating Procedures to the police and jail."[3]

SB 1070: The 2010 Arizona law also known as the "Show-Me-Your-Papers" law is a racist law that calls for state police to check the "immigration status" of people in Arizona and encouraged racial profiling. This law is still in effect in Arizona.

287(g): 287(g) refers to "a Memorandum of Agreement between a local government and the Department of Homeland Security under Section 287(g) of the Immigration and Nationality Act. Under this agreement, ICE briefly trains local enforcement agents, who are then granted limited immigration enforcement authority to investigate, apprehend and/or detain deportable immigrants. The scope of authority that a 287(g) agreement gives to local governments depends on the specific agreement and is not supposed to override constitutional protections."[4]

Tent cities: Tent cities are makeshift outdoor prisons used by law enforcement to further dehumanize individuals under its control and to further strip individuals of basic human dignity. Generally, tent cities employ vicious practices such as forcing men under their custody to wear pink underwear. Tent cities

provide substandard housing and food, negligible recreation opportunities, and rehabilitation services. Individuals in tent cities have also been exposed to extreme temperatures and weather. Maricopa County operated a "tent city" from 1993 through May 24, 2017, although structures still existed through October 2017.[5] The federal government began using tent cities to house unaccompanied migrant children in Tornillo, Texas in 2018.[6] Tornillo was closed at the end of 2018[7], but the federal government continues to use this method of confinement and punishment towards migrant families at different detention camps in the U.S.

Puente 2010. Children at a rally banging bucket drums to denounce family separations.

Executive Summary

The Carceral State of Arizona: the human cost of being confined sheds light on the harmful ways that migrants of color are criminalized and dehumanized as part of the human rights crisis that is mass incarceration in this country. Through a focus on Arizona, which has long been a testing ground for repressive immigration and policing policies and is currently in the midst of an unprecedented incarceration crisis affecting Black, Latinx and Native communities, Advancement Project National Office and Puente Human Rights Movement seeks to expose yet another piece of this system. The report also provides first-hand stories of people currently detained in the Eloy Detention Center in Eloy, AZ – which helps to underscore how immigration detention – imprisonment –dehumanizes individuals at every level.

Through highlighting immigration detention as part of mass incarceration analysis and sharing stories from impacted people, we hope to contribute and advance ongoing movements for human dignity and basic human rights for all as led by Puente and partners. Our collective goal is to broadcast loudly and clearly that immigration detention is part and parcel of mass incarceration. We know that this increase in the criminalization of Black and Brown people, despite the overall reduction in crime rates, cannot be considered an issue separate from immigrant rights.

Part One of this report briefly documents incarceration in Arizona and the rise of the "Polimigra." Part Two documents the conditions we observed and heard about during a stakeholder visit at Eloy Detention Center, a private immigration detention facility run by CoreCivic, a private prison corporation. In Closing, we provide specific recommendations for public policies about how to address the incarceration crisis in Arizona and particularly the conditions at Eloy, including those made by impacted community members.

Lastly, while impacted communities in Arizona were battling S.B. 1070, raids, and rampant racial profiling in the 2000s, many advocacy organizations, especially from 2010 through 2013, focused on "comprehensive immigration reform" ("CIR"). The focus on CIR often meant granting relief to one discreet group of "model" migrants, while at the same time increasing the militarization of the border and further criminalizing migration as a

whole. The national policy proposals often did not address the root causes of migration nor the root causes of the criminalization of migration and created the false dichotomy of "good" versus "bad" migrants. With hindsight, we wonder whether we would see a different landscape today if the larger immigrant rights movement had focused instead on challenging the criminalization of migration and on challenging increased surveillance and militarization. Unfortunately, we now have nationalized policies of racial profiling, further expansion of criminalization, and a dramatic erosion of human rights for all migrants. In today's landscape, no group is "off limits," including infants and toddlers, and even migrants who previously had temporary immigration relief under Temporary Protected Status ("TPS") or Deferred Action. To truly end the relentless attacks on and criminalization of migrants of color, we must examine the root causes and impacts. It is our hope that with a full understanding of the harms of the carceral crisis, we will work towards the vision of a world that does not criminalize Black and Brown bodies nor put them in cages.

Activists block entrance to the largest immagrant child camp at Tornillo, TX send message of hope to detained. Mijente and Puente, June 27, 2018

Part One:

"Show Me Your Papers"

The state of Arizona is often a testing ground for immigration policies before those policies are introduced at a national level. For example, before there were tent cities in Tornillo, Texas in the summer of 2018, there were tent cities constructed in Phoenix in 1993 by former Maricopa County Sheriff Joe Arpaio. Before the Trump Administration's xenophobic wish list of executive orders, including the Muslim Ban, the Family Separation Crisis and the demands for a "border wall," there was S.B. 1070 in Arizona in 2010. S.B. 1070, the infamous "Show Me Your Papers" law, made Brown people in Arizona a target for racial profiling and affected everyone who "looked like they could be Latinx," including U.S. citizens and undocumented persons. At the same time that this anti-immigrant sentiment raged on in the 1990s and 2000s in Arizona, the state was experiencing and continues to experience an incarceration crisis.

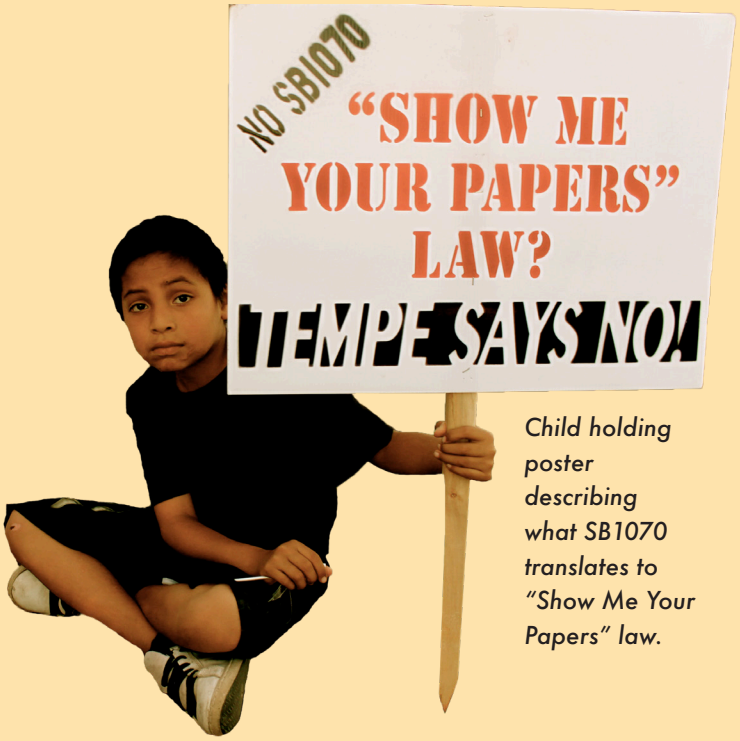
Prepping banner before Anti-SB1070 Action

Arizona currently has the fourth highest imprisonment rate in the U.S.[8] Since 2000, the state's prison population has grown by more than 15,000 people, representing a 60 percent increase[9]. This increase in the criminalization of Black and Brown people, despite the reduction in crime, cannot be considered separate from immigrant rights. To end this criminalization, we cannot address problematic federal civil immigration laws without also advocating for changes in the underlying state and federal criminal legal systems and the prison industrial complex to which they are connected. For example, in Arizona, CoreCivic, a private prison corporation, houses 10,000 people in the small town of Eloy. Those 10,000 people who are imprisoned in CoreCivic facilities are

Thousands of people marching, holding "We Are Human" Posters.

from states including California, Hawaii, and U.S. territories like Guam, and includes people who are detained under immigration laws as well as for criminal infractions.

Immigration detention and deportation is part of the machine that is mass incarceration; this report challenges the false dichotomy that exists between them. We hope to shed light on the criminalization of Black and Brown communities, including the harsh sentencing laws that have direct negative consequences on migrants, particularly those who are undocumented. Once migrants with "status" and "without status" have completed their criminal sentences, they are then often funneled into the immigration detention system to fight their deportation case. Unlike their experience in the criminal legal migrants facing deportation do not get a public defender because there is no right to a court-appointed attorney for immigration cases, according to immigration law. This is especially troublesome considering that the fact that studies have shown migrants represented in their immigration cases fare much better at every stage of their case than those without representation.[10] Migrants with a criminal history face a high likelihood of being detained during their deportation case, making finding and paying an immigration lawyer very difficult if not impossible. For true liberation, immigrant rights movements must incorporate abolition as part of their analysis.



