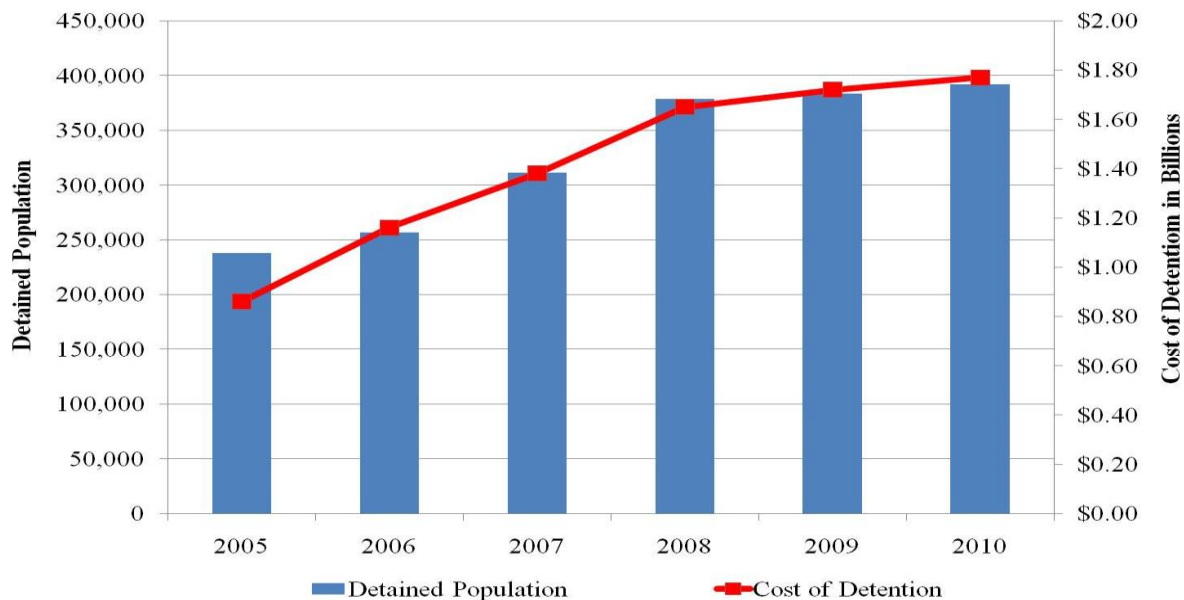


## The Influence of the Private Prison Industry in the Immigration Detention Business

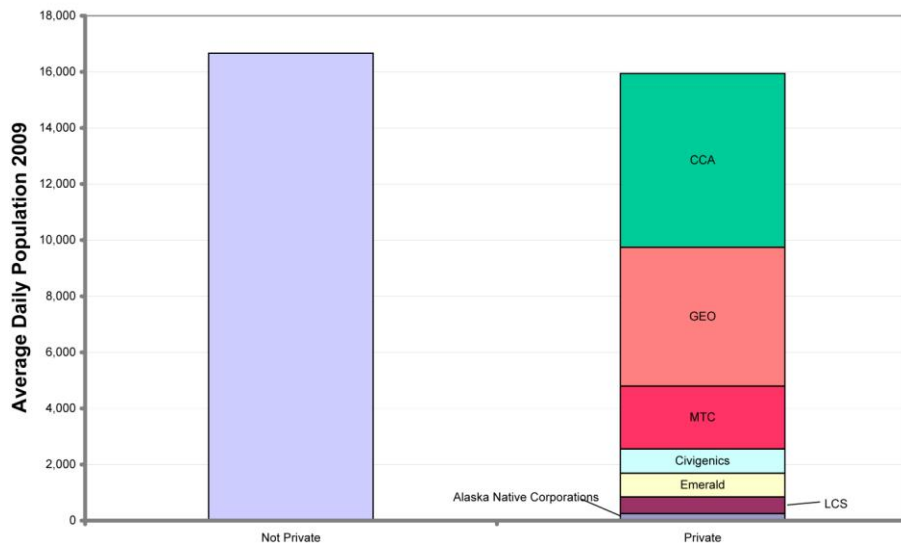
Since the late 1990's, the number of people held in immigration detention has exploded. On any given day, ICE detains over 33,000 immigrants; this is more than triple the number of beds since 1996. In the last 5 years alone, the annual number of immigrants detained and the costs of detaining them has doubled: In 2010, approximately 392,000 immigrants were detained, costing taxpayers \$1.77 billion at an average of \$122 a day per bed. Nearly 2.5 million individuals have passed through immigration detention facilities since 2003.



### Private Prisons and Immigration Detention

For immigrants, this expansion has meant weeks, months, and sometimes years in jails often under inhumane conditions, with little or no access to counsel, to family, or to the outside world. For private prison corporations, this expansion has meant big profits. **The states with the highest average daily populations in private facilities in 2009 were Texas (6,115), Georgia (1,804) and Arizona (1,779).** The three largest corporations invested in immigration detention today are Corrections Corporation of America, the GEO Group, Inc., and the Management and Training Corporation (MTC). In 2009, an average of 6,199 immigrants were held in CCA detention beds, 4,948 in GEO beds, and 2,244 in MTC beds. In 2010, CCA and GEO reported annual revenues of 1.69 billion and 1.17 billion respectively. Together these three corporations manage more than a third of immigration detention beds for Immigrations and Customs Enforcement (ICE) within the Department of Homeland Security. In total, private corporations administer 49% of beds.

