



Environment and Transportation
Committee

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Environment

Land Use and Ethics

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 677

Dignity not Detention Act of 2020

Testimony by Delegate Vaughn Stewart
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Immigrant Detention in Maryland

The immigrant detention system in the United States is deadly. Since Trump's election, 26 people have died while in ICE custody. The alarming death toll underscores that the immigration detention system is plagued by egregiously poor conditions, a lack of accountability and a culture of violence that results in system-wide abuses, family separation, and death.

ICE does not operate on its own; it relies heavily on state and local governments in partnership with private companies to run these deadly detention centers. Throughout the country, ICE only runs 5 out of their over 200 facilities. The rest are either direct contracts with private prison companies, or contracts with local governments who then subcontract with private prison companies. One such company, Immigration Centers of America (ICA), runs a facility in Farmville, Virginia that was cited for serving worm-infested food, withholding medical treatment, denying access to legal representation, and throwing people into solitary without cause. In the same year, ICA failed to contain contagious illness outbreaks multiple times. These flagrant abuses are rampant in nearly all privately-run detention centers, not just ICA's, as pointed out by our colleagues at the National Immigrant Justice Center and Detention Watch Network in their written testimony.

That same company, ICA, has been the lead bidder on proposed ICE expansions in Maryland-- first in Baltimore County, later in Queen Anne's County. We know that the mere presence of immigration jails and detention beds means more arrests, more deportations, more trauma inflicted, and more families separated. With more cost-effective and humane alternatives to detention available, such as parole, community support programs, and regular check-ins, there is no reason our towns and counties should be entangled in such a vicious, harmful system.

What the Bill Does

Section A prohibits state and local governments from entering into any new contracts to build, operate, or fund, or reimburse detention centers managed by private entities.

Section B makes sure that the public is adequately informed if any plans for a new detention facility are to take place. The additional notice and meeting requirements are intended to address a pattern of local governments across the country concealing their negotiations for private prisons until the very last minute. A private prison represents a profound change to the culture and values of a community, as well as the prospects of attracting other businesses. The notice and meeting requirements are intended to ensure that local officials are accountable to their constituents when deciding to bring a private prison to town.

Section C says that no state or local entity shall enter into any new contracts or renew any existing contract for immigrant detention. For local entities that already have an existing contract, they must exercise their contract's termination provision and terminate the contract by October 2021.

Why the Committee Should Vote Favorably

The Dignity not Detention Act will keep ICE and its contractors out of Maryland, protect our immigrant communities, and make sure that no town, county, or corporation is profiting from family separation or incarceration.

Passing this bill would make history: it would declare that Maryland is fundamentally opposed to the system of mass incarceration that brazenly maximizes profits at the expense of basic civil and human rights. The legislation will prevent companies like ICA from exploiting towns in order to maximize their profits at the expense of the dignity of immigrants, communities of color and other marginalized communities. It will also stop ongoing attempts by the federal government to undermine the wellbeing of immigrants across the country in pursuit of a debased ideological and profit-driven agenda.

To protect our communities, we need to shut down these facilities. California, Illinois, and Washington have already passed similar laws that would end state and local participation in immigrant detention. It's time for Maryland to join.