Child holding poster describing what SB1070 translates to "Show Me Your Papers" law.

Brief Overview: The Incarceration Crisis in Arizona

Arizona currently has the fourth highest imprisonment rate in the U.S.

In September 2018, FWD.us released the first of a three-part report entitled, "Arizona's Imprisonment Crisis". [11] According to the report, Arizona has the fourth highest imprisonment rate in the country, and the prison system costs taxpayers over $1 billion each year.[12] This prison growth is not due to a rise in crime or a larger state population, but rather it is driven by policy choices that have sent more people to prison for first-time and non-violent offenses.[13] Arizona also keeps people in prison far longer than the national average.[14] The prison population in Arizona is more than 12 times larger today than it was 40 years ago.[15]

Since 2000, Arizona's prison population has grown by more than 15,000 people, a 60 percent increase.[16] For fiscal year 2019, Arizona is projected to spend $1.09 billion in corrections – compare this to the funding for child safety ($375 million), economic security ($650 million), and higher education ($725 million).[17] In addition to incarcerating more people, Arizona also keeps people incarcerated longer –Arizona requires people to serve at least 85 percent of their sentence behind bars, one of only three states with such a rule.[18] As of June 2017, there were 5,500 people in prison with more than 10 years remaining on their sentence. Almost

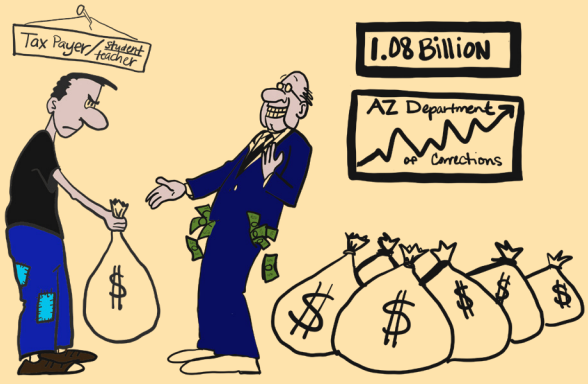
1,200 of these people are already over the age of 55.[19]

This imprisonment crisis is disproportionately felt by communities of color, namely Black, Brown, and Native communities in Arizona.[20] In 2017, Latinx people in Arizona made up 31 percent of Arizona's state population, but 37 percent of people admitted to prison.[21] For the Black community, the over-representation is even higher.[22] Although only comprising five percent of Arizona's population, Black people represent 13 percent of prison admissions.[23] Latinx and Black people are most overrepresented in prison for one of the least dangerous and non-violent offenses –possession of marijuana–which is being decriminalized elsewhere.[24]

In Arizona, the Latinx community makes up 31 percent of Arizona's resident population and 32 percent of arrests for marijuana possession, but almost 60 percent of the people admitted to prison for that crime.[25] Black people are five percent of the general population, but 16 percent of the people sent to prison for marijuana possession.[26]

There are also disparities in the sentence length across racial lines for some offenses. For example, the average sentence for people convicted of simple possession was 36 months for White defendants, 56 months for Black defendants, 33 months for Native American defendants, and 34 months for Latinx defendants.[27]

It is within this aggressive, unforgiving criminal legal system that the criminalization of migrants in Arizona exists. The impact of this incarceration crisis on migrants who are Legal Permanent Residents ("LPRs" or "green card holders") and undocumented migrants in Arizona is severe. Since there is an over-representation of Latinx people in the Arizona criminal-legal system, this means Latinx migrants in Arizona face a high probability that they will be referred to ICE for detention and removal. Since this population is more impacted by the incarceration crisis in Arizona, it follows that their immigration consequences will also be greater.



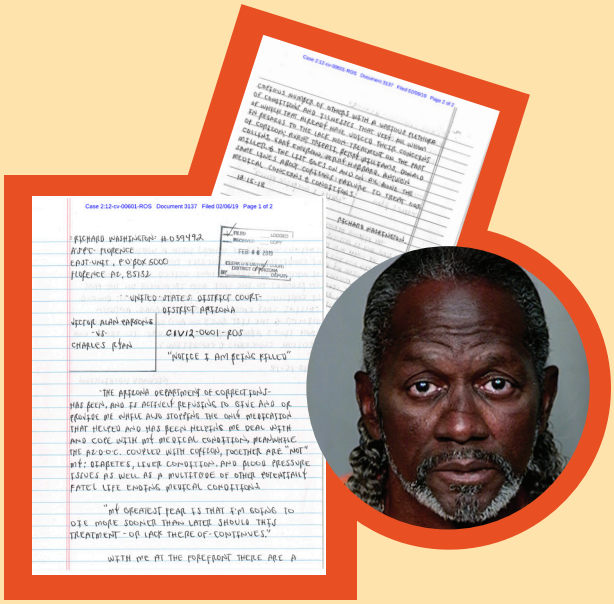
"Notice I'm Being Killed"

Conditions inside Arizona Department of Corrections prisons and jails

Conditions inside the Arizona Department of Corrections (DOC) are abysmal. Although the DOC was sued in 2012 for inadequate health care resulting in a consent decree in Parsons v. Ryan, people who are incarcerated in Arizona prisons and jails continue to suffer from medical neglect, shortages of essential items like tampons and toilet paper, and inadequate mental and dental care.[28] The DOC failed to meet the performance measures from the Parsons v. Ryan consent decree, and was fined $1.5 million in contempt fees by U.S. Magistrate Judge David Duncan in 2018.[29]

Months later in January 2019, Richard Washington, a 64-year-old man, died while incarcerated in the custody of the DOC. Six weeks before his death, Richard wrote a letter to the court. The handwritten filing was titled "Notice I am Being Killed." In the notice, Richard detailed all of the medical failures the DOC made involving his care including failure to provide him with the diabetes, blood, and liver medications he needed to survive. In the letter, he pleaded for the care that he had repeatedly failed to receive.

In May 2019, U.S. District Judge Roslyn Silver ordered the DOC to comply with several performance measures and noted "unacceptable levels of noncompliance in three critical respects."[30] Judge Silver gave the DOC until July 1, 2019 to comply or face contempt fines. However, in July 2019 news broke out that many cells in Lewis Prison in Buckeye, AZ did not have functioning locks, resulting in injuries for incarcerated people and correctional officers.[31] Given the DOC's



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Puente holds press conference to demand no more deaths behind cages after Richard Washington's death, January 2019

previous contempt of the consent decree and lack of substantive changes, advocates across Arizona demanded that DOC Director Charles Ryan resign—he announced his retirement on August 9, 2019 and a nationwide search for his replacement is underway. Advocates continue to protest and demand humane treatment for people who are incarcerated in DOC prisons and jails.

Valentina Gloria*

Illustration by Ryan Inzana
Article" "I'm Gonna Die In Here": 19-year-old Mentally Ill Woman Remains in Jail for Spitting, by Hannah Critchfield

Valentina Gloria is a young person who has been diagnosed with autism, bipolar disorder, PTSD, and is a survivor of sexual abuse. She is a vulnerable young adult with diminished capacity such that she has been adjudicated incompetent to stand trial under Arizona law. She has special needs, and her experience with incarceration illustrates how the DOC merely exacerbates and worsens conditions for people.

In December 2018, Valentina was being treated in a behavioral health unit at St. Luke's Hospital in Phoenix. In the course of her treatment, she allegedly spit and punched two nurses. Hospital staff called the police. Valentina was taken to Maricopa County's Lower Buckeye Jail, an all-male facility, where she was detained in the "medical facilities" unit.