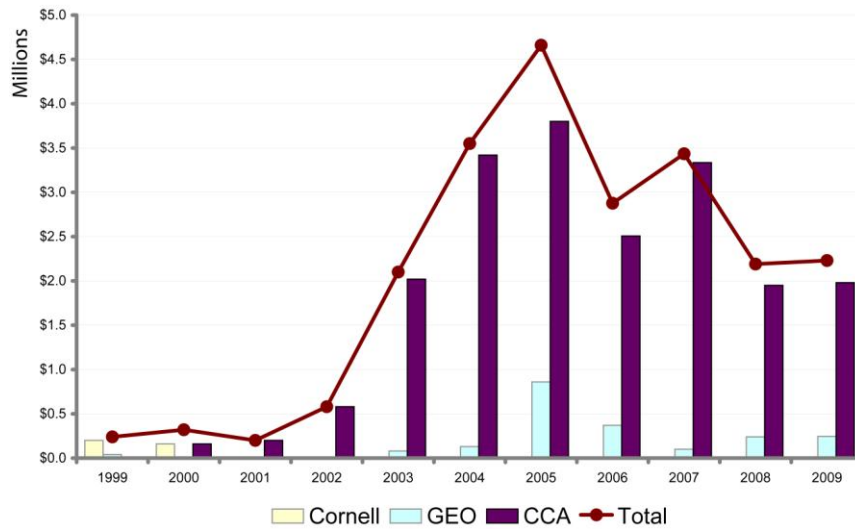
### Privatization of ICE Beds



Although all immigration detention facilities fall well below basic human rights standards, there are particular problems with privately run facilities. The incentive to maximize profit leads private corrections groups to cut expenses by, among other things, keeping facilities chronically understaffed, leading to higher rates of civil rights violations and violence. Private contractors are also exempt from the requirement to comply with Freedom of Information Act requests, and are protected in litigation by complex contractor immunity doctrines, all of which leads to a glaring lack of transparency and accountability. CCA and GEO have a long track record of abuse and mismanagement at their facilities which have led to terminations of contracts in a few recent cases.

### The Private Prison Lobby

#### Corporate Lobbying Expenditures



With the exponential increase in government expenditure on immigration enforcement since 2001, the private prison industry accurately views immigration detention as a growth industry, and corporations have increasingly devoted their resources to lobbying for policies and programs that

will increase their opportunities to do business with the government. Among the five corporations with ICE contracts for which official federal lobbying records are currently available, the total expenditure on lobbying for 1999-2009 was \$20,432,000. The biggest spenders were CCA (\$18,002,000), and GEO (\$2,065,000). Lobbying efforts targeted a wide spectrum of government entities, indicating a comprehensive strategy for influencing policy and legislation.

***Entities lobbied include:***

- Immigrations and Customs Enforcement (ICE)
- Department of Homeland Security (DHS)
- Department of Justice
- Bureau of Prisons
- Office of Management and Budget
- Both houses of Congress
- Department of Labor
- Department of Interior
- Bureau of Indian Affairs
- Administration for Families and Children

The private prison industry has been very explicit about its intention to influence immigration detention policy and practice in accordance with its own profit motive. As recent news reports have indicated, this is true not only at the federal level but at the state level as well. Most notably, a series of stories from several media outlets in 2010 described the private prison industry's involvement in the drafting and passage of Arizona's controversial SB 1070, detailing relationships between powerful state officials (including Senator Russell Pearce and Governor Jan Brewer) and various political players, including the American Legislation Exchange Council (ALEC), a group of million-dollar corporations and legislators with CCA as a member of its Public Safety and Elections Task Force.

These deep connections between corporate and government actors raises concerns about the extent to which private industry is dictating policy in an area where the lives, liberty and basic rights of hundreds of thousands of people are at stake. More research is necessary to quantify and analyze the ways in which these corporations influence both national and local policy around immigration enforcement and detention.

This research was conducted in partnership with Grassroots Leadership and Sarah V. Carswell.

## ***The Industry Speaks***

"It is clear that since September 11 there's a heightened focus on detention... more people are gonna get caught... So I would say that's positive. The federal business is the best business for us and September 11 is increasing that business".

*-- Steve Logan, Chairman of the Cornell Corrections, in a Third Quarter 2001 conference call with analysts.*

"We do not believe we will see a decline in the need for detention beds particularly in an economy with rising unemployment among American workers."

*-- James Hyman, president of Cornell Companies, when asked by an investment company representative about a possible downturn in detained immigrants.*

"We are dependent on government appropriations... The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts or through the decriminalization of certain activities that are currently proscribed by our criminal laws."

*-- CCA 2007 SEC Filing*

"The federal market is being driven for the most part as we've been discussing by the need for criminal alien detention beds. That's being consistently funded."

*-- George Zoley, GEO Group Chairman on a Nov. 2008 call with investors.*