

Panelists

- Jeremy Jong, Southeast Immigrant Freedom Initiative Jena Lead Attorney, Southern Poverty Law Center
- Rachel Naggar, Remote Bond Project Attorney, Catholic Legal Immigration Network, Inc. (CLINIC)
- Jennie Guilfoyle, Education and Training Attorney, Immigration Justice Campaign of the American Immigration Council and the American Immigration Lawyers Association (AILA).

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Immigration Justice Campaign

- Mobilizing lawyers to defend immigrants
- Teaching cutting-edge strategies to protect rights and challenge deportation machinery
- Amplifying individual representation through advocacy and litigation
- **Building** a movement of lawyers committed to immigration reform
- www.immigrationjustice.us



Agenda

- Why DHS legal authority to detain
- Who is detained
- · Where are detention centers
- When how long?
- · What conditions are like in detention
- · How detainees may leave detention

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Authority for Detention

Broad authority of DHS to detain noncitizens it believes are removable from U.S.



Who is Detained

- · Immigration status
- Numbers
- Nationalities
- Ages

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How do People End up in Detention?

Some of the ways:

- Airports and borders
- Amtrak and Greyhound
- Applying for immigration benefits
- Raids
- •"Collateral arrests"
- · Criminal justice system



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Government Agencies

- Immigration and Customs Enforcement (ICE): www.ice.gov
- Executive Office for Immigration Review (EOIR): <u>www.justice.gov/eoir</u>



U.S. Immigration and Customs Enforcement



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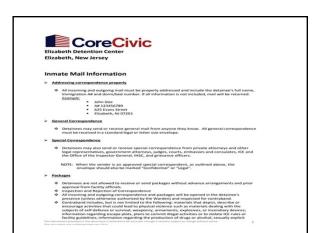
Who Runs Detention Centers?

- ICE directly 5 facilities
- · Contracts:
 - For-profit prison companies (e.g. Geo Group, CoreCivic) --47 facilities



State and local jails

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Detention Quotas

- Federal: 34,000 beds must be available every night for immigration detainees.
- Site-specific: "guaranteed minimums" in contracts between ICE and for-profit prison companies

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Where Are Detention Centers?	
 Map of detention centers: http://www.endisolation.org/resources/immigration 	
-detention/	-
States with most detainees	
∘ Texas Arizona ∘ California Georgia	
New Jersey	
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Impact of Detention Location	
Loss of/impaired:	
Ability to see family and friendsAbility to obtain evidence	
 Ability to have witnesses testify 	
Ability for family, friends to attend hearingsAbility to obtain legal representation	
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How Long?	
-	
At border (CBP detention)	
While removal proceedings pending	
After final removal order	

Conditions in Detention

- · Living space
- · Clothing and personal property
- Food
- · Access to adequate medical care
- · Access to legal library
- · Phone calls
- · Use of solitary confinement

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Impact of Detention

- · On detainee
- · On detainee's family and community

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Gov't Report on Problematic Conditions

December 2017 DHS Office of Inspector General report on detainee treatment and care:

- "Overall, we identified problems that undermine the protection of detainees' rights, their humane treatment, and the provision of a safe and healthy environment."
- https://www.oig.dhs.gov/sites/default/files/assets/20 17-12/OIG-18-32-Dec17.pdf

Deaths in Detention

- Since 2003, more than 176 deaths in detention
- Latest reported death on Jan 22nd, detainee at Stewart Detention Center in Lumpkin, GA
- Report on deaths in detention: https://www.aclu.org/report/fatal-neglect-how-iceignores-death-detention
 - ICE failure to adhere to its own medical standards

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Alternatives to Detention

- Current ICE program ISAP
- · Alternatives include:
 - o Parole
 - o Community support programs
 - Legal representation

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Release From Detention

- Parole
- · Supervised release
- Bond
- · Win merits hearing
- Deportation

Importance of Legal Representation

- Right to counsel at detainee's own expense
- Only 14% of detainees nationwide have counsel
- Immigrants with representation are 10 times more likely to prevail

https://www.americanimmigrationcouncil.org/research/access-counsel-immigration-court

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Useful Links

- Detention Watch Network:
 <u>www.detentionwatchnetwork.org</u>
- CIVIC: www.endisolation.org
- Know Your Rights: https://www.aclu.org/know-your-rights/what-do-if-immigration-agents-ice-are-your-door
- CBP detention abuses:
 https://www.americanimmigrationcouncil.org/research/
 prolonged-detention-us-customs-border-protection
- Immigration Justice Campaign: <u>www.immigrationjustice.us</u>

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QUESTIONS?

To contact us, email support@standwithimmigrants.org

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