Community present at Valentina's court. Puente 2019

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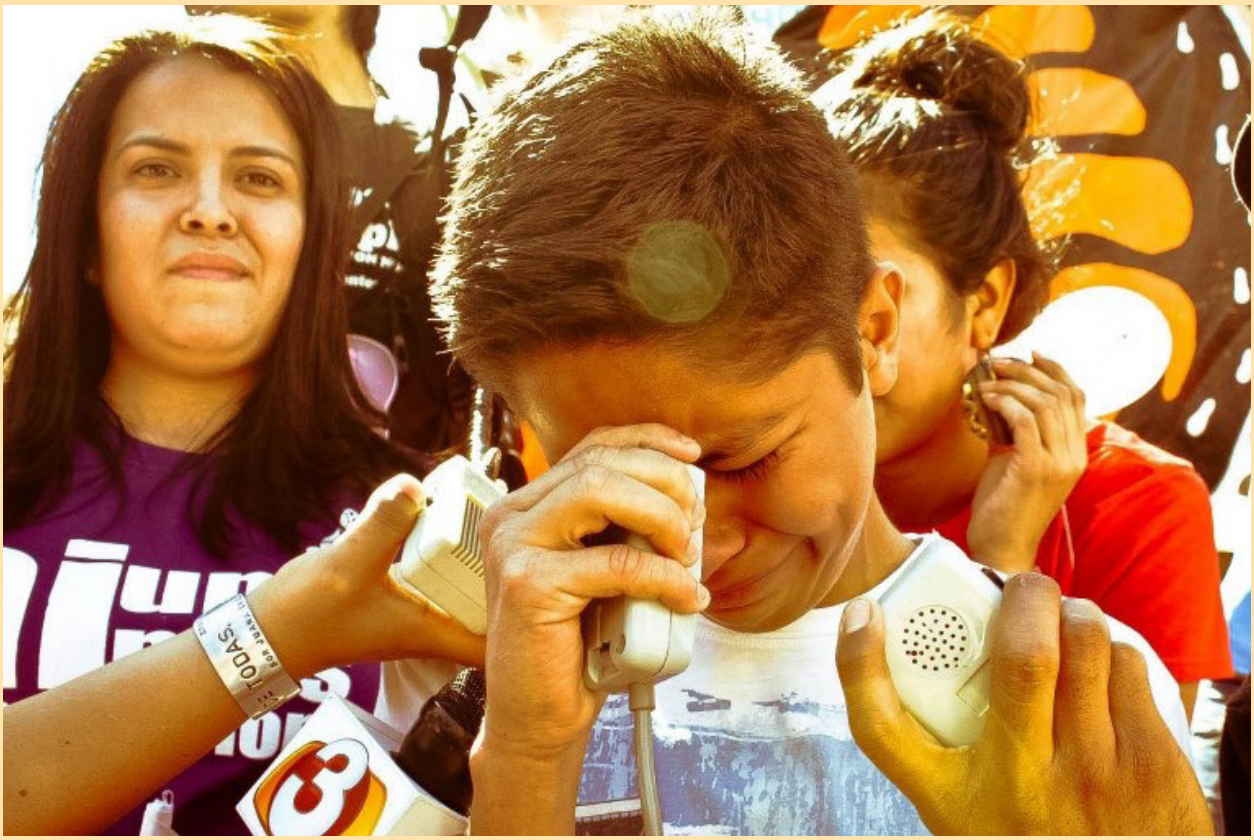
*Puente Human Rights Movement is currently for Valentina's release.

Vangelina Gloria accompanied by family and community advocating for her daughter Valentina Gloria at Puente Press Conference.

She was forced to remain only in her undergarments and adult diaper and cuffed in a four-point position. As of the time of this writing, she is still currently stripped naked in a solitary confinement cell, chained to a bed in an all-male jail facility. Her situation truly shocks the conscience.

From February 2019 until July 2019, nearly six months, 19-year-old Valentina was detained at Lower Buckeye Jail. Only after urgent calls, advocacy, and protest by Puente, was she moved to a female facility, Estrella Jail, in late July for one day. She was promptly returned to the all-male facility. Not only is this a gross travesty, but she continues to be traumatized by the inhumane and unjust system of incarceration in Phoenix.



A day after ICE raid in Phoenix, Arizona, Puente members hold space for the community.

Rise of the Polimigra and the Deportation Pipeline

It is not possible to have a full discussion on the incarceration crisis in Arizona and not address local law enforcement's role in immigration enforcement. The collaboration between local law enforcement and federal immigration enforcement is sometimes referred to as the "polimigra." Federal programs like Secure Communities[32] and 287(g)[33] created a vehicle to funnel non-citizens arrested by local law enforcement into deportation proceedings. In addition, some states enacted laws[34] to mandate this local law enforcement collaboration. Nowhere was this more visible than Arizona in the 2000s. Building up to this, Arizona enacted policies of attrition towards migrants, making life miserable and fearful for individuals and families without status, pushing people to the point where they felt like leaving Arizona was their only option. However, the community fought back.

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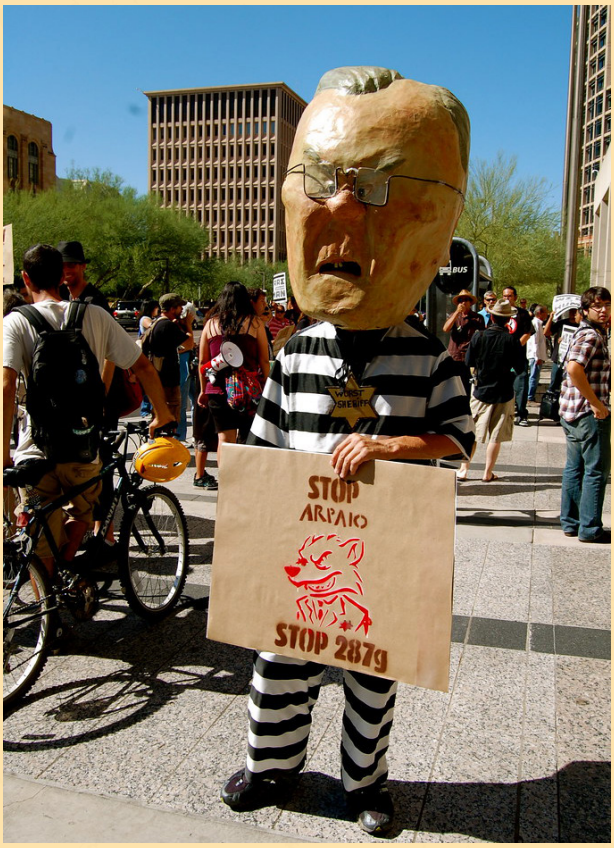
In August 2010, Arizona enacted S.B. 1070, legalizing racial profiling in Arizona, in effect, turning local law enforcement into ICE officials.[35] The law was immediately challenged by the U.S. Department of Justice ("DOJ") under then-President Obama, and the Supreme Court struck down three provisions of that law in Arizona v. U.S.[36] However, the Supreme Court left intact the section which "requires state officers to make a 'reasonable attempt . . . to determine the immigration status' of any person they stop, detain, or arrest on some other legitimate basis if 'reasonable suspicion exists that the person is an alien and is unlawfully present in the United States.'"[37]

Even before S.B. 1070 was signed into law, however, local law enforcement in Arizona shared information with ICE or CBP; often groups like day laborers, people speaking Spanish, and people with "dark skin," regardless of their immigration status, were targeted for arrest.[38] For years, Maricopa County Sheriff Arpaio instituted a reign of terror for migrants in Arizona by blatantly racially profiling the Latinx population by implementing practices "that treat



Arpaio mask made by paper mache at an action to expose Arpaio's inhumane practices and misconduct.

Latinos as if they were undocumented, regardless of whether a legitimate factual basis exists to suspect that a person is undocumented."[39] During Arpaio's reign of terror, the Maricopa County Sheriff's Office (MCSO) engaged in a "pattern or practice of unconstitutional policing" and created its own immigration enforcement program, as the DOJ concluded in its report.[40] The DOJ report found that Latinx drivers were "four to nine times more likely to be stopped than similarly situated non-Latinx drivers."[41] As sheriff,

Arpaio would conduct "crime suppression sweeps" which resulted in the lockdown of streets. These would include multiple raids of homes and workplaces resulting in the arrests of Latinx U.S. citizens, trampling on their civil and constitutional rights.[42]

Since 1993, Arpaio instituted and ran a "tent city" to dehumanize people who were incarcerated by the MCSO.[43] Arpaio segregated people who were incarcerated by ethnicity and issued the men pink underwear in order to mock and humiliate them.[44] Exposures to extreme temperatures during the summer in Phoenix (up to 130 degrees Fahrenheit at the height of the season) led to numerous deaths during the years the tent city was open.[45] Arpaio's disdain for migrants was well-documented. Among other abuses, the DOJ investigation found that MCSO detention officers discriminated against limited English proficient ("LEP") incarcerated persons. Some of these discriminatory and humiliating practices included: punishment for failing to understand commands given in English resulting in the imposition of solitary confinement; denial of requests for new clothes or sheets when items were soiled because

Two Puente advocates holding a banner that demands to Halt the Raids Alto a Las redadas.

the incarcerated person made the request in Spanish; denial of access to basic information about programs and services since most announcements were made in English only; and the denial of access to important activities, including a program that would allow for early release by performing community service.[46]

Lawsuits against these unconstitutional practices were filed, and in the Melendres v. Arpaio series of cases, the courts repeatedly held that Arpaio and "the MCSO's conduct violated Plaintiff's constitutional rights" through Arpaio's "crime suppression sweeps."[47] Arpaio was found in contempt of the court order from that case, and found guilty of racial profiling.[48] Despite ample evidence of Arpaio's

racism and complete lack of remorse for his actions as sheriff, shamefully, Arpaio was still pardoned by President Trump in August 2018 before Arpaio was sentenced. Arpaio's 23-year reign of terror as Maricopa County Sheriff was brought to an end after years of community organizing and the national campaign of "Bazta Arpaio."[49]

On November 8, 2016, Arpaio lost his re-election bid to Democrat Paul Penzone, who closed Tent City on May 24, 2017. Despite this win, little has been done to change the culture that Arpaio developed and reinforced in the MCSO. For example, the local jail in Maricopa County, Fourth Avenue Jail, continues to refer migrants to ICE, continuing MCSO's problematic collaboration with federal immigration enforcement.

To this day, the Phoenix Police Department follows Operations Order 4.48, the operating procedures for all Phoenix police, including school resource officers (SROs), for compliance with S.B. 1070.[50] Operations Order 4.48 requires Phoenix olice to verify the immigration status by the federal government of all persons "arrested" and to verify immigration when a person is "lawfully stopped/detained for a state or local crime and only when the officer further develops reasonable suspicion the detained person is unlawfully in the U.S."[51] For SROs, the SRO must not ask about immigration status on school grounds, but can inquire about immigration status off school grounds.[52] This is another example of the way that scarce state resources are used to police race and turn state law enforcement into the "polimigra." Our communities know how often law enforcement engages in pretextual stops or arrests the wrong person. If that person is not a citizen, local Arizona law enforcement can turn them over to immigration enforcement. In addition, rather than using city and state resources for education, child care, health care, libraries, public transportation, job training, or infrastructure, the city and the state are making a value statement by how they choose to divert public funds towards the prison industrial complex disproportionately impacting Black and Brown people in Arizona.

Further, Arizona jurisdictions with a 287(g) agreement include: Mesa (part of Maricopa County), Yavapai County,

and Pinal County (where Eloy Detention Center and several prisons are located).[53] The Arizona Department of Corrections also has a 287(g) agreement with ICE, which essentially deputizes all state corrections personnel as immigration agents—an agreement they have had since June 8, 2016.[54] This means that any contact a noncitizen has with these local jurisdictions and those in the custody of the Arizona Department of Corrections will result in contact with ICE. It is clear that in Arizona, the criminal legal system is interconnected with immigration enforcement—they overlap and feed each other. Amidst this backdrop of an incarceration crisis, S.B. 1070, and the state's largest police department (MCSO) engaging in documented rampant racial profiling, lives the migrant community in Arizona. These racial profiling practices; the disparate criminal prosecution and sentencing of Black and Brown communities; and local law enforcement's collaboration with ICE result in a place where entry into deportation proceedings and transfer into the insidious immigration detention system is facilitated and exacerbated.

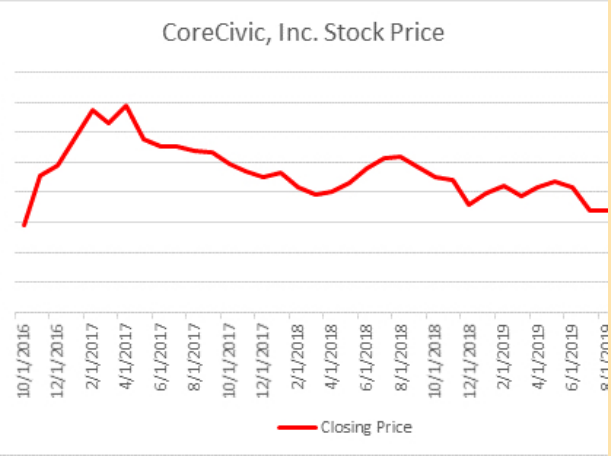
Puente member at Anti-SB 1070 Rally.

This is the landscape, one of over policing, over sentencing, and over incarceration, in which Arizona's immigrant detention centers also exist. The following section of this report tells the story of one of those centers.

Eloy Detention Center
A Place Where People Disappear

Eloy, Arizona, a "prison town." Eloy Detention Center, a private prison, is located at 1705 East Hanna Street in Eloy, AZ, a small "prison town"[55] approximately halfway between Tucson and Phoenix. The City of Eloy houses a total of about 10,000 incarcerated people within its small radius. Eloy Detention Center is a private prison. It is an American Correctional Association-accredited, Inter-Governmental Service Agreement ("IGSA") contract detention facility that the City of Eloy subcontracts to CoreCivic, a private prison corporation.[56] The facility has been owned by CoreCivic, then known as CCA, since 1994.[57] CoreCivic also operates La Palma Correctional Center in Eloy, which has people from California, Red Rock Correctional Center, a private prison under contract with the Arizona Department of Corrections, and Saguaro Correctional Center, a private prison with the Hawaii Department of Corrections that also has people from the Virgin Islands.

Eloy Detention Center is a driver of economic activity in Eloy. CoreCivic is the largest employer in the city with 60.3 percent of total city employment, and contributes $2 million to the city's $12 million general fund.[58] Eloy itself is a majority Latinx city, and supports



Graph on Core Civic's stock price shows the increase when Trump took over, during the June 2018 family separation crisis, but shows the decrease as the divestment pressures have impacted this private prison corporation as banks say they will not lend to them.

the Detention Center because of its importance to the city's economy.[59] Tellingly, Eloy's City Manager is on record saying "We like to think of [people who are currently detained] as in a gated community with lots of amenities."[60]

The IGSA between ICE and the City of Eloy is an indefinite term contract started in 2006.[61] In 2014, this IGSA was expanded to include the housing of up to 2,400 individuals (women and children) at the South Texas Family Residential Center, a facility CoreCivic leases in Dilley, Texas.[62] Under this arrangement, the City of Eloy essentially acts as a fiscal agent for CoreCivic for the Texas facility: the city received money from ICE, which the city passed on to CoreCivic, which then pays Eloy for financial management.[63] This contract was later found to be improper by the Department of Homeland Security's own Inspector General.[64] Most recently, this contract was cancelled after the City of Eloy was sued for $40 million over a child's death at the South Texas Center.[65]

Methodology of Stakeholder Visit:

"Once you are in there, you are just a bunk number. You don't get out until they let you out."

Findings in this report reflect a stakeholder visit conducted in August 2018 by Advancement Project National Office on behalf of and in partnership with Puente. Puente had long been attempting to conduct a stakeholder visit of the Eloy Detention Center ("Eloy"). Conducting this stakeholder visit was very important to the leadership and membership of Puente—their membership has many people who were previously detained at Eloy and who also have loved ones currently detained there. As an organization, Puente has also supported people while they were detained at Eloy, including through advocacy and the support of hunger strikes undertaken by those detained. Based on its work in support of people and communities directly impacted by Eloy, Puente submitted multiple requests to conduct stakeholder visits, including a request for a visit with a national non-governmental organization approximately three years ago, but all requests were denied.

Our own experience getting approved for a stakeholder visit was also a challenge. Pursuant to the ICE protocol for conducting stakeholder visits, Puente and Advancement Project National

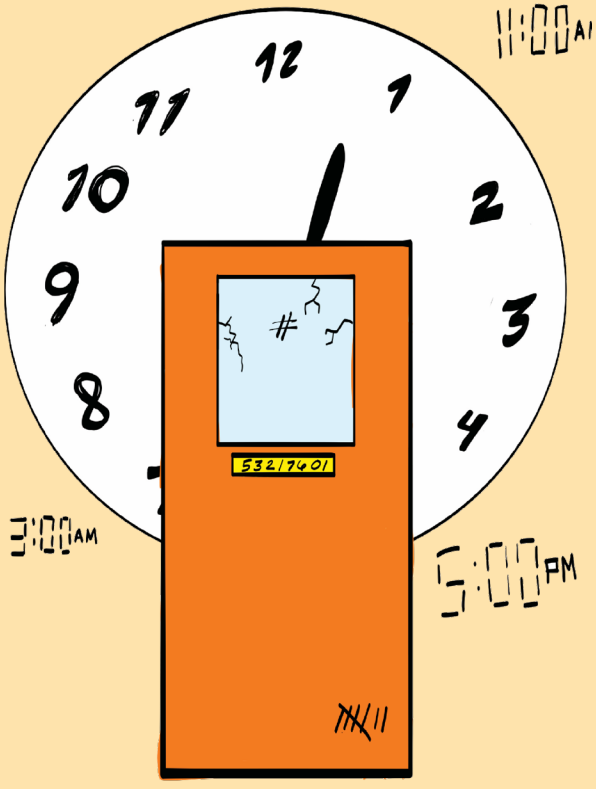


Illustration showing the impact of time in detention.

Core Civic, Entrance of Eloy Detention Center after Advancement Project's visit.

Office submitted a joint request in March 2018.[66] A requester must list the persons who will be visiting. The joint request included the leadership of Puente and several employees in addition to two Advancement Project National Office staff members. ICE denied the first request. In May 2018, Puente and Advancement Project National Office submitted a second request, this time with only two Puente staff members and two Advancement Project National Office staff members. ICE denied the second request. After two denials from ICE, Advancement Project National Office, in consultation with Puente, submitted a third request that did not include Puente staff. ICE granted the third request for a stakeholder visit on August 14, 2018. This illustrates just how difficult it is for community members to gain access to detention centers as a stakeholder for accountability and transparency.

The information in this report comes from that one-day stakeholder visit conducted by Advancement Project National Office staff. The information is based on Advancement Project National Office staff's own observations of the facility, conversations with ICE and CoreCivic staff as well as other contractors who work in the facility, and interviews with people who were currently detained. The first three hours were spent on a tour of the facility, conducted by a lead ICE official and two of his colleagues. Advancement Project National Office had the opportunity to ask questions of the ICE officials and most of the other non-detained employees they encountered at Eloy. The tour encompassed the entryway and visitation areas of the facility, buildings where the detained men and women are housed, the segregation unit, outdoor recreation spaces, the chapel, library, dining hall, kitchen, medical unit, and intake area.

After the tour, the afternoon hours consisted of 16 interviews comprised of 13 women and three men. These interviews were conducted in both Spanish and English, depending on the language spoken by the person who was currently detained.

Since there were only two Advancement Project National Office staff members on the visit, there was only enough time left in the day to conduct those 16 interviews. Notably, 75 people signed up to speak with Advancement Project National Office after receiving notice of the visit through an ICE-mandated bulletin board posting. Our interviewees later revealed, however, that Eloy staff posted the notice without time and date of the visit. Those who signed up were never notified when the visit would actually take place until the day we arrived. We asked if we could leave our business cards with the people who were currently detained who were not able to speak with us, and we were assured they would be free to send us U.S. mail. Time constraints meant we could not speak to everyone, but we left business cards for people to write to us. To date, however, we have not received any correspondence from anyone we spoke with at the facility or any person who asked for our business cards.

The interviews took place in two separate multi-purpose rooms at Eloy. For the first half of the interview portion of the day, ICE officials gathered 20 women in a multi-purpose room for us to speak with. At one end of the room were two tables, at which Advancement Project National Office staff conducted the interviews. The interviews were conducted with as much confidentiality as the space allowed, and also with written consent from each of the people who were currently detained. During the second half of the interview portion of the day, ICE officials had only gathered two men, and then reached out to a third who happened to be in the library while we were walking to the multi-purpose room where the interviews with the men would be conducted. Similar to the space where the women's interviews were held, these were also held in a large multi-purpose room with two tables while an ICE official and the people who were currently detained waiting to be interviewed sat on the other side of the room. Advancement Project National Office staff explained to everyone present that the purpose of the interview was to get an understanding of the conditions in the facility. Additionally, we emphasized that while Advancement Project National Office staff were attorneys, we were not service providers and would not be taking on their case or providing them with legal services or representation.

Findings of Stakeholder Visit

Eloy Detention Center has capacity for approximately 1,596 people, and at the time of our visit, the facility held 1,056 men and 494 women. Servicing the facility are 322 CoreCivic staff, approximately 100 ICE personnel, 70 medical staff that are a mix of government employees and contractors, and 10 Trinity Services Group staff (food service staff).[67] The facility receives a per diem between $73 and $75 per person who is detained, which amounts to about $115,000 total per day, and about $42,000,000 per year, assuming current capacity year round.[68]

The Eloy facility is set up as two mirrored halves. There are three buildings on each side that serve as dormitories for the people who are currently detained, and a central building that houses the rest of the facilities including the dining halls, libraries, visitation, and intake. Each of the dormitory buildings has five pods, with 25 cells per pod, and two beds per cell for a total capacity of 250 people per building. The people who are currently detained are designated as either Level 1, 2 or 3, depending on their security/offense level. People designated as Level 3 were those with criminal convictions for aggravated felonies or sex crimes.

Action outside Eloy Dentention Center during the border Encuentro, Puente signs read, "No Estan Solos" (You are not alone) and abolish ICE.

The Eloy facility incarcerates people from all over the world. On the day we visited, the top countries represented at the facility were Mexico, Guatemala, India, and Honduras. To deport people from Eloy, ICE maintains four Boeing 757 airliners and utilizes Mesa Gateway Airport for deportation flights. People are deported are chained with belly chains from the time they are chained in the bus ICE uses to transport them to the airport and during their entire deportation flight. When asked how people can use the bathroom if they are chained, an ICE official said "very carefully."

Medical Care: "Dollar Store Medicine"

During our tour of the facility, we noted that Eloy's clinic had doctors, nurse practitioners, registered nurses, licensed practical nurses, licensed clinical social workers, five medical record technicians, a psychologist, a psychiatrist, dentists, and dental hygienists, as well as a pharmacy on site. The facility also had eight negative pressure cells, where people who were currently detained with tuberculosis are put into isolation for 21 days at a time. Existence of these resources, however, belied their actual usage, as was revealed to us in our conversations with people who were currently detained. Medical resources are difficult to access and sometimes go unused. For example, interviewees mentioned that Eloy does not provide dental screenings at all until one has been at the facility for at least one year.

However, when we spoke with people who were detained, we heard stories about inadequate and ineffective medication, including allegations that the medication is somehow watered down or of such poor quality as to be placebos. One interviewee described the pills as "Dollar Store" pills and as ineffective medicine that does not cure an ailment but merely covers it up. Because of the lack of quality of the food, several people shared worries about their deteriorating health. Another person developed diabetes

One interviewee described the pills as "Dollar Store" pills and as ineffective medicine that does not cure an ailment but merely covers it up. Because of the lack of quality of the food, several people shared worries about their deteriorating health.

while in the facility. Another needed to take fiber supplements because of the lack of fiber in the diet. Not one of the people we spoke with had a mental health or psychological screening in their time at Eloy. The vast majority had also never had a dental screening. While the tour of the clinic revealed a clean, well-lit and resourced area, it seemingly goes unused, particularly the dental infrastructure.

We were also told by our interviewees that the emergency services were insufficient. The response times were wholly inadequate when an actual emergency or issue arose. We learned of a person who had collapsed in the recreation yard and was not attended to for 20-30 minutes, resulting in their death. For serious issues that require a hospital visit, the facility would send people to Banner Casa Grande, which is the closest hospital to Eloy – 18 miles away.

Stories from Inside Eloy

*Antonio's Story:

"For the people inside I would tell them to hold on, that your family is waiting for you."

Antonio is a Central American man who has lived and worked in Phoenix for years. His community is here, as well as his family, which includes children born in the U.S. Despite these strong community ties, Antonio spent nearly five years incarcerated at the Eloy Detention Center. Over the course of his time there, he experienced harsh, degrading, inhumane treatment in addition to daily indignities at the hands of the detention incarceration system.

Antonio was placed in Eloy in 2012 because of his previous contact with local law enforcement. There, he met someone who recommended that he reach out to Puente, who has supported his case since then. Antonio applied for withholding of removal in 2012 and wasn't scheduled for a reasonable fear* interview until 2014. This wait time is practically unheard of. Even long waits are usually no more than some weeks or a few months. Antonio thinks that his interview was so delayed because "lo hacen rápido a las personas que están poco tiempo en EEUU" (they only give interviews quickly to people who have been in the U.S. a short amount of time). Antonio was incarcerated the entire time he had to wait for his case to make it through the courts – first waiting eight months for a BIA appeal, then waiting even longer as his case went up to the Ninth Circuit.

Antonio was often sent to "el hoyo" (the hole) for weeks at a time as retaliation for talking back to guards if he was being yelled at for no reason, demanding to be treated with respect. They wouldn't let him see his family or talk on the phone, and wouldn't even let him shower every day.—He could only shower on Wednesdays and Sundays. For participating in a hunger strike with his fellow migrants who were detained, he received six months in the hole. Even his mother and his son, barely seven-years-old at the time, participated in the hunger strike in solidarity, along with Puente, from Phoenix.

During Antonio's time at Eloy, there were three deaths —two men and one

woman—all allegedly suicides. Antonio suffered physical abuse himself. He recounts being hit several times by guards at the facility. He also suffered horrifying neglect from medical staff. Even though he had medical issues that required him to receive a diet of soft foods, the facility ignored doctor's orders and instead gave him the same food given to everyone else. As a result, he frequently would get sick as they constantly had to take him to medical to be "cleaned" due to the regular food he was being forced to eat. Eventually, a doctor forced the facility to operate on Antonio, saying that if he didn't receive surgery that he would die. The result: a colostomy bag surgery. Unfortunately, even after this surgery the neglect continued as Eloy refused to properly provide post-surgery care. His condition worsened to the point of needing a second surgery—this time for his gall bladder. Instead of providing him the special diet while he was recovering, they instead made Antonio walk to the cafeteria to get food immediately after his surgery. Eloy paid no attention to Antonio's repeated pleas and complaints. He had to talk to his mother in Phoenix so that she could intervene in order to get medical attention for him.

Antonio was often sent to "el hoyo" for weeks at a time as retailiation for talking back to the guards if he was being yelled at for no reason, demanding to be treated with respect.,

Despite the abuse and neglect Antonio suffered, he remains resilient and hopeful, and just wants to see an end to the inhumane captivity and treatment of his fellow migrants at Eloy Detention Center. "Por la gente adentro, yo le diría que aguante, que la familia los espera." (For the people inside, I would tell them to hold on, that your family is waiting for you.)

*Name has been changed to protect their identity. *Asterisk indicates glossary definition.

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Solitary Confinement or "Segregation"

The solitary confinement area of the facility was referred to as "segregation." We are deeply concerned with the segregation practice at Eloy. People are in their pods for 22 hours out of the day, with 21.5 minutes to shower and two hours of recreation. "Recreation" happens in an area that amounts to an outdoor cage with only a pull-up bar and no ready access to water in the cage. These outdoor cages are not without controversy. The Arizona Department of Corrections banned most uses of them after a death in 2009 (the deceased was also found with first and second degree burns on her body).[69] In addition to the cages themselves, the studies on the harms of solitary confinement are extensive.[70] Considering that one of the harms of solitary confinement is an increased chance of suicide, the facility depends on this segregation for precisely those individuals who are already at greater risk of suicide.[71] The people regularly held in segregation are classified as the "special needs population." This can include people living with disabilities, LGBTQI individuals, and persons with mental health diagnoses. We also saw one man who was on suicide watch. He was laying on a mat on the floor and had a blanket over himself in his cell. Outside of his cell, a CoreCivic guard was sitting in a chair watching this person and taking notes at 15-minute intervals. According to ICE officials, there were different levels of restrictions when someone is on suicide watch. The lowest level of restriction would be a suicide prevention bed—essentially a large rectangular plastic block with a slight inset for a thin mattress. The most restrictive is a suicide smock (essentially a straightjacket) and 24/7 constant watch. There is also a suicide blanket provided for the low and medium levels of restriction. People who were currently detained who are put on suicide watch have their meals brought to the cell. Depending on their restriction, they may be given finger foods. One woman we spoke with said she was put in segregation for four days and was denied showers the entire time.

Stories from Inside Eloy:

Jose De Jesus

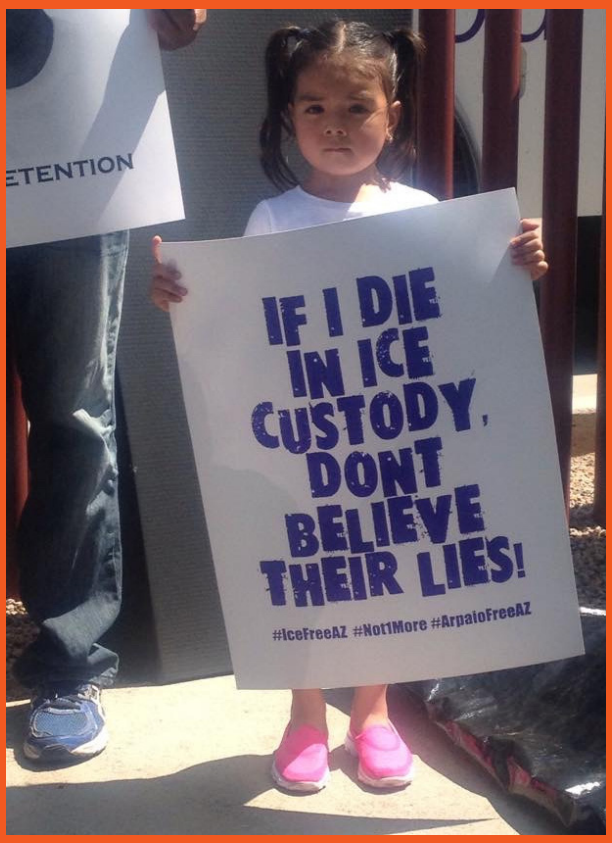
"If I die in ICE Custody, don't believe their lies."

On May 20, 2015, Jose de Jesus Deniz Sahagun was found dead in his cell at the Eloy Detention Center—allegedly from having choked on his own sock. At the time, he was the 14th person to die at Eloy since 2003. His death was ruled a suicide even though the autopsy report noted "blunt force injuries" to his head that were unexplained. In addition, despite the detention center's claims that he was on an every-15-minute suicide watch, it took more than 30 minutes for emergency medical services to respond.

Other people who were incarcerated at the same time as Jose were aware of his mistreatment leading up to his death. Esteban* was also at Eloy at the same time as Jose. He describes knowing that Jose was being mistreated in "el hoyo," or "the hole." Esteban has shared that at Eloy, people who are detained would communicate with each other through the use of little pieces of paper that they would pass underneath the cells. When Jose was in solitary confinement, a note was passed about how someone in his cell was being hit. People near

Jose's cell could hear him pleading not to be hit and that he wanted to see his family. On at least one occasion, Esteban witnessed the guards dragging Jose out of his cell. Another of Esteban's friends who had been placed in the solitary cell next to Jose's sent out the notes detailing what was being inflicted on Jose. They remember hearing loud knocks on the walls of that cell, so hard that even the window was vibrating, recalls Esteban.

Like many others who were detained at Eloy at that time, Esteban doubts the official story of what happened to Jose. "Las medias que nos dieron … son muy



Vigil outside of ICE office in downtown Phoenix, sign reads, "If I die in ICE custody, don't believe their lies." Quote by Jose de Jesus before he was killed in Eloy Dention Center.

gruesas, no entra en la boca ni siquiera haciendo rollo." (The socks they gave us … they are very thick, they can't get into your mouth even if you roll it up.) Witnessing Jose's tragic death was a final tipping point for Esteban and many others at Eloy. They decided to stage a hunger strike which Puente supported from outside of the detention facility as well. The strike lasted for three days. For his participation and leadership in the strike, Esteban spent an entire month in solitary confinement.

Puente filed a request to receive a video of Jose's cell at the time of his death. According to people that watched the video who were familiar with Jose, the person in the video was not actually Jose de Jesus. To this day, questions remain about the circumstances that led to Jose de Jesus's death.

*Name has been changed to protect their identity.

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Pregnant Women in Detention

With regard to pregnant women, ICE officials explained that the facility takes women who are 12 to 13 weeks pregnant, although they need medical clearance to be housed at Eloy. They do not take women who are 39 weeks pregnant. However, we met a woman who was almost eight months pregnant who shared that she was always hungry, and that she had lost weight in detention.

Pregnant women who are currently detained are not provided any special bedding. There were four pregnant women who were detained at the time of our visit including one that was deported on the day of our visit. ICE officials told us that pregnant women who were currently detained receive "high protein" diets. However, after speaking with a pregnant woman at the facility, we realized these were minimal meal adjustments; the only additional food provided to pregnant women was a piece of bread and cheese at night.

We met a woman who was almost eight months pregnant who shared that she was always hungry, and that she had lost weight in detention.

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Dining At Eloy:

"Moldy bread, rancid beans, and water with worms."

On Advancement Project National Office's tour of the facility, we saw both the north and south dining halls, as well as the kitchen. Those detained received three meals a day that add up to 3,000 calories. The menu for the meals is posted up on a bulletin board weekly. We witnessed the lunch being prepared for that day—a meal of barbecue quarter chicken, cornbread, rice pilaf, and pudding. Our ICE official tour guide even offered to give us a taste of the meal that we respectfully declined. When we continued our tour however, we saw the bulletin board of meals for the week and realized that the meal that was scheduled for lunch that day was not what was being served. In fact, we later learned from our interviewees that the facility often serves better food when visitors are present. The chicken meal that looked decent was provided precisely for our benefit.

While we were in the kitchen, we noticed what appeared to be only two or three Trinity Services Group staff members (noticeable due to their Trinity uniforms). The rest of the workers in the kitchen were people who were currently

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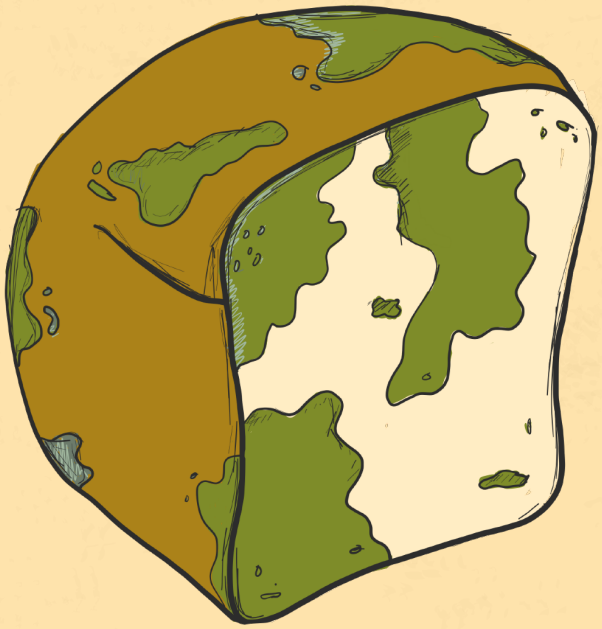
detained. This was concerning and highlighted further the fact that all the jobs at the facility are performed by the people who were currently detained themselves. In order to prepare breakfast for the entire facility, for example, the women must wake up at 2 a.m. to start cooking. During our visit, we heard an ICE official say several times that the women who were currently detained make a "killer salsa."

We heard from people who were currently detained that the food at Eloy is lacking both in quality and quantity. Complaints included moldy bread, rancid beans, and water with worms in it. While we were told that Eloy does accommodate the meal preferences of the people who are currently detained, whether for religious or medical reasons, in reality these accommodations resulted in less than desirable food. Vegetarians received "common fare" meals—which amounted to pinto beans several times a day, every day. Since people can be detained for lengthy periods, sometimes years depending on their case, this is especially troubling since they will be eating the same meal every day for months or years.



In addition to the lackluster dining hall food, there is no access to healthy food from the commissary—just junk food, and other snacks with little to no nutritional value. We also heard about the food from commissary being frequently expired: expired sodas and Doritos for example. The diet from the dining hall and commissary is so poor that one woman we spoke with had contracted diabetes since being at Eloy. This amounts to neglect and an unwillingness to provide the most basic human need to the people who were currently detained.

Hygiene and Basic Human Dignity Denied

We witnessed and heard accounts of the many ways that Eloy denies people who are currently detained basic hygiene and human dignity. The only access to water is from the faucet –it is questionable whether that water is clean and safe for drinking, particularly after hearing numerous reports about worms and maggots coming out of the water, or the water having a putrid odor, including the water from the coolers. During our visit, it was over 100 degrees and our staff drank roughly four bottles of water each to stay hydrated during the eight-hour visit. Water that we brought for ourselves. In light of sweltering temperatures, the lack of clean water presents a challenge for people who are detained. They have to buy water from the facility or take the risk of drinking maggot-infested, or questionable, water from the facility's faucets.

We were also startled to see the type of undergarments that are provided to the people who are currently detained. During the tour of the intake room, we saw 13 piles of dingy, yellowed undergarments that were about to be given to the new arrivals that day. At first glance, these piles looked like dirty laundry so we were surprised to learn that they were going to be distributed to the incoming people who would be detained. Our interviewees told us that they each get only two pairs that are all yellowed, "cultio," and frequently have bodily fluid stains. One interviewee said her underwear had someone else's blood on it. Another interviewee shared that she wears pads everyday so as to not have to touch the panties. Yet another

Stories from Inside Eloy: Crochet at Christmas

One of the few activities available for the people who are currently detained are crafts, an activity several of the women we spoke to engage in. One woman in particular shared that the detention center had yarn and other crochet materials for the women to use. She said that officials there asked the women to crochet some gifts for the children at the local nearby hospital. The women were excited to do this and spent hours crocheting hats, socks, and various other handmade goods. After they were done, the officials collected the crafts to send to the hospital.

However, the gifts never made it out of the detention center. Instead, one woman saw that the officials had thrown all of the gifts into the trash without telling the women. The woman sharing this story teared up recounting how proud she was to have made these items, and how she wished that the officials had just let them keep the gifts. She would have sent hers to her grandchildren.

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interviewee said he got a "comezon" (jock itch) from the underwear. There is no excuse for distributing worn out, used, stretched and stained panties, bras, and underwear. However, what motive does a private prison corporation have to spend more resources on the people it is keeping under lock and key in exchange for money and exploitative labor? We know that increased costs, such as the purchase of new underwear, would impact CoreCivic's bottom line—but respect for human dignity demands it.

Exacerbating this issue were the many complaints about the laundry. People who were detained spoke about clothing and linens returned dirtier than they were before they were sent to the laundry; about the lack of soap used in the washing, and about underwear given with other people's visible bodily fluids still on them, including blood. Further, people who are currently detained are not allowed to do their laundry, and some told us that they could get in trouble for doing their own laundry. Everyone we spoke with said that they hand wash their underwear and hang it to dry in their cells. Apparently the risk of getting in trouble for hand washing is worth it when considering the laundry alternative.

We heard many other accounts of basic denials of human dignity—small avoidable injustices that exemplify that the people who were detained are treated as less than. For those with contacts, no contact solution is provided. During last year's Christmas season, detained women were told to crochet gifts for the local children's hospital. After spending hours crocheting, those gifts were instead thrown out in the trash, rightfully upsetting the women. We also heard that the guards never greet the Spanish speaking women—only those who speak English.

Further, we were disturbed to hear accounts that could be considered unconstitutional impositions of punishment under the Fifth Amendment of the U.S. Constitution, as well as accounts that could be considered cruel, inhumane, and unnecessary treatment, in violation of the Universal Declaration of Human Rights and the U.N. Convention Against Torture.[72]

Stories from Inside Eloy: Burning Feet

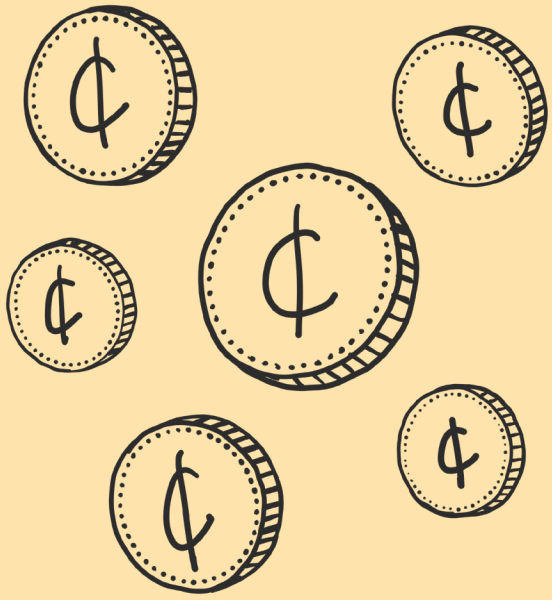
In the peak summer months, temperatures in Eloy frequently reach the mid-110s. One woman we spoke with shared that the shoes provided to them by the detention center are flimsy, cheap black shoes with barely any insoles. When the people who are currently detained walk from building to building—like from their cells to the dining hall, or from their cells to the recreation yard—they are walking on black pavement with no shelter from the sun. The pavement heats up so much under the Arizona sun that one woman shared that she had numerous blisters on her feet from the heat. It became so unbearable to walk on the pavement that she began to stick pads in her shoes to provide some respite from the burning ground.

Voluntary? Work Program:

People are Paid $1 a Day Per Job

There are 402 employees tasked with running the 1,500-plus capacity Eloy facility. Given the need for 24/7 staffing, this means that many of the roles, especially in the upkeep of the facility, are filled by the people who were currently detained. This cost-cutting measure through minimal paid positions—$1 per day per prisoner irrespective of the service or job performed—is one of the ways that the privately run facility garners a profit for their corporate owners.

We witnessed the range of roles that those currently detained perform and spoke with many of these workers. Eloy depends on them for janitorial services, painting, cooking, landscaping, cleaning, printing, barbers, library aides, and many other positions. On our tour, we saw detained people painting the walls of a hallway, making lunch, and working in the printing shop. The work program is described as "voluntary" —although it is questionable how "voluntary" the work is when the facility is so heavily dependent on the people who are currently detained as a workforce. ICE officials shared with



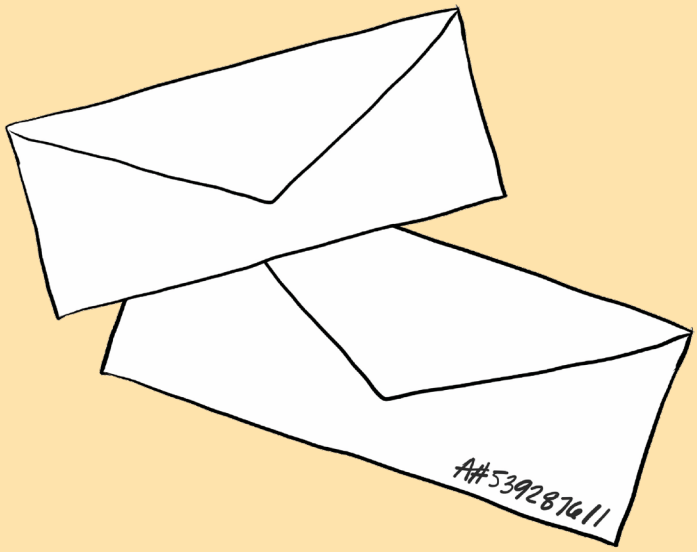
us that people who are currently detained can choose to participate in the "voluntary" work program.

People who are detained are paid $1 a day for their services regardless of the job. Considering these roles would normally be filled by outside contractors who would stand to make at least the minimum hourly wage, this practice is inhumane.[73] For example, in the kitchen, we saw three Trinity Services Group staff, and 15 detained people preparing lunch for the day. It is not surprising that CoreCivic is currently being sued for these very practices at other detention facilities.[74]

Mail in Detention:

"My job is to deport them not help them."

Communication is essential for individuals who are detained. It allows them to contact family members, lawyers, and advocates while they are being held as well as navigate the immigration system. In Eloy, the use of a phone is extremely prohibitive, expensive, and limited in time, making physical mail even more essential to basic human communication. An ICE official stated that people who were currently detained could send mail without being charged within the U.S. Since we were aware that 75 people who were currently detained signed up to speak with us and we would only be able to speak with 20 women and 20 men, we asked if it would be alright to give the people who were currently detained our business cards in case they wanted to write to us. An ICE official said people who were detained are provided paper and postage and that they would be able to mail correspondence to us. When we asked about a person's ability to mail



things to other countries, the ICE official said that the people who were detained depend on family in the U.S. for that. We asked again about people who may not have family in the U.S. but who still need documents from their home countries, to which the ICE official said, "My job is to deport them not help them." People who are currently detained can get mail Monday through Friday.

Conclusion

On October 11, 2018, Advancement Project National Office submitted a summary of findings from our stakeholder visit and asked ICE to contact us if they believed we misstated numbers or made any errors in recounting our visit. To date, we have not received any response from ICE about our findings.

Our visit to the Eloy Detention Center and the documented proof of Arizona's treatment of people who are incarcerated highlights the importance of the need for people power. At the root of the immigration detention system is the criminalization of Black and Brown in state laws and how over policing, racial profiling, harsh sentencing laws funnel people of color into the state prison industrial complex. Grassroots groups like Puente fought back and continue to fight back against these systems by providing political education to their membership on these interlocking criminalization systems and using innovate tools to change these systems. Through campaigns led by directly impacted people and communities with bold direct actions, petitions, legal advocacy, protesting, and art, Puente has defeated over 400 deportations. When attorneys were telling people to "self-deport," that their cases were hopeless, Puente with boldness took those cases, fought back, and won over 400 times.

These systems, and the inhumane ways that our people are treated both inside and outside of jail cells, will only change if people demand the change. Migration is a human right and our government should not respond with inhumane treatment, cages, and deportation. Immigration detention is part of the mass incarceration crisis in this country. People who are detained are subjected to conditions that violate the Fifth Amendment of the Due Process Clause of the U.S. Constitution and are routinely subjected to cruel and degrading treatment that constitutes torture under the U.N. Convention against Torture.

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Recommendations:

1. Addressing over-policing of communities of color and harsh sentencing laws.

Arizona currently spends $1.08 billion of its annual budget to incarcerate people from inside and outside of the state. Instead of locking people in cages, we envision a world where public
funds are redistributed into areas that foster healthy communities, like education, health care, public transportation, child care, job training, affordable housing and reentry services to reduce recidivism.

2. End Immigration Detention

We call for an end to immigration detention. No one should be incarcerated because of their immigration status. This is policing race and it must end. Instead, the federal and local government should use a humanitarian approach rather criminalizing migration.

3. Adequate Food

We envision a world where there is no immigration detention. In lieu of this people who are detained should receive healthy, fresh food. There is no excuse for providing subpar, rotten, nutrition-less food.
Humans need to eat to stay alive. Eloy Detention Center, and all detention facilities that house people, MUST provide fresh and nutritious meals for the people they detain.

4. Adequate Medical Care

Health is a human right. Eloy Detention Center must provide quality medical care to all the people they detain and they should release all pregnant women while their case is pending.

5. Mental Health Care

We already know that detention exacerbates trauma, especially for those who are survivors of gender-based violence, intimate partner violence, torture in their home country, among other things. In addition to providing mental health supports for people who have experienced trauma, we also demand that Eloy Detention Center provides mental health screenings and support to all people they detain.

6. Create an Independent Citizens Oversight Board

At the moment, there is very little accountability for what happens inside Eloy Detention Center. The ICE Office of Inspector General has found that it's monitoring and reporting has not led to systemic compliance and sustained improvements in detention conditions. We, therefore, recommend the creation of an independent citizens' oversight board in order to hold Eloy, and other detention centers, accountable for violating people's human and constitutional rights. This oversight board should be made up of organizations and people that are directly impacted by immigration detention, and who can provide expertise on how to remedy the many issues at Eloy. Ideally, this board would be comprised of seven people and include women, men, LGBTQIA members, as well as a mental health professional, a physician, a sanitarian, and a nutritionist. Other elements of this citizen oversight board would include: (1) Members who serve two-year terms; (2) Voluntary membership; (3) Creation of an independent hotline to receive and review complaints; (4) Making recommendations to ICE and the other governing bodies of the detention center; (5) Requiring that the agencies (ICE, CoreCivic, etc.) respond and address the recommendations and complaint and propose a solution within 30 days.

7. Decriminalize Migration

We believe that migration is a human right. It should be treated as such, and all efforts to criminalize human movement should be stopped.

8. Abolish ICE

Puente as a member of Mijente[75] and Advancement Project National Office call on people to support

abolishing ICE. CBP and ICE are the largest federal police force in the country. Their sole purpose is to police race, detain, dehumanize, and deport. ICE and CBP commit rampant constitutional and humanitarian law violations. ICE and CBP exist to criminalize migration and profit off the pain and incarceration of migrants. ICE and CBP's functions need to be disbanded and dismantled. Instead of using paramilitary forces at the border and the interior, there should be a humanitarian approach towards migration.

9.Call to Action

Congress must act to defund ICE and CBP. Congress must eliminate the detention bed quota requiring a daily minimum detention of 34,000 people. We demand decriminalization of migration and while we pursue the goal of decriminalization, we also call for humane treatment for those who are detained.

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